AGENDA
SPECIAL CITY COUNCIL MEETING
CITY OF BANNING
BANNING, CALIFORNIA

June 25, 2019
4:45 p.m.

Banning Civic Center
Council Chamber
99 E. Ramsey Street

I. CALL TO ORDER

Roll Call – Council Members Happe, Peterson, Wallace, Mayor Pro Tem Andrade and Mayor Welch

A. Opportunity for Public to address closed session items.
B. Convene closed session.

II. CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Government Code Section 54956.8)
Property Description: APN: 419-140-041
City Negotiators: Douglas Schulze, City Manager, and Ted Shove, Economic Development Manager
Negotiating Parties: Marinita Development
Under Negotiation: Request for Conveyance of Land

III. ADJOURNMENT

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

NOTICE: Pursuant to Government Code § 54954.3(a), the only public comment that will be permitted during this Special Meeting is that pertaining to items appearing on this special meeting agenda. Any member of the public may address this meeting of the Mayor and Council on any item appearing on the agenda by approaching the microphone in the Council Chambers and asking to be recognized, either before the item about which the member desires to speak is called, or at any time during consideration of the item. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to "share" his/her five minutes with any other member of the public.

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]

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AGENDA
REGULAR MEETING OF THE BANNING CITY COUNCIL
CITY OF BANNING
BANNING, CALIFORNIA

June 25, 2019
5:00 p.m.

Banning Civic Center
Council Chamber
99 E. Ramsey Street

The following information comprises the agenda for the regular meeting of the City Council, and a joint meeting of the City Council and the Banning Utility Authority.

Per City Council Resolution No. 2016-44 matters taken up by the Council before 10:00 p.m. may be concluded, but no new matters shall be taken up after 10:00 p.m. except upon a unanimous vote of the council members present and voting, but such extension shall only be valid for one hour and each hour thereafter shall require a renewed action for the meeting to continue.

I. CALL TO ORDER

- Invocation – Mountain Avenue Baptist Church - Pastor
- Pledge of Allegiance
- Roll Call – Council Members Happe, Peterson, Wallace, Mayor Pro Tem Andrade and Mayor Welch

II. AGENDA APPROVAL

III. PRESENTATION

None.

IV. REPORT ON CLOSED SESSION

V. PUBLIC COMMENTS, CORRESPONDENCE, 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.

APPOINTMENTS:

VI. 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 9: Items ___, ___, ___, to be pulled for discussion. *(Resolutions require a recorded majority vote of the total membership of the City Council)*

- ***Mayor to Open Consent Items for Public Comments***

1. Approval of Special Meeting – 6/11/2019 Minutes (Closed Session) **10**
2. Approval of Special Meeting – 6/11/2019 Minutes (Workshop) **13**
3. Approval of Regular Meeting – 6/11/2019 Minutes **69**
4. Approval and Ratification of Accounts Payable and Payroll Warrants Issued in the Month of May 2019 ..... **91**
5. Receive and File Cash, Investments and Reserve Report for the month of May 2019 ..... **127**
6. Receive and File Public Works Capital Improvement Project Tracking List for June 2019 ..... **133**
7. Receive and File Police Department Statistics for May 2019 ..... **138**
8. Receive and File Fire Department Statistics for May 2019 ..... **142**
9. Ordinance No. 1547 - An Ordinance of the City Council of the City of Banning, California, Approving the Zoning Text Amendment No. 19-97502, Amending Chapter 17.12 “Commercial and Industrial Zoning Districts” and 17.36 “Sign Regulations of Title 17 Zoning” of the Banning Municipal Code Authorizing Electronic Message Centers in the Downtown Commercial Zoning District, Subject to a Conditional Use Permit (CUP) and Development Agreement. ***(Second Reading and Adoption)*** **158**

VII. PUBLIC HEARINGS

1. Tentative Tract Map (TTM) 37365, A Proposal to Subdivide Approximately 14.22 Gross Acres of Vacant Land into 18 Lots for Condominium Purposes for a Total of 107 Single-Family Residential Detached Condo Units, Four Open Space Lots, One Park Lot and Public Streets, All Within the Butterfield Specific Plan, Planning Areas 4, 9B and 26. ..... **192**
   (Staff Report – Adam Rush, Community Development Director)

Recommendation(s): Staff recommends that the City Council: 1) find that in accordance with CEQA Guidelines Section 15162, Subsequent EIRs and

Negative Declarations, that all previous environmental impacts have been evaluated and disclosed and that a subsequent environmental document is not required; and 2) approve Tentative Tract Map 37365 to subdivide approximately 14.22 gross acres of land into 18 lots for condominium purposes for a total of 107 single-family residential detached condo units, including open space uses and public streets, subject to conditions of approval.

2. Tentative Tract Map (TTM) 37390, A Proposal to Subdivide Approximately 93 Gross Acres of Vacant Land for Purposes of Subdividing 362 Single Family Lots, 1 Lot for a Park Site, 13 Open Space Lettered Lots (Including Recreation and Drainage), and Public Streets, All Within Planning Area 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B, and 50B the Butterfield Specific Plan Area. **263**
(Staff Report – Adam Rush, Community Development Director)

Recommendation(s): Staff recommends that the City Council: 1) find that in accordance with CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations, that all previous environmental impacts have been evaluated and disclosed and that a subsequent environmental document is not required; and 2) approve Tentative Tract Map 37390 to subdivide approximately 93 gross acres of land into 362 single family residential lots, parks, and open space uses along with public streets, subject to conditions of approval.

3. Tentative Tract Map (TTM) 37474, A Proposal to Subdivide Approximately 16.5 Gross Acres of Vacant Land for Purposes of Creating 109 Single Family Lots, 2 Open Space Lettered Lots, and Public Streets, All Within Planning Area 3, Within the Butterfield Specific Plan.. ..... **336**
(Staff Report – Adam Rush, Community Development Director)

Recommendation(s): Staff recommends that the City Council: 1) find that in accordance with CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations, that all previous environmental impacts have been evaluated and disclosed and that a subsequent environmental document is not required; and 2) approve Tentative Tract Map No. 37474 to subdivide approximately 16.5 gross acres of land into 109 single family lots, and open space uses along with public streets, subject to conditions of approval.

4. Adopt Resolution Approving an Increase in Overage and Contamination Fees Related to the Collection, Transportation and Disposal of Solid Waste. .. **398**
(Staff Report – Art Vela, Director of Public Works/City Engineer)

Recommendation(s): Staff recommends that the City Council: 1) adopt resolution approving an increase in Overage and Contamination fees related to the Collection, Transportation and Disposal of Solid Waste; 2) approve overage and Contamination fee adjustments related to the Collection, Transportation and Disposal of Solid Waste services shall be effective July 1, 2019; and 3) rescind all previous Overage and Contamination fees related to the Collection, Transportation and Disposal of Solid Waste rate structures.

VIII. ANNOUNCEMENTS AND REPORTS

CITY COUNCIL COMMITTEE REPORTS

REPORT BY CITY ATTORNEY

REPORT BY CITY MANAGER

REPORT OF OFFICERS

1. Adopt Resolution 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 Mpbs Internet Feed to City Hall for Fiscal Year 2019-2020 for $31,188.00. ..... **411**
   (Staff Report – Douglas Schulze, City Manager)

Recommendation(s): Staff recommends that the City Council adopt resolution approving agreement with Cybertime Network Communications for Citywide Looped Microwave Backbone System and Data Circuit to the Water Plant and Provision of 10.0 Mpbs Internet Feed to City Hall and authorizing the City Manager to execute the related agreement.

2. Adopt Resolution Authorizing Workers' Compensation Coverage for Off-Duty Peace Officers Injured Out of State. **425**
   (Staff Report – Douglas Schulze, City Manager)

Recommendation(s): Staff recommends that the City Council adopt resolution authorizing Workers' Compensation Coverage for Off-Duty Peace Officers Injured Out of State.

3. Approving a Determination of Public Convenience and Necessity for the Sales of Beer and Wine (Type 20) in an Existing Retail Store (Dollar General) Located at 1323 West Ramsey Street, Banning, California (APN 540-130-039 in the Highway Servicing Commercial (HSC) Zoning District. **432**
   (Staff Report – Adam Rush, Community Development Director)

Recommendation: Staff recommends that the City Council make a determination of public convenience and necessity, based on the findings provided herein, in order for the California Department of Alcoholic Beverage Control (ABC) to issue a Type-20 License to Dolgen California, LLC for the off-site sales of beer and wine at an existing retail store located at 1323 West Ramsey Street, Banning, California in the Highway Serving Commercial (HSC) Zoning District.

4. Adopt Resolution Approving and Authorizing the Submittal of the Application for Statewide Park Development and Community Revitalization Program Grant Funds. **451**
   (Staff Report – Art Vela, Director of Public Works/City Engineer)

Recommendation (s): Staff recommends that the City Council adopt resolution approving and authorizing the application for Statewide Park Development and Community Revitalization Program Grant Funds to expand Lions Park.

5. Adopt Resolution Approving the Replacement of Vehicles for Fiscal Year 2020 Pursuant to the Five (5) Year Master Equity Lease Agreement with Enterprise Fleet Management. **497**
(Staff Report – Art Vela, Director of Public Works/City Engineer)

Recommendation(s): Staff recommends that the City Council: 1) approving the replacement of vehicles for Fiscal Year 2020 pursuant to the Five (5) Year Master Equity Lease Agreement with Enterprise Fleet Management and authorizing the City Manager or designee to execute all required documents related to the Fiscal Year 2020 replacement vehicles; 2) authorizing the City Manager or designee to declare and remove various City-owned vehicles from the City's fleet and dispose of the surplus vehicle assets per City policy; 3) authorizing the proceeds from the sale of the surplus vehicles to be applied towards the cost of the annual leasing program; and 4) authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the Vehicle Lease and Replacement Program.

6. Discuss the Current Policy for the Repair and Maintenance of Curbs, Sidewalks, and Parkstrips. **532**
(Staff Report – Art Vela, Director of Public Works/City Engineer)

Recommendation (s): Staff recommends that the City Council discuss the policy for the repair and maintenance of curbs, sidewalks, and parkstrips as established in the approval of Resolution No. 1977-15.

7. Adopt Resolution, Approving the Interagency Services Agreement between the City of Banning and the City of Beaumont for the Purpose of Providing Coordinated Transit Services. **541**
(Staff Report – Art Vela, Director of Public Works/City Engineer)

Recommendation: Staff recommends that the City Council: 1) adopt Resolution approving an Interagency Services Agreement (ISA) between the City of Banning ("Banning") and the City of Beaumont ("Beaumont") for the purpose of providing coordinated transit services; and 2) authorizing the City Clerk to certify to the adoption of this Resolution and to cause a certified resolution to be filed in the book of original resolutions.

8. Revisions and Update of Electric Rule #22- Tree Trimming. **583**
(Staff Report – Tom Miller, Electric Utility Director)

Recommendation (s): Staff recommends discussion and possible action to replace and revise Electric Rule #22 – Tree Trimming, revised by City Council on December 19, 1994 by Resolution No. 1994-130.

IX. DISCUSSION ITEM

None

CITY COUNCIL – Next Meeting, July 9, 2019, 5:00 p.m.

Please note that in accordance with City Council Resolution No. 2017-14, the City Council will go dark for the last meeting in July and the first meeting in August. Therefore, please be advised that the City Council will not hold its regular meetings on July 23 or August 13 respectively.

X. ITEMS FOR FUTURE AGENDAS

1. Website Redesign
2. Wildfire Mitigation Plans
3. 553 E. Ramsey Receivership

XI 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.

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MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

06/11/2019
SPECIAL MEETING- CLOSED SESSION

COUNCIL/BOARD MEMBERS PRESENT: Councilmember Happe
Councilmember Peterson
Councilmember Wallace
Mayor Pro Tem Andrade
Mayor Welch

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Douglas Schulze, City Manager
Kevin G. Ennis, City Attorney
Marvin Bonilla, Deputy City Attorney (via teleconference)
Art Vela, Director of Public Works/City Engineer
Tom Miller, Electric Utility Director
Daryl A. Betancur, Deputy City Clerk

I. CALL TO ORDER

A special meeting of the Banning City Council was called to order by Mayor Welch on June 11, 2019 at 2:33 p.m. at the Banning Civic Council Chambers, 99 E. Ramsey Street, Banning, California.

II. CLOSED SESSION

Mayor Welch opened the closed session items for public comments.

There were no public comments.

1. **CONFERENCE WITH LABOR NEGOTIATORS** Pursuant to Government Code Section 54957.6 – City Designated Representative: Doug Schulze, City Manager, Kevin Ennis, City Attorney, Banning Police Officer Association (BPOA). **Direction given to City Manager Douglas Schulze on this item.**

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** (Pursuant to paragraph (1) of subdivision (d) of Section 54956.9) Name of Case: James Arthur Algea II and Cali Emerald Care, Inc. v. City of Banning
Case No. RIC 1903009. **Status report was provided and direction was given.**

3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
(Pursuant to Paragraph (2) of Subdivision (d) Government Code Section 54956.9
Number of Cases: One Case. **Direction was given to legal counsel with respect to this item.**

4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Pursuant to Subdivision (a) of Government Code Section 54956.9)
Name of Case: Sustainers Alliance for Environmental Responsibility (SAFER) v. City of Banning, et al. (Lawrence Equipment Warehouse Project)
Case No. RIC 1903059. **Direction was given to legal counsel regarding this item.**

5. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
(Pursuant to Government Code Section 54956.8)
Property: 4133 West Wilson Street, Banning, California
City Negotiators: Doug Schulze, City Manager and Tom Miller, Electric Utility Director
Negotiating Parties: Dora and Art Nordquist
Under Negotiation: Price and terms for potential purchase of electrical equipment and meters in the Mountain Air Mobilehome Park. **Direction ws given to Electric Utility Director Tom Miller and City Manager Douglas Schulze.**

6. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
(Pursuant to Government Code Section 54957). **Item was concluded.**

The meeting convened to closed session at 2:33 p.m. and reconvened to open session at 4:45 p.m.

III. ADJOURNMENT

By consensus, the meeting adjourned at 4:45 p.m.

Minutes Prepared by:

_____
Daryl Betancur, Deputy City Clerk

The entire discussion of this meeting and related documents can be found by visiting the following website: https://banningca.gov/ArchiveCenter/ViewFile/Item/2100 **or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.**

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MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

06/11/2019
SPECIAL MEETING- WORKSHOP

COUNCIL/BOARD MEMBERS PRESENT: Councilmember Happe
Councilmember Peterson
Councilmember Wallace
Mayor Pro Tem Andrade
Mayor Welch

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Douglas Schulze, City Manager
Kevin G. Ennis, City Attorney
Daryl Betancur, Deputy City Clerk
Tom Miller, Electric Utility Director
Carla Young, Management Analyst
Heidi Meraz, Community Services Director
Art Vela, Director of Public Works/City Engineer
Adam Rush, Community Development Director
Suzanne Cook, Deputy Finance Director
Ted Shove, Economic Development Manager
Laurie Sampson, Executive Secretary

I. CALL TO ORDER

A special meeting of the Banning City Council was called to order by Mayor Welch on June 11, 2019 at 3:47 p.m. at the Banning Civic Council Chambers, 99 E. Ramsey Street, Banning, California.

II. WORKSHOP

Electric Utility Workshop. .....

Tom Miller, Electric Utility Director made the presentation and explained the purpose of the workshop. He stated that since he took office, there has been no discussion about what the Electric Utility is doing and where it is going; that during the Strategic Planning Session meeting, one thing that was missing was that there were no goals or strategic planning for the Electric Utility and that made him realize that he had not done a good job in communicating to the Council where the Electric Utility is doing.

Further, Mr. Miller commented that he was also attempting to lay down the groundwork for the budget meeting that is coming up. He explained that the Electric Utility is a full-service community serving a population of 30,000 people; that Banning Electric Utility

is a retail electrical energy distribution utility with six distribution substations and 134 miles of power lines service nearly 13,500 citizens and business patrons; he commented that the Banning Electric Utility is a member of the Southern California Public Power Authority (SCPPA) enjoying the benefits of joint action through cost effective planning, construction, management, and operations of electrical energy resources.

Electric Utility Director Tom Miller explained in more detail the purpose of the workshop, which was to communicate the strategic priorities of the electric utility; demonstrate the planning processes for the electric utility; provide a snap-shot of today's current operations; re-familiarize the City Council with the management team and key players for the electric utility. Members of the Electric Utility Team Roger Halverson, Brandon Robinson, Jason Smith, and Jim Steffens briefed the City Council on various elements of the presentation including redundancy and reliability of Banning Substations, Capital Improvement Plan Goals, Electric Vehicle Charging Stations, Wildfire Mitigation Improvements, Maintenance Operations, Safety, Materials, Equipment, Professional Development, Power Resources, and Legislative and Regulatory Framework.

There were several questions from Council with respect to the issue of the substations and whether or not it would be better for the City to owned them; comments were made about electric vehicle charging stations and the great customer service of the Electric Utility staff.

III. **PUBLIC COMMENTS** – Opportunity for the public to address items on the agenda.

Public Comment.

City Attorney Kevin G. Ennis remained the Council that since we had run out of time for public comments, that the Council could entertain public comment for the workshop during the public comment period during the regular meeting.

ACTION:

Mayor Welch requested that the last part of the presentation be continued to another meeting because it was the most important part for the residents. Mayor Welch thanked the Electric Utility Team for an excellent presentation and asked for a ten minute recess before reconvening to the regular City Council meeting.

IV. **ADJOURNMENT**

By consensus, the meeting adjourned at 5:15 p.m.

Minutes Prepared by:

_____
Daryl Betancur, Deputy City Clerk

The entire discussion of this meeting and related documents can be found by visiting the following website: https://banninglive.viebit.com/player.php?hash=4Ll8Fn6nEbiU
or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.

ATTACHMENT 1
(Electric Utility Presentation)

BANNING ELECTRIC UTILITY

PROVIDING POWER TO THE COMMUNITY OF BANNING SINCE 1922

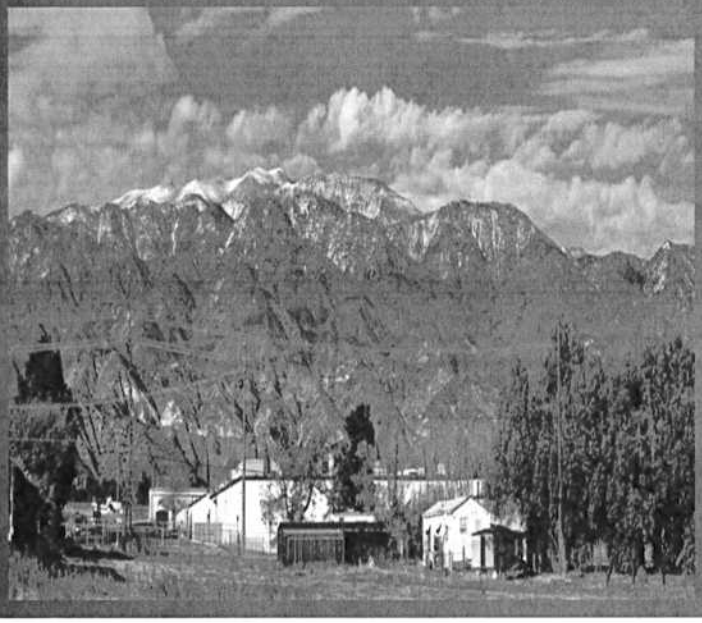
CITY COUNCIL WORKSHOP

BANNING ELECTRIC UTILITY STAFF

JUNE 11, 2019

BANNING ELECTRIC UTILITY

PROVIDING POWER TO THE COMMUNITY OF BANNING SINCE 1922



The City of Banning is a full-service community serving a population of 30,000 people located in the beautiful San Gorgonio Pass, 90 miles east of Los Angeles. Banning Electric Utility is a [illegible]owned retail electrical energy distribution utility with 6 distribution substations and 134 miles of power lines serving nearly 13,500 citizens and business patrons. The Banning Electric Utility is member of the Southern California Public Power Authority (SCPPA) enjoying the benefits of joint action through cost effective planning, construction, management, and operations of electrical energy resources.

Purpose of the Workshop

- Communicate the strategic priorities of the electric utility
- Demonstrate the planning processes for the electric utility
- Provide a snap-shot of today
- Re-familiarize city council with the management team and key players for the electric utility
- Tie it altogether
  - Electric Operating Budget
  - Electric Capital Budget
  - Overall City Budget

Banning Electric Strategic Priorities

Energy Procurement (1a)

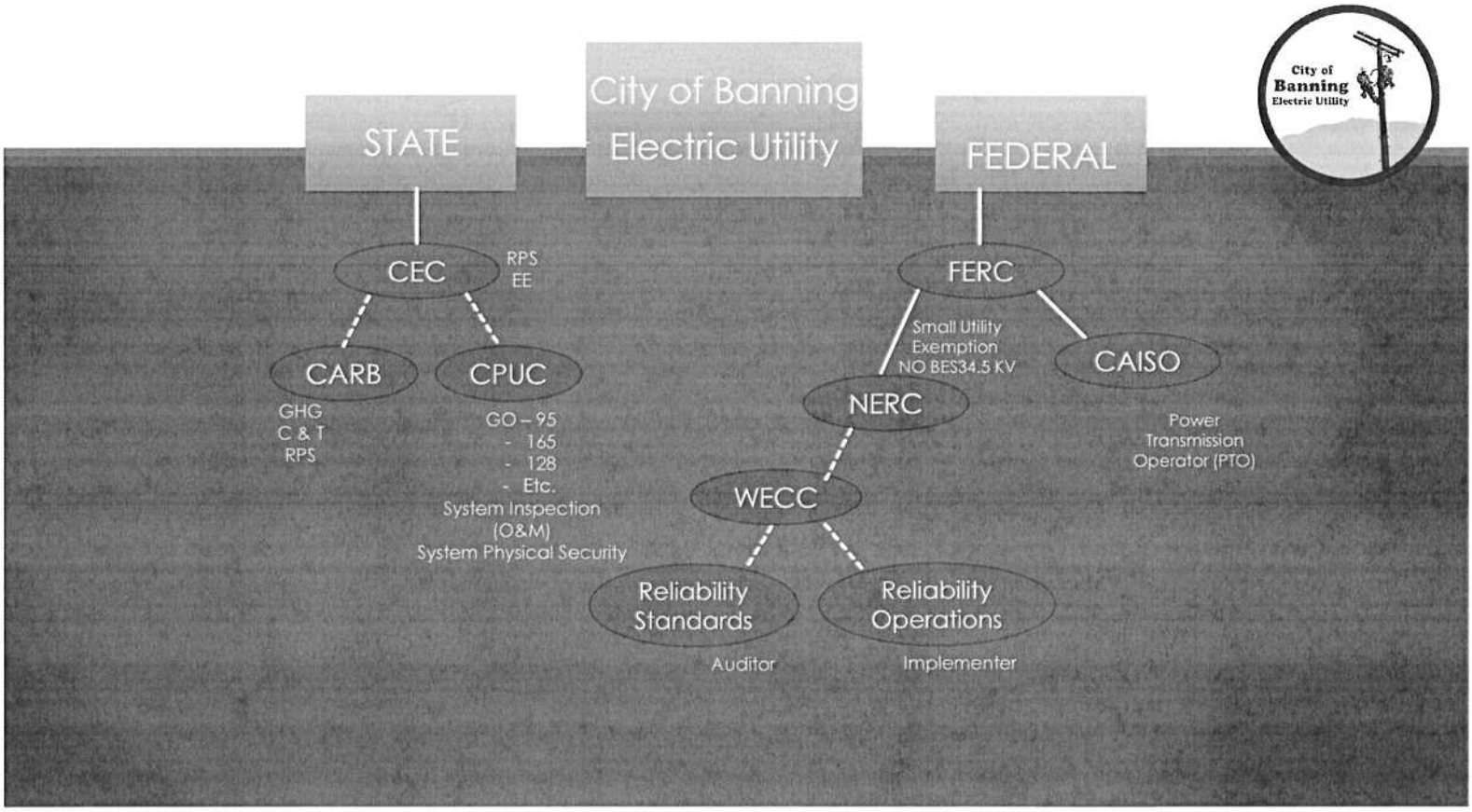
- To our customers' energy needs in order to take advantage of our load diversification in the market place
- To meet the State's renewable, , and carbon-free goals
- To reduce our diversified electrical energy demand
- To increase our diversified
- To encourage the

Retail Distribution (1b)

- To keep our community and employees (with respect to electricity)
- To keep our rates competitive and by using sound business practices
- To keep our electrical distribution system and enhance system through distribution automation
- To our customers' standard of living through the use of electro-technologies
- To promote the of electrical energy
- To encourage construction techniques for residential and commercial construction

Banning Electric Utility - Planning

- City of Banning's General Plan
  - Build-out
  - Zoning
  - Ignores load growth
- 10-year Load Forecast (2019) – 56 MWs
- 10-year System Plan (2007)
  - Estimates Capital Improvement Plan
  - Long-range of 75 MWs
  - 3-5 year Construction Work Plan
- Integrated Resource Plan (IRP) (2019)
  - Power Supply Plan
  - Renewable Portfolio Standard (RPS)
  - Green House Gasses (GHG) Mitigation
    - Cap and Trade
    - SF6 removal
- Long-range Financial Forecast (?)
  - Projects Debt needs
  - Dovetails to 10-year Load Forecast and 10-year System Plan
  - Immediate capital needs from Construction Work Plan
  - Projects rate adjustments
- Cost of Service Analysis
  - Financial Drivers
  - Based on current rates and revenues
  - Last rate adjustment (May 2013)
- Bi-annual Budget
  - Current Rates
  - Mid-year updates
  - Mid-cycle updates


City of Banning Electric Utility
STATE
FEDERAL
CEC
RPS
EE
CARB
CPUC
GHG
C & T
RPS
GO – 95
- 165
- 128
- Etc.
System Inspection
(O&M)
System Physical Security
FERC
Small Utility
Exemption
NO BES34.5 KV
CAISO
NERC
Power
Transmission
Operator (PTO)
WECC
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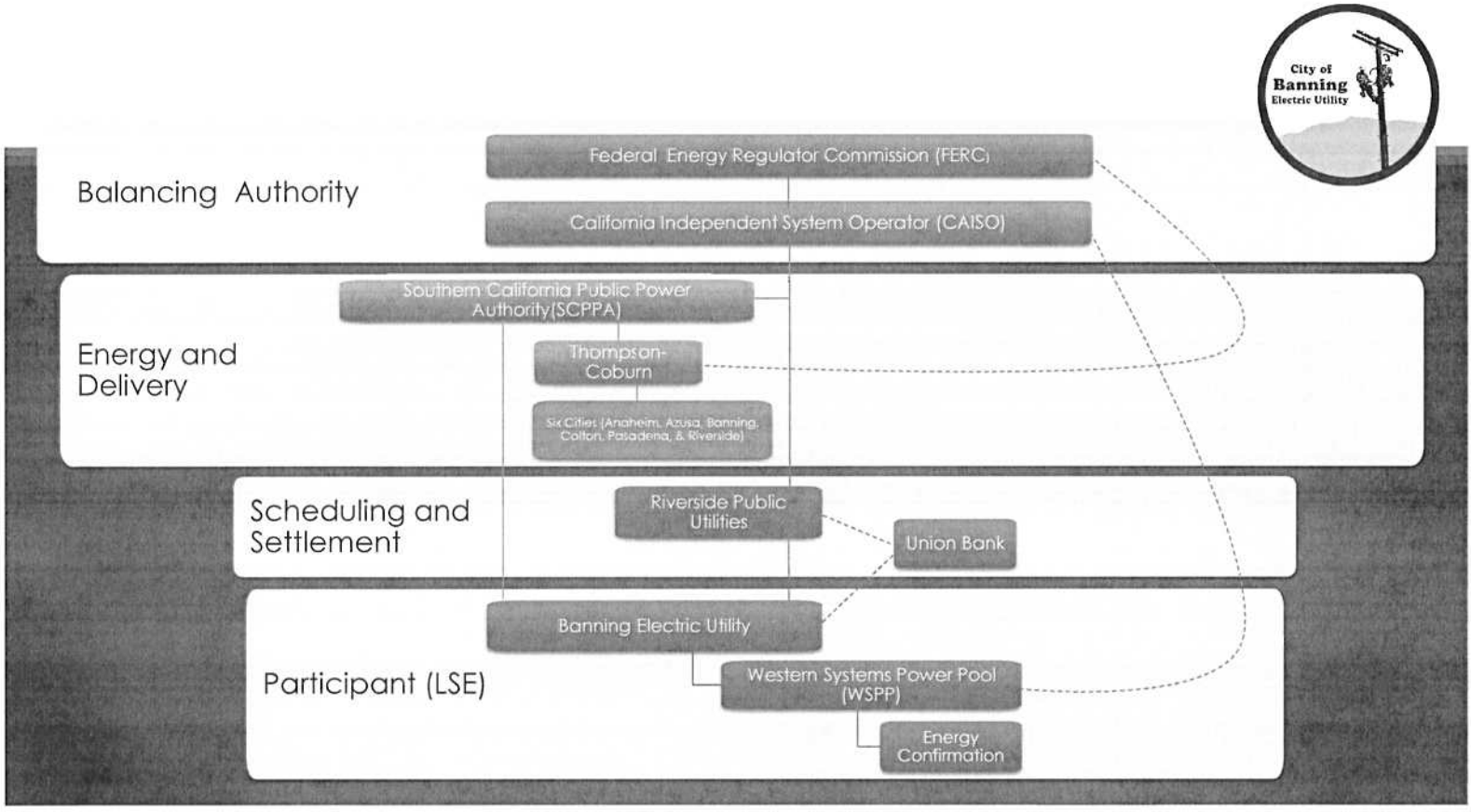
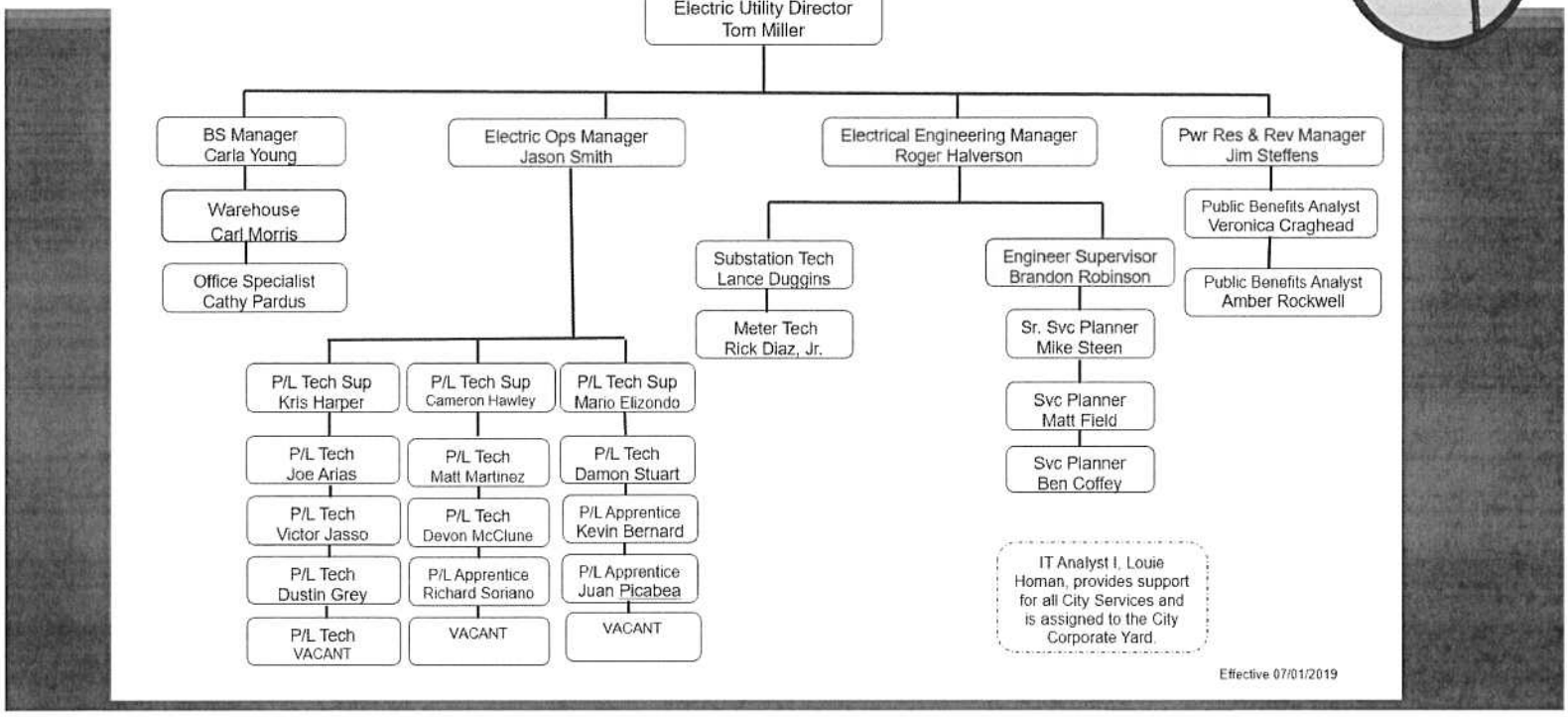
Auditor
Reliability
Operations
Implementer

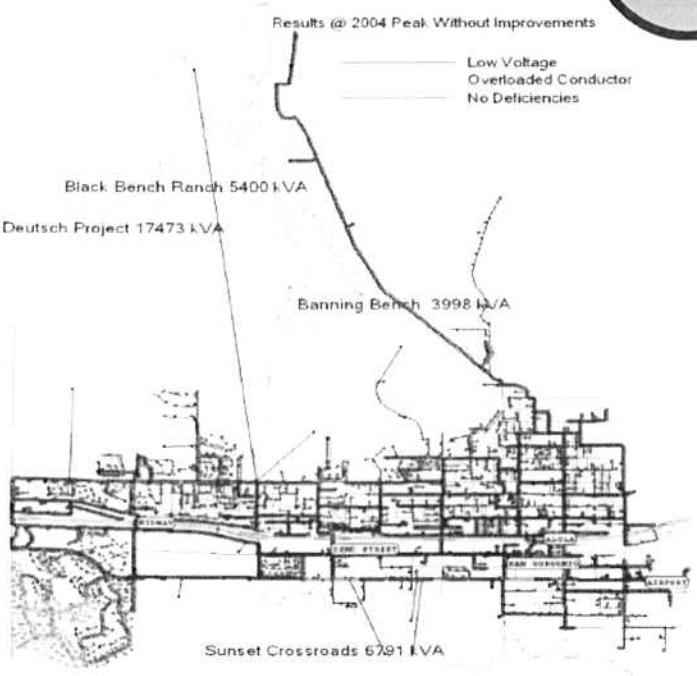

City of
Banning
Electric Utility
Balancing Authority
Federal Energy Regulator Commission (FERC)
California Independent System Operator (CAISO)
Energy and Delivery
Southern California Public Power Authority(SCPPA)
Thompson-Coburn
Six Cities (Anaheim, Azusa, Banning, Colton, Pasadena, & Riverside)
Scheduling and Settlement
Riverside Public Utilities
Union Bank
Participant (LSE)
Banning Electric Utility
Western Systems Power Pool (WSPP)
Energy Confirmation

City of Banning – Electric Utility

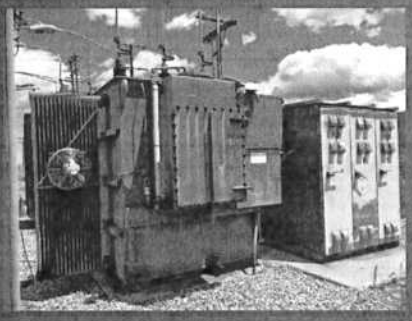


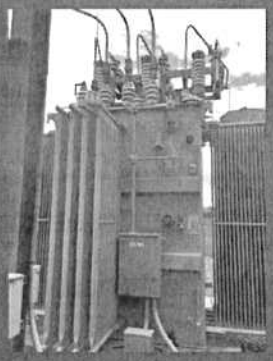
Redundancy & Reliability (1b)
Banning Substations

- Banning Substations
  - Midway
  - Alola
  - Airport
  - San Gorgonio
  - 22nd St
  - Sunset
- Relocation of Airport & Alola Substations
- Rebuild Two Substations
- Sunset has 40MW available with only 4MW used. Transfer of load from Midway to provide relief



Transformers

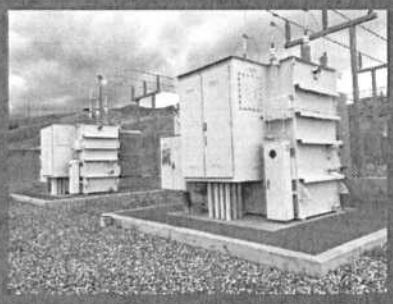


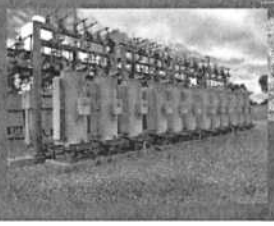


- Move 20 MVA transformer from Sunset to new Ivy substation (relocated Airport)
- Three 10 MVA transformers available
  - One at new Stagecoach substation (relocated Alola)
  - Two at San Gorgonio substation to replace one aged transformer
- Remove all SF6 gas breakers and replace with environmentally safer vacuum breaker at all substations
  - SF6 gas breakers must be replaced by 2025

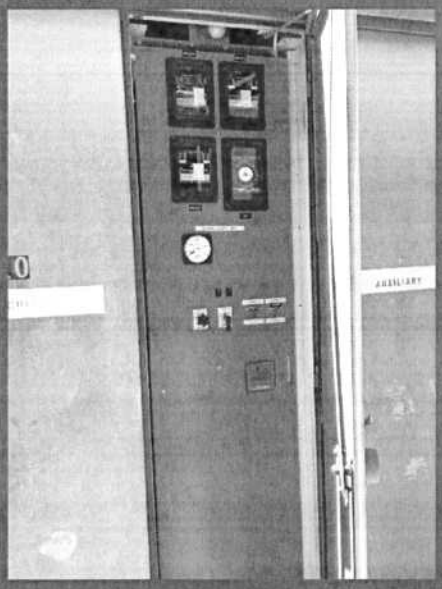
Upgrades

- Substations will be made SCADA ready (supervisory control and data acquisition)
  - Will allow for Engineering and Operations personnel to monitor and control remotely
  - While some modifications are necessary most equipment is already owned and ready for install
- Midway substation needs several upgrades including a new 20 MVA LTC transformer, new vacuum 34.5 breaker and removal of 12 single phase 12.4 voltage regulators





Future



- All substations will have provisions put in place to add an additional transformer and 34.5 KV breaker for future needs
- Once all six substations are working properly we will be able to begin sectionalizing the distribution lines for better reliability

CIP Goals

Utility Optimization

- System Planning
  - Advance the Initiatives of the Electric Utility
  - Prioritize/Adjust as you go
  - Support the City of Banning's Strategic Plan
- Standardization
  - Integrate the Utility with intelligent/modern materials and technology
  - "Out with the old, in with the new"
- System Integrity
  - Support ongoing improvement to energy resiliency by deploying in-field distribution assets that help tell our story
  - Reduce operation and maintenance costs

DISTRIBUTED ENERGY RESOURCES

Kelly calls for public power to address three critical issues

In her keynote at the Association's 2019 National Conference, Association President and CEO Sue Kelly urged public power utility executives to focus on what she called the industry's three greatest challenges: customers' increasing use of technology, cyber and physical security, and greenhouse gas emissions.

Engineering and Project Management

- Develop long term relationship with design engineering consultant
  - Substation relocations
  - Utility (primary) line extension projects
  - Assist with management of development projects
- Secure contract with construction firm
  - Three-year term
  - Equipment and labor for underground utility construction

2019 Projects Continuing in 2020

- Design
  - Ivy and Stagecoach Substations
  - Includes expansion of substation distribution equipment
- Construction
  - 4kV to 12kV Distribution Upgrades
  - Commercial Smart Meter Installation

Distribution Equipment Upgrades

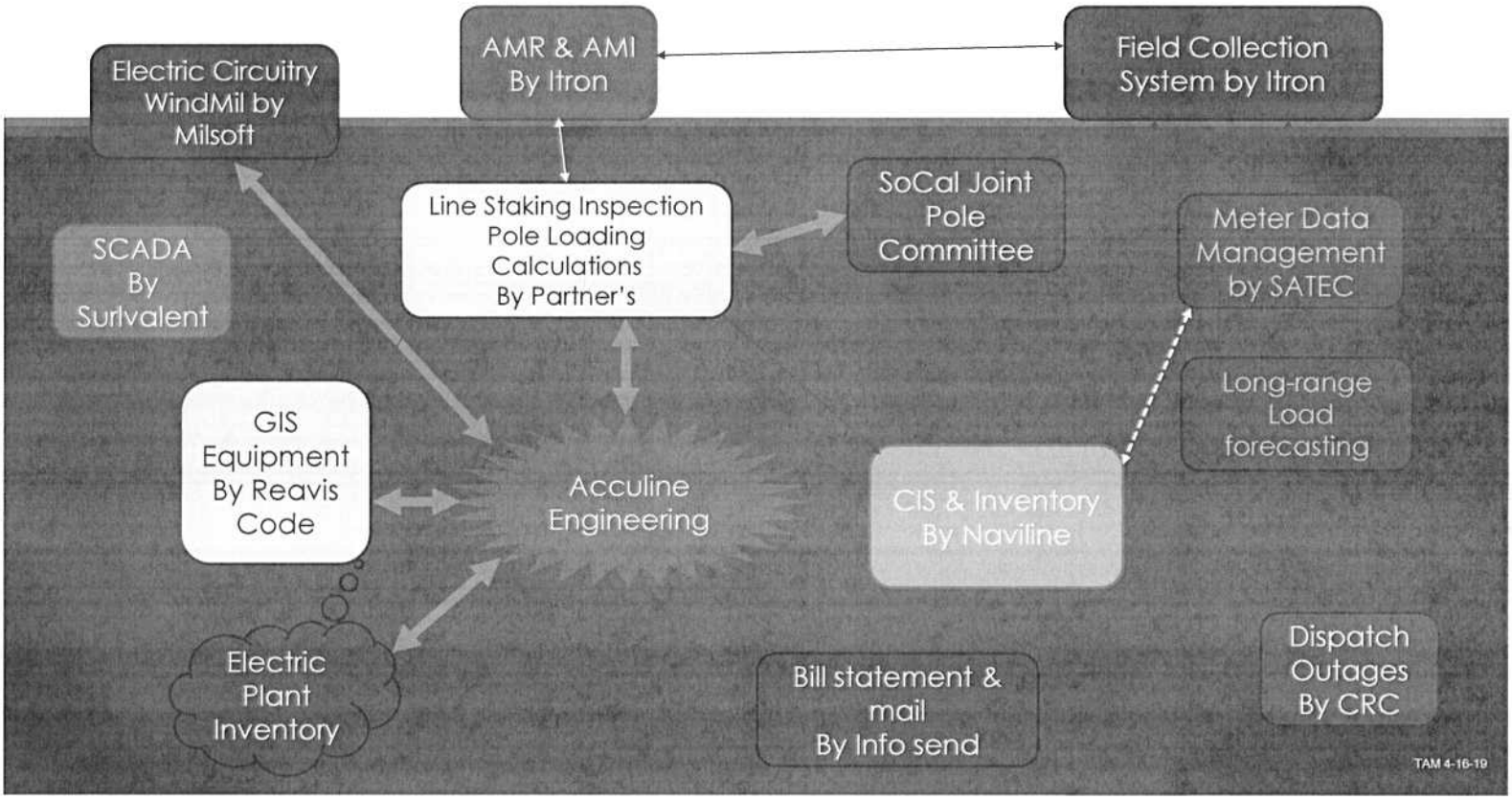
- Complete 4kV – 12kV distribution conversion
- Replace older distribution cable reaching the end of its life cycle
- Standardize overhead and underground distribution
- Distribution Automation Equipment
  - Integrating systems' software for optimization
  - Sectionalizing/Auto-reclosing Circuit Breakers and Fault Indicators
  - Communications Network (Fiber Optic)

Utility Data Management Systems

- AMI Communications Systems (Itron)
  - Meter Communications Network (Radio Frequency Mesh)
  - Meter Data Management System (SATEC)
- Milsoft Utility Solutions (WindMil)
  - Improved system mapping with mobile solutions
  - Incorporate electric plant inventory into circuit map
  - System distribution coordination
  - Energy load management
  - Integrate with Cooperative Response Center's outage management system

SCADA Systems Improvements

- Availability
  - One Substation has full SCADA capability
    - Sunset
  - Two other substations have fiber optic connectivity available
    - 22nd Street and Midway Substations
  - Remaining three substations will require fiber optic connection
    - San Gorgonio, Ivy, and Stagecoach
- Data integration thru SCADA provider at each substation
  - Surlvalent
- Substation Security – Adapting to escalating threats


AMR & AMI
By Itron
Field Collection
System by Itron
Electric Circuitry
WindMil by
Milsoft
Line Staking Inspection
Pole Loading
Calculations
By Partner's
SoCal Joint
Pole
Committee
Meter Data
Management
by SATEC
SCADA
By
Surlvalent
Long-range
Load
forecasting
GIS
Equipment
By Reavis
Code
Acculine
Engineering
CIS & Inventory
By Naviline
Electric
Plant
Inventory
Bill statement &
mail
By Info send
Dispatch
Outages
By CRC
TAM 4-16-19

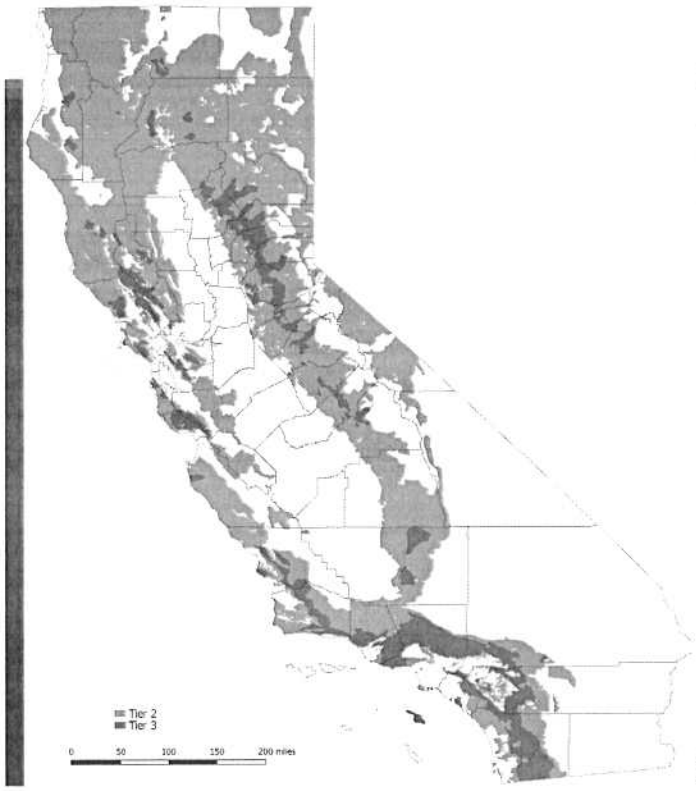
Electric Vehicle Charging

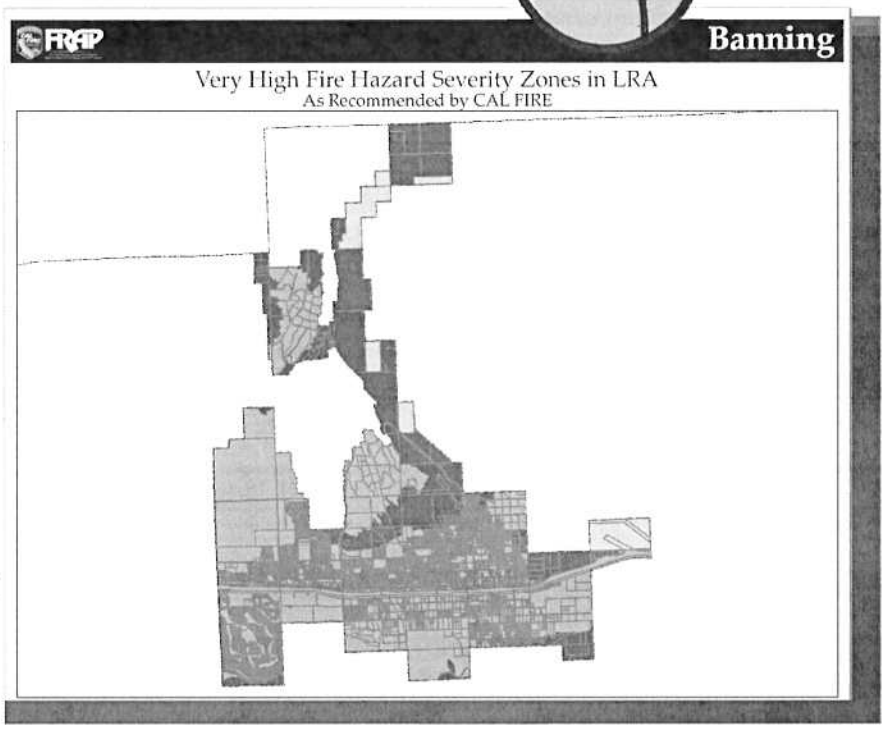
- Install new electric vehicle charging stations in areas for public access
- Participate in upcoming projects funded through state and federal programs
- Identify solutions for utility fleet
- All-electric plan for City transit fleet

Wildfire Mitigation Improvements

- Wildfire Mitigation Plan to be submitted to City Council by January 1, 2020
  - Independent consultant to assist Utility with its plan
- Additional public outreach will be required
- Required Utility Action
  - Mitigate identified hazards
  - Upgrade utility distribution equipment to mitigate risks
  - Must be able to de-energize utility in high fire risk zones

California Approved Shape B Map





Development Project Support

- Pardee/Atwell and Rancho San Gorgonio Developments
  - Design support
  - Construction Support – Install distribution equipment to serve projects
- Public Works
  - Design and construction support for various projects that require utility relocation
  - Review City policy of changes in electric facilities funding
    - Electric or City

Operations & Maintenance

- Operations
- Safety
- Material
- Equipment
- Training

Thank you for changing the Purchasing Policy to include exception items for normal routine business operations!

Maintenance Operations

U.G./O.H. Inspections

1. Designate areas of urgency
2. Service contract
3. Prioritize needs
4. Establish/Update construction standards
5. Implement restoration

Vegetation Management

1. Specify locations
2. State compliance - maintenance
3. Contract crews
4. Create emergency shut down procedures
5. Avian protection

Capital Projects

1. Substations
2. UG cable replacement
3. 4-12 Conversion
4. Atwell, Diversified

Emergent Work

1. Outages
2. J.P.A
3. Trees
4. Vehicle accidents

Safety

- **Priority #1** (constant focus, proactive approach)
  - $50,000 FY 2019-2020 budget
- **Promote Culture** (strong foundation, create affirmative climate)
  - Incentive Program
  - Non-punitive environment
  - Teamwork oriented atmosphere
- **Refocused Safety**
  - Engaged monthly meetings
  - Tailboards
  - Post job debriefs
  - Inter-departmental training
  - Developing EOC

PRESS RELEASE

PG&E Announces New Chief Executive Officer and Appointment of a Refreshed Board of Directors; New Leadership Focused on Enhancing Safety Culture and Operational Excellence

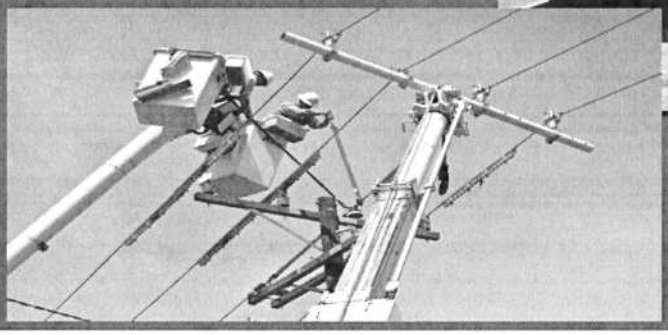
Published: Apr 3, 2019 7:35 p.m. E.T.

Material

- OVERHEAD
  - CONNECTORS, BOLTS, POLES, TRANSFORMERS
- UNDERGROUND
  - TERMINATIONS, CABLE,
  - STRUCTURES

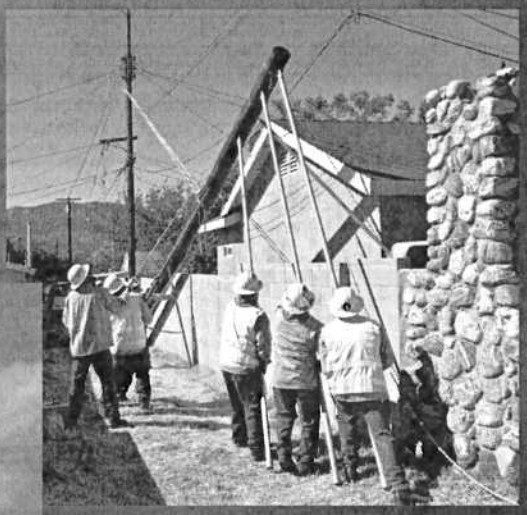
Equipment

- Vehicles
- Industry Tools
- Capital Investment



Professional Development

- Minimum of six months as ground help
- 3yr Apprenticeship (NJATC)
- Ongoing certifications (CPR, FORKLIFT, RUBBER GLOVE, Class A Driver's License)
- State mandated (OSHA, SWPPES,)
- Industry related (HURT MAN RESCUE, VAULT RESCUE, RODEOS/CONVS, SOFTWARE/ MAPPING)
- Safety (MONTHLY, TAILBOARD, DEBRIEFS)



Power Resources

Annual Peak Demand

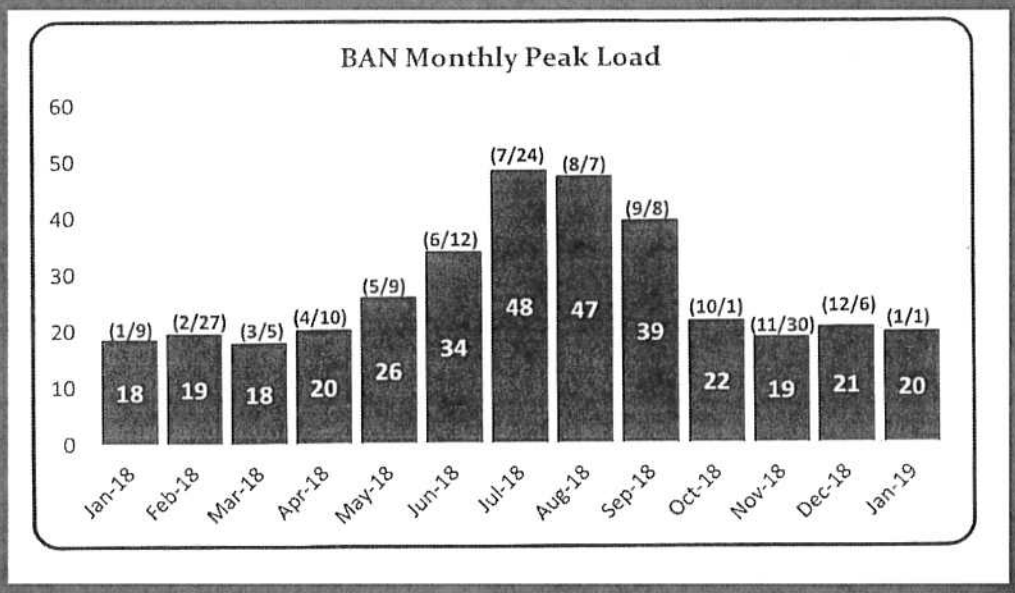
Year	MW	% Change
2014	42.4	-
2015	42.7	0.6%
2016	46.7	9.5%
2017	46.3	-0.9%
2018	49.1	6.0%

System Peak of Record!

Annual Load Summary
2015 - 2019

Year	MWh	% Change
2015	146,771	-
2016	148,467	1.16%
2017	148,541	0.05%
2018	150,041	1.01%
2019 - Projected	150,500	0.31%

2018 Monthly Peak Demand



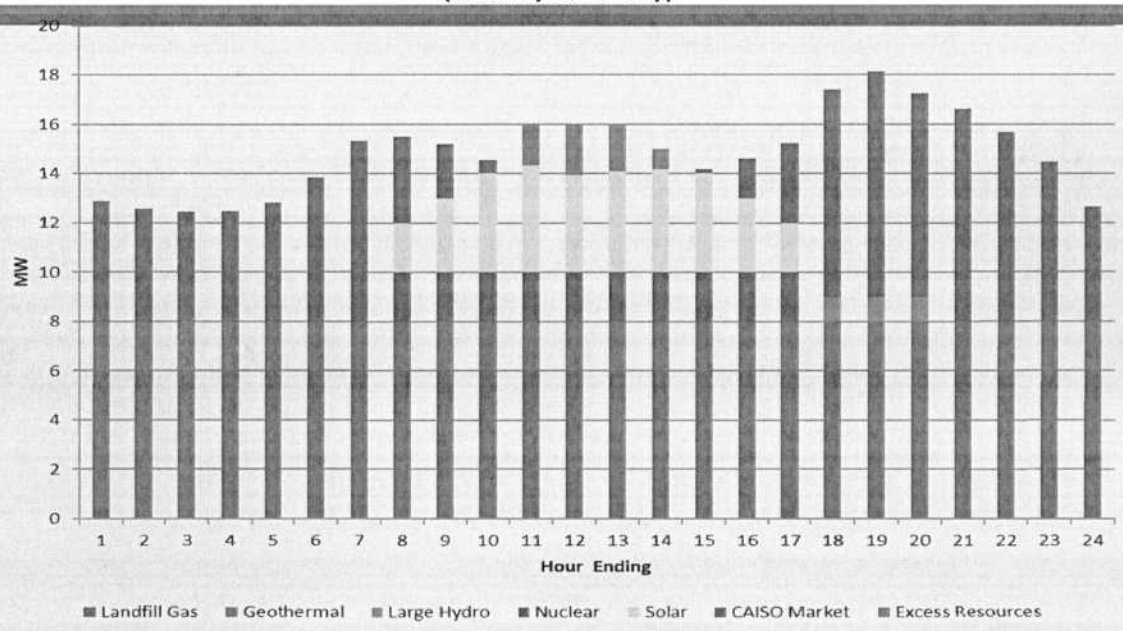
Current Power Resources

- Puente Hills Landfill – Currently 6 MW
- ORMAT Geothermal – 2 MW Capacity
- Astoria 2 Solar – 8 MW Capacity
- Palo Verde Nuclear – 2 MW Capacity
- Hoover Dam – 2 MW Capacity
- TOTAL of 20 MW Capacity Under Contract

Future Power Resources

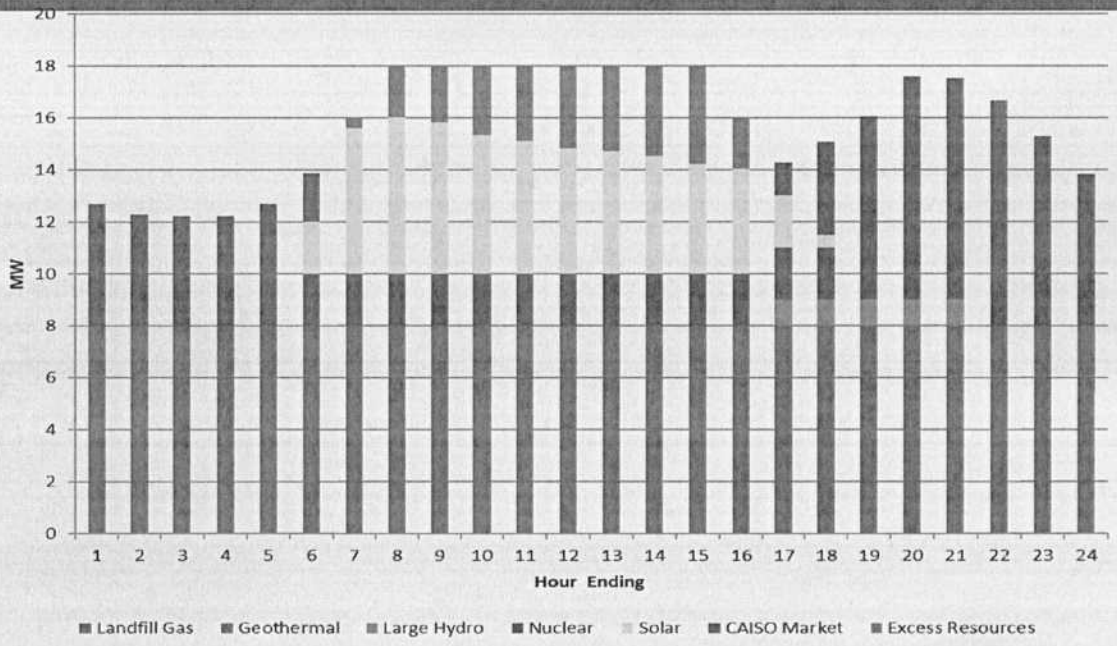
- In negotiations through SCPPA for Casa Diablo 4 (CD4) Geothermal Project, scheduled to begin operation in 2021. Banning's share will be 5 MW capacity
- CD4 will replace the renewable baseload energy that is being lost due to the declining output of the Puente Hills Landfill project

Typical Winter Day Resource Stack
(January Weekday)



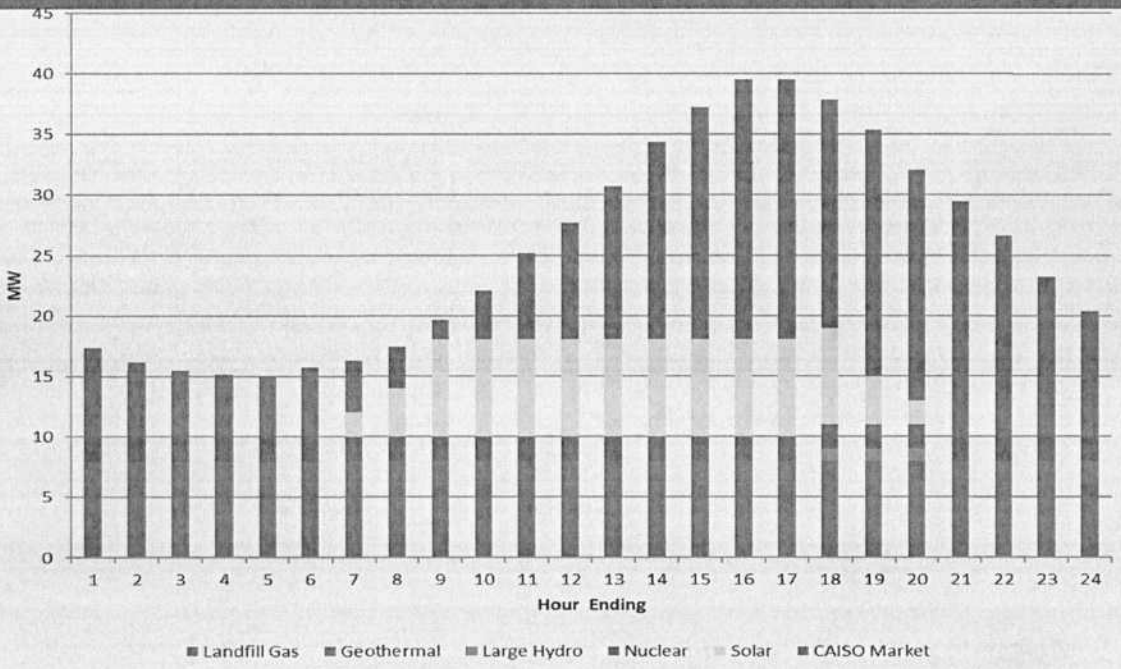
City of Banning Electric Utility

Typical Spring Day Resource Stack
(March Weekday)

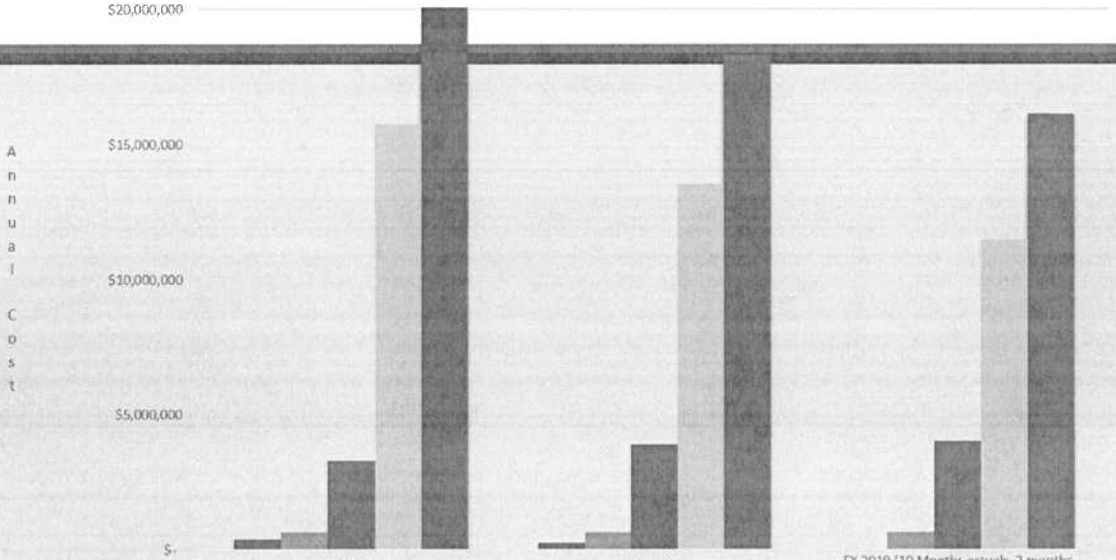


City of Banning Electric Utility

Typical Summer Day Resource Stack
(August Weekday)



Power Resource Summary
Banning Electric Utility



	FY 2017	FY 2018	FY 2019 (10 Months actuals, 2 months forecasted)
Cap & Trade Expense	$367,405	$252,620	$0
Dispatch & Settlement Exp	$625,350	$626,770	$634,041
Transmission Expense	$3,298,248	$3,892,106	$4,017,768
Capacity & Energy Expense	$15,765,889	$13,560,186	$11,501,156
TOTAL EXPENSES	$20,056,891	$18,331,682	$16,152,965

Legislative & Regulatory

- Renewable Portfolio Standard increased to 60% by 2030 per SB 100
  - Utility was 61% renewable in 2018
- Electric Utilities must be 100% emissions free by 2045 per SB 100
  - With divestiture of San Juan Coal Plant, the Utility's energy portfolio is virtually emissions free

Public Benefits

- Funding through mandated 2.85% surcharge on sales
- Revenues as of 5/31/19: $667,084
- Expenses: $582,193
- Responsibilities
  - Manage divisional budget (~$800,000/year)
  - Offer Energy Efficiency & Weatherization Rebates
  - Offer Low Income subsidies
  - Promote wise use of energy
  - Promote Research & Development of Renewable Technology
  - Keep customers continuously educated and informed
  - Enhance standard of living for Banning customers

Energy Efficiency & Weatherization

- FY17-18 rebates totaled $210,283
- Energy savings of 416,454 kWh
- B.E.E.F (Banning Energy Efficiency Funds) Program
  - Assisted 44 local businesses
  - Implemented energy efficiency measures totaling $150,000
  - Projected savings of 130,000 kWh

Low Income Discount

- 1,300 City-billed customers
- 180 master-metered customers
- FY 17-18 combined discounts of $335,514
- Monthly discount of $30
- Income guidelines per household size
  - 200% of 2015 Federal Poverty Guidelines
- Bi-annual reapplication process

Key Accounts

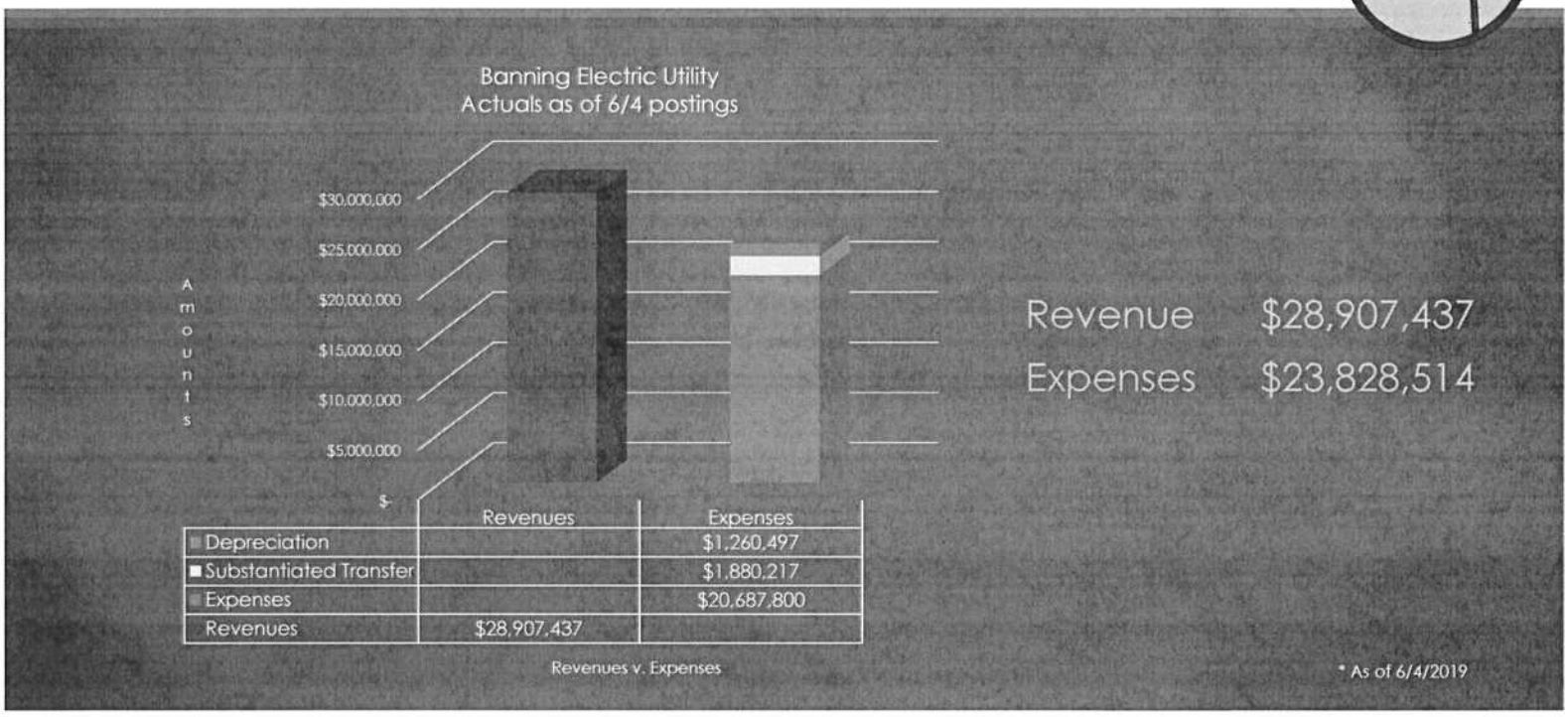
- Staff certified through APPA
- Program focus on commercial customers with highest electrical consumption
- Regularly scheduled meetings and on-site visits to discuss energy efficiency and potential conservation measures
- Increase customer engagement
- Create a consistent City-based point of contact

Banning Electric Utility

A	An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher-rated categories. However, the obligor's capacity to meet its financial commitments on the obligation is still strong.

- A-, Stable Standard and Poor's Credit Rating
  - Better the rating better the interest on the bonds (less interest expense)
  - $31.5 Million in Revenue Bonds payable to 2037
  - Promise to maintain rates adequate enough to produce a bottom line of $2.9 million annually
- Approximately $33.5 million Operating Budget
  - Power - $17,675,061
  - Public Benefit – 882,852
  - O&M - $9,103,610
    - City Services - $1,880,217
    - GFT - $3,191,766
  - Wages & Benefits - $4,882,140
  - Margin $983,837
- Approved $11,408,054 Capital (Budget) Projects

Profit or Loss? (Estimates)



2019 Capital Expenditures (Actuals to date)

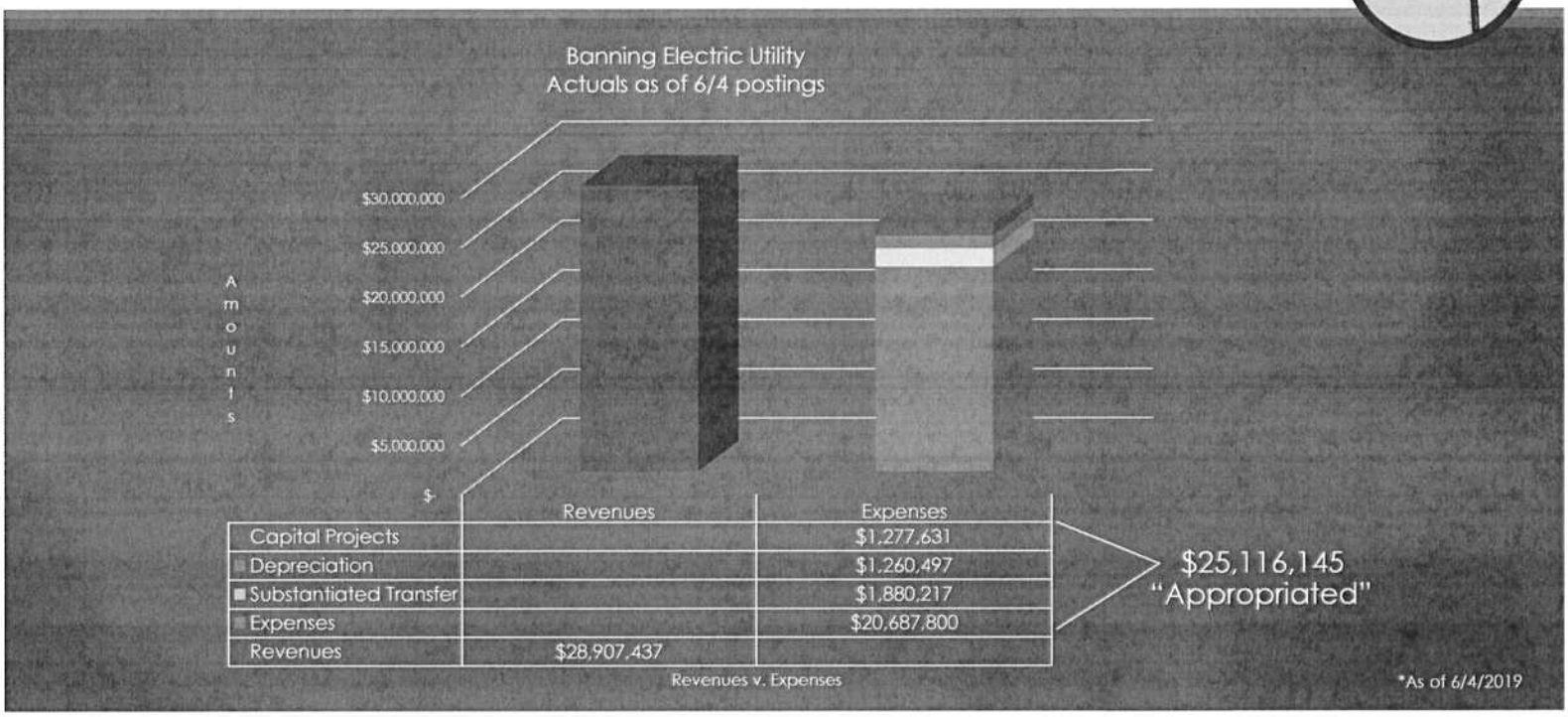
➢ CIP projects	$707,281
• Encumbered	$104,729
➢ Bond projects	$14,153
➢ Debt payments	$556,197
➢ Reserve transfers	$0
Total	$1,277,631

What are they?

- ➢ AMR
  - • Encumbered cost of meters
- ➢ Pole Replacement Program
- ➢ Vehicle Replacement Program
- ➢ Building improvements
- ➢ Alola Substation
- ➢ Airport Substation
- ➢ Payment made semi-annual – one payment remaining
- ➢ No transfers to reserves this year

*As of 6/4/2019

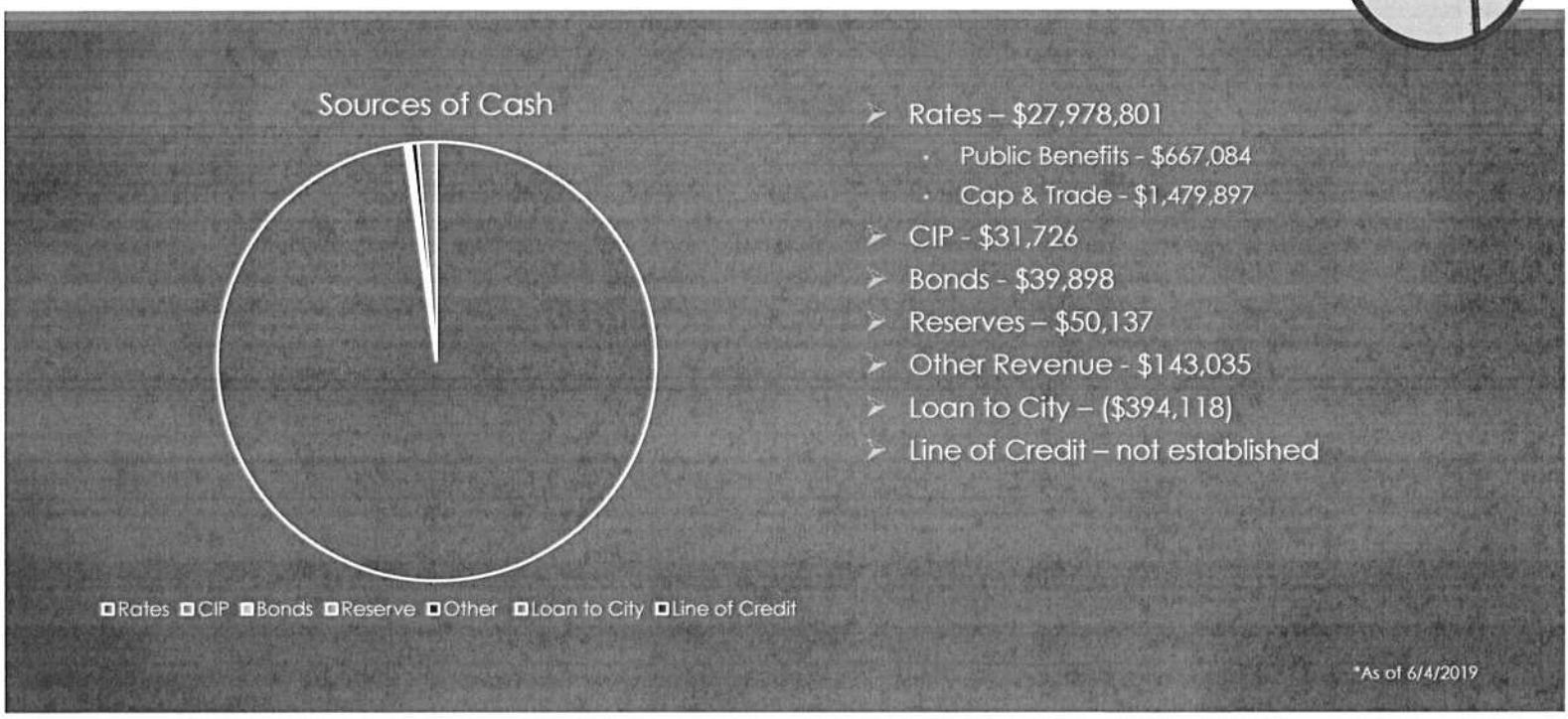
What does 2019 look like? (estimated)



Fund Accounting vs. Public Utility Accounting (FERC)

- Fund accounting is utilized by Governmental Entities
  - Based on organization, responsibility and resource-oriented structures (Appropriations) – not activities
- Public Utility Accounting or Federal Energy Regulatory Commission (FERC) accounting
  - Captures functional cost information or uses of resources such as transmission, distribution, O&M, capital, customer & administrative costs
  - Uses a Uniform System of Accounts (USoA) for consistency with private sector and other municipalities = rate comparison
  - Facilitates capital vs. expense rate recovery
  - Utilities are a capital intensive organization – impacts rates (expenses are current but capital is over time thru depreciation)

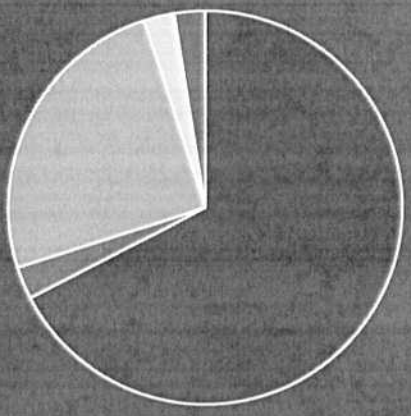
Sources of Cash (Actuals to date)



- Rates – $27,978,801
  - Public Benefits - $667,084
  - Cap & Trade - $1,479,897
- CIP - $31,726
- Bonds - $39,898
- Reserves – $50,137
- Other Revenue - $143,035
- Loan to City – ($394,118)
- Line of Credit – not established

*As of 6/4/2019

Uses of Cash (Actuals to date)



- Power $14,693,859
- Public Benefits $582,193
- Operations $5,421,748
- CIP $707,281
- Bond $14,153
- Debt Pay $556,197
- Reserve $0

Power
Public Benefits
Operations
CIP
Bond
Debt Pay
Reserve

*As of 6/4/2019

Questions?

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MINUTES 06/11/2019
CITY COUNCIL REGULAR MEETING

COUNCIL MEMBERS PRESENT: Councilmember Happe
Councilmember Peterson
Councilmember Wallace
Mayor Pro Tem Andrade
Mayor Welch

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT Douglas Schulze, City Manager
Kevin G. Ennis, City Attorney
Daryl Betancur, Deputy City Clerk
Matthew Hamner, Police Chief
Heidi Meraz, Community Services Director
Tom Miller, Electric Utility Director
Art Vela, Public Works Director/City Engineer
Suzanne Cook, Deputy Finance Director
Adam Rush, Community Development Director
Ted Shove, Economic Development Manager
Laurie Sampson, Executive Assistant
Leila Lopez, Office Specialist

I. CALL TO ORDER

A regular meeting of the Banning City Council was called to order by Mayor Welch on June 11, 2019, at 5:15 p.m. at the Banning Civic Center Council Chamber, 99 E. Ramsey Street, Banning, California.

Merle Malland- Banning Police Chaplain offered the invocation.

Councilmember Don Peterson led the audience in the Pledge of Allegiance.

II. APPROVAL OF AGENDA

A motion was made by Councilmember Wallace, seconded by Mayor Pro Tem Andrade to approve the agenda as presented. Electronic roll call vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

III. PRESENTATION

1. Proclamation Recognizing Heidi Meraz Upon Retirement from City Service after 26 Years of Service .....***ORAL***

   Heidi Meraz was recognized with a plaque congratulating her on her devoted service to the City of Banning for the past twenty-six years**.**

2. RCTC 60 Truck Route Presentation.....***ORAL***

   Cheryl Donahue, Public Relations Manager and Bryce Johnson, Construction/Capital Projects Manager with Riverside County Transportation Commission addressed the Council with respect to the construction rehabilitation work that has commenced on the 60 Freeway, which has the potential to impact the pass communities.

IV. REPORT ON CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATORS** Pursuant to Government Code Section 54957.6 – City Designated Representative: Doug Schulze, City Manager, Kevin Ennis, City Attorney, Banning Police Officer Association (BPOA). **Direction given to City Manager Douglas Schulze on this item.**

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
   (Pursuant to paragraph (1) of subdivision (d) of Section 54956.9)
   Name of Case: James Arthur Algea II and Cali Emerald Care, Inc. v. City of Banning
   Case No. RIC 1903009. **Status report was provided and direction was given.**

3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
   (Pursuant to Paragraph (2) of Subdivision (d) Government Code Section 54956.9
   Number of Cases: One Case. **Direction was given to legal counsel with respect to this item.**

4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
   (Pursuant to Subdivision (a) of Government Code Section 54956.9)
   Name of Case: Sustainers Alliance for Environmental Responsibility (SAFER) v. City of Banning, et al. (Lawrence Equipment Warehouse Project)
   Case No. RIC 1903059. **Direction was given to legal counsel regarding this item.**

5. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
   (Pursuant to Government Code Section 54956.8)
   Property: 4133 West Wilson Street, Banning, California

City Negotiators: Douglas Schulze, City Manager and Tom Miller, Electric Utility Director
Negotiating Parties: Dora and Art Nordquist
Under Negotiation: Price and terms for potential purchase of electrical equipment and meters in the Mountain Air Mobilehome Park. **Direction was given to Electric Utility Director Tom Miller and City Manager Douglas Schulze regarding this item.**

6. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
(Pursuant to Government Code Section 54957). **Item was concluded.**

V. PUBLIC COMMENTS, CORRESPONDENCE, AND APPOINTMENTS

Mayor Welch opened Public Comment for items not on the Agenda.

City Attorney Kevin G. Ennis stated that if members of the public wanted to make public comments at this time on items on the workshop, they could also do so at this time.

Public Comments

Richard Bradford stated that he was pleased to see the City moving forward toward green source electricity and hoped that the City could do something to expedite those efforts; commented on building community in Banning and one of the things that would help in that regard would be if the City could donate bare land on lots that the City own on a temporary basis for the development of community gardens.

Inga Schuler stated that she wanted to thank Mr. Art Chacon, Code Enforcement Officer because he had been extremely prompt and helpful in trying to solve a major issue in the neighborhood because people were just letting the weeds grow; she wanted to thank him for his immediate response and his help in getting that problem solved; commented that she saw in the patch newspaper a notice for a historical meeting at the Beaumont's Women's Club on Thursday at 7:00 p.m., which was short notice and she could not make it; that she found the concern of the people in charge with the historical background and historical homes rather ironic in the view that you have pitched the Mills Act from the future agenda items; lastly she commented that Mr. Burgess and her had attended a WRCog meeting in Riverside last Thursday because she was curious to find out what exactly was the working order of TUMF program; that it was a very enlightening discussion with Christopher Gray and Daniel Ramirez Conejo; she stated that her questions were answered and that she now understood the program that it seems to be worthwhile.

Ellen Carr speaking on behalf of Tender Loving Critters remained the audience that Animal Action League will be in Banning June 254 and June 25; that if you wanted to make an appointment to have your pet spayed or neutered make sure you call 760-366-1100; she also stated they will also be back in July for three days on July 15,1 6

and 17, which meant that at least 90 cats and dogs would be able to get spaded or neutered; commented that TLC was still offering the half price on microchipping for $8.00; she stated that TLC wanted to say thank you to Heidi Meraz, Community Services Director because she has been wonderful and has been the perfect hostess at the Community Center; she also spoke on her behalf and stated that we needed to take care of the dispatchers; that even though it was no time for their contract renewal, that when it is time remember them; spoke about the Police Department Citizen Volunteers and stated that they could use more help as there was only 5 of them.

John Cunningham addressed the City Council about moving the City Council meeting to a later time to enable more working people to attend.

Sue McConnell spoke about the apartment project that was proposed to be built on Hardgrave that she has heard about; that the area did not need more apartments because it will require more water and that water was a precious commodity; stated that she wanted to get more information about that.

Mayor Welch stated that this was a matter that was on the agenda for discussion later on during this meeting.

CORRESPONDENCE

Deputy City Clerk, Daryl Betancur announced that there had been a letter of correspondence received from Tom Miller, Electric Utility Director in opposition to Rezoning of 1581 Charles Street, Banning, CA. APN: 543-090-008-5.

VI. CONSENT ITEMS

Mayor Welch asked if the Council wished to pull any items. Seeing none, he entertained a motion to approve the consent calendar as presented.

A motion was made by Councilmember Peterson, seconded by Councilmember Wallace to approve the rest of the consent calendar as presented. Electronic vote was taken as follows:

AYES:	Happe, Peterson, Wallace, Andrade, & Welch
NOES:	None
ABSTAIN:	None
ABSENT:	None

1. Approval of Special Meeting – 5/28/19 Minutes (Closed Session)

Action: Approved by Minute Order No. 2019-079

2. Approval of Special Meeting – 5/28/19 Minutes (Workshop)

Action: Approved by Minute Order No. 2019-080

3. Approval of Regular Meeting – 5/28/19 Minutes

Action: Approved by Minute Order No. 2019-081

4. Receive and File Contracts Approved Under the City Manager's Signature Authority for the Month of May, 2019.

Action: Approved by Minute Order No. 2019-082

5. Receive and File Cash, Investments and Reserve Report for April, 2019.

Action: Approved by Minute Order No. 2019-083

VII. PUBLIC HEARING(S)

1. Adoption of Resolution, Approving the Cedar Hills Apartments ("The Project"), General Plan Amendment No. 18-2504: Zone Change No. 18-3503; Design Review No. 18-7011; and Environmental Assessment No. 18-1508 for the Proposed Development of a 96-Unit Apartment Facility and Associated Infrastructure on 7.08 Acres of Land Within the Low Density Residential (LDR) Land Use District (APNS 534-283-011 and 534-283-014).

   Adam Rush, Community Development Director stated that this was an item that was continued from the May meeting due to some issues that have been raised; he stated that since then staff had met with representatives from the developer who are going to resubmit plans to integrate the extension of Wilson Street into the project; Mr. Rush commented that the resubmittal was taking some time because they have to go through Engineering; commented that staff had looked at their preliminary concept and given them direction.

   Adam Rush, Community Development Director stated that at this time the applicant was requesting a continuance of the public hearing to the July 9 City Council meeting. He further commented that since there had been a question on this matter at the beginning of the meeting; that he wanted to provide a brief narrative about the project. He stated that at the May meeting, there was an item brought up by staff and by Councilmember Peterson in regards to the extension of Wilson Street that was not incorporated into the plan originally; that the developer had looked at the options and they were still willing to move forward.

   Councilmember Peterson expressed that he tried to put himself in the position of the developer and these land owners; that they made an application and they had gone through process plans and they made it all the way through to Council

and suddenly it was revealed that they were missing a big piece of the puzzle, which was the Circulation Element related to the extension of Wilson Street; that he just wanted to know how that happen.

Mr. Rush stated that he had done some research and went back into the file and that the extension piece was something that was missed on the part of staff; that the plan was reviewed at the staff level sometime ago; that was not an excuse but as the Council may know there had been some turn over in the department and that in combination with the development maps, which showed alignments not parcels compromised the review process.

Councilmember Wallace asked that since they were going to incorporate Wilson Street, whether or not it will go through all the way to Hathaway; and asked about the houses on the path of that extension. She further articulated her discomfort with having apartments there rather than homes as she preferred.

Mr. Rush explained that in terms of the extension, the applicant will incorporate the half width, which includes 38 feet of pavement from the centerline to the curb and the 12 feet of landscaping for a total of 50 feet; the second half of that half width is going to be a City effort to ultimately complete that as it is evident that there are structures within that right away; he stated that is something the City was going to have to tackle at a later time.

Councilmember Happe expressed concerns about the issue of the right away not absorbing the whole brunt of the city's mistakes.

Mr. Art Vela, Director of Public Works/City Engineer and Mr. Adam Rush, Community Development Director provided answers to the pressing questions from Council relative to the 50 feet right way of the property line; the Circulation Element and other relevant topics on the Engineering side of the project and possible impacts.

There was an extensive discussion relative to the proposed configuration of the road being built only half way; with questions from Council regarding the future use of how the rest of the road could be build all the way through and the implications of such extension.

Mayor Welch open the public hearing

Public Comment

John Cunningham stated that it was his understanding that this was originally low density property; that somewhere it got changed to high density which was wrong to begin with, that we don't have the pieces to put it together so if we have high density we are going to have more traffic; thus it makes no sense to

continue on with this project; and because when I moved to Banning because it was low density most of the property in Banning are zoned low density; I have a half acre and I am small compare to most property owners in Banning.

Inga Schuler stated that she wanted to make sure that this mishap did not happen again; she stated that she felt terrible making decisions on the Planning Commission without having a complete set of facts or information about a particular project; she stated that she felt sorry for the Developer who came up with plans, and had everything done, only to be told at the last moment that by the way, you are building your homes on a right-of-way; stated that this was not acceptable at all; that this was done before Mr. Rush became the Community Development Director; that she did not know the exact date of the Circulation Element because they copy she had was not dated; commented that when we get together to redo the General Plan, that we should have some things to rectify this; that we stick to the provisions of the General Plan; she apologized to the Developer for having had that happen to them and that she hoped that they did not incur additional expenses.

Sue McConnell stated that with this project, there was going to be more traffic, less water; that Banning did not need more apartments; that there was a great deal of talk about beautifying Banning, and that this was not the way to do it; spoke against moving people out of their homes because they were on the path of a right-of-way for a project it was wrong.

City Attorney, Kevin G. Ennis spoke on the issue of whether or not the City Could just move people and articulated the manner in which these issues are resolved whether it was through negotiation with the property owners or other legal avenues.

A motion was made by Councilmember Happe, seconded by Councilmember Peterson to continue this item and the public hearing to July 9. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Approved by Minute Order No. 2019-084

2. Adoption of Resolution, Approving Tentative Tract Map (TTM) 36710, Variance No. 19-3001, Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for a Proposal to Subdivide Four Lots Totaling 10.6 Acres Into 39 Single-Family Residential Lots and Three Lettered Lots and a Variance to Allow for a Reduced Lot Size and Width for a Lot 7, Assessor's Parcel Numbers 534-183-014, 534-200-004, 534-200-008 and 534-200-047

Adam Rush, Community Development Director indicated that the applicant was requesting consideration of a Mitigated Negative Declaration and Mitigation Monitoring Report and Program for a project proposing to subdivide four existing parcels, totaling 10.6-acres, into 39 single-family residential lots within the Low Density Residential (LDR) General Plan and Zone; that the application also includes a Variance application (19-3001) to allow for a reduction in the minimum size and minimum width for residential lot seven.

Mr. Rush also added that the project was considered at the May 1, 2019 Planning Commission meeting; that at that meeting, the Planning Commission voted 5-0-0 to recommend approval of the project to the City Council; commented that during the Commission's hearing, modifications were made to the recommended set of Conditions to provide clarity on the existing Edison easement that traverses from south to north, between lots 8-19.

Public Comment

Paul Cooper with United Engineering Group spoke on behalf of developer/property owner and answered Council's questions about the proposal.

A motion was made by Councilmember Peterson, seconded by Councilmember Happe to approve the item as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-61

3. Adoption of Resolution, and Ordinance No. 1547 Making Findings Pursuant to CEQA, Ordinance No. 1547 Amends Chapter 17.12 "Commercial and Industrial Zoning Districts" and 17.36 "Sign Regulations of Title 17 "Zoning" of the Banning Municipal Code to Authorize Electronic Message Centers in the Downtown Commercial Zoning District, Subject to a Conditional Use Permit (CUP) and Development Agreement; and Adoption of Resolution Denying Zoning Text Amendment (ZTA) 19-97502, Subject to the Findings and Conclusions Incorporated Herein, City of Banning Downtown Commercial Zoning District.

Adam Rush, Community Development Director stated that at the recommendation of the Planning Commission staff was bringing this to the Council for approval; that the item before the Council entails the placement of Electronic Message Centers within the Downtown Commercial Zoning District;

that Zoning Code Text Amendments fall within the purview of the Planning Commission and that a recommendation from the Commission was sought regarding the proposed Zoning Text Amendment; he indicated that after receiving the Planning Commission's recommendation, the City Council will make a final determination on the proposed amendments to Chapter 17.12 and 17.36 of the Municipal Code, concerning Electronic Message Centers within the Downtown Commercial Zoning District.

Public Comment

Mr. Alex Garcia addressed the Council regarding his proposal. He stated that a 30 foot height sign will be visible from the freeway but will not be readable; that CalTrans required a limit of 1200 square feet; that in order to draw people to your City, the City needed to have something magnificent similar to the Beaumont sign, which he owns already; that the sign will have a welcome sign to Banning; that this will be a monument sign; he further commented that according to AAA statistics that when you place a monument sign like this in your city, it had the potential of raising revenues by 30% for the businesses.

He stated that according to CalTrans you could not place another monument sign like this within 1,000 feet; thus, the oversaturation argument was not accurate.

Matt stated that one thing to keep in mind was the light emitting by these signs at night and how that may distract drivers at night time; he asked if there were any limits.

There were questions from the City Council on a number of issues including the height of the sign and how the height is determined; issues of aesthetics, placement; maintenance issues; design; benefits to the community; over saturation of similar sign, appropriateness; and the timing for the placement of the sign.

Deputy City Clerk, Daryl Betancur read the title of the Ordinance No. 1547 into the record.

A motion was made by Councilmember Peterson, seconded by Councilmember Happe to approve the item with given amendments. Electronic vote was taken as follows:

AYES:	Happe, Peterson, Wallace, Andrade, & Welch
NOES:	None
ABSTAIN:	None
ABSENT:	None

Action: Introduced Ord. 1547 for first reading and introduction by Minute Order No. 2019-085

4. Resolution Adopting a Notice of Exception and Approving General Plan Amendment to Incorporate the City of Banning's 2017 Local Hazard Mitigation Plan (LHMP) Into the Safety Element of the General Plan.

Adam Rush, Community Development Director provided a brief summary on the background of this item indicated that back in 2004, the City Council adopted the Local Hazard Mitigation Plan (LHMP); that subsequent to the Council's adoption, this plan was approved by the Federal Emergency Management Agency (FEMA) and transmitted to the Riverside County Office of Emergency Services (OES); that in order for Banning to be eligible for the maximum level of reimbursement funding, from the State of California, for expenses incurred as a result of the local hazards, natural disasters, and/or declared public safety emergencies; that state law required that the LHMP be incorporated into the City's Safety Element of the City General Plan pursuant to AB2140.

Mr. Rush commented that therefore, this proposed GPA will incorporate the LHMP into the Safety Element; that staff was not proposing any revisions to the LHMP in conjunction with the proposed General Plan Amendment; that the only changes, to the General Plan Safety Element, were to amend the text to incorporate the Local Hazard Mitigation Plan and to add it to the General Plan Safety Element.

Public Comment

There were no public comments.

A motion was made by Councilmember Peterson, seconded by Councilmember Wallace to approve the item as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-62

5. Adopt Resolution, Confirming the Levy and Collection of Assessments within the City of Banning's Landscape Maintenance District No. 1 for Fiscal Years 2019/2020.

Art Vela, Director of Public Works/ City Engineer stated that this was an item that was brought to the City Council on an annual basis; that this item was the last action in affirming the assessment for the Landscape Maintenance District No. 1; he stated that just as a reminder on April 23, 2019, the City Council adopted Resolution No. 2019-44, approving the Engineer's Report; that if approved the Resolution would allow the City to generate the needed revenue in the form of assessments to offset the expenses and the general operation and maintenance for the Landscape Maintenance District No. 1.

Councilmember Happe inquired if there were other items on the agenda tonight similar to this, with Mr. Vela stating that there was another item approving the maintenance contract for the Landscape Maintenance District No. 1 contract.

Public comment

There were no public comments.

A motion was made by Councilmember Peterson, seconded by Councilmember Wallace to approve the item as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-63

VIII. ANNOUNCEMENTS AND REPORTS

CITY COUNCIL COMMITTEE REPORTS

Councilmember Happe reported on having attended the I-10 Business Summit, which was well attended by many dignitaries and business groups from the San Gorgonio Pass area; he stated that this was a good opportunity for networking and identifying common goals for the Cities in the Pass; that it was a good opportunity to learn about the common interest that we have in the Pass; learned about the truck route 60 project and I-10 projects, which was supposed to help the entire pass.

Mayor Pro Tem Andrade reported also reported on her attendance at the I-10 Business Summit; she stated that it was an eye-opener and to network with business owners; thanked the Chamber of Commerce for coordinating this effort; thanked the Street crews for going around and planting trees to beautify the cities; that they need to work on the irrigation system before planting new trees as well as remove some old ones that were dying; commented on the Downtown clean-up with a good outcome and thanked all those who participated and came out to help. Mayor Pro Tem Andrade

thanked former Planning Commissioner Mr. Jim Price for his work on the Planning Commission and the Little League events and wished him well in the future.

Mayor Welch reported on the Town Hall meeting held at the Boys and Girls Club on Tuesday, June 4, thanked staff for coordinating it and stated that it was a successful meeting.

Councilmember Wallace reported having attended the Riverside County Community Action Partnership membership meeting where it was discussed that they will be reaching out to all cities including Banning about different topics such as economic development, beautification projects and other City improvement efforts.

REPORT BY CITY ATTORNEY

None.

REPORT BY CITY MANAGER

City Manager, Douglas Schulze spoke about TUMF Ordinance and stated that issue had been reviewed by the City Attorney's Office and said review had been completed with staff bringing that back at the June 25th City Council meeting; spoke about the issue brought to his attention about 30 utility customers that had not been billed for quite some time, he stated that these were for customers that received credits for solar; that billing for those customers had not been complete because of a software issue and staff had been working with the vendor who has not been responsive and has not been able to figure out how to fix the problem.

Mr. Schulze further commented that this past week staff was directed to manually calculate those bills so that statements can be sent out to customers; provided a status report on Director recruitment; spoke regarding the community town hall meeting and stated that one piece that had not been talked about was what are the next steps; stated that it was a good turn out with about 30 people in attendance, but that it would be nice to have even more community input; that he was considering putting together a booth or table at the 4th of July event so we can do additional community outreach before moving forward with an Request for Proposal (RFP) document.

REPORT OF OFFICERS

1. Adopt Resolution Approving an Agreement for Two Years for Fire Services with Riverside County Fire Department.

   Todd Hopkins, Division Chief presented the staff report and indicated that this was a two-year Agreement; that since 1998, the City of Banning has entered into this agreement with the Riverside County Fire Department for medical, fire protection and other emergency response. Two type 1-engine companies of three firefighters (including one paramedic) per engine provide this protection.

The second engine providing fire protection to the south-west City area is split funded three ways with Beaumont and Riverside County.

Chief Hopkins explained in detail the services they provide for the City as part of the contract and answered Council's questions relative to the cost of services and whether or not the City could afford creating its own Fire Department.

Public Comment

There were no public comments.

A motion was made by Councilmember Peterson, seconded by Councilmember Happe to adopt resolution as presented. Electronic vote was taken as follows:

AYES:	Happe, Peterson, Wallace, Andrade, & Welch
NOES:	None
ABSTAIN:	None
ABSENT:	None

Action: Adopted Resolution No. 2019-64

2. Adopt Resolution, Approving Service Agreements with JP Nelson & Sons Construction, Inc., and Deguire Weed Abatement, Inc., for Weed Abatement Services.

Police Chief, Matthew Hamner provided the staff report and stated that he was bringing a Resolution seeking approval for a contract for Weed Abatement services, which will help in meeting goal 4 of public health and safety; he stated that the scope of work for these services included the removal of vegetation and debris from properties in the City of Banning to reduce fire danger and to be in compliance with the City's Municipal Codes; he further commented that staff had advertised the Request for Proposals (RFP) on the PlanetBids website, which sent notifications of the opportunity to eighteen (18) Weed Abatement Service Contractors; that in response to these efforts, the City received four (4) proposals from the following Weed Abatement Contractors, including: JP Nelson & Sons Construction, Inc.; Environmental Klean Up, Inc.; Deguire Weed Abatement, Inc.; and West SWPPP Services.

Chief Hamner stated that the proposals from JP Nelson & Sons Construction, Inc., and Deguire Weed Abatement, Inc., were recognized by staff as the most cost effective and responsive bids made; that two contractors were selected for this year's services to better address the expected above normal weed growth, caused by the higher than typical rainfall amounts, in a timely manner.

Public Comment

There were no public comments.

A motion was made by Councilmember Peterson, seconded by Mayor Pro Tem Andrade to approve as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-65

3. Adopt Resolution, Establishing Fiscal Year 2020 Service Charges for the Collection, Transportation, and Disposal of Solid Waste.

Art Vela, Director of Public Works/City Engineer presented the staff report indicating that the City of Banning ("City") entered into a Franchise Agreement ("Agreement") for the Collection, Transportation, and Disposal of Solid Waste with Waste Management of the Inland Empire (WM) in 1993 for an eight-year period; that subsequently, the City Council at its regular meeting on April 24, 2001, adopted Resolution 2001-35, extending the Agreement through the First Amendment for an additional five years as allowed per the Agreement, from July 1, 2001 to June 30, 2006. The Agreement was also re-negotiated to include automated services.

Mr. Vela further provided a narrative on the history of the Agreement stating that on March 15, 2002 under Resolution 2002-28 and execution of the Second Amendment, the contract was re-negotiated to extend the Agreement for an additional five-year period from July 1, 2006 to June 30, 2011; that on December 12, 2006 under Resolution 2006-99 and with the execution of the Third Amendment, the agreement terms were modified and conditions of the Agreement for the collection of Bulky Waste were adjusted; that on June 28, 2011 under Resolution 2011-53 and with the execution of the Fourth Amendment, bulky item services were adjusted and the term was extended for an additional ten years from July 1, 2011 to June 30, 2021.

He further commented that on September 11, 2018, the Fifth Amendment was processed revising the methodology for determining the annual rate adjustment calculation; that the Agreement allows for an annual rate adjustment and requires that adjustments adhere to the requirements of Proposition 218 (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.

Mr. Vela stated that a Prop 218 process was last administered in July of 2018 and approved by rate payers and City Council under Resolution 2018-110 at a Public Hearing on September 11, 2018. The approval allowed for rates to be adjusted annually, utilizing an approved methodology, for a five (5) year period; that to date under the most recently approved Prop 218 process and City Council approved Resolution 2008-110, a rate adjustment was implemented in October 2018. As a result, four (4) remaining future adjustments are permitted to occur July 1 of 2019, 2020, 2021 and 2022.

There were several questions from Council regarding the length of the contract and whether or not this could be put out for an RFP to solicit competition. Mr. Vela stated that the direction given to staff had been to negotiate with the service provider; that there were pros and cons in bringing in a new services provider.

Public Comment

There were no public comments.

A motion was made by Councilmember Peterson, seconded by Councilmember Wallace to approve the item as presented. Electronic vote was taken as follows:

AYES:	Happe, Peterson, Wallace, Andrade, & Welch
NOES:	None
ABSTAIN:	None
ABSENT:	None

Action: Adopted Resolution No. 2019-66

4. Adopt Resolution, Approving the Fourth Amendment to Custodial Services Agreement with Merchants Building Maintenance, Inc. of Pomona, California for Fiscal Year 2019/2020 in the Amount of $76,769.24.

Art Vela, Director of Public Works/City Engineer presented the staff report and stated that this item along with several others he had on the agenda tonight were rather of a routine nature; he provided a brief narrative on the RFP process stating that a Request for Proposals (RFP) was published in October of 2015; that on February 9, 2016, the City Council had approved Resolution 2016-04, awarding an agreement for custodial services to Merchants Building Maintenance, LLC in the amount of $79,243.10; that the original agreement was for a fifteen (15) month period ending June 30, 2017; commented that under the approval of Resolution 2016-04, the agreement has a renewal option for an

additional three (3) single years upon annual review and approval by City Council with extension and services terminating no later than June 30, 2020.

Public Comment

There were no public comments.

A motion was made by Councilmember Peterson, seconded by Councilmember Wallace to approve the item as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-67

5. Adopt Resolution, Approving the Fourth Amendment to the Landscape Maintenance Services Agreement for City Facilities with Artistic Maintenance, Inc., of Lake Forest, California for Fiscal Year 2019/20 in the Amount of $52,044.

Art Vela, Director of Public Works/City Engineer presented the staff report stating that on November 10, 2015 City Council approved Resolution 2015-95, "Approving a Landscape Maintenance Services Agreement with Artistic Maintenance, Inc. of Lake Forest, California". On June 14, 2016, upon annual review of services and within the renewal option, City Council approved Resolution 2016-40 extending the agreement for FY 2016/2017 through June 30, 2017. On May 9, 2017, Council approved the Second Amendment with Artistic Maintenance under Resolution 2017-47 in the amount of $46,180 exercising the renewal option and extending the agreement to June 30, 2018. Most recently, on May 8, 2018 under Resolution 2018-51, City Council approved the third Amendment to the agreement with Artistic extending the agreement to June 30, 2019.

Public Comment

There were no public comments.

A motion was made by Councilmember Wallace, seconded by Councilmember Happe to approve as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-68

6. Adopt Resolution, Awarding a Professional Services Agreement to Artistic Maintenance, Inc., for the Operation and Maintenance of Landscape Maintenance District No. 1 for Fiscal Year 2019/2020 in the Amount of $78,150.

Art Vela, Director of Public Works/City Engineer presented the staff report stated that on April 12, 2019, staff released a RFP through the PlanetBids program notifying qualified firms of the opportunity to provide proposals, RFP 19-030, "Operation and Maintenance of LMD No. 1"; that the deadline to submit proposals was May 7, 2019 and two (2) firms responded with submittals; further, he stated that an evaluation committee consisting of three (3) City staff members, evaluated the two (2) proposals that were received based on price, experience and project understanding, approach (implementation plan) and methodology and consequently the evaluation committee had ranked Artistic Maintenance the highest and as such it was recommend that an award of the Agreement be made to Artistic Maintenance, Inc.

Public Comment

There were no public comments.

A motion was made by Councilmember Wallace, seconded by Councilmember Peterson to approve as presented. Electronic vote was taken as follows:

AYES:	Happe, Peterson, Wallace, Andrade, & Welch
NOES:	None
ABSTAIN:	None
ABSENT:	None

Action: Adopted Resolution No. 2019-69

7. Adopt Resolution Approving the Fiscal Year 2019/20 – 2021/22 Short Range Transit Plan, Authorizing the Submittal of the FY 2019/20 Local Transportation Fund Claim.

Heidi Meraz, Director of Community Services presented the staff report and commented that the Short Range Transit Plan (SRTP), 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 city budget is based on the information provided within the 2019/20-2021/22 SRTP document.

Public Comment

There were no public comments.

A motion was made by Councilmember Wallace, seconded by Mayor Welch to approve the item as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-70

8. Banning Electric Utility (BEU) Mapping Pilot Project as Approved in the Mid-Year Budget Resolution.

Tom Miller, Electric Utility Director stated that the purpose of tonight's item was to request authorization to hire some professional consulting services for $24,345; and, entering into a purchase contract to Partner Software in the amount of $80,500; and, entering into a purchase contract to Reavis Code Utility Solutions in the amount of $25,500, and, authorizing a contingency of $29,155 for additional proprietary software and or hardware needs.

Public Comment

There were no public comments.

A motion was made by Councilmember Wallace, seconded by Mayor Welch to approve the item as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-71

9. Adopt Resolution, Authorizing Annual Rate Adjustment for City Attorney in Excess of 3%.

City Attorney Kevin G. Ennis announced that he will be abstaining from this item in his official capacity and accordingly left the dais.

City Manager, Douglas Schulze stated that the City had entered into an Agreement with RWG in September of 2017 for RWG to serve as City Attorney; that the legal services agreement established compensation, expenses billing, as well as a process for adjustment of rates; that commencing on July 1, 2019

and annually thereafter the hourly rates that were set forth in the agreement automatically increased by a percentage change equivalent to the Consumer Price Index (CPI) for the Los Angeles-Long Beach-Anaheim Urban Consumers; commented that such calculations were made over month to month over April of the prior year.

Mr. Schulze also commented that in the event that the annual adjustments equaled or exceeds 3 percent of if there were any other adjustments to rates prior written consent of the City Council was required.

Mr. Schulze expressed concern about the City's total cost for legal services and stated that he would strategize as to the best way to curtail or minimize the use of City Attorney services in order to control costs.

There was a brief discussion relative to whether or not the idea of the City having its own in-house counsel would be a viable one and other options for the acquisition and provision of legal services; unsolicited City Attorney calls to the City Council; and rates for various types of services.

Mayor Welch suggested for the City Manager to look into this and provide suggestions as well as pros and cons on the issue of legal services.

Public Comment

There were no public comments.

A motion was made by Councilmember Peterson, seconded by Councilmember Wallace to approve as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-72

RECESS THE REGULAR MEETING OF THE CITY COUNCIL AND CALL TO ORDER A JOINT MEETING OF THE BANNING CITY COUNCIL AND THE BANNING UTILITY AUTHORITY

- Roll Call – Board Members Happe, Peterson, Wallace, Vice Chairman Andrade, and Chairman Welch

IX. REPORTS OF OFFICERS

1. Adopt Resolution of the Utility Authority, Approving an Agreement in the Amount of $174,907 with Hemet Manufacturing Co., Inc., dba Genesis Construction for the Altitude Valve at Southwest Reservoir; Establishing a Total Project Budget of $192,398; and Rejecting all Other Bids

   Art Vela, Director of Public Works/City Engineer addressed the Council relative to this item and stated that in the water system there were several pressure zones, with the largest being the main pressure zone; that pressure zone included fire reservoirs that were designed to have a total source capacity of fourteen and half million gallons; stated that to date, staff had not been able to realize that level of storage due to some elevation differences in the reservoirs as well as pressure variations in the system.

   Further, Mr. Vela commented that the City of Banning's water system depends on storage reservoirs for fire protection, operational flexibility, and for emergencies, such as extended power outages. The largest pressure zone in the water system is the Main Zone and extends from the Sun Lakes development at one end to the Water Yard near the intersection of Bluff Street and Mias Canyon Road at the other end. There are five separate storage reservoirs, and due to friction losses in the distribution system there are instances where the water levels in the reservoirs can differ significantly. To keep from overflowing the reservoirs and wasting water, levels must be kept lower than their design capacities, thereby losing useful storage.

   Additionally, Mr. Vela commented that at the September 10, 2018 meeting, the Banning Utility Authority awarded a professional services contract to Michael Baker International for the design of Altitude Valves at the Southwest and San Gorgonio Reservoirs. The design was completed, and based on the Engineer's estimate of construction costs, staff made the decision to only bid the improvements at the Southwest Reservoir. Once this project is constructed, staff will re-evaluate the need for the improvements at the San Gorgonio Reservoirs.

   There were several questions from Council members about solar capacity that the system was not reaching, and whether or not this action would eliminate part of that problem; Councilmember Happe inquired about what it would take to reach full capacity.

   Public comment

   There were no public comments.

   A motion was made by Councilmember Happe, seconded by Councilmember Wallace to approve as presented. Electronic vote was taken as follows:

AYES: Happe, Peterson, Wallace, Andrade, & Welch
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Resolution No. 2019-10 UA

X. DISCUSSION ITEM

Electric Cost of Service Analysis Committee Report.

Tom Miller, Electric Utility Director stated that he had a meeting with Mr. Jerry Westholder where they discussed Mr. Westholder helping co-chairing an Ad-hoc Committee and that Mr. Westholder had agreed to assist in developing the electric cost of service analysis; reported that collectively they had developed a plan of action about pursuing this matter.

There were no public comments.

BANNING UTILITY AUTHORITY (BUA) – Next Meeting, June 25, 2019, 5:00 p.m.

XI. ITEMS FOR FUTURE AGENDAS

1. Website Redesign
2. Wildfire Mitigation Plans
3. 553 E. Ramsey Receivership

XII. ADJOURNMENT

By consensus, the meeting was adjourned at 8:59 p.m.

Minutes Prepared by:

_____
Daryl Betancur, 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=rHU44d5aVfxs **by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.**

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Suzanne Cook, Deputy Finance Director

MEETING DATE: June 25, 2019

SUBJECT: Approval and Ratification of Accounts Payable and Payroll Warrants Issued in the Month of May 2019

RECOMMENDATION:

That City Council review and ratify the warrants for period ending **May 31, 2019**, per California Government Code Section 37208.

WARRANT SUMMARY:

Description	Payment #	Amount	Total Amount
Checks:			
Checks Issued during Month	169009 - 169423	$ 2,874,434.11	
Voided / Reissue Check		$ 79,581.03	
Check Total			**$ 2,794,853.08**
Wires Total	1004 - 1006		**$ 2,684,900.57**
ACH payments:	9006435 - 9006452		
Payroll Direct Deposit	5/10/2019	$ 379,379.47	
Payroll Direct Deposit	5/24/2019	$ 335,810.37	
Other Payments		$ 594,788.95	
ACH Total			**$ 1,309,978.79**
Payroll Checks:	11752 - 11779		
Payroll - Regular	5/10/2019	$ 2,554.64	
Payroll - Regular	5/24/2019	$ 3,199.74	
Manual Check	5/23/2019	$ 2,384.97	
Payroll Check Total			**$ 8,139.35**
Total Warrants Issued for May 2019			**$ 6,797,871.79**

ATTACHMENTS:

- Fund List
- Warrant List May 2019
- Warrant List Detail May 2019
- Voided Check Log – May 2019
- 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:

Douglas Schulze
City Manager

CITY of BANNING

Fund/Department Legend

Fund/Department Legend

0001 General Fund Departments

0001 – General
1000 – City Council
1200 – City Manager
1210 – Economic Development
1300 – Human Resources
1400 – City Clerk
1500 – Elections
1800 – City Attorney
1900 – Fiscal Services
1910 – Purchasing & A/P
2060 – TV Government Access
2200 – Police
2210 – Dispatch
2279 – TASIN – SB621 (Police)
2300 – Animal Control
2400 – Fire
2479 – TASIN – SB621 (Fire)
2700 – Building Safety
2740 – Code Enforcement
2800 – Planning
3000 – Engineering
3200 – Building Maintenance
3600 – Parks
4000 – Recreation
4010 – Aquatics
4050 – Senior Center
4060 – Sr. Center Advisory Board
4500 – Central Services
4800 – Debt Service
5400 – Community Enhancement

Special Revenue Funds

002 – Developer Deposit Fund
003 – Riverside County MOU
005 – Successor Agency Admin Fund
100 – Gas Tax Street Fund
101 – Measure A Street Fund
102 – RMRA (SB1) Gas Tax 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
150 – State Park Bond Fund
190 – Housing Authority Fund
200 – Special Donation Fund
201 – Sr. Center Activities Fund
  4050 - Senior Center
  4060 - Senior Center Advisory Board
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

Capital Improvement Funds

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

Banning Utility Authority Funds

660 – Water Fund
661 – Water Capital Facilities
663 – BUA Water Capital Project Fund
669 – BUA Water Debt Service Fund
680 – Wastewater Fund
681 – Wastewater Capital Facility Fund
683 – BUA Wastewater Capital Project Fund
685 – State Revolving Loan Fund
689 – BUA Wastewater Debt Service Fund
662 – Irrigation Water Fund
682 – Wastewater Tertiary

Enterprise Funds

600 – Airport Fund
610 – Transit Fund
  5800 - Transit
  5850 - Dial-A-Ride
690 – Refuse Fund
670 – Electric Fund
  7000 - Electric
  7010 - Generation & Transmission
672 – Rate Stability Fund
673 – Electric Improvement Fund
674 – '07 Electric Revenue Bond Project Fund
675 – Public Benefit Fund
678 – '07 Electric Revenue Bond Debt Service Fund

Internal Service Funds

700 – Risk Management Fund
  5020 - Workers Compensation
  5030 - Unemployment Insurance
  5040 - Liability Insurance
  5300 - City Attorney
702 – Fleet Maintenance
703 – Information Systems Services
761 – Utility Billing Administration
  3100 - Account & Collection Service
  3110 - Meter Reading Service

Successor Agency Funds

805 – Redevelopment Obligation Retirement Fund
810 – Successor Housing Agency
830 – Debt Service Fund
840 - Bond Expenditure Agreement (BEA) Project Fund
841 - Bond Expenditure Agreement (BEA) Low/Mod Fund
850 – Successor Agency
855 – 2007 TABS Bond Proceeds - Replaced by Fund 840
856 – 2003 TABS Bond Proceeds - Replaced by Fund 840
857 – 2003 TABS Bond Proceeds Low/Mod - Replaced by Fund 841

City of Banning
Warrant List May 2019

Warrant Number	Vendor Name	Warrant Amount
1007	RIVERSIDE PUBLIC UTILITIES	926,753.69
1008	U.S. BANK	1,758,146.88
169009	ALBERT A. WEBB ASSOCIATES	885.00
169010	ALLISON MECHANICAL INC	115,900.00
169011	ALTEC INDUSTRIES, INC.	5,613.50
169012	AMAZON CAPITAL SERVICES	204.86
169013	ANIXTER, INC	3,229.25
169014	ARROW STAFFING SERVICE	3,068.75
169015	ARROYO BACKGROUND INVESTIGATIONS	2,007.03
169016	ATWORK FRANCHISE, INC	2,614.96
169017	AVILA, SOL	12.00
169018	AVILA, VINCENT	12.00
169019	BABCOCK LABORATORIES, INC	1,941.00
169020	BANNING CHAMBER OF COMMERCE	80.00
169021	BANNING SAN GORGONIO PASS AREA	30.00
169022	BEAUMONT DO IT BEST HOME CENTER	82.25
169023	BENNETT, MICHAEL	12.00
169024	BIG TRUCK & EQUIPMENT SALES, LLC	21,620.04
169025	BLUE SHIELD OF CALIFORNIA	74,190.84
169026	BUSINESS TELECOMMUNICATION	7,961.81
169027	CALIFORNIA LAW ENFORCE ASSN	563.50
169028	CALIFORNIA, STATE OF	140.00
169029	CALLAHAN, BRIAN	12.00
169030	CAMPA, ERIC	12.00
169031	CASTANEDA, SANDRA	29.00
169032	CDW GOVERNMENT, INC	1,299.78
169033	CESCOLINI, SALLY	103.29
169034	CHARLES ABBOTT ASSOCIATES, INC	24,427.38
169035	COLONIAL INSURANCE	19,594.14
169036	COOPERATIVE PERSONNEL SVCS.	675.60
169037	CORELOGIC INFORMATION SOLUTIONS INC	150.00
169038	COSTAR REALTY INFORMATION, INC	87.95
169039	COUNSELING TEAM INTERNATIONAL, THE	550.00
169040	COUTS HEATING & COOLING, INC	964.17
169041	COZAD & FOX, INC	8,540.86
169042	CRAGHEAD, VERONICA	70.00
169043	CUNNING, ALISON	257.06
169044	EISENHOWER MEDICAL CENTER	1,200.00
169045	ENTERPRISE FM TRUST	6,058.71
169046	FEOLA, JOSEPH	12.00
169047	FRONTIER COMMUNICATIONS	166.61
169048	GAS COMPANY, THE	508.12
169049	GRAINGER	1,655.12
169050	HAPPE, DAVID	82.82
169051	HERC RENTALS INC.	1,428.63
169052	HERNANDEZ, VICKIE MARIE	17.00
169053	HOME DEPOT #8987	972.41
169054	ICMA	1,400.00
169055	JIMENEZ, LINDA	12.00
169056	KAISER FOUNDATION HEALTH	44,347.20
169057	LAW ENFORCEMENT MEDICAL SERVICES	753.88
169058	LITHOPASS PRINTING, FORMS,	77.28
169059	MUNOZ, RENE	12.00
169060	NIETO, FRANCISCO	72.00

City of Banning
Warrant List May 2019

Warrant Number	Vendor Name	Warrant Amount
169061	OFFICE DEPOT	922.07
169062	ON TRAC	31.44
169063	ONE SOURCE DISTRIBUTORS	6,036.16
169064	OPENGOV, INC	60,000.00
169065	OSORNIO, CRISTOBAL	30.00
169066	PACIFIC ALARM SERVICE	139.16
169067	PRUDENTIAL OVERALL SUPPLY	433.66
169068	RECORD GAZETTE, THE	146.00
169069	RIV. CO. COMMUNITY HEALTH AGENCY	1,616.00
169070	RIVERA, BRENDA ARACELY	25.00
169071	RIVERSIDE UNIVERSITY HEALTH SYSTEM	1,200.00
169072	RIVERSIDE UNIVERSITY HEALTH SYSTEM	1,200.00
169073	RIVERSIDE, COUNTY OF	2,146.50
169074	ROCKWELL, AMBER	70.00
169075	RON TURLEY ASSOCIATES INC	863.48
169076	RUSH, ADAM	38.00
169077	SAN BERNARDINO PUBLIC EMPLOYEES	1,240.02
169078	SCCI, INC DBA	250.00
169079	SHRED-IT USA, LLC	98.00
169080	SMART & FINAL	80.53
169081	SOUTHERN CALIFORNIA EDISON	101.23
169082	STAPLES BUSINESS ADVANTAGE	578.37
169083	THESIER, DEREK	12.00
169084	TIME WARNER CABLE	199.42
169085	UNITED STATES POSTAL SERVICE	5,000.00
169086	WELLS FARGO CARD SERVICES INC	1,216.22
169087	WILLIAMS, VENKA	116.25
169088	XENIA PACIFIC, INC	915.88
169089	YOUNG, CARLA	70.00
169090	72 HOUR LLC-NATIONAL AUTO FLT GRP	147,798.50
169091	ADAMSON POLICE PRODUCTS	581.68
169092	ALBERT A. WEBB ASSOCIATES	2,000.00
169093	ALL STAR ELITE SPORTS	946.58
169094	ALL STAR GLASS, INC.	1,581.14
169095	ALTEC INDUSTRIES, INC.	3,573.08
169096	AMERICAN FIBERTEK, INC	658.00
169097	ANIXTER, INC	2,863.33
169098	ANTHEM SPORTS, LLC	3,427.43
169099	ARROW STAFFING SERVICE	699.72
169100	ARTISTIC MAINTENANCE, INC.	12,104.67
169101	ATWORK FRANCHISE, INC	818.18
169102	BANNING CHAMBER OF COMMERCE	120.00
169103	BANNING POLICE OFFICERS ASSOC	1,900.00
169104	BEAUMONT DO IT BEST HOME CENTER	226.78
169105	BEAUMONT SAFE & LOCK	115.29
169106	BENHAR, DIANA T	412.30
169107	BETANCUR, DARYL	75.00
169108	BIO-TOX LABORATORIES	2,875.50
169109	CALIFORNIA POLICE CHIEFS ASSN	440.00
169110	CARD INTEGRATORS DBA	815.13
169111	COUTS HEATING & COOLING, INC	395.00
169112	DANIELS TIRE SERVICE	258.00
169113	DIAMOND HILLS CHEVROLET BUICK GMC	465.40
169114	EVERWOOD INDUSTRIES, INC.	104.94

City of Banning
Warrant List May 2019

Warrant Number	Vendor Name	Warrant Amount
169115	FACTORY MOTOR PARTS	81.02
169116	FBINAA	120.00
169117	FEDEX	376.16
169118	FERGUSON, PRAET & SHERMAN	2,497.50
169119	FISHER, ROBERT	621.00
169120	FRONTIER COMMUNICATIONS	2,855.37
169121	FUN EXPRESS	10.50
169122	GAS COMPANY, THE	1,416.39
169123	GRAINGER	860.23
169124	HAMNER, MATTHEW	327.76
169125	HERNANDEZ, CARLA	126.00
169126	I.B.E.W. LOCAL 47	7,994.19
169127	I.B.E.W. LOCAL 47 (PAC)	44.00
169128	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,167.20
169129	ICMA RETIREMENT TRUST 457	995.69
169130	INTERNATIONAL FOOTPRINT ASSOCIATION	125.00
169131	IRON MOUNTAIN INFORMATION MGMT, LLC	349.00
169132	KHAN PROPERTIES AND HOLDINGS, LLC	79,581.03
169133	LAM, ANGIE	17.00
169134	LEE'S AUTO BODY	150.00
169135	LEXISNEXIS RISK SOLUTIONS	319.00
169136	MERCHANTS BUILDING MAINTENANCE, LLC	5,726.08
169137	MILLER, THOMAS	334.09
169138	MILSOFT UTILITY SOLUTIONS, INC	5,000.00
169139	MORGAN, DEIDRA J	171.50
169140	NATIONWIDE RETIREMENT SOLUTIONS	6,394.87
169141	NET TRANSCRIPTS, INC	171.00
169142	OFFICE DEPOT	482.57
169143	P&P UNIFORMS	958.98
169144	PACKHAM & TOOMEY, INC	125.00
169145	PARS	454.65
169146	PAYPRO ADMINISTRATORS	110.00
169147	PRE-PAID LEGAL SERVICES, INC	218.23
169148	PRUDENTIAL OVERALL SUPPLY	341.30
169149	REDLANDS FORD	7.93
169150	RICHLIN, WANDA	501.00
169151	RIV. CO. HEALTH SVCS AGENCY	406.00
169152	RIV. CO. REGISTRAR OF VOTER	29,819.10
169153	RUEHLE, TARA SHAWN M	238.00
169154	SAN GORGONIO PASS DESIGN AND PRINT	193.95
169155	SERVICE SCAPE	9,690.00
169156	SMART & FINAL	239.70
169157	SMITH, LOIS E	28.00
169158	STAPLES BUSINESS ADVANTAGE	1,168.25
169159	SUEZ BANNING	62,182.00
169160	SUN LIFE FINANCIAL	20,154.53
169161	T-MOBILE	612.00
169162	TELEPACIFIC COMMUNICATIONS	2,973.97
169163	TIME WARNER CABLE	1,008.70
169164	VERIZON WIRELESS	304.08
169165	WELLS FARGO CARD SERVICES INC	2,928.86
169166	WELLS FARGO CARD SERVICES INC	3,348.83
169167	WESTRUX INTERNATIONAL INC	3,272.73
169168	WILDLIFE CONTROL SERVICE INC	795.00

City of Banning
Warrant List May 2019

Warrant Number	Vendor Name	Warrant Amount
169169	ACE	461.10
169170	ALL STAR ELITE SPORTS	248.85
169171	ALLIANT INSURANCE SERVICES, INC	132,230.00
169172	AMAZON CAPITAL SERVICES	198.89
169173	AMERICAN FORENSIC NURSES	2,860.00
169174	ANDRADE, DANIELA	41.41
169175	ARROW STAFFING SERVICE	3,593.54
169176	AT&T CALNET 2	722.98
169177	AT&T CALNET 2	634.33
169178	AT&T CALNET 2	1,992.92
169179	AT&T MOBILITY	1,099.52
169180	BABCOCK LABORATORIES, INC	239.00
169181	BEAUMONT CHERRY VALLEY WATER	4,990.59
169182	BEAUMONT DO IT BEST HOME CENTER	830.75
169183	BEAUMONT POWER EQUIPMENT	158.72
169184	BEAUMONT SAFE & LOCK	102.78
169185	BLACK, CHARLES & JANET	80.06
169186	BOYS & GIRLS CLUBS OF THE SAN	40.00
169187	BYRNE, LYNN & STEVE	55.10
169188	CASTRO &, VICTOR	208.02
169189	COOMES &, AGNES W	340.12
169190	CORE AND MAIN, LP	641.59
169191	CORELOGIC INFORMATION SOLUTIONS INC	150.00
169192	COUNSELING TEAM INTERNATIONAL, THE	700.00
169193	COVARRUBIAS, MARTHA	52.42
169194	CREATIVE BUS SALES INC	5,000.23
169195	DELL MARKETING LP	10,626.05
169196	DEX MEDIA	21.40
169197	DIRECTV	104.47
169198	ELIZONDO, MARIO	1,566.98
169199	FEDEX	69.33
169200	FOX OCCUPATIONAL MEDICAL CENTER	270.00
169201	FRONTIER COMMUNICATIONS	2,169.29
169202	FUN EXPRESS	790.15
169203	GARDA CL WEST INC	598.49
169204	GAS COMPANY, THE	32.87
169205	GIFFORD, AMBER	2,297.96
169206	GRAINGER	194.44
169207	GREENFIELD, ARTHUR	64.65
169208	GROBESON, VIRGINIA	146.10
169209	GUERRA, FERNANDO M	12.63
169210	HAMNER, MATTHEW	9.49
169211	HEMET VALLEY TOOL & SUPPLY	709.00
169212	HOME DEPOT #8987	283.78
169213	INNOVATIVE EMERGENCY EQUIPMENT	731.10
169214	INTERNATIONAL CONFERENCE OF POLICE	125.00
169215	JACINTO, HUGO	74.90
169216	JACKSON, PRISCILLA A	2.10
169217	KHAN PROPERTIES AND HOLDINGS, LLC	48,239.99
169218	LITHOPASS PRINTING, FORMS,	879.50
169219	LOS ANGELES TRUCK CENTERS DBA	176.66
169220	MARTINEZ &, RITA	24.14
169221	MC AVOY & MARKHAM	31,406.88
169222	NAPA AUTO PARTS	170.17

City of Banning
Warrant List May 2019

Warrant Number	Vendor Name	Warrant Amount
169223	ONYX PAVING COMPANY, INC	282.33
169224	POSITIVE PROMOTIONS, INC.	2,646.66
169225	PRUDENTIAL OVERALL SUPPLY	265.12
169226	QUINN COMPANY	357.12
169227	RAHE, KAREN	64.23
169228	RELIABLE WORKPLACE SOLUTIONS	97.36
169229	RICHARDS WATSON GERSHON	57,950.09
169230	RUSH, ADAM	914.84
169231	SANDERS, BRYAN & CYNTHIA	10.80
169232	SEDLACEK, MARK T	91.44
169233	SHRED-IT USA, LLC	92.55
169234	SIGNATURE CAPITAL GROUP INC	153.15
169235	SMART & FINAL	157.64
169236	SOUTHERN CALIFORNIA EDISON	61.67
169237	SOUTHERN CALIFORNIA JOINT POLE	783.13
169238	STAPLES BUSINESS ADVANTAGE	396.07
169239	SUMMIT RIDGE APARTMENTS	18.53
169240	TURBO DATA SYSTEMS INC	251.66
169241	UNDERGROUND SERVICE ALERT	184.53
169242	VERIZON WIRELESS	758.56
169243	VERIZON WIRELESS	3,930.97
169244	WALLACE, COLLEEN	68.68
169245	WASTE MANAGEMENT OF THE	254,130.07
169246	WESCO DISTRIBUTION, INC	8,727.75
169247	WHENEVER COMMUNICATIONS, LLC	836.55
169248	WILLIAMS, APRIL	4,000.00
169249	1ST MISSION BAPTIST CHURCH	12,437.07
169250	ANDRADE, DANIELA	46.28
169251	CALIFORNIA WATER ENVIRONMENT	87.00
169252	CASTANEDA, SANDRA	300.00
169253	DUGGINS, LANCE	221.26
169254	MILLER, JONI	151.39
169255	SAMPSON, LAURIE	35.90
169256	STAFFORD, CHERYL	33.52
169257	STONE, PAMELA	157.54
169258	WALLACE, COLLEEN	46.28
169260	A-Z BUS SALES, INC. (COLTON)	1,935.23
169261	ACE	486.36
169262	ADVANCE WORKPLACE STRATEGIES INC	236.00
169263	ALL AMERICAN SEWER TOOLS	388.98
169264	ALLDATA, LLC	1,500.00
169265	AMAZON CAPITAL SERVICES	23.97
169266	ANGI ENERGY SYSTEMS, LLC	275.15
169267	ATWORK FRANCHISE, INC	669.42
169268	BABCOCK LABORATORIES, INC	1,777.00
169269	BATTERY SYSTEMS, INC	252.28
169270	BEAUMONT DO IT BEST HOME CENTER	326.48
169271	BECHTEL, PETRA	69.71
169272	BLACKWELL, CAROL	144.32
169273	CANON FINANCIAL SERVICES, INC	1,184.35
169274	CDW GOVERNMENT, INC	5,331.47
169275	CORTEZ, TRINIDAD	300.00
169276	COZAD & FOX, INC	3,821.15
169277	CREATIVE BUS SALES INC	268.02

City of Banning
Warrant List May 2019

Warrant Number	Vendor Name	Warrant Amount
169278	CYBERTEK	1,000.00
169279	DAVILA, BERTHA	111.05
169280	ENTERPRISE FM TRUST	6,000.88
169281	EVANS, PAUL	2,500.00
169282	FARWEST LINE SPECIALTIES	3,833.96
169283	FOX OCCUPATIONAL MEDICAL CENTER	200.00
169284	FRONTIER COMMUNICATIONS	447.37
169285	FUELING & SERVICE TECHNOLOGIES, INC	380.00
169286	GAS COMPANY, THE	15.36
169287	GRAHAM, DOROTHY	50.00
169288	HAZEN AND SAWYER	10,943.75
169289	HEADLEY, MARTIN	133.22
169290	HOME DEPOT #8987	379.49
169291	I-SHRED	400.00
169292	IBEW LOCAL 47 RETIREE MEDICAL TRUST	2,160.28
169293	ICMA RETIREMENT TRUST 457	995.69
169294	INNOVATIVE FEDERAL STRATEGIES	3,500.00
169295	IRON MOUNTAIN INFORMATION MGMT, LLC	220.81
169296	KOLLER, MARIE V.	113.82
169297	LOZANO SMITH LLP	4,834.30
169298	MANERI SIGN COMPANY INC.	974.10
169299	MASTEN, STAR	117.90
169300	MC AVOY & MARKHAM	52,353.57
169301	MIDDLETON, SHARON	100.21
169302	MITSUBISHI ELECTRIC & ELECTRONICS	303.80
169303	MST BACKFLOW	120.00
169304	NATIONAL NOTARY ASSOCIATION	195.02
169305	NATIONWIDE RETIREMENT SOLUTIONS	5,962.95
169306	NOBEL SYSTEMS, INC	4,200.00
169307	O'REILLY AUTO PARTS	1,445.61
169308	PARKHOUSE TIRE, INC.	157.99
169309	PARS	558.14
169310	PARTS AUTHORITY METRO, LLC	1,159.75
169311	PETTY CASH CUSTODIAN-COMM SVCS	76.18
169312	PETTY CASH CUSTODIAN-SR CENTER	83.54
169313	PRESS-ENTERPRISE, THE	588.00
169314	PRIME SYSTEMS INDUSTRIAL	1,042.80
169315	PRUDENTIAL OVERALL SUPPLY	329.46
169316	PUBLIC AGENCY RETIREMENT SERVICES	300.00
169317	QUINN COMPANY	3.60
169318	RAMOS, CHRISTOPHER	288.03
169319	REDLANDS FORD	165.46
169320	RELIABLE WORKPLACE SOLUTIONS	66.23
169321	RICE, BETTY	128.66
169322	RIV. CO. FIRE DEPARTMENT	770,293.69
169323	RON'S BEE SERVICE	100.00
169324	RUELAS, ELIAS	64.51
169325	SAN BERNARDINO CO SHERIFF'S DEPT	2,100.00
169326	SAN GORGONIO PASS DESIGN AND PRINT	275.76
169327	SITEONE LANDSCAPE SUPPLY	1,895.13
169328	SOFTWARE ONE, INC	604.21
169329	SOUTH COAST AIR QUALITY	265.96
169330	SOUTHERN CALIFORNIA GAS CO	5,105.46
169331	STAPLES BUSINESS ADVANTAGE	909.39

City of Banning
Warrant List May 2019

Warrant Number	Vendor Name	Warrant Amount
169332	STATE WATER RESOURCES CONTROL	1,400.00
169333	STATE WATER RESOURCES CONTROL	60.00
169334	STERLING TALENT SOLUTIONS	99.12
169335	TERRY, BILLIE	50.00
169336	TORRES, IVANO	35.44
169337	ULINE	440.30
169338	VILLEGAS, JOSE	136.37
169339	WELDOR'S SUPPLY AND STEEL	119.75
169340	WHITE, BEVERLY	50.00
169341	WILLDAN FINANCIAL SERVICES	2,373.75
169342	ZOELLER, SUSAN	89.26
169343	ARROW STAFFING SERVICE	2,444.00
169344	ASPEN ENVIRONMENTAL GROUP	3,460.77
169345	BABCOCK LABORATORIES, INC	688.00
169346	BANNING CHAMBER OF COMMERCE	120.00
169347	BEAUMONT CHERRY VALLEY WATER	7,642.50
169348	BEAUMONT DO IT BEST HOME CENTER	367.95
169349	BEAUMONT SAFE & LOCK	53.88
169350	BLACK, CHARLES & JANET	63.87
169351	BLANCHE, REGINA JOHNSON	276.26
169352	BLUE SHIELD OF CALIFORNIA	70,097.32
169353	BREY, GERALD M	116.36
169354	BUCKNER, JACQUELYN	130.13
169355	CALDERON, SANDRA B	11.60
169356	CALIFORNIA MUNICIPAL UTILITIES	23,672.00
169357	CALIFORNIA UTILITIES EMERGENCY ASSO	500.00
169358	CALOLYMPIC GLOVE & SAFETY CO, INC	212.60
169359	CAMPOS, ELSI C	58.18
169360	CDW GOVERNMENT, INC	2,882.31
169361	CENTER ELECTRIC	2,109.00
169362	COSTAR REALTY INFORMATION, INC	87.95
169363	COUNSELING TEAM INTERNATIONAL, THE	275.00
169364	COZAD & FOX, INC	2,105.52
169365	CUSTOM TROPHIES & U-NEEK AWARDS	188.56
169366	CYBERTEK	30,600.00
169367	DENNING &, GERALDINE	35.78
169368	DUGGINS, LANCE	143.26
169369	ERE INVESTMENT	168.21
169370	FRONTIER COMMUNICATIONS	1,456.11
169371	G & G ENVIRONMENTAL COMPLIANCE, INC	1,158.44
169372	GALEANA, ROSA	38.71
169373	GAS COMPANY, THE	159.77
169374	GRAINGER	30.03
169375	GRAVES & KING LLP	13,112.90
169376	GREENE, AMANDA	84.76
169377	HEENEY, TAYLOR & DYLAN	199.89
169378	HINDERLITER DE LLAMAS & ASSOCIATES	1,092.42
169379	HOME DEPOT #8987	157.56
169380	IBEW LOCAL 47 RETIREE MEDICAL TRUST	9.17
169381	KINCEY, AHSTAZIA	25.00
169382	KMET RADIO	400.00
169383	LEAGUE OF CALIFORNIA CITIES	250.00
169384	MARCO EQUIPMENT COMPANY	5,999.96
169385	MUSARRA, JARON	79.24

City of Banning
Warrant List May 2019

Warrant Number	Vendor Name	Warrant Amount
169386	ONYX PAVING COMPANY INC	157,145.91
169387	OPENDOOR LABS INC	120.36
169388	PACIFIC TREND PROPERTIES	93.77
169389	PACKHAM & TOOMEY, INC	225.00
169390	PETTY CASH CUSTODIAN - FINANCE	147.48
169391	PRESS-ENTERPRISE, THE	596.40
169392	PRO SHINE	3,440.00
169393	PRUDENTIAL OVERALL SUPPLY	315.30
169394	PYRO SPECTACULARS, INC	13,500.00
169395	RANCHO PASEO MEDICAL GROUP	75.00
169396	RECORD GAZETTE, THE	1,317.65
169397	RIV. CO. CLERK RECORDER	16.00
169398	RIV. CO. CLERK RECORDER	8.00
169399	RIV. CO. CLERK RECORDER	24.00
169400	RIV. CO. CLERK RECORDER	24.00
169401	RIV. CO. CLERK RECORDER	8.00
169402	RIV. CO. COMMUNITY HEALTH AGENCY	4,473.00
169403	RIV. CO. HEALTH SVCS AGENCY	199.00
169404	RIVERSIDE, COUNTY OF	1,766.60
169405	SAN GORGONIO PASS WATER AGENCY	39,625.00
169406	SHRED-IT USA, LLC	98.00
169407	SMART & FINAL	604.21
169408	SORIANO, NATLLELY	180.00
169409	SOUTH COAST AIR QUALITY	132.98
169410	STAPLES BUSINESS ADVANTAGE	47.94
169411	STECK, SAUL OWEN	100.05
169412	SUN LIFE FINANCIAL	21,320.73
169413	SUPERION	720.00
169414	SWANK MOTION PICTURES, INC.	2,500.00
169415	TASC	6,156.20
169416	TELEPACIFIC COMMUNICATIONS	3,170.70
169417	THE SOCO GROUP, INC.	28,089.15
169418	THURMOND, DEBORAH	30.00
169419	TIME WARNER CABLE	70.33
169420	WELLS FARGO CARD SERVICES INC	2,312.51
169421	XENIA PACIFIC, INC	988.61
169422	ZANID HOLDINGS LP	118.59
169423	ZHANG, YONG SHENG	147.74
9006435	CA. ST. BOARD OF EQUALIZATION	18.74
9006436	CA. ST. BOARD OF EQUALIZATION	464.00
9006437	WELLS FARGO BANK	400.00
9006438	WELLS FARGO BANK	379,379.47
9006439	CALIFORNIA, STATE OF	1,831.00
9006440	CA. ST. EMPLOYMENT DEV. DEPT.	22,903.14
9006441	INTERNAL REVENUE SERVICE	150,570.06
9006442	TASC	5,132.12
9006443	WELLS FARGO BANK	400.00
9006444	CALPERS 457 PLAN - 450260	36,278.78
9006445	CA. ST. PUBLIC EMPLOYEES	87,637.92
9006446	CALPERS 457 PLAN - 450260	36,284.33
9006447	CA. ST. PUBLIC EMPLOYEES	88,142.00
9006448	WELLS FARGO BANK	335,810.37
9006449	CA. ST. EMPLOYMENT DEV. DEPT.	20,329.71
9006450	INTERNAL REVENUE SERVICE	138,915.03

City of Banning
Warrant List May 2019

Warrant Number	Vendor Name	Warrant Amount
9006451	TASC	5,082.12
9006452	WELLS FARGO BANK	400.00
Grand Total		6,869,313.47
	Less Voided / Reissued Checks from Prior Period	(79,581.03)
	Less Voided Checks Prior Period	
	Add Payroll Checks	8,139.35
	Total Remittance for Month	6,797,871.79

City of Banning
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Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
1007		RIVERSIDE PUBLIC UTILITIES				INTEREST REVENUE APR 2019 RECEIVED DURING PERIOD	(2,324.39)
						ENERGY REVENUE APR 2019 RECEIVED DURING PERIOD	(10,692.77)
						CRR REVENUE APR 2019 RECEIVED DURING PERIOD	(29,857.92)
						TRANS REVENUE APR 2019 RECEIVED DURING PERIOD	(54,084.48)
						S & D EXPENSE -APRIL 2019 PAID DURING PERIOD	51,024.00
						CAPACITY EXPNS-APRIL 2019 PAID DURING PERIOD	391,307.96
						ENERGY EXPNSE -APRIL 2019 PAID DURING PERIOD	232,295.20
						TRANS EXPENSE -APRIL 2019 PAID DURING PERIOD	310,758.67
						LEGAL EXPENSE -APRIL 2019 PAID DURING PERIOD	27,069.54
						PV ENGINEERING - APRIL 19 PAID DURING PERIOD	11,257.88
1008		U.S. BANK				PRINCIPAL PAYMENT ACCT # 262685000	1,095,000.00
						INTEREST DUE ACCT # 262685000	663,146.88
169009		ALBERT A. WEBB ASSOCIATES				ROBERTSON'S READY MIX RESO 2018-27 7/24/18	885.00
						ROBERTSON'S READY MIX RESO 2018-27 7/24/18	(885.00)
				029335		PEER REVIEW THRU 3/30	885.00
169010		ALLISON MECHANICAL INC	2018-05-01	029327		PROJECT 2018-05 CITY HALL - RETAINAGE	(6,100.00)
						PROJECT 2018-05 CITY HALL	122,000.00
169011		ALTEC INDUSTRIES, INC.		029056		#336 PM & DIELECTRIC INS	901.82
				029056		#335 REPAIRS FROM PM	1,600.19
				029056		#355 OUTRIGGER INTERLOCK	2,394.00
				029056		#335 BAD OUTRIGGER SWITCH	717.49
169012		AMAZON CAPITAL SERVICES				SALES TAX	(2.68)
				029475		A-FRAME INSERTS	37.32
				029475		SIDEWALK SIGN FRAMES	170.22
169013		ANIXTER, INC		029441		VOLTAGE DETECTOR	1,556.97
						MOLDING OAK PO NUM 029177	1,672.28
169014		ARROW STAFFING SERVICE				SANTANA, GRACE W/E 4/13 UTILITY BILLING	624.75
						CARROLL,GARY W/E 4/13/19 FINANCE	1,222.00
						CARROLL,GARY W/E 4/20/19	1,222.00
169015		ARROYO BACKGROUND INVESTIGATIONS		029113		PO BACKGROUND	605.00
				029113		PO BACKGROUND FEE	1,402.03
169016		ATWORK FRANCHISE, INC				LATHROM, TWILA W/E 3/24 UTILITY BILLING	860.03
						LATHROM, TWILA W/E 3/31 UTILITY BILLING	929.76
						LATHROM, TWILA W/E 4/07 UTILITY BILLING	743.81
						LATHROM, TWILA W/E 4/21 UTILITY BILLING	81.36
169017		AVILA, SOL				PSP TRAINING MEAL POST	12.00
169018		AVILA, VINCENT				PSP TRAINING MEAL 4/18/19 POST	12.00
169019		BABCOCK LABORATORIES, INC		029259		DIOXINS	1,156.00
				029259		SOLIDS,AMMONIA,NITROGEN	243.00
				029259		SOLIDS,AMMONIA,NITROGEN	243.00
				029259		COLIFORMS P/A BY MMO/MUG	165.00
				029259		COLIFORMS P/A BYMMO/MUG	60.00
				029259		GENERAL PHYSICAL ANALYSIS	54.00
				029259		TOTAL DISSOLVED SOLIDS	20.00
169020		BANNING CHAMBER OF COMMERCE				ANDRADE, DANIELA 12/19/18 2019 LAW & TAX OUTLOOK DN	20.00
						HAPPE, DAVID 3/06/19 2019 LAW & TAX OUTLOOK DN	20.00
						WALLACE, COLLEEN 3/06/19 2019 LAW & TAX OUTLOOK DN	20.00
						SCHULZE, DOUG 3/06/19 2019 LAW & TAX OUTLOOK DN	20.00
169021		BANNING SAN GORGONIO PASS AREA				ANDRADE, DANIELA 12/19/18 SUNRISE BREAKFAST	15.00
						WELCH, ART 12/19/18 SUNRISE BREAKFAST	15.00
169022		BEAUMONT DO IT BEST HOME CENTER		029051		LIQUID PROPANE	6.73
				029051		WHITE MARKING PAINT CCTR	75.52
169023		BENNETT, MICHAEL				PSP TRAINING MEAL 4/18/19	12.00
169024		BIG TRUCK & EQUIPMENT SALES, LLC		029486		2006 IMT EZH22H DIGGER	21,620.04
169025		BLUE SHIELD OF CALIFORNIA				HEALTH INSURANCE PREMIUMS MAY 2019	74,190.84
169026		BUSINESS TELECOMMUNICATION		029489		SHORTEL SUPPORT	7,961.81
169027		CALIFORNIA LAW ENFORCE ASSN				POLICE LTD PREMIUMS MAY 2019	563.50
169028		CALIFORNIA, STATE OF		029151		CHP BLOOD ANALYSIS	140.00

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169029		CALLAHAN, BRIAN	MEAL 4/18/19		001-2200-421.23-06	PSP TRAINING MEAL 4/18/19	12.00
169030		CAMPA, ERIC	MEAL 4/23/19		001-2200-421.23-06	PSP TRAINING MEAL 4/23/19	12.00
169031		CASTANEDA, SANDRA	MILEAGE 4/25/19		001-2900-431.25-05	NOD RECORDING - RIVERSIDE COUNTY RECORDER'S OFF	29.00
169032		CDW GOVERNMENT, INC	[illegible]	029175	001-1900-412.89-45	PAYROLL PC & DUAL MONITOR	1,299.78
169033		CESCOLINI, SALLY	[illegible]		675-7020-475.42-96	ENERGY ASSISTANCE PROGRAM REBATE JUN 2017-MAY 2018	103.29
169034		CHARLES ABBOTT ASSOCIATES, INC	[illegible]	028718	001-2700-442.33-33	B & S SERVICES MARCH 2019	24,427.38
169035		COLONIAL INSURANCE	[illegible]		001-0000-204.80-00	TERM LIFE PREMIUM APRIL 2019	2,222.32
					001-0000-204.80-02	CANCER PREMIUMS APRIL 2019	1,704.16
					001-0000-204.80-03	UNIVERSAL LIFE PREMIUM APRIL 2019	3,016.05
					001-0000-204.80-09	ACCIDENT PREMIUMS APRIL 2019	3,148.70
					001-0000-204.80-11	SUPPLEMENTAL DISABILITY APRIL 2019	6,276.26
					001-0000-204.80-12	CRITICAL ILLNESS PREMIUMS APRIL 2019	1,556.30
					001-0000-204.80-16	HOSPITAL CONFINEMENT PREM APRIL 2019	1,670.35
169036		COOPERATIVE PERSONNEL SVCS.	[illegible]	029227	001-1300-412.41-17	MAINT WKR WRITTEN EXAM	675.60
169037		CORELOGIC INFORMATION SOLUTIONS INC	[illegible]	029225	001-2700-442.23-33	MAR 2019 METROSCAN	100.00
					001-2740-442.23-33	MAR 2019 METROSCAN	50.00
169038		COSTAR REALTY INFORMATION, INC	[illegible]		001-1210-412.33-11	COMMERCIAL PROP LIST SITE BILL PERIOD: APRIL 2019	87.95
169039		COUNSELING TEAM INTERNATIONAL, THE	[illegible]		001-1300-412.33-32	PD APPLICANT PSYCH ASSESS ORG INV DATE 3/27/19	275.00
			[illegible]		001-1300-412.33-32	PD APPLICANT PSYCH ASSESS	275.00
169040		COUTS HEATING & COOLING, INC	[illegible]	029105	001-4200-412.40-21	A/C REPAIR AT PD	964.17
169041		COZAD & FOX, INC	[illegible]	029390	660-6500-471.33-53	#19-004 SURVEY RIGHT OF W	2,069.84
					680-8000-454.33-53	#19-004 SURVEY RIGHT OF W	1,835.52
			[illegible]	028580	451-4600-461.90-69	PROJECT 2017-03 LIONS PAR	4,635.50
169042		CRAGHEAD, VERONICA	[illegible]		670-7000-475.23-06	BREAKFAST - CONFERENCE PER PURCHASING MANAGER	70.00
169043		CUNNING, ALISON	[illegible]		001-2200-421.23-06	2019 CAPE SEMINAR MILEAGE MAR 24-29,2019 / PARKING	257.06
169044		EISENHOWER MEDICAL CENTER	[illegible]		001-2200-421.33-31	SART - DECEMBER 2018 ORG INV DATE 1/18/2019	1,200.00
169045		ENTERPRISE FM TRUST	[illegible]		001-3000-442.32-06	ENGINEERING - LEASE PYMNT	2,790.72
					100-4900-451.32-06	STREETS - LEASE PYMNT	970.34
					702-3200-480.32-06	FLEET MAINT - LEASE PYMNT	2,297.65
169046		FEOLA, JOSEPH	[illegible]		001-2200-421.23-06	PSP TRAINING MEAL 4/18/19	12.00
169047		FRONTIER COMMUNICATIONS	[illegible]		001-4500-412.26-05	209-188-4027 APR 16,2019 - MAY 15,2019	81.56
			[illegible]		001-4500-412.26-05	951-849-7296 APR 16,2019 - MAY 15,2019	85.05
169048		GAS COMPANY, THE	[illegible]		001-4900-461.26-06	789 N SAN GORGONIO AVE MAR 19,2019 - APR 17,2019	53.35
			[illegible]		001-4500-461.26-06	201 W GEORGE ST MAR 19,2019 - APR 17,2019	18.76
			[illegible]		001-2400-422.26-06	172 N MURRAY ST MAR 19,2019 - APR 17,2019	119.51
			[illegible]		001-4500-461.26-06	84 W WILSON ST MAR 19,2019 - APR 17,2019	176.98
			[illegible]		001-4500-412.26-06	99 E RAMSEY ST MAR 19,2019 - APR 17,2019	108.96
			[illegible]		001-4010-461.26-06	749 N SAN GORGONIO AVE MAR 19,2019 - APR 17,2019	30.56
169049		GRAINGER	[illegible]	029057	660-6300-471.45-16	GLOVES/BOLT CUTTER	53.75
					670-7000-475.45-16	GLOVES/BOLT CUTTER	607.79
			[illegible]	029057	680-8000-454.45-16	ELECTRIC MOTOR	722.93
			[illegible]	029057	680-8000-454.45-16	FLAGS,OVERALLS,WADERS	270.65
169050		HAPPE, DAVID	MILEAGE 1/3/19		001-1000-411.23-05	LEAGUE CA CITIES ACADEMY JAN 30-FEB 01 IRVINE, CA	82.82
169051		HERC RENTALS INC.	[illegible]	029241	660-6300-471.32-35	TRENCHER RENTALS	1,428.63
169052		HERNANDEZ, VICKIE MARIE	MEAL 4/30/19		001-2210-421.23-06	FIRST-LINE SUPERVISION APR 30,2019 PALM SPRINGS	17.00
169053		HOME DEPOT #8987	[illegible]	029093	660-6300-471.45-08	COUPLING,ADAPTER,BUSHING	281.02
			[illegible]	029093	670-7000-475.45-16	DRILLS/RYOBI DRIVING SETS	556.81
			[illegible]	029093	660-6300-471.45-16	TRIMMER LINE	32.27
					670-7000-475.45-16	TRIMMER LINE	102.31
169054		ICMA	[illegible]		001-1200-412.23-01	SCHULZE, DOUG # 191989 JULY 1,2019 -JUNE 30,2020	1,400.00

City of Banning
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Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
169055		JIMENEZ, LINDA	MEAL 4/29/19		001-2200-421.23-06	PSP TRAINING MEAL 4/29/19	12.00
169056		KAISER FOUNDATION HEALTH	MAY 2019		601-0000-204.31-00	KAISER PREMIUMS- MAY 2019	44,347.20
169057		LAW ENFORCEMENT MEDICAL SERVICES	15772		001-2200-421.33-11	SART - MAY 2018 ORG INV DATE 6/27/2018	753.88
169058		LITHOPASS PRINTING, FORMS,	4677	029402	761-3100-480.23-02	CUSTOMER SRVC ENVELOPES	77.28
169059		MUNOZ, RENE	MEAL 4/23/19		001-2200-421.23-06	PSP TRAINING MEAL 4/23/19	12.00
169060		NIETO, FRANCISCO	MEAL 4/23/19		001-2200-421.23-06	PSP TRAINING MEAL 4/23/19	12.00
			MEALS 4/01-4/03		001-2200-421.23-06	SFST CLASS OF POMONA	36.00
			MEALS 4/30-5/04		001-2200-421.23-06	FIREARMS TACTICAL RIFLE	24.00
169061		OFFICE DEPOT	302342113001	029065	001-1500-412.30-00	PAPER-CITY HALL	922.07
169062		ON TRAC	8914042	029081	001-1400-412.23-04	SHIPPING AND HANDLING CITY CLERK	7.86
					001-3600-442.23-04	SHIPPING AND HANDLING ENGINEERING	23.58
169063		ONE SOURCE DISTRIBUTORS	S6112078.001	029433	670-7000-473.45-16	BREAK-SAFE LOADBREAK & PU	6,036.16
169064		OPENGOV, INC	INV-002988	029485	001-1500-412.33-11	OPENGOV	33,000.00
					600-5100-415.33-11	OPENGOV	300.00
					610-5800-434.33-11	OPENGOV	5,400.00
					660-6300-471.33-11	OPENGOV	6,000.00
					670-7000-473.33-11	OPENGOV	10,800.00
					680-8000-453.33-11	OPENGOV	3,000.00
					690-9600-453.33-11	OPENGOV	300.00
					701-3700-480.33-11	OPENGOV	1,200.00
169065		OSORNIO, CRISTOBAL	12260847		001-4000-451.35-69	BASKETBALL REFUND PER DIR	30.00
169066		PACIFIC ALARM SERVICE	P 301137	029456	001-3200-412.23-19	SERVICE CALL POLICE DEPAR	139.16
169067		PRUDENTIAL OVERALL SUPPLY	2103010	029184	610-5800-434.25-02	CREDIT- TRANSIT / POLO	(11.00)
			22784756	029184	660-6300-471.25-02	UNIFORMS - WATER	57.10
			22784757	029184	680-8000-454.25-02	UNIFORMS - WASTEWATER	15.00
			22784752	029184	670-7000-473.25-02	ELEC DEPT UNIFORMS	140.16
			22785129	029184	001-4000-461.23-16	TRANSIT UNIFORM SERVICE	9.75
					610-5800-434.23-16	TRANSIT UNIFORM SERVICE	11.00
					610-5800-434.25-02	TRANSIT UNIFORM SERVICE	55.30
					610-5850-434.25-02	TRANSIT UNIFORM SERVICE	3.89
			22785050	029184	001-3600-461.25-02	PARKS UNIFORM SERVICE	12.30
			22785153	029184	670-7000-473.25-02	ELECT DEPT UNIFORMS	140.16
169068		RECORD GAZETTE, THE	0010455	029044	001-2500-441.23-01	PN TPM 33326 12 MO. EXT	146.00
169069		RIV. CO. COMMUNITY HEALTH AGENCY	IND142919		680-8000-454.41-04	2242 E CHARLES ST WASTEWATER TREATMENT FAC	1,616.00
169070		RIVERA, BRENDA ARACELY	135 SECURITY REFUND		001-3600-511.25-02	REPPLIER PARK PICNIC SHEL DOUBLE BOOKED	25.00
169071		RIVERSIDE UNIVERSITY HEALTH SYSTEM	2001		001-2200-421.33-11	SART - FEBRUARY 2019 INV DATE 3/06/2019	1,200.00
169072		RIVERSIDE UNIVERSITY HEALTH SYSTEM	2002		001-2200-421.33-11	SART - MARCH 2019	1,200.00
169073		RIVERSIDE, COUNTY OF	MARCH 2019		001-2200-421.16-06	MAR 2019 PARKING CITATION ASSESSMENTS	2,146.50
169074		ROCKWELL, AMBER	MEALS 5/5-5/10		670-7000-473.23-06	BREAKFAST - CONFERENCE PER PURCHASING MANAGER	70.00
169075		RON TURLEY ASSOCIATES INC	53929	029436	702-1800-480.30-17	CL-S621 PIRNTER & LABELS	863.48
169076		RUSH, ADAM	REIMB 4/01/19		001-2500-441.23-05	SCAG - RHNA SUBCOMMITTE ATTENDANCE/PARKING FEE	8.00
			REIMB 4/15/19		001-2500-441.23-05	CITY + COUNTY DIRECTOR'S DIALOGUE / MAY 7,2019	20.00
			REIMB 4/17/19		001-2500-441.23-05	2019 HOUSING LEGISLATIVE UPDATE WEBINAR	10.00
169077		SAN BERNARDINO PUBLIC EMPLOYEES	APRIL 2019		001-0000-204.51-00	SBPEA DUES FOR APRIL 2019	1,240.02
169078		SCCI, INC DBA	163649	029276	660-6300-471.33-11	SAFETY MTG - 4/11/19	250.00
169079		SHRED-IT USA, LLC	8127058435	029197	001-4500-412.33-11	CITY HALL P/U 3/22 & 4/05	98.00
169080		SMART & FINAL	025384	029045	001-3600-461.36-00	PARKS GLOVES	48.46
			025884	029045	001-3050-461.36-03	CLEANING SUPPLIES	32.07
169081		SOUTHERN CALIFORNIA EDISON	2015213072APR19		660-6300-471.26-04	WELL 9 - 7070 PLANT D-5 MAR 14,2019 - APR 12,2019	11.40
			2015213098APR19		660-6300-471.26-04	WELL 10 - 7071 PLANT E-5 MAR 14,2019 - APR 12,2019	46.32
			2196213048APR19		660-6300-471.26-04	DEL RITA BOOSTER STATION MAR 14,2019 - APR 12,2019	43.51
169082		STAPLES BUSINESS ADVANTAGE	3400995463	029099	660-6300-471.36-00	HANGING FOLDER/CUPS/TONER	114.32
					670-7000-473.36-00	HANGING FOLDER/CUPS/TONER	61.82
			3411016677	029099	660-6300-471.36-00	TONER/PENS/COFFEE	60.79
					670-7000-473.36-00	TONER/PENS/COFFEE	270.15

City of Banning
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169082		STAPLES BUSINESS ADVANTAGE	[illegible]	029099	[illegible]	HANGARS/MARKERS	6.02
					[illegible]	HANGARS/MARKERS	65.27
169083		THESIER, DEREK	MEAL 4/29/19		[illegible]	PSP TRAINING MEAL 4/29/19	12.00
169084		TIME WARNER CABLE	[illegible]		[illegible]	99 E RAMSEY ST APR 25,2019 - MAY 24,2019	115.19
			[illegible]		[illegible]	789 N SAN GORGONIO AVE MAY 1,2019 - MAY 31,2019	20.74
			[illegible]		[illegible]	3900 W WILSON ST 5/1/2019 TO 5/31/2019	5.30
			[illegible]		[illegible]	172 N MURRAY ST 5/1/2019 TO 5/31/2019	37.45
			[illegible]		[illegible]	769 N SAN GORGONIO AVE MAY 1,2019 - MAY 31,2019	20.74
169085		UNITED STATES POSTAL SERVICE	[illegible]		[illegible]	POSTAGE FOR METER MAY 2019	5,000.00
169086		WELLS FARGO CARD SERVICES INC	[illegible]		[illegible]	DOMINOS PIZZA 3/26/2019 CITY COUNCIL MEETING	46.69
					[illegible]	CONSTANT CONTACT CITY MANAGER MESSAGE	20.00
					[illegible]	RENAISSANCE HOTEL - ICMA RENO, NV 3/19 - 3/22	630.98
						RPS - 3/26/2019 GRAN JURY PARKING	5.25
						UBER - ICMA CONFERENCE RENO, NV 3/20 - 3/22	58.96
					[illegible]	BEAUMONT UNIQUE FLOWERS SYMPATHY FLOWERS-D SMITH	203.90
					[illegible]	ADOBE - PAID 3/27/2019 ANNUAL FEE	119.88
					[illegible]	WORDPRESS - PE STAMSPS ART VELA	35.56
					[illegible]	CSQA - QSD/QSP CERTIFICTE ART VELA	95.00
169087		WILLIAMS, VENKA	[illegible]		[illegible]	ENERGY ASSISTANCE PROGRAM REBATE SEP 2018 -FEB 2019	116.25
169088		XENIA PACIFIC, INC	[illegible]	029415	[illegible]	BANNER	915.88
169089		YOUNG, CARLA	[illegible]		[illegible]	BREAKFAST - CONFERENCE PER PURCHASING MANAGER	70.00
169090		72 HOUR LLC-NATIONAL AUTO FLT GRP	[illegible]	029439	[illegible]	2019 FORD F-550	147,798.50
169091		ADAMSON POLICE PRODUCTS	[illegible]	029389	[illegible]	SPECIAL DEPT SUPPLIES	342.56
			[illegible]	029389	[illegible]	SPECIAL DEPT SUPPLIES	239.12
169092		ALBERT A. WEBB ASSOCIATES	[illegible]	029493	[illegible]	ENV. ANALYSIS	2,000.00
169093		ALL STAR ELITE SPORTS	[illegible]	029188	[illegible]	SOCCER JERSEYS	946.58
169094		ALL STAR GLASS, INC.	[illegible]	029147	[illegible]	WINDSHIELD	829.91
			[illegible]	029147	[illegible]	#243 36"X48" WINDOW	482.74
			[illegible]	029147	[illegible]	#619 WINDSHIELD	268.49
169095		ALTEC INDUSTRIES, INC.	[illegible]	029056	[illegible]	#339 PM & DIELECTRIC INSP	1,892.29
			[illegible]	029056	[illegible]	#337 PM & DIELECTRIC INSP	1,680.79
169096		AMERICAN FIBERTEK, INC	[illegible]	029454	[illegible]	ETHERNET FIBER PORT	658.00
169097		ANIXTER, INC	[illegible]	029441	[illegible]	POSITIVE GROUNDING TESTER	2,863.33
169098		ANTHEM SPORTS, LLC	[illegible]		[illegible]	SALES TAX	(265.63)
				029461	[illegible]	5 ROW 15' BLEACHER	3,693.06
169099		ARROW STAFFING SERVICE	[illegible]		[illegible]	SANTANA, GRACE W/E 4/20 UTILITY BILLING	699.72
169100		ARTISTIC MAINTENANCE, INC.	[illegible]	029190	[illegible]	LMD LANDSCAPE REPAIRS	355.92
			[illegible]	029384	[illegible]	TREE REMOVAL- REPPLIER RD	650.00
			[illegible]	029384	[illegible]	TREE REMOVAL- REPPLIER RD	2,200.00
			[illegible]	029190	[illegible]	LMD LANDSCAPE MAINTENANCE	5,258.75
			[illegible]	029118	[illegible]	CITY PROPERTY LANDSCAPE M	590.00
					[illegible]	CITY PROPERTY LANDSCAPE M	700.00
					[illegible]	CITY PROPERTY LANDSCAPE M	213.90
					[illegible]	CITY PROPERTY LANDSCAPE M	208.32
					[illegible]	CITY PROPERTY LANDSCAPE M	213.94
					[illegible]	CITY PROPERTY LANDSCAPE M	1,500.00
					[illegible]	CITY PROPERTY LANDSCAPE M	213.84
169101		ATWORK FRANCHISE, INC	[illegible]		[illegible]	PERKINS, ERICA W/E 4/14 FLEET DEPT	371.90
			[illegible]		[illegible]	PERKINS, ERICA W/E 4/21 FLEET	148.76
			[illegible]		[illegible]	PERKINS, ERICA W/E 4/28 FLEET DATA	297.52
169102		BANNING CHAMBER OF COMMERCE	[illegible]		[illegible]	A WELCH - BREAKFAST APRIL 17,2019	15.00
						C WALLACE - BREAKFAST APRIL 17, 2019	15.00
						D ANDRADE - BREAKFAST APRIL 17, 2019	15.00
						D HAPPE - BREAKFAST APRIL 17, 2019	15.00
						J MCQUOWN - BREAKFAST APRIL 17, 2019	15.00
					[illegible]	D SCHULZE - BREAKFAST APRIL 17, 2019	15.00
					[illegible]	S AVILA - BREAKFAST APRIL 17, 2019	15.00
					[illegible]	A RUSH - BREAKFAST APRIL 17, 2019	15.00

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169103		BANNING POLICE OFFICERS ASSOC	APRIL 2019		001-0000-204.50-00	POLICE OFFICER ASSOC DUES APRIL 2019	1,900.00
169104		BEAUMONT DO IT BEST HOME CENTER	469849	029051	001-3600-461.36-00	PARKS SUPPLIES	6.45
			471735	029051	001-3600-461.36-00	PARKS SUPPLIES	4.84
			471741	029051	001-3600-461.36-00	20 V HEDGE TRIMMER	215.49
169105		BEAUMONT SAFE & LOCK	71960	029066	001-2200-421.36-00	DUPLICATE KEYS UNIT9	110.44
			71961	029066	001-2200-421.36-00	DUPLICATE KEYS	4.85
169106		BENHAR, DIANA T	APRIL 2019		001-3600-461.23-15	ZUMBA CLASS INSTRUCTION APRIL 2019	412.30
169107		BETANCUR, DARYL	EYEGEAR 2019		001-1400-412.25-10	EYEWEAR REIMBURSEMENT PER GENERAL UNIT MOU	75.00
169108		BIO-TOX LABORATORIES	17429	029216	001-2200-421.33-31	BLOOD ALCOHOL ANALYSIS	414.50
			17430	029216	001-2200-421.33-31	BLOOD ALCOHOL ANALYSIS	675.00
			17529	029216	001-2200-421.33-31	BLOOD ALCOHOL ANALYSIS	500.50
			17851	029216	001-2200-421.33-31	BLOOD ALCOHOL ANALYSIS	733.50
			17952	029216	001-2200-421.33-31	BLOOD ALCOHOL ANAYLIS	188.50
			17961	029216	001-2200-421.33-31	BLOOD ALCOHOL ANALYSIS	363.50
169109		CALIFORNIA POLICE CHIEFS ASSN	13059		001-2200-421.23-05	M HAMMER MBRSHP RENEWAL JUN 6,2019 - JUN 30,2019	440.00
169110		CARD INTEGRATORS DBA	0102507-IN	029440	001-2200-421.30-17	ASSURE ID 7 SOFTWARE	815.13
169111		COUTS HEATING & COOLING, INC	SRVC110218	029105	001-3200-412.30-23	A/C REPAIR AT CITY HALL	395.00
169112		DANIELS TIRE SERVICE	230119291	029041	702-3800-480.23-49	TIRE DISPOSAL	55.00
			230121046	029041	702-3800-480.23-49	TIRE DISPOSAL	203.00
169113		DIAMOND HILLS CHEVROLET BUICK GMC	46640	029071	702-3800-480.30-05	DOOR LATCH REPAIR	465.40
169114		EVERWOOD INDUSTRIES, INC.	22576		001-0000-205.10-00	SALES TAX	(8.13)
				029469	200-9100-446.42-32	MEDALS FOR RUN	113.07
169115		FACTORY MOTOR PARTS	106-299294	029155	702-3800-480.35-52	#606 BRAKE SHOES, BATH SE	81.02
169116		FBINAA	41113		001-2200-421.23-05	M HAMMER MBRSHP RENEWAL	120.00
169117		FEDEX	4122112011	029080	670-7000-473.23-04	FREIGHT TOOL RETD REPAIR	278.22
			6-526-23283	029080	761-4330-480.23-04	HANDHELD OVERNIGHT SHIP	97.94
169118		FERGUSON, PRAET & SHERMAN	22792	029166	001-2200-421.33-11	ATTORNEY SERVICES	2,497.50
169119		FISHER, ROBERT	TUITION 5/2019		001-4300-412.25-09	SUPERVISION IN LAW ENFRCM TUITION REIMBURSEMENT	621.00
169120		FRONTIER COMMUNICATIONS	2090560495APR19		001-4500-412.26-05	209-056-0495 APR 28,2019 - MAY 27,2019	920.78
			2131817186APR19		702-3700-480.30-17	213-181-7186 APR 19,2019 - MAY 18,2019	463.88
			9518491575APR19		001-2200-421.26-05	951-849-1575 APR 13,2019 - MAY 12,2019	125.04
			9518493260MAY19		001-4500-412.26-05	951-849-3260 APR 28,2019 - MAY 27,2019	255.83
			9518498256APR18		001-2200-421.26-05	951-849-8256 APR 16,2019 - MAY 15,2019	1,089.84
169121		FUN EXPRESS	695945452.02		001-0000-205.10-00	SALES TAX	(0.82)
				029187	001-4020-461.36-02	DAY CAMP ITEMS	11.32
169122		GAS COMPANY, THE	027026357514APR		001-2200-421.26-06	125 E RAMSEY ST MAR 19,2019 - APR 17,2019	1,046.62
			104997629084APR		001-3600-461.26-06	176 E LINCOLN ST MAR 26,2019 - APR 24,2019	46.22
					100-4900-441.26-06	176 E LINCOLN ST MAR 26,2019 - APR 24,2019	46.22
					660-6600-471.26-06	176 E LINCOLN ST MAR 26,2019 - APR 24,2019	92.44
					670-7000-473.26-06	176 E LINCOLN ST MAR 26,2019 - APR 24,2019	92.45
					702-3800-480.26-06	176 E LINCOLN ST MAR 26,2019 - APR 24,2019	92.44
169123		GRAINGER	9153952713	029057	610-5800-414.36-00	TRANSIT WHEEL CHOCKS	860.23
169124		HAMNER, MATTHEW	TRVL 4/15-16/19		001-2200-421.23-06	POST TRAINING 4/15/19 - 4/16/19 CLOVIS	327.76
169125		HERNANDEZ, CARLA	APRIL 2019		001-4000-461.23-15	KARATE CLASS INSTRUCTION APRIL 2019	126.00
169126		I.B.E.W. LOCAL 47	APRIL 2019		001-0000-204.53-00	GEN/UTILITY UNION DUES APRIL 2019	7,994.19
169127		I.B.E.W. LOCAL 47 (PAC)	APRIL 2019		001-0000-204.50-01	PAC DUES APRIL 2019	44.00
169128		IBEW LOCAL 47 RETIREE MEDICAL TRUST	20190430		001-0000-204.50-10	PAYROLL SUMMARY	2,167.20
169129		ICMA RETIREMENT TRUST 457	20190430		001-0000-204.16-00	PAYROLL SUMMARY	995.69
169130		INTERNATIONAL FOOTPRINT ASSOCIATION	007		001-2200-421.23-05	BLUE RIBBON CEREMONY OFFICER OF THE YEAR	125.00
169131		IRON MOUNTAIN INFORMATION MGMT, LLC	APRIL 201	029123	001-4500-412.44-11	REG STORAGE MAY 2019	349.00
169132		KHAN PROPERTIES AND HOLDINGS, LLC	JUL SEP 2018		001-0021-302.11-01	QUARTERLY SALES TX REBATE 2018-QTR 3/REPLACE 168396	79,581.03

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169133		LAM, ANGIE				HATE CRIME TRAINING VENTURA CTY COMM COLLEGE	17.00
169134		LEE'S AUTO BODY	1708	029462		PD UNIT #17 REPAIRS	150.00
169135		LEXISNEXIS RISK SOLUTIONS	1608501201901131	029214		MONTLY SUBSCRIPTION	113.00
			1608501201900331	029214		MONTLY SUBSCRIPTION	103.00
			1608601201900430	029214		MONTHLY SUBSCRIPTION	103.00
169136		MERCHANTS BUILDING MAINTENANCE, LLC	528581	029477		PD CARPET CLEANING- CUSTO	165.00
			528595	029189		CITY HALL - CUSTODIAL SER	1,869.42
			528596	029189		POLICE DEPARTMENT - CUSTO	2,438.61
			528597	029189		CITY YARD - CUSTODIAL SER	437.89
			528598	029189		WATER SHOP - CUSTODIAL SE	289.15
			528599	029189		FLEET SHOP - CUSTODIAL SE	139.92
			528600	029189		CORPORATE YARD -CUSTODIAL	386.09
169137		MILLER, THOMAS				CA MUNI RATES GRP MTG SAN FRANCISCO 4/8-4/9/19	334.09
169138		MILSOFT UTILITY SOLUTIONS, INC	20191659	029468		WINDMIL ENT SITE LICENSE	5,000.00
169139		MORGAN, DEIDRA J	APRIL 2019			TOT TIME INSTRUCTION APRIL 2019	171.50
169140		NATIONWIDE RETIREMENT SOLUTIONS	20190510			PAYROLL SUMMARY	6,394.87
169141		NET TRANSCRIPTS, INC	00246734-IN			TRANS FOR CASE 15-2553 PER SGT BENNETT	171.00
169142		OFFICE DEPOT	285438859001	029064		14 BOXES OF PAPER	516.36
			303900861001	029064		CREDIT-BOXED PAPER	(33.79)
169143		P&P UNIFORMS	4195974	029348		UNIFORM PATCHES	958.98
169144		PACKHAM & TOOMEY, INC	050219	028915		MONTHLY VST INSPECTION	125.00
169145		PARS	20190510			PAYROLL SUMMARY	454.65
169146		PAYPRO ADMINISTRATORS	50175			APR COBRA ADMINISTRATION	110.00
169147		PRE-PAID LEGAL SERVICES, INC	APRIL 2019			PREPAID LEGAL PREMIUMS APRIL 2019	218.23
169148		PRUDENTIAL OVERALL SUPPLY	22785349	029184		STREET UNIFORMS	14.50
			22785351	029184		BUILDING MAIN. UNIFORMS	6.03
			22785352	029184		FSR UNIFORMS	33.92
			22791891	029184		TRANSIT UNIFORM SERVICE	9.75
						TRANSIT UNIFORM SERVICE	11.00
						TRANSIT UNIFORM SERVICE	55.30
						TRANSIT UNIFORM SERVICE	3.89
			22791911	029184		STREET UNIFORMS	14.50
			22791912	029184		PARKS UNIFORM SERVICE	12.30
			22791913	029184		BUILDING MAIN. UNIFORMS	6.03
			22791914	029184		FSR UNIFORMS	33.92
			22791915	029184		ELECT UNIFORM	140.16
169149		REDLANDS FORD	515498	029255		CIRCUIT BREAKER	7.93
169150		RICHLIN, WANDA	23975 1660/19			ENERGY STAR WINDOW REBATE 10 WINDOWS, 1 DOOR	501.00
169151		RIV. CO. HEALTH SVCS AGENCY	BH0482630			REPPLIER AQUATIC CENTER PERMITS EXPIRES 5/31/2019	406.00
169152		RIV. CO. REGISTRAR OF VOTER	2724			NOV 6,2018 ELECTION ELECTION SRVCS RENDERED	29,819.10
169153		RUEHLE, TARA SHAWN M	APRIL 2019			BALLET CLASS INSTRUCTION APRIL 2019	238.00
169154		SAN GORGONIO PASS DESIGN AND PRINT	11177	029385		CITY LOGO DECALS	193.95
169155		SERVICE SCAPE	BANE-IC-119	029242		LANDSCAPE LABOR/PARTS	3,836.00
			BANE-IC-429	029242		LANDSCAPE MAINTENANCE	5,854.00
169156		SMART & FINAL	025464	029045		BUS WASHING SUPPLIES	138.07
			025451	029045		SR CTR SUPPLIES	101.63
169157		SMITH, LOIS E	APRIL 2019			GUITAR CLASS INSTRUCTION APRIL 2019	28.00
169158		STAPLES BUSINESS ADVANTAGE	3409439445	029099		DEPARTMENT SUPPLIES	315.76
			3408767959	029099		DEPARTMENT SUPPLIES	18.63
			3409983846	029099		AA BATTERIES, HP 72 PLOTT	95.30
						AA BATTERIES, HP 72 PLOTT	19.20
			3409889464	029099		POST-ITS, KLEENEX, COFFEE	164.85
			3413967956	029099		DEPARTMENT SUPPLIES	403.64
			3413103540	029099		DEPARTMENT SUPPLIES	37.26
			3411246596	029099		OFFICE SUPPLIES	52.85
			3411248697	029099		DEPARTMENT SUPPLIES	60.76
169159		SUEZ BANNING	2019366721	029272		MONTHLY O&M FEE - APRIL	62,182.00
169160		SUN LIFE FINANCIAL	MAY 2019			LTD-STD INSURANCE PREMIUM MAY 2019	6,680.11

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169160		SUN LIFE FINANCIAL	MAY 2019		001-0000-204.30-00	LIFE INSURANCE PREMIUMS MAY 2019	4,199.45
					001-0000-204.42-00	DENTAL INSURANCE PREMIUMS MAY 2019	9,274.97
169161		T-MOBILE	934979218		001-2200-421.33-11	SERVICES FOR GPS LOCATE PER SGT BENNET	612.00
169162		TELEPACIFIC COMMUNICATIONS	1195217413-0		001-2200-421.26-05	PD PHONE SERVICE APR 16,2019 - MAY 15,2019	665.77
					001-4500-412.26-05	CENTRAL SVCS PHONE SVC APR 16,2019 - MAY 15,2019	2,308.20
169163		TIME WARNER CABLE	0009 6889 5/19		670-7000-471.26-07	176 E LINCOLN ST - FIBER APR 25,2019 - MAY 24,2019	823.84
			0014/2019		001-2200-421.26-09	125 E RAMSEY ST APR 1,2019 - APR 30,2019	92.43
			0015/2019		001-2200-421.26-09	125 E RAMSEY ST MAY 1,2019 - MAY 31,2019	92.43
169164		VERIZON WIRELESS	9825019870		001-2200-421.26-05	PD ACCT#570653806-00001 JAN 27,2019 - FEB 26,2019	76.02
			9825019871		001-2740-442.26-05	CODE ENFORCEMT IPADS JAN 27,2019 - FEB 26,2019	76.02
			9827017076		001-2200-421.26-05	PD ACCT#570653806-00001 FEB 27,2019 - MAR 26,2019	76.02
			9827017077		001-2740-442.26-05	CODE ENFORCEMT IPADS FEB 27,2019 - MAR 26,2019	76.02
169165		WELLS FARGO CARD SERVICES INC	4129506[illegible]		001-0000-201.10-00	SALES TAX - ONLINE RIVER	(22.63)
						SALES TAX - PAYPAL MASCOT MASCOT CUSTUME - COM CTR	(27.82)
					001-1910-412.23-03	SURVEYGIZMO.COM PURCHASING ANNUAL SUBSCPT	330.00
					001-2830-441.23-05	PAYPAL SOUTHERN CA ADAM RUSH - SCAG CONF	250.00
					001-4000-442.23-05	HOLIDAY INN EXPRESS SAN D K SINS-CALTRANS TRAINING	332.20
					001-4000-461.36-09	PAYPAL - MASCOTSALE MASCOT CUSTUME - COM CTR	386.82
					001-4000-461.85-45	ADOBE - IL CREATIVE CLD COMMUNITY CENTER ADOBE	239.88
					001-4500-412.36-00	NEOPOST INK CARTRIDGE MAIL MACHIN	210.11
					300-4900-431.23-05	HOLIDAY INN EXPRESS SAN D K SINS-CALTRANS TRAINING	512.20
					200-9100-446.42-82	THE WEBSTAURANT STORE SENIOR CENTER BOTTLES	126.36
					610-5300-434.36-00	ONLINE RIVER TRANSIT PUNCHES	326.14
					670-9600-454.36-07	SUPERSUBS+ BULKY ITEM EMPLOYEE LUNCH	265.60
169166		WELLS FARGO CARD SERVICES INC	[illegible]APR19		670-7000-471.23-05	CA MUNICIPAL UTILITIES 2019 ANNUAL CONFERENCE	930.00
						MARRIOTT WATERFRONT MILLER - CMUA ANNUAL MTG	390.52
						RANCHO BERNARDO INN 2019 CMUA ANNUAL CONF	281.13
					670-7000-471.23-06	SOUTHWEST AIRLINES YOUNG,ROCKWELL,CRAGHEAD	1,725.03
					670-7000-471.36-00	SMART & FINAL SAFETY MTG REFRESHMENTS	22.15
169167		WESTRUX INTERNATIONAL INC	0451811	029039	702-4800-480.30-05	#812 SPRINGS, ELECTRICAL,	3,272.73
169168		WILDLIFE CONTROL SERVICE INC	WL2595	029421	001-1600-461.23-24	PEST CONTROL SQUIRREL	795.00
169169		ACE	410482	029074	702-4800-480.38-52	#807 STARTER REBUILT	461.10
169170		ALL STAR ELITE SPORTS	1824	029188	001-4000-461.36-09	SOCCER SHIRTS	248.85
169171		ALLIANT INSURANCE SERVICES, INC	1050092		200-5040-480.29-06	EARTHQUAKE INSURANCE PREM EFF 5/14/2019 - 5/14/2020	132,230.00
169172		AMAZON CAPITAL SERVICES	1HDW-TFFT-9GHH		001-0000-201.10-00	SALES TAX	(3.78)
				029475	001-1000-411.36-00	CERTIFICATES/FOLDERS	202.67
169173		AMERICAN FORENSIC NURSES	71898	029036	001-2200-421.33-11	STAND BY FEE APRIL 2019	800.00
			71889	029036	001-2200-421.33-11	PD BLOOD DRAWS	300.00
			71890	029036	001-2200-421.33-11	CHP BLOOD DRAWS	120.00
			71889	029036	001-2200-421.33-11	PD BLOOD DRAWS	300.00
			71890	029036	001-2200-421.33-11	CHP BLOOD DRAWS	60.00
			71908	029036	001-2200-421.33-11	PD BLOOD DRAWS	60.00
			71909	029036	001-2200-421.33-11	PD BLOOD DRAWS	240.00
			71909	029036	001-2200-421.33-11	BLOOD DRAWS	180.00
			72006	029036	001-2200-421.33-11	STAND FEE FOR JUNE2019	800.00
169174		ANDRADE, DANIELA	MILEAGE 5/02/19		001-1000-411.23-05	SCAG CONFERENCE MAY 2 PALM DESERT, CA	41.41
169175		ARROW STAFFING SERVICE	107294		001-1900-412.23-27	CARROLL, GARY W/E 4/27	1,222.00
			107295		761-1100-480.13-11	SANTANA, GRACE W/E 4/27 UTILITY BILLING	624.75
			107364		001-1900-412.23-27	CARROLL, GARY W/E 5/04 FINANCE DEPT	1,222.00
			107365		761-1100-480.13-11	SANTANA, GRACE W/E 5/04 UTILITY BILLING DEPT	524.79
169176		AT&T CALNET 2	000012937876		001-2200-421.26-05	BAN# 9391060200 MAR 1,2019 - MAR 31,2019	334.96
			000012977751		001-2200-421.26-05	BAN# 9391060200 APR 1,2019 - APR 31,2019	388.02
169177		AT&T CALNET 2	000012696530		001-2200-421.26-05	BAN# 9391064350 FEB 1,2019 - FEB 28,2019	212.14
			000012818980		001-2200-421.26-05	BAN# 9391064350 MAR 1,2019 - MAR 31,2019	212.14
			000012978895		001-2200-421.26-05	BAN# 9391064350 APR 1,2019 - APR 30,2019	210.05
169178		AT&T CALNET 2	000012696294		001-2200-421.26-05	BAN# 9391063769 FEB 1,2019 - FEB 28,2019	666.53
			000012818724		001-2200-421.26-05	BAN# 9391063769 MAR 1,2019 - MAR 31,2019	666.53
			000012978599		001-2200-421.26-05	BAN# 9391063769 APR 1,2019 - APR 30,2019	659.86

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Warrant Number	Warrant Date	Vendor Name	Invoice Number	P.O. Number	Account Number	Payment Description	Warrant Amount
			992351038XAPR				
169179		AT&T MOBILITY	19		001-2200-421.26-05	A# 992351038 FAN#02391479 MAR 12,2019 - APR 11,2019	1,099.52
169180		BABCOCK LABORATORIES, INC	[illegible]	029259	[illegible]	COLIFORMS P/A BY MMO/MUG	165.00
			[illegible]	029259	[illegible]	GENERAL PHYSICAL ANALYSIS	54.00
			[illegible]	029259	[illegible]	TOTAL DISSOLVED SOLIDS	20.00
169181		BEAUMONT CHERRY VALLEY WATER	0002486		[illegible]	LABOR WELL MAINTENANCE JAN 2019 - MAR 2019	4,990.59
169182		BEAUMONT DO IT BEST HOME CENTER	464450	029051	001-2200-421.36-62	SPECIAL DEPT. SUPPLIES	59.39
			464452	029051	001-2200-421.36-62	DEPT. SUPPLIES	21.31
			470423	029051	001-2200-421.36-62	SPECIAL DEPT SUPPLIES	456.98
			471878	029051	001-3600-461.36-00	LOCK DYSART PARK	47.39
			471956	029051	001-3600-461.36-00	4 KEYS FOR PARKS	7.71
			471964	029051	001-3600-461.36-00	MISC SUPPLY PARKS	21.94
			472074	029051	001-4010-461.36-02	POOL & ADV CAMP SUPPLIES	38.51
					001-4020-461.36-02	POOL & ADV CAMP SUPPLIES	28.19
			472090	029051	001-1200-412.36-00	CHAINS & PADLOCKS	44.32
			472091	029051	001-3600-461.36-00	PARKS SUPPLIES	74.32
			472156	029051	001-3600-461.36-00	PARK SUPPLIES	30.69
169183		BEAUMONT POWER EQUIPMENT	966	029369	702-3800-480.30-06	CARBURETOR ASSY & SPARK P	88.34
			967	029369	702-3800-480.30-06	SPARK PLUG	70.38
169184		BEAUMONT SAFE & LOCK	21907	029066	670-2000-471.45-16	CHG LOCKS ON 2 DOORS	102.78
169185		BLACK, CHARLES & JANET	000000063		001-0000-215.22-22	UB CR REFUND-FINALS 000051432	80.06
169186		BOYS & GIRLS CLUBS OF THE SAN	MAY 16,2019		001-1000-411.23-05	DAVID HAPPE HORSES AND HATTITUDES	40.00
169187		BYRNE, LYNN & STEVE	000093917		001-0000-215.22-22	UB CR REFUND-FINALS 000051392	55.10
169188		CASTRO &, VICTOR	000097415		001-0000-215.22-22	UB CR REFUND-FINALS 000008920	208.02
169189		COOMES &, AGNES W	000003469		001-0000-215.22-22	UB CR REFUND-FINALS 000002770	340.12
169190		CORE AND MAIN, LP	R503988		660-0000-131.00-00	COUPLINGS, BRASS NIPPLE PO NUM 029094	302.45
			R455811		660-0000-131.00-00	BAND, FLANGE, GASKET PO NUM 029094	339.14
169191		CORELOGIC INFORMATION SOLUTIONS INC	2196229	029225	001-2700-442.23-33	APR 2019 METROSCAN	100.00
					001-2740-442.23-33	APR 2019 METROSCAN	50.00
169192		COUNSELING TEAM INTERNATIONAL, THE	72260		702-3040-480.23-07	APR 2019 EMPLOYEE SUPPORT	700.00
169193		COVARRUBIAS, MARTHA	000094464		001-0000-215.22-22	UB CR REFUND-FINALS 000009514	52.42
169194		CREATIVE BUS SALES INC	13352826	029264	702-3500-480.30-05	#330 & #240 REPAIRS	3,850.60
			5145090	029264	702-3500-480.38-52	CURB SIDE WIPER ARM	205.76
			5154729	029264	702-3500-480.38-52	WIPER BLADE	201.90
			5162704	029264	702-3500-480.38-52	LATCH OVAL BLACK	143.40
			5161569	029264	702-3500-480.38-52	SENSOR ACCLTR PEDAL	143.16
			5164618	029264	702-3500-480.38-52	#224 AIR SPRING KIT	185.47
			5168724	029264	702-3500-480.38-52	KIT CAM FOLL	269.94
169195		DELL MARKETING LP	10271424551	029092	145-2200-421.90-48	COMPUTERS FOR PD	2,688.34
			10304080914	029092	145-2200-421.90-48	COMPUTERS FOR PD	7,937.71
169196		DEX MEDIA	610041099527	029111	001-2200-421.23-01	PD WEB ADVERTISING	21.40
169197		DIRECTV	36038626343		001-2200-421.26-09	ACCT # 038204005 MAR 9,2019 - APR 8,2019	51.57
			36144916275		001-2200-421.26-09	ACCT # 038204005 APR 9,2019 - MAY 8,2019	52.90
169198		ELIZONDO, MARIO	PETTION 2019		670-0000-116.21-05	EMPLOYEE COMPUTER LOAN UTILITY MOU	1,566.98
169199		FEDEX	6 476 65272	029080	001-2200-421.23-04	DELIVERY SERVICES	69.33
169200		FOX OCCUPATIONAL MEDICAL CENTER	105793		001-1300-412.33-17	APRIL PRE-EMPLOYMENT EXAM	270.00
			209188XXX7777XAY				
169201		FRONTIER COMMUNICATIONS	19		001-2200-421.26-05	209-188-5918 APR 28, 2019-MAY 27, 2019	45.83
					001-2400-422.26-05	209-188-5918 APR 28, 2019-MAY 27, 2019	57.13
					001-4500-412.26-05	209-188-5918 APR 28, 2019-MAY 27, 2019	1,060.29
					660-6300-471.26-05	209-188-5918 APR 28, 2019-MAY 27, 2019	515.04
					670-7000-474.26-05	209-188-5918 APR 28, 2019-MAY 27, 2019	233.12
					702-3500-480.26-05	209-188-5918 APR 28, 2019-MAY 27, 2019	61.28
			951849XXX7777XAY				
			19		001-2200-421.26-05	951-849-6777 MAY 1,2019 - MAY 31,2019	108.87
			951922XXX0262XAY				
			19		001-4500-412.26-05	951-922-0262 MAY 4,2019 - JUN 3,2019	87.73
169202		FUN EXPRESS	6926545412 01		001-0000-201.10-00	SALES TAX	(42.30)

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169202		FUN EXPRESS	695945432-01	029187	001-4600-461.36-09	SUMMER CAMP SUPPLIES	588.03
			695967201-01		001-0000-201.10-00	SALES TAX	(18.95)
				029187	001-4600-461.36-09	EVENT SUPPLIES	263.37
169203		GARDA CL WEST INC	10452535	029388	761-3100-480.23-43	MAY 2019 ARMORED SERVICES	598.49
			126629[illegible]				
169204		GAS COMPANY, THE	19		001-2400-422.26-06	3900 W WILSON ST APR 10,2019 - MAY 9,2019	32.87
169205		GIFFORD, AMBER	PC EO-01 2019		001-0000-116.21-02	EMPLOYEE COMPUTER LOAN GENERAL MOU	2,297.96
169206		GRAINGER	9413064896	029057	702-3800-480.36-00	U-CHANNEL & SAFETY SHIELD	194.44
169207		GREENFIELD, ARTHUR	0000096117		001-0000-218.22-22	UB CR REFUND-FINALS 000052706	64.65
169208		GROBESON, VIRGINIA	0000052447		001-0000-218.22-22	UB CR REFUND-FINALS 000023882	146.10
169209		GUERRA, FERNANDO M	0000092034		001-0000-218.22-22	UB CR REFUND-FINALS 000010632	12.63
169210		HAMNER, MATTHEW	REIMBURSE 5/19		001-2200-421.23-05	GIT MEETING 4/10/19 PARKING FEE - RIVERSIDE	3.00
						TEST/ SAN BERNARDINO 4/22/19 LUNCH	6.49
169211		HEMET VALLEY TOOL & SUPPLY	135516	029459	660-3300-471.45-16	MULTIQUIP SHOE ASSEMBLY	709.00
169212		HOME DEPOT #8987	5031417	029093	660-3300-471.45-02	CANOPY,LOCKNUT,BREAKER	283.78
169213		INNOVATIVE EMERGENCY EQUIPMENT	26478	029246	148-2200-421.33-05	POLICE VEHICLE REPAIR	257.89
			26585	029246	148-2200-421.33-05	POLICE VEHICLE REPAIR	473.21
169214		INTERNATIONAL CONFERENCE OF POLICE	5139[illegible]		001-2200-421.23-03	CHAPLAIN MERLE E MALLARD 2019 ANNUAL MEMBERSHIP	125.00
169215		JACINTO, HUGO	0000097247		001-0000-218.22-22	UB CR REFUND-FINALS 000013532	74.90
169216		JACKSON, PRISCILLA A	0000087755		001-0000-218.22-22	UB CR REFUND-FINALS 000015496	2.10
169217		KHAN PROPERTIES AND HOLDINGS, LLC	061 DEC 2018		001-0000-302.11-01	QUARTERLY SALES TAX REBTE 2018 - QUARTER 4	48,239.99
169218		LITHOPASS PRINTING, FORMS,	1[illegible]	029320	001-4000-461.21-02	PRINTING FLYERS	879.50
169219		LOS ANGELES TRUCK CENTERS DBA	AA230259636.01	029073	702-3800-480.38-52	#335 ALTERNATOR BRUSH	176.66
169220		MARTINEZ &, RITA	0000096905		001-0000-218.22-22	UB CR REFUND-FINALS 000012134	24.14
169221		MC AVOY & MARKHAM	15961		620-6650-141.00-00	CENTRON FM2S & FM3S PO NUM 029178	31,406.88
169222		NAPA AUTO PARTS	058015	029135	702-3800-480.38-52	MOTOR TUNE-UP 16OZ	30.13
			058258	029135	702-3800-480.38-52	OZZY JUICE & MAT	140.04
169223		ONYX PAVING COMPANY, INC	0000095891		001-0000-218.22-22	UB CR REFUND-FINALS 000052540	282.33
169224		POSITIVE PROMOTIONS, INC.	0677480		001-0000-201.10-00	SALES TAX	(205.12)
				029391	001-2400-422.42-67	2019 DISASTER EXPO FD	2,851.78
169225		PRUDENTIAL OVERALL SUPPLY	2279[illegible]2	029184	001-4000-461.25-16	TRANSIT UNIFORM SERVICE	9.75
					610-5800-434.25-16	TRANSIT UNIFORM SERVICE	11.00
					610-5800-434.25-02	TRANSIT UNIFORM SERVICE	54.10
					610-5850-434.25-02	TRANSIT UNIFORM SERVICE	3.89
			2279[illegible]1	029184	001-3600-461.25-02	PARKS UNIFORM SERVICE	12.30
			2279[illegible]5	029184	761-3110-480.25-02	FSR UNIFORMS	33.92
			2279[illegible]6	029184	670-7000-471.25-02	ELECT DEPT UNIFORMS	140.16
169226		QUINN COMPANY	PC400112771	029091	702-3800-480.38-52	CAP AS-RADIA, BODY, VEE B	255.36
			PC400115780	029091	702-3800-480.38-52	CAP A & VEE BELT	101.76
169227		RAHE, KAREN	0000092297		001-0000-218.22-22	UB CR REFUND-FINALS 000014126	64.23
169228		RELIABLE WORKPLACE SOLUTIONS	AR50[illegible]5	028519	001-2200-421.30-06	ADMIN /CODE PRINTERS	51.91
			AR907[illegible]	028519	001-2200-421.30-06	ADMIN/CODE PRINTERS	45.45
169229		RICHARDS WATSON GERSHON	221[illegible]6		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	9,128.06
			221617		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	792.00
			221618		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	5,453.67
			221619		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	2,610.58
			221620		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	1,206.00
			221621		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	2,754.00
			221622		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	4,207.68
			221623		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	396.00
			221624		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	576.00
			221625		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	4,872.50
			221626		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	660.00
			221627		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	632.50
			221628		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	185.00
			221629		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	5,357.50
			221630		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	88.50
			221631		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	198.00

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169229	[illegible]	RICHARDS WATSON GERSHON	221632		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	478.00
			221633		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	650.00
			221634		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	6,104.98
			221635		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	349.75
			221636		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	4,266.48
			221637		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	413.00
			221638		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	6,451.89
			221639		700-5300-480.33-04	MARCH 2019 LEGAL SERVICES	118.00
169230	[illegible]	RUSH, ADAM	[illegible]/2019		001-2200-441.23-06	SCAG 2019 REGIONAL CONF MARRIOTT DESERT SPRINGS	42.92
			[illegible]/19		001-2200-441.23-05	AEP MEMBERSHIP DUES	150.00
					001-2200-441.23-06	AEP 2019 REGISTRATION WILDFIRE RESILIENCY PLAN	175.00
						SCAG HOTEL MAY 1-3, 2019 MARRIOTT DESERT SPRINGS	546.92
169231	[illegible]	SANDERS, BRYAN & CYNTHIA	[illegible]		001-0000-215.22-22	UB CR REFUND-FINALS 000020114	10.80
169232	[illegible]	SEDLACEK, MARK T	[illegible]		001-0000-215.22-22	UB CR REFUND-FINALS 000021286	91.44
169233	[illegible]	SHRED-IT USA, LLC	8175837028	029197	001-2200-421.23-07	PD SHRED	92.55
169234	[illegible]	SIGNATURE CAPITAL GROUP INC	[illegible]		001-0000-215.22-22	UB CR REFUND-FINALS 000017788	153.15
169235	[illegible]	SMART & FINAL	0[illegible]410	029045	001-1060-411.36-00	OFF SUPP-MGR & COUCIL	92.47
					001-1200-412.36-00	OFF SUPP-MGR & COUCIL	7.27
			20119[illegible]6APR1		001-1200-412.41-46	OFF SUPP-MGR & COUCIL	57.90
169236	[illegible]	SOUTHERN CALIFORNIA EDISON	[illegible]		670-7000-473.26-04	HIGHLAND HOME RD/S/O APR 1,2019 - MAY 1,2019	61.67
169237	[illegible]	SOUTHERN CALIFORNIA JOINT POLE	20242		670-7000-473.27-11	APRIL 2019 MONTHLY DUES 32 MEMBERS	783.13
169238	[illegible]	STAPLES BUSINESS ADVANTAGE	3411746265	029099	001-1900-412.36-03	OFFICE SUPPLIES ASD	111.70
			3412611991	029099	001-1200-412.36-00	COFFEE/CREAMER/LYSOL	17.77
					001-4500-412.36-00	COFFEE/CREAMER/LYSOL	266.60
169239	[illegible]	SUMMIT RIDGE APARTMENTS	[illegible]		001-0000-215.22-22	UB CR REFUND-FINALS 000053126	18.53
169240	[illegible]	TURBO DATA SYSTEMS INC	29955	029288	001-2200-421.23-45	MARCH 2019 CITATIONS	251.66
169241	[illegible]	UNDERGROUND SERVICE ALERT	1805[illegible]3		100-4900-431.30-13	CA STATE FEE - REG COSTS MAY 2019	17.48
					660-6300-471.45-08	CA STATE FEE - REG COSTS MAY 2019	17.48
					670-7000-473.45-02	CA STATE FEE - REG COSTS MAY 2019	17.47
			[illegible]		100-4900-431.30-13	74 NEW TICKETS MAY 2019	44.03
					660-6300-471.45-08	74 NEW TICKETS MAY 2019	44.03
					670-7000-473.45-02	74 NEW TICKETS MAY 2019	44.04
169242	[illegible]	VERIZON WIRELESS	[illegible]		670-7000-473.26-05	ACCT # 972157141-00001 MAR 24,2019 - APR 23,2019	14.04
			[illegible]		670-7000-473.26-05	ACCT # 271004536-00001 MAR 27,2019 - APR 26,2019	15.02
			[illegible]		670-7000-473.26-05	ACCT # 371004536-00001 MAR 27,2019 - APR 26,2019	16.99
			[illegible]		001-2200-421.26-05	PD ACCT# 570653806-00001 MAR 27,2019 - APR 26,2019	76.02
			[illegible]		001-2200-421.26-05	CODE ENFORCEMENT IPADS MAR 27,2019 - APR 26,2019	76.02
			[illegible]		670-7000-473.26-05	ACCT # 771004535-00001 MAR 27,2019 - APR 26,2019	548.28
			[illegible]		670-7000-473.26-05	ACCT # 871004535-00001 MAR 27,2019 - APR 26,2019	12.19
169243	[illegible]	VERIZON WIRELESS	[illegible]		001-1200-412.26-05	CITY MANAGER CELL APR 2, 2019 - MAY 1, 2019	311.87
					001-1900-412.26-05	FINANCE CELL APR 2, 2019 - MAY 1, 2019	27.42
					001-2200-421.26-05	METER SERVICES CELL APR 2, 2019 - MAY 1, 2019	873.85
					001-2210-421.26-05	DISPATCH CELL APR 2, 2019 - MAY 1, 2019	27.69
					001-2740-442.26-05	CODE ENFORCEMENT CELL APR 2, 2019 - MAY 1, 2019	73.22
					001-2800-441.26-05	PLANNING DEPT CELL APR 2, 2019 - MAY 1, 2019	46.91
					001-3000-442.26-05	ENGINEERING CELL APR 2, 2019 - MAY 1, 2019	75.12
					001-3200-412.26-05	BLDG MAINTENANCE CELL APR 2, 2019 - MAY 1, 2019	27.42
					001-4000-461.26-05	COMMUNITY SRVCS CELL APR 2, 2019 - MAY 1, 2019	258.71
					100-4900-431.26-05	STREETS CELL APR 2, 2019 - MAY 1, 2019	132.66
					610-5800-434.26-05	TRANSIT CELLS APR 2, 2019 - MAY 1, 2019	133.06
					610-5850-434.26-05	DIAL-A-RIDE CELL APR 2, 2019 - MAY 1, 2019	34.47
					660-6300-471.26-05	WATER DEPT CELL APR 2, 2019 - MAY 1, 2019	534.12
					670-7000-473.26-05	ELECTRIC DEPT CELLS APR 2, 2019 - MAY 1, 2019	884.14
					680-8000-454.26-05	WASTEWATER CELL APR 2, 2019 - MAY 1, 2019	111.10
					702-1300-480.26-05	FLEET CELLS APR 2, 2019 - MAY 1, 2019	80.12
					703-1700-480.26-05	INFORMATION SERVICES APR 2, 2019 - MAY 1, 2019	151.78
					761-1110-480.26-05	METER SERVICES CELL APR 2, 2019 - MAY 1, 2019	147.31

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169244		WALLACE, COLLEEN	MILEAGE 4/25/19		001-1000-411.23-05	CAP REGULAR MEETING 4/24 RIVERSIDE, CA	34.34
			MILEAGE 4/29/19		001-1000-411.23-05	CAP REGULAR MEETING 4/29 RIVERSIDE, CA	34.34
169245		WASTE MANAGEMENT OF THE	APRIL 2019		670-9600-456.38-05	21% FRANCHISE FEE APRIL 2019	(67,553.56)
					670-9600-451.23-10	REFUSE FOR APRIL 2019	321,683.63
169246		WESCO DISTRIBUTION, INC	136067		670-9000-131.60-00	VICTOR 33R PINTYPE GRAY PO NUM 029180	6,788.25
			197026	029442	670-7000-471.45-16	RANDY RESCUE MANIKIN	1,939.50
169247		WHENEVER COMMUNICATIONS, LLC	9408-157876	029373	701-1700-480.30-19	MARCH 2019 SAT PHONES	278.85
			9408-162601	029373	701-1700-480.30-19	APRIL 2019 SAT PHONES	278.85
			9408-167447	029373	701-1700-480.30-19	MAY 2019 SAT PHONES	278.85
169248		WILLIAMS, APRIL	SETTLEMENT		761-1100-480.40-05	AGREEMENT CASE # 201805-02183508	4,000.00
169249		1ST MISSION BAPTIST CHURCH	REFUND		670-2030-356.38-01	REFUND - DEMAND METER APPROVED BY CITY COUNCIL	12,437.07
169250		ANDRADE, DANIELA	MILEAGE 5/13/19		001-1030-411.23-05	LOCC RIVERSIDE COUNTY DIV	46.28
169251		CALIFORNIA WATER ENVIRONMENT	ID 00035075001P		660-6301-471.23-01	MICHAEL LYNCH- GRADE 1 CWEA MEM 7/01/19 -6/30/20	87.00
169252		CASTANEDA, SANDRA	EYEWEAR 2019		761-1150-480.25-10	2019 EYEWEAR REIMBURSEMNT	300.00
169253		DUGGINS, LANCE	MEALS 5/21-5/23		670-7000-473.23-05	HOOVER DAM SEMINAR MEALS MAY 21-MAY 23	78.00
			MILEAGE 5/2019		670-7000-473.23-05	HOOVER DAM SEMINAR MILEAGE MAY 21-MAY 23	143.26
169254		MILLER, JONI	REIMBURSEMENT		001-1300-412.41-15	BENEFIT FAIR/OPEN ENROLL REFRESHMENTS & GIFT CARDS	151.39
169255		SAMPSON, LAURIE	122136		001-1200-412.41-46	REIMBURSEMENT- COFFEE COFFEE WITH DISTRICT # 3	35.90
169256		STAFFORD, CHERYL	MILEAGE 5/14/19		001-1900-412.23-05	LSL CONFERENCE - MAY 14 BREA, CA	33.52
169257		STONE, PAMELA	0004355645		001-0000-208.16-00	457 LOAN REFUND	157.54
169258		WALLACE, COLLEEN	MILEAGE 5/15/19		001-1000-411.23-05	LOCC RIVERSIDE COUNTY DIV	46.28
169260		A-Z BUS SALES, INC. (COLTON)	0196728172	029223	702-3800-480.38-52	#232 ROLL STOP CYLINDER	318.60
			120809	029223	702-3800-480.38-52	#609 FLAIL, BOLT, NUT KNI	836.83
			120812	029223	702-3800-480.38-52	#609 FLAIL, BOLT, NUT KNI	779.80
169261		ACE	110757	029074	702-3800-480.38-52	#221 THERMO KING ALTERNAT	306.93
			110466	029074	702-3800-480.38-52	#22 SI ALT REBUILD	179.43
169262		ADVANCE WORKPLACE STRATEGIES INC	491435	029108	001-1300-412.33-32	MAY TESTING CHARGES	236.00
169263		ALL AMERICAN SEWER TOOLS	91014	029445	630-6000-454.45-16	SWIVEL VALVE	388.98
169264		ALLDATA, LLC	20049366816	029470	702-3800-480.30-17	REPAIR SERIES-OL1 ALL MAK	1,500.00
169265		AMAZON CAPITAL SERVICES	16TC-6WLG-T8QP		001-0000-201.10-00	SALES TAX	(1.86)
				029100	670-7000-471.16-00	KEG TAGS	25.83
169266		ANGI ENERGY SYSTEMS, LLC	CM0000011	029221	702-3800-480.30-06	CREDIT - CNG COMPRESSOR	(85.90)
			INV-0126011	029221	702-3800-480.30-06	CNG COMPRESSOR PARTS	361.05
169267		ATWORK FRANCHISE, INC	071163		702-3800-480.23-27	ERICA PERKINS W/E 3/31/19 FLEET	371.90
			071195		702-3800-480.23-27	ERICA PERKINS W/E 5/12/19 FLEET	297.52
169268		BABCOCK LABORATORIES, INC	BB91414-0010	029259	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00
			BB91414-0010	029259	660-6300-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
			BB91805-0010	029259	660-6300-471.23-32	COLIFORMS,CHLORIDE,OTHER	843.00
			BB91896-0010	029259	660-6300-471.23-32	HALOACETIC ACIDS,TRIHALO	340.00
			BB92040-0010	029259	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00
			BB92040-0010	029259	660-6300-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
			BB92041-0010	029259	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	165.00
			BB92567-0010	029259	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	165.00
			BB92569-0010	029259	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	60.00
			BB92572-0010	029259	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	36.00
			BB92560-0010	029259	660-6300-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
169269		BATTERY SYSTEMS, INC	4822330	029144	702-3800-480.38-52	FLEET BATTERIES	252.28
169270		BEAUMONT DO IT BEST HOME CENTER	470929	029051	702-3800-480.38-52	#812 BRASS BUSHING	5.37
			471010	029051	001-2200-421.36-00	PD SUPPLIES FOR FLAG	18.80
			471063	029051	702-3800-480.36-00	ACRYLIC PAINT	7.53
			471214	029051	702-3800-480.36-00	CORRECTION TAPE & AIR SPR	16.13
			471250	029051	702-3800-480.30-02	SGL OUTLETS	4.51
			471251	029051	702-3800-480.30-02	SGL OUTLETS	9.03
			471301	029051	100-4900-441.36-00	BOLTS	12.38
			471324	029051	100-4900-441.36-00	PLAS ANCHOR	5.70
			471377	029051	702-3800-480.38-52	#606 BOLT	1.82
			471404	029051	001-1200-412.30-02	FURNITURE DOLLY	49.54
			471494	029051	001-1200-412.30-02	SGL OUTLET	(13.54)

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169270		BEAUMONT DO IT BEST HOME CENTER	4716-13	029051	001-3200-412.30-02	BLACK CABLE TIES	28.54
			4716-24	029051	001-3200-412.30-02	WET PATCH ROOF CEMENT	43.08
			4733-17	029051	001-3200-412.30-02	GRND SWITCH	21.53
			4729-07	029051	100-4500-431.30-00	LUMBER BUILDING MATERIAL	98.29
			4731-02	029051	001-3200-412.30-02	9V BATTERIES	17.77
169271		BECHTEL, PETRA	04-18 MAR 19		675-7020-473.42-96	ENERGY ASSISTANCE PROGRAM REBATE OCT 2018 -MAR 2019	69.71
169272		BLACKWELL, CAROL	04-18 MAR 19		675-7020-473.42-96	ENERGY ASSISTANCE PROGRAM REBATE OCT 2018 -MAR 2019	144.32
169273		CANON FINANCIAL SERVICES, INC	20072224	028697	001-4020-461.32-06	COPIER LEASES	83.60
					001-4500-412.32-06	COPIER LEASES	478.96
					148-2215-421.32-06	COPIER LEASES	102.75
					610-5500-434.32-06	COPIER LEASES	83.61
					660-6300-471.32-06	COPIER LEASES	150.95
					670-7000-473.32-06	COPIER LEASES	179.98
					761-5100-480.32-06	COPIER LEASES	104.50
169274		CDW GOVERNMENT, INC	RGMP712	029175	148-2200-421.90-48	IT SUPPLIES	102.57
			RTK6846	029175	148-2200-421.90-48	COMPUTERS FOR PD	2,110.87
			RKC0600	029175	148-2200-421.90-48	PD AND IT SUPPLIES	968.33
			SBHB174	029175	148-2200-421.90-48	2 SURFACE PROS	2,149.70
169275		CORTEZ, TRINIDAD	0001	029427	200-9300-446.42-82	DJ FOR MAY 18TH EVENT	300.00
169276		COZAD & FOX, INC	17259	029390	660-6300-471.33-53	SURVEY RIGHT OF WAY 19-00	2,025.21
					620-6000-454.33-53	SURVEY RIGHT OF WAY 19-00	1,795.94
169277		CREATIVE BUS SALES INC	5171329	029264	702-3800-480.38-52	GLASS CORNER	268.02
169278		CYBERTEK	5510		701-3700-480.30-17	EVALUATION FOR DPM VOLUME EMERGENCY EXPENSE	1,000.00
169279		DAVILA, BERTHA	04-18 MAR 19		675-7020-473.42-96	ENERGY ASSISTANCE PROGRAM REBATE OCT 2018 -MAR 2019	111.05
169280		ENTERPRISE FM TRUST	FBN3290195		660-6300-471.32-06	WATER-LEASE PAYMENT	2,321.20
			FBN3705512		001-3060-442.32-06	ENGINEERING-LEASE PAYMENT	815.14
					100-4500-431.32-06	STREETS-LEASE PAYMENT	592.38
					702-3800-480.32-06	FLEET MAINT-LEASE PAYMENT	1,384.77
			FBN3708014		100-4500-431.32-06	STREETS-LEASE PAYMENT	887.39
169281		EVANS, PAUL	1007-2607019		675-7020-473.42-35	RESIDENTIAL CENTRAL A/C SPLIT SYSTEM REBATE	2,500.00
169282		FARWEST LINE SPECIALTIES	27661	029466	670-7000-473.45-16	LINEMAN WRENCH/GEAR BAG	3,833.96
169283		FOX OCCUPATIONAL MEDICAL CENTER	105275		001-1600-461.33-32	DOT EXAM - WOODLEY, JEFF	40.00
					100-4500-431.33-32	DOT EXAM - MACIAS, RUBEN	40.00
					610-5500-434.33-32	DOT EXAM - D FLEMING & I TORRES	80.00
					670-7000-473.33-32	DOT EXAM - GRAY, DUSTIN	40.00
169284		FRONTIER COMMUNICATIONS	213019796805MAY 19		001-2200-421.20-05	213-019-7968 MAY 7, 2019 - JUN 6, 2019	308.75
			9518495336MAY 19		001-2200-421.20-05	951-849-4533 MAY 4, 2019 - JUN 3, 2019	50.89
			9518497124MAY 19		001-4500-412.20-05	951-849-7124 MAY 10, 2019 - JUN 9,2019	87.73
169285		FUELING & SERVICE TECHNOLOGIES, INC	201451	029235	702-3800-480.30-06	TEAR DOWN OF COMPRESSOR	380.00
			133924590073051				
169286		GAS COMPANY, THE	9		100-5100-431.20-06	408 S HATHAWAY ST MAR 25,2019 -APR 23, 2019	15.36
169287		GRAHAM, DOROTHY	A/C TUNE UP'19		675-7020-473.42-35	REBATE FOR A/C TUNE UP	50.00
169288		HAZEN AND SAWYER	28062.001.06	029243	661-6300-471.90-78	PROJECT 2018-02W	2,444.83
					661-6300-471.95-05	PROJECT 2018-02W	8,498.92
169289		HEADLEY, MARTIN	AUG 18 - JAN 19		675-7020-473.42-96	ENERGY ASSISTANCE PROGRAM REBATE AUG 2018- JAN 2019	133.22
169290		HOME DEPOT #8987	0014145	029093	660-6300-471.45-08	QUIKRETE CONCRETE	145.42
			2042294	029093	660-6300-471.45-16	SHELF SUPPORT/PAINT/WHEEL	37.55
					670-7000-473.45-16	SHELF SUPPORT/PAINT/WHEEL	8.27
			5013693	029093	660-6300-471.45-08	WALL BASE ADHESIVE	26.17
			5023149	029093	660-6300-471.45-08	ADHESIVE,KNIFE,TROWEL	162.08
169291		I-SHRED	9355-20	029392	690-9000-454.45-15	SHRED EVENT- DYSART PARK	400.00
169292		IBEW LOCAL 47 RETIREE MEDICAL TRUST	20190524		001-0000-204.80-10	PAYROLL SUMMARY	2,160.28
169293		ICMA RETIREMENT TRUST 457	20190524		001-0000-204.16-00	PAYROLL SUMMARY	995.69
169294		INNOVATIVE FEDERAL STRATEGIES	032019	029354	001-1060-411.33-11	FEDERAL LOBBYING SERVICES	1,400.00
					660-6300-471.33-11	FEDERAL LOBBYING SERVICES	1,400.00

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169294		INNOVATIVE FEDERAL STRATEGIES	040024	029354	670-7010-471.33-11	FEDERAL LOBBYING SERVICES	350.00
					680-5000-454.33-11	FEDERAL LOBBYING SERVICES	350.00
169295		IRON MOUNTAIN INFORMATION MGMT, LLC	[illegible]	029122	701-1700-420.33-11	OFFSITE MEDIA STORAGE	220.81
169296		KOLLER, MARIE V.	NOV 18 - APR 19		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2018- APR 2019	113.82
169297		LOZANO SMITH LLP	[illegible]		700-5040-480.33-11	LEGAL SERVICES-APRIL 2019	4,834.30
169298		MANERI SIGN COMPANY INC.	[illegible]	029254	100-4500-431.35-54	STREET SIGNS	974.10
169299		MASTEN, STAR	OCT 18 - MAR 19		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE OCT 2018- MAR 2019	117.90
169300		MC AVOY & MARKHAM	18-2310		670-0000-141.00-00	TRANSFORMERS PO NUM 029178	52,353.57
169301		MIDDLETON, SHARON	NOV 18 - APR 19		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2018- APR 2019	100.21
169302		MITSUBISHI ELECTRIC & ELECTRONICS	349900	029109	001-4200-412.30-02	PD ELEVATOR MAINTENANCE	303.80
169303		MST BACKFLOW	4-26-19	029215	660-6300-471.45-08	TEST&CERTIFY BACKFLOWS	120.00
169304		NATIONAL NOTARY ASSOCIATION	1273698		001-1400-412.23-01	BETANCUR, DARYL-MEMBERSHP CA ALL PURPOSE ACK	195.02
169305		NATIONWIDE RETIREMENT SOLUTIONS	29190524		001-0000-204.16-00	PAYROLL SUMMARY	5,962.95
169306		NOBEL SYSTEMS, INC	14563	029280	660-6300-471.33-11	GIS UPDATES WATER,SEWER	2,100.00
					680-5000-454.33-11	GIS UPDATES WATER,SEWER	2,100.00
169307		O'REILLY AUTO PARTS	2678-180707	029321	702-1800-480.38-52	CARPET	47.39
			2678-181794	029321	702-1800-480.38-52	#609 TENSIONER	474.29
			2678-182286	029321	702-1800-480.38-52	#812 CHAMBER	122.88
			2678-183073	029321	702-1800-480.38-52	#15 AIR FILTER	29.94
			2678-183710	029321	702-1800-480.38-52	#825 GREASE FTG	9.15
			2678-183657	029321	702-1800-480.38-52	SPARK PLUG	2.25
			2678-184894	029321	702-1800-480.38-52	#320 FLOOR MATS	26.93
			2678-185014	029321	702-1800-480.38-52	ADAPTER	25.85
			2678-185063	029321	702-1800-480.38-52	BRAKE CLEANER	25.73
			2678-185234	029321	702-1800-480.36-00	SPINDLE SCKT	18.31
			2678-185246	029321	702-1800-480.38-52	ABSORBER & MONSTER CLEANE	31.23
			2678-185514	029321	702-1800-480.30-02	SHOP-FAN	409.44
			2678-186011	029321	702-1800-480.38-52	#606 AXLE GASKET & WHL BR	39.07
			2678-186110	029321	702-1800-480.38-52	O-RING	5.93
			2678-186199	029321	702-1800-480.38-52	#606 O-RING	3.06
			2678-186722	029321	702-1800-480.38-52	FLOOR MATS	53.85
			2678-187592	029321	702-1800-480.38-52	BLUE DEF	60.30
			2678-187622	029321	702-1800-480.36-00	#623 CLAMP ASSORT	48.48
			2678-187805	029321	702-1800-480.38-52	#830 BRK BOLT KIT	11.53
169308		PARKHOUSE TIRE, INC.	2030179929	029040	702-1800-480.38-52	TIRES	157.99
169309		PARS	29190524		001-0000-204.25-00	PAYROLL SUMMARY	558.14
169310		PARTS AUTHORITY METRO, LLC	062-143219	029322	702-1800-480.38-52	GENERATOR- WATER/FUEL	15.44
			062-145411	029322	702-1800-480.38-52	MAX 50 RP	2.89
			062-145677	029322	702-1800-480.38-52	#824 INDL HYDRAULIC	73.51
			062-397642	029322	702-1800-480.38-52	AIR FILTER	32.07
			062-399297	029322	702-1800-480.38-52	#908 SEMI-LOAD CALI	233.43
			062-416773	029322	702-1800-480.38-52	#830 PIN BOLT KIT	17.65
			091-025512	029322	702-1800-480.38-52	CREDIT- ROTOR BRAKE & AGM	(182.81)
			091-025981	029322	702-1800-480.38-52	#51 12V DEEP CYCLE BATTER	(23.71)
			091-026496	029322	702-1800-480.38-52	CREDIT - HAZARD FLASHER	(13.66)
			091-026519	029322	702-1800-480.38-52	CREDIT - 12V PASS CAR BAT	(120.88)
			091-026672	029322	702-1800-480.38-52	CREDIT- REMAN ALTERNATOR	(5.39)
			091-026901	029322	702-1800-480.38-52	CREDIT- SEMI-LOAD CALIP	(140.08)
			091-146994	029322	702-1800-480.36-00	SHOP- CABLE TIES	4.62
			091-146996	029322	702-1800-480.38-52	#863 DIESEL EXH FLD	12.43
			091-146998	029322	702-1800-480.38-52	DIESEL EXH FLD	49.74
			091-147673	029322	702-1800-480.38-52	#15 OIL FILTER	10.17
			091-147730	029322	702-1800-480.38-52	FUEL/WATER SEPA & OIL FIL	26.79
			091-147837	029322	702-1800-480.38-52	#809 AIR FILTER	40.57
			091-148018	029322	702-1800-480.38-52	MAX 50 RP	1.44
			091-148064	029322	702-1800-480.38-52	INDL HYDRAULIC	36.75
			091-148222	029322	702-1800-480.38-52	#17 12V AGM BATTERY	183.43
			091-148500	029322	702-1800-480.38-52	HAZARD FLASHER	13.66

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169310	4/16/2019	PARTS AUTHORITY METRO, LLC	091-148601	029322	702-3800-480.38-52	#226 HAZARD FLASHER	12.39
			091-148854	029322	702-3800-480.38-52	#606 12V PASS CAR BATTERY	120.88
			091-148901	029322	702-3800-480.38-52	#806 STARTER SOLENOI	19.50
			091-148907	029322	702-3800-480.38-52	#15 MOTOR TREATMENT	16.79
			091-149030	029322	702-3800-480.38-52	PD- 5 GAL PRF CAN	67.95
			091-149075	029322	702-3800-480.38-52	#821 AIR, OIL, & FUEL FIL	65.08
			091-149102	029322	702-3800-480.38-52	RETAIL PACK	4.18
			091-149289	029322	702-3800-480.38-52	REM ALTERNATOR	35.00
			091-150014	029322	702-3800-480.38-52	#908 OIL FILTER & EXT WEA	118.16
			091-150057	029322	702-3800-480.38-52	OIL & AIR FILTER	17.71
			091-150585	029322	702-3800-480.38-52	#812 REMAN ALTERNATO	85.38
			091-150593	029322	702-3800-480.38-52	#830 EXT WEAR PAD & BRAKE	162.92
			091-150695	029322	702-3800-480.38-52	#831 HALOGEN BEAM	8.98
			091-150748	029322	702-3800-480.38-52	EXT WEAR PADS	124.26
			091-150749	029322	702-3800-480.38-52	DOT 3 G	16.99
			091-150760	029322	702-3800-480.38-52	#830 HARDWARE KIT	13.88
			091-150969	029322	702-3800-480.38-52	#683 SPARK PLUG	1.64
169311	4/24/2019	PETTY CASH CUSTODIAN-COMM SVCS	3359		201-4060-446.36-65	DOLLAR TREE - 3/08/2019 A SANDOVAL - SR CTR BINGO	24.80
			3360		201-4060-446.36-65	DOLLAR TREE - 3/28/2019 A SANDOVAL - SR CTR BINGO	24.60
			3361		610-5800-434.36-00	DESERT PALMS CLEANERS 4/05/ TRANSIT TABLECLOTH	15.00
			3362		001-4000-461.36-00	SMART & FINAL 4/05/2019 COMMUNITY CTR CANDY	11.78
169312	4/24/2019	PETTY CASH CUSTODIAN-SR CENTER	3198		201-4060-446.36-65	HOBBY LOBBY - 2/11/19 BLACK HISTORY DAY EVENT	14.06
			3199		610-5800-434.36-00	CAC PARKING RIVERSDE-2/21	4.00
			3400		201-4060-446.36-65	DOLLAR TREE - 3/15/2019 ANA SANDOVAL- ST PATRICKS	6.57
			3401		201-4060-446.36-65	DOLLAR TREE - 4/10/2019 ANA SANDOVAL- EASTER EVNT	15.19
			3402		201-4060-446.36-65	BANNING VILLAGE MRKT-4/24 ANA SANDOVAL- AAA BATTERY	6.78
			3403		201-4060-446.36-65	SMART & FINAL - 4/05/2019 H MERAZ / SR CTR CANDY	14.98
			3404		001-4000-461.36-00	LITHOPASS - 1 PAGE FAX SCOTT FOSTER	1.00
			3405		201-4060-446.36-65	WINCO FOODS - 5/09/19 MOTHERS DAY MUFFINS	20.96
169313	4/24/2019	PRESS-ENTERPRISE, THE	0011251034	029046	001-2200-421.23-01	LEGAL ADVERTISING	588.00
169314	4/24/2019	PRIME SYSTEMS INDUSTRIAL	4894-15	029163	660-6300-471.45-06	SCADA RANSOMWARE PROBLEM	1,042.80
169315	4/24/2019	PRUDENTIAL OVERALL SUPPLY	22788327	029184	660-6300-471.25-02	UNIFORMS - WATER	57.10
			22788328	029184	680-8000-454.25-02	UNIFORMS - WASTEWATER	15.00
			22791889	029184	660-6300-471.25-02	UNIFORMS - WATER	57.10
			22791890	029184	680-8000-454.25-02	UNIFORMS - WASTEWATER	15.00
			22795200	029184	660-6300-471.25-02	UNIFORMS - WATER	57.10
			22795201	029184	680-8000-454.25-02	UNIFORMS - WASTEWATER	15.00
			22795222	029184	100-4900-431.25-02	STREET UNIFORMS	14.50
			22795224	029184	001-3200-412.25-02	BUILDING MAIN. UNIFORMS	6.03
			22799097	029184	660-6300-471.25-02	UNIFORMS - WATER	57.10
			22799098	029184	680-8000-454.25-02	UNIFORMS - WASTEWATER	15.00
			22799120	029184	100-4900-431.25-02	STREET UNIFORMS	14.50
			22799122	029184	001-3200-412.25-02	BUILDING MAIN. UNIFORMS	6.03
169316	4/24/2019	PUBLIC AGENCY RETIREMENT SERVICES	42871		001-1900-412.33-11	PARS PLN ID#PH-ARS05A SVC PERIOD 20190331	300.00
169317	4/24/2019	QUINN COMPANY	PCA00114046	029091	702-3800-480.38-52	VEE BELT SET	97.88
			PRA00011612	029091	702-3800-480.38-52	CREDIT - VEE BELT SET	(94.28)
169318	4/24/2019	RAMOS, CHRISTOPHER	HANGAR D4		600-0000-223.10-00	HANGAR D4 DEPOSIT REFUND	288.03
169319	4/24/2019	REDLANDS FORD	5155379	029255	702-3800-480.38-52	#830 DOOR GLASS	141.70
			5155529	029255	702-3800-480.38-52	#232 RESERVOIR & VALVE	23.76
169320	4/24/2019	RELIABLE WORKPLACE SOLUTIONS	AR79074	028519	001-2200-421.30-06	DB PRINTER	19.68
			AR80126	028519	001-2200-421.30-06	DB PRINTER	46.55
169321	4/24/2019	RICE, BETTY	A/C TUNE-UP'19		675-7020-473.42-35	REBATE FOR A/C TUNE UP	50.00
			NOV 18 - APR 19		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2018 -APR 2019	78.66
169322	4/24/2019	RIV. CO. FIRE DEPARTMENT	233297		001-0000-219.00-00	QTR 3-FIRE PROTECTION SVC JAN 1, 2019- MAR 31, 2019	770,293.69
169323	4/24/2019	RON'S BEE SERVICE	1430	029052	660-6300-471.23-24	BEE REMOVAL	100.00
169324	4/24/2019	RUELAS, ELIAS	NOV 18 - APR 19		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2018 -APR 2019	64.51
169325	4/24/2019	SAN BERNARDINO CO SHERIFF'S DEPT	RNG-18-045		001-2200-421.23-06	2ND TRIMESTR USE OF FORCE NOV 2018 - FEB 2019	2,100.00
169326	4/24/2019	SAN GORGONIO PASS DESIGN AND PRINT	11116	029329	001-2200-421.23-02	BUSINESS CARDS FOR CY	25.86

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169326	[illegible]	SAN GORGONIO PASS DESIGN AND PRINT	11162	029329	001-2200-421.23-02	BUS CARDS & LETTER H	249.90
169327	[illegible]	SITEONE LANDSCAPE SUPPLY	58655782-001		001-3600-461.36-00	PARKS IRRIGATION SUPPLIES PO #29422	81.18
				029422	001-3600-461.38-50	PARKS IRRIGATION SUPPLIES	1,813.95
169328	[illegible]	SOFTWARE ONE, INC	US PSI 788588	029281	703-3700-480.89-49	AZURE SIMPLE	604.21
169329	[illegible]	SOUTH COAST AIR QUALITY	3443864		660-6300-454.41-04	AQMD JUL 2018 - JUN 2019 2242 E CHARLES FAC#20252	132.98
			3445538		660-6300-471.41-04	AQMD JUL 2018 - JUN 2019 4781 W RAMSEY FAC #71614	132.98
			0974231048IAPI				
169330	[illegible]	SOUTHERN CALIFORNIA GAS CO	9		702-3800-480.36-61	FLEET CNG FUEL APR 1,2019 - MAY 1, 2019	5,105.46
169331	[illegible]	STAPLES BUSINESS ADVANTAGE	3404572127	029099	001-2700-442.36-00	OFFICE SUPPLIES	397.53
			3404650644	029099	001-2700-442.36-00	REFUND-RUBBERBAND#117B	(7.82)
			3404854785	029099	001-2700-442.36-00	MISSING ITEM RECD	7.82
			3412631992	029471	670-7000-473.29-46	CONFERENCE ROOM CHAIRS	511.86
169332	[illegible]	STATE WATER RESOURCES CONTROL	SW-0171022		660-6300-435.41-04	BANNING MUNICIPAL AIRPORT PERMIT FEE 4/1/19-3/31/20	1,400.00
169333	[illegible]	STATE WATER RESOURCES CONTROL	OP#4764-2019		660-6300-471.41-04	MICHAEL HAHN - GRADE D2 DRINKING WTR CERT RENEWAL	60.00
169334	[illegible]	STERLING TALENT SOLUTIONS	7771153	029115	001-1300-412.33.11	APRIL BACKGROUND FEES	99.12
169335	[illegible]	TERRY, BILLIE	A/C TUNE-UP '19		675-7020-473.42.35	REBATE FOR A/C TUNE UP	50.00
169336	[illegible]	TORRES, IVANO	MILEAGE 4/22/19		610-5800-414.25.05	DOT PHYSICAL EXAM MILEAGE APRIL 22,2019	35.44
169337	[illegible]	ULINE	103168679	029129	001-2200-421.36.62	PROPERTY & EVIDENCE SUP	440.30
169338	[illegible]	VILLEGAS, JOSE	NOV 18 - APR 19		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2018 -APR 2019	136.37
169339	[illegible]	WELDOR'S SUPPLY AND STEEL	11037	028868	702-3800-480.38.52	#609 GAS & ACETYLENE CYLI	119.75
169340	[illegible]	WHITE, BEVERLY	A/C TUNE-UP '19		675-7020-473.42-35	REBATE FOR A/C TUNE UP	50.00
169341	[illegible]	WILLDAN FINANCIAL SERVICES	010-41399	027623	001-1900-412.33-11	DEV IMPACT FEE STUDY	2,373.75
169342	[illegible]	ZOELLER, SUSAN	NOV 18 - APR 19		675-7020-473.42-36	ENERGY ASSISTANCE PROGRAM REBATE NOV 2018 -APR 2019	89.26
169343	[illegible]	ARROW STAFFING SERVICE	107416		001-1900-412.23-27	CARROLL, GARY W/E 5/11/19	1,222.00
			107504		001-1900-412.23.27	CARROLL, GARY W/E 5/18 FINANCE DEPT	1,222.00
169344	[illegible]	ASPEN ENVIRONMENTAL GROUP	3313.007.15	027504	660-6300-471.90.78	BANNING FLUME FIELD SURVE	3,460.77
169345	[illegible]	BABCOCK LABORATORIES, INC	BE90196-0030	029259	660-6300-471.23.32	COLIFORMS P/A BY MMO/MUG	165.00
			BE90201-0030	029259	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00
			BE90207-0030	029259	660-6300-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
			BE90257-0030	029259	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	165.00
			BE90491-0030	029259	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	45.00
			BE90542-0030	029259	660-6300-471.23-32	COLIFORMS P/A BY MMO/MUG	165.00
			BE90596-0030	029259	660-6300-454.23-32	TOTAL DISSOLVED SOLIDS	20.00
			BE90597-0030	029259	660-6300-471.23-32	GENERAL PHYSICAL ANALYSIS	54.00
169346	[illegible]	BANNING CHAMBER OF COMMERCE	1576		001-1000-411.23-05	A WELCH - BREAKFAST CC MTG 5/15/19	15.00
						C WALLACE-BREAKFAST CC MTG 5/15/19	15.00
						D ANDRADE-BREAKFAST CC MTG 5/15/19	15.00
					001-1200-412.23-05	D SCHULZE CC MTG 5/15/19	15.00
					001-2200-421.23-05	M HAMNER CC MTG 5/15/19	15.00
					001-2800-441.23-05	S CALDERON CC MTG 5/15/19	15.00
						S CASTANEDA CC MTG 5/15/19	15.00
						S MEDINA CC MTG 5/15/19	15.00
169347	[illegible]	BEAUMONT CHERRY VALLEY WATER	0062413		660-6300-471.27.14	RECHARGE USE AT NOBLE CRK APRIL 2019	7,642.50
169348	[illegible]	BEAUMONT DO IT BEST HOME CENTER	472316	029051	001-3600-461.36-00	PARKS SUPPLIES	45.52
			472518	029051	001-3600-461.36-00	PARKS SUPPLIES	304.66
			472571	029051	001-3600-461.36-00	PARKS SUPPLIES	17.77
169349	[illegible]	BEAUMONT SAFE & LOCK	71082	029066	001-4000-461.30.06	2 DUPLICATE KEYS MEDCO	53.88
169350	[illegible]	BLACK, CHARLES & JANET	000064263		001-0000-218.22-22	UB CR REFUND 000051432	63.87
169351	[illegible]	BLANCHE, REGINA JOHNSON	000049685		001-0000-218.22-22	UB CR REFUND-FINALS 000012838	276.26
169352	[illegible]	BLUE SHIELD OF CALIFORNIA	JUNE 2019		001-0000-204.31-00	HEALTH INSURANCE PREMIUMS JUN 2019	70,097.32
169353	[illegible]	BREY, GERALD M	000051111		001-0000-218.22-22	UB CR REFUND-FINALS 000049438	116.36
169354	[illegible]	BUCKNER, JACQUELYN	000052967		001-0000-218.22-22	UB CR REFUND-FINALS 000017136	130.13
169355	[illegible]	CALDERON, SANDRA B	MILEAGE 4/26/19		001-2800-441.25-05	DEL OF PC AGENDA PKS PLANNING COM MTG 5/1/2019	11.60
169356	[illegible]	CALIFORNIA MUNICIPAL UTILITIES	19-01126		660-6300-471.23-03	WATER UTILITY ASSN DUES JULY 1,2019-JUNE 30,2020	2,009.00
					670-7000-473.23-03	ELECT UTILITY ASSN DUES JULY 1, 2019-JUNE 30,2020	21,663.00
169357	[illegible]	CALIFORNIA UTILITIES EMERGENCY ASSO	MEMBERSHIP201		670-7000-471.23-03	APPLICATION FOR MBRSHIP MUTUAL AID FOR DISASTERS	500.00
169358	[illegible]	CALOLYMPIC GLOVE & SAFETY CO, INC	177926	029465	001-3600-461.36-00	PARKS SUPPLIES	212.60
169359	[illegible]	CAMPOS, ELSI C	000081555		001-0000-218.22-22	UB CR REFUND-FINALS 000019684	58.18

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169360	[illegible]	CDW GOVERNMENT, INC	SHX0397	029175	670-7000-473.89-48	KINGSTON 32GB MEMORY	1,185.25
			SBL1665	029175	670-7000-473.89-48	DELL 1TB 7.2K SATA 6G	1,697.06
169361	[illegible]	CENTER ELECTRIC	9067	029181	660-6300-471.45-06	PUMP 1&2 REPAIRS	2,109.00
169362	[illegible]	COSTAR REALTY INFORMATION, INC	109287168-1		001-1210-412.33-11	COMMERCIAL PROPERTY LIST BILLING PERIOD MAY 2019	87.95
169363	[illegible]	COUNSELING TEAM INTERNATIONAL, THE	72479		001-1300-412.33-32	PD APPLICANT PSYCH ASSESS	275.00
169364	[illegible]	COZAD & FOX, INC	17238	029463	840-9500-490.90-07	ENGINEERING & SURVEYING S	2,105.52
169365	[illegible]	CUSTOM TROPHIES & U-NEEK AWARDS	000116	029500	001-2200-421.36-00	PLAQUES FOR DISPATCH	188.56
169366	[illegible]	CYBERTEK	6180727		703-3700-480.30-17	PROJECT EM1904 RYUK VIRUS DATA RECOVERY	30,600.00
169367	[illegible]	DENNING &, GERALDINE	000097695		001-0000-218.22-22	UB CR REFUND-FINALS 000009562	35.78
169368	[illegible]	DUGGINS, LANCE	MILEAGE 5/24/19		670-7000-473.25-05	SEL HOOVER DAM SEMINAR MILEAGE RETURN TRIP	143.26
169369	[illegible]	ERE INVESTMENT	000093791		001-0000-218.22-22	UB CR REFUND-FINALS 000020270	168.21
169370	[illegible]	FRONTIER COMMUNICATIONS	2091884027MAY 19		001-4500-412.26-05	209-188-4027 MAY 16, 2019-JUN 15, 2019	81.56
			9518491575MAY 19		001-2200-421.26-05	951-849-1575 MAY 13,2019 - JUN 12,2019	134.07
			9518497296MAY 19		001-4500-412.26-05	951-849-7296 MAY 16,2019 - JUN 15,2019	85.05
			9518498256MAY 19		001-2200-421.26-05	951-849-8256 MAY 16, 2019-JUN 15, 2019	1,070.38
			9518499205MAY 19		001-4500-412.26-05	951-849-9205 MAY 13,2019 - JUN 12,2019	85.05
169371	[illegible]	G & G ENVIRONMENTAL COMPLIANCE, INC	BANNING-0419	029182	660-6300-471.23-37	NPDES&WASTE INSPECTIONS	216.00
					680-8500-454.23-37	NPDES&WASTE INSPECTIONS	942.44
169372	[illegible]	GALEANA, ROSA	000087067		001-0000-218.22-22	UB CR REFUND-FINALS 000010528	38.71
169373	[illegible]	GAS COMPANY, THE	0560268200SMY 19		001-2400-422.26-06	172 N MURRAY APR 17,2019 - MAY 16,2019	65.16
			1508481517SMY 19		001-4500-412.26-06	99 E RAMSEY ST APR 17,2019 - MAY 16,2019	94.61
169374	[illegible]	GRAINGER	9142350702	029057	660-6300-471.45-16	BATTERIES	15.01
					670-7000-473.45-16	BATTERIES	15.02
169375	[illegible]	GRAVES & KING LLP	1904-0910155-01		700-5040-480.33-11	PROF SVCS 2/4/19-4/30/19 CLAIM BA 1823	13,112.90
169376	[illegible]	GREENE, AMANDA	000094301		001-0000-218.22-22	UB CR REFUND-FINALS 000021536	84.76
169377	[illegible]	HEENEY, TAYLOR & DYLAN	000089221		001-0000-218.22-22	UB CR REFUND-FINALS 000006748	199.89
169378	[illegible]	HINDERLITER DE LLAMAS & ASSOCIATES	0051745-IN		001-1900-412.33-11	AUDIT SERVICES-SALES TAX QUARTER 4 2018	42.42
						SALES TAX 2ND QUARTER	1,050.00
169379	[illegible]	HOME DEPOT #8987	3050234	029093	660-6300-471.45-16	ROPE/PULLEY/FLAG/TRASH CA	95.25
					670-7000-473.45-16	ROPE/PULLEY/FLAG/TRASH CA	62.31
169380	[illegible]	IBEW LOCAL 47 RETIREE MEDICAL TRUST	20190524		001-0000-204.80-10	PAYROLL SUMMARY	9.17
169381	[illegible]	KINCEY, AHSTAZIA	1428734481E1040		001-4080-431.25-02	REF-SYLVAN PARK SHELTER RAINED OUT	25.00
169382	[illegible]	KMET RADIO	05072019	029501	001-5400-446.41-60	RADIO AD DISASTER SURVIVA	400.00
169383	[illegible]	LEAGUE OF CALIFORNIA CITIES	2435		001-1000-411.23-05	A WELCH - RIV CNTY DIV MT PALM DESERT 5/13/2019	50.00
						C WALLACE - RIV CNTY DIV PALM DESERT 5/13/2019	50.00
						D ANDRADE-RIV CNTY DIV MT PALM DESERT 5/13/2019	50.00
						D HAPPE - RIV CNTY DIV MT PALM DESERT 5/13/2019	50.00
					001-1200-412.23-05	D SCHULZE - RIV CNTY DIV PALM DESERT 5/13/2019	50.00
169384	[illegible]	MARCO EQUIPMENT COMPANY	158990	029058	702-3800-480.30-05	STREET SWEEPER REPAIRS	5,999.96
169385	[illegible]	MUSARRA, JARON	000096885		001-0000-218.22-22	UB CR REFUND-FINALS 000003708	79.24
169386	[illegible]	ONYX PAVING COMPANY INC	19/096	029344	101-4900-431.93-16	PROJECT 2017-16	87,918.44
					702-4904-431.93-15	PROJECT 2017-16	77,498.31
					101-0000-232.00-00	PROJECT 2017-16 RETAINAGE	(4,395.92)
					702-0000-232.00-00	PROJECT 2017-16 RETAINAGE	(3,874.92)
169387	[illegible]	OPENDOOR LABS INC	000098517		001-0000-218.22-22	UB CR REFUND-FINALS 000007160	120.36
169388	[illegible]	PACIFIC TREND PROPERTIES	000099043		001-0000-218.22-22	UB CR REFUND-FINALS 000007452	93.77
169389	[illegible]	PACKHAM & TOOMEY, INC	042519	028915	702-3800-480.30-06	MONTHLY VST INSPECTION	225.00
169390	[illegible]	PETTY CASH CUSTODIAN - FINANCE	3233		001-1300-412.41-16	JONI MILLER - DOLLAR TREE EMPLOYEE RECOGNITION FRAM	23.76
			3234		001-1300-412.41-16	TILLY YANG - STATER BROS WATER FOR LUNCH CLASS	17.22
			3235		001-1230-412.41-46	LAURIE SAMPSON -STARBUCKS COFFEE W/CITY MANAGER	16.95
			3216		690-9600-453.36-07	RUBEN MACIAS - DONUT DELI BULKY ITEM FOOD	30.34

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169390	[illegible]	PETTY CASH CUSTODIAN - FINANCE	4237		100-4900-451.36-00	GREG COTTAGE -HARBOR FRGT METAL STAMPS	18.95
			4238		001-1300-412.41-16	TILLY YANG - SUPER SUBS+ PANEL INTERVIEW LUNCH	18.07
			4239		001-0000-204.16-00	C STAFFORD - 457 LOAN RFN JUANITA MUNOZ	0.19
			4240		702-3500-480.41-04	FRANK CHESONIS- DMV REGISTRATION # 330772	22.00
169391	[illegible]	PRESS-ENTERPRISE, THE	0011256409	029046	111-4900-412.23-01	RFP# 19-030 OPERATION	596.40
169392	[illegible]	PRO SHINE	284	029455	660-6300-471.30-02	CONCRETE FLOOR MAINTENANC	3,440.00
169393	[illegible]	PRUDENTIAL OVERALL SUPPLY	2279603	029184	001-4600-461.23-16	TRANSIT UNIFORM SERVICE	9.75
					610-5800-434.23-16	TRANSIT UNIFORM SERVICE	11.00
					610-5800-434.25-02	TRANSIT UNIFORM SERVICE	55.76
					610-5850-434.25-02	TRANSIT UNIFORM SERVICE	3.89
			22802489	029184	001-4600-461.23-16	TRANSIT UNIFORM SERVICE	9.75
					610-5800-434.23-16	TRANSIT UNIFORM SERVICE	11.00
					610-5800-434.25-02	TRANSIT UNIFORM SERVICE	57.80
					610-5850-434.25-02	TRANSIT UNIFORM SERVICE	3.89
			22802411	029184	001-3600-461.25-02	PARKS UNIFORM SERVICE	12.30
			22802414	029184	670-7000-473.25-02	ELEC UNIFORM SERVICE	140.16
169394	[illegible]	PYRO SPECTACULARS, INC	5627b	029498	001-5400-446.41-58	FIREWORKS	13,500.00
169395	[illegible]	RANCHO PASEO MEDICAL GROUP	04012019-1		001-1300-412.33-52	PRE EMPL AND DRUG SCREENS APRIL 2019	75.00
169396	[illegible]	RECORD GAZETTE, THE	00163806	029044	001-2800-441.23-01	PHN - GPA 18-2504	175.20
			00163807	029044	001-2800-441.23-01	PHN ZTA 19-97502	219.00
			00164343	029044	001-2800-441.23-01	PHN - CUP 19-8001	142.35
			00164345	029044	001-2800-441.23-01	PHN - DR 19-7001	153.30
			00164347	029044	001-2800-441.23-01	TTM 36710	164.25
			00164349	029044	001-2800-441.23-01	PHN - GPA 19-2501	186.15
			00164814	029044	001-2800-441.23-01	GPA 18-2504 & ZC 18-3503	175.20
			00165080	029044	001-2800-441.23-01	PHN ORDINANCE 1542	102.20
169397	[illegible]	RIV. CO. CLERK RECORDER	APN 541-220-003		001-2740-442.23-07	RELEASE PEND/LIEN BY GOV 312 S SAN GORGONIO AVE	16.00
169398	[illegible]	RIV. CO. CLERK RECORDER	APN 541-260-014		001-2740-442.23-07	RELEASE PEND/LIEN BY GOVV VACANT LOT	8.00
169399	[illegible]	RIV. CO. CLERK RECORDER	APN 534-062-004		001-2740-442.23-07	RELEASE PEND/LIEN BY GOV 286 LOMBARDY LANE	24.00
169400	[illegible]	RIV. CO. CLERK RECORDER	APN 540-101-016		001-2740-442.23-07	RELEASE PEND/LIEN BY GOV 273 N 12TH ST	24.00
169401	[illegible]	RIV. CO. CLERK RECORDER	APN 540-142-020		001-2740-442.23-07	RELEASE PEND/LIEN BY GOV 331 N 5TH ST	8.00
169402	[illegible]	RIV. CO. COMMUNITY HEALTH AGENCY	IN0352014		660-6300-471.41-04	WELL C2 4781 W RAMSEY ACCT#AR0078659 FA0037670	842.00
			IN0352015		680-8000-454.41-04	RIVIERA LFT 1777 RIVIERA ACCT#AR0078660 FA 0037671	842.00
			IN0352020		660-6300-471.41-04	WELL 10 6900 BANNING CAN ACCT#AR0078667 FA0037678	842.00
			IN0352021		660-6300-471.41-04	WELL 1 3332 BLUFF ST ACCT#AR0078653 FA0037664	842.00
			IN0357149		660-6300-471.41-04	WATER SHOP 3333 BLUFF ST ACCT#AR0078654 FA0037665	1,105.00
169403	[illegible]	RIV. CO. HEALTH SVCS AGENCY	JULY 4, 2019		001-4000-461.41-04	FOOD PERMIT 4TH OF JULY EVENT	199.00
169404	[illegible]	RIVERSIDE, COUNTY OF	APRIL 2019		001-2200-421.18-06	APR 2019 PARKING CITATION ASSESSMENTS	1,766.60
169405	[illegible]	SAN GORGONIO PASS WATER AGENCY	19-00190		660-6300-471.27-14	PURCH OF STATE PROJ WTR APRIL 2019	39,625.00
169406	[illegible]	SHRED-IT USA, LLC	8127267908	029197	001-4500-412.33-11	CITY HALL P/U 4/19 & 5/03	98.00
169407	[illegible]	SMART & FINAL	025120	029045	001-4010-461.36-22	OFFICE SUPPLIES	604.21
169408	[illegible]	SORIANO, NATLLELY	MEALS 6/14/21		001-2210-421.23-06	DISPATCHER, PUBLIC SAFETY (BASIC) MEALS	180.00
169409	[illegible]	SOUTH COAST AIR QUALITY	3445008		702-3500-480.41-04	AQMD FEE 7/2018-6/2019 176 E LINCOLN FAC 306664	132.98
169410	[illegible]	STAPLES BUSINESS ADVANTAGE	3413720928	029099	001-1200-412.36-00	1" WHITE BINDERS	19.99
					001-1400-412.36-00	1" WHITE BINDERS	27.95
169411	[illegible]	STECK, SAUL OWEN	000096854		001-0000-218.22-22	UB CR REFUND-FINALS 000015650	100.05
169412	[illegible]	SUN LIFE FINANCIAL	JUNE 2019		001-0000-204.14-00	LTD-STD INSURANCE PREMIUM JUNE 2019	6,667.09
					001-0000-204.30-00	LIFE INSURANCE PREMIUMS JUNE 2019	4,389.13
					001-0000-204.32-00	DENTAL INSURANCE PREMIUMS JUNE 2019	10,264.51
169413	[illegible]	SUPERION	233557	029306	761-3100-480.23-52	PROJECT MANAGEMENT	80.00
			233658	029306	761-3100-480.23-52	PROJECT MANAGEMENT	400.00
			233688	029306	761-3100-480.23-52	PEOJECT MANAGEMENT	160.00
			233984	029306	761-3100-480.23-52	PROJECT MANAGEMENT	80.00
169414	[illegible]	SWANK MOTION PICTURES, INC.	BO 1609077	029482	001-5400-446.41-86	DVD'S MOVIE SERIES	2,500.00
169415	[illegible]	TASC	IN1518021		001-0000-151.40-00	FELX SYSTEM ADMIN FEES JULY 1,2019 -JUNE 30,2020	6,156.20
169416	[illegible]	TELEPACIFIC COMMUNICATIONS	136674412-0		001-2200-421.26-05	PD PHONE SERVICE MAY 16,2019-JUN 15,2019	665.29
					001-4500-412.26-05	CENTRAL SVCS PHONE SVC MAY 16,2019-JUN 15,2019	2,505.41
169417	[illegible]	THE SOCO GROUP, INC.	0605818-IN		702-3800-480.16-11	FUEL SALES TAX DELIVERED 5/2/19	1,179.91

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169417	4/30/2019	THE SOCO GROUP, INC.	0665828 IN		702-3500-480.36-11	REGULAR UNLEADED GAS DELIVERED 5/2/19	22,143.41
						ULS DIESEL DELIVERED 5/2/19	4,765.83
169418	5/30/2019	THURMOND, DEBORAH	13478277REFUND		001-4000-351.35-69	REFUND YOUTH SOCCER MOM WAS COACH	30.00
169419	5/30/2019	TIME WARNER CABLE	0868112901050119		670-7000-473.26-09	BUSINESS TV - CITY YARD 5/1/2019 - 5/31/2019	70.33
169420	5/30/2019	WELLS FARGO CARD SERVICES INC	05 5178 MAY19		001-1000-411.36-07	SUPERSUBS+ 4/23 CITY COUNCIL MEETING	29.08
					001-1200-412.23-01	CONSTANT CONTACT CITY MANAGER REPORTS	20.00
					001-1200-412.23-03	MMASC - SHULZE MEMBERSHIP	85.00
					001-1200-412.23-05	REPUBLIC PARKING CITY MANAGER	3.75
					001-1200-412.36-07	DOMINOS IT LUNCH	53.85
					001-1200-412.41-36	4IMPRINT CITY LOGO TABLE COVER	197.93
					001-1210-412.23-04	I C S C - TED SHOVE MEMBERSHIP	100.00
					001-1210-412.23-05	I C S C - TED SHOVE CONFERENCE	95.00
						I E D C - TED SHOVE CONFERENCE	775.00
					001-1400-412.36-00	GETSTAMPS.COM CITY SEAL	65.95
					001-4500-412.36-00	SMART & FINAL WATER	57.36
					703-3700-480.89-48	BEST BUY INTERNAL HARD DRIVES	863.50
						BEST BUY SHIPPING CREDIT	(33.91)
169421	5/30/2019	XENIA PACIFIC, INC	4816	029426	260-9100-446.42-82	T-SHIRTS	988.61
169422	5/30/2019	ZANID HOLDINGS LP	0000017754		001-0000-218.22-22	UB CR REFUND 000009558	118.59
169423	5/30/2019	ZHANG, YONG SHENG	0000050295		001-0000-218.22-22	UB CR REFUND-FINALS 000001174	147.74
9006435	5/2/2019	CA. ST. BOARD OF EQUALIZATION	100032656902		001-0000-201.10-00	INTEREST CHARGED ON QTR 4 2018	18.74
9006436	5/2/2019	CA. ST. BOARD OF EQUALIZATION	2019 - QTR 1		001-0000-201.10-00	SALES AND USE TAX RETURN	464.00
9006437	5/8/2019	WELLS FARGO BANK	PPE 4/21/2019		001-0000-204.80-14	VEBA CONTRIBUTIONS PPE 4/21/19 PD 4/26/19	400.00
9006438	5/10/2019	WELLS FARGO BANK	PPE 5/05/2019		001-0000-204.10-00	PAYROLL PPE 5/05/2019	379,379.47
9006439	5/13/2019	CALIFORNIA, STATE OF	1112454048		700-5030-480.40-03	STATE UNEMPLOYMENT INS QTR END 3/31/2019	1,831.00
9006440	5/13/2019	CA. ST. EMPLOYMENT DEV. DEPT.	PPE 5/05/2019		001-0000-204.12-00	STATE INCOME TAX PPE 5/05/2019	22,903.14
9006441	5/13/2019	INTERNAL REVENUE SERVICE	PPE 5/05/2019		001-0000-204.11-00	FEDERAL INCOME TAX PPE 5/05/2019	59,791.38
					001-0000-204.11-00	FEDERAL INCOME TAX PPE 5/05/2019	90,778.68
9006442	5/13/2019	TASC	PPE 5/05/2019		001-0000-204.80-04	MEDICAL CONTRIBUTIONS PPE 5/05/2019	4,014.39
					001-0000-204.80-05	DEPENDENT CONTRIBUTIONS PPE 5/05/2019	652.16
					001-0000-204.80-15	INDIVIDUAL CONTRIBUTIONS PPE 5/05/2019	465.57
9006443	5/10/2019	WELLS FARGO BANK	PPE 5/05/2019		001-0000-204.80-14	VEBA CONTRIBUTIONS PPE 5/05/2019 PD 5/10/19	400.00
9006444	5/10/2019	CALPERS 457 PLAN - 450260	PPE 4/21/19		001-0000-204.16-00	CAL PERS 457 CONTRIBUTION PPE 4/21/19	29,923.86
						CAL PERS 457 LOAN PMTS PPE 4/21/19	6,354.92
9006445	5/10/2019	CA. ST. PUBLIC EMPLOYEES	PPE 4/21/19		001-0000-204.20-00	RETIREMENT BENEFITS PPE 4/21/19	87,637.92
9006446	5/21/2019	CALPERS 457 PLAN - 450260	PPE 5/05/2019		001-0000-204.16-00	CAL PERS 457 CONTRIBUTION PPE 5/05/2019	30,105.95
						CAL PERS 457 LOAN PMTS PPE 5/05/2019	6,178.38
9006447	5/21/2019	CA. ST. PUBLIC EMPLOYEES	PPE 5/05/2019		001-0000-204.20-00	RETIREMENT BENEFITS PPE 5/05/2019	88,142.00
9006448	5/24/2019	WELLS FARGO BANK	PPE 05/19/19		001-0000-204.10-00	PAYROLL PPE 5/19/19	335,810.37
9006449	5/28/2019	CA. ST. EMPLOYMENT DEV. DEPT.	PPE 05/19/19		001-0000-204.12-00	STATE INCOME TAX PPE 5/19/19 PD 5/24/19	20,329.71
9006450	5/29/2019	INTERNAL REVENUE SERVICE	PPE 5/19/19		001-0000-204.11-00	FEDERAL INCOME TAX PPE 5/19/19 PD 5/24/19	83,297.72
					001-0000-204.13-00	FICA MEDICARE /FICA REGLR PPE 5/19/19 PD 5/24/19	55,617.31
9006451	5/22/2019	TASC	PPE 5/19/19		001-0000-204.80-04	MEDICAL CONTRIBUTIONS PPE 5/19/19 PD 5/24/19	3,964.39
					001-0000-204.80-05	DEPENDENT CONTRIBUTIONS PPE 5/19/19 PD 5/24/19	652.16
					001-0000-204.80-15	INDIVIDUAL CONTRIBUTIONS PPE 5/19/19 PD 5/24/19	465.57
9006452	5/30/2019	WELLS FARGO BANK	PPE 5/19/19		001-0000-204.80-14	VEBA CONTRIBUTIONS PPE 5/19/19 PD 5/24/19	400.00
Grand Total							6,869,313.47
						Less Voided / Reissued Checks from Prior Period	(79,581.03)
						Less Voided Checks Prior Period	
						Add Payroll Checks	8,139.35
						Total Remittance for Month	6,797,871.79

Voided Checks

May 2019

Date	Check	Vendor #	Reason		Amount	Check	Vendor #		Amount
5/9/2019	168396	7142	Vendor didn't receive check	$	79,581.03	169132	7142	$	79,581.03
TOTALS				**$**	**79,581.03**			**$**	**79,581.03**

Payroll

May 2019

Start	End	Date	Description		Check Total
11752	11759	5/10/2019	WARRANT REGISTER	$	2,554.64
11760	11778	5/24/2019	WARRANT REGISTER	$	3,199.74
11779	11779	5/23/2019	MANUAL CHECK	$	2,384.97
TOTALS				**$**	**8,139.35**
	CHECKS USED	**28**			

Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
	CALIF. STATE DISBURSEMENT UNIT		11752	484.15
	UNITED STATES TREASURY		11753	125.50
	TRACY YOUNGBLOOD		11754	223.39
	FRANCHISE TAX BOARD		11755	200.00
	FRANCHISE TAX BOARD		11756	380.98
	CALIF. STATE DISBURSEMENT UNIT		11757	319.03
5800-434	MCKETHAN, CYNTHIA L	2488	11758	627.75
	CALIF. STATE DISBURSEMENT UNIT		11759	193.84
	Total Checks -		8	2,554.64

Dept/Div Activity	Check Payee	Social Security	Check Number	Amount
	CALIF. STATE DISBURSEMENT UNIT		11760	484.15
	UNITED STATES TREASURY		11761	125.50
	TRACY YOUNGBLOOD		11762	223.39
	FRANCHISE TAX BOARD		11763	200.00
	FRANCHISE TAX BOARD		11764	380.98
4000-461	NELSON, AMANDA L	5564	11765	22.03
4000-461	RODRIGUEZ, ALONZO J	7208	11766	66.11
4010-461	FLOYD, ANTHONY P	2394	11767	121.79
4010-461	FLOYD, JASON D	2396	11768	29.00
4010-461	GILCHRIST JR, SEAN E	2699	11769	72.50
4010-461	IRVING, MADISON L	3598	11770	75.39
4010-461	LETULLE, PAULMICHAEL	4437	11771	23.20
4010-461	PHILLIPS, KRISTEN G	6557	11772	22.06
4010-461	REEVES, AUBREY N	6787	11773	23.20
4010-461	TRYON, MYKAELA C	8441	11774	120.76
4010-461	WILLIAM HILL, ANDREA C	9074	11775	98.59
	CALIF. STATE DISBURSEMENT UNIT		11776	319.03
5800-434	MCKETHAN, LUCENTHER	2488	11777	598.22
	CALIF. STATE DISBURSEMENT UNIT		11778	193.84
	Total Checks -		19	3,199.74

PAYROLL

DIRECT DEPOSIT TOTALS

PAY PERIOD ENDING	DIRECT DEPOSIT DATES	DIRECT DEPOSIT AMOUNTS
05/05/2019	05/10/2019	$379,379.47
05/19/2019	05/24/2019	$335,810.37

MANUAL CHECKS ISSUED

CHECK DATE	CHECK #	CHECK AMOUNT
5/23/2019	11779	$2,384.97

TOTAL CHECKS/DIRECT DEPOSIT ISSUED

05/05/2019	05/10/2019	181
05/19/2019	05/24/2019	186

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Suzanne Cook, Deputy Finance Director

MEETING DATE: June 25, 2019

SUBJECT: Receive and File Cash, Investments and Reserve Report for the Month of May 2019

RECOMMENDATION:

That City Council receive and file Cash, Investment and Reserve Report for **May 31, 2019** in accordance with California Government Code 53646.

CASH AND INVESTMENT SUMMARY:

Description		Prior Month	Current Month
Funds Under Control of the City			
Cash			
	Cash on Hand	$ 4,155.00	$ 4,155.00
	Checking and Savings Accounts	$ 14,179,358.85	$ 13,647,708.45
Investments			
	LAIF	$ 41,390,764.64	$ 41,390,764.64
	Brokerage	$ 26,834,518.58	$ 26,836,882.80
Total Funds Under Control of the City		**$ 82,408,797.07**	**$ 81,879,510.89**
Funds Under Control of Fiscal Agents			
US Bank			
	Restricted Bond Project Accounts	$ 15,231,742.16	$ 15,241,083.15
	Restricted Bond Accounts	$ 5,384,206.88	$ 5,384,262.74
Union Bank			
	Restricted Funds	$ 1,465,981.43	$ 992,128.53
Total Funds Under Control of Fiscal Agents		**$ 22,081,930.47**	**$ 21,617,474.42**
Total Funds		**$ 104,490,727.54**	**$ 103,496,985.31**

RESTRICTED, ASSIGNED, COMMITTED AND RESERVED SUMMARY:

Description	Prior Month	Current Month
Total Funds	**$ 104,490,727.54**	**$ 103,496,985.31**
Restricted Funds	40,644,789.20	$ 40,270,627.64
Assigned Funds - Specific Purpose	8,684,911.34	$ 8,684,911.34
Committed Funds - Specific Purpose	4,528,172.25	$ 4,528,172.25
Fund Balance Reserves	15,077,173.95	$ 15,077,173.95
Total Restricted, Assigned, Committed and Reserv	**$ 68,935,046.74**	**$ 68,560,885.18**
Operating Cash - Unrestricted Reserves	**$ 35,555,680.80**	**$ 34,936,100.13**
Less Accounts held in Investments	$ 26,834,518.58	$ 26,836,882.80
Liquid Cash	$ 8,721,162.22	$ 8,099,217.33

ATTACHMENTS:

- Cash, Investment and Reserve Report May 2019
- Investment Report May 2019
- LAIF / PMIA Performance Report

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

Approved by:

Douglas Schulze
City Manager

City of Banning
Cash, Investment & Reserve Balances - May 31, 2019

Cash & Investments Institution/Investment Type	April 2019 Balance	May 2019 Balance
Funds Under Control of the City:		
Petty Cash / Cash on Hand	$ 4,155.00	$ 4,155.00
	$ 4,155.00	$ 4,155.00
Checking and Savings		
Wells Fargo - General Account - XXXXX5796	$ 13,778,191.24	$ 13,236,833.34
Bank of America - Parking Citations - XXXXXXXX 8776	$ 90,558.43	$ 93,583.63
Bank of America - Airport Visa - XXXXXXXX 7548	$ 227,284.68	$ 232,048.73
Bank of America - CNG Charge Acct XXXXXXXX 5594	$ 85,324.50	$ 85,242.75
	$ 14,179,358.85	$ 13,647,708.45
State of California, Local Agency Investment Fund		
City of Banning XX-XX-050	$ 41,390,764.41	$ 41,390,764.41
Successor Agency XX-XX-001	$ 0.23	$ 0.23
	$ 41,390,764.64	$ 41,390,764.64
% of Investments in LAIF (Maximum 40% allowed per Investment Policy)	61%	61%
US Bank		
City of Banning Custody Account XXXXX6000		
Government Agencies		
First American Government Oblig Fd Cl D 31846V401 Market Value #3802 $2114372.80	$ 2,112,008.58	$ 2,114,372.80
Federal Home Loan Bks 3130A6K89 Market Value $1,998,060 Maturity 10/5/2018	$ -	$ -
Federal Home Loan Bks 3130A7G25 Market Value $2,998,920 Maturity 3/15/2019		
F N M A 3135GOP49 Market Value $2,989,980 Maturity 8/28/2019	$ 2,955,090.00	$ 2,955,090.00
F H L M C M T N 3134GBJ52 Market Value $2,992,200 Maturity 9/27/2019	$ 3,000,000.00	$ 3,000,000.00
F H L M C M T N 3134GBL83 Market Value $2,982,660 Maturity 3/27/2020	$ 3,000,000.00	$ 3,000,000.00
F N M A M T N 3136G4PP2 Market Value $2,985,960 Maturity 10/26/2020	$ 3,000,000.00	$ 3,000,000.00
Federal Home Loan Bks 3130ADFV9 Market Value $3,000,510 Maturity 1/29/2021	$ 2,967,420.00	$ 2,967,420.00
F H L M C M T N 314GSSD8 Market Value $2,000,660 Maturity 1/29/2021		
Federal Farm Credit Bks 3133EKFJ0 Market Value $5,800,116 Maturity 4/5/2021	$ 5,800,000.00	$ 5,800,000.00
Federal Farm Credit Bks 3133EKFK7 Market Value $4,000,280 Maturity 7/5/2022	$ 4,000,000.00	$ 4,000,000.00
Federal Home Loan Bks 3130AETB6 Market Value $5,193,466.34 Maturity 02/26/2019	$ -	$ -
	$ 26,834,518.58	$ 26,836,882.80
Total Funds Under Control of the City	$ 82,408,797.07	$ 81,879,510.89
Funds Under Control of Fiscal Agents:		
US Bank		
2015 Water Revenue Bonds-BUA Water Projects - 258228005	$ 1,514,197.66	$ 1,516,542.28
2005 Wastewater Project Fund Bond - 792143006	$ 3,270,892.30	$ 3,271,698.81
2015 Electric Revenue Bond-Acquisition & Construction Fund - 262685003	$ 2,775,808.95	$ 2,780,107.09
Successor Agency of the Dissolved Redevelopment Agency of the City of Banning Tax Allocation Bonds Series 2016 (Taxable) Unexpended Proceeds Fund - 277166005	$ 7,670,843.25	$ 7,672,734.97
Restricted Project Funds Available	$ 15,231,742.16	$ 15,241,083.15
2015 Electric Revenue Bond-Escrow Fund - 277248000/262685001		
Wastewater System Improvement Project Fund Bond 1989 Escrow Account for AC 94627350- 792145000	$ -	$ -
Water System Improvement Project 1989 Escrow Acct AC 94627340 - 792146000	$ -	$ -
2015 Electric Revenue Bond-Reserve Fund - 262685002 - Market Value	$ 2,428,543.76	$ 2,428,543.76
Improvement Dist No 2004-1 (Fair Oaks Ranch Estates) Limited Obligation Improvement Bonds Series 2005A Principal Acct-78958201	$ 40,010.87	$ 40,020.74
Improvement Dist No 2004-1 (Fair Oaks Ranch Estates) Limited Obligation Improvement Bonds Series 2005A Reserve Fund-78958203	$ 166,511.69	$ 166,557.68
BUA Wastewater Enterprise Loans Revenue Bonds Series 2005 Reserve Fund - 791214300	$ 523,623.18	$ 523,623.18
Successor Agency of the Dissolved Redevelopment Agency of the City of Banning Tax Allocation Bonds Series 2016 (Taxable) Reserve Fund-277166004 Market Value	$ 2,205,497.50	$ 2,205,497.50
Successor Agency of the Dissolved Redevelopment Agency of the City of Banning Tax Allocation Bonds Series 2016 (Taxable) Cost of Issuance - 277166006	$ -	$ -
Successor Agency of the Dissolved Redevelopment Agency of the City of Banning Tax Allocation Bonds Series 2016 (Taxable) Revenue Fund - 277166008	$ 19.88	$ 19.88
Bond Funds Held with Fiscal Agent - Restricted	$ 5,384,206.88	$ 5,384,262.74
Union Bank of California:		
CAISO - City of Banning XXXXX6994	$ 113,306.50	$ 113,522.93
City of Banning - XXXXX5920 - RPU	$ 1,352,674.93	$ 878,605.60
Funds Held with Fiscal Agent - Restricted	$ 1,465,981.43	$ 992,128.53
Total Funds Under Control of Fiscal Agents	$ 22,081,930.47	$ 21,617,474.42
Grand Total	$ 104,490,727.54	$ 103,496,985.31

Reserve Balances Description	Balance
RESTRICTED FUNDS	
Restricted Project Funds	$ 15,241,083.15
Bond Funds Held with Fiscal Agents	$ 5,384,262.74
CAISO - City of Banning 6731036994	$ 113,522.93
City of Banning - 6736305920 - RPU	$ 878,605.60
Customer Deposit Accounts	$ 1,634,646.50
Capital Facility Fees (Funds 400, 410,420, 421,430, 661, & 681)	$ 16,807,631.61
Parking Citations	$ 93,583.63
Airport	$ 232,048.73
CNG	$ 85,242.75
	$ 40,270,627.64
ASSIGNED FUNDS - SPECIFIC PURPOSE	
Workers Compensation - PERMA	$ 300,000.00
Capital Replacement	$ 1,500,000.00
Debt Service Payments	$ 6,884,911.34
	$ 8,684,911.34
COMMITTED FUNDS - SPECIFIC PURPOSE	
General Fund - Emergency Contingency 25% (minimum req. $1,500,000)	$ 4,528,172.25
	$ 4,528,172.25
AVAILABLE FUND BALANCE RESERVES	
Electric Rate Stabilization Fund	$ 6,723,446.60
Electric Operational Fund	$ 3,361,723.30
BUA Water Fund	$ 1,197,964.30
BUA Wastewater Fund	$ 378,339.40
Self Insurance Fund	$ 500,000.00
Designated, Unreserved	
Mining Tax Collected	$ 979,274.00
PEG Reserve	$ 133,104.35
Litigation Contingency	$ 179,189.00
Gas Tax & Police Reward	$ 189,325.00
CalPERS Liability	$ 500,000.00
Compensated Absences	$ 934,806.00
	$ 15,077,173.95
Operating Cash	
Balance Available for Daily Operations	$ 34,936,100.13
Less Amount held in investments	$ 26,836,882.80
Liquid Cash	$ 8,099,217.33
Grand Total	$ 103,496,985.31
UNRESTRICTED RESERVES	$ 34,936,100.13

I hereby certify that the investment activity for this reporting period conforms with the investment policy adopted by the City of Banning's City Council and the California Government Code Section 53601 (with the exception of funds held in LAIF)

I also certify that there are adequate funds available to meet the City's Budget.

Suzanne Cook

Suzanne Cook
Deputy Finance Director/Interim ASD

Prepared by Suzanne Cook
Administrative Services Department / Finance

City of Banning
Report of Investments
May 2019

Investment Held by	Investment Name	Investment Type	CUSIP Number	Standard & Poors Ratting	Moodys Rating	Settlement Date	Maturity Date	Par	Market Yield	Market Price	Market Value	Percentage of Investments
State of California, Local Agency Investment Fund												
	City of Banning	Pooled Investment	N/A	N/A	N/A	N/A	N/A	$ 41,390,764.41	2.449	100.0147	$ 41,396,846.95	60.7%
	Successor Agency	Pooled Investment	N/A	N/A	N/A	N/A	N/A	$ 0.23	0.000		0.23	0.0%
								$ 41,390,764.64			**$ 41,396,847.18**	**60.7%**
US Bank- Broker Piper Jaffray												
Government Agencies								$ -				
	First American Government Oblig Fd Cl D	Cash Equivalent	31846V401	N/A	N/A	N/A	N/A	$ 2,114,372.80	1.850	100.000	$ 2,114,372.80	3.1%
	F N M A	US Government Issue	3135G0P49	AA+	Aaa	7/26/2018	8/28/2019	$ 2,955,090.00	1.000	99.666	$ 2,989,980.00	4.3%
	F H L M C M T N	US Government Issue	3134GBJ52	AA+	Aaa		9/27/2019	$ 3,000,000.00	1.500	99.740	$ 2,992,200.00	4.4%
	F H L M C M T N	US Government Issue	3134GBJ83	AA+	Aaa		3/27/2020	$ 3,000,000.00	1.610	99.422	$ 2,982,660.00	4.4%
	F N M A M T N	US Government Issue	3136G4PP2	AA+	Aaa		10/26/2020	$ 3,000,000.00	1.760	99.532	$ 2,985,960.00	4.4%
	Federal Home Loan Bks	US Government Issue	3130ADFV9	AA+	Aaa	7/26/2018	1/29/2021	$ 2,967,420.00	2.250	100.017	$ 3,000,510.00	4.3%
	Federal Farm Credit Bks	US Government Issue	3133EKFJ0	N/A	N/A	4/5/2019	4/5/2021	$ 5,800,000.00	2.490	100.002	$ 5,800,116.00	8.5%
	Federal Farm Credit Bks	US Government Issue	3133EKFK7	N/A	N/A	4/5/2019	7/5/2022	$ 4,000,000.00	2.600	100.007	$ 4,000,280.00	5.9%
								$ 26,836,882.80			**$ 26,866,078.80**	**39.3%**
Total Investments								**$ 68,227,647.44**			**$ 68,262,925.98**	**100.0%**

Prepared by: Suzanne Cook
Administrative Services Department / Finance

CALIFORNIA STATE TREASURER
FIONA MA, CPA

PMIA Performance Report

Date	Daily Yield*	Quarter to Date Yield	Average Maturity (in days)
05/13/19	2.45	2.45	177
05/14/19	2.45	2.45	176
05/15/19	2.45	2.45	178
05/16/19	2.45	2.45	179
05/17/19	2.45	2.45	179
05/18/19	2.45	2.45	179
05/19/19	2.45	2.45	179
05/20/19	2.45	2.45	176
05/21/19	2.45	2.45	175
05/22/19	2.45	2.45	174
05/23/19	2.45	2.45	174
05/24/19	2.45	2.45	176
05/25/19	2.45	2.45	176
05/26/19	2.45	2.45	176
05/27/19	2.45	2.45	176
05/28/19	2.45	2.45	172
05/29/19	2.45	2.45	174
05/30/19	2.45	2.45	174
05/31/19	2.45	2.45	180
06/01/19	2.45	2.45	180
06/02/19	2.45	2.45	180
06/03/19	2.45	2.45	177
06/04/19	2.45	2.45	177
06/05/19	2.45	2.45	176
06/06/19	2.45	2.45	176
06/07/19	2.45	2.45	175
06/08/19	2.45	2.45	175
06/09/19	2.45	2.45	175
06/10/19	2.45	2.45	172
06/11/19	2.45	2.45	171
06/12/19	2.44	2.45	172

*Daily yield does not reflect capital gains or losses

View Prior Month Daily Rates

LAIF Performance Report

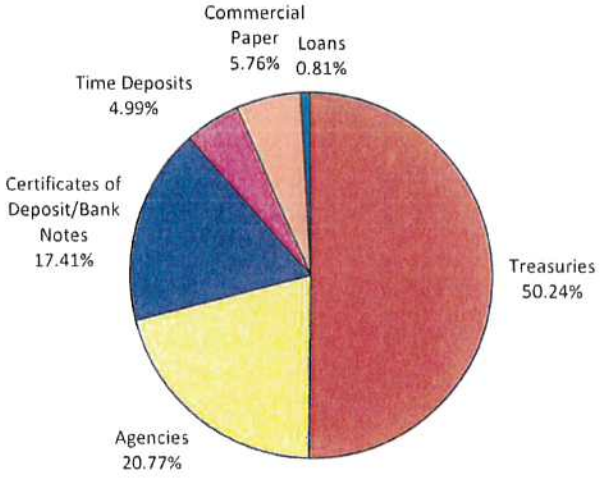
Quarter Ending 03/31/19

Apportionment Rate:	2.55
Earnings Ratio:	0.00006976322349099
Fair Value Factor:	1.000146954
Daily:	2.44%
Quarter to Date:	2.39%
Average Life:	179

PMIA Average Monthly Effective Yields

May 2019	2.449
Apr 2019	2.445
Mar 2019	2.436

Pooled Money Investment Account
Portfolio Composition
05/31/19
$95.3 billion



Percentages may not total 100% due to rounding

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1)

Based on data available as of 06/12/2019

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: June 25, 2019

SUBJECT: Public Works Capital Improvement Project Tracking List

---

RECOMMENDED ACTION:

This is informational only; receive and file report.

GOAL STATMENT:

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

BACKGROUND:

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

FISCAL IMPACT:

None

Approved by:

Douglas Schulze
City Manager

ATTACHMENTS:

1. CIP Status List

ATTACHMENT 1

Public Works Department
CIP Tracking List

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 Date	Project Budget
Streets	2014-03	Hargrave/Ramsey Street Intersection	Design	5/26/2015	8/10/2015	95%	PS& E are 100% complete. Right of way documents accepted by Council and recorded by County. Water Main Replacement Plan completed. SCE has completed their design and has submitted a relocation agreement	Waiting for SCE to complete their design and easement documents for the relocation of power poles including drafting of agreement. Acquiring Caltrans permit. Banning Electric preparing improvement plans.	Banning Electric complete revised plans and technical specs. Incorporated electric designs to Project Plans and Specs and Bid Project. SCE completes design. City Council to approve relocation agreement with SCE	Design completed and project moved to construtiion phase.	7/1/19	$ 79,920
Streets	2016-11	Hathaway/Ramsey Street Intersection	Design	12/12/2016	1/18/2017	95%	Staff completed reviewing 2nd 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.	Complete PS & E package.	Complete right-of-way acquisition. Bid project.	7/1/19	$ 254,512
Streets	ATPL-5214(012)	ATP Bicycle/Pedestrians Safe Routes to School	Environmental and Design	5/22/2018	6/19/2018	100%	Design Funding Allocation approved by CTC in March 2017 and approved by Caltrans in April 2017. Council approved PSA dated 5-22-18. Design started on 6/19/18. Completing 100% PS&E. Submitting final PS&E to Caltrans for review and approval. CTC to approve funding allocation for Construction.				6/1/19	$ 207,000
Streets	ATPL-5214(012)	ATP Bicycle/Pedestrians Safe Routes to School	Construction	4/23/2019	5/22/2019	5%	Project awarded on 4/23/19. PO issued and project kicked off.	Survey and marking demolition limits.	Demolition, forming/pouring of new h/c ramps and grading.	Widening of portions of Ramsey Street and striping	10/1/19	$ 875,000
Streets	STPL 5234 (011)	Ramsey Street, from Hargrave St. to west of Hathaway St.	PS and E, Design	-	-	100%	PS&E are 100% complete. Cultural resources study approved by Caltrans. PS and E documents sent to Caltrans for review and comment.	Finalizing of PS&E	Advertise Notice Inviting to Bid.	Open bids and recommend award to City Council	6/1/19	$ 351,010
Streets	STPL 5234 (011)	Ramsey Street, from Hargrave St. to west of Hathaway St.	Construction	-	-	0						
Streets	2017-16	Citywide Various Street Improvements	Construction	12/11/2018	43480	100%	PS&E Completed. Bidded. To City Council for award on 12/11/18. Construction completed.	Project closeout			7/1/19	$ 848,124
Parks	2017-03	Lions Park Multi Purpose Fields CEQA	Environmental	11/7/2016	-	100%	Received FAA and AUC approval for project. AB52 Consultation was started. Completed burrowing owl study. AB 52 Consultation Complete. CEQA compliance completed.				6/1/19	$ 66,300
Parks	2017-03	Lions Park Multi Purpose Fields	Design	7/11/2017	9/5/2017	100%	SWPPP, WQMP and Project Plans & Technical Specifications completed.				12/30/18	$ 77,738
Water	2015-01W	Water Line Replacement (3 Locations)	Design	3/24/2015	4/15/2016	98%	100% Design for Location 3; 100% Design for Location 2	Mylars submittal; finalize specs	Bidding for Location 2	Award construction contract for Location 2.	6/30/19	$ 107,980
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	6/30/19	$ 19,886
Water	Part of 2014-03	Hargrave Waterline - Williams to Hoffer	Design	Part of Hargrave/Ramsey Intersection contract	5/16/2018	100%	100% PS&E;	See project 2014-03			6/30/19	Part of Hargrave/Ramsey Streets project
Water	2018-02W	New Domestic Water Well C8	Design	9/10/2018	9/24/2018	5%	Evaluation of Water Resources in Cabazon Storage Unit; Technical Memo; Amendment to Complete a Well Siting Study	Well Siting Study; Prepare specifications for Well Rehab and Testing of Well M9	Bid Well Rehab and Testing of Well M9	Award contract for Well M9 Rehab and Testing; Technical Memo regarding final well site selection; complete design PS&E	6/30/20	$ 671,296
Water	2018-07W	Altitude Valves for Storage Reservoirs	Construction	6/11/2019	TBD	0	Reviewed bid results. Council award.	Processing agreement/PO	Processing agreement/PO	Kickoff Meeting	12/31/19	$ 175,000
Water	2018-08W	Advance Metering Infrastructure (AMI) Pilot Study	Planning/Construction	TBD	TBD	-	Installation of Meters and Collector (AMI Reader); configuration of meter reading software	Monitor pilot study	Monitor pilot study	Assess results of Pilot; Award Purchase Order for new AMI Meters; Begin Installation	TBD	TBD
Wastewater	2018-03WW	Nitrogen Removal Feasibility Study	Planning	9/25/2018	10/4/2018	35%	Evaluation of Treatment Technologies. Workshop provided to City Council and public.	Assess Groundwater Impacts; Capacity Assessment of Existing Plant	Additional Investigations, Sampling; Final Report and Recommendations	Salt and Nutrient Management Plan	10/31/19	$ 351,669
Water	2019-01W	Pelton Wheel and Well Repairs	Construction	12/11/2018	1/9/2019	45%	Removalof Equipment at Wells M4, M5, M8. Brushing and bailing of Well 9; sonar-jetting of Well 9; Well 9 pump break-down and inspection; Re-installation of Well 9 pump	Well MP-1 Repairs	Removal and Inspection of Pelton Wheel;	Repair of Pelton Wheel	8/30/19	$ 179,885
Wastewater	2019-04WW	Iron Sponge Media Replacement	Construction	3/26/2019	TBD	2%	Council Award; Purchase Requisition provided to Purchasing Dept.; Reviewed Draft Agreement	Finalize and Execute Agreement	Kickoff Meeting	Replace Media; Project Closeout	8/31/19	$ 40,437
LMD	2017-12	Landscape Maintenance District No.1 Redesign	Design	-	7/10/2017	98%	Reviewed conceptual plans, Field work, staff provided RW Park Specs and current costs to the consultant.	Final review of plans.	Submit mylars for signature and final cost estimate.	TBD	6/1/19	

PUBLIC WORKS CAPITAL IMPROVEMENT PROJECTS (CIP) - FUNDED BY PARDEE, ELIGIBLE FOR DIF CREDITS

Category	Project #	Project	Phase	Council Award Date	Project Kickoff	% Completed	Tasks Completed	Current Tasks	1 Month Look Ahead Tasks	Future Tasks	Tentative Completion Date	Project Budget
Non-potable		Well NP-1	Design	N/A - Pardee Project	6/5/2018	20%	Conceptual Design; Well Rehab; Capacity Recommendation	30% Design	60% Design	90% Design; 100% PS&E; Environmental; Bid	12/31/19	DIF Credits, TBD
Non-potable		Irrigation Pipeline Phase 1 Segments B, D1 and D2	Redesign and Permitting	N/A - Pardee Project	6/5/2018	40%	Kickoff Meeting; Submitted Encroachment Permit to Caltrans; Re-design of Segment C (renamed Segment D due to new alignment)	Survey; 60% Design Drawings	90% Design Drawings	100% PS&E; Construction Bid	9/30/19	DIF Credits, TBD
Non-potable		Non-potable Reservoir at WWTP	Design	N/A - Pardee Project	6/5/2018	15%	Kickoff Meeting; Reservoir Sizing Calculations	Reservoir Re-Sizing based on new demand data and NP-1 Capacity; Preliminary Design	30% Design Drawings	60% Design; 90% Design; 100% PS&E; Environmental; Construction Bid	12/31/19	DIF Credits, TBD
Non-potable		Recycled Water Booster Station at WWTP	Design	N/A - Pardee Project	6/5/2018	10%	Kickoff Meeting; Conceptual Design; Verification of Lions Park peak demands	Preliminary Design	30% Design Drawings	60% Design; 90% Design; 100% PS&E; Environmental; Construction Bid	12/31/19	DIF Credits, TBD
Non-potable		Booster Station on Lincoln	Design	N/A - Pardee Project	6/5/2018	10%	Kickoff Meeting; Conceptual Design; Verification of expected operating pressures and demands	Preliminary Design	30% Design Drawings	60% Design; 90% Design; 100% PS&E; Environmental; Construction Bid	12/31/19	DIF Credits, TBD
Water		Brinton Booster Station	Design	N/A - Pardee Project	6/5/2018	10%	Kickoff Meeting; Conceptual Design	Required Capacity Analysis; Preliminary Design	30% Design Drawings	60% Design; 90% Design; 100% PS&E; Environmental; Construction Bid	12/31/19	DIF Credits, TBD
Water / Non-potable		Oak Valley Interconnect Building	Design	N/A - Pardee Project	6/5/2018	15%	Kickoff Meeting; Conceptual Design; Site Layout	Adjustments to Site Layout	Preliminary Design	30% Design; 60% Design; 90% Design; 100% PS&E; Environmental; Construction Bid	12/31/19	DIF Credits, TBD
Water		Foothill West Reservoir	Design	N/A - Pardee Project	6/5/2018	10%	Kickoff Meeting	Reservoir Sizing & Configuration; Schedule	Conceptual Design	30% Design; 60% Design; 90% Design; 100% PS&E; Environmental; Construction Bid	9/30/19	DIF Credits, TBD
Wastewater		Ramsey Lift Station	Design	N/A - Pardee Project	6/5/2018	10%	Kickoff Meeting; Conceptual Design	Site Acquisition	Phase 1 ESA; Site Acquisition	30% Design; 60% Design; 90% Design; 100% PS&E; Environmental; Construction Bid	12/31/19	DIF Credits, TBD
Wastewater		Atwell Offsite Sewer Trunk Mains and Force Main	Design	N/A - Pardee Project	6/5/2018	15%	Kickoff Meeting; Sewer Flow Monitoring	CCTV Video Inspection; Wilson Street Sewer Design	Video Inspection Report and Condition Assessment	Identification of Existing Deficiencies; Survey and Utility Potholing; Preliminary Design for New Sewer Trunk Mains and Force Main; 60% Design; 90% Design; 100% PS&E; Construction Bid	12/31/19	DIF Credits, TBD

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CITY OF BANNING
CITY COUNCIL REPORT

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Chief Matthew, Hamner**
Sol Ivett Avila, Executive Assistant

MEETING DATE: **June 25th, 2019**

SUBJECT: **Police Department Statistics for May 2019**

RECOMMENDED ACTION:

Receive and File May 2019 Police Statistics.

BACKGROUND:

The Police Department provides statistics to the public and City Council upon request.

JUSTIFICATION:

N/A

FISCAL IMPACT:

None

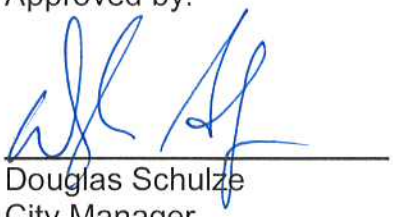
OPTIONS:

1. Receive and File

ATTACHMENTS:

1. May 2019 Statistics

Approved by:



Douglas Schulze
City Manager

ATTACHMENT 1

BANNING POLICE DEPARTMENT
MAY, 2019

CRIME	May-19	May-18	% CHGE	YTD-19	YTD-18	% CHGE
PART 1 CRIMES						
Homicide	0	0	0%	1	2	-50%
Rape	1	3	-67%	8	11	-27%
Robbery	1	1	0%	10	11	-9%
Assaults Agg/Simp	22	23	-4%	81	107	-24%
Burglary	15	21	-29%	60	86	-30%
Vehicle Theft	12	6	100%	67	48	40%
Larceny	15	20	-25%	73	101	-28%
OTHER						
Narcotics	10	34	-71%	42	140	-70%
DUI	1	0	100%	10	12	-17%
T/C Non-Injury	19	20	-5%	99	98	1%
T/C Injury	5	9	-44%	22	24	-8%
T/C Fatal	0	0	0%	1	2	-50%
Citations	61	250	-76%	884	1224	-28%
Total Incidents	2666	3168	-16%	13470	15113	-11%

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Chief Todd Hopkins

PREPARED BY: Laurie Sampson, Executive Assistant

MEETING DATE: June 25, 2019

SUBJECT: Receive and File Fire Department Statistics for May 2019

RECOMMENDED ACTION:

Receive and file Fire Department statistics for May 2019.

BACKGROUND:

The Fire department provides statistics to the public and City Council upon request.

JUSTIFICATION:

N/A

FISCAL IMPACT:

None

OPTIONS:

1. Receive and File

ATTACHMENTS:

1. Fire Statistics for January through May 2019

Approved by:

Douglas Schulze
City Manager

ATTACHMENT 1

Fire Department Statistics
May 2019

CAL FIRE/Riverside County Fire Department

Emergency Incident Statistics

Shawn C. Newman

Fire Chief

6/13/2019

Report Provided By: Riverside County Fire Department

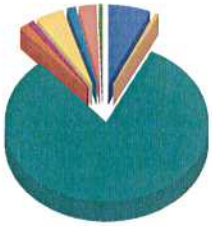
Communications and Technology Division

GIS Section

Please refer to Map and Incident by Battalion, Station, Jurisdiction

Response Activity

Incidents Reported for the month of May, 2019 and Station 89 And Both (Code 2, Alpha, Omega, Code 3, Charlie, Delta, Bravo, Echo)



False Alarm	14	6.7%
Haz Mat	1	0.5%
Medical	170	81.3%
Other Fire	3	1.4%
Other Misc	2	1.0%
Public Service Assist	9	4.3%
Standby	3	1.4%
Traffic Collision	6	2.9%
Vehicle Fire	1	0.5%
Total	209	100.0%

False Alarm	14
Haz Mat	1
Medical	170
Other Fire	3
Other Misc	2
Public Service Assist	9
Standby	3
Traffic Collision	6
Vehicle Fire	1
Incident Total:	**209**

Average Enroute to Onscene Time*

Enroute Time = When a unit has been acknowledged as responding. Onscene Time = When a unit has been acknowledge as being on scene. For any other statistic outside Enroute to Onscene please contact the IT Help Desk at 951-940-6900

<5 Minutes	+5 Minutes	+10 Minutes	+20 Minutes	Average	% 0 to 5 min
152	55	11	2	4.7	72.7%

***CODE 3 and CODE 2 incidents are included in the total count of incidents and the average Enroute to Onscene Time.**

*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

Incidents by Battalion, Station and Jurisdiction

			False Alarm	Haz Mat	Medical	Other Fire	Other Misc	Public Service	Standby	Traffic Collisio	Vehicle Fire	Total
Battalion 3	Station 89 Banning	City of Banning	13	1	148	3	2	7	3	6	1	184
		Riverside County Unincorporated Area	1	0	22	0	0	2	0	0	0	25
		Station Total	14	1	170	3	2	9	3	6	1	209
	Battalion Total		14	1	170	3	2	9	3	6	1	209
Grand Total			14	1	170	3	2	9	3	6	1	209

*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

Incidents by Jurisdiction

	False Alarm	Haz Mat	Medical	Other Fire	Other Misc	Public Service	Standby	Traffic Collisio	Vehicle Fire	Total
City of Banning	13	1	148	3	2	7	3	6	1	184
Riverside County Unincorporated Area	1	0	22	0	0	2	0	0	0	25
Grand Total	14	1	170	3	2	9	3	6	1	209

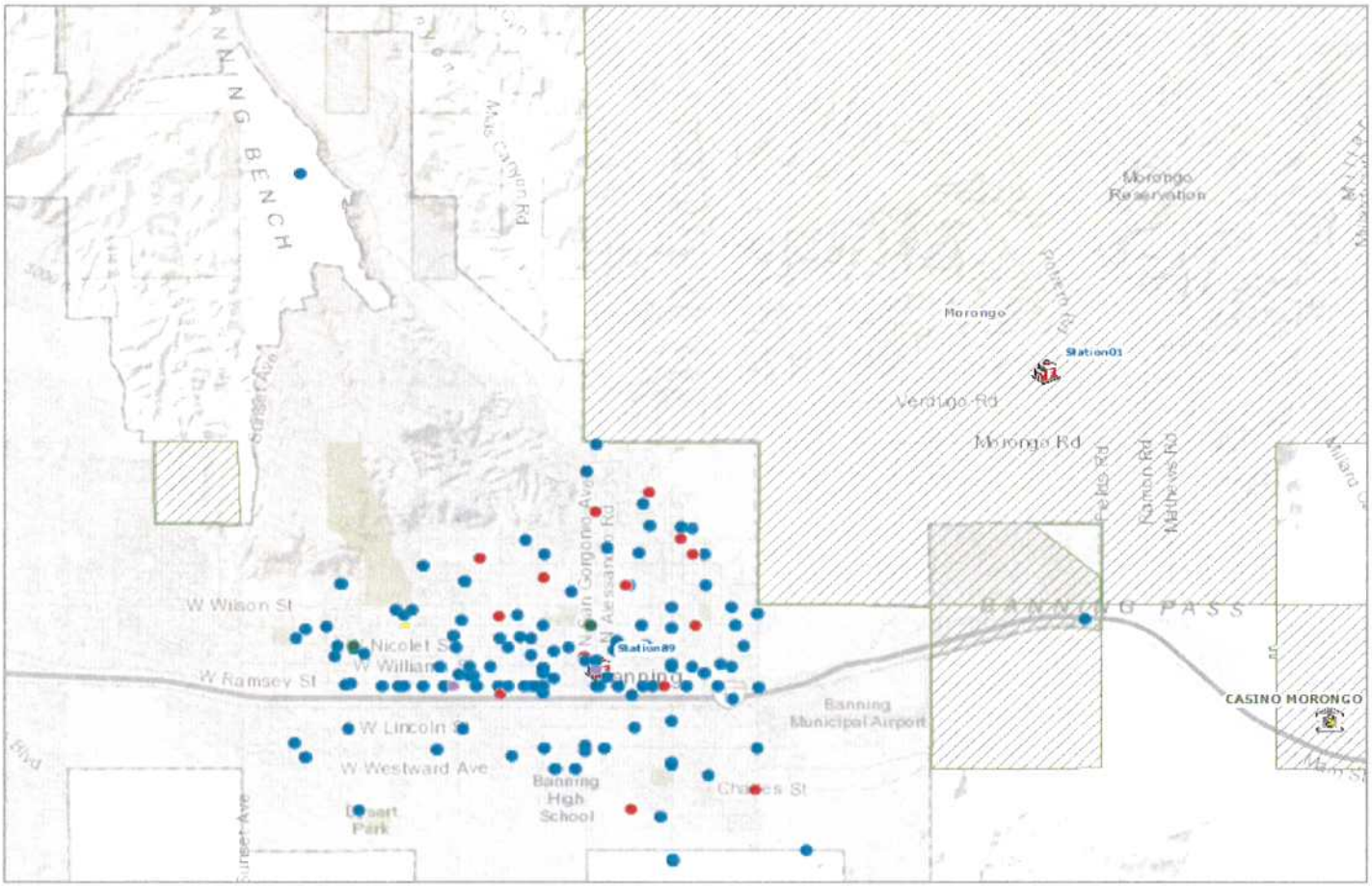
*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

Incidents by Supervisorial District - Summary

	DISTRICT 5 JEFF HEWITT	Grand Total
False Alarm	14	14
Haz Mat	1	1
Medical	170	170
Other Fire	3	3
Other Misc	2	2
Public Service Assist	9	9
Standby	3	3
Traffic Collision	6	6
Vehicle Fire	1	1
Total	209	209

*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

MONTH = 5 and YEAR = 2019 and STATION = 89



Last Updated 6/13/2019 2

*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

CAL FIRE/Riverside County Fire Department

Emergency Incident Statistics

Shawn C. Newman

Fire Chief

6/13/2019

Report Provided By: Riverside County Fire Department

Communications and Technology Division

GIS Section

Please refer to Map and Incident by Battalion, Station, Jurisdiction

*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

Response Activity

Com Fire	1	0.3%
False Alarm	13	3.5%
Medical	317	86.1%
Other Fire	5	1.4%
Other Misc	1	0.3%
Public Service Assist	18	4.9%
Ringing Alarm	1	0.3%
Traffic Collision	11	3.0%
Vehicle Fire	1	0.3%
Total:	368	100.0%

Com Fire	**1**
False Alarm	**13**
Medical	**317**
Other Fire	**5**
Other Misc	**1**
Public Service Assist	**18**
Ringing Alarm	**1**
Traffic Collision	**11**
Vehicle Fire	**1**
Incident Total:	**368**

Average Enroute to Onscene Time*

Enroute Time = When a unit has been acknowledged as responding. Onscene Time = When a unit has been acknowledge as being on scene. For any other statistic outside Enroute to Onscene please contact the IT Help Desk at 951-940-6900

<5 Minutes	+5 Minutes	+10 Minutes	+20 Minutes	Average	% 0 to 5 min
237	131	15	2	4.8	64.4%

***CODE 3 and CODE 2 incidents are included in the total count of incidents and the average Enroute to Onscene Time.**

*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

Incidents by Battalion, Station and Jurisdiction

			Com Fire	False Alarm	Medical	Other Fire	Other Misc	Public Service	Ringing Alarm	Traffic Collisio	Vehicle Fire	Total
Battalion 3	Station 20 Beaumont	City of Banning	1	3	194	4	1	13	0	7	1	224
		City of Beaumont	0	10	115	1	0	2	1	4	0	133
		Riverside County Unincorporated Area	0	0	8	0	0	3	0	0	0	11
		Station Total	1	13	317	5	1	18	1	11	1	368
	Battalion Total		1	13	317	5	1	18	1	11	1	368
Grand Total			1	13	317	5	1	18	1	11	1	368

*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

Incidents by Jurisdiction

	Com Fire	False Alarm	Medical	Other Fire	Other Misc	Public Service	Ringing Alarm	Traffic Collisio	Vehicle Fire	Total
City of Banning	1	3	194	4	1	13	0	7	1	224
City of Beaumont	0	10	115	1	0	2	1	4	0	133
Riverside County Unincorporated Area	0	0	8	0	0	3	0	0	0	11
Grand Total	1	13	317	5	1	18	1	11	1	368

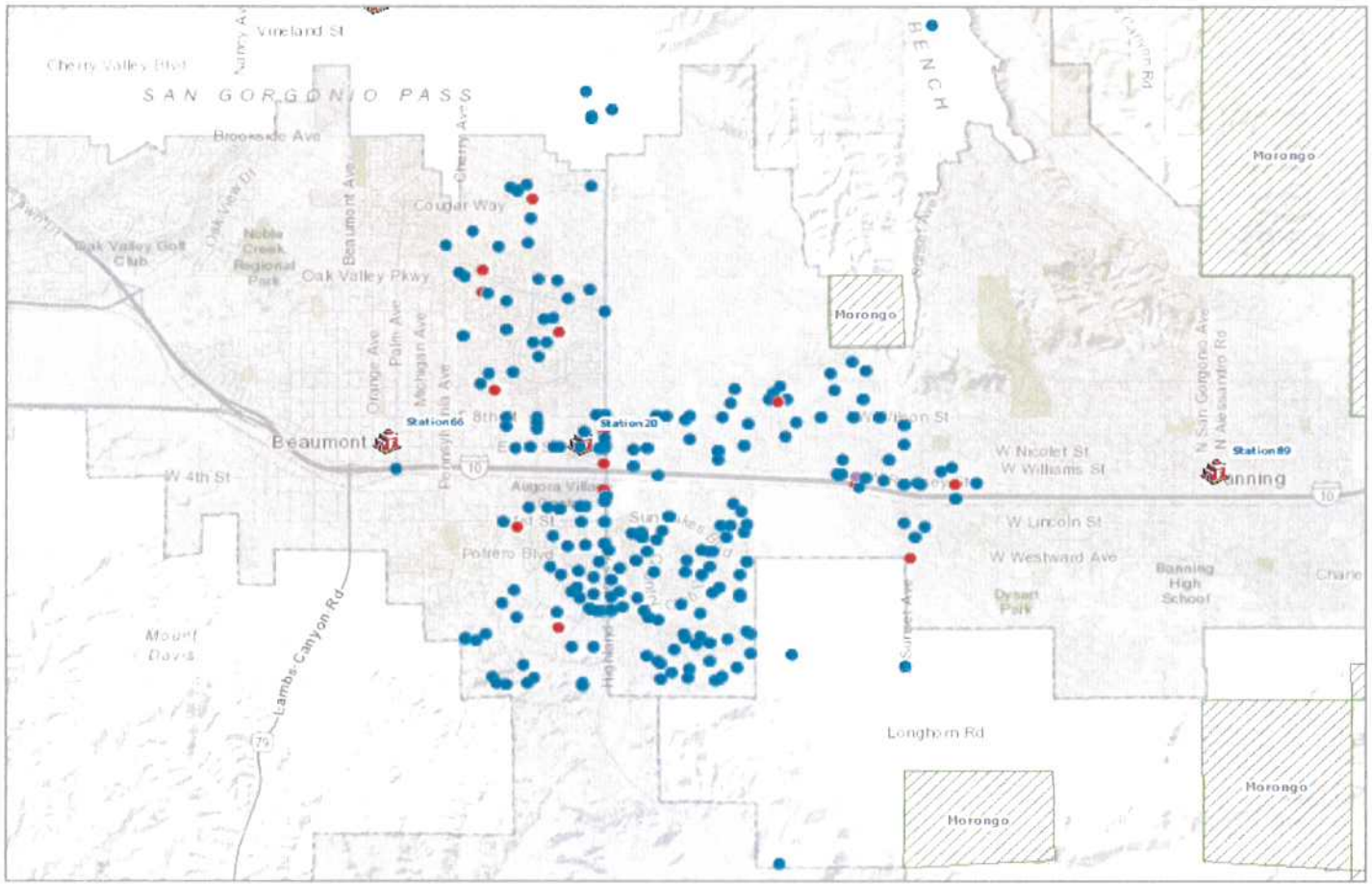
*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

Incidents by Supervisorial District - Summary

	DISTRICT 5 JEFF HEWITT	Grand Total
Com Fire	1	1
False Alarm	13	13
Medical	317	317
Other Fire	5	5
Other Misc	1	1
Public Service Assist	18	18
Ringing Alarm	1	1
Traffic Collision	11	11
Vehicle Fire	1	1
Total	368	368

*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

MONTH = 5 and YEAR = 2019 and STATION = 20



Legend

- Fire
- Hazard
- Haz Mat
- Medical
- Other Misc
- PSA
- Riverside County
- Reservations
- Fire Station
- Casinos

Riverside County Fire GIS

Last Updated 6/13/2019 2

*Incidents are shown based on the primary response area for the incident location. This does not represent total response times for all units only the first unit in.

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam Rush, Community Development Director

MEETING DATE: June 25, 2019

SUBJECT: **Adopt Ordinance No. 1547, An Ordinance of the City Council of the City of Banning, California. (*Second reading and adoption)***

RECOMMENDED ACTION:

Staff recommends that the City Council waive further reading and adopt Ordinance No. 1547, an Ordinance of the City Council of the City of Banning, California, approving the Zoning Text Amendment No. 19-97502, amending chapter 17.12 "Commercial and Industrial Zoning Districts" and 17.36 "Sign Regulations of Title 17 Zoning" of the Banning Municipal Code to authorize electronic message centers in the Downtown Commercial Zoning district, subject to a Conditional Use Permit (CUP) and Development Agreement.

PROJECT/APPLICANT INFORMATION:

APPLICANT INFORMATION:

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

Project Location: The City of Banning Downtown Commercial Zoning District, which is generally located east of 8th Street, west of Hargrave Street, north of the Interstate 10 freeway, and south of Williams Street

APN Information: All assessor's parcel numbers within the Downtown Commercial Zoning District

FISCAL IMPACT

Pursuant to the submittal of development review fees and negotiation of a Development Agreement, the City will likely realize an increase in revenue; however, the exact amount is undetermined at this time

OPTIONS:

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

ATTACHMENTS:

1. Ordinance No. 1547
    a. Exhibit A – Ordinance Text (ZTA 19-97502)
    b. Notice of Exemption (NOE)

Approved by:

Douglas Schulze
City Manager

ATTACHMENT 1
(Ordinance No. 1547)

ORDINANCE NO. 1547

AN ORDINANCE NO. 1547 AND MAKING FINDINGS PURSUANT TO CEQA. ORDINANCE NO. 1547 AMENDS CHAPTER 17.12 "COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS" AND 17.36 "SIGN REGULATIONS OF TITLE 17 "ZONING" OF THE BANNING MUNICIPAL CODE TO AUTHORIZE ELECTRONIC MESSAGE CENTERS IN THE DOWNTOWN COMMERCIAL ZONING DISTRICT, SUBJECT TO A CONDITIONAL USE PERMIT (CUP) AND DEVELOPMENT AGREEMENT SUBJECT TO THE FINDINGS AND CONCLUSIONS INCORPORATED THEREIN. CITY OF BANNING, DOWNTOWN COMMERCIAL ZONING DISTRICT, AND MAKING FINDINGS PURSUANT TO CEQA

WHEREAS, the City of Banning has initiated a Zoning Text Amendment to Chapters 17.12 and 17.36, sign regulations, to authorize Electronic Message Centers in the Downtown Commercial Zoning District, subject to a Conditional Use Permit and Development Agreement or Lease Agreement.

WHEREAS, the City of Banning is located at the following address:

Project Location:	99 Ramsey Street
APN Information:	541-143-010
Project Applicant:	City of Banning 99 Ramsey Street Banning, CA, 92220
Property Owner:	City of Banning 99 Ramsey Street Banning, CA, 92220

WHEREAS, Chapter 17.116.040 of the Banning Municipal Code allows the City Council to take action on the proposed Zoning Text Amendment to modify Chapters 17.12 and 17.53 to authorize Electronic Message Centers within the Downtown Commercial Zoning District (17.12.020) and establish development standards pursuant to Section 17.36.110(B)(6).

WHEREAS, on May 31, 2019, the City gave public notice by advertising in the Record Gazette, a newspaper of general circulation within the City of Banning, and by mailing public hearing notices to property owners within the Downtown Commercial Zoning District and also within 300-feet of the aforementioned Zoning District prior to the holding of a public hearing at which proposed Zoning Text Amendment 19-97502 would be considered;

WHEREAS, on June 11, 2019 the City Council held a duly noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to proposed Zoning Text Amendment 19-97502; and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act (CEQA), staff analyzed proposed Zoning Text Amendment 19-97502 and determined that pursuant to CEQA Guidelines Section 15060(c)(3) that the Zoning Text Amendments are not subject to CEQA because the amendments are not a "project" as defined by the CEQA Guidelines Section 15378.

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

SECTION 1. ENVIRONMENTAL DETERMINATION:

California Environmental Quality Act (CEQA)

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 11, 2019, 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 Notice of Exemption 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 Zoning Text Amendment 19-97502 (Exhibit A) is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on June 11, 2019, at a duly noticed public hearing, the City Council considered the project's Notice of Exemption (Exhibit B) and finds, under CEQA Guidelines Section 15060(c)(3) and 15378, that the Zoning Text Amendments are not subject to CEQA because the amendments are not a "project" as defined by the CEQA Guidelines Section 15378.

C. Multi-Species Habitat Conservation Plan (MSHCP):

The City Council has determined that the project is not subject to MSHCP as the amendments to the Zoning Ordinance do not relate to any one physical project and are not subject to the MSHCP. Further, projects that are disapproved or rejected – by that finding are Categorically Exempt from CEQA – and are not required to find consistency with the MSHCP.

SECTION 2: REQUIRED FINDINGS FOR ZONING TEXT AMENDMENT NO. 19-97502:

Section 17.116.040 of the Banning Municipal Code requires that upon receipt of the Planning Commission's recommendation for approval, approval in modified form, or denial, the City Council may approve, approve with modifications, or disapprove the proposed amendment based upon its findings. Amendments to the Zoning Ordinance shall be adopted by ordinance.

The City Council hereby finds:

A. The proposed use is consistent with the General Plan;

Proposed Zone Text Amendment 19-97502 is consistent with the goals and policies of the General Plan.

The City Council finds that Policy 4, of the General Plan Land Use Element, requires the City to develop advertising and publicity programs for recreational programs and events to encourage participation the anticipated development of the Downtown Commercial Zoning District. The City has identified the opportunity for development and redevelopment of the Ramsey Street corridor for mixed-use/commercial development in conjunction with programs available through the Redevelopment Agency. Commercial and industrial development will also be focused on the north side of Lincoln Street, adjacent to the Interstate 10 and railroad rights of way. The incorporation, of additional commercial messaging capabilities, will serve to enhance and prompt these two general plan goals and programs.

The City Council finds that Policy 6, of the General Plan Land Use Element, states that the City shall develop and implement a community identification program, including monument signage, directional signs, etc. which provide attractive entry statements for the City, and which direct visitors to local points of interest.

The City Council finds that Policy 2, of the General Plan Land Use Element, requires that the City will aggressively pursue retail commercial developments which reduce the current retail sales leakage. The Banning Chamber of Commerce is partially responsible for implementation of this Policy, in concert with the City; and as such the proposed Zoning Text Amendment will provide

opportunities to fulfil this policy through advertisement of a wide range of commercial activities.

B. Proposed Zone Text Amendment 19-97502 is internally consistent with the Zoning Ordinance.

Proposed Zone Text Amendment 19-97502 is internally 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. Chapters 17.12 and 17.36 of the Municipal Code authorizes the City to issue conditional use permits to freeway oriented electronic signs, along with the incorporation of a City logo and subject to a lease or development agreement, subject to City Council discretion. The proposed amendment will add signage of lesser size and intensity, within the Downtown Commercial District, in addition to the current authorization in both the commercial and industrial districts. The proposed zoning text amendment will protect the public health, safety, and welfare of the residents of the City by reasonably regulating the time, place, and manner of commercial signage and does not reasonably interfere with the subject matter being advertised.

C. The City Council has independently reviewed and considered the requirements of the California Environmental Quality Act.

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 19-97502 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. Pursuant to that exemption, chapter 17.12 and 17.36 of the Banning Municipal Code provides that applications for digital advertising displays require the approval of a conditional use permits, which are subject to any applicable environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code. Additionally, the electronic outdoor advertising signs require conditional use permits, which are subject to discretionary review by both the Planning Commission and the City Council.

SECTION 3. CITY COUNCIL ACTION:

The City Council hereby takes the following action:

Adoption of a Notice of Exemption that the Zoning Text Amendment is exempt from CEQA pursuant to Guidelines Section 15060(c)(3); because it is not a project as defined by the CEQA Guidelines Section 15378.

Approve proposed Zoning Text Amendment 19-97502 which proposes to amend Chapter 17.12 and 17.36 of the Municipal Code to authorize Electronic Message Centers in the downtown commercial district, subject to a Conditional Use Permit, as provided in Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 4. CERTIFICATION:

The City Clerk shall certify the adoption of this Ordinance No. 1547 and shall cause a certified copy to be filed in the book of original Ordinances.

PASSED, APPROVED AND ADOPTED this 11th day of June 2019.

_____
Arthur L. Welch, Mayor
City of Banning

ATTEST:

_____
Daryl A. Betancur, Deputy City Clerk
City of Banning

APPROVED AS TO FORM AND LEGAL CONTENT:

_____
Kevin Ennis City Attorney
Richards, Watson & Gershon

CERTIFICATION:

I, Daryl A. Betancur, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Ordinance No. 1547 was adopted at a regular meeting of the City Council of the City of Banning held on the 11th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Daryl A. Betancur, Deputy City Clerk
City of Banning, California

Exhibit A

Zoning Text Amendment 19-97502

EXHIBIT A

ZONING TEXT AMENDMENT 19-97502 AMENDING TABLE 17.12.020 OF SECTION 17.12.00 OF CHAPTER 17.12 ("COMMERCIAL AND INDUSTRIAL DISTRICTS") AND CHAPTER 17.36 ("SIGN REGULATIONS") OF TITLE 17 ("ZONING") OF THE BANNING MUNICIPAL CODE TO AUTHORIZE [CITY IDENTIFICATION SIGNS/ELECTRONIC MESSAGE CENTERS] IN THE DOWNTOWN COMMERCIAL DISTRICT, SUBJECT TO APPROVAL OF A CONDITIONAL USE PERMIT AND OTHER REQUIREMENTS

Chapter 17.12.020 – Permitted, Conditional, and Prohibited Commercial and Industrial Uses

Zone	DC	GC	HSC	PO	I	AI	BP	IMR
Retail Uses								
Electronic Message Center	C							

Chapter 17.36 - SIGN REGULATIONS

17.36.010 - Purpose.

The purpose of this chapter is to establish sign regulations that are intended to:

A. Limit and control the location, size, type and number of signs allowed in the City of Banning.

B. To provide for a more orderly display of advertising devices, while implementing community design standards with respect to character, quality of materials, color, illumination and maintenance, which are consistent with the City's General Plan.

C. To bring these advertising devices into harmony with the buildings, with the neighborhood, with the natural environment, and with other signs in the area.

D. To preserve and improve the appearance of the City as a place in which to live and work, and as an attraction to nonresidents who come to visit or trade.

E. To encourage sound signage practices as an aid to business and for the information of the public, while preventing excessive and confusing sign displays.

F. To reduce hazards to motorists, bicyclists and pedestrians.

G. And to promote the public health, safety, viewsheds, aesthetic values, and general welfare of the community by regulating and controlling all matters relating to signs.

(Zoning Ord. dated 1/31/06, § 9109.01.)

17.36.020 - Applicability.

A. This chapter shall apply to all signage proposed within the community. No signs shall be erected or maintained in any land use district established by this Zoning Ordinance, except those signs specifically enumerated in this chapter. The number and area of signs as outlined in this chapter are intended to be maximum standards.

B. In addition to the standards set forth herein, consideration shall be given to a sign's relationship to the need that it serves, and the overall appearance of the subject property as well as the surrounding community. Compatible design, simplicity, and sign effectiveness are to be used in establishing guidelines for sign approval.

(Zoning Ord. dated 1/31/06, § 9109.02.)

17.36.030 - Definitions.

Abandoned Sign. Any display remaining in place or not maintained for a period of one hundred twenty days or more which no longer advertises or identifies an on-going business, product, or service available on the business premises where the display is located.

Address Sign. The numeric reference of a structure or use to a street, included as part of a wall or monument sign.

A-Frame Sign. A free standing sign usually hinged at the top, or attached in a similar manner, and widening at the bottom to form a shape similar to the letter "A". Such signs are usually designed to be auxiliary portable commercial signage; hence they are not considered permanent signs.

Anchor Tenant. A shopping center key tenant, usually the largest or one of the largest tenants located within the shopping center, which serves to attract customers to the center through its size, product line, name, and reputation.

Animated Sign. A sign with action or motion, flashing or color changes, requiring electrical energy, electronic or manufactured sources of supply, but not including wind actuated elements such as flags or banners. Said definition shall not include displays such as time and temperature, revolving, changeable copy or public information centers.

Announcement or Bulletin Board Signs. Signs permanent in character designed to accept changeable copy, handbills, posters and matters of a similar nature.

Area of Sign. The area of a sign shall be the entire area including any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure or character excluding architectural features or design. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area within parallelograms, triangles or circles of the smallest size sufficient to cover the entire area of the sign and computing the area of these parallelograms, triangles or circles. The area computed shall be the maximum portion or portions which may be viewed from any one direction.

Awning, Canopy, or Marquee Sign. A nonelectric sign that is printed on, painted on, or attached to an awning, canopy, or marquee and is only permitted on the vertical surface or flap.

Banner. A temporary display such as used to announce open houses, grand openings or special announcements. Often made of cloth, bunting, plastic, paper, or similar material.

Bench Sign. Copy painted on any portion of a bus stop or other bench.

Billboard. See outdoor advertising sign [structure].

Building Face and/or Frontage. The length of the single front building elevation in which the primary entrance to the business is located. If more than one business is located in a single building, then such length shall be limited to that portion which is occupied by each individual business.

Canopy Sign. Shall mean a sign attached to either the underside of the canopy, or marquee, or directly to the canopy itself.

Changeable Copy Sign. A sign designed to allow the changing of copy through manual, mechanical, or electrical means.

City Identification Sign. A freeway-oriented pylon sign that prominently displays the name of the City of Banning and that may also include within the pylon sign a billboard, outdoor advertising structure, or an electronic message center.

Civic Event Sign. A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church, civic-fraternal organization, or similar noncommercial organization.

Commercial Seasonal Sign. An "open" or "closed" window sign, posted on a seasonal basis.

Contractor's Sign/Construction Sign. A temporary sign erected on the parcel on which construction is taking place, limited to the duration of the construction, indicating the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owner, financial supporters, sponsors, and similar individuals or firms having a major role or interest with respect to the structure or project.

Directional Sign. Signs limited to on-premises directional messages, principally for pedestrian or vehicular traffic, such as "one way", "entrance", or "exit".

Directory Sign. A sign for listing the tenants or occupants and their suite numbers of a building or center.

Double-faced Sign. A single structure designed with the intent of providing copy on both sides.

Eaveline. The bottom of the roof eave or parapet.

Election Sign. A temporary sign related to or directly associated with a national, state, county or local election or referendum.

Electronic Message Center. A sign having the capability of presenting variable advertising message displays by projecting an electronically controlled light pattern against a contrasting background, and which can be programmed to change such message display periodically. An electronic message center is neither an animated sign nor a simulated motion sign.

Flags and pennants. Shall mean devices generally made of flexible materials, usually cloth, paper or plastic, and displayed on strings. They may or may not contain copy. This definition shall not include the flag of the United States or of any state.

Flags of the State and Nation. A flag of the United States or the State of California.

Flashing Sign. A sign that contains an intermittent or sequential flashing light source.

Freestanding Sign. A sign which is supported by one or more uprights, braces, poles, or other similar structural components that is not attached to a building or buildings. Flagpoles are not included in this definition.

Freeway. A highway in respect to which the owners of abutting land have no right or easement of access or in respect to which such owners have only limited or restricted right or easement of access, and which is declared to be such in compliance with the Streets and Highways Code of the State of California.

Future Tenant Identification Sign. A temporary sign which identifies a future use of a site or building.

Grand Opening. A promotional activity not exceeding thirty calendar days used by newly established businesses, within two months after occupancy, to inform the public of their location and service available to the community. Grand Opening does not mean an annual or occasional promotion of retail sales or activity by a business.

Ground Sign. A display attached to the ground, within an architecturally planned wall or structure, and not over eight feet in height.

Height of Sign. The greatest vertical distance measured from the existing grade at the mid-point of the sign support(s) that intersect the ground to the highest element of the sign.

Holiday Decoration Sign. Temporary signs, in the nature of decorations, clearly incidental to and customarily associated with holidays.

Identification Sign. A sign attached to the building and displaying only the name, type of business, and/or logo in combination, identifying a particular business establishment.

Illegal Sign. Any of the following: A sign erected without first complying with all ordinances and regulations in effect at the time of its construction and erection or use; a sign that was legally erected, but whose use has ceased, or the structure upon which the display is placed has been abandoned by its owner, not maintained, or not used to identify or advertise an ongoing business for a period of not less than one hundred twenty days; a sign that was legally erected which later became nonconforming as a result of the adoption of an ordinance, the amortization period for the display provided by the ordinance rendering the display nonconforming has expired, and conformance has not been accomplished; a sign which is a danger to the public or is unsafe; a sign which is a traffic hazard not created by relocation of streets or highways or by acts of the City or County. Abandoned signs and prohibited signs are also illegal.

Illuminated Sign. A sign with an artificial light source, either internal or external, for the purpose of lighting the sign.

Institutional Sign. A sign identifying the premises of a church, school, hospital rest home, or similar institutional facility.

Kiosk. An off-premises sign of no more than four square feet in size, used for directing people to the sales office or models of a residential subdivision project.

Logo. An established identifying symbol or mark associated with a business or business entity.

Lot or Street frontage. The linear front footage of a parcel of property abutting a dedicated public street.

Logo Sign. An established trademark or symbol identifying the use of a building.

Monument Sign. An independent structure supported from grade to the bottom of the sign with the appearance of having a solid base.

Murals. Painted wall signs which have a majority of the sign area comprised of noncommercial content, which generally have artistic, historic or cultural themes, and which are designed and painted (or supervised) by an artist who possesses demonstrated knowledge and expertise in the design, materials, and execution of murals or other art. Commercial content of murals shall be subject to all applicable sign limitations of the underlying zone district.

Non-Commercial Sign. A sign which does not promote, identify or sell a business or product.

Nonconforming Sign. A legally established sign which fails to conform to the regulations of this chapter. Otherwise conforming signs whose height exceeds the provisions of this chapter only because a special topographical circumstance results in a material impairment of the visibility of the display or the owner's ability to adequately and effectively continue to communicate with the

public through the use of the display if the sign were limited to the height allowed in this chapter shall not be considered nonconforming.

Occupancy Frontage. Each individual tenant space within a building or group of buildings which faces upon a dedicated street or public parking area between such space and street.

Off-Site Sign. Any sign which advertises or informs in any manner businesses, services, goods, persons, or events at some location other than that upon which the sign is located. Off-premises sign, billboard, and outdoor advertising structure are equivalent terms.

Open House Sign. A temporary on-site sign posted to indicate a salesperson is available to represent the property subject to sale, lease, or rent.

Outdoor Advertising Structure (Billboard). Any sign with a commercial message, other than a directional sign, which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises where the sign is located, or to which it is affixed. Commercial copy on any outdoor advertising sign may be replaced with noncommercial copy. Outdoor advertising structures/billboards shall not include subdivision or tract signs (see section 17.36.080), signage affiliated with solar powered electric vehicle charging stations, or sign installed pursuant to a city sign program.

Painted Sign. Signs painted on the exterior surface of a building or structure; however, if such signs have raised borders, letters, characters, decorations or lighting appliances, they shall be considered wall signs.

Parcel or lot of real property. A parcel or lot of real property under separate ownership from any other parcel or lot and having street or highway frontage.

Political Sign. A sign other than an election sign directly associated with an ideological, political or similar noncommercial message on a sign.

Portable Sign. A sign that is not permanently attached to the ground or a building.

Projecting Sign. Any sign which is suspended from or supported by a building or wall, and which projects eighteen inches or more outward therefrom.

Promotional Sign. A sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, a new service, or to promote a special sale.

Public Information Center. Any display which is characterized by changeable copy, letters or symbols.

Pylon Sign. A freestanding sign that is permanently supported by one or more uprights, braces, or poles, or other similar structural components that are architecturally compatible with the main structure of the site.

Real Estate Sign. An on-site sign pertaining to the sale or lease of the premises.

Relocated Billboard. An existing billboard that is located in the City that is relocated through a City Council approved relocation agreement, including the replacement of a static billboard face with an electronic message center. The relocated billboard is not considered a new outdoor advertising sign.

Revolving Sign. Any sign that revolves, either by wind actuation or by electrical means.

Roof Sign. A sign erected, constructed, or placed upon or over a roof of a building, including a mansard roof and which is wholly or partly supported by such buildings.

Shopping Center. A group of four or more businesses which function as an integral unit on a single parcel or group of parcels and utilize common off-street parking and access and is identified as a shopping center.

Sign. Any structure, housing, device, figure, statuary, painting, display, message placard, or other contrivance, or any part thereof, which is designed, constructed, created, engineered, intended, or used to advertise, or to provide data or information in the nature of advertising, for any of the following purpose: to designate, identify, or indicate the name of the business of the owner or occupant of the premises upon which the advertising display is located; or, to advertise the business conducted, services available or rendered, or the goods produced, sold, or available for sale, upon the property where the advertising display is erected. This definition shall include all parts, portions, units and materials composing same, together with illumination, frame, background, structure, support and anchorage therefor.

Sign Area. The entire face of a sign, including the surface and any framing, projections, or molding, but not including the support structure. Individual channel-type letters mounted on a building shall be measured by the area enclosed by four straight lines outlining each word or grouping of words.

Sign Program. A coordinated program of one or more signs for an individual building or building complexes with multiple tenants.

Temporary Sign. A sign intended to be displayed for a limited period of time.

Time and Temperature Sign. A sign giving the time and or temperature.

Trademark. A word or name which, with a distinctive type or letter style, is associated with a business or business entity in the conduct of business.

Tract Development Sign. A sign indicating the location of a housing tract.

Tract Directional Sign. An off-premises sign indicating direction to a tract development.

Vehicle Sign. A sign which is attached to or painted on a vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or an activity or business located on such property.

Wall Sign. A sign painted on or fastened to a wall and which does not project more than twelve inches from the building or structure.

Window Sign. Any sign that is applied or attached to a window or located in such a manner that it can be seen from the exterior of the structure, on a permanent or temporary basis.

(Zoning Ord. dated 1/31/06, § 9109.03; Ord. No. 1382, § 3 (part).)

(Ord. No. 1424, § 3.1, 7-13-10; Ord. No. 1493, § 3(2), 4-12-16; Ord. No. 1530, §§ 4H, 4I, 9-25-18)

17.36.040 - Sign permit required.

A. General.

1. No sign, or temporary sign, unless exempted by this chapter, shall be constructed, displayed or altered without a sign permit or sign program approved by the city. The community development department shall review all signs unless otherwise stated.

2. Except as set forth in subsection (A)(3) of this section, sign permits shall be reviewed and either approved or denied by the director within thirty days of submittal of a complete application. The determination of a complete application shall be in conformance with the California Permit Streamlining Act.
3. City identification signs shall be reviewed by the director and shall be subject to approval pursuant to chapter 17.52.
4. Determination on sign permit applications are to be guided by the standards and criteria set forth in this article. An application will be approved whenever the proposed sign conforms to all design, size, height and other standards for signs subject to a permit requirement, as such requirements are set forth in this chapter.
5. The director's determination shall be provided in writing, and shall include an explanation of the reasons for approval or denial. Appeal of the director's decision shall be in conformance with chapter 17.68, hearings and appeals.

B. Sign Program. A permit for a sign program shall be required for all new commercial, office, and industrial centers consisting of three or more tenant spaces. The program shall be filed with the project application to construct the center, and shall be processed concurrently with the project application. The purpose of the program shall be to integrate signs with building and landscaping design to form a unified architectural statement. This may be achieved by:
    1. The use of the same background color, and allowing signs to be of up to three different colors per multi-tenant center.
    2. The use of the same type of cabinet supports, or method of mounting for signs, and the same type of construction material for components, such as sign copy, cabinets, returns, and supports.
    3. The use of the same form of illumination of the signs, with internally lit signs generally being preferred by the city due to the lack of overspill from such lighting.
    4. Uniform sign placement specifications, letter height, and logo height for both anchor tenants and minor tenants.
    5. Logos may be permitted and are not subject to the color restrictions specified in the program. However, no logo should exceed twenty-five percent of the allowable sign area.

(Zoning Ord. dated 1/31/06, § 9109.04.)

17.36.050 - Exempt signs.

The following signs shall be exempt from the provisions of this chapter:

A. Window signs not exceeding two square foot [feet] and limited to business identification, hours of operation, address, and/or emergency information. (Neon signs of any size require a permit, if allowed.)
B. Signs within a structure and not visible from the outside.
C. Memorial signs and plaques installed by a civic organization recognized by the council, when cut in masonry or bronze tablets.
D. Official and legal notices issued by a court or governmental agency.

E. Official flags of the United States, the State of California, County of Riverside, or the City of Banning.

F. Identification signs on construction sites. Such signs shall be limited to one directory or pictorial display sign identifying all contractors and other parties (including lender, realtor, subcontractors, etc.). Each sign shall not exceed twenty square feet in area and six feet in height. Each sign shall be removed prior to issuance of a certificate of occupancy.

G. Election Signs. Election signs must comply with the following requirements:

1. Election signs shall be limited in size to the maximum allowed in the zones where located. Any freeway oriented freestanding sign shall be required to secure all applicable permits and comply with these sign regulations including section 17.36.110.
2. No election signs shall be permitted on public property or in the public right-of-way.
3. There are no pre-election restrictions limiting when elections signs may be erected, but the owner of the sign must remove the sign within seven days after the applicable election has ended.
4. For all election signs, the campaign shall be deemed the owner of the sign unless it can establish that it is not the owner of the sign. In the event the campaign establishes it is not the owner of the sign, the owner of the property on which the sign is placed, shall be deemed the owner of the sign.
5. In the event that any such sign violates the provisions of this chapter, or if it is not removed within the period provided hereunder, it shall be subject to abatement pursuant to the procedures prescribed in section 17.36.090.
6. Except as provided in this subsection, no permit shall be required for election signs.

H. Real estate signs for residential sales shall be one sign not exceeding four square feet in area and five feet in height, provided it is unlit and is removed within seven days after the close of escrow or the rental or lease has been accomplished. Open house signs, for the purpose of selling a single house or condominium and not exceeding four square feet in area and five feet in height, are permitted for directing prospective buyers to property offered for sale.

I. Real estate signs for the initial sale, rental, or lease of commercial and industrial premises: One sign not to exceed twenty square feet in area to advertise the sale, lease, or rent of the premises. No such sign shall exceed eight feet in overall height and shall be removed upon sale, lease or rental of the premises or twelve months, whichever comes first. Thereafter, one sign per premise not to exceed twelve square feet in size and five feet in height is permitted for the sale, lease or rent of the premise.

J. Future tenant identification signs: One wall or freestanding sign may be placed on vacant or developing property to advertise the future use of an approved project on the property and where information may be obtained. Such sign shall be limited to one sign, a maximum of twenty square feet in area and eight feet in overall height. Any such signs shall be single faced and shall be removed prior to the granting of occupancy permit by the city.

K. Incidental signs for automobile repair stores, gasoline service stations, automobile dealers with service repairs, motels and hotels, showing notices of services provided or required by law, trade affiliations, credit cards accepted, and the like, attached to the structure or building; provided that all of the following conditions exist:

1. The signs number no more than three.
2. No such sign projects beyond any property line.
3. No such sign shall exceed an area per face of three square feet.
4. Signs may be double-faced.

L. Copy applied to fuel pumps or dispensers such as fuel identification, station logo, and other signs required by law.

M. Agricultural signs, either wall or freestanding types, non-illuminated, and not exceeding four square feet for lots two acres or less and ten square feet for lots greater than two acres, identifying only the agricultural products grown on the premises. The number of such signs shall be one per street frontage or a maximum of two, with wall signs to be located below the roofline and freestanding signs to be no higher than six feet.

N. Sign programs which have been approved prior to the adoption of this zoning ordinance.

O. Municipal and traffic control signs: Directional signs to aid vehicle or pedestrian traffic provided that such signs are located on-site, have a maximum area which does not exceed three square feet, have a maximum overall height of four feet above grade, and are mounted on a monument or decorative pole. Such signs may be located in a required setback provided that a minimum distance of five feet from any property line is maintained. Directional signs to the railway, the airport or the highway are among the types of signs which fall in this category.

P. Temporary window signs may be permitted on the inside of windows facing out which do not cover more than twenty-five percent of the individual window surface for a period not to exceed thirty days use during any sixty-day period. Temporary painted signs may be on the outside of the window.

Q. Historic site and historic landmark, and neighborhood signs, when designed in conformance with standards of the California Historic Commission or a similar entity.

R. Professionally made restroom, telephone and walkway signs of under one square foot.

S. Emblems or signs of a political, civic, philanthropic, educational or religious organizations, if those signs are on the premises occupied by such organizations, and do not exceed twenty-four square feet in area, or number more than one emblem or sign in total.

T. Political Signs. Political signs must comply with the following requirements:

1. Political signs shall be limited in size to the maximum allowed in the zones where located. Any freeway oriented freestanding sign shall be required to secure all applicable permits and comply with these sign regulations including section 17.36.110.
2. No political signs shall be permitted on public property or in the public right-of-way.
3. In the event that any such sign violates the provisions of this chapter, it shall be subject to abatement pursuant to the procedures prescribed in section 17.36.090.
4. Except as provided in this subsection, no permit shall be required for political signs.

(Zoning Ord. dated 1/31/06, § 9109.05.)

(Ord. No. 1424, § 3.2, 3.3, 7-13-10; Ord. No. 1487 § 3.2, 4-18-15)

17.36.060 - Prohibited signs.

The following signs are inconsistent with the sign standards set forth in this chapter, and are therefore prohibited:

A. Abandoned signs.

B. Animated, moving, flashing, blinking, reflecting, revolving, or any other similar sign, except electronic message boards.

C. All banners, flags, and pennants in the downtown commercial zoning district and located within fifty feet of a residential property.

Billboards or outdoor advertising structures. However, notwithstanding any other provision of this chapter, and consistent with the California Business and Professions Code Outdoor Advertising Act provisions, relocated billboards or outdoor advertising structures, including electronic message centers, may be considered and constructed as part of a relocation agreement entered into between the city and a billboard and/or property owner, and city identification signs may be considered and constructed as part of a lease agreement, development agreement, or other agreement between the city, a sign, and property owner and subject to the requirements of Section 17.36.110(B)(9) and chapter 17.52 of the Banning Municipal Code. Such agreements may be approved by resolution of the City Council upon terms that are agreeable to the City, pursuant to administrative guidelines, as adopted by the City Council resolution. The execution of a relocation, lease agreement, development agreement, or other agreement shall not operate to change the status of any billboard as a nonconforming use for the purpose of this code.

D. Electronic Outdoor Advertising Signs, approved pursuant to section 17.36.060(D) and subject to a Conditional Use Permit only within the downtown commercial land use district.

E. Changeable copy signs and electronic message boards, except as allowed by a Conditional Use Permit for movie theaters, arenas, stadiums, or auto malls in the commercial land use districts.

F. Reserved.

G. Off-site signs, except as permitted elsewhere in this ordinance.

H. Permanent sale signs.

I. Portable signs or A-frame signs, except in the downtown commercial zone and shall not pose a hazard to pedestrians; and shall be stable under all-weather conditions or shall be removed.

J. Roof signs.

K. Signs on public property or the public rights-of-way, except for traffic regulation and signs permitted by a governmental agency.

L. Signs painted on fences or roofs.

M. Balloons and other inflated devices or signs designed to attract attention, except with temporary use permit.

N. Signs that are affixed to vehicles, excluding permanent signs on commercial vehicles which are driven on a daily or weekly basis.

O. Signs which simulate in color or design a traffic sign or signal, or which make use of words, symbols or characters in such a manner to interfere with, mislead, or confuse pedestrian or vehicular traffic.

P. Signs which singly or in combination with other signs block more than five percent of the view from any window or door of any structure or dwelling used primarily as a residence.

Q. Signs which singly or in combination with other signs, for any portion of the day, block natural sunlight from falling upon any window or door of any structure or dwelling used primarily as a residence.

R. Signs which singly or in combination with other signs block more than 33% for solid lettering (or up to fifty percent if perforated vinyl window signs) of the view from any window or door of any structure used or occupied by people for more than an hour of a typical day, in all zoning districts of the City.

(Zoning Ord. dated 1/31/06, § 9109.06; Ord. No. 1377, § 1.)

(Ord. No. 1424, § 3.4, 7-13-10; Ord. No. 1447, § 3, 2-14-12; Ord. No. 1487, § 3.2, 4-28-15; Ord. No. 1493, § 3(2), 4-12-16; Ord. No. 1530, § 4J, 9-25-18)

17.36.070 - Temporary signs.

Special event signs and civic event signs may be approved by the director for a limited period of time as a means of publicizing special events such as grand openings, carnivals, parades, charitable events and holiday sales. Such special event signs shall be limited to the following provisions:

A. No special event sign shall be erected without a temporary use permit.

B. Special event signs shall be limited to ninety days per event from the date of erection or date of permit, whichever occurs first.

C. Special event signs shall not include promotional sales signs, and they must be taken down within a week after the conclusion of the special event.

D. Special event signs may include balloons, inflated devices, search lights, beacons, pennants, and streamers.

E. Such temporary signs may not be granted to the same business or location more than twice during any one year.

(Zoning Ord. dated 1/31/06, § 9109.07; Ord. No. 1448, § 9, 5-8-12)

17.36.080 - Off-site residential subdivision directional signs.

The following shall regulate and establish a standardized program of off-site residential subdivision directional kiosk signs for the city. For the purposes of this subsection, a residential subdivision is defined as a housing project within a recorded tract where five or more structures or dwelling units are concurrently undergoing construction.

A. No kiosk sign structure shall be located less than three hundred feet from an existing or previously approved kiosk site, except in the case of signs on different corners of an intersection.

B. The placement of each kiosk sign structure shall be reviewed and approved by the director.

C. All kiosk signs shall be placed on private property with written consent of the property owner.

D. A kiosk sign location plan shall be prepared, showing the site of each kiosk directional sign, and shall be approved by the director prior to the issuance of a sign permit.

E. There shall be no additions, tag signs, streamers, devices, display boards, or appurtenances, added to the kiosk signs as originally approved, no other non-permitted directional signs, such as posters or trailer signs, may be used.

F. All non-conforming subdivision kiosk directional signs associated with the subdivision in question must be removed prior to the placement of directional kiosk sign(s).

G. Kiosk signs, or attached project directional signage, shall be removed when the subdivision is sold out. The applicant (or his/her legal successors) will be responsible for removal of panels and structures no longer needed.

(Zoning Ord. dated 1/31/06, § 9109.08.)

(Ord. No. 1424, § 3.5, 7-13-10)

17.36.090 - Abatement of abandoned or illegal temporary signs.

A. Every temporary sign not owned by the property owner of the property on which it is erected shall be marked to indicate on the sign the identity of the sign owner, provided that for any commercial sign where not otherwise indicated it shall be presumed that the business being advertised is the owner.

B. Any abandoned or illegal temporary sign is hereby declared to be a danger to the health, safety, and welfare of the citizens of Banning. Any sign which is (i) in deteriorating condition and not maintained in the condition in which it was originally installed, (ii) violates conditions of the sign permit, or (iii) is partially or wholly obscured by the growth of dry vegetation or weeds or by the presence of debris or litter also presents a danger to the health, safety, and welfare of the Banning community. Such signs may be abated as provided in this chapter.

C. Any such signs as set forth above are hereby deemed to be a public nuisance. Any such sign, including any and all structural supports, shall be removed by the property owner within ten days after notice from the director, which notice shall provide an opportunity to be heard before the director on the abandonment and nuisance decision and an appeal may be taken pursuant to chapter 17.68. Any sign not removed within ten days after such notice, may be abated by the director if no appeal has been taken from the director's decision, or, if the appeal has been denied or modified. If after a reasonable effort to determine the owner of the sign, the owner cannot be found, then the city may summarily remove the sign and the same shall be stored for a period of thirty days, during which time they may be recovered by the owner.

D. Costs of an abatement conducted pursuant to this chapter shall be assessed against the owner of the sign, and to the extent permissible under law, against the owner of the property, using the procedures established in the Banning Municipal Code.

(Zoning Ord. dated 1/31/06, § 9109.09.)

(Ord. No. 1424, § 3.6, 7-13-10)

17.36.100 - Sign construction and maintenance.

A. Every sign, and all parts, portions, and materials shall be manufactured, assembled, and erected in compliance with all applicable state and federal laws and regulations, and city ordinances, laws, and regulations, including, but not limited to ~~and~~ the Uniform Building Code and the California Business and Professions Code.

B. Every sign, including those specifically exempt from this Zoning Ordinance, in respect to permits and permit fees, and all parts, portions, and materials shall be maintained and kept in good repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any cracked, broken surfaces, malfunctioning lights, missing sign copy or other unmaintained or damaged portion of a sign shall be repaired or replaced within thirty calendar days following notification by the city. Noncompliance with such a request shall constitute a nuisance and may result in a city code enforcement action, or the assessment of penalties, or both, in accordance with the provisions of these zoning ordinances.

(Zoning Ord. dated 1/31/06, § 9109.10.)

17.36.110 - Sign regulations.

Signs permitted in each of the city's land use districts are identified below. In addition to the following regulations, all signs must be in compliance with all other provisions of this chapter pertaining to signs.

Signs may have commercial or non-commercial messages. A non-commercial message may be substituted for the copy of any commercial sign allowed by this chapter.

A. Signs in Residential Zones.

1. Up to one flagpole, displaying the flag of the US or the State of California, up to thirty-five feet in height, unless a permit is obtained from the city to have a flagpole in a private park or public park for up to sixty-five feet in height.

2. For single family homes, the following are allowed:

   a. Up to one sign not to exceed one square foot in area, identifying the address;

   b. Up to one unlit sign not to exceed four square feet in area, pertaining to the rental, sale or lease of the property on which the sign is located. Such signs must be temporary, and may contain no flashing, blinking or reflective objects.

3. For apartment complexes and multifamily developments, the following are allowed:

   a. Sign(s) containing the name and/or address of the development, providing that the combined area of such signs is not exceeded as established below:

      i. Up to one wall sign

      ii. Up to one freestanding sign per street frontage (which shall be in a landscaped area at least fifteen feet from the curb face, and not closer than five feet to the property line. Freestanding signs shall have a maximum height of eight feet inclusive of supporting structures.

      iii. The maximum combined area of the signs set forth above shall not exceed 20 square feet, for complexes with one hundred twenty-five feet of frontage or less, and shall not exceed thirty square feet for complexes with over one hundred twenty-five square feet of frontage.

4. For properties in the residential zones where farming takes place, lots may have one sign per street frontage (up to a maximum of two signs) advertising only the agricultural products grown on the premises. These signs may not be illuminated, and may be either free standing or wall signs. For lots of two acres or less, each sign may be a maximum of four square feet. For lots over two acres, each sign may be a maximum of ten square feet.

5. No neon signs are permitted in residential areas.

B. Signs in Commercial and Industrial Zones.

1. No sign attached to a structure shall be placed above the roof line.

2. Wall signs. Each business in downtown commercial zoning district shall be permitted wall signs per occupancy footage. The area devoted to such signs shall not exceed one square foot of sign area per one foot of building frontage, and shall not exceed fifty square feet of sign area. An introductory sign of a maximum of five square feet shall be allowed for twenty-five percent of the sign fee to encourage business in the downtown commercial zoning district. Each business in all other commercial and industrial zoning districts shall be permitted wall signs per the area of the wall (length times height of the wall). The area devoted to such signs shall not exceed twenty percent of the wall area. The sign area maximum for wall signs shall not apply to a freeway-oriented wall sign proposed to be located and designed in such a manner as to be viewed primarily in a direct line of sight from a main traveled roadway of a freeway or a freeway on-ramp/off-ramp and advertising onsite retail or service-oriented businesses. Freeway-oriented wall signs shall be subject to all requirements of section 17.36.110(B)(6), including requiring the approval of a conditional use permit.

3. Monument signs. Each parcel or property shall be permitted one monument sign subject to all of the following conditions being met:

   a. One square foot of sign area for one foot of building frontage is permitted. Such sign shall not exceed fifty square feet.

   b. The buildings must be set back at least twenty-five feet from the property line.

   c. The monument sign shall be located in a landscaped planter area not less than fifty square feet, with one dimension being at least four feet.

   d. The monument sign may be no more than eight feet high.

   e. Shopping centers may have one monument sign not to exceed one square foot of display face per one foot of building frontage, not to exceed one hundred square feet, for center identification. Said sign may include reader panels, and or a bulletin or a changeable copy pane.

4. Painted signs. Each business shall be permitted painted signs subject to the following conditions:

   a. Said signs shall be in combination with or in lieu of wall signs.

   b. The area of said painted sign shall be deducted from the total allowable wall sign.

5. Accessory signs. Signs denoting credit cards, hours of operation, etc., shall be allowed but shall not exceed three square feet in total area.

6. Freeway-oriented freestanding sign. Freeway-oriented freestanding signs, including city identification signs, shall be allowed subject to the following requirements:

   a. Said sign shall be located and designed in such a manner as to be viewed primarily in a direct line of sight from a main traveled roadway of a freeway or a freeway on-ramp/off-ramp. The phrase "viewed primarily in direct line of sight from" shall mean that the message may be seen with reasonable clarity for a greater distance by a person traveling on the main traveled roadway of a freeway or on-ramp/off-ramp than by a person traveling on the street adjacent to the sign.

   b. Said signs shall be limited to on-site retail or services businesses. Shopping centers may have one freeway-oriented sign and shall include city identification or city logo as approved by planning commission. Said city identification or logo shall be excluded from the display face area calculation. When the display area of the sign is used for commercial speech, the copy must qualify as onsite to the business or shopping center.

   c. Said sign shall not block another freeway-oriented freestanding sign, city identification signs. The applicant shall be responsible for providing the planning commission with a line-of-sight analysis prepared by a registered civil engineer or architect ~~evidence~~ to assure satisfactory compliance with this requirement, as determined by the director.

   d. Said sign shall be located in a planter area not less than fifty square feet with one dimension being at least six feet, unless from the evidence presented to the planning commission it can be determined that the area is not visible from public street or right-of-way, or the absence of the planter shall not be detrimental to the appearance of the area.

   e. Said sign shall not exceed an overall height of eighty (80') ~~fifty-five~~ feet.

   f. Said sign shall not exceed twelve-hundred (1,200') ~~one hundred seventy-five~~ square feet per display face, excluding the city identification and logo, if applicable.

   g. Said sign shall require approval of a conditional use permit pursuant to ~~section~~ chapter 17.52, except that if said sign is a city identification sign, the sign shall be subject to the requirements of subsection (B)(9) of this section, section 17.36.060(D), and chapter 17.52, and if said sign is a relocated billboard or outdoor advertising structure, the sign shall be subject to the requirements of section 17.36.060(D). In addition to satisfying requirements set forth above in this section 17.36.110(B)(6) of the Banning Municipal Code, the following findings must be made prior to approval of a conditional use permit pursuant for a freeway-oriented freestanding sign, without consideration of message content of the proposed signs:

      i. The elevation of the freeway in relation to the elevation of the abutting properties justifies the height requested, and is the minimum necessary.

      ii. The number and spacing of freeway signs will not cause unnecessary confusion, clutter or other unsightliness in the general location.

      iii. The use identified, as well as its type, size and intensity, justifies the size, design and location of the sign requested.

iv. The needs of the traveling public for identification and directional information justifies the sign requested.

7. One flag pole, displaying one or more flags of the state and nation, not to exceed thirty-five feet in height.

8. Any existing freestanding sign shall be considered legal and conforming, but shall not be altered or replaced except by approval of a conditional use permit.

9. City identification sign. City identification signs shall be allowed subject to approval by City Council resolution and the following requirements:

   a. City identification signs shall not be permitted south of Interstate 10 from Sunset to Hargrave.

   b. The City shall have the right to place public service announcements and emergency service announcements on any such electronic messaging center so long as they are not excessive or burdensome. The City may, as part of the lease agreement, development agreement, or other agreement between the city, a sign, and property owner, specify the terms and conditions under which a non-profit or not-for-profit entity may place public service announcements on any such electronic messaging centers. The limits on public service announcements will be stipulated in a City Council agreement.

   c. The use of onsite electric generators to power digital billboards for normal operations shall be prohibited.

   d. The sign face for any City identification sign shall not overhang onto Interstate 10 or any other state highway.

   e. Signs shall be shielded to prevent light or glare intrusion onto adjoining properties that are located within five hundred (500) feet.

   f. Message changes on any electronic message center shall be limited to one message every six (6) seconds, or that allowed by the California Department of Transportation, whichever is greater.

   g. No electronic message center shall simulate motion or exhibit any images or series of images that could be considered "animated" in any way, including but not limited to sequential still images that update faster than once every six (6) seconds. No electronic message center shall contain any flashing, sparkling, intermittent or moving lights. There shall be no flashing or scrolling messages. Changes in color or light intensity on a still image or message at a rate faster than once every six (6) seconds are also not permitted.

   h. Electronic message centers shall contain automatic dimmers that maintain a maximum luminance of 7,500 nits during the daylight hours, and 500 nits from dusk (official sunset) to sunrise and during times of fog (One nit is equivalent to one candela per square meter). Each electronic message center shall be equipped with a mechanism to monitor brightness.

   i. Reserved.

   j. City identification signs shall not be illuminated between the hours of 11:00 p.m. to 5:00 a.m. when located within five hundred (500) feet of an existing residential property, or residentially zoned property.

k. The following advertising shall not be permitted: adult entertainment, mud wrestling, alcohol (except beer and wine), tobacco products of any type, or other content that could be reasonably considered sexually explicit or pornographic be community standards. Objectionable advertising shall be set forth in the City Council agreement.

~~l. City identification signs shall not be allowed in the Downtown Commercial (DC) zoning district.~~

~~l~~m. City identification signs shall require permit approval through the Building and Safety Division, CalTrans, the Riverside County Airport Land Use Commission if located within a compatibility zone, a beautification zone, and also require the approval of any other responsible agency, as necessary.

~~m~~n. City identification signs shall include architectural enhancements that add aesthetic appeal.

~~n~~o. City identification signs shall not exceed 55 feet in height.

~~o~~p. City identification signs shall not exceed a face area of 14 by 48 feet, inclusive of City identification.

~~p~~q. City identification signs and all parts, portions, and materials shall be manufactured, assembled, and erected in compliance with all applicable State, Federal, and City regulations and the Uniform Building Code (BMC Section 17.36.100(A)).

~~q~~r. City identification signs shall be maintained and kept in good repair. The display surface shall be kept clean, neatly maintained, and free from rust or corrosion. Any cracked, broken surfaces, malfunctioning lights, missing sign copy, or other unmaintained or damaged portion of a sign shall be repaired or replaced within 30 calendar days following notification by the City. Noncompliance with such a request shall constitute a nuisance and penalties may be assessed.

~~r~~s. Any sign agreement shall include a provision requiring the billboard owner to demonstrate that they have made reasonable efforts to solicit advertising from local businesses and nonprofits, including discounts and incentives during periods where other advertising cannot be obtained. Local businesses are defined as any business located within the City limits.

~~s~~t. Enforcement provisions shall provide for written notice of violations and the opportunity to cure breaches, the potential to recover liquidated damages, the posting of securities where repeated violations occur, and the right to recover attorney fees and costs in the event that administrative or legal action is required.

~~t~~u. Any other provisions contained in the lease agreement, development agreement, or other agreement that the City deems to be appropriate to protect the public health, safety, and welfare of the City.

(Zoning Ord. dated 1/31/06, § 9109.11; Ord. No. 1377, § 2)

(Ord. No. 1419, § 5, 1-26-10; Ord. No. 1424, § 3.7, 7-13-10; Ord. No. 1447, §§ 3—6, 2-14-12; Ord. No. 1487, § 3.2, 4-28-15; Ord. No. 1530, § 4K, 9-25-18)

17.36.120 - Sign design guidelines.

A. General. The following design guidelines shall be consulted prior to developing signs for any project. Unless there is a compelling reason, these design guidelines shall be followed. If a guideline is waived, the mayor and city council shall be notified. An appeal, which does not require a fee, may be filed by the mayor or any council person within fifteen days of the waiver approval.

1. Use a brief message: The fewer the words, the more effective the sign. A sign with a brief, succinct message is simpler and faster to read, looks cleaner and is more attractive.
2. Avoid hard-to-read, overly intricate typefaces: These typefaces are difficult to read and reduce the sign's ability to communicate.
3. Avoid faddish and bizarre typefaces: Such typefaces may look good today, but soon go out of style. The image conveyed may quickly become that of a dated and unfashionable business.
4. Sign colors and materials: should be selected to contribute to legibility and design integrity. Even the most carefully thought out sign may be unattractive and a poor communicator because of poor color selection. Day-glo colors must be avoided.
5. Use significant contrast between the background and letter or symbol colors: If there is little contrast between the brightness or hue of the message of a sign and its background, it will be difficult to read.
6. Avoid too many different colors on a sign: Too many colors overwhelm the basic function of communication. The colors compete with content for the viewer's attention. Limited use of the accent colors can increase legibility, while large areas of competing colors tend to confuse and disturb.
7. Place signs to indicate the location of access to a business: Signs should be placed at or near the entrance to a building or site to indicate the most direct access to the business.
8. Place signs consistent with the proportions of scale of building elements within the facade: Within a building facade, the sign may be placed in different areas. A particular sign may fit well on a plain wall area, but would overpower the finer scale and proportion of the lower storefront. A sign which is appropriate near the building entry may look tiny and out of place above the ground level.
9. Place wall signs to establish rhythm across the facade, scale and proportion where such elements are weak. In many buildings that have a monolithic or plain facade, signs can establish or continue appropriate design rhythm, scale, and proportion.
10. Avoid signs with strange shapes: Signs that are unnecessarily narrow or oddly shaped can restrict the legibility of the message. If an unusual shape is not symbolic, it is probably confusing.
11. Carefully consider the proportion of letter area to overall sign background area: If letters take up too much sign, they may be harder to read. Large letters are not necessarily more legible than smaller ones. A general rule is that letters should not appear to occupy more than seventy-five percent of the sign panel area.
12. Make signs smaller if they are oriented to pedestrians: The pedestrian-oriented sign is usually read from a distance of fifteen to twenty feet; the vehicle-oriented sign is viewed from a much greater distance. The closer a sign's viewing distance, the smaller that sign need be.

B. Wall or Fascia Signs.

1. Building wall and fascia signs should be compatible with the predominant visual elements of the building. Commercial centers, offices, and other similar facilities are required to be part of a sign program in accordance with the provisions of this chapter.

2. Where there is more than one sign, all signs should be complementary to each other in the following ways:

   a. Type of construction materials (cabinet, sign copy, supports, etc.)

   b. Letter size and style of copy

   c. Method used for supporting sign (wall or ground base)

   d. Configuration of sign area

   e. Shape to total sign and related components

3. The use of graphics consistent with the nature of the product to be advertised is encouraged, i.e., hammer or saw symbol for a hardware store, mortar and pestle for a drug store.

4. Direct and indirect lighting methods are allowed provided that they are not harsh or unnecessarily bright. The use of can-type box signs with translucent backlit panels are less desirable. Panels should be opaque if a can-type sign is used and only the lettering should appear to be lighted. The overspill of light should be negligible.

5. The use of backlit individually cut letter signs is strongly encouraged.

6. The use of permanent sale or come-on signs is prohibited.

7. The identification of each building or store's address in six-inch high numbers over the main entry doorway or within ten feet of the main entry is encouraged.

C. Monument Signs.

1. Monument signs are intended to provide street addresses, and identification for the commercial center development as a whole and for up to three major tenants.

2. All tenant signs should be limited in size to the width of the architectural features of the sign and shall be uniform in size and color.

3. A minimum of ten percent of the sign area of monument signs for center developments should be devoted to identification of the center or building by address or name.

4. Monument signs should be placed perpendicular to approaching vehicular traffic.

5. Each monument sign should be located within a planted landscaped area which is of a shape and design that will provide a compatible setting and ground definition to the sign, incorporating the following ratio of landscape area to total sign area:

   a. Monument: Four square feet of landscaped area for each square foot of sign area (one side only).

   b. Directory: Two square feet of landscaped area for each square foot of sign area.

(Zoning Ord. dated 1/31/06, § 9109.12.)

17.36.130 - Nonconforming signs.

A. A legally established sign which fails to conform to this chapter shall be allowed continued use, except that the sign shall not be:

1. Structurally altered so as to extend its useful life.
2. Expanded, moved, or relocated.
3. Re-established after a change in use.
4. Re-established after a business has been abandoned for one hundred twenty days or more.
5. Re-established after damage or destruction of more than fifty percent.

B. Sign copy and sign faces may be changed on nonconforming signs when there is no change in use of the site or when only a portion of a multiple tenant sign is being changed.

C. Any non-conforming sign shall be required to be brought into conformance or abated.

(Zoning Ord. dated 1/31/06, § 9109.13.)

17.36.140 - Removal of illegal and nonconforming signs.

A. The director shall remove or cause the removal of any fixed, permanent sign constructed, placed or maintained in violation of this chapter, after thirty days following the date of mailing of registered or certified written notice to the owner of the sign, if known, at the last known address or to the owner of the property as shown on the latest assessment roll, or to the occupant of the property at the property address.

B. The notice shall describe the sign and specify the violation involved, and indicate that the sign will be removed if the violation is not corrected within thirty days. If the owner disagrees with the opinion of the director, the owner may, within the said thirty-day period request a hearing before the planning commission to determine the existence of a violation.

C. If salvageable in the opinion of the director, signs removed by the Director pursuant to this chapter shall be stored for a period of sixty days, during which time they may be recovered by the owner upon payment to the city for costs of removal and storage. If not recovered prior to expiration of the sixty-day period, the sign and supporting structures shall be declared abandoned and title thereto shall vest to the city, and the cost of removal shall be billed to the owner or lien placed on the property upon which said sign was erected.

(Zoning Ord. dated 1/31/06, § 9109.14.)

17.36.150 - Reserved.

Editor's note— Sec. 3 of Ord. No. 1447, adopted Feb. 14, 2012, repealed zoning section 9109.15 from which this section 17.36.150 derived. Former § 17.36.150 pertained to establishing compliance and was amended by Ord. 1377.

17.36.160 - Inventory and abatement—Variances—Penalties.

A. Inventory and Abatement. Within six months from the date of adoption of this zoning ordinance, the city shall commence a program to inventory and identify illegal or abandoned signs within its jurisdiction. Within sixty days after this six-month period, the city may commence abatement of identified illegal or abandoned signs. If a previously legal sign is merely

nonconforming, however, the terms of section 17.36.150 of this zoning ordinance titled "Establishing Compliance," shall apply.

B. Variances. Variances from these sign ordinances are strongly discouraged. However, where results inconsistent with the general purposes of this ordinance would occur from its strict literal interpretation and enforcement, the planning commission may grant a variance therefrom upon such terms and conditions as it deems necessary.

C. Penalties. Each violation of this ordinance or any regulation, order or ruling promulgated or made hereunder, shall be punishable by a fine of not more than two hundred dollars per day, with each calendar day in violation, constituting a separate offense.

(Zoning Ord. dated 1/31/06, § 9109.16.)

17.36.170 - Murals.

Murals shall be allowed by permit reviewed by the beautification and mural council of the Banning Chamber of Commerce and permitted by the city's community development department. Applications shall be on a form devised by the community development department. A permit for a mural will be granted when the following conditions have been satisfied:

A. Completed application;

B. Sign permit fee paid;

C. Approved by the beautification and mural council of the Banning Chamber of Commerce;

D. The mural shall not cause a pedestrian or vehicular safety hazard;

E. The mural shall be applied to the wall of a building; and

F. The mural shall be maintained.

(Ord. No. 1382, § 3 (part).)

17.36.180 - Signs within adopted specific plan areas.

Signs within adopted specific plan areas shall conform to the sign requirements as indicated within the individual specific plan. However, in the event sign requirements are not provided in the individual specific plans, all signs within the specific plan areas shall conform to the provisions of chapter 17.36. If the land use within the specific plan is not specifically identified in the zoning ordinance, the most appropriate (closely related) use of the area shall apply, as determined by the community development director.

(Ord. No. 1493, § 3(2), 4-12-16)

17.36.190 - Flags, banners and pennants on city-owned light poles.

Notwithstanding section 17.36.070, the city of Banning may install flags, banners, and/or pennants on city-owned utility poles. The city manager shall establish a written banner program to regulate the installation of flags, banners, and pennants on city-owned utility poles. Banners and pennants shall be installed in compliance with the banner program established by the city manager. (Ord. No. 1493, § 3(2), 4-12-16).

Exhibit B

Notice of Exemption

EXHIBIT B

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Riverside
2724 Gateway Driver
Riverside, CA, 92507

From: (Public Agency): City of Banning
99 East Ramsey Street
Banning, CA, 92220
(Address)

Project Title: Zoning Text Amendment 19-97502, amending Sec. amending Chapters 17.12 and 17.36.

Project Applicant: City of Banning Community Development Department

Project Location - Specific:

Downtown Commercial Zoning District

Project Location - City: Banning Project Location - County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:
Zoning Text Amendment 19-97502 which amends Chapter 17.12 and 17.36 of the Banning Municipal Code (BMC) to authorize Electronic Message Centers in the Downtown Commercial Zoning District, subject to a Conditional Use Permit (CUP).

Name of Public Agency Approving Project: City of Banning

Name of Person or Agency Carrying Out Project: City of Banning

Exempt Status: **(check one):**

- ☒ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:
The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2); (2) In light of the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and since it can be seen with certainty there is no possibility that the activity in question may have a significant effect on the environment.

Lead Agency Contact Person: Adam B. Rush, AICP Area Code/Telephone/Extension: (951) 922-3131

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?. ☒ Yes ☐ No

Signature: _____ Date: 06/11/2019 Title: Community Dev. Dir.

☒ Signed by Lead Agency ☒ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Revised 2011

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam B. Rush, Community Development Director

MEETING DATE: June 25, 2019

SUBJECT: TENTATIVE TRACT MAP (TTM) 37365, A PROPOSAL TO SUBDIVIDE APPROXIMATELY 14.22 GROSS ACRES OF VACANT LAND INTO 18 LOTS FOR CONDOMINIUM PURPOSES FOR A TOTAL OF 107 SINGLE-FAMILY RESIDENTIAL DETACHED CONDO UNITS, FOUR OPEN SPACE LOTS, ONE PARK LOT AND PUBLIC STREETS, ALL WITHIN THE BUTTERFIELD SPECIFIC PLAN, PLANNING AREAS 4, 9B AND 26

RECOMMENDED ACTION:

Staff recommends that the City Council Adopt Resolution 2019-___, and take the following actions:

I. Find that in accordance with CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations, that all previous environmental impacts have been evaluated and disclosed and that a subsequent environmental document is not required.

II. Approve Tentative Tract Map 37365 to subdivide approximately 14.22 gross acres of land into 18 lots for condominium purposes for a total of 107 single-family residential detached condo units, including open space uses and public streets, subject to conditions of approval.

PROJECT / APPLICANT INFORMATION:

Project Applicant: Pardee Homes
1250 Corona Pointe Court, # 600
Corona, CA 92879

Property Owner: Pardee Homes

1250 Corona Pointe Court, # 600
Corona, CA 92879

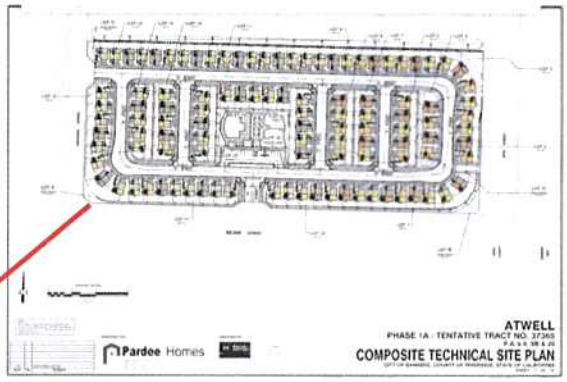
APN Information: Portions of 408-120-001 and 408-120-002

REQUEST:

Proposed Tentative Tract Map 37365 would subdivide approximately 14.22 acres of vacant land into 18 lots for condominium purposes for a total of 107 single-family residential detached condo units, 4 open space lots, 1 park lot and public streets. The Project site is located north of Wilson Street and east of Highland Springs Road within the Butterfield Specific Plan area: see Figures 1 and 2 for the overall Butterfield Specific Plan area and a colored site plan of Tentative Tract Map 37365. The proposed Tentative Tract Map 37365 is attached to this report as Attachment 3.

Figure 1: Butterfield Specific Plan

Figure 2: TTM 37365 Site Exhibit



BACKGROUND:

The Butterfield Specific Plan, General Plan and Zoning Map Amendments, Development Agreement, and accompanying Environmental Impact Report were originally approved by the City Council in March of 2012. (See Attachments 4 through 8 and 10.) Subsequent litigation and a settlement agreement resulted in a request by the applicant for approval of a General Plan Amendment related to Highland Home Road as well as

certain minor modifications to the Specific Plan. These applications were reviewed by the Planning Commission in January 2017 and were reviewed and approved by the City Council in February 2017 (Attachment 9).

In May of 2017, the Planning Commission reviewed and recommended approval of Tentative Maps for the Butterfield project for financing and conveyance purposes. The City Council subsequently approved these maps at their June 27, 2017 meeting.

On June 6, 2018, the Planning Commission held a public hearing and considered the first submittal, Phase 1A of the Butterfield Specific Plan, Tentative Tract Map 37298. The Planning Commission voted 2-1 to recommend that the City Council approve Tentative Tract Map 37298.

On July 10, 2018, the City Council held a public hearing and considered the first submittal, Phase 1A of the Butterfield Specific Plan, Tentative Tract Map No. 37298. The City Council subsequently approved Tentative Tract Map 37298.

On June 5, 2019, the City Planning Commission held a public hearing and considered Tentative Tract Map 37365. The Planning Commission voted 3-1 to recommend that the City Council approve this Tentative Map.

ANALYSIS:

The overall Butterfield Specific Plan project site is approximately 1,528 acres and is located generally at the northwestern corner of the City of Banning (see Figure 1). Tentative Tract Map 37365 is located generally within the southwesterly area of the Specific Plan, as detailed within the Key Map attached to this staff report.

Proposed Tentative Tract Map 37365 includes the following Planning Areas (PA) within the Butterfield Specific Plan: Planning Areas 4 and 9B [Medium Density Residential (MDR)] and Planning Area 26 [Parks]. See Figure 3 below; a larger copy of the Butterfield Specific Plan land use map is included with this report as Attachment 4.

Additionally, the proposed Tentative Tract Map will create public streets, identified as "A" through "H".

Residential Planning Areas

Medium Density Residential: Planning Areas 4 and 9B

The proposed Tentative Tract Map 37365 encompasses two Medium Density Residential Planning Areas (PA) 4 and 9B. MDR lots are intended as either conventionally plotted detached single-family homes on individual lots with private yards, or as a cluster product (green court, motor court, or stub street court).

PA 4 and PA 9B MDR lots contained within the proposed Tentative Tract Map 37365 are plotted detached – small lot – condominium lots. The minimum lot sizes and dimensions are as follows:

Minimum lot area:	2,200 square feet
Minimum lot width:	40 feet
Minimum lot depth	55 feet
Maximum density:	9.65 du/ac

All residential lots within the proposed subdivision comply with the minimum lot area and dimensional requirements specified for PAs 4 and 9B.

Below is a comparison of the proposed Tentative Tract Map 37365 dwelling unit numbers, acreages, and densities to the approved Specific Plan:

	Approved SP	Proposed TTM	Difference
PA 4 # units	129	78	-51
PA 4 acreage	13.9	9.31	33%
PA 4 density	9.3 du/ac	8.4 du/ac	within approved range
PA 9B # units	98	29	-69
PA 9B acreage	5	4	20%
PA 9B density	10 du/ac	7.3 du/ac	within approved range

Adjustment of residential planning boundaries of 20% or less can be approved by the Community Development Director as substantially conforming to the Specific Plan, and revisions to the number of dwelling units within a PA can be approved as substantially conforming to the Specific Plan as long as the total number of units for the Specific Plan area does not exceed the maximum number of approved Specific Plan units nor the maximum density allowed in a Planning Area.

Grading:

All proposed manufactured slopes shall be a maximum of 2:1, unless otherwise noted on the Tentative Tract Map. All proposed residential lots shall maintain a minimum grade from rear of the lot to the street in accordance with the latest Building Code.

Future City Approvals:

Grading permits (rough and precise grading); encroachment permits, water, sewer, and reclaimed water connection permits may be issued by the City of Banning Department of Public Works after approval of the proposed Tentative Tract Map 37365.

Parks

Tentative Tract Map 37365 includes one park. PA 26 is an approximately one-acre park lot located in the center of the TTM 37365.

	Approved SP	Proposed TTM	Difference
PA 26 acreage	1.0	0.91	9%

Open Space Lettered Lots

The proposed Tentative Tract Map 37365 includes 0.56 acres of open space identified as Lots "A - D." Lots "A – C," are proposed landscape areas adjacent to the parkway, are privately owned and will be maintained by an approved Homeowners Association (HOA). Lot "D" is a proposed 30-foot-wide public drain and sewer easement, also maintained by an approved HOA.

Streets/Circulation System

Proposed streets within the subdivision will be public streets and are consistent with sections provided in the Butterfield Specific Plan. Residential streets proposed will be 36' wide from curb to curb, consistent with the approved Specific Plan and allowing for on-street parking.

Proposed entry streets to residential neighborhoods will include medians.

Utilities

Electrical service will be provided by the City of Banning. The Electric Utility has provided conditions of approval that have been incorporated into the draft Project conditions. Existing electrical utility infrastructure will be underground with the exception of temporary overhead electrical lines and pad-mount equipment such as transformers and switchgear.

Water and wastewater services will be provided by the City of Banning – Department of Public Works.

ENVIRONMENTAL DETERMINATION:

1. California Environmental Quality Act (CEQA)

   Potential environment issues associated with the proposed Tentative Tract Map were analyzed in the previously certified Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149) as modified by the Addendum approved by the City Council on February 14, 2017, which documents are on file in the Community Development Department. There have been no

substantial changes in the Project nor in the circumstances under which the Project is undertaken which will require major revisions of the previous environmental document; nor is there new information that shows that the Project will have a significant environmental effect or an effect more severe than originally thought. Therefore, in accordance with CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations, a subsequent environmental document is not required.

The project will be conditioned to comply with the mitigation measures of the approved Mitigation Monitoring and Reporting Program (MMRP).

2. Multiple Species Habitat Conservation Plan (MSHCP): The Project EIR's mitigation measures, including submittal of a Determination of Biologically Equivalent of Superior Preservation (DBESP), ensure consistency with the Western Riverside County MSHCP. These mitigation measures will be incorporated into all development approvals as required by the project MMRP to ensure consistency with the MSHCP.

FISCAL IMPACT:

The Butterfield Specific Plan project consists of both residential and commercial development and represents a long-term investment in the local community in both housing and public infrastructure (streets, fire station, parks and open space, utilities, drainage facilities, etc.). Issuance of grading, building, and other permits will result in additional revenues for the City, as will increased property tax revenues and future spending within the City by future residents.

OPTIONS:

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

Attachments:

1. City Council Resolution 2019-___
2. Planning Commission Resolution 2019-14
3. Tentative Tract Map 37365 Plans
4. Butterfield Specific Plan, Land Use Plan
5. Butterfield Specific Plan Excerpts, Development Regulations
6. Ordinance 1450 (Approving the Butterfield Specific Plan)
7. Butterfield Specific Plan Development Agreement
8. CC Resolution 2017-07 Approving Minor Modifications and Attachment C, Conditions of Approval
9. Mitigation Monitoring and Reporting Program and Addendum Modifications
10. Public Hearing Notice

Approved by:

Douglas Schulze, City Manager

Attachment 1

City Council Resolution 2019-___

RESOLUTION 2019-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, MAKING ENVIRONMENTAL DETERMINATIONS UNDER CEQA GUIDELINES SECTION 15162 APPROVING TENTATIVE TRACT MAP NO. 37365, A SUBDIVISION OF APPROXIMATELY 14.22 GROSS ACRES OF VACANT LAND FOR PURPOSES OF CREATING 18 LOTS FOR CONDOMINIUM PURPOSES FOR A TOTAL OF 107 SINGLE FAMILY DETACHED RESIDENTIAL UNITS, 1 LOT FOR A PARK SITE, 4 OPEN SPACE LETTERED LOTS AND PUBLIC STREETS, LOCATED IN PLANNING AREAS 4, 9B, AND 26 OF THE BUTTERFIELD SPECIFIC PLAN, ON REAL PROPERTY LOCATED NORTH OF WILSON STREET AND EAST OF HIGHLAND SPRINGS AVENUE WITHIN THE SOUTHWESTERLY PORTION OF THE BUTTERFIELD SPECIFIC PLAN (APNS: PORTIONS OF 408-120-001 AND 408-120-002)

WHEREAS, an application for Tentative Tract Map 37365 has been duly filed by:

Project Applicant:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Property Owner:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Parcel Address:	North of Wilson Street, east of Highland Springs Avenue
APN's:	Portions of 405-120-002, 408-120-005, 408-120-007
Lot Area:	Approximately 14.22 gross acres;

WHEREAS, pursuant to Title 16 of the Banning Municipal Code and the Subdivision Map Act allows the subdivision of 14.22-acres within the Medium High and Medium Density Residential Zones into 18 lots for condominium purposes for a total fo 107 single-family detached residential units, 1 lot for a park site (PA 26); 4 open space lettered lots and public streets, located within Planning Areas 4, 9B, and 26 within the Butterfield Specific Plan.

WHEREAS, on June 5, 2019 the Planning Commission held a duly noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Tentative Tract Map and at which time the Planning Commission considered the Project and recommended approval to the City Council; and

WHEREAS, in accordance with Government Code § 65854, the City Council public hearing was advertised in the Record Gazette newspaper on June 14, 2019 the City gave public notice as required under Government Code Section 66451.3 by advertising in the Record Gazette Newspaper, and mailing notices to all property owners within 300-feet of the project site of the holding of a public hearing for the City Council's review, at which time the project would be considered; and

WHEREAS, on June 25, 2019, the City Council held a duly noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the project and at which time the City Council considered Tentative Tract Map 37365.

NOW THEREFORE, the City Council of the City of Banning does hereby 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 staff recommendation as provided in the Staff Report dated June 25, 2019, 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:

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.*), City staff has considered the potential environmental impacts of Tentative Tract Map No. 37365. City staff has also reviewed the previously certified Environmental Impact Report (EIR) for the Butterfield Specific Plan project (SCH No. 2007091149), including the impacts and mitigation measures identified therein, and reviewed the EIR in accordance with CEQA for the Project. Based on that review, the City of Banning Planning Division has determined that the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR. All potential environmental impacts associated with the Butterfield Specific Plan and Tentative Tract Map No. 37365 are adequately addressed by the prior EIR.

B. CEQA:

The approval of this Tentative Tract Map (Exhibit A) is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on June 25, 2019, at a duly noticed public hearing, the City Council considered the project's Conditions of Approval (Exhibit B) and Mitigation Monitoring Report and Program (MMRP) (Exhibit C) and found that no

significant environmental impacts would occur after required Mitigation Measures.

C. The City Council has independently reviewed the Planning Commission's recommendation, and based upon the whole record before it, the City Council's determination, and its independent review and judgment, finds that that the Project is not subject to further environmental review pursuant to the Guidelines because: (1) find that in accordance with CEQA Guidelines Section 15162 that the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR; and (2) all potential environmental impacts associated with Butterfield Specific Plan and the proposed Tentative Tract Map No. 37365 are adequately addressed by the prior EIR.

D. The Community Development Director is authorized to file a Notice of Determination in accordance with CEQA.

E. Multiple Species Habitat Conservation Plan (MSHCP). The Project EIR's mitigation measures, including submittal of a Determination of Biologically Equivalent of Superior Preservation (DBESP), ensure consistency with the Western Riverside County MSHCP. These mitigation measures will be incorporated into future development approvals as required by the Project Mitigation Monitoring and Reporting Program to ensure consistency with the MSHCP.

SECTION 2: TENTATIVE TRACT MAP 36710 FINDINGS

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

The City Council hereby finds:

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

The General Plan land use designation for the site is classified as the Butterfield Specific Plan ("Specific Plan"); the Specific Plan land use designations of Medium High and Medium Density Residential uses within the proposed Project area. The proposed Tentative Tract Map No. 37365 is consistent with the City's General Plan in that as it will provide for Medium High and Medium Density Residential housing as envisioned by the General Plan's Land Use Element and the Planning Area Development Standards within the Specific Plan. The Tentative Tract Map is consistent with the Specific Plan transportation system as envisioned by the General Plan's Circulation element. The Tentative Tract Map is consistent with the

Butterfield Specific Plan as it provides for land uses consistent with those designated by the Planning Areas incorporated through the Specific Plan land use map. As such, the proposed Tentative Tract Map No. 37365 is consistent and compatible with the objectives, policies, general land uses, and programs specified in the City's General Plan and the Butterfield Specific Plan.

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

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

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

The Project site transitions from relatively flat land at the northeast corner of Highland Springs Avenue and Wilson Street to the foothills of the San Bernardino Mountains. Major access to the site is provided by Highland Springs Avenue and Wilson Street. Analysis of the Project site relative to the physical suitability for density of development was included in the approvals for the Butterfield Specific Plan and the proposed number of dwelling units is consistent with that allowed under the Butterfield Specific Plan.

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

The design and improvement of the proposed subdivision is consistent with the City's General Plan and the Butterfield Specific Plan in that it will provide for a range of housing to meet the needs of the City's residents, and an efficient transportation system as envisioned by the General Plan, and is designed to meet City standards, including providing satisfactory pedestrian and vehicular circulation, emergency vehicle access and on site improvements, such as streets, utilities, and drainage facilities consistent with the Specific Plan.

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

Potential environment issues associated with the proposed Tentative Tract Map No. 37365 were analyzed in the previously certified Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149), as amended by the Addendum approved by the City Council in February 2017. With the imposition of mitigation measures, the Project will not have a significant effect on biological resources. There have been no substantial changes in the Project, nor in the circumstances under which the Project is undertaken, that will require major revisions of the prior certified EIR; nor is there new information that shows that the Project will have a significant environmental effect or an effect more severe than

originally thought. Therefore, the proposed Tentative Tract Map No. 37365 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The proposed Tentative Tract Map No. 37365 is in conformance with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the Butterfield Specific Plan, and the Project has been conditioned to comply with all applicable Specific Plan requirements and requirements of the City's ordinances, codes, and standards. In addition, the design and construction of improvements are conditioned to be in conformance with adopted City street and public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety, and welfare.

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

Tentative Tract Map No. 37365 does not contain easements for the Banning Electric Utility or Southern California Edison (SCE). Furthermore, no easements of record or easements established by judgement of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any other such easements.

H. The design of the proposed Tentative Tract Map No. 37365 provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

New construction, authorized under the Banning Municipal Code, state codes and regulations, and the recordation of a Tract Map will yield housing that incorporates roof-mounted solar generation within each dwelling unit, in accordance with state law.

SECTION 3: CITY COUNCIL ACTION

The City Council hereby takes the following action:

SECTION 1: Based on the foregoing, the City Council of the City of Banning hereby approves Tentative Tract Map No. 37365, attached hereto as Exhibit "A," a subdivision of approximately 14.22 gross acres into 18 lots for condominium purposes for a total of 107 single family residential units, 1 lot for parks, 4 open space lots, and public streets on real property located north of Wilson Street and east of Highland Springs Avenue within the southwesterly portion of the Butterfield Specific Plan (APNs: portions

of 408-120-001 and 408-120-002), subject to the recommended Conditions of Approval attached as Exhibit "B".

SECTION 4. CERTIFICATION:

The City Clerk shall certify the adoption of this Resolution and shall cause a certified copy to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019.

_____
Arthur L. Welch, Mayor
City of Banning

APPROVED AS TO FORM
AND LEGAL CONTENT:

_____
Kevin Ennis, City Attorney
Richards Watson & Gershon

ATTEST:

_____
Daryl A. Betancur, Deputy City Clerk
City of Banning

CERTIFICATION:

I, Daryl A. Betancur, Deputy Cit Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-___, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Daryl A. Bentacur, Deputy City Clerk
City of Banning, California

Exhibit "A"

Tentative Tract Map No. 37365
(See Attachment No. 3)

Exhibit "B"

Tentative Tract Map No. 37365 Conditions of Approval
(See Attachment No. 8)

Exhibit "C"

Mitigation Monitoring and Reporting Program and Addendum Modifications
https://ci.banning.ca.us/Archive.aspx?ADID=1877

(Butterfield Specific Plan Environmental Impact Report
available on City website at http://www.ci.banning.ca.us/Archive.aspx?AMID=56

Minor Modification Addendum and appendices available on City website at
http://www.ci.banning.ca.us/Archive.aspx?ADID=1630

Attachment 2

Planning Commission Resolution 2019-14

RESOLUTION 2019-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BANNING MAKE ENVIRONMENTAL DETERMINATIONS UNDER CEQA GUIDELINES SECTION 15162 AND APPROVE TENTATIVE TRACT MAP NO. 37365, A SUBDIVISION OF APPROXIMATELY 14.22 GROSS ACRES OF VACANT LAND FOR PURPOSES OF CREATING 18 LOTS FOR CONDOMINIUM PURPOSES FOR A TOTAL OF 107 SINGLE FAMILY DETACHED RESIDENTIAL UNITS, 1 LOT FOR A PARK SITE, 4 OPEN SPACE LETTERED LOTS AND PUBLIC STREETS, LOCATED IN PLANNING AREAS 4, 9B, AND 26 OF THE BUTTERFIELD SPECIFIC PLAN, ON REAL PROPERTY LOCATED NORTH OF WILSON STREET AND EAST OF HIGHLAND SPRINGS AVENUE WITHIN THE SOUTHWESTERLY PORTION OF THE BUTTERFIELD SPECIFIC PLAN (APNS: PORTIONS OF 408-120-001 AND 408-120-002)

WHEREAS, an application for Tentative Tract Map No. 37365, attached hereto as Exhibit "A," to subdivide approximately 14.22 gross acres of vacant real property into residential, park, and open space lots, along with public streets (the "Project"), has been duly filed by:

Project Applicant:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Property Owner:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Parcel Address:	North of Wilson Street, east of Highland Springs Avenue
APNs:	Portions of 408-120-001 and 408-120-002
Lot Area:	Approximately 14.22 gross acres;

WHEREAS, pursuant to Title 16 of the Banning Municipal Code, the Planning Commission has the authority to review and make recommendations to the City Council concerning Tentative Tract Map No. 37365;

WHEREAS, the Community Development Department has evaluated the Project's potential effects on the environment as required under the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code, § 21000 *et seq.*) and determined that

potential impacts associated with proposed Tentative Tract Map No. 37365 were adequately analyzed under the previously approved Final Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149) and that pursuant to CEQA Guidelines Section 15162 no further environmental analysis is required;

WHEREAS, in accordance with Government Code Sections 66451.3, 65090 and 65091, on May 24, 2019, the City gave public notice, by advertisement in the Record Gazette Newspaper, and by mailing 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, of a public hearing concerning the Project; and

WHEREAS, in accordance with Banning Municipal Code Section 16.12.080, on June 5, 2019, the Planning Commission held a public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the Project, and at which the Planning Commission considered Tentative Tract Map No. 37365.

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

SECTION 1: California Environmental Quality Act and Multiple Species Habitat Conservation Plan Findings. The Planning Commission of the City of Banning does hereby recommend 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 has considered the potential environmental impacts of Tentative Tract Map No. 37365. City staff has also reviewed the previously certified Environmental Impact Report (EIR) for the Butterfield Specific Plan project (SCH No. 2007091149), including the impacts and mitigation measures identified therein, and reviewed the EIR in accordance with CEQA for the Project. Based on that review, the City of Banning Planning Division has determined that the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR. All potential environmental impacts associated with the Butterfield Specific Plan and Tentative Tract Map No. 37365 are adequately addressed by the prior EIR.

B. The City Council has independently reviewed the Planning Division's determination, and based upon the whole record before it, the the Planning Division's determination, and its independent review and judgment, finds that that the Project is not subject to further environmental review pursuant to the Guidelines because: (1) the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does

not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR; and (2) all potential environmental impacts associated with Butterfield Specific Plan and the proposed Tentative Tract Map No. 37365 are adequately addressed by the prior EIR.

C. The custodian of records for the certified EIR, and all other materials that constitute the record of proceedings upon which the City Council's recommendation is based, is the Planning Division of the City of Banning. Those documents are available for public review in the Planning Division located at 99 E. Ramsey Street, Banning, California 92220.

D. Multiple Species Habitat Conservation Plan (MSHCP). The Project EIR's mitigation measures, including submittal of a Determination of Biologically Equivalent of Superior Preservation (DBESP), ensure consistency with the Western Riverside County MSHCP. These mitigation measures will be incorporated into future development approvals as required by the Project Mitigation Monitoring and Reporting Program to ensure consistency with the MSHCP.

SECTION 2: Findings for Recommendation of Approval of Tentative Tract Map No. 37365. The Planning Commission of the City of Banning does hereby recommend that the City Council of the City of Banning find and determine that Tentative Tract Map No. 37365 should be approved because:

A. **Finding: Tentative Tact Map No. 37365 is consistent with the objectives, policies, general land uses, and programs specified in the City's General Plan and the Butterfield Specific Plan.**

Findings of Fact:
The General Plan land use designation for the site is classified as Specific Plan; the Butterfield Specific Plan includes land use designations of Medium Density Residential, Open Space, and Parks uses within the proposed Project area. The proposed Tentative Tract Map No. 37365 is consistent with the City's General Plan in that as it will provide for a range of housing types, parks, and open space as envisioned by the General Plan's Land Use element and an efficient transportation system as envisioned by the General Plan's Circulation element. It is consistent with the Butterfield Specific Plan as it provides for land uses consistent with those designated for the Project area by the Specific Plan land use map. As such, the proposed Tentative Tract Map No. 37365 is consistent with the objectives, policies, general land uses, and programs specified in the City's General Plan and the Butterfield Specific Plan.

B. **Finding: The design and improvement of the subdivision proposed under Tentative Tract Map No. 37365 is consistent with the City's General Plan and the Butterfield Specific Plan.**

Findings of Fact:
The design and improvement of the proposed subdivision is consistent with the City's General Plan and the Butterfield Specific Plan in that it will provide for a range of housing to meet the needs of the City's residents, and an efficient transportation system as envisioned by the General Plan, and is designed to meet City standards, including providing satisfactory pedestrian and vehicular circulation, emergency vehicle access and on site improvements, such as streets, utilities, and drainage facilities consistent with the Specific Plan.

C. **Finding: The subject site is physically suitable for the type of development proposed under Tentative Tract Map No. 37365.**

Findings of Fact:
The Project site transitions from relatively flat land at the northeast corner of Highland Springs Avenue and Wilson Street to the foothills of the San Bernardino Mountains. Major access to the Project site is provided by Highland Springs Avenue and Wilson Street. Analysis of the Project site relative to the physical suitability of the site for development was included in previous approvals for the Butterfield Specific Plan and the site is physically suitable for the proposed development as allowed under the Butterfield Specific Plan.

D. **Finding: The site is physically suitable for the proposed density of development under Tentative Tract Map No. 37365.**

Findings of Fact:
The Project site transitions from relatively flat land at the northeast corner of Highland Springs Avenue and Wilson Street to the foothills of the San Bernardino Mountains. Major access to the site is provided by Highland Springs Avenue and Wilson Street. Analysis of the Project site relative to the physical suitability for density of development was included in the approvals for the Butterfield Specific Plan, and the proposed number of dwelling units is lower than that allowed under the Butterfield Specific Plan.

E. **Finding: The design of the subdivision and improvements proposed under Tentative Tract Map No. 37365 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

Findings of Fact:
Potential environment issues associated with the proposed Tentative Tract Map No. 37365 were analyzed in the previously certified Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149), as amended by the Addendum approved by the City Council in February 2017. With the imposition of mitigation measures, the Project

will not have a significant effect on biological resources. There have been no substantial changes in the Project, nor in the circumstances under which the Project is undertaken, that will require major revisions of the prior certified EIR; nor is there new information that shows that the Project will have a significant environmental effect or an effect more severe than originally thought. Therefore, the proposed Tentative Tract Map No. 37365 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

F. **Finding: The design of the subdivision and improvements proposed under Tentative Tract Map No. 37365 is not likely to cause serious health problems.**

Findings of Fact:
The proposed Tentative Tract Map No. 37365 is in conformance with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the Butterfield Specific Plan, and the Project has been conditioned to comply with all applicable Specific Plan requirements and requirements of the City's ordinances, codes, and standards. In addition, the design and construction of improvements are conditioned to be in conformance with adopted City street and public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety, and welfare.

G. **Finding: The design of the subdivision and improvements proposed under Tentative Tract Map No. 37365 will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

Findings of Fact:
Tentative Tract Map No. 37365 does not conflict with any easements for access through or use of property within the proposed subdivision.

H. **Finding: The design of the proposed Tentative Tract Map No. 37365 provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

Findings of Fact:
Tentative Tract Map No. 37365 does not propose any design features that would conflict with future passive or natural heating or cooling opportunities.

SECTION 3: PLANNING COMMISSION ACTION - Recommendation of Approval of Tentative Tract Map No. 37365 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 Tentative Tract Map No. 37365, attached hereto as Exhibit "A," a subdivision of approximately 14.22 gross acres into 18 lots for condominium purposes for a total of 107 single family residential lots, 1 lot for parks, 4 open space lots, and public streets on real property located north of Wilson Street and east of Highland Springs

Avenue within the southwesterly portion of the Butterfield Specific Plan (APNs: portions of 408-120-001 and 408-120-002), subject to the recommended Conditions of Approval attached as Exhibit "B".

PASSED, APPROVED AND ADOPTED this 5th day of June, 2019.

Eric Shaw, Chairman
Banning Planning Commission

APPROVED AS TO FORM
AND LEGAL CONTENT:

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, No. 2019-14, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 5th day of June, 2019, by the following vote, to wit:

AYES: Brosious, Krick, Shaw

NOES: Schuler

ABSENT: None

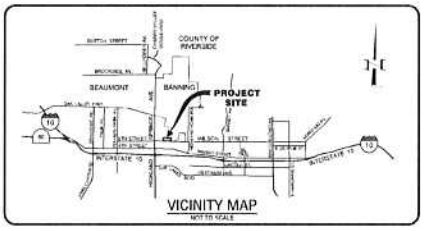
ABSTAIN: None

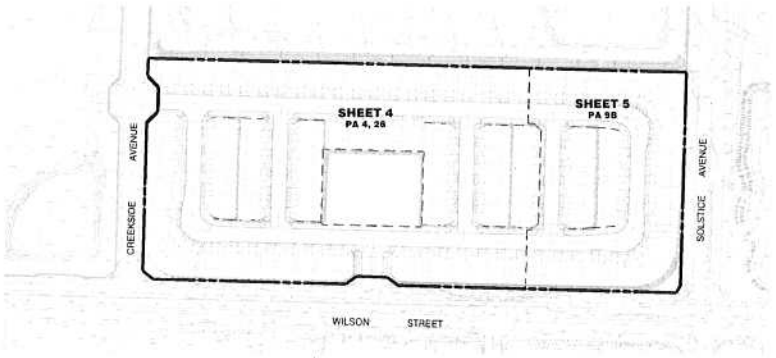
Sandra Calderon

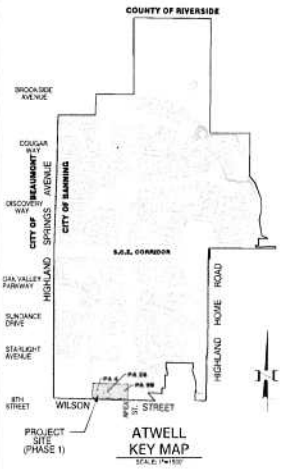
Sandra Calderon, Recording Secretary
City of Banning, California

Attachment 3

Tentative Tract Map 37365







SHEET INDEX

SHEET 1	TITLE SHEET / SHEET INDEX (THIS SHEET)
SHEET 2	NOTES / TABULATIONS (THIS SHEET)
SHEET 3	OTHER SITE SECTIONS
SHEETS 4-5	MAP SHEETS (THIS SHEET)
SHEET 6	TITLE SHEET / SHEET INDEX SEE PLAN
SHEET 7	NOTES / TABULATIONS SEE PLAN
SHEET 8-11	MAP SHEETS SEE PLAN
SHEET 12	MAP SHEET (PARK)

LOT INDEX

LOTS 1-13	PA 4, 9B	SHEET 4, 5, 8, 9, 10
LOTS 14-24	PA 9B	SHEET 4, 5, 8, 9, 10
LOT 12	PA 26	SHEET 4, 5, 8, 9, 10, 12

MDS CONSULTING
17320 REDHILL AVENUE, SUITE 350
IRVINE, CA 92614
PHONE: (949) 251-8821
FAX: (949) 251-0516
CONTACT: EDWARD J. VENTH

EDWARD J. VENTH, RCE 052496
EXP. DATE: DECEMBER 31, 2018

DATE	NO.	REVISIONS

PREPARED FOR:
Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 549-4100

PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL

FOR CONDOMINIUM PURPOSES
PHASE 1A / TENTATIVE TRACT NO. 37365
PLANNING AREA 4, 9B, 26

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 1 OF 12

PHASE 1A - PA 4, 9B, 26 - TENTATIVE TRACT MAP

PLANNING AREA SUMMARY

PROPOSED TENTATIVE TRACT 37365

PLANNING AREA (No.)	LAND USE (TYPE)	GROSS AREA (ACRE)	NUMBER OF UNITS (No)	GROSS DENSITY (No/AC)	RESIDENTIAL AREA (ACRE)	STREETS (ACRE)
4	MDR	5.31	79	8.4	5.04	0.27
9B	MDR	3.83	29	7.5	3.54	1.29
26	PARK	4.84	0	0	0	0
TOTAL		14.23	107		8.57	5.53

PER BUTTERFIELD SPECIFIC PLAN 2017

PLANNING AREA (No.)	LAND USE (TYPE)	GROSS AREA (ACRE)	NUMBER UNITS (No)
4	MDR	5.31	113
9B	MDR	3.83	58
26	PARK	5.05	0
TOTAL		14.23	170

LEGEND
MDR MEDIUM DENSITY RESIDENTIAL

LEGEND

- TRACT BOUNDARY
- STREET CENTERLINE
- PROPOSED SIDEWALK
- DAYLIGHT LINE
- PROPOSED CURB & GUTTER
- PROPOSED LOT LINE
- EXISTING CURB & GUTTER
- PROPOSED 8" SEWER AT CENTERLINE
- FLOW LINE
- PAD ELEVATION
- LOT NUMBER
- PROPOSED HIGH MAINTAINED LANDSCAPE OPEN SPACE
- PROPOSED STREET LIGHT
- PROPOSED STORM DRAIN
- PROPOSED SANITARY SEWER
- PROPOSED POTABLE WATER
- PROPOSED NON-POTABLE WATER
- EXISTING STORM DRAIN
- EXISTING SANITARY SEWER
- EXISTING POTABLE WATER
- EXISTING GAS LINE
- PROPOSED STREET GRADE
- PROPOSED RETAINING WALL (SEE PLAN FOR HEIGHT)
- PROPOSED FIRE HYDRANT

UTILITIES

WATER
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

SEWER
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

ELECTRIC
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

GAS
SOUTHERN CALIFORNIA GAS COMPANY
981 WEST LUGONIA AVENUE
REDLANDS, CA. 92374
800.427.2000

TRASH
CITY OF BANNING
EX-WASTE MANAGEMENT
99 EAST RAMSEY STREET
BANNING, CA. 92220
951.922.3130

TELEPHONE
FRONTIER COMMUNICATIONS
290 SOUTH COAST STREET
POMONA, CA. 92766
(800) 367-0047

CABLE
SPECTRUM CABLE
99 E WEST RAMSEY STREET
BANNING, CA. 92220
(866) 417-1000

STORM DRAIN
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BASIS OF BEARINGS

THE BEARINGS FOR THIS SURVEY WAS BASED ON THE LINE BETWEEN STATION "I" AND "H" AS SHOWN ON NATIONAL GEODETIC SURVEY, AND AS SHOWN ON THE MAP FILED IN BOOK 102, PAGES 81 THROUGH 85 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, BEING NORTH 00° 19' 40" EAST.

BENCHMARK

ELEVATION AS SHOWN HEREON ARE IN TERMS OF THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, AS BASED LOCALLY UPON THE FOLLOWING BENCH MARK: A 3" STAMPED ALUMINUM DISC, FLUSH, LOCATED IN BEARING OF MILES SOUTH ALONG HIGHLAND SPRINGS AVENUE FROM THE INTERSECTION OF HIGHLAND SPRINGS AVENUE AND THE SOUTHERN PACIFIC RAILROAD TRACKS, 13.9 FEET EAST OF THE CENTERLINE OF HIGHLAND SPRINGS AVENUE AT THE NORTHWEST CORNER OF CATCH BASIN AT THE TOP OF CURB, 1.1 FEET EAST OF FACE OF CURBS.

LEGAL DESCRIPTION

A PORTION OF "LOT 1 AND 2 OF TRACT MAP NO. 26332, FILED IN BOOK 405 OF MAPS, PAGES 84 THROUGH 89 INCLUSIVE, IN THE OFFICE OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

ASSESSORS PARCEL NUMBERS

535-170-001 (PORTION)
535-170-002 (PORTION)

OPEN SPACE AREA SUMMARY

LOTS	ACREAGE
LOT "A"	0.76 AC
LOT "B"	0.21 AC
LOT "C"	0.04 AC
LOT "D"	0.76 AC
TOTAL ACREAGE	1.77 AC

LAND USE SUMMARY

LOTS	LAND USE	ACREAGE	PERCENT (%)
1-3	SINGLE-FAMILY DETACHED CONDO	8.22	57.8
26	PARK	3.81	6.4
ANY	OPEN SPACE	1.33	1.7
	STREETS (ETM)	5.08	35.1
	GROSS ACREAGE	14.23 AC	100%

TENTATIVE TRACT NO. 37365

NUMBER OF LOTS: TOTAL 32
SINGLE-FAMILY DETACHED CONDO 19
OPEN SPACE 4
PARK 1
LOCAL STREETS 8
GROSS ACREAGE: 14.23 AC
CONTOUR INTERVAL: 1 FOOT
DATE: JULY 31, 2018

FLOOD ZONE NOTE

THE SUBJECT PROPERTY IS DESIGNATED AS LYING WITHIN ZONE "X", ZONE "A" AND ZONE "AE" ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 06065C0805 G, MAP REVISED AUGUST 28, 2008, AND 06065C0810 G, DATED AUGUST 28, 2008, AND 06065C0815 G, DATED OCTOBER 17, 1978.

ZONE "X" IS DEFINED AS "AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED."

ZONE "AE" IS DEFINED AS "AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD."

ZONE "C" IS DEFINED AS "AREAS OF MINIMAL FLOODING."

RESIDENTIAL LOT SUMMARY

LOT NO.	LOT AREA (AC.)	# OF UNITS
1	0.26	1
2	0.24	1
3	0.21	1
4	0.19	1
5	0.13	1
6	0.26	1
7	0.26	1
8	0.26	1
9	0.42	1
10	0.26	1
11	0.26	1
12	0.27	1
13	0.26	1
14	0.26	1
15	0.26	1
16	0.27	1
17	0.26	1
18	0.26	1
19	0.26	1
TOTAL	5.13	107

STREET AREA SUMMARY

STREET	ACREAGE
"A" STREET	1.53 AC
"B" STREET	0.38 AC
"C" STREET	0.47 AC
"D" STREET	0.77 AC
"E" STREET	0.47 AC
"F" STREET	0.38 AC
"G" STREET	0.61 AC
"H" STREET	0.57 AC
TOTAL ACREAGE	5.08 AC

GENERAL INFORMATION

1. EXISTING LAND USE: VACANT
2. EXISTING ZONING: BUTTERFIELD SPECIFIC PLAN
3. EXISTING GENERAL PLAN: BUTTERFIELD SPECIFIC PLAN
4. PROPOSED LAND USE:
   - SINGLE-FAMILY RESIDENTIAL
   - PARKS
   - OPEN SPACE
5. PROPOSED ZONING: BUTTERFIELD SPECIFIC PLAN
6. PROPOSED GENERAL PLAN: BUTTERFIELD SPECIFIC PLAN
7. ADJACENT LAND USES:
   - NORTH: VACANT / FUTURE SCHOOL SITE
   - EAST: SOLTICE AVENUE / VACANT
   - SOUTH: MEDICAL FACILITY / TRAILER PARK
   - WEST: VACANT / FUTURE CONNECTION
8. PARK FEE AGREEMENTS TO BE MET BY THE DEDICATION AND CONSTRUCTION OF PARKS.
9. SCHOOL DISTRICTS:
   - ELEMENTARY: BANNING UNIFIED SCHOOL DISTRICT
   - MIDDLE SCHOOL: BANNING UNIFIED SCHOOL DISTRICT
   - HIGH SCHOOL: BANNING UNIFIED SCHOOL DISTRICT
10. FIRE FLAMING IS SHOWN HEREON MAY BE ADJUSTED PER DIRECTION OF THE CALIFORNIA DEPARTMENT OF FORESTRY.
11. WALK SPLIT RAIL MAY MAY BE PLACED PLEASANT TO SECTION 33(B)(1) OF THE CALIFORNIA CODE.
12. THE TENTATIVE TRACT MAP IS WITHIN THE APPROVED BUTTERFIELD SPECIFIC PLAN.
13. ALL PROPOSED MANUFACTURED SLOPES SHALL BE A MAXIMUM OF 3:1, UNLESS OTHERWISE NOTED ON THE TENTATIVE TRACT MAP.
14. ESTIMATED EARTHWORK QUANTITIES:

	CUT (CY)	FILL (CY)
MASS EXCAVATION	20,139	20,139
REMEDIAL (1.5%)	4,178	
SUBSIDENCE (0.10ft)	4,267	1,994
UNSUITABLE REMOVALS	18,211	218,118
TOTAL EARTHWORK	217,167	240,251

IMPORT: 24,114 CY

15. GEOTECHNICAL SOILS INVESTIGATION REPORT WAS PREPARED BY GEOCON WEST, INC., DATED MAY 18, 2017.
16. THERE ARE NO WATER-WELL STRUCTURES WITHIN THE BOUNDARIES OF THE TENTATIVE TRACT MAP.
17. ALL PROPOSED STREETS WITHIN THIS TENTATIVE TRACT ARE PUBLIC AND SHALL BE MAINTAINED BY THE CITY OF BANNING.
18. THE DEVELOPER/APPLICANT SHALL RESERVE THE RIGHT TO MERGE LOTS ON THE "FINAL MAP."
19. THE TENTATIVE TRACT MAP HAS BEEN DESIGNED AS LYING WITHIN ZONE "X" AND CITY TOWN, FIRM PANEL NUMBER 06065C0805G, DESIGNATION 06065C0810 G, DATED APRIL 19, 1982 AND FIRM, DESIGNATION 06065C0815G, DATED SEPTEMBER 17, 1978.
20. THE TENTATIVE TRACT MAP INCLUDES THE ENTIRE CONTIGUOUS OWNERSHIP OF LAND BEING SUBDIVIDED.
21. TOPOGRAPHIC SURVEY WAS TAKEN AND COMPILED BY SON-REID CORPORATION DATED MAY 15, 2017.
22. A PORTION OF THIS TENTATIVE TRACT MAP IS SUBJECT TO OVERFLOW, INUNDATION OR FLOODING HAZARD.
23. THERE ARE NO PROPOSED OPEN STORM DRAINS CURRENTLY WITHIN THIS TENTATIVE TRACT MAP.
24. THE TENTATIVE TRACT MAP BEARS A GATED COMMUNITY.
25. ACCESS SHALL BE RESTRICTED ON WILSON STREET, CREEKSIDE AVENUE AND SOLSTICE AVENUE.
26. FINAL SIGN SHALL COMPLY WITH THE LATEST, INCLUDING ANY SUBSTITUTED BY THE CITY OF BANNING.
27. PROPOSED OPEN SPACE LOTS A TO D SHALL BE PRIVATE AND MAINTAINED BY AN APPROVED HOA.
28. PROPOSED PARK LOTS 19, 20 & 26 "PEARL" ARE SHALL BE MAINTAINED BY AN APPROVED HOA.
29. ALL PROPOSED RESIDENTIAL LOTS SHALL MAINTAIN A 5.0% MINIMUM GRADE FROM REAR OF THE LOT TO THE STREET.
30. FIRE PROTECTION SHALL BE PROVIDED BY THE CITY OF BANNING.
31. ALL PROPOSED ON-SITE STORM DRAIN FACILITIES, NOT AN OBLIGATION AT THIS PRELIMINARY AND SUBJECT TO FINAL HYDRAULIC CALCULATIONS ACCEPTABLE TO THE CITY OF BANNING.
32. ALL PROPOSED ON-SITE STORM WATER DISCHARGE FROM THIS TENTATIVE TRACT MAY SHALL BE TREATED BY MINIMUM ON-SITE TREATMENT CONTROL BMPS PER PHASE II DESIGN OF SWPPP AND ON-SITE PRIOR TO DISCHARGE TO ANY EXISTING OR PROPOSED STORM DRAIN FACILITY.
33. ALL DIMENSIONS ON THE TENTATIVE TRACT MAP ARE APPROXIMATE.

EASEMENT NOTES

1. PROPOSED 20' SEWER AND STORM DRAIN EASEMENT
2. PROPOSED VARIABLE WIDTH OF WALL EASEMENT FOR MAINTENANCE ACCESS ONLY
3. PROPOSED 20' PRIVATE LANDSCAPE AND MAINTENANCE EASEMENT AT CORNER LOTS

APPLICANT/DEVELOPER

PARDEE HOMES
1250 CORONA POINTE COURT, SUITE 600
CORONA, CA 92879
(951) 479-3500
CONTACT: CHRIS COURTNEY

OWNER

PARDEE HOMES
1250 CORONA POINTE COURT, SUITE 600
CORONA, CA 92879
(951) 479-3500
CONTACT: CHRIS COURTNEY

ENGINEER

MDS CONSULTING
41391 KALMIA STREET, SUITE 310
MURRIETA, CA 92562
(951) 304-1620
CONTACT: ED LENTH

ATWELL

FOR CONDOMINIUM PURPOSES

PHASE 1A / TENTATIVE TRACT NO. 37365

PLANNING AREA 4, 9B, 26

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

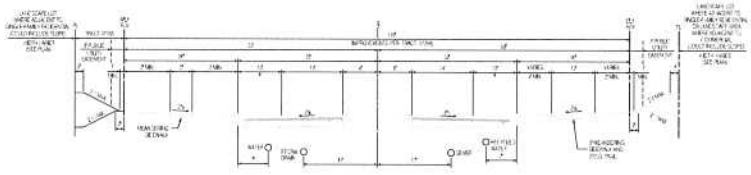
SHEET 2 OF 12

DATE	NO.	REVISIONS

PREPARED FOR:
Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 479-3500

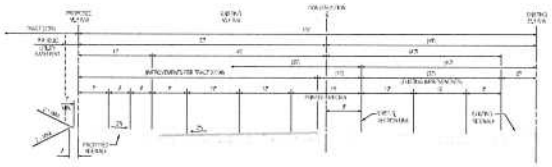
PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

PHASE 1A - PA 4, 9B, 26 - TENTATIVE TRACT MAP

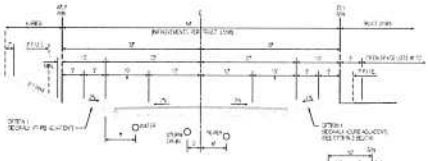


SOLSTICE AVENUE (PUBLIC)
MODIFIED DIVIDED COLLECTOR STREET
(IMPROVEMENTS PER TRACT 37298)

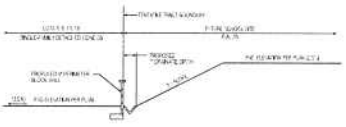
SECTION 'A'-'A'



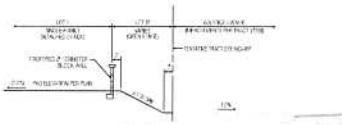
WILSON STREET (PUBLIC)
MAJOR HIGHWAY (MODIFIED)
(IMPROVEMENTS PER TRACT 37298)



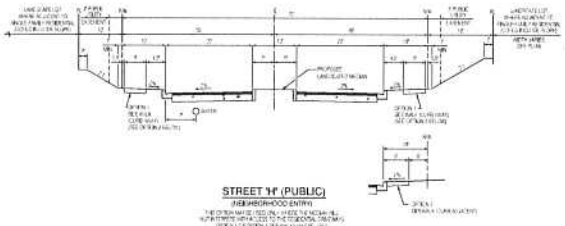
CREEKSIDE AVENUE (PUBLIC)
(MODIFIED COLLECTOR STREET)
(IMPROVEMENTS PER TRACT 37298)



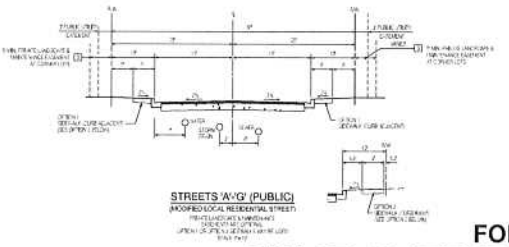
SECTION 'B'-'B'



SECTION 'C'-'C'



STREET 'H' (PUBLIC)
(NEIGHBORHOOD ENTRY)



STREETS 'A'-'G' (PUBLIC)
(MODIFIED LOCAL RESIDENTIAL STREET)

ATWELL

FOR CONDOMINIUM PURPOSES

PHASE 1A / TENTATIVE TRACT NO. 37365

PLANNING AREA 4, 9B, 26

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 3 OF 12

DATE	NO.	REVISIONS

PREPARED FOR:

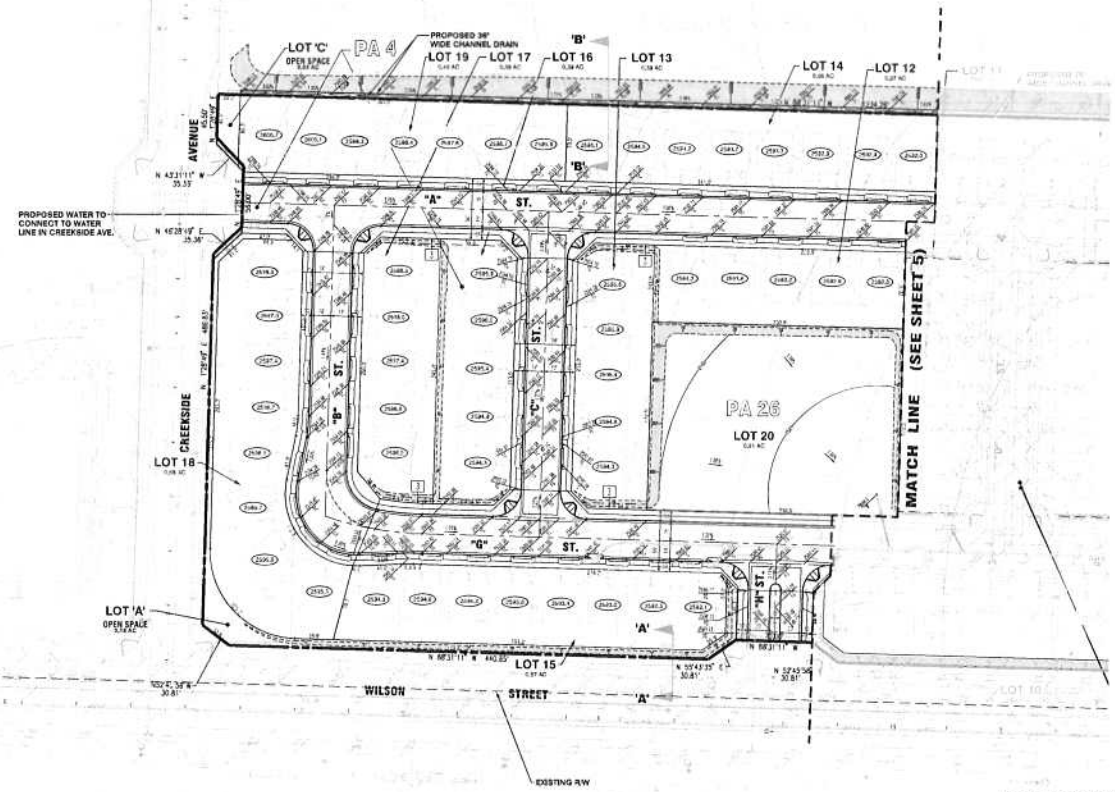
Pardee Homes

1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 479-4400

PREPARED BY:

MDS CONSULTING

PHASE 1A - PA 4, 9B, 26 - TENTATIVE TRACT MAP



ATWELL

FOR CONDOMINIUM PURPOSES

PHASE 1A / TENTATIVE TRACT NO. 37365

PLANNING AREA 4, 9B, 26

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 4 OF 12

DATE	NO.	REVISIONS

PREPARED FOR:

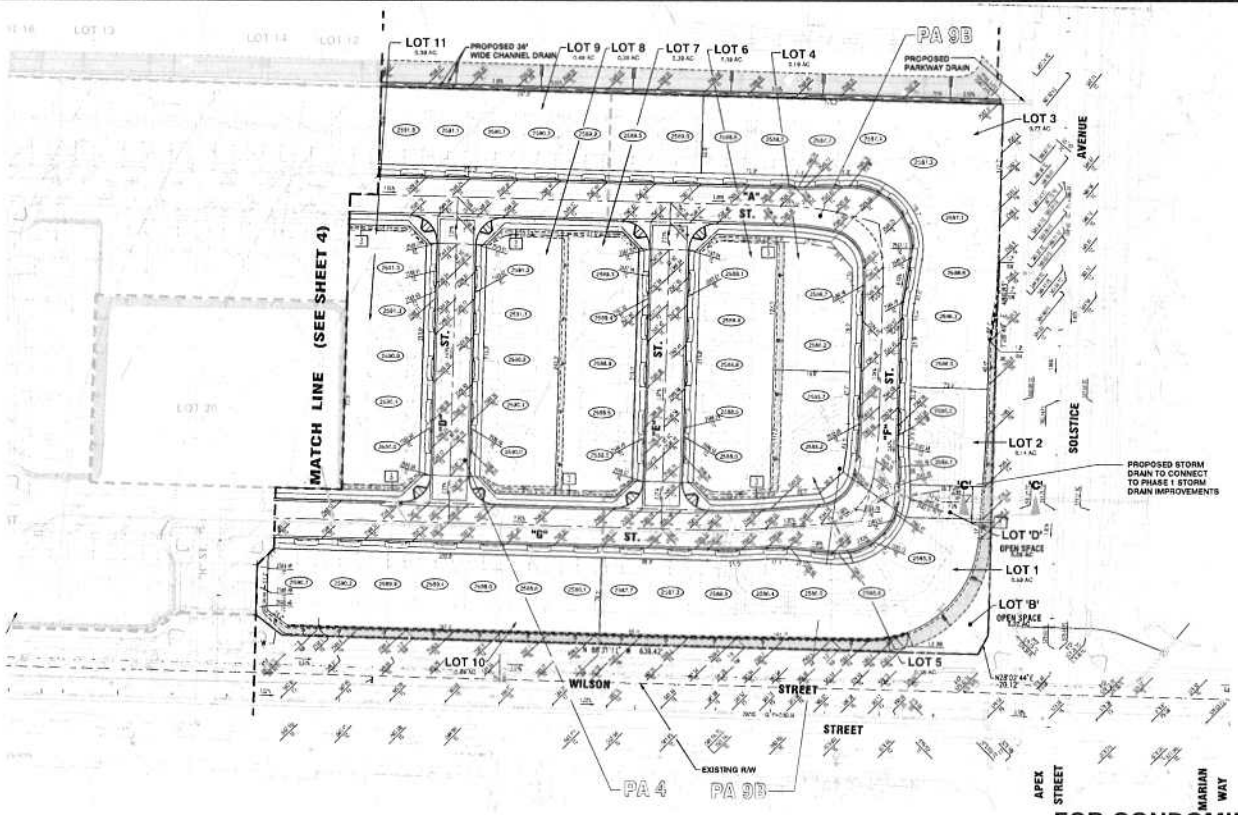
Pardee Homes

1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 684-6100

PREPARED BY:

MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

PHASE 1A - PA 4, 9B, 26 - TENTATIVE TRACT MAP



ATWELL

FOR CONDOMINIUM PURPOSES
PHASE 1A / TENTATIVE TRACT NO. 37365
PLANNING AREA 4, 9B, 26

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 5 OF 12

DATE	NO	REVISIONS

PREPARED FOR:

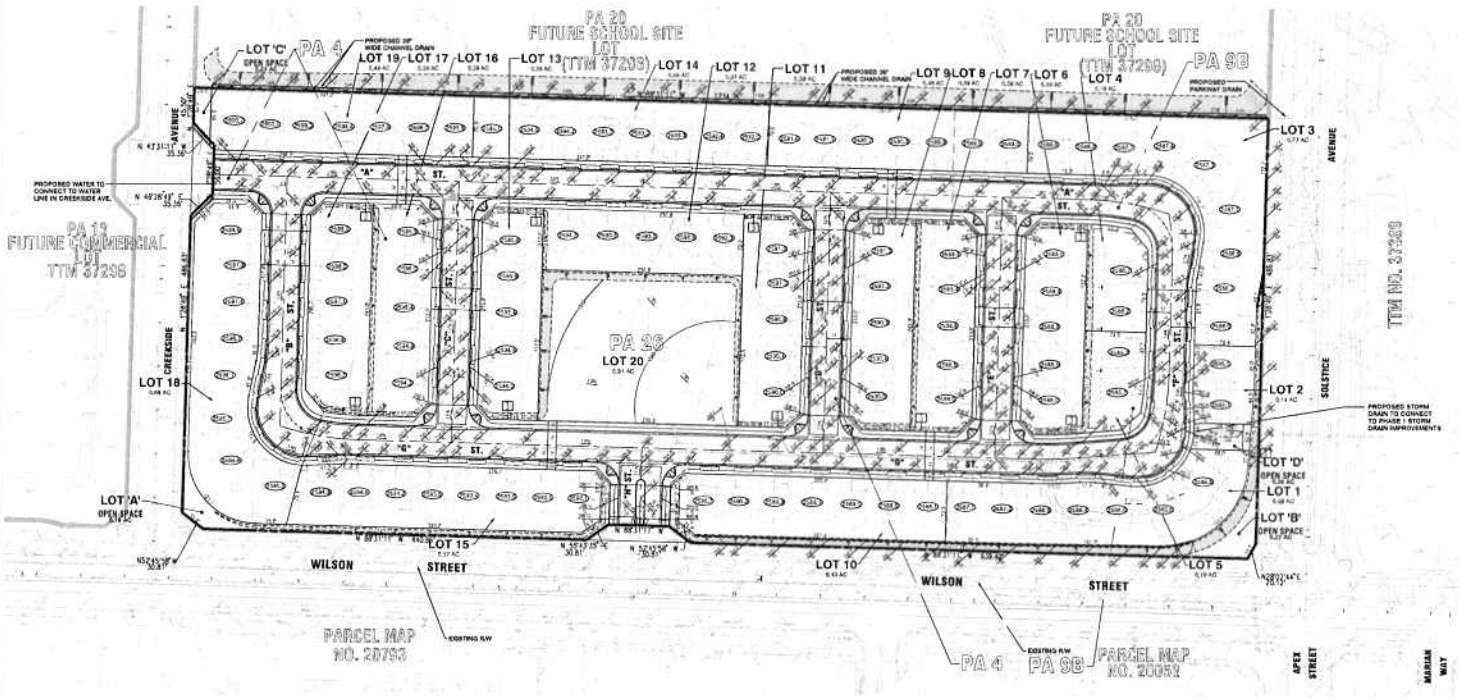
Pardee Homes

1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 479-4100

PREPARED BY:

MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

PHASE 1A - PA 4, 9B, 26 - TENTATIVE TRACT MAP



ATWELL

PHASE 1A / TENTATIVE TRACT NO. 37365

PLANNING AREA 4, 9B, 26

COMPOSITE TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 6 OF 12

DATE	NO.	REVISIONS

PREPARED FOR:

Pardee Homes

1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 808-4400

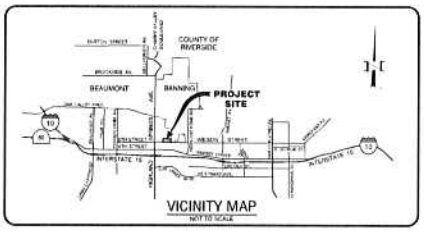
PREPARED BY:

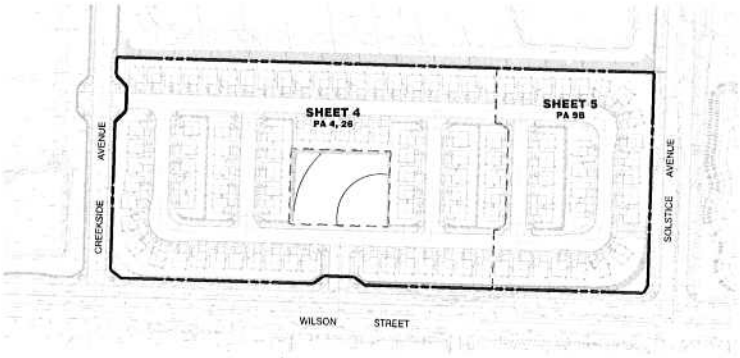
MDS CONSULTING

PLANNERS ENGINEERS SURVEYORS

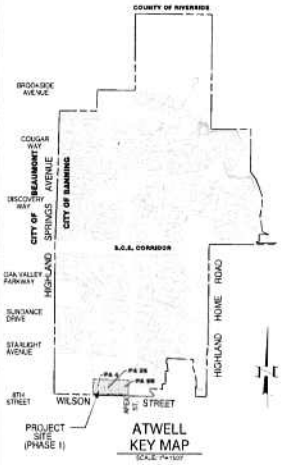
SCALE 1"=400'

PHASE 1A - PA 4, 9B, 26 - SITE PLAN





SHEET INDEX MAP



SHEET INDEX

SHEET 1	TITLE SHEET / SHEET INDEX (THIS SHEET)
SHEET 2	NOTES / TABULATIONS (TTM)
SHEET 3	STREET / LOT SECTIONS
SHEETS 4-6	MAP SHEETS (TTM)
SHEET 7	TITLE SHEET / SHEET INDEX / SITE PLAN
SHEET 8	NOTES / TABULATIONS / SITE PLAN
SHEET 9-11	MAP SHEETS (SITE PLAN)
SHEET 12	MAP SHEET / PARK SITE PLAN

LOT INDEX

LOTS 1-13	PA 4, 9B	SHEETS 4, 5, 9, 10, 11
LOTS 15-24	PA 4	SHEET 4, 5, 9, 10
LOT 14	PA 26	SHEET 4, 5, 11, 12

MDS CONSULTING
17320 REDHILL AVENUE, SUITE 350
IRVINE, CA 92614
PHONE: (949) 251-8821
FAX: (949) 251-0518
CONTACT: EDWARD J. LENTH

EDWARD J. LENTH RCE 052446
EXP. DATE: DECEMBER 31, 2018

DATE	NO.	REVISIONS

PREPARED FOR:
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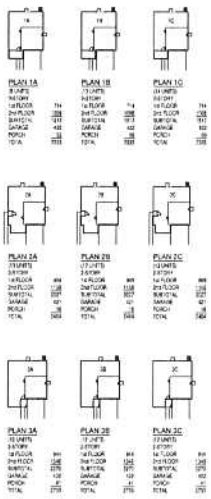
PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL
PHASE 1A / TENTATIVE TRACT NO. 37365
PLANNING AREA 4, 9B, 26
TECHNICAL SITE PLAN
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 7 OF 12

PHASE 1A - PA 4, 9B, 26 - SITE PLAN



PLAN 1A — 3 UNITS — 1st FLOOR 714 — 2nd FLOOR 1098 — BASE TOTAL 1812 — GARAGE 400 — PORCH 36 — TOTAL 1848

PLAN 1B — 3 UNITS — 1st FLOOR 714 — 2nd FLOOR 1098 — BASE TOTAL 1812 — GARAGE 400 — PORCH 36 — TOTAL 1848

PLAN 1C — 3 UNITS — 1st FLOOR 714 — 2nd FLOOR 1098 — BASE TOTAL 1812 — GARAGE 400 — PORCH 36 — TOTAL 1848

PLAN 2A — 3 UNITS — 1st FLOOR 869 — 2nd FLOOR 1138 — BASE TOTAL 2007 — GARAGE 421 — PORCH 36 — TOTAL 2043

PLAN 2B — 3 UNITS — 1st FLOOR 869 — 2nd FLOOR 1138 — BASE TOTAL 2007 — GARAGE 421 — PORCH 0 — TOTAL 2428

PLAN 2C — 3 UNITS — 1st FLOOR 869 — 2nd FLOOR 1138 — BASE TOTAL 2007 — GARAGE 421 — PORCH 36 — TOTAL 2043

PLAN 3A — 10 UNITS — 1st FLOOR 944 — 2nd FLOOR 1346 — SUBTOTAL 2290 — GARAGE 420 — PORCH 41 — TOTAL 2751

PLAN 3B — 10 UNITS — 1st FLOOR 944 — 2nd FLOOR 1346 — SUBTOTAL 2290 — GARAGE 420 — PORCH 41 — TOTAL 2751

PLAN 3C — 10 UNITS — 1st FLOOR 944 — 2nd FLOOR 1346 — SUBTOTAL 2290 — GARAGE 420 — PORCH 41 — TOTAL 2751

LEGEND

AIR CONDITIONING PAD

5 LOT NUMBER

1A PROPOSED UNIT NUMBER / PROPOSED BUILDING TYPE

PROPOSED GARAGE PARKING

PROPOSED DRIVEWAY PARKING

PROPOSED ON-STREET PARKING

PROPOSED STREET LIGHT

PROPOSED STORM DRAIN

PROPOSED SANITARY SEWER

PROPOSED POTABLE WATER

PROPOSED NON-POT. WATER

EXISTING STORM DRAIN

EXISTING SANITARY SEWER

EXISTING POTABLE WATER

EXISTING GAS LINE

PROPOSED STREET GRADE

TENTATIVE TRACT BOUNDARY

PROPOSED RETAINING WALL (SEE PLAN FOR HEIGHT)

LOT 'B' PROPOSED H.O.A. MAINTAINED LOT/CLOT (OPEN SPACE)

PROPOSED CONDO BUILDING SETBACK LINE

LOT LINE

SETBACKS

(PER APPROVED BUTTERFIELD SPECIFIC PLAN DATED 2/11/15)

FRONT:
FROM BACK OF SIDEWALK OR CURB
PORCH 5 FEET MIN.
LIVING 10 FEET MIN.
GARAGE 18 FEET MIN.

SIDE:
CENTER LINE 47 FEET MIN.
LOT LINE 5 FEET MIN.

REAR:
PATIO 1 FEET MIN.
LIVING 10 FEET MIN.

MINIMUM BUILDING SEPARATION:
CENTER LINE 9 FEET MIN.
LOT LINE 10 FEET MIN.

ELEVATION SUMMARY

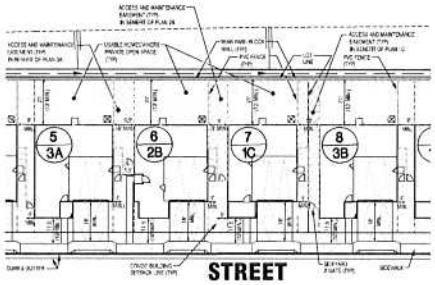
PLAN 1A = MONTEREY
PLAN 1B = SANTA BARBARA
PLAN 1C = CRAFTSMAN

PLAN 2A = MONTEREY
PLAN 2B = SANTA BARBARA
PLAN 2C = CRAFTSMAN

PLAN 3A = MONTEREY
PLAN 3B = SANTA BARBARA
PLAN 3C = CRAFTSMAN

LOT ELEVATION SUMMARY

LOT NO.	ELEV A	ELEV B	ELEV C	TOTAL
1	2	0	1	3
2	0	0	2	2
3	1	4	2	7
4	1	1	1	3
5	3	1	1	5
6	1	1	1	3
7	2	1	1	4
8	1	1	1	3
9	2	2	1	5
10	2	3	2	7
11	3	2	1	6
12	3	2	1	6
13	1	3	1	5
14	1	2	1	4
15	2	3	2	7
16	1	2	1	4
17	2	1	1	4
18	1	2	2	5
19	2	2	1	5
20	2	2	1	5
21	1	1	1	3
22	2	1	1	4
TOTAL	31	37	28	96



TYPICAL DETACHED CONDO DETAIL

PLAN MIX SUMMARY

LOT NO.	PLAN 1	PLAN 2	PLAN 3	TOTAL
1	1	1	1	3
2	0	1	1	2
3	1	4	2	7
4	1	1	1	3
5	3	1	1	5
6	1	1	1	3
7	2	1	1	4
8	1	1	1	3
9	2	2	1	5
10	2	3	2	7
11	3	2	1	6
12	3	2	1	6
13	1	3	1	5
14	1	2	1	4
15	2	3	2	7
16	1	2	1	4
17	2	1	1	4
18	1	2	2	5
19	2	2	1	5
20	2	2	1	5
21	1	1	1	3
22	2	1	1	4
TOTAL	34	38	24	97

RESIDENTIAL LOT COVERAGE

LOT NO.	TOTAL LOT AREA	NUMBER OF UNITS	TOTAL UNIT AREA (SF)	PERCENT COVERAGE (%)
1	13,776	3	8,280	59.3
2	6,100	2	3,716	44.8
3	10,141	5	11,761	50.1
4	8,241	3	3,716	51.9
5	7,642	4	3,948	53.7
6	6,482	3	4,675	56.2
7	6,366	3	4,598	56.8
8	6,366	3	4,513	56.2
9	20,910	7	8,743	47.7
10	21,340	7	9,797	57.1
11	14,965	6	8,598	52.8
12	14,105	6	8,675	56.2
13	13,200	5	8,911	44.2
14	20,991	8	10,990	42.7
15	14,605	6	10,449	59.2
16	14,965	6	8,675	56.2
17	14,965	6	8,429	56.8
18	29,925	8	10,836	49.8
19	21,340	7	9,745	43.8
20	24,829	10	14,396	59.3

PLAN ELEVATION SUMMARY

ELEVATION TYPE	PLAN 1	PLAN 2	PLAN 3	SUBTOTAL	PERCENT %
MONTEREY (A)	8	13	10	31	32.0%
SANTA BARBARA (B)	13	11	10	34	35.1%
CRAFTSMAN (C)	13	14	10	41	32.9%
TOTAL	34	38	24	97	100%

PLAN NO.	LOT AREA	FLOOR AREA	NO. OF UNITS	PERCENT %
PLAN 1A	1,812 SF	714 SF	11 UNITS	11.3%
PLAN 1B	1,812 SF	714 SF	11 UNITS	11.3%
PLAN 1C	1,812 SF	714 SF	11 UNITS	11.3%
PLAN 2A	2,007 SF	869 SF	11 UNITS	11.3%
PLAN 2B	2,007 SF	869 SF	11 UNITS	11.3%
PLAN 2C	2,007 SF	869 SF	11 UNITS	11.3%
PLAN 3A	2,290 SF	944 SF	10 UNITS	10.3%
PLAN 3B	2,290 SF	944 SF	10 UNITS	10.3%
PLAN 3C	2,290 SF	944 SF	10 UNITS	10.3%
TOTAL			97 UNITS	100.0%

PLAN SUMMARY

PLAN NO.	NO. OF UNITS	PERCENT %
1	31	31.9%
2	35	36.1%
3	31	32.0%
TOTAL	97	100%

PARKING SUMMARY

REQUIRED PARKING SPACES
(PER THE APPROVED BUTTERFIELD SPECIFIC PLAN DATED 2/11/15)

PARKING SPACE REQUIREMENTS
RESIDENT:
COVERED SPACES (GARAGES) 2.0
GUEST:
UNCOVERED SPACES (DRIVEWAY OR STREET) 0.5

PROVIDED PARKING SPACES
RESIDENT:
COVERED SPACES (GARAGES) 2+
GUEST:
UNCOVERED SPACES (DRIVEWAY) 2+
UNCOVERED SPACES (STREET) 0
TOTAL 4+
AVERAGE PER UNIT 4.7

REQUIRED PARKING SPACES:
RESIDENT:
COVERED SPACES (GARAGES) 194
GUEST:
UNCOVERED SPACES (DRIVEWAY) 0
UNCOVERED SPACES (STREET) 0
TOTAL 194
AVERAGE PER UNIT 2.0

PLAN SUMMARY

(PER BUTTERFIELD SPECIFIC PLAN, MAXIMUM HEIGHT ALLOWED 3 STORY)

PLAN 1A (MONTEREY) = 2 STORY
PLAN 1B (SANTA BARBARA) = 2 STORY
PLAN 1C (CRAFTSMAN) = 2 STORY
PLAN 2A (MONTEREY) = 2 STORY
PLAN 2B (SANTA BARBARA) = 2 STORY
PLAN 2C (CRAFTSMAN) = 2 STORY
PLAN 3A (MONTEREY) = 2 STORY
PLAN 3B (SANTA BARBARA) = 2 STORY
PLAN 3C (CRAFTSMAN) = 2 STORY

GENERAL INFORMATION

EXISTING GENERAL PLAN: BUTTERFIELD SPECIFIC PLAN
(MDR - MEDIUM DENSITY RESIDENTIAL 5.1-14.0 DU/AC)
EXISTING ZONING: BUTTERFIELD SPECIFIC PLAN
(MDR - MEDIUM DENSITY RESIDENTIAL 5.1-14.0 DU/AC)
EXISTING LAND USE: VACANT
PROPOSED GENERAL PLAN: BUTTERFIELD SPECIFIC PLAN
(MDR - MEDIUM DENSITY RESIDENTIAL 5.1-14.0 DU/AC)
PROPOSED ZONE: BUTTERFIELD SPECIFIC PLAN
(MDR - MEDIUM DENSITY RESIDENTIAL 5.1-14.0 DU/AC)
PROPOSED LAND USE: SINGLE-FAMILY ATTACHED RESIDENTIAL
SURROUNDING LAND USE: NORTH - VACANT, FUTURE SINGLE FAMILY
SOUTH - VACANT, FUTURE COMMERCIAL
EAST - VACANT, FUTURE SINGLE FAMILY RESIDENTIAL AND SCHOOL
WEST - EXISTING SINGLE FAMILY RESIDENTIAL

LEGAL DESCRIPTION

A PORTION OF LOTS 1 AND 2 OF TRACT MAP NO. 31355, FILED IN BOOK 439 OF MAPS, PAGES 84 THROUGH 104, INCLUSIVE, IN THE OFFICE OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

ASSESSORS PARCEL NUMBERS

XXX-XXX-XXX
XXX-XXX-XXX

LEGAL DESCRIPTION

A PORTION OF LOTS 1 AND 2 OF TRACT MAP NO. 31355, FILED IN BOOK 439 OF MAPS, PAGES 84 THROUGH 104, INCLUSIVE, IN THE OFFICE OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

APPLICANT/DEVELOPER

PARDEE HOMES
1250 CORONA POINTE COURT, SUITE 600
CORONA, CA 92879
(951) 625-4448
CONTACT: CHRIS COURTNEY

OWNER

PARDEE HOMES
1250 CORONA POINTE COURT, SUITE 600
CORONA, CA 92879
(951) 479-4448
CONTACT: CHRIS COURTNEY

ENGINEER

MDS CONSULTING
17542 NORTHEAST MAIN STREET, SUITE 200
IRVINE, CA 92614
(949) 261-1001
CONTACT: STEVE MOORE

DATE	NO.	REVISIONS

PREPARED FOR:
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Corona, CA 92879
(951) 625-4448

PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL

PHASE 1A / TENTATIVE TRACT NO. 37365

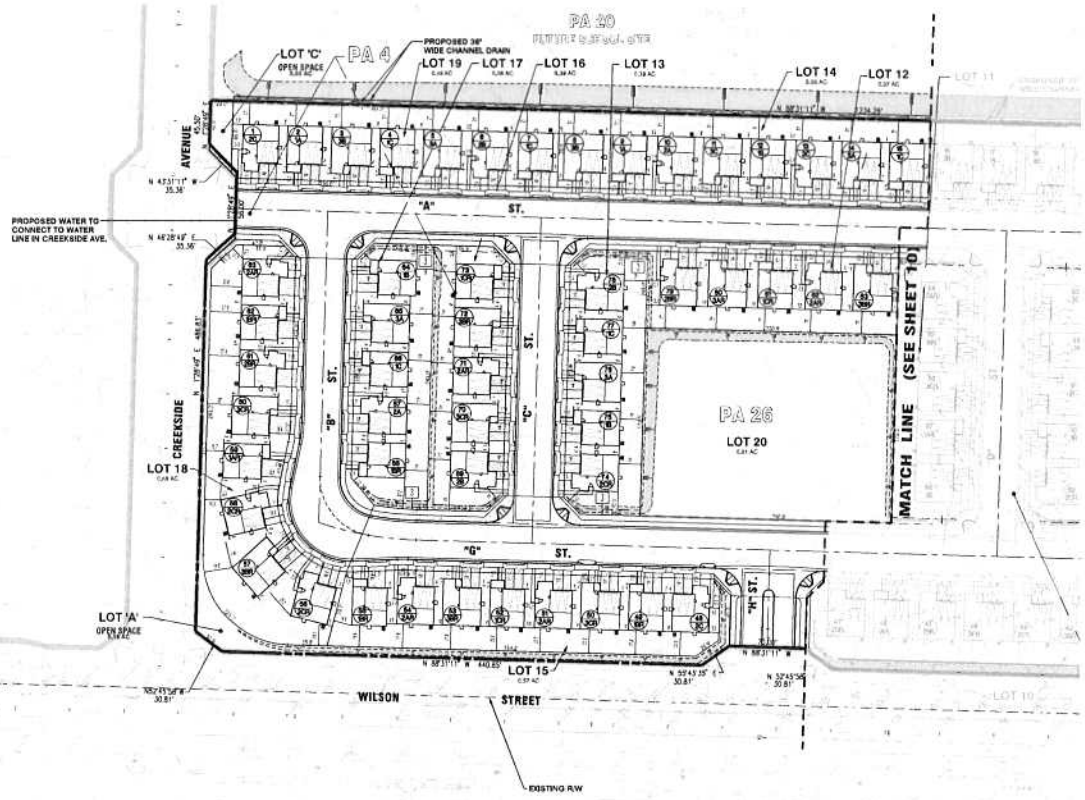
PLANNING AREA 4, 9B, 26

TECHNICAL SITE PLAN

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 8 OF 12

PHASE 1A - PA 4, 9B, 26 - SITE PLAN



NOTE:
FOR TYPICAL WALL AND FENCE LOCATIONS AND ACCESS AND MAINTENANCE EASEMENT EASEMENTS, PLEASE REFER TO THE TYPICAL DETACHED CONDO DETAIL ON SHEET 8.

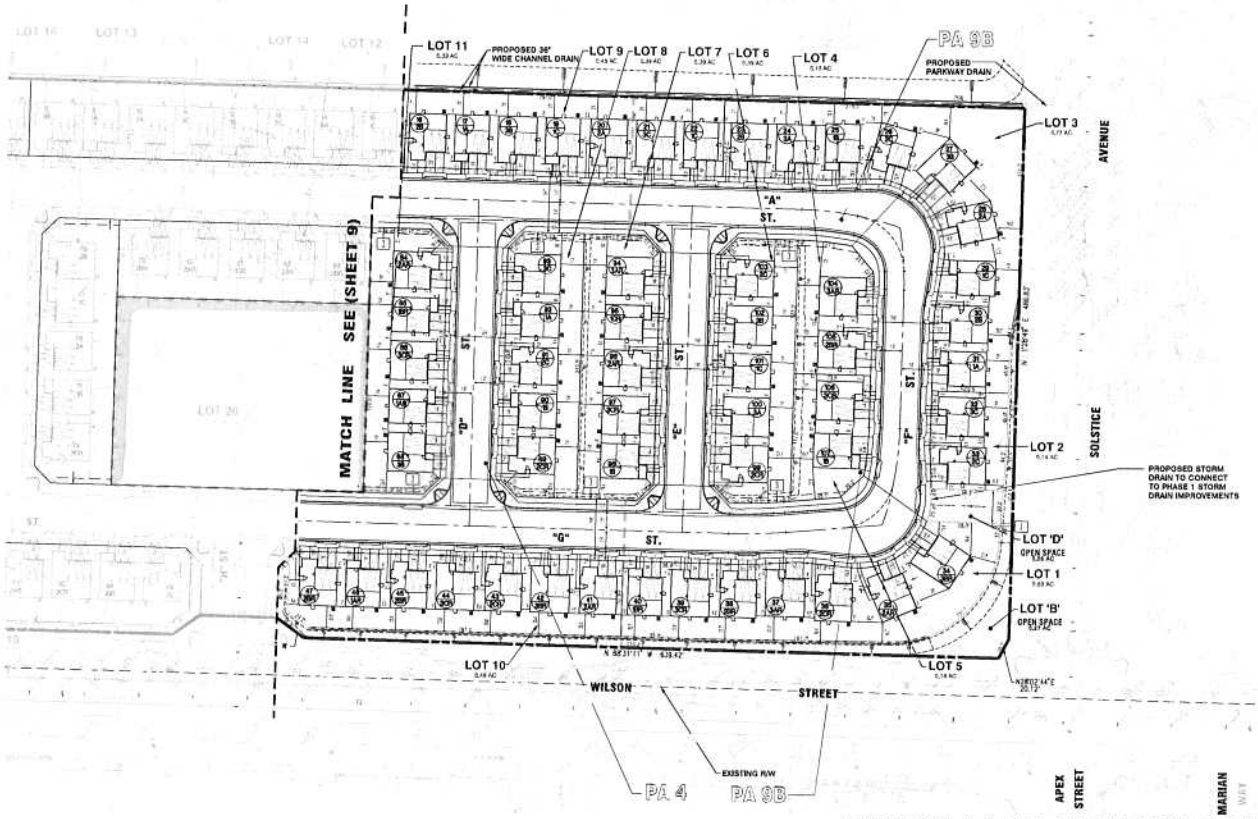
DATE	NO.	REVISIONS

PREPARED FOR:
Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 684-4400

PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL
PHASE 1A / TENTATIVE TRACT NO. 37365
PLANNING AREA 4, 9B, 26
TECHNICAL SITE PLAN
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 9 OF 12

PHASE 1A - PA 4, 9B, 26 - SITE PLAN



ATWELL

PHASE 1A / TENTATIVE TRACT NO. 37365

PLANNING AREA 4, 9B, 26

TECHNICAL SITE PLAN

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 10 OF 12

NOTE:
FOR TYPICAL WALL AND FENCE LOCATIONS AND ACCESS AND MAINTENANCE BENEFIT EASEMENTS PLEASE REFER TO THE TYPICAL DETACHED CONDO DETAIL ON SHEET 8.

DATE	NO.	REVISIONS

PREPARED FOR:

Pardee Homes

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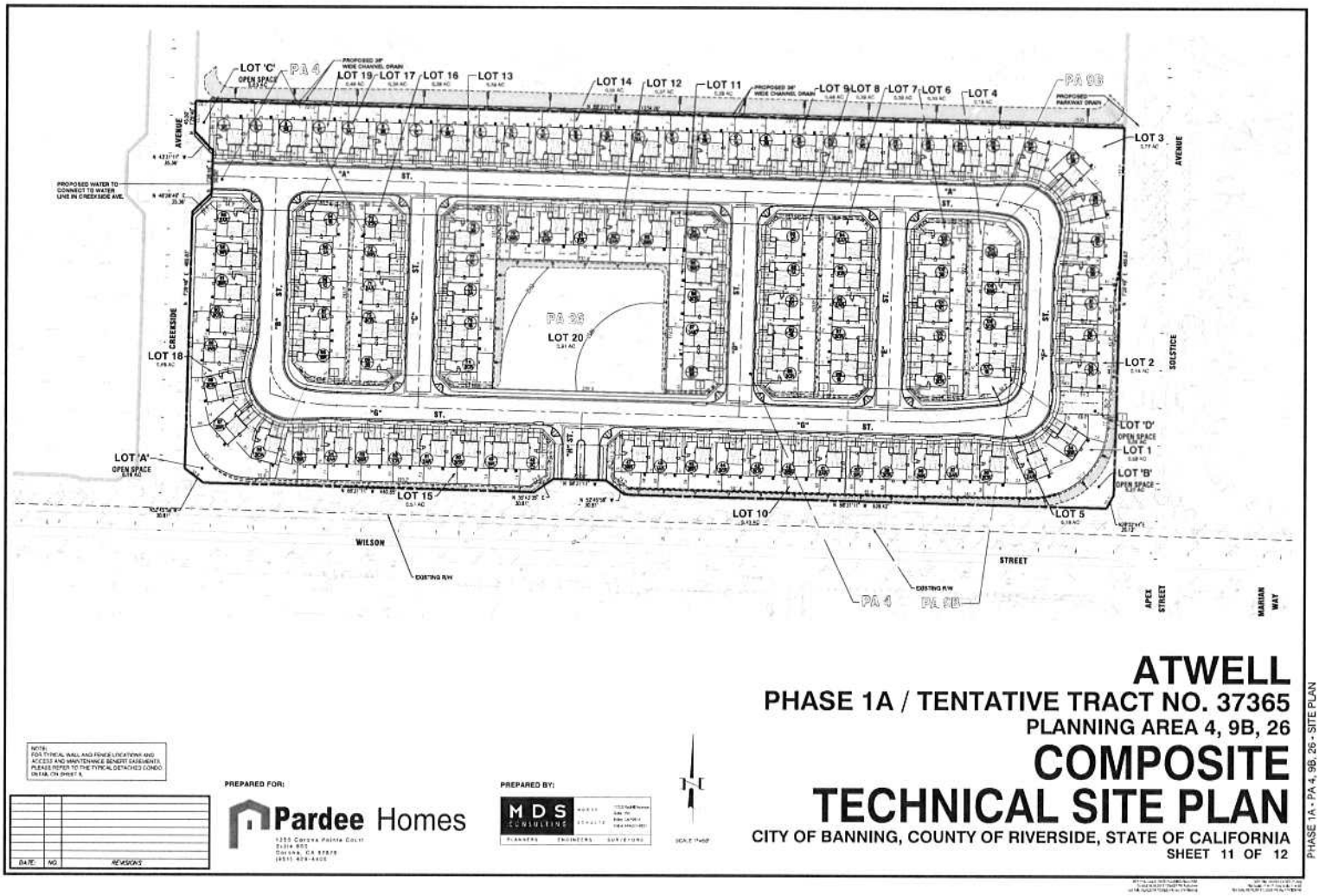
Suite 600
Corona, CA 92879
(951) 808-8300

PREPARED BY:

MDS CONSULTING
PLANNERS · ENGINEERS · SURVEYORS

PHASE 1A - PA 4, 9B, 26 - SITE PLAN



ATWELL

PHASE 1A / TENTATIVE TRACT NO. 37365

PLANNING AREA 4, 9B, 26

COMPOSITE TECHNICAL SITE PLAN

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 11 OF 12

NOTE:
FOR TYPICAL WALL AND FENCE LOCATIONS AND ACCESS AND MAINTENANCE BENEFIT EASEMENTS, PLEASE REFER TO THE TYPICAL DETACHED CONDO. ON SHEET 5.

DATE	NO	REVISIONS

PREPARED FOR:

Pardee Homes

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Suite 600
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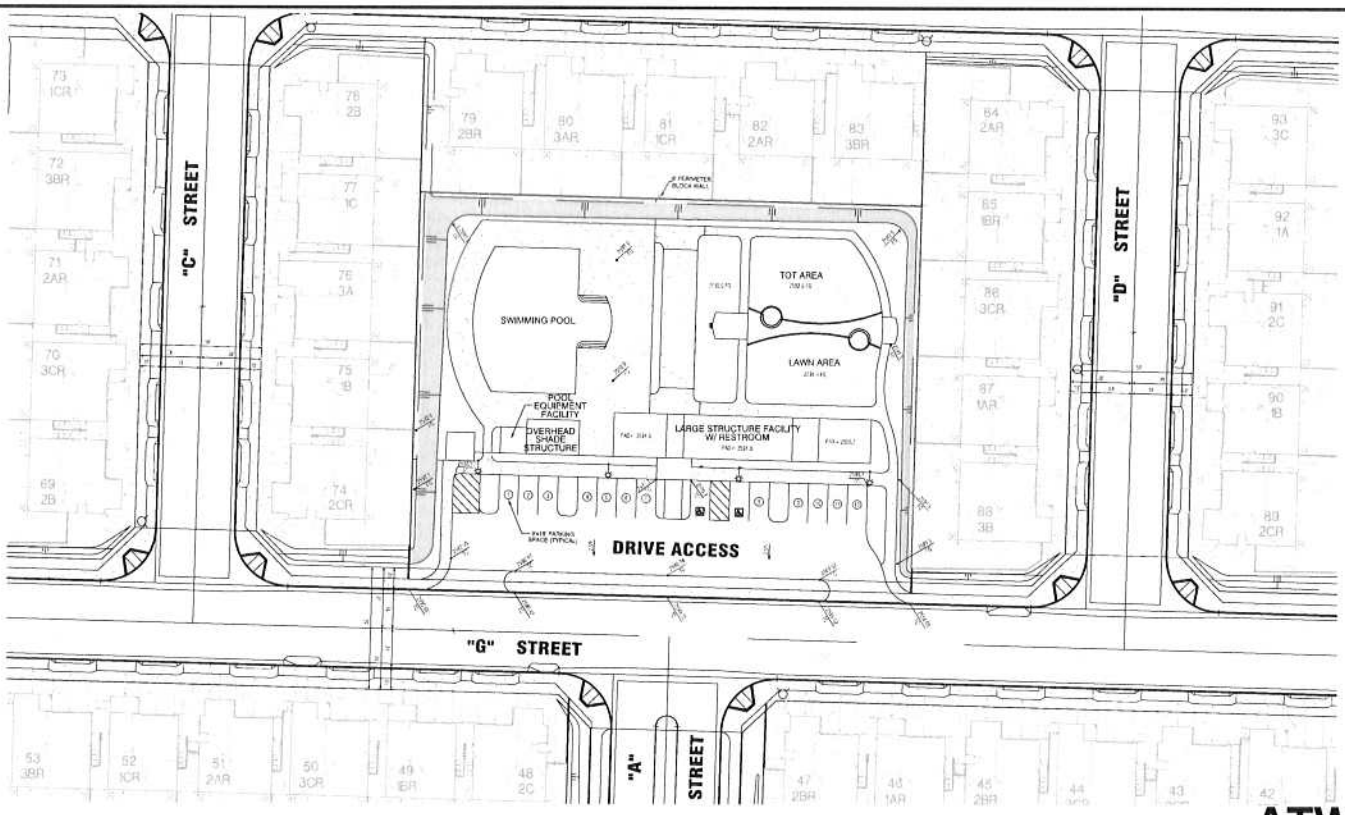
(951) 479-5400

PREPARED BY:

MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

SCALE 1"=50'

PHASE 1A - PA 4, 9B, 26 - SITE PLAN



ATWELL

PHASE 1A / TENTATIVE TRACT NO. 37365

PLANNING AREA 4, 9B, 26

LOT 19 / PARK

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 12 OF 12

NOTE:
FOR TYPICAL WALL AND FENCE LOCATIONS AND ACCESS AND MAINTENANCE BENEFIT EASEMENTS, PLEASE REFER TO THE TYPICAL DETACHED CONDO DETAIL ON SHEET 11.

DATE	NO.	REVISIONS

PREPARED FOR:

Pardee Homes

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(951) 520-4100

PREPARED BY:

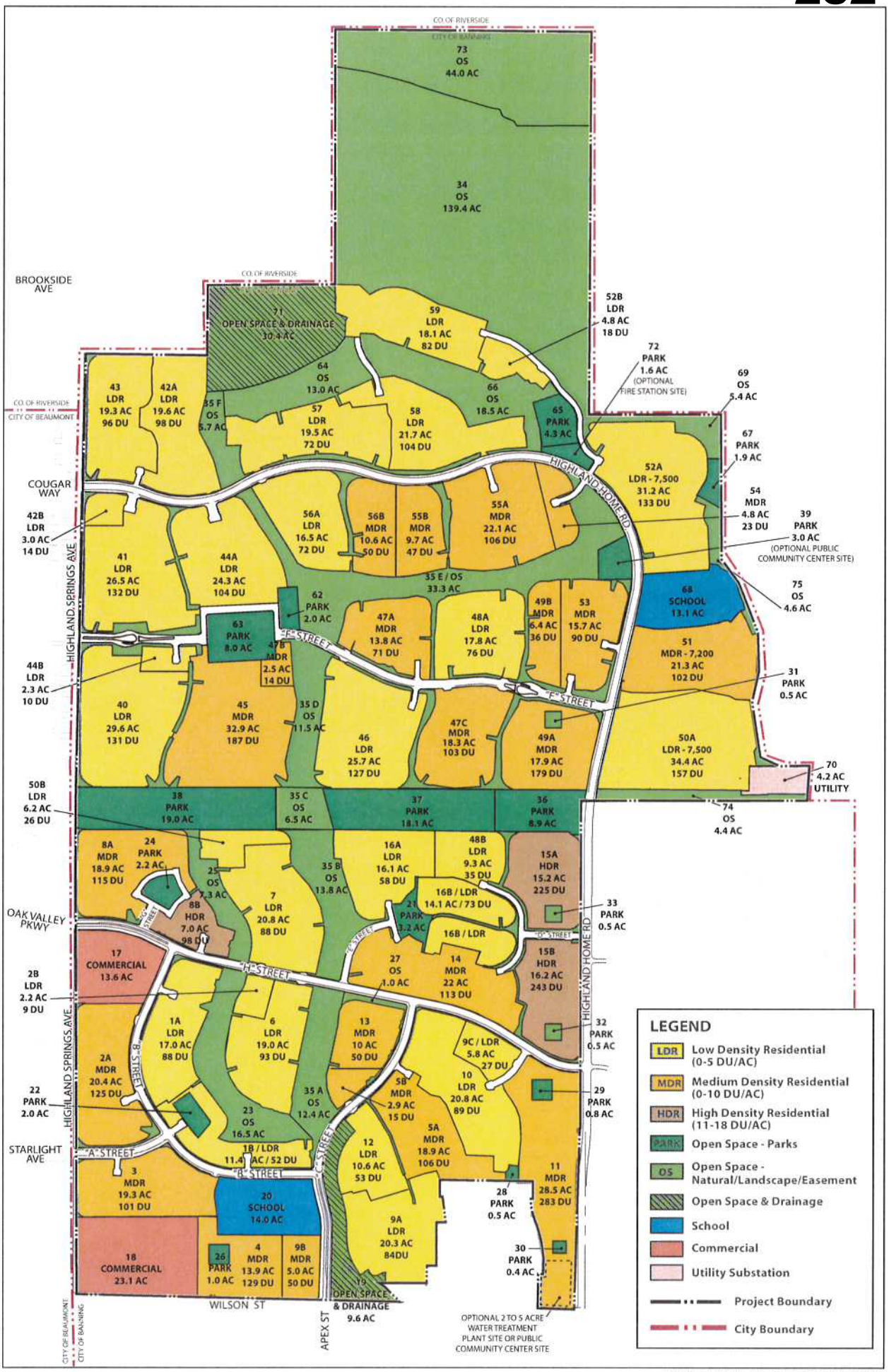
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

SCALE 1"=30'

PHASE 1A - PA 4, 9B, 26 - SITE PLAN

Attachment 4

Butterfield Specific Plan Land Use Plan



Michael Baker INTERNATIONAL

NOT TO SCALE

PARDEE HOMES • BUTTERFIELD SPECIFIC PLAN

Land Use Plan

ATWELL

PREPARED FOR:

Pardee Homes

PREPARED BY:

MDS CONSULTING

GRAPHIC SCALE

ATWELL
PLANNING AREA 4, 9B & 26
AERIAL PHOTO

Attachment 5

Butterfield Specific Plan Land Excerpts – Development Regulations

https://ci.banning.ca.us/Archive.aspx?ADID=1962

(Full Pardee Butterfield Specific Plan available on City website at under Butterfield Specific Plan)

http://www.ci.banning.ca.us/Archive.aspx?ADID=1741

Attachment 6

Ordinance 1450 Approving the Butterfield Specific Plan and associated conditions of approval

https://ci.banning.ca.us/Archive.aspx?ADID=1874

Attachment 7

Butterfield Specific Plan Development Agreement

https://ci.banning.ca.us/Archive.aspx?ADID=1875

Attachment 8

CC Resolution 2017-07 Approving Minor Modifications and Attachment C, Conditions of Approval

https://ci.banning.ca.us/Archive.aspx?ADID=1878

Exhibit "B"
Tentative Tract Map 37365 Conditions of Approval
(Phase 1A)

Community Development

1. The City and Developer are parties to a Development Agreement, recorded on July 17, 2012, as document number 2012-0332888 ("DA"). In the event of any inconsistency or conflict between these Conditions of Approval and the DA, the DA shall control. The Developer shall indemnify the City as described in the DA.

2. Approval of this entitlement shall not waive compliance with any sections of the DA, Butterfield Specific Plan, or other applicable City Ordinances in effect at the time of building permit issuance, to the extent such City Ordinances are applicable to the project and not vested under the DA.

3. Approval of Tentative Tract Map 37365 shall run with the term of the DA. All conditions of approval must be met on or before the expiration date or the applicant must request an extension of time at least thirty (30) days prior to the expiration date, and receive approval of said extension; otherwise, the approval shall expire and become null and void.

4. Unless approved otherwise by City, the Developer shall comply with all applicable conditions of City Council Ordinance No. 1450 approving the Butterfield Specific Plan and conditions of City Council Resolution No. 2017-07 approving Minor Modifications to the Butterfield Specific Plan.

5. All mitigation measures required by the Butterfield Specific Plan Environmental Impact Report Mitigation Monitoring and Reporting Program (MMRP), as modified pursuant to the approved Addendum, and conditions of the project's Settlement Agreement shall be implemented if those measures/conditions relate to this phase or part of the development or are required to be satisfied in connection with this phase or part of the development.

6. A copy of the signed resolution of approval and all conditions of approval and any applicable mitigation measures shall be reproduced in legible form on the grading plans submitted for review and approval as required by the reviewing department.

7. The Developer shall pay all applicable development impact fees and other fees as required under the DA. Adjustments and/or fee credits to the applicable DIFs may be provided as allowed in the DA and any applicable implementing DIF credit agreement. The project proponent shall provide written evidence to the City that school mitigation fees have been paid or other arrangements acceptable to the applicable school district and Developer have been met.

8. Deposits shall be handled per the executed Deposit Agreement dated May 7, 2019.

9. A copy of the final grading and erosion control plan, approved by Engineering, shall be submitted to the Planning Department for review and approval of the landscaping plans when graded cut slopes exceed five (5) feet in height and fill slopes exceed five (5) feet in height.

10. Per DA Exhibit E, Section 5.2, the Developer shall stabilize according to the City Grading and Landscaping Ordinance the rear slope of all residential lots prior to issuance of a certificate of occupancy but shall not be required to landscape and/or irrigate the slopes. It is the intention that the rear yard landscaping will be required and installed within the time specified in the CC&Rs by the homeowner.

11. Per DA Section 6.5.2, Phasing Plans specifying when the lots within Tract 37365 will be developed and when all appropriate public infrastructure within Tract 37365 will be constructed shall be approved prior to commencement of development within the tract. Prior to approval of the Final Map, all conditions requiring the provision or proposed project facilities and subdivision improvements for the area covered by the Tentative Map must be satisfied either through performance or through the provision of suitable security prior to recordation of the Final Map or deferred with City approval under the terms of the DA.

12. Prior to precise grading plan approval, a conceptual (non-structural) project wall/fencing plan to include retaining walls, perimeter walls, and interior walls shall be developed and shall be subject to design review approval by the Community Development Department.

13. All residential and commercial neighborhoods and public facilities shall require Design Review approval by the Community Development Department.

14. Temporary construction fencing shall be installed around portions of the tract under construction until replacement by permanent walls/fencing or completion of improvements.

15. Developer shall meet all legal requirements of responsible agencies.

Engineering/Public Works

A. General Requirements

16. 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 new public improvements accepted or not accepted by the City that are damaged during construction by the Developer or the Developer's contractors shall be removed and replaced as reasonably determined by the City Engineer or his/her representative.

17. Prior to the issuance of any grading, construction, or public works permit by the City, the applicant shall obtain any applicable and legally required clearances and/or permits. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting improvement plans to the City:

- Fire Marshal (access)
- Public Works Department (grading permits, street improvement permits)

- Community Development Department
- 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)

18. 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 for final signatures. 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
b.	Haul Route Plans (If soils is exported off site)	1" = 40' Horizontal
c.	Clearing Plans (Include fuel modifications zones) (Include construction fencing plan)	1" = 50' Horizontal
d.	Erosion Control & SWPPP, WQMP (Note: a, b, c & d shall be reviewed and approved concurrently)	1" = 40' Horizontal
e.	Storm Drain Plans	1" = 40' Horizontal
f.	Street Improvement Plans	1" = 40' Horizontal 1" = 4' Vertical
g.	Traffic Signal Plans (Caltrans Standard)	1" = 20' Horizontal
h.	Signing & Striping Plans	1" = 40' Horizontal
i.	Construction Traffic Control Plan (Major or Arterial Highways only)	1" = 40' Horizontal
j.	Precise Grading Plans	1" = 40' Horizontal
k.	Landscaping Plans	1" = 20' Horizontal
l.	Water, Sewer, & Non-potable water Plans	1" = 40' Horizontal

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.

19. 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.

20. All on-site signing and striping plans shall show the following at a minimum: stop signs, limit lines and legends, no parking signs, raised pavement markers (including blue raised pavement markers at fire hydrants) and street name signs per Public Works standard plans and/or as approved by the City Engineer.

21. 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.

22. 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.

23. All future utility systems including gas, electric, telephone, water, sewer, and cable TV, except for temporary utility systems as defined under the DA, shall be provided for underground, with easements provided as required, and designed and constructed in accordance with City codes and the utility provider. Telephone, cable TV, and/or security systems shall be pre-wired.

B. Rights of Way/Public Improvements

24. Prior to issuance of any permit(s), the applicant shall acquire or confer property rights necessary for the construction or proper functioning of the proposed project/development. If those property rights are located outside the project/development, then the procedures and requirements of Government Code Section 66462.5 shall apply, including the potential acquisition of those rights by the City or waiver of the City's requirement to obtain those rights. Conferred rights may include right-of-way dedications, irrevocable offers to dedicate or grant of easements to the City for emergency services, maintenance, utilities, storm drain facilities, or temporary construction purposes including the reconstruction of essential improvements.

25. The applicant shall offer for dedication on the Final Map, within Final Map boundaries, all public street right-of-way in conformance with the DA and the Butterfield Specific Plan. The City may reject the dedications and leave them open for future acceptance when all required public street improvements for the map are installed by the applicant in the rights of way.

26. Maintenance easements dedicated to the City of Banning shall extend at most 10-feet beyond the toe of slope, where sufficient space is available or as approved by the City Engineer, for those slope areas where maintenance falls within the responsibility of the City.

27. Prior to the issuance of any certificates of occupancy, the applicant shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer of dedication to the City of Banning or the Riverside County Flood Control and Water Conservation District unless such easements are expressly made subordinate to the easements to be offered for dedication to the City or RCFCD or unless such easements do not conflict with the City's or RCFCD's intended purposes or uses. Prior to granting any of said easements, the applicant shall furnish a copy of the proposed easement to the City Engineer for review and approval. Further, a copy of the approved easement shall be furnished to the City Engineer prior to the issuance of any certificate of use and/or occupancy.

28. All street improvement designs shall provide pavement and lane transitions per City of Banning and Caltrans standards for transition to existing street sections, subject to the terms of the DA.

29. Design and construct full street improvements in accordance with City standards, subject to the terms of the DA, for ALL streets as approved on the Final Tract Map including, but not limit to street lighting, curb and gutter, cross gutters and spandrels, access ramps, driveway approaches, sidewalk, asphalt concrete pavement, street name signs, traffic signs and striping, and any transitions. Applicant's geotechnical engineer shall provide the design of the pavement section based upon the Caltrans method. STREET AND SIDEWALK WIDTHS AND CROSS SECTIONS SHALL COMPLY WITH THE APPROVED 2016 UPDATED BUTTERFIELD SPECIFIC PLAN or as agreed to by the Developer and City Engineer.

30. The applicant shall plant and maintain trees, shrubs, and ground cover placed in the parkway, slopes adjacent to public right-of-ways, and median islands constructed in connection with the project in accordance with applicable City standards until maintenance of such area is turned over to HOA, LMD or other public financing District. This includes ensuring that irrigation systems are operating properly, the clearing of debris, and regular weed removal. Turnover to a LMD or other public financing District will not be unreasonably withheld, conditioned or delayed.

31. All applicable public improvements required for occupancy shall be completed, tested, and approved by the Engineering Division prior to issuance of any Certificate of Occupancy. City to provide inspections in timely manner and any inspections exceeding 2 inspections to require meeting with City Engineer to address.

C. Grading and Drainage

32. The applicant shall submit an Updated Drainage Study with hydrologic and hydraulic analysis for developed and undeveloped (existing) conditions to the Public Works Department – 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 these criteria are exceeded, additional drainage facilities shall be designed and constructed.

33. At a minimum, all development will make provisions to store runoff from rainfall events up to and including the 100-year 3-hour duration event. Post-development peak urban runoff discharge rates shall not exceed pre-development peak urban runoff discharge rates.

34. If the site is located in an identified 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.

35. 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.

36. 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, subject to the terms of the DA; and, the State Water Resources Control Board's orders, rules and regulations.

37. 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.

38. 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.

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

a. Temporary Soil Stabilization (erosion control).
b. Temporary Sediment Control.
c. Wind Erosion Control.
d. Tracking Control.
e. Non-Storm Water Management.
f. Waste Management and Materials Pollution Control.

40. 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 phase.

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

42. 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.

43. 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.

44. 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.

45. Prior to the issuance of a grading permit, the applicant shall execute a Stormwater Management Facilities Agreement on terms agreed to by the parties guaranteeing the maintenance of stormwater pollution controls. Said agreement shall be recorded with the Riverside County Recorder and run with the land.

46. Prior to issuance of any grading or building permit, the applicant shall install trash filters on newly constructed storm drain systems that are not tributary to any onsite water quality/detention basin in compliance with the Trash Amendment as amended and approved in accordance with California Regional Water Quality Control Board Colorado River Basin Region Order No. R7-2013-0011.

47. A notation shall be placed on all applicable the rough grading plan(s): "Compliance with Mitigation Measures BIO-1 and BIO-2 is required."

48. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification. The pad certification shall include an elevation and compaction certification. The elevation certification shall be stamped and signed by a licensed civil engineer or land surveyor and shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. The compaction certification shall list the relative compaction of the pad soil and shall be certified by a licensed geotechnical engineer.

49. If this final map includes areas within a designated Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Special Flood Hazard Zone, a letter of map revision (LOMR) shall be processed through FEMA and provided to the City Engineer prior to occupancy of affected lots.

50. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development. Prior to issuance of any grading permits, FEMA may require a hydrologic and hydraulic analysis to be submitted and approved that demonstrates that the development will not cause any rise in base flood levels.

D. Landscaping Public Right of Way

51. The developer shall prepare a water conservation using xeriscape principles. "Xeriscape" shall mean a combination of landscape features and techniques that in the aggregate reduce the demand for and consumption of water, including appropriate low water using plants, non-living ground-cover, a low percentage of turf coverage (limited to 25% of the planted area), and water conserving irrigation techniques and systems. A low water-using drought tolerant plant includes species suited to our climate, requiring less water in order to grow well.

52. An automatic sprinkler system and landscaping shall be installed, prior to certificate of occupancy for the portion of the project for which certificates of occupancy are requested, within the common areas including perimeter slopes and the interior collector streets. Each system shall include a smart landscape irrigation controller (including remote communication), a separate water meter and electric meter, and plantings as approved by the Community Development Director. Landscaping plans and specifications shall be reviewed and approved by the City Engineer.

53. A home owners' association shall be established and the applicable Conditions, Covenants & Restrictions (CC & R's), shall be prepared for review and approval of the City Engineer at the time set forth in the DA providing for maintenance of the parkway on-site lighting and landscaping, slopes adjacent to public right-of-ways, onsite private parking/roadway, any debris basins, BMP's referenced in the approved WQMP, and median island landscaping. The developer shall appoint the initial members of the Board of Directors of the home owners' association, or take such other steps as may be reasonably necessary to assure that members have been appointed or elected to such Board of Directors, until under the terms of the applicable CC & R's individual lot owners have the power to elect the members of the Board of Directors in accordance with the CC & R's.

54. The, conditions, covenants, and restrictions shall contain provisions which prohibit dissolution of the home owners' association unless another entity has agreed to assume the operation and maintenance responsibilities of the home owners' association. The conditions, covenants and restrictions shall contain provisions that prohibit the developer and his/her successors-in-interest from amending said covenants, conditions and restrictions to conflict with these Conditions of Approval.

55. Alternatively, to having an HOA provide maintenance of the parkway on-site lighting and landscaping, slopes adjacent to public right-of-ways, any debris basins, BMP's referenced in the approved WQMP, and median island landscaping, a Landscaping Maintenance District (LMD), or other public financing mechanism, can be formed to provide for the landscape maintenance.

56. Landscape improvements shall be certified by a licensed landscape architect or licensed landscape contractor as having been installed in accordance with the approved detailed plans and specifications. The applicant shall furnish said certification, including an irrigation management report, for each landscape irrigation system and any other required implementation report determined applicable, to the City Engineer for review and approval.

57. Landscape improvement plans shall incorporate the City's letter, dated May 11, 2019, providing construction level recommendations to the landscape working drawings.

E. Traffic

58. As part of each final tract map, a validation report, referencing compliance with Mitigation Measure TRF-2; which requires a Traffic Impact Analysis (TIA) validation report, is required at the direction of the City Engineer.

59. Street name signs and traffic control devices including traffic legends and traffic striping shall be installed or relocated in accordance with applicable City or Caltrans Standards and as shown on the approved plans and/or as directed by the City Engineer.

60. Prior to first building permit issuance of the phase, the applicant shall submit and obtain approval in writing from the Fire Marshall for the plans for all public or private access roads, drives, streets, and alleys. 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.

61. Driveway grades shall be designed in accordance with current City standards.

62. Parking areas shall be designed and improved with grades not to exceed five percent slope. All applicable ADA standards will be adhered to.

63. Access drives to the public right-of-way shall be restricted to those approved by the City Engineer as shown on the approved plans.

64. 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 as approved by the Fire Marshall, and must be maintained in good condition by the applicant or developer until the street is accepted by the City for maintenance.

A. Final Map

65. Prior to approval of any Final Map, the applicant shall construct on-site and off-site improvements required for the development of the property in accordance with the approved plans and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement on terms agreed to by the Parties guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, unless such improvements are deferred with City approval under the terms of the DA or as otherwise set forth under the terms of the DA. For off-site improvements, the procedures and requirements of Government Code Section 66462.5 shall apply, including the potential acquisition of those rights by the City or waiver of the City's requirement to obtain those rights.

66. Prior to the recordation of final map or the issuance of the first grading permit (whichever occurs first), the applicant shall obtain approval from the Fire Marshall in consultation with the City Engineer, for a conceptual fuel modification plan and program, unless the Fire Marshall finds in writing to the City that such plan and program are not required for development of the property within the boundaries of this TTM No. 37365. Prior to the issuance of the first of any certificate of occupancy (non-model), within the lots affected by said fuel modification plans, the fuel modification shall be installed and completed under the supervision of the Fire Marshall with an approved plant palette. The CC&Rs or other approved documents shall contain provisions for maintaining the fuel modification zones, including the removal of all dead and dying vegetation.

67. Security for the construction of public improvements in accordance with Government Code Section 66499 shall be as follows:

Faithful Performance Bond	100% of estimated cost
Labor and Material Bond	100% of estimated cost
Monumentation Bond	$10,000.00

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

68. Prior to approval of the Final Map, the applicant shall submit a list of street names and addresses in Microsoft Excel spread sheet format for review and approval. The house number system shall be in accordance with Section 12.32 of the Banning Municipal Code. A reduced copy of the subdivision map shall be included with the submittal.

69. Revisions to the tentative map during plan check including, but not limited to, lot line alignments, easements, improvement plan revisions, and similar minor changes that are in substantial compliance with the tentative map, or associated conditions of approval, shall be administratively approved through the plan check process with the mutual consent and approval of the Developer, the Community Development Director and City Engineer.

70. Changes that are not administratively approved, through the process referenced above and herein shall be amended in accordance with the Subdivision Map Act, as amended and codified within the Banning Municipal Code (BMC).

71. Prior to approval of any final map the applicant shall identify and include in its improvement plans those routine structural and non-structural Best Management Practices (BMP's) as outlined in Supplement A to the Riverside County Drainage Area Management Plans and any attachments or as approved by the City Engineer.

72. Submit a copy of the title report, closure calculations, and any separate instruments or necessary right-of-way documents to the Engineering Division prior to final map approval.

73. A map of the proposed subdivision drawn at 1"=200' showing the outline of the streets including street names shall be submitted to the City to update the city atlas map.

74. An original Mylar of the final map (after recordation) shall be provided to the City for the record files.

75. Public improvements shall be completed and accepted by City of Banning prior to release of Faithful Performance Bond and Labor and Material Bond for such improvements. Faithful Performance Bond for applicable public improvements shall be reduced to 10% once City accepts improvements into maintenance period. Final 10% to serve as the maintenance bond for the 1-year maintenance period.

76. A record of all street centerline monument ties shall be submitted to the Engineering Division upon completion of improvements or prior to release of Monumentation Bond.

G. Water

77. Submit Water Improvement Plans along with the infrastructure phasing plan to the City Engineer for review and approval. The phasing plan, which shall be supported by a hydraulic analysis, shall identify all required water infrastructure (e.g. water mains, wells, booster stations, pressure reducing stations, reservoirs, etc.) required to meet the demands of this tract map. Design and construct water lines throughout and to property boundaries to tract as needed. The proposed new water lines shall connect to the City's water system as needed.

78. Submit a hydraulic analysis report demonstrating adequate pressures throughout the Tract 37365 water system during max day demand (MDD) with fire flow conditions. The hydraulic analysis, based on the City's latest calibrated water model, shall identify when and if additional facilities would be required to meet Tract 37365 water demands.

79. All water lines and fittings shall be a minimum of 8-inch in diameter and shall be DIP. Water line easements shall be a minimum width of 20-feet if installed outside of right-of-way or public utility easement.

80. Fire hydrants shall be installed within and on the tract boundaries as per approved plans, at a 300-foot maximum spacing.

81. A backflow device must be installed on all common-area buildings and at each irrigation water connection. The backflow device must be in compliance with City of Banning.

82. Fire Services will require an RPDA Device.

83. Sizing and timing of the construction of the water storage tanks shall be identified in the phasing plan as determined by the water system analysis or as agreed to by the Developer and City.

H. Sewer

84. Submit Sewer Improvement Plans along with the infrastructure phasing plan to the City Engineer for review and approval. The phasing plan shall identify all required sewer infrastructure (e.g. sewer mains, lift stations, treatment facilities, manholes, etc.) required to meet the demands of the tract map. A hydraulic analysis will need to be prepared and submitted that demonstrates the maximum discharge that can be accommodated by the existing collections system before a new trunk line is needed. Design and construct sewer lines throughout and to property boundaries of this tract. The proposed new sewer lines shall connect into the City's sewer system.

85. All sewer lines to be constructed within the public right-of-way shall be extra strength Vitrified Clay Pipe (VCP) or Polyvinyl Chloride (PVC) SDR 26 Pipe. All sewer mains shall be minimum of 8 inches in diameter. Any sewer main less than, or equal to 15-inches (15") shall be PVC. Any sewer main greater than 15-inches (15") shall be extra strength VCP. Final sizes shall be approved by the City Engineer based on calculations submitted by the design engineer accounting for ultimate discharge flows for phase and all upstream areas. Sewer line easements shall be a minimum of 20-feet wide if installed outside of right-of-way or public utility easement.

86. Each residential unit shall have its own sewer lateral and shall be PVC SDR 26.

87. 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.

88. Sewer flow monitoring COA for Phase 1 – Until such a time as the new Atwell Sewer Lift Station is constructed and fully operational, sewer flows shall be continuously monitored at a mutually agreed-upon location. The means of monitoring shall be by a flow meter that is capable of recording velocities and estimate flow volume, with a minimum data resolution of 15-minute intervals. Flow meter shall be installed and calibrated by a qualified sewer flow monitoring technician. Data shall be available directly to City of Banning staff via a cloud-hosted solution. The developer shall be responsible for all costs related to the sewer flow monitoring, including cloud-hosting of the data.

I. Non-potable water (Non-Potable)

89. Submit Non-potable water Improvement Plans along with a Non-potable water Master Plan that includes a written phasing plan to the City Engineer for review and approval. Design and construct non-potable water lines throughout to parks, schools, and other large irrigation areas and to tie-in points at the tract boundary.

90. All non-potable water lines to be constructed within the Public right-of-way shall be a minimum of 8-inches in diameter DIP. Final sizes shall be approved by the City Engineer

based on hydraulic calculations provided by the design engineer. Where non-potable waterline easements are necessary, they shall be a minimum of 20 feet wide if improvements are installed outside of right-of-way or public utility easements.

91. Any final subdivision map shall comply with the provisions of Government Code Section 66473.7, as applicable, per the DA.

92. All non-potable water lines shall be Ductile Iron Pipe (DIP) Class 350, with restrained joints conforming to DIPRA design guidelines where required. All non-potable water DIP mains shall be protected with purple-colored V-Bio polyethylene encasement.

93. A backflow device must be installed on each irrigation water connection; and in compliance with the State of California Department of Health Regulations. Contact the City of Banning, Water Operations Division, prior to the installation.

94. The non-potable water plans shall include appropriate signage for the irrigation of publicly-accessible areas with non-potable water as required by the California Code of Regulations.

Electric Utility

95. The City of Banning Electric Utility ("Utility") will require adequate easements needed to service the project. An easement area behind sidewalk may be needed for Wilson Street and Highland Springs Avenue for vaults, conduits, street lights and pad mounted transformers and switches.

96. Easements will be required for vaults, conduits, meter pedestals, and pad mounted transformers and switches for Local Streets "A" – "H" to serve residential lots. A non-exclusive easement shall be provided to the City of Banning to include the installation of electric distribution facilities within all common areas.

97. All street lights to be installed on the major thoroughfares, arterial streets, and local streets will be assumed to be publicly owned and maintained by the Utility unless otherwise approved by the Electric Department for private maintenance.

98. Prior to constructing the Utility's electric distribution system, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the Utility.

99. The Developer shall execute any legally required agreement with the Utility on terms agreed to by the parties providing for the installation, construction, improvement and dedication of the utility system following recordation of final map.

Fire Department

100. For residential areas, approved standard fire hydrants, located at each intersection and spaced 300 feet apart with no portion of any lot frontage more than a maximum of 250-feet

from a hydrant. Minimum fire flow for all residential structures shall be 1,000 GPM for a 2 –hour duration at 20 psi residual operating pressure, which must be available in time permitted per the DA.

101. The required water system, including fire hydrants, shall be accepted by the City of Banning Public Works, Water Division in accordance with the timing per the DA. Two sets of water plans are to be submitted to the Fire department for approval.

102. Applicant/Developer shall mount blue dot retro-reflectors pavement markers on private/public streets and driveways to indicate locations of all fire hydrants. Marker to be 8 inches from the centerline to the side that the fire hydrant is on, to identify the hydrant location.

103. Residential fire sprinklers are required in all dwellings per the California Residential Code.

104. Fire Apparatus access roads 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 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 the weather driving capabilities.

105. Roadways may not exceed 1320-feet without secondary access. This access may be restricted to emergency vehicles only however; public egress must be unrestricted.

106. Dead-end fire apparatus access roads in excess of 150-feet in length shall be provided with approved provision for the turn-around capabilities of the fire apparatus.

107. Any turn–around requires a minimum 38-foot turning radius or as approved by the Fire Marshall.

108. The minimum dimensions for gates is 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height. Any gate providing access from a road shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 38-foot foot turning radius shall be used.

109. Gates may be automatic or manual and shall be equipped with a rapid entry system (KNOX).

110. Plans shall be submitted to the Fire Department for approval prior to installation. Automatic gate pins shall be rated with a shear pin force, not to exceed 30-pounds (lbs.). Gates

activated by the rapid entry system shall remain open until closed by the rapid entry system. Automatic gates shall be provided with backup power.

-END-

Attachment 9

Mitigation Monitoring and Reporting Program and Addendum Modifications

https://ci.banning.ca.us/Archive.aspx?ADID=1877

(Butterfield Specific Plan Environmental Impact Report available on City website at http://www.ci.banning.ca.us/Archive.aspx?AMID=56

Minor Modification Addendum and appendices available on City website at http://www.ci.banning.ca.us/Archive.aspx?ADID=1630

Attachment 10

Public Hearing Notice

NOTICE OF A PUBLIC HEARING ON PROPOSED TENTATIVE TRACT MAP NO. 37365 TO SUBDIVIDE APPROXIMATELY 14.22 GROSS ACRES OF VACANT LAND FOR RESIDENTIAL, OPEN SPACE, AND PARKS USES ALONG WITH PUBLIC STREETS ON REAL PROPERTY LOCATED NORTH OF WILSON STREET AND EAST OF HIGHLAND SPRINGS AVENUE WITHIN THE BUTTERFIELD SPECIFIC PLAN AREA

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning City Council, to be held on Wednesday, June 25, 2019, at 5:00 p.m. (or soon thereafter) in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider proposed Tentative Tract Map No. 37365 to subdivide approximately 14.22 gross acres of vacant land into 18 lots for condominium purposes for a total of 107 single family residential units, 1 lot for a park site, 4 open space lettered lots (including recreation and drainage), and public streets, all within the Butterfield Specific Plan Area. The Project site is located north of Wilson Street and east of Highland Springs Avenue, within the Butterfield Specific Plan area. Assessor's Parcel Numbers are identified as portions of 408-120-001 and -002 within the City of Banning.

The Planning Commission has considered the potential environmental impacts of the proposed Tentative Tract Map No. 37365 in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The Planning Commission also reviewed the previously certified Environmental Impact Report prepared for the Butterfield Specific Plan project (SCH No. 2007091149) as modified by the Addendum approved by the City Council on February 14, 2017, including the impacts and mitigation measures identified therein, which documents are on file in the Community Development Department. Based on that review, the City of Banning Planning Division has determined that the proposed Project and the circumstances under which the proposed Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR. All potential environmental impacts associated with the Butterfield Specific Plan project and the proposed Tentative Tract Map No. 37365 are adequately addressed by the prior EIR, and the mitigation measures contained in the prior EIR will reduce those impacts to a level that is less than significant. Therefore, in accordance with CEQA Guidelines Section 15162 ("Subsequent EIRs and Negative Declarations"), a subsequent environmental document is not required.

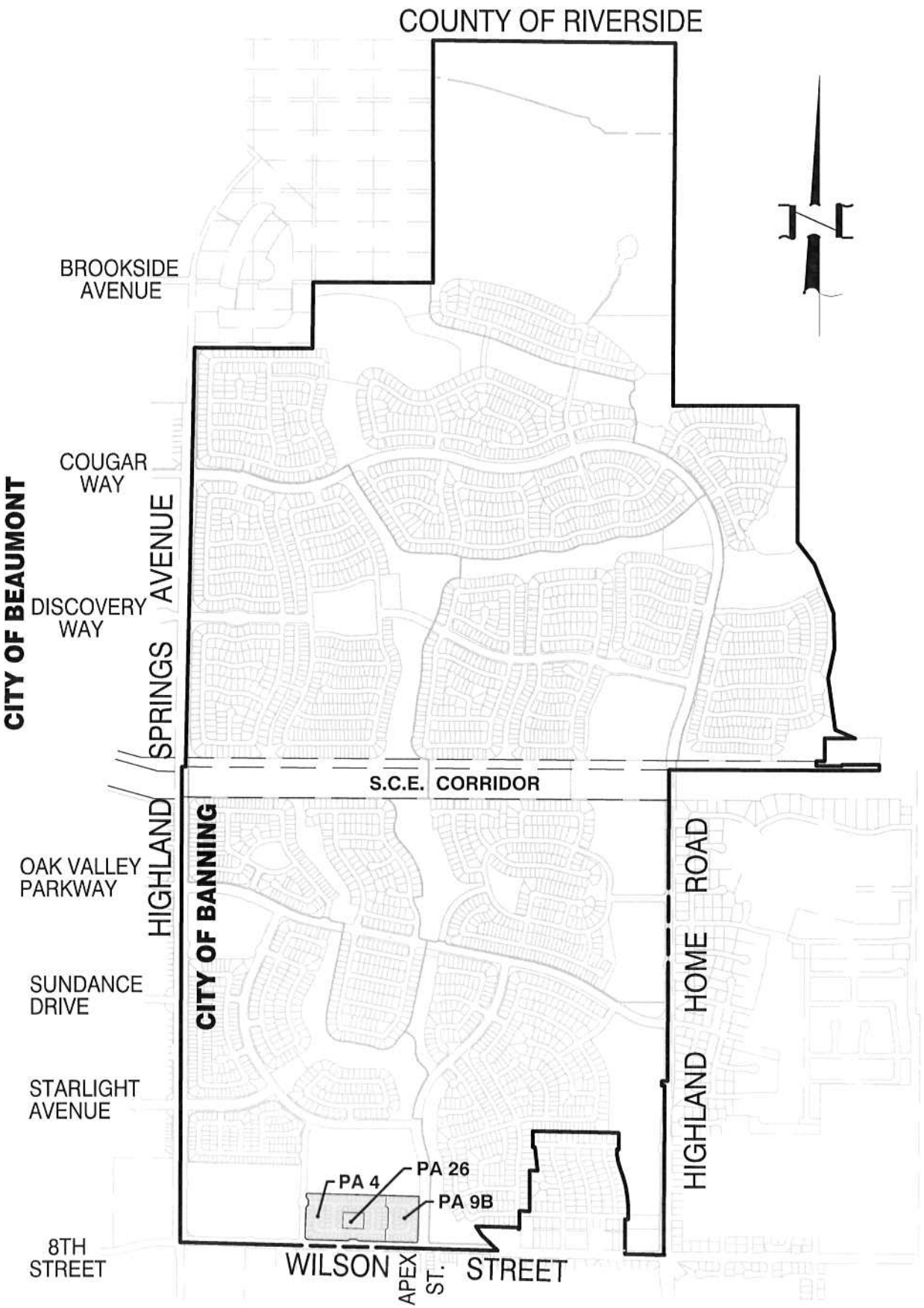
Information regarding Tentative Tract Maps No. 37365 can be obtained by contacting the City's Community Development Department at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning. You may also go to the City of Banning website at http://www.ci.banning.ca.us/.

All parties interested in speaking either in support of or in opposition of this item are invited to attend said hearing, or to send their written comments to the Community Development Department, City of Banning at P.O. Box 998, Banning, California, 92220. If you challenge the proposed Tentative Tract Map No. 37365 in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the Planning Commission at, or prior to, the public hearing, or, you or someone else raised at the public hearing described in this Notice (Cal. Gov. Code, § 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA

Adam B. Rush, M.A., AICP
Community Development Director

Dated: June 11, 2019
Publish: June 14, 2019



ATWELL PROJECT KEY MAP

SCALE: 1"=1500'

009-614-268
San Gorgonio Investors
264 N Highland Springs Ave 1a
Banning, CA 92220-3045

009-702-077
Delaney Melvin T
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009-702-096
Beal Robert P
5700 W Wilson St #69
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009-702-949
Harrand Lori Kim
5700 W Wilson St #2
Banning, CA 92220-3104

009-702-950
Williams Coralyn J
Po Box 2793
Seal Beach, CA 90740-1793

009-702-951
Lefort Lawrence Wayne
5700 W Wilson St #8
Banning, CA 92220-3104

009-702-952
Nevins Richard F
5700 W Wilson St #17
Banning, CA 92220-3106

009-703-193
Mendoza Esthela G
5700 W Wilson St #5
Banning, CA 92220-3104

009-703-194
Andersen Odd S
5700 W Wilson St #18
Banning, CA 92220-3106

009-703-196
Andrews Charles
5700 W Wilson St #50
Banning, CA 92220-3108

009-703-279
Rutherford John Bailey
5700 W Wilson St #40
Banning, CA 92220-3107

009-703-280
Mulloy John B
5700 W Wilson St #135
Banning, CA 92220-3113

009-704-111
Linda Vista Park Llc
12341 Newport Ave
Santa Ana, CA 92705-3289

009-704-113
Dickey John R
5700 W Wilson St #91
Banning, CA 92220-3110

009-704-114
Dixon Deborah L
5700 W Wilson St #129
Banning, CA 92220-3113

009-704-115
Amaral Earl C
5700 W Wilson St #102
Banning, CA 92220-3111

009-704-116
Sims James H
5700 W Wilson St #97
Banning, CA 92220-3111

009-704-117
Seregi Rudolph
5700 W Wilson St #101
Banning, CA 92220-3111

009-704-327
Mcgaughey Stanley
5700 W Wilson St #111
Banning, CA 92220-3111

009-704-334
Kelber Carol
5700 W Wilson St #95
Banning, CA 92220-3110

009-704-337
Puga Georgia
5700 W Wilson St #87
Banning, CA 92220-3110

009-704-486
Jamieson Violet L
5700 W Wilson St #11
Banning, CA 92220-3104

009-704-487
Vanbuskirk Shirley Ann
5700 W Wilson St #6
Banning, CA 92220-3104

009-704-488
Lowder Hazel Nadine
5700 W Wilson St #76
Banning, CA 92220-3109

009-704-499
Rodriguez Nellie R
5700 W Wilson St #28
Banning, CA 92220-3106

009-704-629
Yost Mary
5700 W Wilson St #136
Banning, CA 92220-3113

009-704-678
Lanier Neil E
5700 W Wilson St #105
Banning, CA 92220-3111

009-704-697
Ehret Jacqueline J
5700 W Wilson St #26
Banning, CA 92220-3106

009-705-236
Ballinger Sharon D
5700 W Wilson St #10
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009-705-237
Dickson William
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Dempski Michael Richard
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009-705-240
Linda Vista Park
12341 Newport Ave B201
Santa Ana, CA 92705-3290

009-705-241
Strickland Thomas E
5700 W Wilson St #89
Banning, CA 92220-3110

009-705-428
Warman Alma J
5700 W Wilson St #55
Banning, CA 92220-3108

009-705-429
Uribe Jose R
1467 Malaga Dr
San Jacinto, CA 92583-2337

009-705-497
Nelson Donna M
5700 W Wilson St #134
Banning, CA 92220-3113

009-705-498
Linda Vista Park
12341 Newport Ave B201
Santa Ana, CA 92705-3290

009-705-621
Vesely Lawrence S
5700 W Wilson St #51
Banning, CA 92220-3108

009-705-658
Borjan Gary A
5700 W Wilson St #117
Banning, CA 92220-3112

009-706-710
Lyman Raymond C
5700 W Wilson St #30
Banning, CA 92220-3106

009-706-711
Baker Jack L
5700 W Wilson St #54
Banning, CA 92220-3108

009-706-713
Downs Stanley
5700 W Wilson St #56
Banning, CA 92220-3108

009-706-883
Harrison Joseph L
5700 W Wilson St #71
Banning, CA 92220-3109

009-706-893
Hearrell Duane P
17355 Palm Rd
Riverside, CA 92503-7501

009-707-052
Kring Carmen E
5700 W Wilson St #79
Banning, CA 92220-3109

009-707-058
Moore Gary U
5700 W Wilson St #74
Banning, CA 92220-3109

009-707-353
Eberhart Family Trust
5700 W Wilson St #132
Banning, CA 92220-3113

009-707-375
Linda Vista Park
12341 Newport Ave B201
Santa Ana, CA 92705-3290

009-707-376
Richards Trina Padgett
5700 W Wilson St #99
Banning, CA 92220-3111

009-707-435
Sanchez Vivian
5700 W Wilson St #86
Banning, CA 92220-3110

009-707-515
Garcia William
12710 Stage Coach Dr
Victorville, CA 92392-9726

009-707-551
Buchwald Karin V
5700 W Wilson St #93
Banning, CA 92220-3110

009-707-663
Fumi Andry
5700 W Wilson St #75
Banning, CA 92220-3109

009-707-848
Falzone Trust
5700 W Wilson St #57
Banning, CA 92220-3108

009-708-063
Horn Helen L
5700 W Wilson St #43
Banning, CA 92220-3107

009-708-064
Crain Barbara
13269 Tripoli Ave
Sylmar, CA 91342-3233

009-708-079
Swope Mark
5700 W Wilson St #100
Banning, CA 92220-3111

009-708-153
Chavira Cynthia
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Kiefer Adele
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009-708-506
Belcher Harvey A
5700 W Wilson St #34
Banning, CA 92220-3107

009-708-523
Barrera Betty J
5700 W Wilson St #70
Banning, CA 92220-3109

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Hobson Richard
5700 W Wilson St #130
Banning, CA 92220-3113

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Harlan Lindi M
5700 W Wilson St #128
Banning, CA 92220-3113

009-708-848
Benner Londell Family Trust Of Londell Bernner
5700 W Wilson St #138
Banning, CA 92220-3113

009-708-960
Mccarley Gene E
5700 W Wilson St #19
Banning, CA 92220-3106

009-709-115
Simpson Bobbie J
1421 Shady Ln
Grants Pass, OR 97527-6038

009-709-278
Lang James A
5700 W Wilson St #108
Banning, CA 92220-3111

009-709-305
Linda Vista Park
12341 Newport Ave B201
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009-709-506
Patton Robert E
5700 W Wilson St #48
Banning, CA 92220-3108

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Hatfield Raymond E
5700 W Wilson St #63
Banning, CA 92220-3108

009-709-691
Mantow Harold O
5700 W Wilson St #35
Banning, CA 92220-3107

009-709-692
Riccio John M
1304 N James St
Guymon, OK 73942-3238

009-709-780
Smith Robin
5700 W Wilson St #113
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009-709-855
Hunt Helen Marie
1295 N San Gorgonio Ave
Banning, CA 92220-2106

009-709-911
Linda Vista Park
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Banning, CA 92220-3109

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Wallis Paula J
5700 W Wilson St #82
Banning, CA 92220-3110

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Trumble Norman E
5700 W Wilson St #85
Banning, CA 92220-3110

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Hopper Mari A
5700 W Wilson St #84
Banning, CA 92220-3110

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Hunter Lorine
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Banning, CA 92220-3113

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Puga Joe H
5700 W Wilson St #115
Banning, CA 92220-3112

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Ramirez Dora
5700 W Wilson St #119
Banning, CA 92220-3112

009-710-015
Pratt Patricia P
5700 W Wilson St #62
Banning, CA 92220-3108

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Mccredie James N
5700 W Wilson St #142
Banning, CA 92220-3113

009-710-083
Hokanson Charles
5700 W Wilson St #122
Banning, CA 92220-3112

009-710-086
Caynan Rene Clarence
5700 W Wilson St #42
Banning, CA 92220-3107

009-710-096
Benz Marvin D
5700 W Wilson St #126
Banning, CA 92220-3112

009-710-361
Pride Victor S
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Gayleard Larry
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Dominguez Marcia
5700 W Wilson St #124
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009-710-893
Rippel Philip F
5700 W Wilson St #120
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009-710-967
Brown Jackie A
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009-710-981
Hicks Vivian M
5700 W Wilson St #121
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009-711-035
Perkinson Richard V
5700 W Wilson St #125
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Peterson Walter J
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009-711-524
Courtney Gary
5700 W Wilson St #3
Banning, CA 92220-3104

009-711-615
Chieffo Community Estate Trust 121192
5700 W Wilson St #44
Banning, CA 92220-3107

009-712-756
Simpson Lily
39695 Desert Sun Dr
Rancho Mirage, CA 92270-3605

009-713-105
Arrant Louis F
5700 W Wilson St #123
Banning, CA 92220-3112

009-713-364
Remo Thomas
5700 W Wilson St #60
Banning, CA 92220-3108

009-714-124
Davis Barbara K
5700 W Wilson St #66
Banning, CA 92220-3109

009-714-431
Cassey Jacquelene M
5700 W Wilson St #38
Banning, CA 92220-3107

009-714-809
Moffatt Michael T
5700 W Wilson St #37
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009-716-368
Mitchell Donald
5700 W Wilson St #15
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009-716-945
Vesely Roger A
5700 W Wilson St #47
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009-717-317
Clark Judith M
5700 W Wilson St #16
Banning, CA 92220-3106

009-717-318
Rooks Ernest D
5700 W Wilson St #103
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009-717-825
Williams Joel A
3878 28th St
Highland, CA 92346-1903

009-719-701
Miller Thomas J
5700 W Wilson St #140
Banning, CA 92220-3113

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Martin William F
5700 W Wilson St #112
Banning, CA 92220-3112

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Certified Mobile Enterprises Inc
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009-722-713
Johnson Rachel Mary
5700 W Wilson St #24
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Odonnell William S
5700 W Wilson St #72
Banning, CA 92220-3109

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Burger Linda J
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Michaels Pamela
5700 W Wilson St #31
Banning, CA 92220-3106

009-729-548
Keller Elizabeth K
5700 W Wilson St #90
Banning, CA 92220-3110

408-120-001
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-002
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-003
Pardee Homes
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Pardee Homes
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419-050-005
Church Of Jesus Christ Lds
50 E North Temple
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419-050-013
David Emmanuel B
5800 W Wilson St
Banning, CA 92220-3042

419-050-014
Wilson Inv
2368 Torrance Blvd #200
Torrance, CA 90501-2547

419-050-017
Basenberg Carle T
5700 W Wilson St #96
Banning, CA 92220-3111

419-270-016
Baruch Patricia M
5528 Wendy Ct
Banning, CA 92220-3225

419-270-017
Meza Noel
17434 Los Morros
Rancho Santa Fe, CA 92067

419-270-021
Jasrt
19017 Green Oaks Rd
Yorba Linda, CA 92886-2750

419-270-022
Ojano Gilbert
5515 Wendy Ct
Banning, CA 92220-3225

419-270-023
Corcoran Richard T
5527 Wendy Ct
Banning, CA 92220-3225

419-273-001
Black Helen
Po Box 1443
Banning, CA 92220

419-273-002
Jones Gill H
467 Marian Way
Banning, CA 92220-3251

419-273-003
Montoya Emma
25994 Madison Ave
Murrieta, CA 92562-9483

419-273-004
Merriman Denys J
Po Box 184
Calimesa, CA 92320

419-273-005
Pfeiffer Marlies
427 Marian Way
Banning, CA 92220-3251

419-273-006
Rodriquez Manuel
411 Marian Way
Banning, CA 92220-3251

419-273-007
Rees Jeanne
5052 Avenida Del Sol
Laguna Woods, CA 92637-1803

Applicant/Owner
Pardee Homes
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1250 Corona Pointe Ct Ste 600
Corona, CA 92879

Engineer
MDS Consulting
ATTN: Ed Lenth
17320 Redhill Ave Ste 350
Irvine, CA 92614

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam B. Rush, Community Development Director

MEETING DATE: June 25, 2019

SUBJECT: TENTATIVE TRACT MAP 37390. PROPOSAL TO SUBDIVIDE APPROXIMATELY 93 GROSS ACRES OF VACANT LAND FOR PURPOSES OF SUBDIVING 362 SINGLE FAMILY LOTS, 1 LOT FOR A PARK SITE, 13 OPEN SPACE LETTERED LOTS (INCLUDING RECREATION AND DRAINAGE), AND PUBLIC STREETS, ALL WITHIN PLANNING AREA 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B, AND 50B THE BUTTERFIELD SPECIFIC PLAN AREA

RECOMMENDED ACTION:

Staff recommends that the City Council Adopt Resolution 2019-___, and take the following actions:

I. Find that in accordance with CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations, that all previous environmental impacts have been evaluated and disclosed and that a subsequent environmental document is not required.

II. Approve Tentative Tract Map 37390 to subdivide approximately 93 gross acres of land into 362 single family residential lots, parks, and open space uses along with public streets, subject to conditions of approval.

APPLICANT INFORMATION:

Project Applicant: Pardee Homes
1250 Corona Pointe Court, #600
Corona, CA 92879

Property Owner: Pardee Homes
1250 Corona Pointe Court, #600

Corona, CA 92879

Project Location:	North of Wilson Street, east of Highland Springs Avenue, generally in the southwesterly portions of the Butterfield Specific Plan.
APN Information:	Portions of 408-120-010 408-120-012, 408-120-013, and 408-120-020

REQUEST:

Proposed Tentative Tract Map 37390 would subdivide approximately 93 gross acres of vacant land into 362 single family lots, 1 lot for parks, 13 open space lots, and public streets. The Project site is located north of Wilson Street and east of Highland Springs Road within the Butterfield Specific Plan area; see Figures 1 and 2 for the overall Butterfield Specific Plan area, and a colored site plan of Tentative Tract Map. 37390. The proposed Tentative Tract Map 37390 is attached to this report as Attachment No. 3.

Figure 1: Butterfield Specific Plan

Figure 2: TTM 37390 Exhibit

BACKGROUND:

The Butterfield Specific Plan, General Plan and Zoning Map Amendments, Development Agreement, and accompanying Environmental Impact Report were originally approved

by the City Council in March of 2012. (See Attachment Nos. 4 through 8 and 10.) Subsequent litigation and a settlement agreement resulted in a request by the applicant for approval of a General Plan Amendment related to Highland Home Road as well as certain minor modifications to the Specific Plan. These applications were reviewed by the Planning Commission in January 2017 and were reviewed and approved by the City Council in February 2017 (Attachment No. 9).

In May of 2017, the Planning Commission reviewed and recommended approval of Tentative Maps for the Butterfield project for financing and conveyance purposes. The City Council subsequently approved these maps at their June 27, 2017 meeting.

On June 6, 2018, the Planning Commission held a public hearing and considered the first submittal, Phase 1A of the Butterfield Specific Plan, Tentative Tract Map 37298. The Planning Commission voted 2-1 to recommend that the City Council approve Tentative Tract Map 37298.

On July 10, 2018, the City Council held a public hearing and considered the first submittal, Phase 1A of the Butterfield Specific Plan, Tentative Tract Map 37298. The City Council subsequently approved Tentative Tract Map 37298.

On November 7, 2018, Tentative Map 37390 was scheduled before the Planning Commission; however, was continued off calendar. Subsequently, City staff has published new public hearing and property owner notifications in preparation for the June 5th Planning Commission meeting.

On June 5, 2019, the City Planning Commission held a public hearing and considered the project. The Planning Commission voted 3-1 to recommend that the City Council approve Tentative Tract Map 37390.

ANALYSIS:

The overall Butterfield Specific Plan project site is approximately 1,528 gross acres and is located generally at the northwestern corner of the City of Banning (see Figure 1). Tentative Tract Map 37390 is located generally within the southwesterly area of the Specific Plan, as detailed within the Key Map attached to this staff report.

The proposed Tentative Tract Map 37390 includes the following Planning Areas (PA) within the Butterfield Specific Plan: Planning Areas 2B, 6, 7, and 50B (Low Density Residential); Planning Areas 8A, and 8B, (Medium Density Residential); Planning Area 24 (Parks); and Planning Area 25, and portions of 23, 35A, 35B (Open Space). See Figure 3 below; a larger copy of the Butterfield Specific Plan land use map is included with this report as Attachment 4.

Additionally, the proposed Tentative Tract Map will create public streets, identified as "A" through "Z" and "AA" through "HH ".

Residential Planning Areas

Low Density Residential: Planning Areas 2B, 6, 7, and 50B

The proposed Tentative Tract Map encompasses four Planning Areas (PAs) – 2B, 6, 7, and 50B – that are identified within the Butterfield Specific Plan as "Low Density Residential" (LDR) development planning areas.

LDR lots are intended as detached single-family homes with private yards. There are two categories of development standards within the Butterfield Specific Plan for LDR planning areas. The minimum LDR lot sizes and dimensions for PAs 2B, 6, 7, and 50B are as follows:

Minimum lot area:	5,000 square feet
Minimum lot width:	
Interior	46'
Corner	51'
Minimum lot frontage:	20'

All residential lots within the proposed subdivision comply with the minimum lot area and dimensional requirements specified for PAs 2B, 6, 7, and 50B. In PA 2B, the minimum lot size allowed is 5,000 square feet; the minimum lot size proposed is 5,500 square feet and the average lot size is 6,217 square feet. In PA 6, the minimum lot size allowed is 5,000 square feet; the minimum lot size proposed is 5,500 square feet and the average lot size provided is 7,126 square feet. In PA 7, the minimum lot size allowed is 5,000 square feet; the minimum lot size proposed is 6,000 square feet and the average lot size is 8,177 square feet. In PA 50B, the minimum lot size allowed is 5,000 square feet; the minimum lot size proposed is 6,000 square feet and the average lot size provided is 7,225 square feet.

	Approved SP	Proposed TTM	Difference
PA 2B # units	9	11	+2
PA 2B acreage	2.2	2.2	0
PA 2B density	0-5 du/ac	4.5 du/ac	within approved range
PA 6 # units	93	95	+2
PA 6 acreage	19	20.39	+1.39
PA 6 density	0-5 du/ac	4.5 du/ac	within approved range
PA 7 # units	88	83	-5
PA 7 acreage	20.8	20.72	< 1%
PA 7 density	0-5 du/ac	4.5 du/ac	within approved range
PA 50B # units	26	29	+3
PA 50B acreage	6.2	6.35	+.15

PA 50B density	0-5 du/ac	4.5 du/ac	within approved range

The Butterfield Specific Plan allows adjustment of residential planning boundaries of up to 20% to be approved by the Community Development Director as substantially conforming to the Specific Plan, and revisions to the number of dwelling units within a PA can be approved by the Community Development Director as substantially conforming to the Specific Plan as long as the total number of units for the Specific Plan area does not exceed the maximum number of approved Specific Plan units nor the maximum density allowed in a Planning Area. The number of dwelling units within PA 2B has increased by 2, the number of dwelling units within PA 6 has increased by 2, and the number of dwelling units within PA 50B has increased by 3, for a total increase of 7. The number of dwelling units within PA 7 has decreased by 5, producing a total increase of 2 units. As such, the proposed Tentative Tract Map 37390 meets the required criteria for substantial conformance approval.

Grading:

Where pad elevations provided for residential lots indicate that there may be an elevation difference between residential lots, lot lines will be at top of slope.

Future City Approvals:

Grading permits (rough and precise grading); encroachment permits, water, sewer, and reclaimed water connection permits may be issued by the City of Banning Department of Public Works after approval of the proposed Tentative Tract Map 37390.

Medium Density Residential: Planning Areas 8A and 8B

The proposed Tentative Tract Map 37390 encompasses one Medium Density Residential Planning Area (PA) 8A and one High Density Residential Planning Area (PA) 8B, which is being developed as MDR. Low Density Residential or Medium Density Residential uses may also be developed within the HDR planning areas. MDR lots are intended as either conventionally plotted detached single-family homes on individual lots with private yards, or as a cluster product (green court, motor court, or stub street court).

PA 8A and PA 8B MDR lots contained within the proposed Tentative Tract Map 37390 are conventionally plotted detached single-family home lots. The minimum MDR lot sizes and dimensions for conventionally plotted detached single family homes as requested are as follows:

Minimum lot area: 3,400 square feet
Minimum lot width:
Interior 46'

Corner	51'
Minimum lot frontage:	20'
Maximum density:	10 du/ac

Each of the MDR lots presented within the proposed Tentative Tract Map 37390 meets the lot area and dimensional requirements specified for PAs 8A and 8B. In PA 8A, the minimum lot size proposed is 4,500 square feet and the average lot size is 6,168 square feet. In PA 8B, the minimum lot size proposed is 4,500 square feet and the average lot size is 6,144 square feet.

Below is a comparison of the proposed Tentative Tract Map 37390 dwelling unit numbers, acreages, and densities to the approved Specific Plan:

	Approved SP	Proposed TTM	Difference
PA 8A # units	115	106	+9
PA 8A acreage	18.9	18.99	less than 1%
PA 8A density	0-10 du/ac	5.6 du/ac	within approved range
PA 8B # units	98	38	-60
PA 8B acreage	7	7.01	< 1%
PA 8B density	0-10 du/ac	5.4 du/ac	within approved range

Adjustment of residential planning boundaries of 20% or less can be approved by the Community Development Director as substantially conforming to the Specific Plan, and revisions to the number of dwelling units within a PA can be approved as substantially conforming to the Specific Plan as long as the total number of units for the Specific Plan area does not exceed the maximum number of approved Specific Plan units nor the maximum density allowed in a Planning Area.

Grading:

Pad elevations provided for some residential lots indicate that there may be elevation differentials between residential lots of twelve feet or more. The applicant has noted that the lot lines will be at top of slope where this condition occurs, that the elevation difference will be addressed via a 2:1 slope bank in the rear yard of the lower lot, and that the slope bank will occur outside of required rear yard setbacks to ensure usable yard area for the residence.

Future City Approvals:

Grading permits (rough and precise grading); encroachment permits, water, sewer, and reclaimed water connection permits may be issued by the City of Banning Department of Public Works after approval of the proposed Tentative Tract Map 37390.

Parks

The Tentative Tract Map 37390 includes one park. PA 22 is a 2.02-acre park lot located between the residential PA 8A and 8B lots.

	Approved SP	Proposed TTM	Difference
PA 22 acreage	2.2	2.2	0

Future City Approvals:

Permits for grading may be issued by the Engineering Department after approval of the proposed Tentative Tract Map 37390.

Open Space (PA) 25, portions of 23, 35A, 35B (Open Space) and Lettered Lots

The proposed Tentative Tract Map 37390 includes 9.89 acres of open space identified as Lots "J," "K," and "L" within Planning Area 23, Lot "D" within Planning Area 25, Lots "H" and "M" within Planning Area 35A, Lot "F" within Planning Area 35B, and various other lettered open space lots identified as lots "A" through "C", Lot "E", Lot "G", and Lot "I". Open Space lots, located within Planning Area 23, and identified as lots "J," "K," and "L" will be part of the open space system that replaced the former golf course as included in the minor modifications that were approved by the Planning Commission and City Council in February 2017. Planning Area 23 Lots "J," "K," and "L" open space lots will provide for storm water management and a creek system – for the conveyance of drainage - and are also required to provide for active and/or passive recreational amenities, such as trails, seating areas, and other associated ancillary items incorporated within the open space.

Lots "J," "K," and "L" constitute approximately 0.43 acres located within Planning Area 23; which is a continuation of a creek system that will be integrated into the overall storm drain system to receive runoff from areas onsite and throughout the Specific Plan. The storm water design is proposed to provide water quality treatment for storm water runoff and nuisance flows, as well as storm water detention.

Open Space Lots "J," "K," and "L" within PA 23, Lots "H" and "M" within PA 35A, and Lot "F" within PA 35B, are part of the approximately 139.5 acres of central open space located throughout the central portions of the Specific Plan area. This area will take advantage of the natural terrain to accommodate drainage from Smith Creek, contain water quality features to treat urban run-off, incorporate landscaped amenities, and incorporate native landscaping for biological mitigation. Uses of these planning areas will include active and passive recreational uses such as trails, exercise, education, and view areas, all linkable to the residential tracts, parks, and open space areas.

Open space Lots "A" through "C", Lot "E", Lot "G", and Lot "I" total 2.39 acres and will provide landscaped buffers and connectivity along and between streets and trails.

	Approved SP	Proposed TTM	Difference
PA 23 acreage	16.5	13.56	-17.82%
PA 25 acreage	7.3	6.71	-.08%
PA 35A acreage	12.4	10.54	-15%
PA 35B acreage	13.8	13.79	->1%

- PA 23 consists of Open Space Lots "J," "K," and "L" as well as 13.12 acres approved within Tentative Tract Map 37298. The combined total is 13.56 acres, which represents a reduction in open space of 17.82%. This total acreage is in substantial conformance with the Specific Plan. Tentative Tract Map 37298 included a condition of approval requiring that prior to grading permits, the applicant provide an exhibit depicting the overall area within PA 23 showing substantial conformance. The information is included in Figure 3.

- PA 35A consists of Open Space Lots "H" and "M" as well as 5 acres approved within Tentative Tract Map 37298. Open Space Planning Area 35A also includes an additional 5.28 acres that will be contained within Phase 2 maps. The applicant has indicated that PA 35A will ultimately be 10.56 acres (a 14.92% decrease). PA 35A will be within allowable substantial conformance limits. Staff has included a condition of approval requiring that upon submittal of the tentative tract map that includes the remaining open space areas, the applicant shall confirm that the above acreages are being met. An exhibit depicting the overall area within (PA) 35A showing substantial conformance is included in Figure 3.

- PA 35B consists of Open Space Lot "F" as well as 13.69 acres proposed within Tentative Tract Map 37389 within Phase 2. The applicant has indicated that PA 35B will ultimately be 13.79 acres. PA 35B will be within allowable substantial conformance limits. Staff has included a condition of approval requiring that upon submittal of the tentative tract map that includes the remaining open space areas, the applicant shall confirm that the above acreages are being met and to provide an exhibit depicting the overall area within PA 35B showing substantial conformance.
- Adjustment of planning boundaries of 20% or less can be approved by the Community Development Director as substantially conforming to the Specific Plan.

Figure 3: OPEN SPACE CONFORMANCE EXHIBIT

PA 23 proposed open space Lots "J," "K," and "L", PA 35A proposed open space Lots "H" and "M," and PA 35B proposed open space Lot "F" are anticipated to be maintained by an established Home Owner's Association (HOA).

Future City Approvals:

Grading permits (rough and precise grading); encroachment permits, water, sewer, and reclaimed water connection permits may be issued by the City of Banning Department of Public Works after approval of the proposed Tentative Tract Map 37390.

Streets/Circulation System

Proposed streets within the subdivision will be public streets and are consistent with sections provided in the Butterfield Specific Plan. Residential streets proposed will be 36' wide from curb to curb, consistent with the approved Specific Plan and allowing for on-street parking.

Proposed entry streets to residential neighborhoods will include medians.

Utilities

Electrical service will be provided by the City of Banning. The Electric Utility has provided conditions of approval that have been incorporated into the draft Project conditions. Permanent City of Banning electrical utilities will be underground with the exception of temporary overhead electrical lines and pad-mount equipment such as transformers and switchgear.

Water and wastewater services will be provided by the City of Banning.

ENVIRONMENTAL DETERMINATION:

1. California Environmental Quality Act (CEQA)

   Potential environment issues associated with the proposed Tentative Tract Map were analyzed in the previously certified Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149) as modified by the Addendum approved by the City Council on February 14, 2017, which documents are on file in the Community Development Department. There have been no substantial changes in the Project nor in the circumstances under which the Project is undertaken which will require major revisions of the previous environmental document; nor is there new information that shows that the Project will have a significant environmental effect or an effect more severe than originally thought. Therefore, in accordance with CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations, a subsequent environmental document is not required.

   The project will be conditioned to comply with the mitigation measures of the approved Mitigation Monitoring and Reporting Program (MMRP).

2. Multiple Species Habitat Conservation Plan (MSHCP): The Project EIR's mitigation measures, including submittal of a Determination of Biologically Equivalent of Superior Preservation (DBESP), ensure consistency with the Western Riverside County MSHCP. These mitigation measures will be incorporated into all development approvals as required by the project MMRP to ensure consistency with the MSHCP.

FISCAL IMPACT:

The Butterfield Specific Plan project consists of both residential and commercial development and represents a long-term investment in the local community in both housing and public infrastructure (streets, fire station, parks and open space, utilities, drainage facilities, etc.). Issuance of grading, building, and other permits will result in additional revenues for the City, as will increased property tax revenues and future spending within the City by future residents.

OPTIONS:

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

Attachments:

1. City Council Resolution 2019-___
2. Planning Commission Resolution 2019-15
3. Tentative Tract Map 37390
4. Butterfield Specific Plan, Land Use Plan
5. Butterfield Specific Plan Excerpts, Development Regulations
6. Ordinance 1450 (Approving the Butterfield Specific Plan)
7. Butterfield Specific Plan Development Agreement
8. CC Resolution 2017-07 Approving Minor Modifications and Attachment C, Conditions of Approval
9. Mitigation Monitoring and Reporting Program and Addendum Modifications
10. Public Hearing Notice

Approved by:

Douglas Schulze
City Manager

Attachment 1

City Council Resolution 2019-___

RESOLUTION 2019-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, MAKING ENVIRONMENTAL DETERMINATIONS UNDER CEQA GUIDELINES SECTION 15162 APPROVING TENTATIVE TRACT MAP NO. 37390, A SUBDIVISION OF APPROXIMATELY 93 GROSS ACRES OF VACANT LAND FOR PURPOSES OF CREATING 362 SINGLE FAMILY LOTS, 1 LOT FOR A PARK SITE, 13 OPEN SPACE LETTERED LOTS (INCLUDING RECREATION AND DRAINAGE), AND PUBLIC STREETS, ON REAL PROPERTY LOCATED NORTH OF WILSON STREET AND EAST OF HIGHLAND SPRINGS AVENUE WITHIN THE SOUTHWESTERLY PORTION OF THE BUTTERFIELD SPECIFIC PLAN (APNS: PORTIONS OF 408-120-010, 408-120-012, 408-120-013, AND 408-120-020)

WHEREAS, an application for Tentative Tract Map 37390 has been duly filed by:

Project Applicant:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Property Owner:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Parcel Address:	North of Wilson Street, east of Highland Springs Avenue
APN's:	Portions of 408-120-010, 408-120-012, 408-120-013, and 408-120-020
Lot Area:	Approximately 93 gross acres;

WHEREAS, pursuant to Title 16 of the Banning Municipal Code and the Subdivision Map Act allows the subdivision of 93-acres within the Low, Medium, and High Density Residential Zones into 362 single-family residential lots with a minimum lotz size of 5,000 and 3,400 square feet, with the approval of a Tentative Tract Map; and

WHEREAS, on June 5, 2019 the Planning Commission held a duly noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Tentative Tract Map and at which time the Planning Commission considered the Project and recommended approval to the City Council; and

WHEREAS, in accordance with Government Code § 65854, the City Council public hearing was advertised in the Record Gazette newspaper on June 14, 2019 the City gave

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

WHEREAS, on June 25, 2019, the City Council held a duly noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the project and at which time the City Council considered Tentative Tract Map 37390.

NOW THEREFORE, the City Council of the City of Banning does hereby 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 staff recommendation as provided in the Staff Report dated June 25, 2019, 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:

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.*), City staff has considered the potential environmental impacts of Tentative Tract Map No. 37390. City staff has also reviewed the previously certified Environmental Impact Report (EIR) for the Butterfield Specific Plan project (SCH No. 2007091149), including the impacts and mitigation measures identified therein, and reviewed the EIR in accordance with CEQA for the Project. Based on that review, the City of Banning Planning Division has determined that the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR. All potential environmental impacts associated with the Butterfield Specific Plan and Tentative Tract Map No. 37390 are adequately addressed by the prior EIR.

B. CEQA:

The approval of this Tentative Tract Map (Exhibit A) is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on June 25, 2019, at a duly noticed public hearing, the City Council considered the project's Conditions of Approval (Exhibit B) and Mitigation Monitoring Report and Program (MMRP) (Exhibit C) and found that no significant environmental impacts would occur after required Mitigation Measures.

C. The City Council has independently reviewed the Planning Commission's recommendation, and based upon the whole record before it, the City Council's determination, and its independent review and judgment, finds that that the Project is not subject to further environmental review pursuant to the Guidelines because: (1) find that in accordance with CEQA Guidelines Section 15162 that the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR; and (2) all potential environmental impacts associated with Butterfield Specific Plan and the proposed Tentative Tract Map No. 37390 are adequately addressed by the prior EIR.

D. The Community Development Director is authorized to file a Notice of Determination in accordance with CEQA.

E. Multiple Species Habitat Conservation Plan (MSHCP). The Project EIR's mitigation measures, including submittal of a Determination of Biologically Equivalent of Superior Preservation (DBESP), ensure consistency with the Western Riverside County MSHCP. These mitigation measures will be incorporated into future development approvals as required by the Project Mitigation Monitoring and Reporting Program to ensure consistency with the MSHCP.

SECTION 2: TENTATIVE TRACT MAP 37390 FINDINGS

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

The City Council hereby finds:

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

The General Plan land use designation for the site is classified as the Butterfield Specific Plan ("Specific Plan"); the Specific Plan land use designations of Medium Density Residential uses within the proposed Project area. The proposed Tentative Tract Map No. 37390 is consistent with the City's General Plan in that as it will provide for medium density housing as envisioned by the General Plan's Land Use Element and the Planning Area Development Standards within the Specific Plan. The Tentative Tract Map is consistent with the Specific Plan transportation system as envisioned by the General Plan's Circulation element. The Tentative Tract Map is consistent with the Butterfield Specific Plan as it provides for land uses consistent with those designated by the Planning Areas incorporated through the Specific Plan land use map. As such, the proposed Tentative Tract Map No. 37390 is consistent and compatible with the objectives,

policies, general land uses, and programs specified in the City's General Plan and the Butterfield Specific Plan.

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

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

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

The Project site transitions from relatively flat land at the northeast corner of Highland Springs Avenue and Wilson Street to the foothills of the San Bernardino Mountains. Major access to the site is provided by Highland Springs Avenue and Wilson Street. Analysis of the Project site relative to the physical suitability for density of development was included in the approvals for the Butterfield Specific Plan and the proposed number of dwelling units is consistent with that allowed under the Butterfield Specific Plan.

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

The design and improvement of the proposed subdivision is consistent with the City's General Plan and the Butterfield Specific Plan in that it will provide for a range of housing to meet the needs of the City's residents, and an efficient transportation system as envisioned by the General Plan, and is designed to meet City standards, including providing satisfactory pedestrian and vehicular circulation, emergency vehicle access and on site improvements, such as streets, utilities, and drainage facilities consistent with the Specific Plan.

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

Potential environment issues associated with the proposed Tentative Tract Map No. 37390 were analyzed in the previously certified Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149), as amended by the Addendum approved by the City Council in February 2017. With the imposition of mitigation measures, the Project will not have a significant effect on biological resources. There have been no substantial changes in the Project, nor in the circumstances under which the Project is undertaken, that will require major revisions of the prior certified EIR; nor is there new information that shows that the Project will have a significant environmental effect or an effect more severe than originally thought. Therefore, the proposed Tentative Tract Map No. 37390 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The proposed Tentative Tract Map No. 37390 is in conformance with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the Butterfield Specific Plan, and the Project has been conditioned to comply with all applicable Specific Plan requirements and requirements of the City's ordinances, codes, and standards. In addition, the design and construction of improvements are conditioned to be in conformance with adopted City street and public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety, and welfare.

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

Tentative Tract Map No. 37390 does not contain easements for the Banning Electric Utility or Southern California Edison (SCE). Furthermore, no easements of record or easements established by judgement of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any other such easements.

H. The design of the proposed Tentative Tract Map No. 37390 provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

New construction, authorized under the Banning Municipal Code, state codes and regulations, and the recordation of a Tract Map will yield housing that incorporates roof-mounted solar generation within each dwelling unit, in accordance with state law.

SECTION 3: CITY COUNCIL ACTION

The City Council hereby takes the following action:

Based on the foregoing, the City Council of the City of Banning hereby approves Tentative Tract Map No. 37390, attached hereto as Exhibit "A," a subdivision of approximately 93 gross acres into 362 single family lots, 362 single family lots, 1 lot for parks, 13 open space lots, and public streets on real property located north of Wilson Street and east of Highland Springs Avenue within the southwesterly portion of the Butterfield Specific Plan (APNs: portions of 408-120-010 408-120-012, 408-120-013, and 408-120-020), subject to the recommended Conditions of Approval attached as Exhibit "B".

SECTION 4. CERTIFICATION:

The City Clerk shall certify the adoption of this Resolution and shall cause a certified copy to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019.

_____
Arthur L. Welch, Mayor
City of Banning

APPROVED AS TO FORM
AND LEGAL CONTENT:

_____
Kevin Ennis, City Attorney
Richards Watson & Gershon

ATTEST:

_____
Daryl A. Betancur, Deputy City Clerk
City of Banning

CERTIFICATION:

I, Daryl A. Betancur, Deputy Cit Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-___, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Daryl A. Bentacur, Deputy City Clerk
City of Banning, California

Exhibit "A"

Tentative Tract Map No. 37390
(See Attachment No. 3)

Exhibit "B"

Tentative Tract Map No. 37390 Conditions of Approval
(See Attachment No. 8)

Exhibit "C"

Mitigation Monitoring and Reporting Program and Addendum Modifications
https://ci.banning.ca.us/Archive.aspx?ADID=1877

(Butterfield Specific Plan Environmental Impact Report
available on City website at http://www.ci.banning.ca.us/Archive.aspx?AMID=56

Minor Modification Addendum and appendices available on City website at
http://www.ci.banning.ca.us/Archive.aspx?ADID=1630

Attachment 2

Planning Commission Resolution 2019-15

RESOLUTION 2019-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BANNING MAKE ENVIRONMENTAL DETERMINATIONS UNDER CEQA GUIDELINES SECTION 15162 AND APPROVE TENTATIVE TRACT MAP NO. 37390, A SUBDIVISION OF APPROXIMATELY 93 GROSS ACRES OF VACANT LAND FOR PURPOSES OF CREATING 362 SINGLE FAMILY LOTS, 1 LOT FOR A PARK SITE, 13 OPEN SPACE LETTERED LOTS (INCLUDING RECREATION AND DRAINAGE), AND PUBLIC STREETS, ON REAL PROPERTY LOCATED NORTH OF WILSON STREET AND EAST OF HIGHLAND SPRINGS AVENUE WITHIN THE SOUTHWESTERLY PORTION OF THE BUTTERFIELD SPECIFIC PLAN (APNS: PORTIONS OF 408-120-010, 408-120-012, 408-120-013, AND 408-120-020)

WHEREAS, an application for Tentative Tract Map No. 37390, attached hereto as Exhibit "A," to subdivide approximately 93 gross acres of vacant real property into residential, park, and open space lots, along with public streets (the "Project"), has been duly filed by:

Project Applicant:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Property Owner:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Parcel Address:	North of Wilson Street, east of Highland Springs Avenue
APNs:	Portions of 408-120-010, 408-120-012, 408-120-013, and 408-120-020
Lot Area:	Approximately 93 gross acres;

WHEREAS, pursuant to Title 16 of the Banning Municipal Code, the Planning Commission has the authority to review and make recommendations to the City Council concerning Tentative Tract Map No. 37390;

WHEREAS, the Community Development Department has evaluated the Project's potential effects on the environment as required under the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code, § 21000 *et seq.*) and determined that potential impacts associated with proposed Tentative Tract Map No. 37390 were

adequately analyzed under the previously approved Final Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149) and that pursuant to CEQA Guidelines Section 15162 no further environmental analysis is required;

WHEREAS, in accordance with Government Coce Sections 66451.3, 65090 and 65091, on October 26, 2018 the City gave public notice, by advertisement in the Record Gazette Newspaper, and by mailing 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, of a public hearing concerning the Project; and

WHEREAS, in accordance with Banning Municipal Code Section 16.12.080, on June 5, 2019, the Planning Commission held a public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the Project, and at which the Planning Commission considered Tentative Tract Map No. 37390.

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

SECTION 1: California Environmental Quality Act and Multiple Species Habitat Conservation Plan Findings. The Planning Commission of the City of Banning does hereby recommend 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 has considered the potential environmental impacts of Tentative Tract Map No. 37390. City staff has also reviewed the previously certified Environmental Impact Report (EIR) for the Butterfield Specific Plan project (SCH No. 2007091149), including the impacts and mitigation measures identified therein, and reviewed the EIR in accordance with CEQA for the Project. Based on that review, the City of Banning Planning Division has determined that the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR. All potential environmental impacts associated with the Butterfield Specific Plan and Tentative Tract Map No. 37390 are adequately addressed by the prior EIR.

B. The City Council has independently reviewed the Planning Division's determination, and based upon the whole record before it, the the Planning Division's determination, and its independent review and judgment, finds that that the Project is not subject to further environmental review pursuant to the Guidelines because: (1) the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the

Project will have significant effects not discussed in the prior EIR; and (2) all potential environmental impacts associated with Butterfield Specific Plan and the proposed Tentative Tract Map No. 37390 are adequately addressed by the prior EIR.

C. The custodian of records for the prior EIR, and all other materials that constitute the record of proceedings upon which the City Council's recommendation is based, is the Planning Division of the City of Banning. Those documents are available for public review in the Planning Division located at 99 E. Ramsey Street, Banning, California 92220.

D. Multiple Species Habitat Conservation Plan (MSHCP). The Project EIR's mitigation measures, including submittal of a Determination of Biologically Equivalent of Superior Preservation (DBESP), ensure consistency with the Western Riverside County MSHCP. These mitigation measures will be incorporated into future development approvals as required by the Project Mitigation Monitoring and Reporting Program to ensure consistency with the MSHCP.

SECTION 2: Findings for Recommendation of Approval of Tentative Tract Map No. 37390. The Planning Commission of the City of Banning does hereby recommend that the City Council of the City of Banning find and determine that Tentative Tract Map No. 37390 should be approved because:

A. **Finding: Tentative Tact Map No. 37390 is consistent with the objectives, policies, general land uses, and programs specified in the City's General Plan and the Butterfield Specific Plan.**

Findings of Fact:
The General Plan land use designation for the site is classified as Specific Plan; the Butterfield Specific Plan includes land use designations of Low Density Residential, Medium Density Residential, Open Space, and Parks uses within the proposed Project area. The proposed Tentative Tract Map No. 37390 is consistent with the City's General Plan in that as it will provide for a range of housing types, parks, and open space as envisioned by the General Plan's Land Use element and an efficient transportation system as envisioned by the General Plan's Circulation element. It is consistent with the Butterfield Specific Plan as it provides for land uses consistent with those designated for the Project area by the Specific Plan land use map. As such, the proposed Tentative Tract Map No. 37390 is consistent with the objectives, policies, general land uses, and programs specified in the City's General Plan and the Butterfield Specific Plan.

B. **Finding: The design and improvement of the subdivision proposed under Tentative Tract Map No. 37390 is consistent with the City's General Plan and the Butterfield Specific Plan.**

Findings of Fact:

The design and improvement of the proposed subdivision is consistent with the City's General Plan and the Butterfield Specific Plan in that it will provide for a range of housing to meet the needs of the City's residents, and an efficient transportation system as envisioned by the General Plan, and is designed to meet City standards, including providing satisfactory pedestrian and vehicular circulation, emergency vehicle access and on site improvements, such as streets, utilities, and drainage facilities consistent with the Specific Plan.

C. **Finding: The subject site is physically suitable for the type of development proposed under Tentative Tract Map No. 37390.**

Findings of Fact:
The Project site transitions from relatively flat land at the northeast corner of Highland Springs Avenue and Wilson Street to the foothills of the San Bernardino Mountains. Major access to the Project site is provided by Highland Springs Avenue and Wilson Street. Analysis of the Project site relative to the physical suitability of the site for development was included in previous approvals for the Butterfield Specific Plan and the site is physically suitable for the proposed development as allowed under the Butterfield Specific Plan.

D. **Finding: The site is physically suitable for the proposed density of development under Tentative Tract Map No. 37390.**

Findings of Fact:
The Project site transitions from relatively flat land at the northeast corner of Highland Springs Avenue and Wilson Street to the foothills of the San Bernardino Mountains. Major access to the site is provided by Highland Springs Avenue and Wilson Street. Analysis of the Project site relative to the physical suitability for density of development was included in the approvals for the Butterfield Specific Plan, and the proposed number of dwelling units is lower than that allowed under the Butterfield Specific Plan.

E. **Finding: The design of the subdivision and improvements proposed under Tentative Tract Map No. 37390 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

Findings of Fact:
Potential environment issues associated with the proposed Tentative Tract Map No. 37390 were analyzed in the previously certified Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149), as amended by the Addendum approved by the City Council in February 2017. With the imposition of mitigation measures, the Project will not have a significant effect on biological resources. There have been no substantial changes in the Project, nor in the circumstances under which the Project is undertaken, that will require major revisions of the prior

certified EIR; nor is there new information that shows that the Project will have a significant environmental effect or an effect more severe than originally thought. Therefore, the proposed Tentative Tract Map No. 37390 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

F. **Finding: The design of the subdivision and improvements proposed under Tentative Tract Map No. 37390 is not likely to cause serious health problems.**

Findings of Fact:
The proposed Tentative Tract Map No. 37390 is in conformance with the City's General Plan, Zoning Ordinance, and Subdivision Ordinance and the Butterfield Specific Plan, and the Project has been conditioned to comply with all applicable Specific Plan requirements and requirements of the City's ordinances, codes, and standards. In addition, the design and construction of improvements are conditioned to be in conformance with adopted City street and public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety, and welfare.

G. **Finding: The design of the subdivision and improvements proposed under Tentative Tract Map No. 37390 will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

Findings of Fact:
Tentative Tract Map No. 37390 does not conflict with any easements for access through or use of property within the proposed subdivision.

H. **Finding: The design of the proposed Tentative Tract Map No. 37390 provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

Findings of Fact:
Tentative Tract Map No. 37390 does not propose any design features that would conflict with future passive or natural heating or cooling opportunities.

SECTION 3: PLANNING COMMISSION ACTION - Recommendation of Approval of Tentative Tract Map No. 37390 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 Tentative Tract Map No. 37390, attached hereto as Exhibit "A," a subdivision of approximately 93 gross acres into 362 single family lots, 362 single family lots, 1 lot for parks, 13 open space lots, and public streets on real property located north of Wilson Street and east of Highland Springs avenue within the southwesterly portion of the Butterfield Specific Plan (APNs: Portions of 408-120-010 408-120-012, 408-120-013,

and 408-120-020), subject to the recommended Conditions of Approval attached as Exhibit "B".

PASSED, APPROVED AND ADOPTED this 5th day of June, 2019.

Eric Shaw, Chairman
Banning Planning Commission

APPROVED AS TO FORM
AND LEGAL CONTENT:

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, No. 2019-15, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 5th day of June, 2019, by the following vote, to wit:

AYES: Brosious, Krick, Shaw

NOES: Schuler

ABSENT: None

ABSTAIN: None

Sandra Calderon

Sandra Calderon, Recording Secretary
City of Banning, California

Attachment 3

Tentative Tract Map 37390

SHEET INDEX

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SHEET 3	EXHIBIT SECTIONS
SHEET 4	AREA PLAN MAP
SHEETS 5-12	TENTATIVE TRACT MAP
SHEETS 13 & 14	EASEMENT DESCRIPTION MAPS

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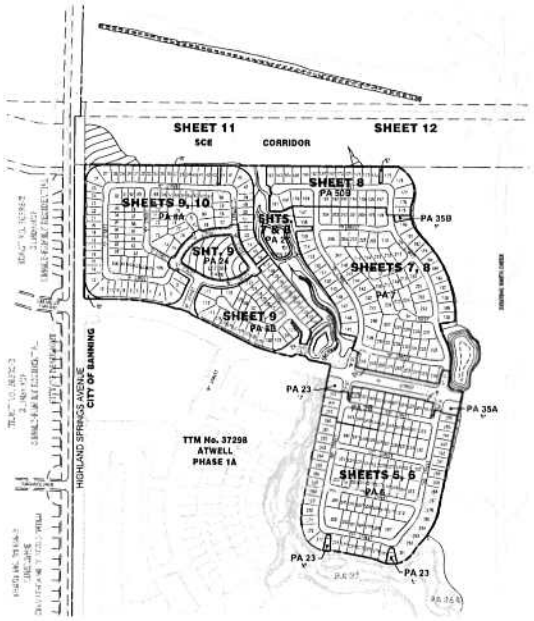
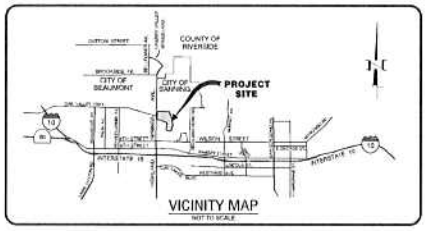
LOTS 35-141	PA 35	SHEET 12
LOTS 142-151, 180-186, 188-258	PA 7	SHEETS 7, 8
LOTS 152-179, 187-197	PA 23A	SHEET 6
LOTS 259-264, 309-332	PA 23	SHEET 5
LOTS 265-308, 347-356	PA 8	SHEET 9
LOT 357	PA 24 / PARK	SHEET 9
LOT 10	PA 24 / OPEN SPACE / DRAINAGE	SHEETS 7, 8



SHEET INDEX MAP
SCALE: 1"=300'



EDWARD C. CENTER RCE 052496
EXP. DATE: DECEMBER 31, 2018
10-28-16

APPLICANT/DEVELOPER/OWNER

Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 479-4500

ENGINEER

MDS CONSULTING
PLANNING ENGINEERING SURVEYING

DATE	NO.	REVISIONS

ATWELL

PHASE 1B / TENTATIVE TRACT NO. 37390

P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

TITLE SHEET/ SHEET INDEX

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 1 OF 14

PHASE 1B - TENTATIVE TRACT MAP

LEGEND

- TRACT BOUNDARY
- STREET CENTERLINE
- MEANDER
- DAYLIGHT LINE
- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- PROPOSED STREET AT CENTERLINE
- FLOWLINE
- PAD ELEVATION
- 100 LOT NUMBER
- (264) HIGHEST DEVELOPABLE RESIDENTIAL LOT NUMBER
- PROPOSED STORM DRAIN
- PROPOSED SANITARY SEWER
- PROPOSED POTABLE WATER
- PROPOSED NON-POTABLE WATER
- EXISTING STORM DRAIN
- EXISTING SANITARY SEWER
- EXISTING POTABLE WATER
- 1.00% PROPOSED STREET GRADE
- EXISTING GAS LINE
- PROPOSED RETAINING WALL
- PROPOSED RETAINING WALL HEIGHT
- LOT MIDPOINT DIMENSION
- PROPOSED FANS

ABBREVIATIONS

Δ	DELTA
AC	ACREAGE
AVG.	AVERAGE
DU	DWELLING UNIT
DW	DOMESTIC WATER
EX.	EXISTING
FL	FLOWLINE
G	GAS
GB	GARDEN WALK
HP	HIGH POINT
L	LENGTH
LP	LOW POINT
MAX	MAXIMUM
MIN	MINIMUM
NO.	NUMBER
PA	PLANTING AREA
PI	POINT OF INTERSECTION
R	RADIUS
RCW	NON-POTABLE WATER
R/W	RIGHT OF WAY
RW	RETAINING WALL
SD	STORM DRAIN
SS	SANITARY SEWER
ST	STREET
SQ. FT.	SQUARE FEET
TC	TOP OF CURB

UTILITIES

WATER
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

SEWER
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

ELECTRIC
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3150

GAS
SOUTHERN CALIFORNIA GAS COMPANY
1981 WEST LUGONIA AVENUE
REDLANDS, CA. 92374
(909) 335-7535

TRASH
CITY OF BANNING
ALVINA S. WARKENTIN
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3146

TELEPHONE
FRONTIER COMMUNICATION
220 SOUTH DOUGLAS STREET
YOKIMA, CA. 98902
(509) 574-4102

CABLE
SPECTRUM CABLE
3111 WEST RAMSEY STREET
BANNING, CA. 92220
(888) 411-1128

STORM DRAIN
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3146

FLOOD ZONE NOTE

THIS SUBJECT PROPERTY IS DESIGNATED AS LYING WITHIN ZONE "A" AND ZONE "AH" ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 06065C0815 G, NOW OR FKA 0815 G, DATED AUGUST 28, 2008 AND LETTER OF MAP REVISION DATED APRIL 15, 1980 AND REVISED TO READ AS FOLLOWS: ZONE "A" IS DEFINED AS AREAS OF 100-YEAR FLOOD BASE FLOOD ELEVATIONS ARE NOT DETERMINED.

ZONE "AH" IS DEFINED AS AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

EASEMENT NOTE

(1) PROPOSED 8' PANEL EASEMENT

BASIS OF BEARINGS

THE BEARINGS FOR THE SURVEY ARE BASED ON THE LINE BETWEEN STATION A "PWP" AND "SOUTH" AS SHOWN ON THE RECORD OF SURVEY MAP, AS SHOWN ON THE MAP FILED IN BOOK 101, PAGES 83 THROUGH 89, OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA. BEING NORTH 00° 49' 00" EAST.

BENCHMARK

ELEVATIONS AS SHOWN HEREON ARE IN TERMS OF THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, AS ESTABLISHED LOCALLY UPON THE FOLLOWING BENCHMARK: TOP OF STANDARD ALUMINUM DISK, PUNCH LOCATION IN BANNING, AT MILES SOUTH ALONG HIGHLAND SPRINGS AVENUE FROM THE INTERSECTION OF HIGHLAND SPRINGS AVENUE AND THE SOUTHERN PACIFIC RAILROAD BRIDGE, 41.1 FEET EAST OF THE CENTERLINE OF HIGHLAND SPRINGS AVENUE, AT THE NORTHWEST CORNER OF CATCH BASIN AT THE TOP OF CURB 53.41 FEET EAST OF FACE OF CANAL.

LEGAL DESCRIPTION

FOR SCHEDULE "A" AND "B" LEGAL DESCRIPTIONS, SEE PRELIMINARY REPORT NO. 1000-1000000-000-000, DATED 00-00-00 AT 8:00 AM, PREPARED BY FIDELITY NATIONAL TITLE COMPANY.

ASSESSORS PARCEL NUMBERS

PORTIONS OF 538-150-013, 538-150-010, 538-150-018, 538-150-019, 538-150-020, 538-150-021, 538-150-022, 538-150-023, 538-150-024, 538-150-025, 538-150-026, 538-150-027, 538-150-028, 538-150-029, 538-150-030, 538-150-031, 538-150-032, 538-150-033, 538-150-034, 538-150-035, 538-150-036, 538-150-037, 538-150-038, 538-150-039, 538-150-040, 538-150-041, 538-150-042, 538-150-043, 538-150-044, 538-150-045, 538-150-046, 538-150-047, 538-150-048, 538-150-049, 538-150-050, 538-150-051, 538-150-052, 538-150-053, 538-150-054, 538-150-055, 538-150-056, 538-150-057, 538-150-058, 538-150-059, 538-150-060, 538-150-061, 538-150-062, 538-150-063, 538-150-064, 538-150-065, 538-150-066, 538-150-067, 538-150-068, 538-150-069, 538-150-070, 538-150-071, 538-150-072, 538-150-073, 538-150-074, 538-150-075, 538-150-076, 538-150-077, 538-150-078, 538-150-079, 538-150-080, 538-150-081, 538-150-082, 538-150-083, 538-150-084, 538-150-085, 538-150-086, 538-150-087, 538-150-088, 538-150-089, 538-150-090, 538-150-091, 538-150-092, 538-150-093, 538-150-094, 538-150-095

LAND USE SUMMARY

LOTS	LAND USE	ACREAGE	PERCENT (%)
1-162	SINGLE FAMILY RESIDENTIAL	41.08 AC	69.4%
163	PARK	2.21 AC	3.7%
164-166	OPEN SPACE	6.09 AC	10.3%
	M STREET	3.14 AC	5.3%
	STREETS WITHIN TRACT	26.41 AC	44.6%
	GROSS ACREAGE	59.23 AC	100%

TENTATIVE TRACT NO. 37390

NUMBER OF LOTS - TOTAL	166
SINGLE FAMILY RESIDENTIAL	162
PARK	1
OPEN SPACE	3
LOCAL STREETS	19
MODIFIED COLLECTOR STREETS	1
GROSS ACREAGE: 59.23 AC	
CONTOUR INTERVAL: 1 FOOT	
DATE: OCTOBER 28, 2015	

STREET AREA SUMMARY

STREETS	ACREAGE
"A" STREET	0.27 AC
"B" STREET	0.43 AC
"C" STREET	0.36 AC
"D" STREET	0.36 AC
"E" STREET	0.36 AC
"F" STREET	1.04 AC
"G" STREET	0.44 AC
"H" STREET	2.14 AC
"J" STREET	0.23 AC
"K" STREET	0.61 AC
"L" STREET	1.11 AC
"M" STREET	0.51 AC
"N" STREET	0.96 AC
"O" STREET	0.61 AC
"P" STREET	0.61 AC
"Q" STREET	0.52 AC
"R" STREET	1.04 AC
"S" STREET	1.21 AC
"T" STREET	1.60 AC
"U" STREET	0.67 AC
"V" STREET	0.46 AC
"W" STREET	0.90 AC
"X" STREET	0.70 AC
"Y" STREET	0.70 AC
"Z" STREET	0.58 AC
"AA" STREET	0.58 AC
"BB" STREET	0.71 AC
"CC" STREET	0.72 AC
"DD" STREET	0.72 AC
"EE" STREET	0.68 AC
"FF" STREET	1.36 AC
"GG" STREET	1.34 AC
"HH" STREET	0.57 AC
TOTAL ACREAGE	26.41 AC

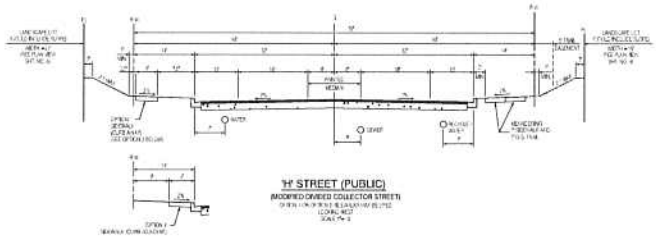
OPEN SPACE AREA SUMMARY

LOT	ACREAGE
LOT "A"	0.25 AC
LOT "B"	3.75 AC
LOT "C"	0.83 AC
LOT "D"	0.71 AC
LOT "E"	0.80 AC
LOT "F"	0.70 AC
LOT "G"	0.28 AC
LOT "H"	0.74 AC
LOT "J"	0.74 AC
LOT "K"	0.76 AC
LOT "L"	0.11 AC
LOT "M"	0.17 AC
TOTAL ACREAGE	9.86 AC

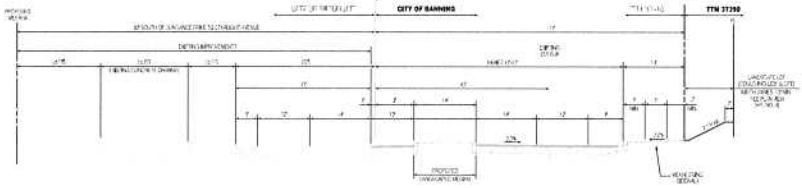
GENERAL INFORMATION

1. EXISTING LAND USE: VACANT
2. EXISTING ZONING: BUTTERFIELD SPECIFIC PLAN
3. EXISTING GENERAL PLAN: BUTTERFIELD SPECIFIC PLAN
4. PROPOSED LAND USE:
   - SINGLE FAMILY RESIDENTIAL
   - PARKS
   - OPEN SPACE - DRAINAGE
5. PROPOSED ZONING: BUTTERFIELD SPECIFIC PLAN
6. PROPOSED GENERAL PLAN: BUTTERFIELD SPECIFIC PLAN
7. ADJACENT LAND USES:
   - NORTH: VACANT
   - EAST: VACANT
   - SOUTH: VACANT
   - WEST: SINGLE FAMILY RESIDENTIAL
8. PARK REQUIREMENTS TO BE MET IN ACCORDANCE WITH THE BUTTERFIELD SPECIFIC PLAN
9. SCHOOL DISTRICTS:
   - ELEMENTARY: BEAUMONT UNIFIED SCHOOL DISTRICT
   - MIDDLE SCHOOL: BEAUMONT UNIFIED SCHOOL DISTRICT
   - HIGH SCHOOL: BEAUMONT UNIFIED SCHOOL DISTRICT
10. PAD ELEVATIONS SHOWN HEREON MAY BE ADJUSTED PRIOR TO FINAL MAPS & PLOTS.
11. MULTIPLE FINAL MAPS MAY BE FILED PURSUANT TO SECTION 66456.1 OF THE CALIFORNIA GOVERNMENT CODE.
12. THIS TENTATIVE TRACT MAP IS WITHIN THE APPROVED BUTTERFIELD SPECIFIC PLAN.
13. ALL PHYSICAL MANUFACTURED SLOPES SHALL BE A MAXIMUM OF 30:1 UNLESS OTHERWISE NOTED ON THE FINAL TENTATIVE MAP.
14. PRELIMINARY SOILS REPORT: GUARDIAN GEOTECH
   - DATE: 10-08-2015
   - REPORT: 2014-01-01
15. SITE IS SUBJECT TO SEVERE SOIL EROSION AND WIND PER SECTION 91.33 OF THE UBC. SEE OCTOBER 8, 2015.
16. THERE ARE NO HABITABLE STRUCTURES WITHIN THE BOUNDARIES OF THIS TENTATIVE TRACT MAP.
17. ALL PROPOSED STREETS WITHIN THIS TENTATIVE TRACT ARE PUBLIC AND SHALL BE MAINTAINED BY THE CITY OF BANNING.
18. THE DEVELOPER/APPLICANT SHALL RESERVE THE RIGHT TO MERGE LOTS ON THE FINAL MAP.
19. THIS TENTATIVE TRACT MAP HAS BEEN DESIGNATED AS LYING WITHIN ZONES "A" AND "AH" OF THE FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 06065C0815G, DATED AUGUST 28, 2008 AND FINAL DETERMINATION DATED OCTOBER 27, 1978.
20. THIS TENTATIVE TRACT MAP INCLUDES THE ENTIRE CONTIGUOUS OWNERSHIP OF LAND BEING SUBDIVIDED.
21. TOPOGRAPHIC SURVEY WAS FLOWN AND COMPILED BY SOIL RESOURCE CORPORATION, DATED MAY 10, 2011.
22. ACCESS SHALL BE RESTRICTED ON HIGHLAND SPRINGS AVENUE.
23. FINAL GRADING SHALL CONFORM WITH THE R.C.F.C.D. & W.C.D. STANDARDS OUTLINED BY THE CITY OF BANNING.
24. PROPOSED OPEN SPACE LOTS ARE SHALL BE PRIVATE AND MAINTAINED BY AN APPROVED H.O.A.
25. PROPOSED PARK LOT 362 SHALL BE MAINTAINED BY AN APPROVED H.O.A.
26. ALL PROPOSED RESIDENTIAL LOTS SHALL HAVE A MINIMUM GRADE FROM REAR OF THE LOT TO THE STREET IN ACCORDANCE WITH MUNICIPAL CALIFORNIA BUILDING CODE.
27. FIRE PROTECTION SHALL BE PROVIDED BY THE CITY OF BANNING.
28. ALL PROPOSED ON-SITE STORM DRAIN FACILITIES, SIZE AND LOCATION ARE PRELIMINARY AND SUBJECT TO FINAL HYDRAULIC CALCULATIONS ACCEPTABLE TO THE CITY OF BANNING.
29. ALL PROPOSED WATER & QUALITY BASINS SHALL BE MAINTAINED BY AN APPROVED H.O.A.
30. ALL PROPOSED ON-SITE STORM WATER DISCHARGE FROM THIS TENTATIVE TRACT MAP SHALL BE TREATED BY PERMANENT ON-SITE TREATMENT CONTROL MEASURES FOR WATER QUALITY PRIOR TO DISCHARGE OFF-SITE AND ON SITE PRIOR TO DISCHARGE TO ANY EXISTING OR PROPOSED STORM DRAIN FACILITY.
31. ALL DIMENSIONS ON THE TENTATIVE TRACT MAP ARE APPROXIMATE.
32. ALL LANDSCAPING WITHIN ENVIRONMENTAL RESERVE LOT 5 SHALL BE MAINTAINED BY THE HOMEOWNER.
33. REMOVAL AND RELOCATION OF THE EXISTING GAS LINE SHALL BE COORDINATED WITH SOUTHERN CALIFORNIA GAS COMPANY.
34. PLANNING AREA 2 OCCUPIES PTN. OF LOTS 1 THRU 7, LOTS 8 THRU 11, LOTS 12 THRU 17, LOTS 18 THRU 20, LOTS 21 THRU 24, LOTS 25 THRU 28, LOTS 29 THRU 32, LOTS 33 THRU 36, LOTS 37 THRU 40, LOTS 41 THRU 44, LOTS 45 THRU 48, LOTS 49 THRU 52, LOTS 53 THRU 56, LOTS 57 THRU

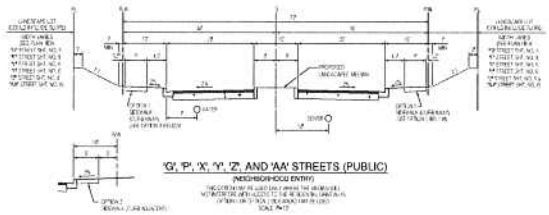
HIGHLAND SPRINGS AVENUE (PUBLIC)
MODIFIED ARTERIAL HIGHWAY
(IMPROVEMENTS PER TTM 37390)



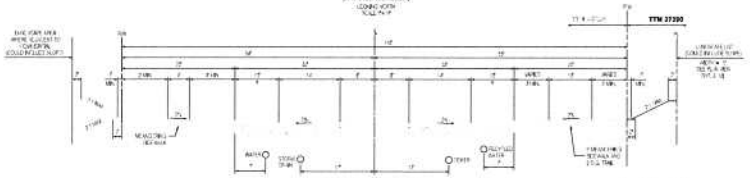
'H' STREET (PUBLIC)
(MODIFIED DIVIDED COLLECTOR STREET)



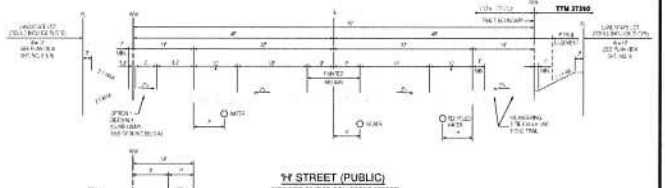
HIGHLAND SPRINGS AVENUE (PUBLIC)
MODIFIED ARTERIAL HIGHWAY WITH RIGHT TURN POCKET
(IMPROVEMENTS PER TTM 37390)



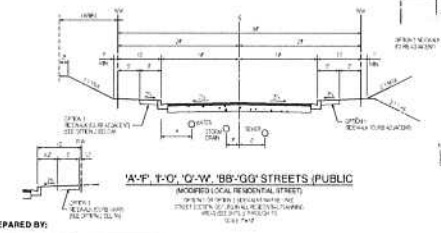
'G', 'P', 'X', 'Y', 'Z', AND 'AA' STREETS (PUBLIC)
(NEIGHBORHOOD ENTRY)



'H' STREET (PUBLIC)
MODIFIED DIVIDED COLLECTOR STREET



'H' STREET (PUBLIC)
(MODIFIED DIVIDED COLLECTOR STREET)
(IMPROVEMENTS PER TTM 37390)



'A'-'F', 'I'-'O', 'Q'-'W', 'BB'-'GG' STREETS (PUBLIC
(MODIFIED LOCAL RESIDENTIAL STREET)

PREPARED FOR:

Pardee Homes

1250 Corona Pointe Court
Suite 603
Corona, CA 92879
(951) 479-4400

PREPARED BY:

MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

DATE:	NO.	REVISIONS

ATWELL

PHASE 1B / TENTATIVE TRACT NO. 37390

P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

STREET SECTIONS

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 3 OF 14

PHASE 1B - TENTATIVE TRACT MAP

RESIDENTIAL LOT SUMMARY

PLANNING AREA 2B (LDR)

LOT AREA SUMMARY
LOTS 257 - 259, 343 - 345 & 359 - 362

LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)
257	8,196	6,476
258	6,605	5,887
259	6,605	5,475
343	7,997	6,414
344	5,715	5,775
345	5,775	5,775
346	5,775	5,775
359	5,775	5,775
360	5,775	5,775
361	5,775	5,775
362	6,203	6,203

PLANNING AREA 6 (LDR)

LOT AREA SUMMARY
LOTS 260 - 342 & 347 - 358

LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)	LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)	LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)
260	6,826	5,895	292	6,826	5,875	324	5,775	5,775
261	6,826	5,812	293	6,826	5,875	325	5,775	5,775
262	6,826	5,870	294	6,826	5,875	326	5,775	5,775
263	6,826	5,875	295	6,826	5,918	327	5,775	5,775
264	6,826	5,875	296	8,046	6,818	328	5,775	5,775
265	6,826	5,890	297	16,204	12,344	329	5,775	5,775
266	6,826	5,872	298	7,130	5,775	330	5,775	5,775
267	6,826	5,872	299	7,130	5,845	331	5,775	5,775
268	6,542	5,895	300	7,130	5,915	332	7,997	6,414
269	7,001	6,515	301	7,130	5,915	333	6,827	7,234
270	5,970	7,027	302	7,130	5,915	334	7,130	5,764
271	6,564	6,564	303	14,512	11,274	335	7,130	5,753
272	11,418	8,786	304	8,181	7,020	336	7,130	5,764
273	8,543	6,996	305	5,775	5,775	337	7,130	5,753
274	7,242	7,148	306	5,775	5,775	338	7,130	5,764
275	5,775	5,775	307	5,775	5,775	339	7,130	5,753
276	5,775	5,775	308	5,775	5,775	340	7,130	5,764
277	5,775	5,775	309	5,775	5,775	341	7,130	5,753
278	5,775	5,775	310	5,775	5,775	342	8,977	7,760
279	5,673	5,673	311	5,775	5,775	347	5,775	5,775
280	6,245	5,211	312	11,183	8,126	348	5,775	5,775
281	11,417	10,332	313	8,997	7,686	349	5,775	5,775
282	8,058	7,458	314	7,130	5,964	350	5,775	5,775
283	7,086	5,758	315	7,130	5,907	351	5,775	5,775
284	7,846	7,038	316	7,130	5,940	352	7,997	6,426
285	7,751	7,003	317	7,130	5,918	353	6,227	6,223
286	7,188	6,661	318	7,130	5,886	354	5,775	5,775
287	6,915	5,915	319	7,130	5,901	355	5,775	5,775
288	6,715	5,896	320	7,130	5,797	356	5,775	5,775
289	6,826	5,872	321	7,130	5,784	357	5,775	5,775
290	6,250	5,872	322	9,927	7,222	358	5,775	5,775
291	6,826	5,890	323	7,997	6,423			

PLANNING AREA 7 (LDR)

LOT AREA SUMMARY
LOTS 145 - 157, 180 - 190, & 198 - 256

LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)	LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)
145	9,230	8,167	216	7,140	7,140
146	9,077	8,130	217	8,553	8,203
147	8,911	8,077	218	8,246	8,246
148	7,491	6,965	219	6,501	6,501
149	7,238	6,611	220	8,367	7,728
150	7,280	6,611	221	9,474	7,911
151	7,280	6,611	222	8,984	7,784
152	7,214	6,611	223	10,551	9,952
153	6,946	5,748	224	12,590	9,291
154	8,430	7,914	225	7,984	6,288
155	7,767	5,767	226	13,368	11,469
156	7,776	5,934	227	11,965	11,965
157	8,138	7,910	228	8,336	8,336
180	8,506	8,506	229	6,357	6,357
181	8,304	7,462	230	7,084	7,084
182	7,118	6,328	231	8,291	8,184
183	7,148	6,710	232	12,318	8,891
184	7,500	6,962	233	7,473	6,033
185	7,478	6,979	234	8,338	6,132
186	7,446	6,977	235	6,510	6,140
187	7,518	6,925	236	6,350	6,350
188	7,608	6,943	237	6,350	6,218
189	7,604	6,972	238	6,350	6,350
190	7,566	6,926	239	6,566	6,518
198	9,462	8,053	240	12,163	10,768
199	7,306	6,445	241	8,820	8,196
200	7,096	6,353	242	8,313	7,858
201	7,113	6,396	243	9,038	6,871
202	7,113	6,282	244	7,700	6,145
203	7,113	6,234	245	7,258	6,011
204	8,779	7,536	246	7,525	6,224
205	13,008	9,853	247	15,264	10,621
206	8,080	8,080	248	8,782	8,606
207	8,184	8,184	249	8,163	8,163
208	8,888	8,888	250	8,190	8,190
209	7,228	7,228	251	8,190	8,190
210	10,116	8,116	252	8,190	8,190
211	8,580	7,883	253	8,190	8,190
212	8,732	7,648	254	8,190	8,190
213	10,091	8,320	255	8,163	8,163
214	17,444	8,147	256	8,997	8,666
215	13,414	10,218			

PLANNING AREA 8A (MDR)

LOT AREA SUMMARY
LOTS 1 - 106

LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)	LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)	LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)
1	8,001	6,981	37	4,840	4,840	73	9,012	7,849
2	6,849	6,849	38	5,118	5,118	74	11,788	8,749
3	11,152	11,152	39	5,187	5,187	75	7,579	6,858
4	7,258	7,258	40	5,258	5,258	76	8,661	6,813
5	6,035	5,535	41	5,325	5,325	77	6,663	5,973
6	4,850	4,850	42	5,324	5,213	78	6,752	7,091
7	4,815	4,815	43	5,462	5,273	79	11,329	8,015
8	4,840	4,840	44	5,525	5,135	80	11,106	7,301
9	4,850	4,850	45	7,615	7,207	81	7,475	6,006
10	5,574	5,574	46	9,291	8,552	82	7,328	6,258
11	4,982	4,982	47	8,200	7,811	83	6,022	4,620
12	10,146	10,146	48	8,883	8,883	84	6,244	5,069
13	10,818	10,818	49	8,691	8,691	85	6,427	5,151
14	5,838	5,388	50	6,853	6,569	86	6,422	5,215
15	5,262	4,764	51	3,842	4,634	87	6,431	5,215
16	5,250	4,750	52	6,717	4,963	88	6,941	5,105
17	5,250	4,750	53	7,288	6,685	89	6,966	5,297
18	5,245	4,730	54	7,286	6,413	90	6,781	6,187
19	5,225	4,711	55	5,524	4,743	91	6,751	6,751
20	5,142	4,643	56	5,210	4,733	92	7,998	6,841
21	5,579	4,575	57	7,574	5,115	93	5,475	4,887
22	5,212	4,751	58	5,914	5,251	94	5,226	4,678
23	5,994	5,994	59	6,583	4,953	95	5,115	4,652
24	4,815	4,815	60	7,845	5,148	96	5,154	4,657
25	6,211	6,211	61	5,605	4,605	97	5,154	4,657
26	10,011	9,665	62	4,605	4,605	98	5,154	4,657
27	8,444	8,300	63	4,605	4,605	99	5,154	4,657
28	5,265	4,734	64	4,605	4,605	100	6,262	6,791
29	4,850	4,849	65	4,605	4,605	101	5,754	4,717
30	4,973	4,869	66	4,605	4,605	102	5,258	4,854
31	4,875	4,584	67	4,605	4,605	103	6,163	5,088
32	4,775	4,815	68	4,605	4,605	104	5,645	5,234
33	4,771	4,691	69	5,944	5,944	105	6,363	6,191
34	4,643	4,643	70	5,384	5,321	106	10,034	9,613
35	4,912	4,912	71	6,016	4,916			
36	4,881	4,881	72	6,745	6,848			

PLANNING AREA 8B (MDR)

LOT AREA SUMMARY
LOTS 107 - 144

LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)
107	11,576	10,440
108	6,386	6,386
109	5,767	5,767
110	11,674	10,462
111	8,782	8,311
112	11,958	11,080
113	8,516	8,516
114	4,988	4,988
115	4,815	4,815
116	4,729	4,729
117	4,779	4,779
118	4,916	4,916
119	5,596	5,596
120	5,378	5,378
121	5,500	5,500
122	8,532	8,532
123	5,676	5,676
124	9,350	5,152
125	8,573	8,350
126	7,384	6,424
127	5,995	5,258
128	6,287	4,938
129	4,943	4,758
130	5,419	5,096
131	6,088	5,980
132	7,251	6,109
133	4,776	4,776
134	5,079	4,754
135	5,250	4,733
136	5,271	4,781
137	4,725	4,725
138	4,729	4,729
139	4,775	4,775
140	4,729	4,729
141	4,729	4,729
142	5,845	5,845
143	4,991	4,991
144	4,758	4,758

PLANNING AREA 50B (LDR)

LOT AREA SUMMARY
LOTS 158 - 179 & LOTS 191 - 197

LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT)
158	6,967	7,199
159	7,205	7,205
160	7,766	7,766
161	8,412	8,412
162	7,462	7,462
163	6,426	6,180
164	6,426	6,174
165	6,426	6,132
166	6,426	6,132
167	6,426	6,178
168	6,426	6,108
169	6,426	6,120
170	6,426	6,132
171	6,426	6,210
172	6,426	6,240
173	6,419	6,238
174	8,273	8,273
175	12,036	12,036
176	11,746	11,746
177	7,251	7,251
178	6,668	6,668
179	7,782	6,826
191	6,300	6,300
192	6,300	6,300
193	6,300	6,300
194	6,426	6,426
195	6,418	6,418
196	6,418	6,418
197	8,262	7,143

PLANNING AREA SUMMARY

PROPOSED TENTATIVE TRACT 37390

PLANNING AREA (No.)	LAND USE (TYPE)	GROSS AREA (ACRE)	MINIMUM LOTS (No)	GROSS DENSITY (DU/AC)	RESIDENTIAL AREA (ACRE)	STREETS (ACRE)	LOT SIZE (MIN)	PAD SIZE (MIN)	LOT AREA MIN (SQ. FT.)	LOT AREA MAX (SQ. FT.)	LOT AREA AVG. (SQ. FT.)
2B	LDR	3.28	11	5.0	1.27	0.02	55' x 100'	60' x 100'	5,500	7,997	6,217
6	LDR	69.39	93	4.7	19.34	4.83	55' x 100'	60' x 100'	5,500	16,204	7,126
7	LDR	39.72	93	4.2	15.38	3.14	60' x 100'	60' x 100'	6,000	13,414	8,177
8A	MDR	16.55	106	5.3	15.01	3.38	40' x 100'	45' x 100'	4,500	11,223	6,106
8B	MDR	7.01	38	5.1	5.26	1.35	40' x 100'	45' x 100'	4,500	11,958	6,144
50B	LDR	9.26	25	4.0	4.91	1.34	60' x 100'	60' x 100'	6,000	12,036	7,225
23 & 24	PA/RE	5.29	N/A	N/A							
25	OS	8.15	N/A	N/A							
35A & 35B	OS	5.26	N/A	N/A							
50B &	OS	5.18	N/A	N/A							

NOTE:

* PORTION OF PLANNING AREA WITHIN TENTATIVE TRACT STAGE PHASE 2

PER BUTTERFIELD SPECIFIC PLAN, 2017

PLANNING AREA (No.)	LAND USE (TYPE)	GROSS AREA (ACRE)	NUMBER LOTS (DU)
1B	SFR	2.3	9
5	SFR	19.8	93
7	SFR	39.8	99
8A	SFR	16.5	106
8B	SFR	7.0	38
50B	SFR	9.2	25
23	OS	15.6	
24	PA/RE	5.3	
25	OS	7.3	
35A	OS	12.4	
35B	OS	13.8	

LEGEND

LDR	LOW DENSITY RESIDENTIAL
MDR	MEDIUM DENSITY RESIDENTIAL
OPEN SPACE	OPEN SPACE
PA/RE	PARK / RECREATION

DATE	NO.	REVISIONS

PREPARED FOR:

Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 808-4400

PREPARED BY:

MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL

PHASE 1B / TENTATIVE TRACT NO. 37390

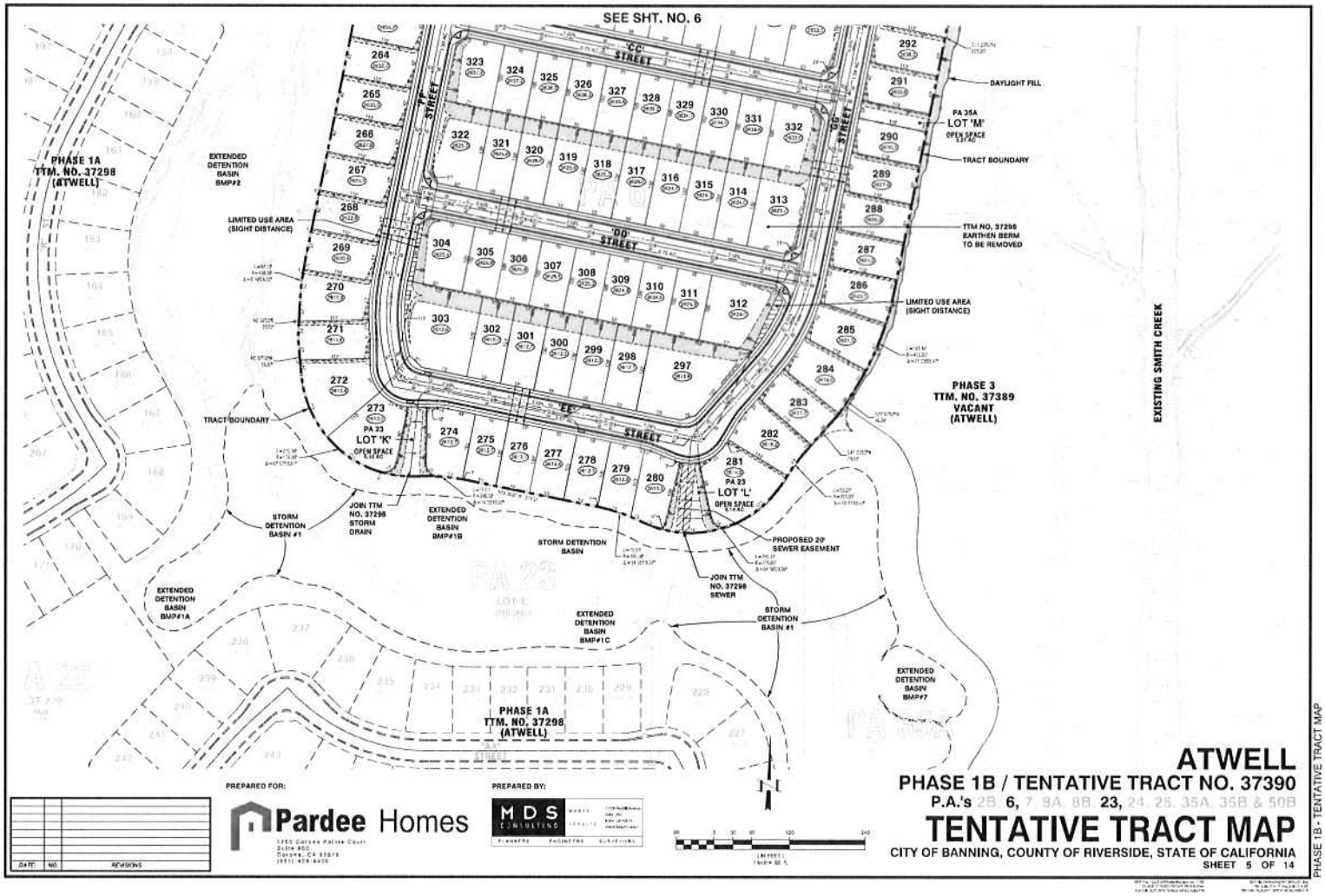
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

AREA SUMMARIES

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 4 OF 14

PHASE 1B - TENTATIVE TRACT MAP



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Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 479-5400

PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL

PHASE 1B / TENTATIVE TRACT NO. 37390

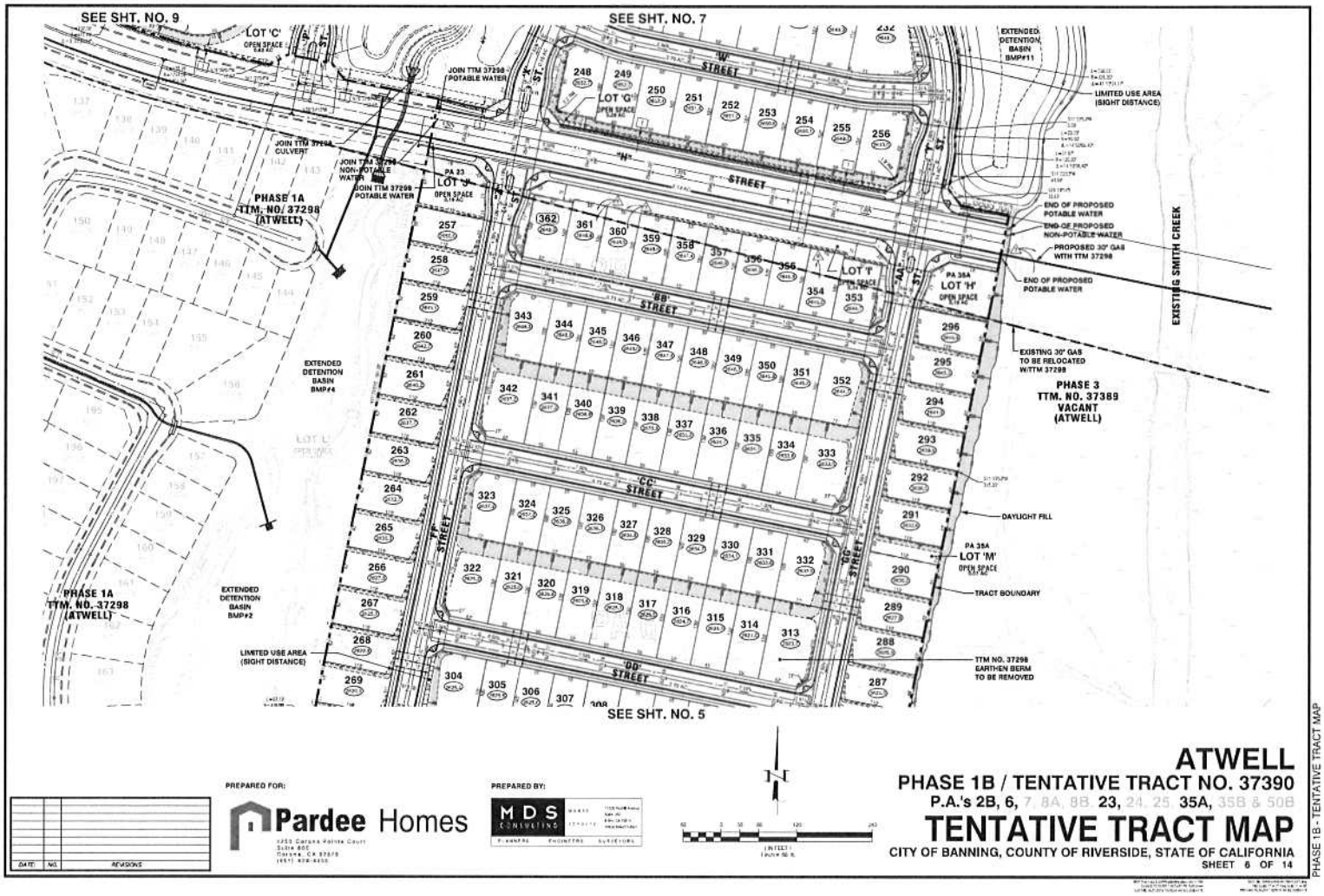
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 5 OF 14

PHASE 1B - TENTATIVE TRACT MAP



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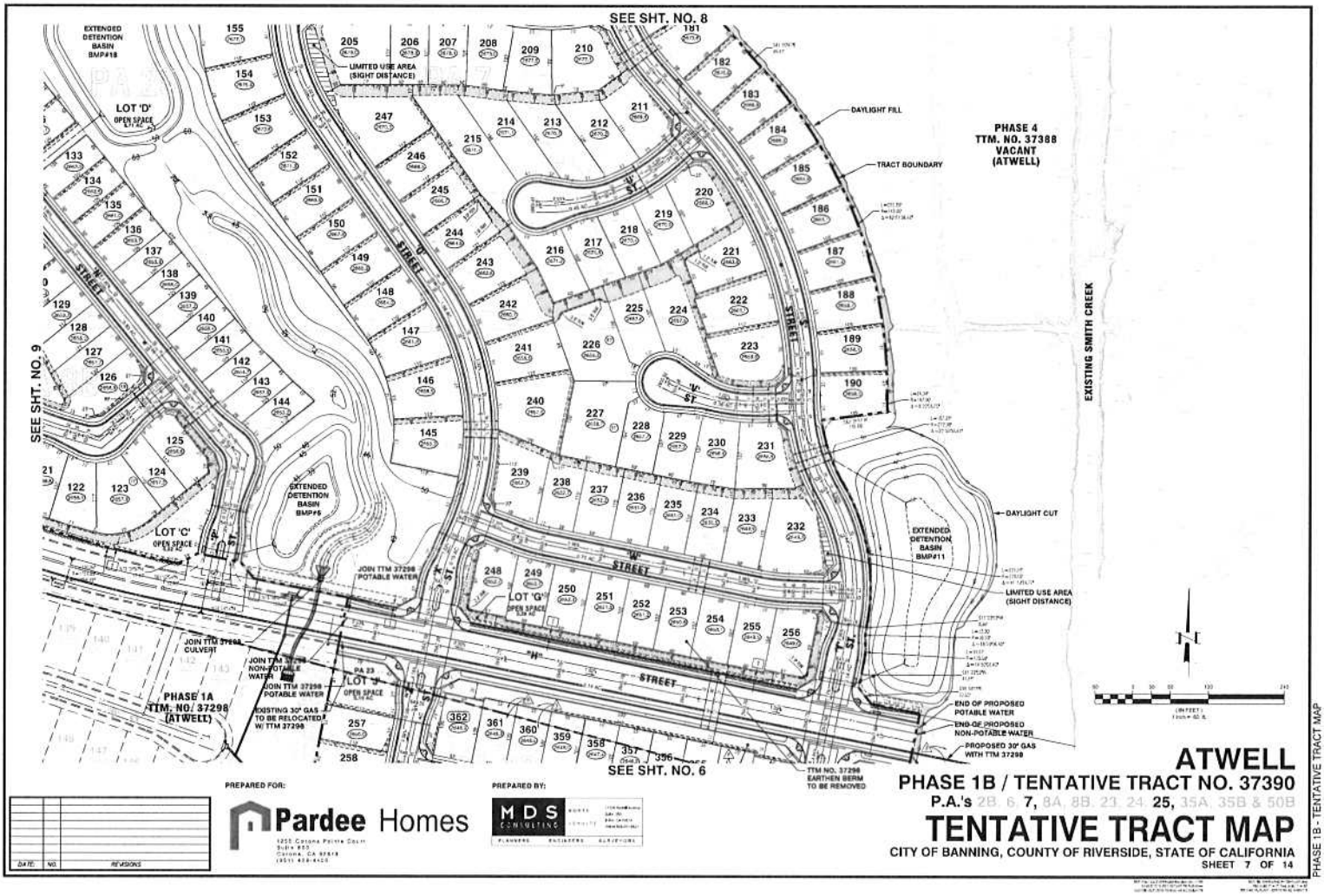
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 808-8800

PREPARED BY:
MDS CONSULTING
PLANNING ENGINEERING SURVEYING

ATWELL
PHASE 1B / TENTATIVE TRACT NO. 37390
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

TENTATIVE TRACT MAP
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 6 OF 14

PHASE 1B - TENTATIVE TRACT MAP



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Pardee Homes

1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 808-4400

PREPARED BY:

MDS CONSULTING
PLANNING ENGINEERING SURVEYING

DATE	NO.	REVISIONS

ATWELL

PHASE 1B / TENTATIVE TRACT NO. 37390

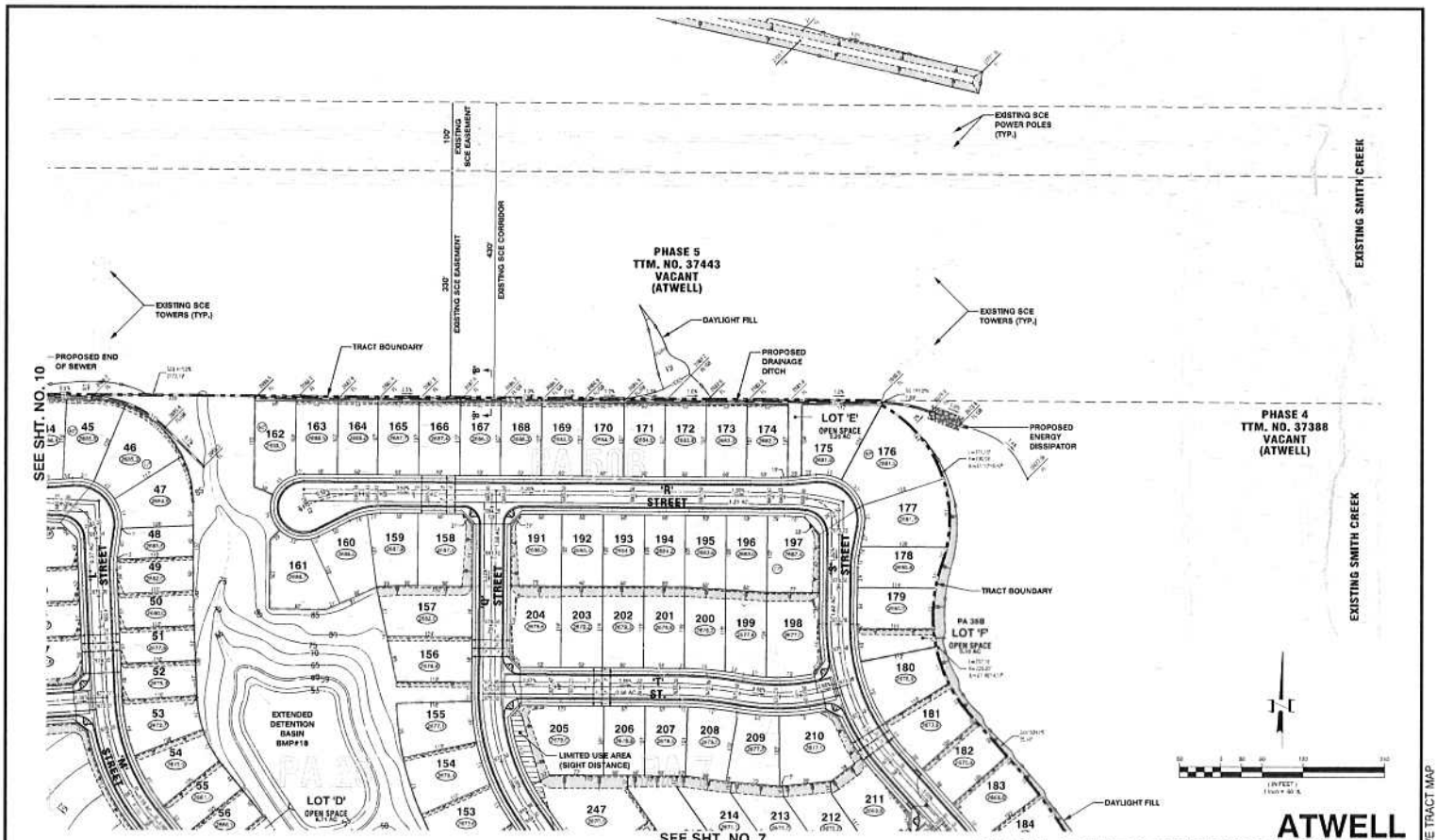
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 7 OF 14

PHASE 1B - TENTATIVE TRACT MAP



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Pardee Homes
1250 Corona Pointe Court
Suite 403
Corona, CA 92879
(951) 459-4400

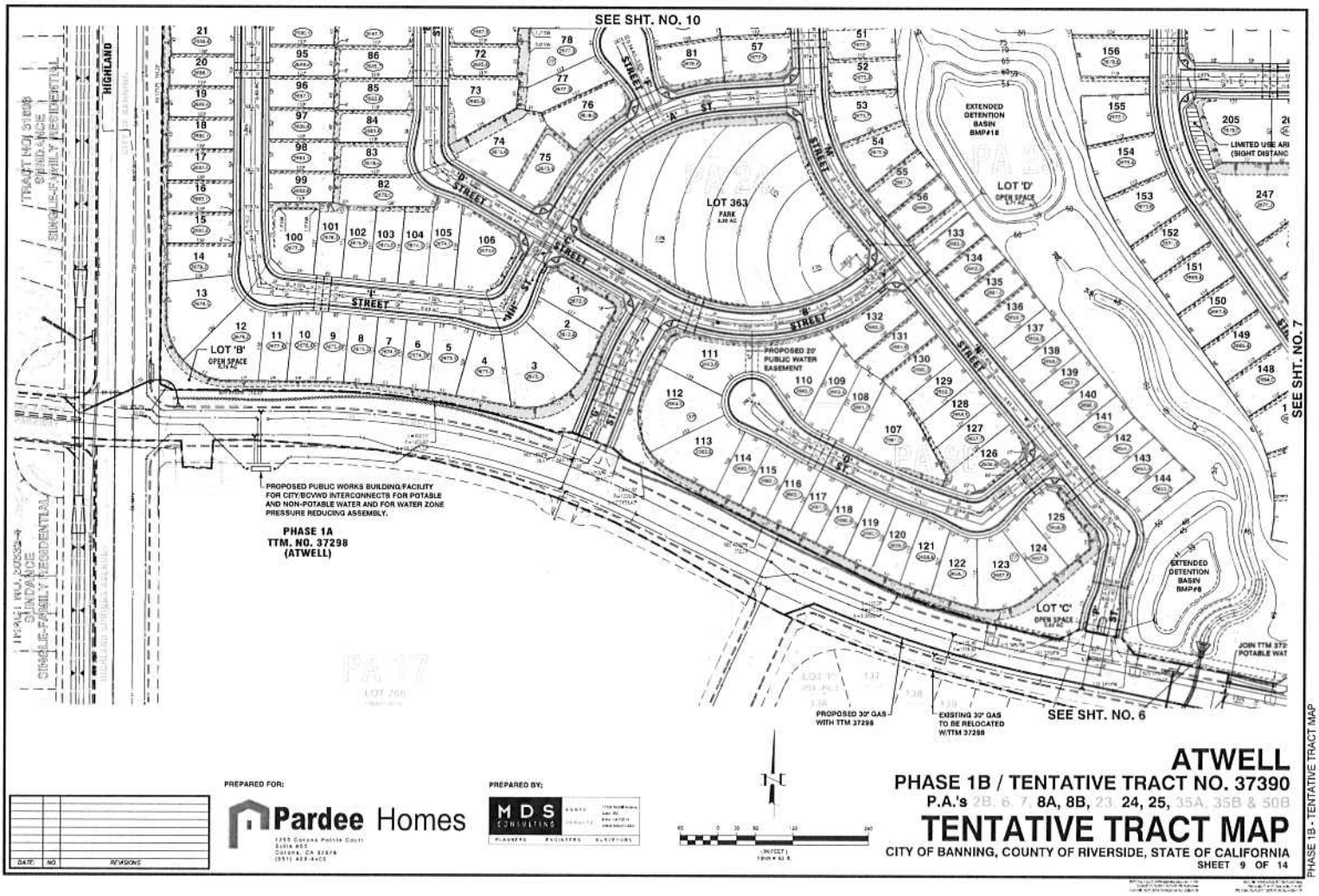
PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

DATE	NO.	REVISIONS

ATWELL
PHASE 1B / TENTATIVE TRACT NO. 37390
P.A.'s 2B, 6, **7**, 8A, 8B, 23, 24, **25**, 35A, 35B & **50B**

TENTATIVE TRACT MAP
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 8 OF 14

PHASE 1B - TENTATIVE TRACT MAP



PREPARED FOR:
Pardee Homes
1295 Corona Pointe Court
Suite 400
Corona, CA 92879
(951) 488-4400

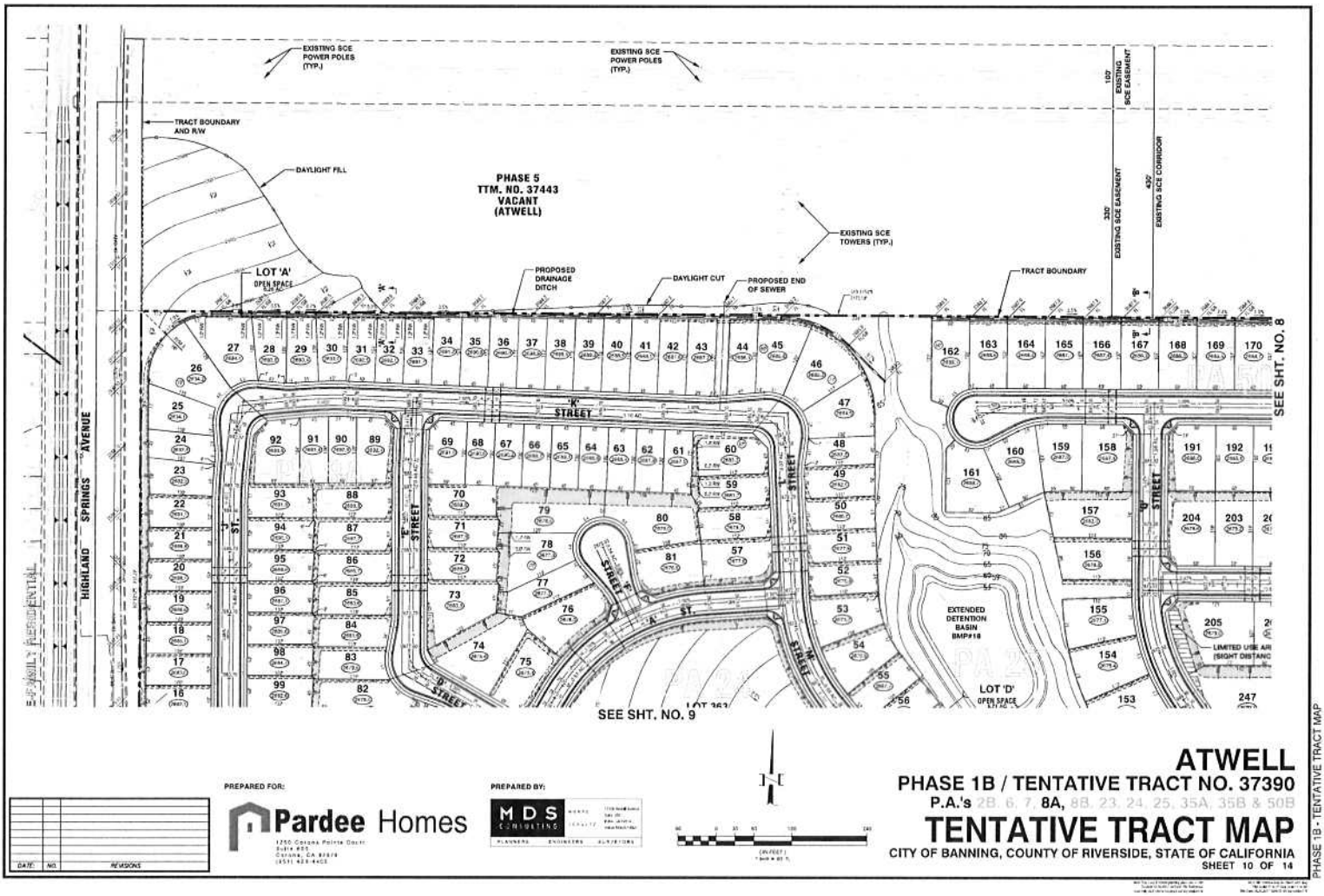
PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

DATE	NO	REVISIONS

ATWELL
PHASE 1B / TENTATIVE TRACT NO. 37390
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

TENTATIVE TRACT MAP
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 9 OF 14

PHASE 1B - TENTATIVE TRACT MAP



PREPARED FOR:

Pardee Homes

1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 520-4400

PREPARED BY:

MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

DATE	NO.	REVISIONS

ATWELL

PHASE 1B / TENTATIVE TRACT NO. 37390

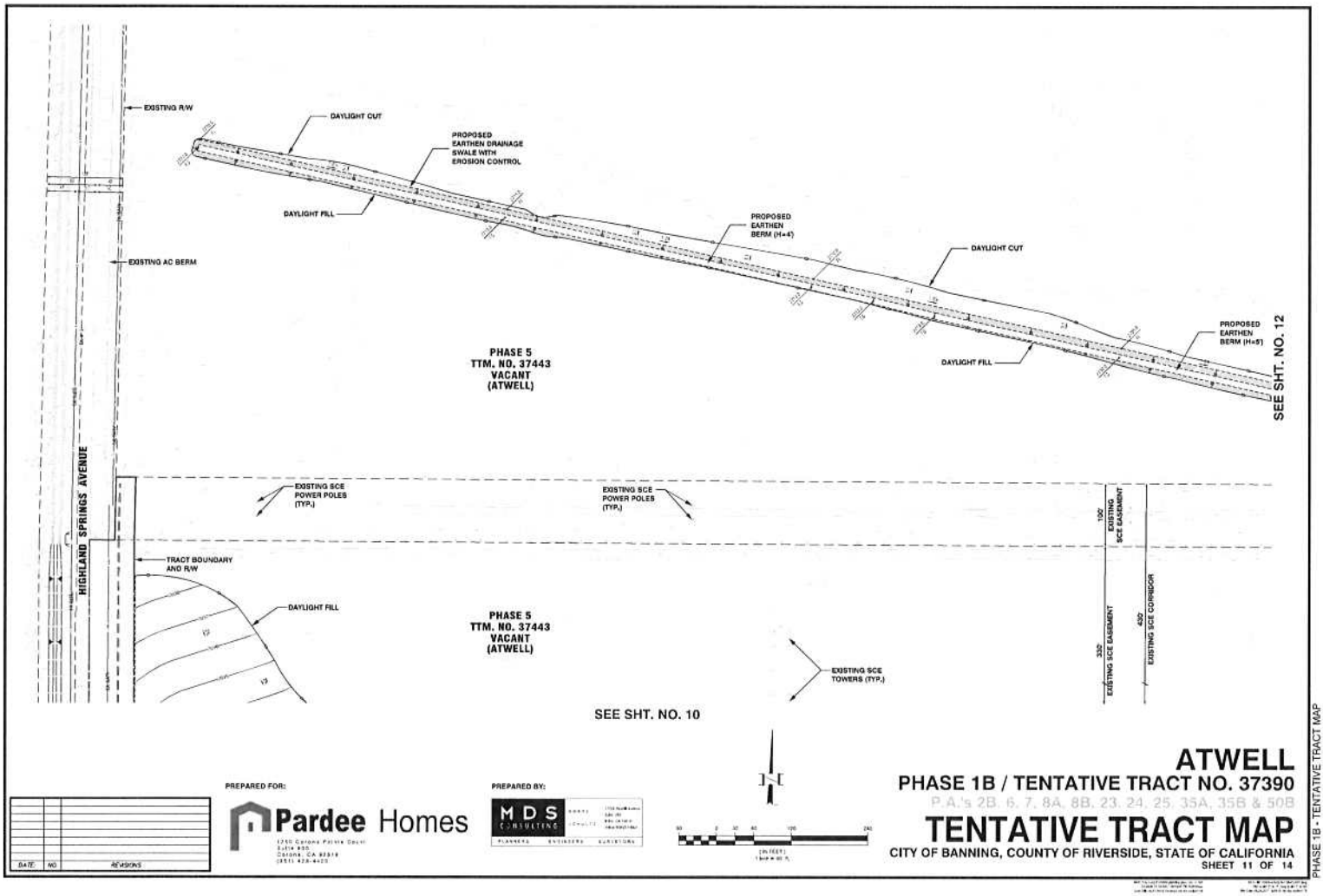
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 10 OF 14

PHASE 1B - TENTATIVE TRACT MAP



DATE	NO.	REVISIONS

PREPARED FOR:

Pardee Homes

PREPARED BY:

MDS CONSULTING

PLANNERS ENGINEERS SURVEYORS

ATWELL

PHASE 1B / TENTATIVE TRACT NO. 37390

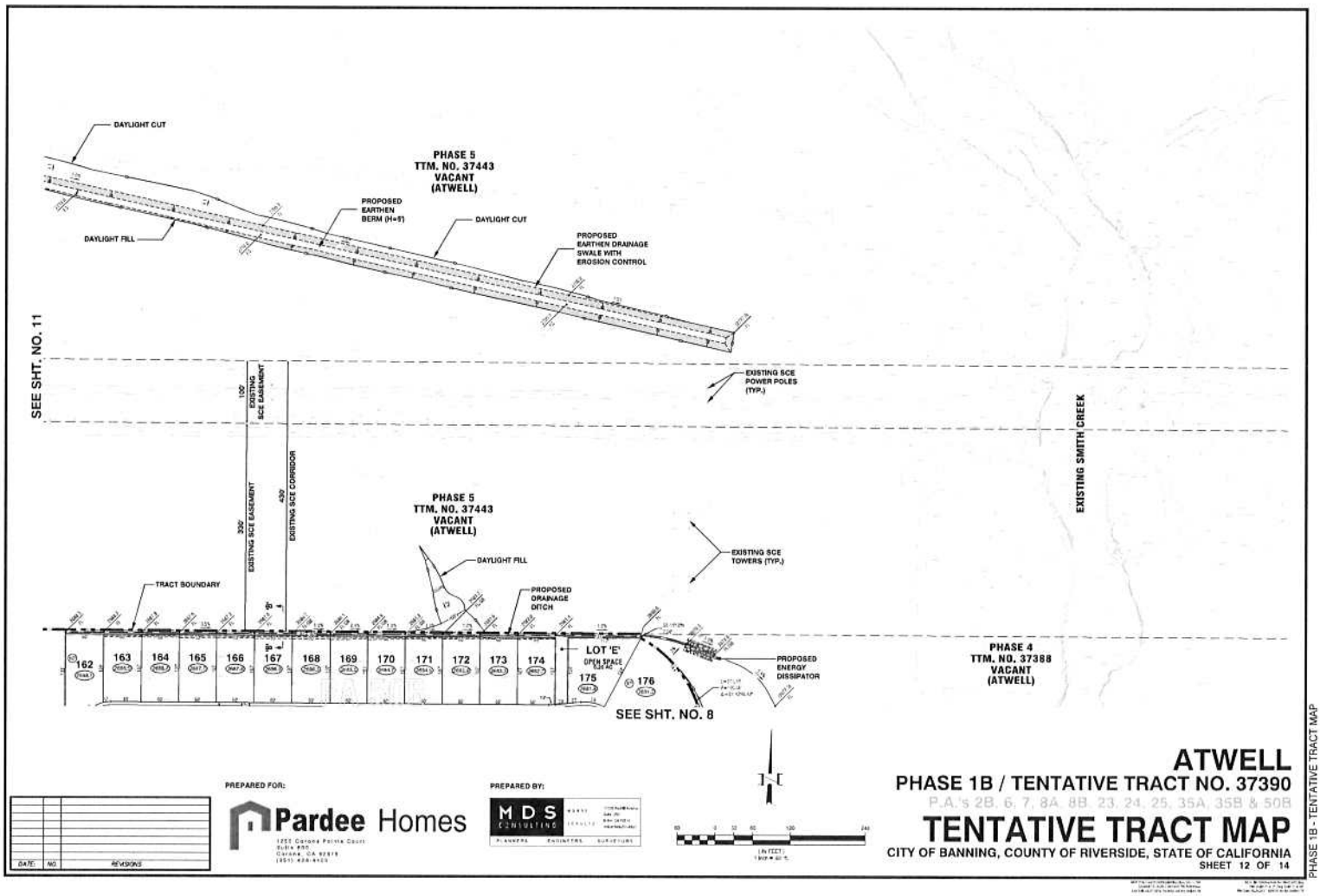
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 11 OF 14

PHASE 1B - TENTATIVE TRACT MAP



PREPARED FOR:

Pardee Homes

PREPARED BY:

MDS CONSULTING

NO	REVISIONS	DATE

ATWELL

PHASE 1B / TENTATIVE TRACT NO. 37390

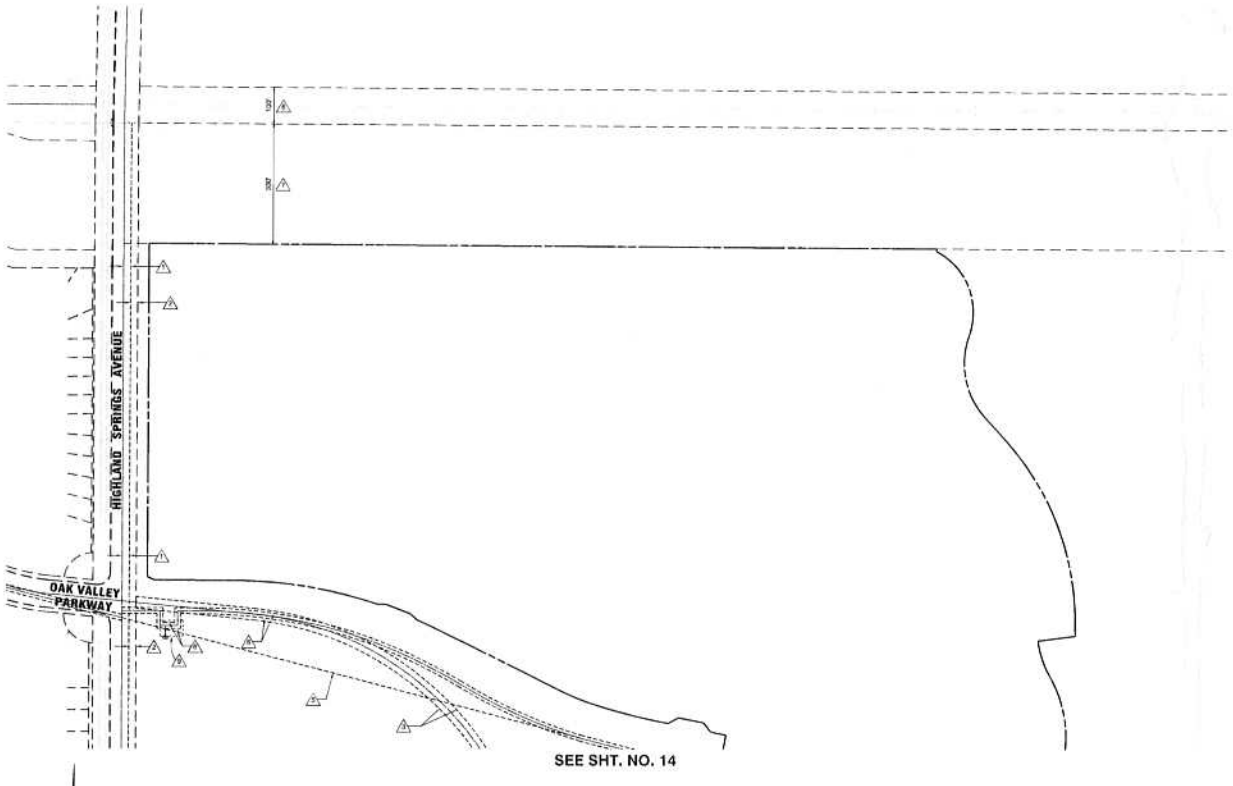
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 12 OF 14

PHASE 1B - TENTATIVE TRACT MAP



EXISTING EASEMENTS

1. 25' EASEMENT FOR PUBLIC HIGHWAY AND PUBLIC UTILITIES TO THE COUNTY OF RIV., REC. 05/13/1930, BK. 147, PG. 16 OF DEEDS AND EASEMENT FOR RIGHT OF WAY FOR ROAD PURPOSES TO RIV. COUNTY PER BK. 90, PAGE 411, O.R. "TT" REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.
2. 25' EASEMENT FOR PUBLIC HIGHWAY AND PUBLIC UTILITIES TO THE COUNTY OF RIV., REC. 02/08/1939, BK. 363, PG.413 OF O.R., TO REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.
3. 30' WIDE EASEMENT FOR ACCESS PURPOSES PER TRACT NO. 34335, M.B. 426/89-100, TO BE ABANDONED WITH FINAL TRACT MAP.
4. CENTERLINE OF EASEMENT FOR PIPELINE PURPOSES TO THE SOUTHERN CALIFORNIA GAS COMPANY RECORDED JUNE 24, 1949 IN BOOK 1184, PAGE 131, O.R., TO BE QUITCLAIMED. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.
5. 1/2 EASEMENT FOR PIPELINE PURPOSES TO THE SOUTHERN CALIFORNIA GAS COMPANY RECORDED JUNE 24, 1949 IN BOOK 1184, PAGE 131 O.R., AND MODIFIED PER DOCUMENTS RECORDED OCTOBER 29, 2003 AS INSTRUMENT NO. 03-832000 O.R., AND RECORDED NOVEMBER 23, 2009 AS INSTRUMENT NO. 2009-0537145, TO BE QUITCLAIMED.
6. EASEMENT FOR PUBLIC UTILITIES TO THE SOUTHERN CALIFORNIA EDISON COMPANY RECORDED MAY 9, 1946 IN BOOK 754, PAGE 84, O.R., TO REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.
7. EASEMENT FOR PUBLIC UTILITIES TO THE CALIFORNIA ELECTRIC POWER COMPANY RECORDED JANUARY 25, 1966 AS INSTRUMENT NO. 9430, O.R., TO REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.
8. EASEMENT FOR PIPELINE PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY RECORDED JULY 21, 2017 AS INSTRUMENT NO. 2017-0290492 OF O.R., TO REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.

THE FOLLOWING MATTERS SHOWN OR DISCLOSED BY THE FILED OR RECORDED MAP REFERRED TO IN THE LEGAL DESCRIPTION "WE HEREBY RESERVE THE EASEMENT FOR ACCESS PURPOSES SHOWN ON THIS TRACT MAP UNTO OURSELVES, OUR SUCCESSORS, ASSIGNEES AND LOT OWNERS WITHIN "THIS MAP."

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DEVELOPMENT AGREEMENT" EXECUTED BY AND BETWEEN THE CITY OF BANNING AND PARDEE HOMES, A CALIFORNIA CORPORATION, RECORDED JULY 17, 2012 AS INSTRUMENT NO. 2012-0332588 OF OFFICIAL RECORDS.

AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO THE SOUTHERN SIERRAS POWER COMPANY, RECORDED DECEMBER 1, 1919 IN BOOK 6, PAGE 43 OF PATENTS. EASEMENT IS NOT PLOTTABLE FROM RECORD.

A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED DECEMBER 1, 1919 IN BOOK 6, PAGE 43 OF PATENTS. EASEMENT IS NOT PLOTTABLE FROM RECORD.

AN EASEMENT FOR DRAINAGE AND INCIDENTAL PURPOSES TO CITY OF BANNING, RECORDED NOVEMBER 18, 1959 AS INSTRUMENT NO. 97335 OF O.R. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.

AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO CITY OF BANNING AND CALIFORNIA WATER AND TELEPHONE COMPANY RECORDED FEBRUARY 4, 1960 AS INSTRUMENT NO. 9974 OF O.R. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.

AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO CITY OF BANNING AND CALIFORNIA WATER AND TELEPHONE COMPANY RECORDED FEBRUARY 4, 1960 AS INSTRUMENT NO. 9974 OF O.R. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.

AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO CALIFORNIA ELECTRIC POWER COMPANY RECORDED JANUARY 25, 1961 AS INSTRUMENT NO. 9430 OF O.R. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN TTM 37390.

DATE	NO.	REVISIONS

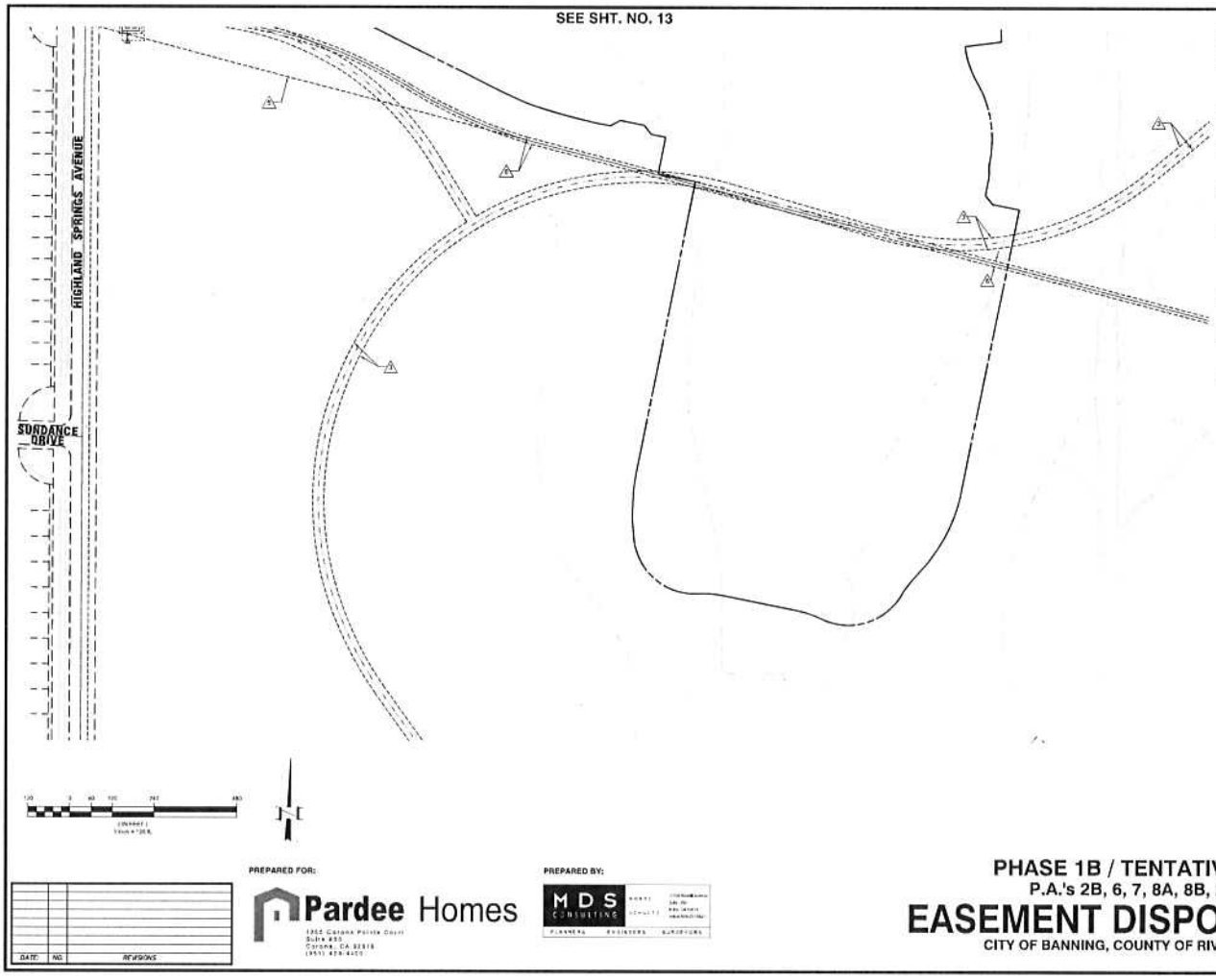
PREPARED FOR:
Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 479-4400

PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL
PHASE 1B / TENTATIVE TRACT NO. 37390
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B

EASEMENT DISPOSITION MAP
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 13 OF 14

PHASE 1B - TENTATIVE TRACT MAP



EXISTING EASEMENTS

1. 25'EASEMENT FOR PUBLIC HIGHWAY AND PUBLIC UTILITIES TO THE COUNTY OF RIV., REC. 05/12/1930, BK. 147, PG. 1 OF DEEDS AND EASEMENT FOR RIGHT OF WAY FOR ROAD PURPOSES TO RIV. CO.IVY PER BK.342, PAGE 441, O.R., TO REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.
2. 20' EASEMENT FOR PUBLIC HIGHWAY AND PUBLIC UTILITIES TO THE COUNTY OF RIV., REC. 02/08/1938, BK 363, PG 413 OF O.R., TO REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.
3. 33' WIDE EASEMENT FOR ACCESS PURPOSES PER TRACT NO. 34335, M.B. 339/95-100, TO BE ABANDONED WITH FINAL TRACT MAP.
4. CENTERLINE OF EASEMENT FOR PIPELINE PURPOSES TO THE SOUTHERN CALIFORNIA GAS COMPANY RECORDED JUNE 26, 1964 IN BOOK 1184, PAGE 121, O.R. TO BE QUITCLAIMED. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.
5. 100' EASEMENT FOR PIPELINE PURPOSES TO THE SOUTHERN CALIFORNIA GAS COMPANY RECORDED JUNE 26, 1964 IN BOOK 1184, PAGE 121, O.R. AND MODIFIED PER DOCUMENTS RECORDED OCTOBER 23, 2003 AS INSTRUMENT NO. 03-803363 O.R. AND RECORDED NOVEMBER 20, 2009 AS INSTRUMENT NO. 2009-602745, TO BE QUITCLAIMED.
6. EASEMENT FOR PUBLIC UTILITIES TO THE SOUTHERN CALIFORNIA EDISON COMPANY RECORDED MAY 5, 1948 IN BOOK 754, PAGE 54, O.R., TO REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.
7. EASEMENT FOR PUBLIC UTILITIES TO THE CALIFORNIA ELECTRIC POWER COMPANY RECORDED JANUARY 20, 1966 AS INSTRUMENT NO. 5433, O.R., TO REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.
8. EASEMENT FOR PIPELINE PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY RECORDED JULY 11, 2017 AS INSTRUMENT NO. 2017-0294962 OF O.R. TO REMAIN. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.

THE FOLLOWING MATTERS SHOWN OR DISCLOSED BY THE FILED OR RECORDED MAP REFERRED TO IN THE LEGAL DESCRIPTION THE HEREBY RESERVE THE EASEMENT FOR ACCESS PURPOSES SHOWN ON THIS TRACT MAP UNTO OURSELVES, OUR SUCCESSORS IN INTEREST AND LOT OWNERS WITHIN THIS MAP.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DEVELOPMENT AGREEMENT" EXECUTED BY AND BETWEEN THE CITY OF BANNING AND PARDEE HOMES, A CALIFORNIA CORPORATION, RECORDED JULY 17, 2012 AS INSTRUMENT NO. 2012-0302886 OF OFFICIAL RECORDS.

AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO THE SOUTHERN SIERRAS POWER COMPANY, RECORDED DECEMBER 1, 1919 IN BOOK 8, PAGE 43 OF PATENTS. EASEMENT IS NOT PLOTTABLE FROM RECORD.

A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED DECEMBER 1, 1919 IN BOOK 8, PAGE 42 OF PATENTS. EASEMENT IS NOT PLOTTABLE FROM RECORD.

AN EASEMENT FOR DRAINAGE AND INCIDENTAL PURPOSES TO CITY OF BANNING, RECORDED NOVEMBER 16, 1959 AS INSTRUMENT NO. 87385 OF O.R. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.

AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO CITY OF BANNING AND CALIFORNIA WATER AND TELEPHONE COMPANY RECORDED FEBRUARY 1, 1965 AS INSTRUMENT NO. 9973 OF O.R. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.

AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO CITY OF BANNING AND CALIFORNIA WATER AND TELEPHONE COMPANY RECORDED FEBRUARY 4, 1965 AS INSTRUMENT NO. 994 OF O.R. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.

AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO CALIFORNIA ELECTRIC POWER COMPANY, RECORDED JANUARY 20, 1966 AS INSTRUMENT NO. 5433 OF O.R. EASEMENT DOES NOT AFFECT PORTION OF PROPERTY WITHIN ITM 37390.

DATE	NO.	REVISIONS

PREPARED FOR:
Pardee Homes
1900 Corona Pointe Court
Suite 450
Corona, CA 92879
(951) 479-4400

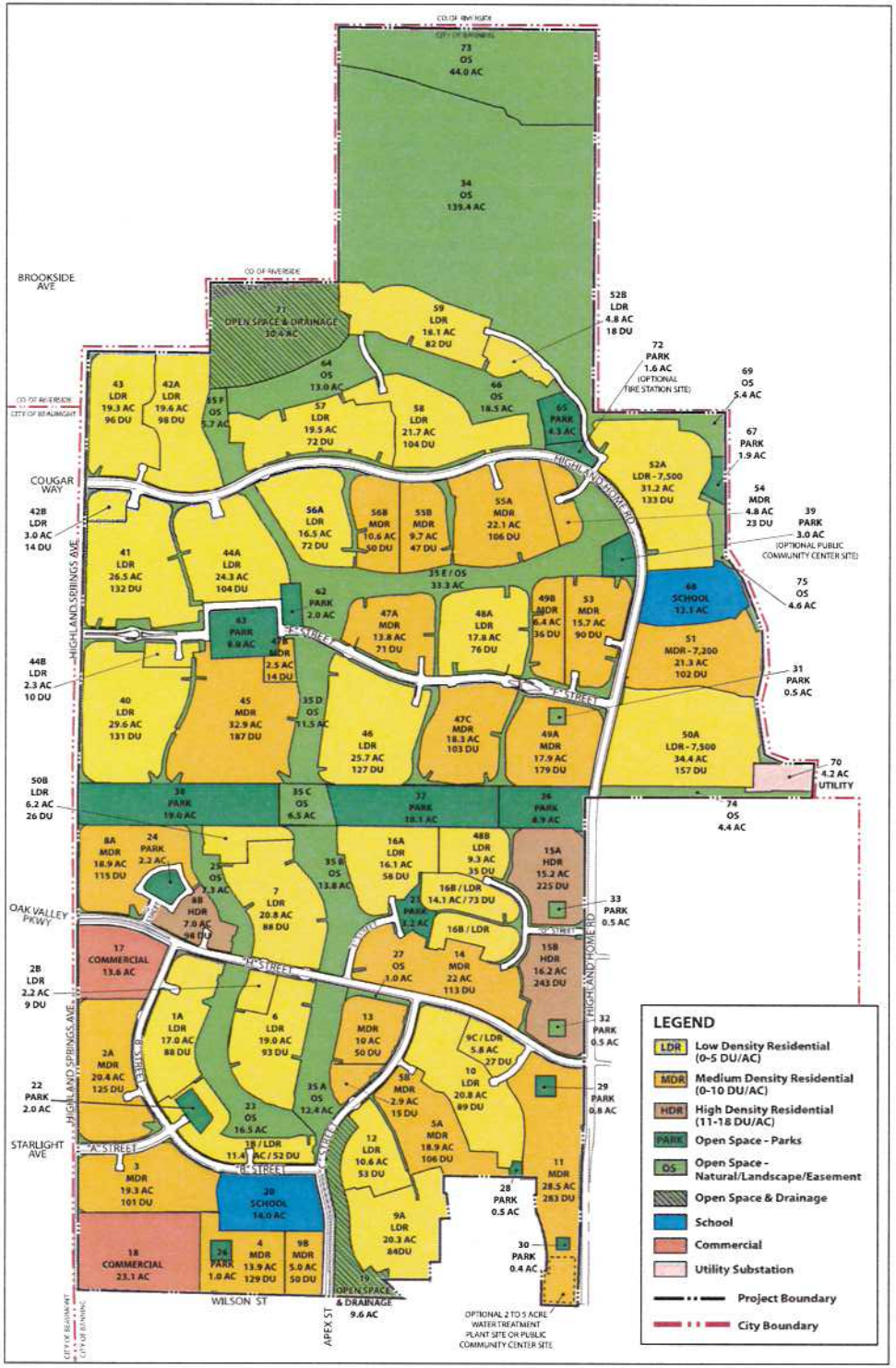
PREPARED BY:
MDS CONSULTING
PLANNING ENGINEERING SURVEYING

ATWELL
PHASE 1B / TENTATIVE TRACT NO. 37390
P.A.'s 2B, 6, 7, 8A, 8B, 23, 24, 25, 35A, 35B & 50B
EASEMENT DISPOSITION MAP
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 14 OF 14

PHASE 1B - TENTATIVE TRACT MAP

Attachment 4

Butterfield Specific Plan Land Use Plan



Michael Baker INTERNATIONAL

NOT TO SCALE

PARDEE HOMES • BUTTERFIELD SPECIFIC PLAN

Land Use Plan

Attachment 5

Butterfield Specific Plan Land Excerpts – Development Regulations

https://ci.banning.ca.us/Archive.aspx?ADID=1962

(Full Pardee Butterfield Specific Plan available on City website at under Butterfield Specific Plan)

http://www.ci.banning.ca.us/Archive.aspx?ADID=1741

Attachment 6

Ordinance 1450 Approving the Butterfield Specific Plan and associated conditions of approval

https://ci.banning.ca.us/Archive.aspx?ADID=1874

Attachment 7

Butterfield Specific Plan Development Agreement

https://ci.banning.ca.us/Archive.aspx?ADID=1875

Attachment 8

CC Resolution 2017-07 Approving Minor Modifications and Attachment C, Conditions of Approval

https://ci.banning.ca.us/Archive.aspx?ADID=1878

Exhibit "B"
Tentative Tract Map 37390 Conditions of Approval
(Phase 1B)

Community Development

1. The City and Developer are parties to a Development Agreement, recorded on July 17, 2012, as document number 2012-0332888 ("DA"). In the event of any inconsistency or conflict between these Conditions of Approval and the DA, the DA shall control. The Developer shall indemnify the City as described in the DA.

2. Approval of this entitlement shall not waive compliance with any sections of the DA, Butterfield Specific Plan, or other applicable City Ordinances in effect at the time of building permit issuance, to the extent such City Ordinances are applicable to the project and not vested under the DA.

3. Approval of Tentative Tract Map 37390 shall run with the term of the DA. All conditions of approval must be met on or before the expiration date or the applicant must request an extension of time at least thirty (30) days prior to the expiration date, and receive approval of said extension; otherwise, the approval shall expire and become null and void.

4. Unless approved otherwise by City, the Developer shall comply with all applicable conditions of City Council Ordinance No. 1450 approving the Butterfield Specific Plan and conditions of City Council Resolution No. 2017-07 approving Minor Modifications to the Butterfield Specific Plan.

5. All mitigation measures required by the Butterfield Specific Plan Environmental Impact Report Mitigation Monitoring and Reporting Program (MMRP), as modified pursuant to the approved Addendum, and conditions of the project's Settlement Agreement shall be implemented if those measures/conditions relate to this phase or part of the development or are required to be satisfied in connection with this phase or part of the development.

6. A copy of the signed resolution of approval and all conditions of approval and any applicable mitigation measures shall be reproduced in legible form on the grading plans submitted for review and approval as required by the reviewing department.

7. The Developer shall pay all applicable development impact fees and other fees as required under the DA. Adjustments and/or fee credits to the applicable DIFs may be provided as allowed in the DA and any applicable implementing DIF credit agreement. The project proponent shall provide written evidence to the City that school mitigation fees have been paid or other arrangements acceptable to the applicable school district and Developer have been met.

8. Deposits shall be handled per the executed Deposit Agreement dated May 7, 2019.

9. A copy of the final grading and erosion control plan, approved by Engineering, shall be submitted to the Planning Department for review and approval of the landscaping plans when graded cut slopes exceed five (5)-feet in height and fill slopes exceed five (5)-feet in height.

10. Per DA Exhibit E, Section 5.2, the Developer shall stabilize according to the City Grading and Landscaping Ordinance [as it may be vested under the DA] the rear slope of all residential lots prior to issuance of a certificate of occupancy but shall not be required to landscape and/or irrigate the slopes. It is the intention that the rear yard landscaping will be required and installed within the time specified in the CC&Rs by the homeowner.

11. Per DA Section 6.5.2, Phasing Plans specifying when the lots within Tract 37390 will be developed and when all appropriate public infrastructure within Tract 37390 will be constructed shall be approved prior to commencement of development within the tract. Prior to approval of the Final Map, all conditions requiring the provision or proposed project facilities and subdivision improvements for the area covered by the Tentative Map must be satisfied either through performance or through the provision of suitable security prior to recordation of the Final Map or deferred with City approval under the terms of the DA.

12. Prior to precise grading plan approval, a conceptual (non-structural) project wall/fencing plan to include retaining walls, perimeter walls, and interior walls shall be developed and shall be subject to design review approval by the Planning Department.

13. Prior to precise grading plan approval for PA 25, a Design Review application for Open Space PA 25 shall be reviewed and approved by the Planning Department. The Design Review application for PA 25 shall include conceptual details on recreational uses to be provided within PA 25, including how these facilities will be linkable to other tracts, parks and open space including public access.

14. Prior to construction of the parks and open space in PA 24 and 25, respectively, the Developer shall obtain approval of a detailed site plan demonstrating the facilities to be provided from the Director of Community Development.

15. All residential and commercial neighborhoods and public facilities shall require Design Review approval by the Planning Department.

16. Temporary construction fencing shall be installed around portions of the tract under construction until replacement by permanent walls/fencing or completion of improvements.

17. Developer shall meet all legal requirements of responsible agencies.

Engineering/Public Works

A. General Requirements

18. 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 new public improvements accepted or not accepted by the City that are damaged during construction by the Developer or the Developer's

contractors shall be removed and replaced as reasonably determined by the City Engineer or his/her representative.

19. Prior to the issuance of any grading, construction, or public works permit by the City, the applicant shall obtain any applicable and legally required clearances and/or permits. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting improvement plans to the City:

- Fire Marshal (access)
- Public Works Department (grading permits, street improvement permits)
- Community Development Department
- 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)

20. 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 for final signatures. 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
b.	Haul Route Plans (If soils are exported off site)	1" = 40' Horizontal
c.	Clearing Plans (Include fuel modifications zones) (Include construction fencing plan)	1" = 50' Horizontal
d.	Erosion Control & SWPPP, WQMP (Note: a, b, c & d shall be reviewed and approved concurrently)	1" = 40' Horizontal
e.	Storm Drain Plans	1" = 40' Horizontal
f.	Street Improvement Plans	1" = 40' Horizontal 1" = 4' Vertical
g.	Traffic Signal Plans (Caltrans Standard)	1" = 20' Horizontal

h.	Signing & Striping Plans	1" = 40' Horizontal
i.	Construction Traffic Control Plan (Major or Arterial Highways only)	1" = 40' Horizontal
j.	Precise Grading Plans	1" = 40' Horizontal
k.	Landscaping Plans	1" = 20' Horizontal
l.	Water, Sewer, & Non-potable Water Plans	1" = 40' Horizontal

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.

21. 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.

22. All on-site signing and striping plans shall show the following at a minimum: stop signs, limit lines and legends, no parking signs, raised pavement markers (including blue raised pavement markers at fire hydrants) and street name signs per Public Works standard plans and/or as approved by the City Engineer.

23. 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.

24. 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.

25. All future utility systems including gas, electric, telephone, water, sewer, and cable TV, except for temporary utility systems as defined under the DA, shall be provided for underground, with easements provided as required, and designed and constructed in accordance with City codes and the utility provider. Telephone, cable TV, and/or security systems shall be pre-wired.

B. Rights of Way/Public Improvements

26. Prior to issuance of any permit(s), the applicant shall acquire or confer property rights necessary for the construction or proper functioning of the proposed project/development.

If those property rights are located outside the project/development, then the procedures and requirements of Government Code Section 66462.5 shall apply, including the potential acquisition of those rights by the City or waiver of the City's requirement to obtain those rights. Conferred rights may include right-of-way dedications, irrevocable offers to dedicate or grant of easements to the City for emergency services, maintenance, utilities, storm drain facilities, or temporary construction purposes including the reconstruction of essential improvements.

27. The applicant shall offer for dedication on the Final Map, within Final Map boundaries, all public street right-of-way in conformance with the DA and the Butterfield Specific Plan. The City may reject the dedications and leave them open for future acceptance when all required public street improvements for the map are installed by the applicant in the rights of way.

28. Maintenance easements dedicated to the City of Banning shall extend at most 10-feet beyond the toe of slope, where sufficient space is available or as approved by the City Engineer, for those slope areas where maintenance falls within the responsibility of the City.

29. Prior to the issuance of any certificates of occupancy, the applicant shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer of dedication to the City of Banning or the Riverside County Flood Control and Water Conservation District unless such easements are expressly made subordinate to the easements to be offered for dedication to the City or RCFCD or unless such easements do not conflict with the City's or RCFCD's intended purposes or uses. Prior to granting any of said easements, the applicant shall furnish a copy of the proposed easement to the City Engineer for review and approval. Further, a copy of the approved easement shall be furnished to the City Engineer prior to the issuance of any certificate of use and/or occupancy.

30. All street improvement designs shall provide pavement and lane transitions per City of Banning and Caltrans standards for transition to existing street sections, subject to the terms of the DA.

31. Design and construct full street improvements in accordance with City standards, subject to the terms of the DA, for ALL streets as approved on the Final Map including, but not limit to street lighting, curb and gutter, cross gutters and spandrels, access ramps, driveway approaches, sidewalk, asphalt concrete pavement, street name signs, traffic signs and striping, and any transitions. Applicant's geotechnical engineer shall provide the design of the pavement section based upon the Caltrans method. STREET AND SIDEWALK WIDTHS AND CROSS SECTIONS SHALL COMPLY WITH THE APPROVED 2016 UPDATED BUTTERFIELD SPECIFIC PLAN or as agreed to by the Developer and City Engineer.

32. The applicant shall plant and maintain trees, shrubs, and ground cover placed in the parkway, slopes adjacent to public right-of-ways, and median islands constructed in connection with the project in accordance with applicable City standards until maintenance of such area is turned over to HOA, LMD or other public financing District. This includes ensuring that irrigation systems are operating properly, the clearing of debris, and regular weed removal. Turnover to a LMD or other public financing District will not be unreasonably withheld, conditioned or delayed.

33. All applicable public improvements required for occupancy shall be completed, tested, and approved by the Engineering Division prior to issuance of any Certificate of Occupancy. City to provide inspections in timely manner and any inspections exceeding 2 inspections to require meeting with City Engineer to address.

C. Grading and Drainage

34. The applicant shall submit an updated 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 these criteria are exceeded, additional drainage facilities shall be designed and constructed.

35. At a minimum, all development will make provisions to store runoff from rainfall events up to and including the 100-year 3-hour duration event. Post-development peak urban runoff discharge rates shall not exceed pre-development peak urban runoff discharge rates.

36. If the site is located in a Flood Area as identified in Flood Insurance Rate Map dated August 28, 2008 the developer is responsible for providing a certification by a registered professional engineer or architect demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

37. The project grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions. Otherwise, a drainage easement shall be obtained for the release of concentrated or diverted storm flows.

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

39. 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.

40. 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.

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

a. Temporary Soil Stabilization (erosion control).
b. Temporary Sediment Control.
c. Wind Erosion Control.
d. Tracking Control.
e. Non-Storm Water Management.
f. Waste Management and Materials Pollution Control.

42. 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 phase.

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

44. 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.

45. 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.

46. Prior to issuance of any grading or building permit, a Project-Specific Final Water Quality Management Plan (F-WQMP) shall be reviewed and approved in accordance with California Regional Water Quality Control Board Colorado River Basin Region Order No. R7-2013-0011.

47. Prior to the issuance of a grading permit, the applicant shall execute a Stormwater Management Facilities Agreement on terms agreed to by the parties guaranteeing the maintenance of stormwater pollution controls. Said agreement shall be recorded with the Riverside County Recorder and run with the land.

48. Prior to issuance of any grading or building permit, the applicant shall install trash filters on newly constructed storm drain systems that are not tributary to any onsite water quality/detention basin in compliance with the Trash Amendment as amended and approved in accordance with California Regional Water Quality Control Board Colorado River Basin Region Order No. R7-2013-0011.

49. A notation shall be placed on the rough grading plan: "Compliance with Mitigation Measures BIO-1 and BIO-2 is required."

50. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification. The pad certification shall include an elevation and compaction

certification. The elevation certification shall be stamped and signed by a licensed civil engineer or land surveyor and shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. The compaction certification shall list the relative compaction of the pad soil and shall be certified by a licensed geotechnical engineer.

51. If this Final Map includes areas within a designated Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Special Flood Hazard Zone, a letter of map revision (LOMR) shall be processed through FEMA and provided to the City Engineer prior to occupancy of affected lots.

52. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development. Prior to issuance of any grading permits, FEMA may require a hydrologic and hydraulic analysis to be submitted and approved that demonstrates that the development will not cause any rise in base flood levels.

D. Landscaping Public Right of Way

53. The developer shall prepare a water conservation using xeriscape principles. "Xeriscape" shall mean a combination of landscape features and techniques that in the aggregate reduce the demand for and consumption of water, including appropriate low water using plants, non-living ground-cover, a low percentage of turf coverage (limited to 25% of the planted area), and water conserving irrigation techniques and systems. A low water-using drought tolerant plant includes species suited to our climate, requiring less water in order to grow well.

54. An automatic sprinkler system and landscaping shall be installed, prior to certificate of occupancy for the portion of the project for which certificates of occupancy are requested, within the common areas including perimeter slopes and the interior collector streets. Each system shall include a smart landscape irrigation controller (including remote communication), a separate water meter and electric meter, and plantings as approved by the Community Development Director. Landscaping plans and specifications shall be reviewed and approved by the City Engineer.

55. A home owners' association shall be established and the applicable Conditions, Covenants & Restrictions (CC & R's), shall be prepared for review and approval of the City Engineer at the time set forth in the DA providing for maintenance of the parkway on-site lighting and landscaping, slopes adjacent to public right-of-ways, onsite private parking/roadway, any debris basins, BMP's referenced in the approved WQMP, and median island landscaping. The developer shall appoint the initial members of the Board of Directors of the home owners' association, or take such other steps as may be reasonably necessary to assure that members have been appointed or elected to such Board of Directors, until under the terms of the applicable CC & R's individual lot owners have the power to elect the members of the Board of Directors in accordance with the CC & R's.

56. The, conditions, covenants, and restrictions shall contain provisions which prohibit dissolution of the home owners' association unless another entity has agreed to assume the operation and maintenance responsibilities of the home owners' association. The conditions, covenants and restrictions shall contain provisions that prohibit the developer and his/her

successors-in-interest from amending said covenants, conditions and restrictions to conflict with these Conditions of Approval.

57. Alternatively, to having an HOA provide maintenance of the parkway on-site lighting and landscaping, slopes adjacent to public right-of-ways, any debris basins, BMP's referenced in the approved WQMP, and median island landscaping, a Landscaping Maintenance District (LMD), or other public financing mechanism, can be formed to provide for the landscape maintenance.

58. Landscape improvements shall be certified by a licensed landscape architect or licensed landscape contractor as having been installed in accordance with the approved detailed plans and specifications. The applicant shall furnish said certification, including an irrigation management report, for each landscape irrigation system and any other required implementation report determined applicable, to the City Engineer for review and approval.

59. Landscape improvement plans shall incorporate the City's letter, dated May 11, 2019, providing construction level recommendations to the landscape working drawings.

E. Traffic

60. As part of each Final Map, a validation report, referencing compliance with Mitigation Measure TRF-2; which requires a Traffic Impact Analysis (TIA) validation report, is required at the direction of the City Engineer.

61. Street name signs and traffic control devices including traffic legends and traffic striping shall be installed or relocated in accordance with applicable City or Caltrans Standards and as shown on the approved plans and/or as directed by the City Engineer.

62. Prior to first building permit issuance of the phase, the applicant shall submit and obtain approval in writing from the Fire Marshall for the plans for all public or private access roads, drives, streets, and alleys. 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.

63. Driveway grades shall be designed in accordance with current City standards.

64. Parking areas shall be designed and improved with grades not to exceed five percent slope. All applicable ADA standards will be adhered to.

65. Access drives to the public right-of-way shall be restricted to those approved by the City Engineer as shown on the approved plans.

66. 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 as approved by the Fire Marshall, and must be maintained in good condition by the applicant or developer until the street is accepted by the City for maintenance.

A. Final Map

67. Prior to approval of any Final Map, the applicant shall construct on-site and off-site improvements required for the development of the property in accordance with the approved plans and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement on terms agreed to by the Parties guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, unless such improvements are deferred with City approval under the terms of the DA or as otherwise set forth under the terms of the DA. For off-site improvements, the procedures and requirements of Government Code Section 66462.5 shall apply, including the potential acquisition of those rights by the City or waiver of the City's requirement to obtain those rights.

68. Prior to the recordation of Final Map or the issuance of a grading permit, the applicant shall obtain approval from the Fire Marshall in consultation with the City Engineer, for a conceptual fuel modification plan and program, unless the Fire Marshall finds in writing to the City that such plan and program are not required for development of the property within the boundaries of this TTM No. 37390. Prior to the issuance of any certificate of occupancy, the fuel modification shall be installed and completed under the supervision of the Fire Marshall with an approved plant palette. The CC&Rs or other approved documents shall contain provisions for maintaining the fuel modification zones, including the removal of all dead and dying vegetation.

69. Security for the construction of public improvements in accordance with Government Code Section 66499 shall be as follows:

Faithful Performance Bond	100% of estimated cost
Labor and Material Bond	100% of estimated cost
Monumentation Bond	$10,000.00

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

70. Prior to approval of the Final Map, the applicant shall submit a list of street names and addresses in Microsoft Excel spread sheet format for review and approval. The house number system shall be in accordance with Section 12.32 of the Banning Municipal Code. A reduced copy of the subdivision map shall be included with the submittal.

71. Revisions to the Tentative Map during Final Map plan check process; including, but not limited to, lot line alignments, easements, improvement plan revisions, and similar minor changes that are in substantial compliance with the Tentative Map, or associated Conditions Of Approval, shall be administratively approved through the plan check process with the mutual

consent and approval of the Developer, the Community Development Director, and the City Engineer. Changes that are not administratively approved, through the process referenced above and herein shall be amended in accordance with the Subdivision Map Act, as amended and codified within the Banning Municipal Code (BMC).

72. Prior to approval of any Final Map the applicant shall identify and include in its improvement plans those routine structural and non-structural Best Management Practices (BMP's) as outlined in Supplement A to the Riverside County Drainage Area Management Plans and any attachments or as approved by the City Engineer.

73. Submit a copy of the title report, closure calculations, and any separate instruments or necessary right-of-way documents to the Engineering Division prior to final map approval.

74. A map of the proposed subdivision drawn at 1"=200' showing the outline of the streets including street names shall be submitted to the City to update the city atlas map.

75. An original Mylar of the Final Map (after recordation) shall be provided to the City for the record files.

76. Public improvements shall be completed and accepted by City of Banning prior to release of Faithful Performance Bond and Labor and Material Bond for such improvements. Faithful Performance Bond for applicable public improvements shall be reduced to 10% once City accepts improvements into maintenance period. Final 10% to serve as the maintenance bond for the 1-year maintenance period.

77. A record of all street centerline monument ties shall be submitted to the Engineering Division upon completion of improvements or prior to release of Monumentation Bond.

G. Water

78. Submit Water Improvement Plans along with the infrastructure phasing plan to the City Engineer for review and approval. The phasing plan, which shall be supported by a hydraulic analysis, shall identify all required water infrastructure (e.g. water mains, wells, booster stations, pressure reducing stations, reservoirs, etc.) required to meet the demands of this tract map. Design and construct water lines throughout and to property boundaries to tract as needed. The proposed new water lines shall connect to the City's water system and may provide a connection to the Beaumont Cherry Valley Water District (BCVWD) system as needed.

79. Submit a hydraulic analysis report demonstrating adequate pressures throughout the Tract 37390 water system during max day demand (MDD) with fire flow conditions. The hydraulic analysis, based on the City's latest calibrated water model, shall identify when and if additional facilities would be required to meet Tract 37390 water demands.

80. All water lines and fitting shall be a minimum of 8-inch in diameter and shall be DIP. Water line easements shall be a minimum width of 20-feet if installed outside of right-of-way or public utility easement.

81. Fire hydrants shall be installed within and on the tract boundaries as per approved plans, at a 300-foot maximum spacing.

82. A backflow device must be installed on all commercial buildings and at each irrigation water connection. The backflow device must be in compliance with City of Banning.

83. Fire Services will require an RPDA Device.

84. Timing and sizing of the construction of the water storage tanks shall be identified in the phasing plan as determined by the water system analysis or as agreed to by the Developer and City.

H. Sewer

85. Submit Sewer Improvement Plans along with the infrastructure phasing plan to the City Engineer for review and approval. The phasing plan shall identify all required sewer infrastructure (e.g. sewer mains, lift stations, treatment facilities, manholes, etc.) required to meet the demands of the tract map. A hydraulic analysis will need to be prepared and submitted that demonstrates the maximum discharge that can be accommodated by the existing collections system before a new trunk line is needed. Design and construct sewer lines throughout and to property boundaries of this tract. The proposed new sewer lines shall connect into the City's sewer system.

86. All sewer lines to be constructed within the public right-of-way shall be extra strength Vitrified Clay Pipe (VCP) or Polyvinyl Chloride (PVC) SDR 26 Pipe. All sewer mains shall be minimum of 8 inches in diameter. Any sewer main less than, or equal to 15-inches (15") shall be PVC. Any sewer main greater than 15-inches (15") shall be extra strength VCP. Final sizes shall be approved by the City Engineer based on calculations submitted by the design engineer accounting for ultimate discharge flows for phase and all upstream areas. Sewer line easements shall be a minimum of 20-feet wide if installed outside of right-of-way or public utility easement.

87. Each residential unit shall have its own sewer lateral and shall be PVC SDR 26.

88. 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.

89. **Sewer flow monitoring COA for Phase 1** – "Until such a time as the new Atwell Sewer Lift Station is constructed and fully operational, sewer flows shall be continuously monitored at a mutually agreed-upon location. The means of monitoring shall be by a flow meter that is capable of recording velocities and estimate flow volume, with a minimum data resolution of 15-minute intervals. Flow meter shall be installed and calibrated by a qualified sewer flow monitoring technician. Data shall be available directly to City of Banning staff via a cloud-hosted solution. The developer shall be responsible for all costs related to the sewer flow monitoring, including cloud-hosting of the data.

I. Recycled Water (Non-Potable)

90. Submit Non-potable Water Improvement Plans along with a Non-potable Water Master Plan that includes a written phasing plan to the City Engineer for review and approval. Design and construct Non-potable Water lines throughout to parks, schools, and other large irrigation areas and to tie-in points at the tract boundary. The proposed new Non-potable Water lines shall have an interconnection to the BCVWD's existing stub-outs located along Highland Springs Avenue.

91. All Non-potable Water lines to be constructed within the Public right-of-way shall be a minimum of 8-inches in diameter DIP, encased in purple-colored V-Bio polyethylene encasement. Final sizes shall be approved by the City Engineer based on hydraulic calculations provided by the design engineer. Where Non-potable Waterline easements are necessary, they shall be a minimum of 20-feet wide if improvements are installed outside of right-of-way or public utility easements.

92. Any Final Map shall comply with the provisions of Government Code Section 66473.7, as applicable, per the DA.

93. All Non-potable Water lines shall be Ductile Iron Pipe (DIP) Class 350, with restrained joints conforming to DIPRA design guidelines where required. All Non-potable Water DIP mains shall be protected with purple-colored V-Bio polyethylene encasement.

94. A backflow device must be installed on each irrigation water connection; and in compliance with the State of California Department of Health Regulations. Contact the City of Banning, Water Operations Division, prior to the installation.

95. The Non-potable Water plans shall include appropriate signage for the irrigation of publicly-accessible areas with non-potable water as required by the California Code of Regulations.

Electric Utility

96. The City of Banning Electric Utility ("Utility") will require adequate easements needed to service the project. An easement area behind sidewalk may be needed for Wilson Street and Highland Springs Avenue for vaults, conduits, street lights and pad mounted transformers and switches.

97. Easements will be required for vaults, conduits, meter pedestals, and pad mounted transformers and switches for Local and Arterial Streets "A-GG" to serve residential lots. A non-

exclusive easement shall be provided to the City of Banning to include the installation of electric distribution facilities within all common areas.

98. All street lights to be installed on the major thoroughfares, arterial streets, and local streets will be assumed to be publicly owned and maintained by the Utility unless otherwise approved by the Electric Department for private maintenance.

99. Prior to constructing the Utility's electric distribution system, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the Utility.

100. The Developer shall execute any legally required agreement with the Utility on terms agreed to by the parties providing for the installation, construction, improvement and dedication of the utility system following recordation of Final Map.

Fire Department

101. For residential areas, approved standard fire hydrants, located at each intersection and spaced 300-feet apart with no portion of any lot frontage more than a maximum of 250-feet from a hydrant. Minimum fire flow for all residential structures shall be 1000 GPM for a 2 –hour duration at 20-psi residual operating pressure, which must be available in time permitted per the DA.

102. The required water system, including fire hydrants, shall be accepted by the City of Banning Public Works, Water Division in accordance with the timing per the DA. Two sets of water plans are to be submitted to the Fire department for approval.

103. The developer shall mount blue dot retro-reflectors pavement markers on private/public streets and driveways to indicate locations of all fire hydrants. Marker to be 8 inches from the centerline to the side that the fire hydrant is on, to identify the hydrant location.

104. Residential fire sprinklers are required in all dwellings per the California Residential Code.

105. Fire Apparatus access roads 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 6 inches. Access lanes will be designed to withstand the weight of 80 thousand pounds (80,000 lbs.) 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 the weather driving capabilities.

106. Roadways may not exceed 1320-feet without secondary access. This access may be restricted to emergency vehicles only, however; public egress must be unrestricted.

107. Dead-end fire apparatus access roads in excess of 150-feet in length shall be provided with approved provision for the turn-around capabilities of the fire apparatus.

108. Any turn–around requires a minimum 38-foot turning radius or as approved by the Fire Marshall.

109. The minimum dimensions for gates is 20-feet clear and unobstructed width and a minimum vertical clearance of 13-feet 6-inches in height. Any gate providing access from a road shall be located at least 35-feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 38-foot foot turning radius shall be used.

110. Gates may be automatic or manual and shall be equipped with a rapid entry system (KNOX).

111. Plans shall be submitted to the Fire Department for approval prior to installation. Automatic gate pins shall be rated with a shear pin force, not to exceed 30-pounds (lbs.). Gates activated by the rapid entry system shall remain open until closed by the rapid entry system. Automatic gates shall be provided with backup power.

-END-

Attachment 9

Mitigation Monitoring and Reporting Program and Addendum Modifications
https://ci.banning.ca.us/Archive.aspx?ADID=1877

(Butterfield Specific Plan Environmental Impact Report
available on City website at http://www.ci.banning.ca.us/Archive.aspx?AMID=56

Minor Modification Addendum and appendices available on City website at
http://www.ci.banning.ca.us/Archive.aspx?ADID=1630

Attachment 10

Public Hearing Notice

NOTICE OF A PUBLIC HEARING ON PROPOSED TENTATIVE TRACT MAP NO. 37390 TO SUBDIVIDE APPROXIMATELY 93 GROSS ACRES OF VACANT LAND FOR RESIDENTIAL, OPEN SPACE, AND PARKS USES ALONG WITH PUBLIC STREETS ON REAL PROPERTY LOCATED NORTH OF WILSON STREET AND EAST OF HIGHLAND SPRINGS AVENUE WITHIN THE BUTTERFIELD SPECIFIC PLAN AREA

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning City Council, to be held on Tuesday, June 25, 2019, at 5:00 p.m. (or soon thereafter) in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider proposed Tentative Tract Map No. 37390 to subdivide approximately 93 gross acres of vacant land into 362 single family residential lots, 1 lot for a park site, 13 open space lettered lots (including recreation and drainage), and public streets, all within the Butterfield Specific Plan Area. The Project site is located north of Wilson Street and east of Highland Springs Avenue. Assessor's Parcel Numbers are identified as portions of 408-120-010, -012, -013, and -020 within the City of Banning.

The Planning Commission has considered the potential environmental impacts of the proposed Tentative Tract Map No. 37390 in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The Planning Commission also reviewed the previously certified Environmental Impact Report prepared for the Butterfield Specific Plan project (SCH No. 2007091149) as modified by the Addendum approved by the City Council on February 14, 2017, including the impacts and mitigation measures identified therein, which documents are on file in the Community Development Department. Based on that review, the City of Banning Planning Division has determined that the proposed Project and the circumstances under which the proposed Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR. All potential environmental impacts associated with the Butterfield Specific Plan project and the proposed Tentative Tract Map No. 37390 are adequately addressed by the prior EIR, and the mitigation measures contained in the prior EIR will reduce those impacts to a level that is less than significant. Therefore, in accordance with CEQA Guidelines Section 15162 ("Subsequent EIRs and Negative Declarations"), a subsequent environmental document is not required.

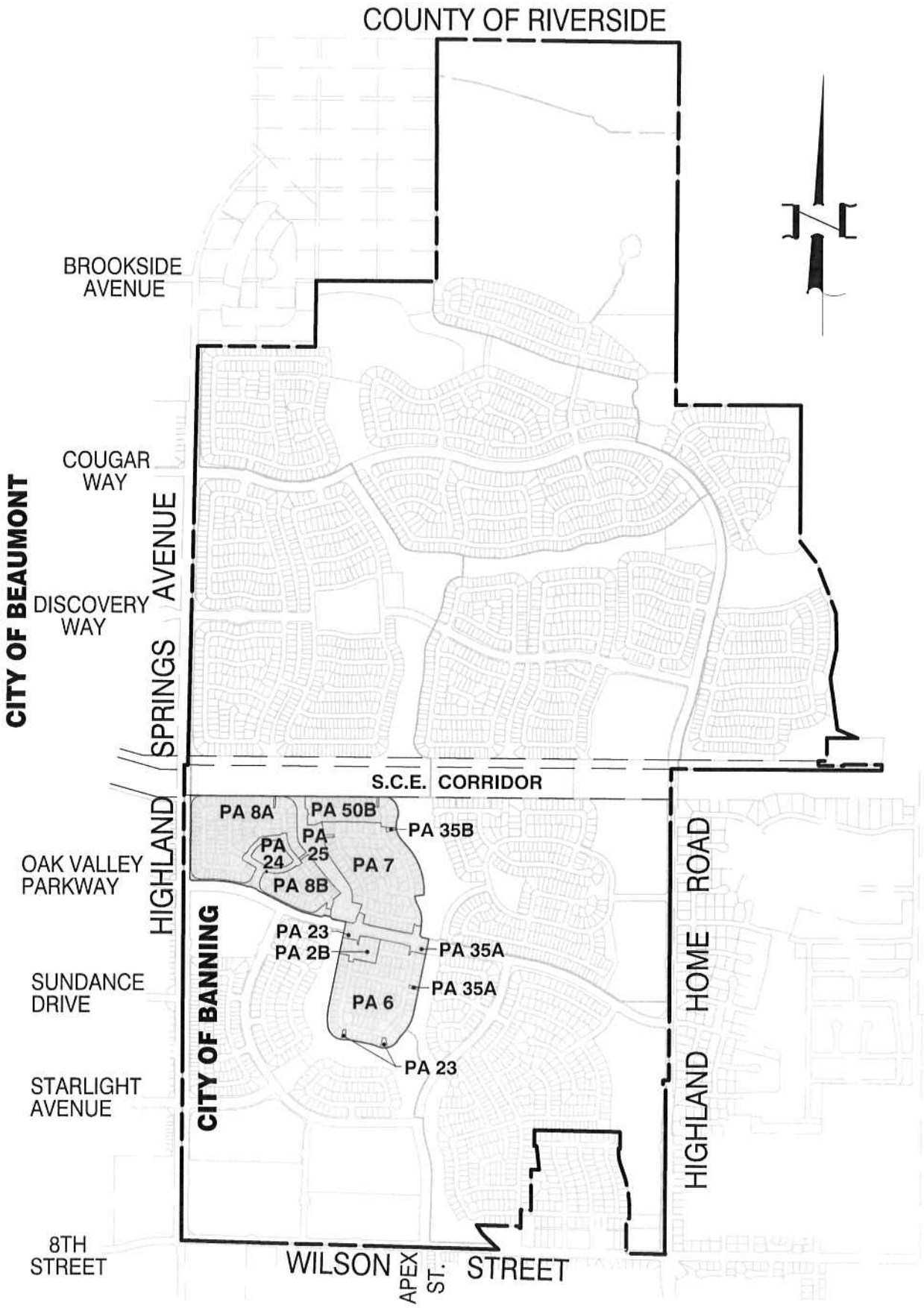
Information regarding Tentative Tract Maps No. 37390 can be obtained by contacting the City's Community Development Department at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning. You may also go to the City of Banning website at http://www.ci.banning.ca.us/.

All parties interested in speaking either in support of or in opposition of this item are invited to attend said hearing, or to send their written comments to the Community Development Department, City of Banning at P.O. Box 998, Banning, California, 92220. If you challenge the proposed Tentative Tract Map No. 37390 in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the Planning Commission at, or prior to, the public hearing, or, you or someone else raised at the public hearing described in this Notice (Cal. Gov. Code, § 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA

Adam B. Rush, M.A., AICP
Community Development Director

Dated: June 11, 2019
Publish: June 14, 2019



ATWELL PROJECT KEY MAP

SCALE: 1"=1500'

408-090-065
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-009
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-010
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-011
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-012
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-013
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-018
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-019
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-020
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-029
Riverside County Flood Cont
1995 Market St
Riverside, CA 92501-1719

408-120-031
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

419-452-030
Hanhan Shirley
1353 Daisy Dr
Beaumont, CA 92223-8407

419-452-031
Phans Prop Inv
324 W Las Flores Ave
Arcadia, CA 91007-8227

419-452-032
Silva Jeffrey S
1365 Daisy Dr
Beaumont, CA 92223-8407

419-452-033
Perez Aurelio
1350 Daisy Dr
Beaumont, CA 92223-8407

419-452-034
Reyes Ernesto R
1338 Daisy Dr
Beaumont, CA 92223-8407

419-452-035
Bates George
1326 Daisy Dr
Beaumont, CA 92223-8407

419-452-042
Sundance Community Assn
5966 La Place Ct #170
Carlsbad, CA 92008-8830

419-452-043
City Of Beaumont
Po Box 158
Beaumont, CA 92223

419-532-021
Gallegos Rita S
1678 Big Sky Dr
Beaumont, CA 92223-3316

419-532-022
Qazi Ahsan
9361 Beauview Dr
Cherry Valley, CA 92223-5806

419-532-023
Inocentes Stierlin K
1690 Big Sky Dr
Beaumont, CA 92223-3316

419-532-024
Jimenez Alfredo
1494 Fallbrook Rd
Beaumont, CA 92223-3319

419-532-025
Labrador Evangeline S
7549 Purple Sage Cir
Fontana, CA 92336

419-532-026
Beltran Elizabeth
1482 Fallbrook Rd
Beaumont, CA 92223-3319

419-532-027
Deleon Cynthia
1584 Hunter Moon Way
Beaumont, CA 92223-2070

419-532-028
Villareal Mark Ferdinand
1468 Fallbrook Rd
Beaumont, CA 92223-3319

419-532-029
Rojas Edwin
1454 Fallbrook Rd
Beaumont, CA 92223-3319

419-532-030
Humphreys Judy L
1442 Fallbrook Rd
Beaumont, CA 92223-3319

419-532-031
Abellera Caesar D
1436 Fallbrook Rd
Beaumont, CA 92223-3319

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Étiquette do format 25 mm x 67 mm compatible avec Avery ®5160/8160
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419-532-032
Clark Michelle
1424 Fallbrook Rd
Beaumont, CA 92223-3319

419-532-033
Calderon Samuel A
1418 Fallbrook Rd
Beaumont, CA 92223-3318

419-532-034
Meeker Vikki
1412 Fallbrook Rd
Beaumont, CA 92223-3318

419-532-035
Oriel Omar
1693 Midnight Sun Dr
Beaumont, CA 92223-8443

419-532-036
Chen Yee Hung
3486 Castleford Pl
Rowland Heights, CA 91748-5122

419-532-039
Oak Valley Community Assn
5966 La Place Ct #180
Carlsbad, CA 92008-8830

419-532-040
Oak Valley Community Assn
5966 La Place Ct #180
Carlsbad, CA 92008-8830

419-532-041
City Of Beaumont
Po Box 158
Beaumont, CA 92223

419-532-042
City Of Beaumont
Po Box 158
Beaumont, CA 92223

419-533-001
Wilkes Cassandra J
1692 Midnight Sun Dr
Beaumont, CA 92223-8443

419-533-002
Cole and Floyd Cole Family Trust
1680 Midnight Sun Dr
Beaumont, CA 92223-8443

419-533-041
Valencia Henry Philip
1485 Fallbrook Rd
Beaumont, CA 92223-3319

419-533-042
Razal Melissa
1473 Fallbrook Rd
Beaumont, CA 92223-3319

419-533-043
Khamphou Savat
15838 Parkhouse Dr
Fontana, CA 92336-6502

419-533-044
Reed Sky
1449 Fallbrook Rd
Beaumont, CA 92223-3319

419-533-045
Woodall Steven Tyler
1441 Fallbrook Rd
Calipatria, CA 92233

419-533-046
Lodge Christopher
1433 Fallbrook Rd
Beaumont, CA 92223-3319

Applicant/Owner
Pardee Homes
ATTN: Chris Courtney
1250 Corona Pointe Ct Ste 600
Corona, CA 92879

Engineer
MDS Consulting
ATTN: Ed Lenth
17320 Redhill Ave Ste 350
Irvine, CA 92614

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam B. Rush, Community Development Director

MEETING DATE: June 25, 2019

SUBJECT: TENTATIVE TRACT MAP No. 37474, A PROPOSAL TO SUBDIVIDE APPROXIMATELY 16.5 GROSS ACRES OF VACANT LAND FOR PURPOSES OF CREATING 109 SINGLE FAMILY LOTS, 2 OPEN SPACE LETTERED LOTS, AND PUBLIC STREETS, ALL WITHIN PLANNING AREA 3, WITHIN THE BUTTERFIELD SPECIFIC PLAN

RECOMMENDED ACTION:

Staff recommends that the City Council Adopt Resolution 2019-___, and take the following actions:

I. Find that in accordance with CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations, that all previous environmental impacts have been evaluated and disclosed and that a subsequent environmental document is not required.

II. Approve Tentative Tract Map No. 37474 to subdivide approximately 16.5 gross acres of land into 109 single family lots, and open space uses along with public streets, subject to conditions of approval.

PROJECT / APPLICANT INFORMATION:

Project Applicant: Pardee Homes
1250 Corona Pointe Court, # 600
Corona, CA 92879

Property Owner: Pardee Homes
1250 Corona Pointe Court, # 600
Corona, CA 92879

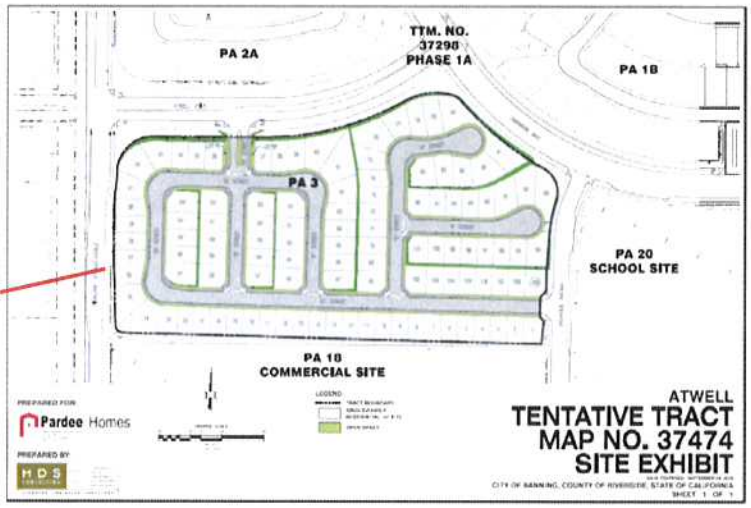
Project Location:	North of Wilson Street, east of Highland Springs Avenue, generally in the southwesterly portions of the Butterfield Specific Plan.
APN Information:	Portions of 405-120-002, 408-120-005, 408-120-007

REQUEST:

Proposed Tentative Tract Map No. 37474 would subdivide approximately 16.5 gross acres of vacant land into 109 single family lots, 2 open space lots, and public streets. The Project site is located north of Wilson Street and east of Highland Springs Road within the Butterfield Specific Plan area; see Figures 1 and 2 for the overall Butterfield Specific Plan area, and a colored site plan of Tentative Tract Map No. 37474. The proposed Tentative Tract Map No. 37474 is attached to this report as Attachment No. 3.

Figure 1: Butterfield Specific Plan

Figure 2: TTM No. 37474 Site Exhibit



BACKGROUND:

The Butterfield Specific Plan, General Plan and Zoning Map Amendments, Development Agreement, and accompanying Environmental Impact Report were originally approved by the City Council in March of 2012. (See Attachment Nos. 4 through 8 and 10). Subsequent litigation, and a settlement agreement, resulted in a request by the applicant for approval of a General Plan Amendment related to Highland Home Road as well as certain minor modifications to the Specific Plan. These applications were reviewed by the Planning Commission in January 2017 and approved by the City Council in February 2017 (Attachment No. 8).

In May of 2017, the Planning Commission reviewed and recommended approval of Tentative Maps for the Butterfield project for financing and conveyance purposes. The City Council subsequently approved these maps at their June 27, 2017 meeting.

On June 6, 2018, the Planning Commission held a public hearing and considered the first submittal, Phase 1A of the Butterfield Specific Plan, Tentative Tract Map No. 37298. The Planning Commission voted 2-1 to recommend that the City Council approve Tentative Tract Map No. 37298.

On July 10, 2018, the City Council held a public hearing and considered the first submittal, Phase 1A of the Butterfield Specific Plan, Tentative Tract Map No. 37298. The City Council subsequently approved Tentative Tract Map No. 37298.

On November 7, 2018, Tentative Map No. 37474 was scheduled before the Planning Commission; however, was continued off calendar. Subsequently, City staff has published new public hearing and property owner notifications for the June 5th Planning Commission public hearing.

On June 5, 2019, the City Planning Commission held a public hearing and considered the project. The Planning Commission voted 3-1 to recommend that the City Council approve Tentative Tract Map No. 37474.

ANALYSIS:

The overall Butterfield Specific Plan project site is approximately 1,528 gross acres and is located generally at the northwestern corner of the City of Banning (see Figure 1), adjacent to Highland Springs Road, which also serves as the limits between the Cities of Banning and Beaumont. Tentative Tract Map 37474 is located generally within the southwesterly area of the Specific Plan, as detailed within the Key Map attached to this staff report.

The proposed Tentative Tract Map No. 37474 includes Planning Area 3; which is a Medium Density Residential (MDR) parcel within the Butterfield Specific Plan, as well as Lots A and B to serve as open space and for drainage purposes. Please see Figure

2 above; a larger copy of the Butterfield Specific Plan land use map is included with this report as Attachment 4.

Additionally, the proposed Tentative Tract Map will create public streets, identified as 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', and 'I'. 'C' Street will provide access from Creekside Ave.

Residential Planning Areas

Medium Density Residential: Planning Area 3

The proposed Tentative Tract Map No. 37474 encompasses one Medium Density Residential Planning Area (PA) 3.

The proposed subdivision contains residential lots that are conventionally plotted as detached single-family homes. The minimum lot sizes and dimensions are as follows:

Minimum lot area: 3,400 square feet
Minimum lot width:
Interior 46'
Corner 51'

Minimum lot frontage: 20'
Maximum density: 10 du/ac

All residential lots within the proposed subdivision comply with the minimum lot area and dimensional requirements as specified for PA 3. In PA 3, the minimum lot size proposed is 3,525 square feet and the average lot size is 4,636 square feet.

Below is a comparison of the proposed Tentative Tract Map No. 37474 statistics as compared to the approved Specific Plan:

	Approved SP	Proposed TTM	Difference
PA 3 # units	101	109	+8
PA 3 acreage	19.3	16.5	-6.89%
PA 3 density	0-10 du/ac	6.6 du/ac	within approved range

Adjustment of residential planning boundaries of 20% or less can be approved by the Community Development Director as substantially conforming to the Specific Plan, and revisions to the number of dwelling units within a PA can be approved as substantially conforming to the Specific Plan as long as the total number of units for the Specific Plan area does not exceed the maximum number of approved Specific Plan units nor the maximum density allowed in a Planning Area.

Grading:

Pad elevations provided for some residential lots indicate that there may be an elevation difference between residential lots of approximately two to three feet. The applicant has noted that the lot lines will be at top of slope where this condition occurs, that the elevation difference will be addressed by a 2:1 slope in the rear yard of the lower lot, and that the slope bank will occur outside of required rear yard setbacks to ensure usable yard area for the residence.

Future City Approvals:

Grading permits (rough and precise grading); encroachment permits, water sewer, and reclaimed water connection permits may be issued by the City of Banning Department of Public Works after approval of the proposed Tentative Tract Map No. 37474.

Open Space Lettered Lots

Open space lots "A" and "B" total .04 acres and will provide a landscaped buffer along "'A' street. Proposed Open Space Lots "A" and "B" are anticipated to be maintained by an established Home Owner's Association (HOA).

Future City Approvals

Permits for grading may be issued after approval of the Tentative Tract Map No. 37474.

Streets/Circulation System

Proposed streets within the subdivision will be public streets and are consistent with requirements set forth in the Butterfield Specific Plan. Residential streets proposed will be 36' wide from curb to curb, consistent with the approved Specific Plan and allowing for on-street parking.

Proposed entry streets to residential neighborhoods will include medians.

Utilities

Electrical service will be provided by the City of Banning. The Electric Utility has provided conditions of approval that have been incorporated into the proposed project conditions. City of Banning electrical utilities will be underground with the exception of temporary overhead electrical lines and pad-mount equipment, such as transformers and switchgear.

Water and wastewater services will be provided by the City of Banning – Department of Public Works.

ENVIRONMENTAL DETERMINATION:

1. California Environmental Quality Act (CEQA)

   Potential environment issues associated with the proposed Tentative Tract Map were analyzed in the previously certified Environmental Impact Report for the Butterfield Specific Plan project (SCH 2007091149) as modified by the Addendum approved by the City Council on February 14, 2017, which documents are on file in the Community Development Department. There have been no substantial changes in the project nor in the circumstances under which the project is undertaken which will require major revisions of the previous environmental document; nor is there new information that shows that the project will have a significant environmental effect or an effect more severe than originally thought. Therefore, in accordance with CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations, a subsequent environmental document is not required.

   The project will be conditioned to comply with the mitigation measures of the approved Mitigation Monitoring and Reporting Program (MMRP).

2. Multiple Species Habitat Conservation Plan (MSHCP): The Project EIR's mitigation measures, including submittal of a Determination of Biologically Equivalent of Superior Preservation (DBESP), ensure consistency with the Western Riverside County MSHCP. These mitigation measures will be incorporated into all development approvals as required by the project MMRP to ensure consistency with the MSHCP.

FISCAL IMPACT:

The Butterfield Specific Plan project consists of both residential and commercial development and represents a long-term investment in the local community in both housing and public infrastructure (streets, fire station, parks and open space, utilities, drainage facilities, etc.). Issuance of grading, building, and other permits will result in additional revenues for the City, as will increased property tax revenues and future spending within the City by future residents.

OPTIONS:

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

Approved by:

Douglas Schulze
City Manager

Attachments:

1. City Council Resolution No. 2019-___
2. Planning Commission Resolution 2019-16
3. Tentative Tract Map No. 37474
4. Butterfield Specific Plan, Land Use Plan
5. Butterfield Specific Plan Excerpts, Development Regulations
6. Ordinance 1450 (Approving the Butterfield Specific Plan)
7. Butterfield Specific Plan Development Agreement
8. CC Resolution 2017-07 Approving Minor Modifications and Attachment C, Conditions of Approval
9. Mitigation Monitoring and Reporting Program and Addendum Modifications
10. Public Hearing Notice

Attachment 1

City Council Resolution 2019-___

RESOLUTION 2019-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, MAKING ENVIRONMENTAL DETERMINATIONS UNDER CEQA GUIDELINES SECTION 15162 APPROVING TENTATIVE TRACT MAP NO. 37474, A SUBDIVISION OF APPROXIMATELY 16.5 GROSS ACRES OF VACANT LAND FOR PURPOSES OF CREATING 109 SINGLE FAMILY LOTS, 2 OPEN SPACE LETTERED LOTS, AND PUBLIC STREETS, ON REAL PROPERTY LOCATED NORTH OF WILSON STREET AND EAST OF HIGHLAND SPRINGS AVENUE WITHIN THE SOUTHWESTERLY PORTION OF THE BUTTERFIELD SPECIFIC PLAN (PORTIONS OF APNS: 405-120-002, 408-120-005, 408-120-007)

WHEREAS, an application for Tentative Tract Map 37474 has been duly filed by:

Project Applicant:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Property Owner:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Parcel Address:	North of Wilson Street, east of Highland Springs Avenue
APN's:	Portions of 405-120-002, 408-120-005, 408-120-007
Lot Area:	Approximately 16.5 gross acres;

WHEREAS, pursuant to Title 16 of the Banning Municipal Code and the Subdivision Map Act allows the subdivision of 16.5-acres within the Medium Density Residential Zone into 109 residential lots with a minimum lotz size of 3,400 square feet with the approval of a Tentative Tract Map; and

WHEREAS, on June 5, 2019 the Planning Commission held a duly noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Tentative Tract Map and at which time the Planning Commission considered the Project and recommended approval to the City Council; and

WHEREAS, in accordance with Government Code § 65854, the City Council public hearing was advertised in the Record Gazette newspaper on June 14, 2019 the City gave public notice as required under Government Code Section 66451.3 by advertising in the Record Gazette Newspaper, and mailing notices to all property owners within 300-feet of

the project site of the holding of a public hearing for the City Council's review, at which time the project would be considered; and

WHEREAS, on June 25, 2019, the City Council held a duly noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the project and at which time the City Council considered Tentative Tract Map 37474.

NOW THEREFORE, the City Council of the City of Banning does hereby 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 staff recommendation as provided in the Staff Report dated June 25, 2019, 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:

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.*), City staff has considered the potential environmental impacts of Tentative Tract Map No. 37474. City staff has also reviewed the previously certified Environmental Impact Report (EIR) for the Butterfield Specific Plan project (SCH No. 2007091149), including the impacts and mitigation measures identified therein, and reviewed the EIR in accordance with CEQA for the Project. Based on that review, the City of Banning Planning Division has determined that the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR. All potential environmental impacts associated with the Butterfield Specific Plan and Tentative Tract Map No. 37474 are adequately addressed by the prior EIR.

B. CEQA:

The approval of this Tentative Tract Map (Exhibit A) is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on June 25, 2019, at a duly noticed public hearing, the City Council considered the project's Conditions of Approval (Exhibit B) and Mitigation Monitoring Report and Program (MMRP) (Exhibit C) and found that no significant environmental impacts would occur after required Mitigation Measures.

C. The City Council has independently reviewed the Planning Commission's recommendation, and based upon the whole record before it, the City Council's determination, and its independent review and judgment, finds that that the Project is not subject to further environmental review pursuant to the Guidelines because: (1) find that in accordance with CEQA Guidelines Section 15162 that the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR; and (2) all potential environmental impacts associated with Butterfield Specific Plan and the proposed Tentative Tract Map No. 37474 are adequately addressed by the prior EIR.

D. The Community Development Director is authorized to file a Notice of Determination in accordance with CEQA.

E. Multiple Species Habitat Conservation Plan (MSHCP). The Project EIR's mitigation measures, including submittal of a Determination of Biologically Equivalent of Superior Preservation (DBESP), ensure consistency with the Western Riverside County MSHCP. These mitigation measures will be incorporated into future development approvals as required by the Project Mitigation Monitoring and Reporting Program to ensure consistency with the MSHCP.

SECTION 2: TENTATIVE TRACT MAP 37474 FINDINGS

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

The City Council hereby finds:

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

The General Plan land use designation for the site is classified as the Butterfield Specific Plan ("Specific Plan"); the Specific Plan land use designations of Medium Density Residential uses within the proposed Project area. The proposed Tentative Tract Map No. 37474 is consistent with the City's General Plan in that as it will provide for medium density housing as envisioned by the General Plan's Land Use Element and the Planning Area Development Standards within the Specific Plan. The Tentative Tract Map is consistent with the Specific Plan transportation system as envisioned by the General Plan's Circulation element. The Tentative Tract Map is consistent with the Butterfield Specific Plan as it provides for land uses consistent with those designated by the Planning Areas incorporated through the Specific Plan land use map. As such, the proposed Tentative Tract Map No. 37474 is consistent and compatible with the objectives,

policies, general land uses, and programs specified in the City's General Plan and the Butterfield Specific Plan.

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

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

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

The Project site transitions from relatively flat land at the northeast corner of Highland Springs Avenue and Wilson Street to the foothills of the San Bernardino Mountains. Major access to the site is provided by Highland Springs Avenue and Wilson Street. Analysis of the Project site relative to the physical suitability for density of development was included in the approvals for the Butterfield Specific Plan and the proposed number of dwelling units is consistent with that allowed under the Butterfield Specific Plan.

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

The design and improvement of the proposed subdivision is consistent with the City's General Plan and the Butterfield Specific Plan in that it will provide for a range of housing to meet the needs of the City's residents, and an efficient transportation system as envisioned by the General Plan, and is designed to meet City standards, including providing satisfactory pedestrian and vehicular circulation, emergency vehicle access and on site improvements, such as streets, utilities, and drainage facilities consistent with the Specific Plan.

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

Potential environment issues associated with the proposed Tentative Tract Map No. 37474 were analyzed in the previously certified Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149), as amended by the Addendum approved by the City Council in February 2017. With the imposition of mitigation measures, the Project will not have a significant effect on biological resources. There have been no substantial changes in the Project, nor in the circumstances under which the Project is undertaken, that will require major revisions of the prior certified EIR; nor is there new information that shows that the Project will have a significant environmental effect or an effect more severe than originally thought. Therefore, the proposed Tentative Tract Map No. 37474 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The proposed Tentative Tract Map No. 37474 is in conformance with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the Butterfield Specific Plan, and the Project has been conditioned to comply with all applicable Specific Plan requirements and requirements of the City's ordinances, codes, and standards. In addition, the design and construction of improvements are conditioned to be in conformance with adopted City street and public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety, and welfare.

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

Tentative Tract Map No. 37474 does not contain easements for the Banning Electric Utility or Southern California Edison (SCE). Furthermore, no easements of record or easements established by judgement of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any other such easements.

H. The design of the proposed Tentative Tract Map No. 37474 provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

New construction, authorized under the Banning Municipal Code, state codes and regulations, and the recordation of a Tract Map will yield housing that incorporates roof-mounted solar generation within each dwelling unit, in accordance with state law.

SECTION 3: CITY COUNCIL ACTION

The City Council hereby takes the following action:

Based on the foregoing, the City Council of the City of Banning hereby finds that in accordance with CEQA Guidelines Section 15162 that the Project, and the circumstances under which the Project is undertaken, do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR; and (2) all potential environmental impacts associated with Butterfield Specific Plan and the proposed Tentative Tract Map No. 37474 are adequately addressed by the prior EIR. That the City Council of the City of Banning hereby finds approves Tentative Tract Map No. 37474, attached hereto as Exhibit "A," a subdivision of approximately 16.5 gross acres into 109 single family lots and 2 open space lots, and public streets on real property located north of Wilson Street

and east of Highland Springs Avenue within the southwesterly portion of the Butterfield Specific Plan (APNs: 405-120-002, 408-120-005, 408-120-007), subject to the recommended Conditions of Approval, incorporated herein as attached Exhibit "B".

SECTION 4. CERTIFICATION:

The City Clerk shall certify the adoption of this Resolution and shall cause a certified copy to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019.

_____
Arthur L. Welch, Mayor
City of Banning

APPROVED AS TO FORM
AND LEGAL CONTENT:

_____
Kevin Ennis, City Attorney
Richards Watson & Gershon

ATTEST:

_____
Daryl A. Betancur, Deputy City Clerk
City of Banning

CERTIFICATION:

I, Daryl A. Betancur, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-___, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Daryl A. Betancur, Deputy City Clerk
City of Banning, California

Exhibit "A"

Tentative Tract Map No. 37474

(See Attachment No. 3)

Exhibit "B"

Tentative Tract Map No. 37474 Conditions of Approval

(See Attachment No. 8)

Exhibit "C"

Mitigation Monitoring and Reporting Program and Addendum Modifications

https://ci.banning.ca.us/Archive.aspx?ADID=1877

(Butterfield Specific Plan Environmental Impact Report
available on City website at http://www.ci.banning.ca.us/Archive.aspx?AMID=56

Minor Modification Addendum and appendices available on City website at
http://www.ci.banning.ca.us/Archive.aspx?ADID=1630

Attachment 2

Planning Commission Resolution 2019-16

RESOLUTION 2019-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BANNING MAKE ENVIRONMENTAL DETERMINATIONS UNDER CEQA GUIDELINES SECTION 15162 AND APPROVE TENTATIVE TRACT MAP NO. 37474, A SUBDIVISION OF APPROXIMATELY 16.5 GROSS ACRES OF VACANT LAND FOR PURPOSES OF CREATING 109 SINGLE FAMILY LOTS, 2 OPEN SPACE LETTERED LOTS, AND PUBLIC STREETS, ON REAL PROPERTY LOCATED NORTH OF WILSON STREET AND EAST OF HIGHLAND SPRINGS AVENUE WITHIN THE SOUTHWESTERLY PORTION OF THE BUTTERFIELD SPECIFIC PLAN (PORTIONS OF APNS: 405-120-002, 408-120-005, 408-120-007)

WHEREAS, an application for Tentative Tract Map No. 37474, attached hereto as Exhibit "A," to subdivide approximately 16.5 gross acres of vacant real property into residential and open space lots, along with public streets (the "Project"), has been duly filed by:

Project Applicant:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Property Owner:	Pardee Homes 1250 Corona Pointe Court, #600 Corona, CA 92879
Parcel Address:	North of Wilson Street, east of Highland Springs Avenue
APN's:	Portions of 405-120-002, 408-120-005, 408-120-007
Lot Area:	Approximately 16.5 gross acres;

WHEREAS, pursuant to Title 16 of the Banning Municipal Code, the Planning Commission has the authority to review and make recommendations to the City Council concerning Tentative Tract Map No. 37474;

WHEREAS, the Community Development Department has evaluated the Project's potential effects on the environment as required under the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code, § 21000 *et seq.*) and determined that potential impacts associated with proposed Tentative Tract Map No. 37474 were adequately analyzed under the previously approved Final Environmental Impact Report for the Butterfield Specific Plan project (SCH No. 2007091149) and that pursuant to CEQA Guidelines Section 15162 no further environmental analysis is required;

WHEREAS, in accordance with Government Code Sections 66451.3, 65090 and 65091, on May 24, 2019, the City gave public notice, by advertisement in the Record Gazette Newspaper, and by mailing 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, of a public hearing concerning the Project; and

WHEREAS, in accordance with Banning Municipal Code Section 16.12.080, on June 5, 2019, the Planning Commission held a public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the Project, and at which the Planning Commission considered Tentative Tract Map No. 37474.

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

SECTION 1: California Environmental Quality Act and Multiple Species Habitat Conservation Plan Findings. The Planning Commission of the City of Banning does hereby recommend 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 has considered the potential environmental impacts of Tentative Tract Map No. 37474. City staff has also reviewed the previously certified Environmental Impact Report (EIR) for the Butterfield Specific Plan project (SCH 2007091149), including the impacts and mitigation measures identified therein, and reviewed the EIR in accordance with CEQA for the Project. Based on that review, the City of Banning Planning Division has determined that the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR. All potential environmental impacts associated with the Butterfield Specific Plan and Tentative Tract Map No. 37474 are adequately addressed by the prior EIR.

B. The City Council has independently reviewed the Planning Division's determination, and based upon the whole record before it, the the Planning Division's determination, and its independent review and judgment, finds that that the Project is not subject to further environmental review pursuant to the Guidelines because: (1) the Project and the circumstances under which the Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR; and (2) all potential environmental impacts associated with Butterfield Specific Plan and the proposed Tentative Tract Map No. 37474 are adequately addressed by the prior EIR.

C. The custodian of records for the certified EIR, and all other materials that constitute the record of proceedings upon which the City Council's recommendation is based, is the Planning Division of the City of Banning. Those documents are available for public review in the Planning Division located at 99 E. Ramsey Street, Banning, California 92220.

D. Multiple Species Habitat Conservation Plan (MSHCP). The Project EIR's mitigation measures, including submittal of a Determination of Biologically Equivalent of Superior Preservation (DBESP), ensure consistency with the Western Riverside County MSHCP. These mitigation measures will be incorporated into future development approvals as required by the Project Mitigation Monitoring and Reporting Program to ensure consistency with the MSHCP.

SECTION 2: Findings for Recommendation of Approval of Tentative Tract Map 37474. The Planning Commission of the City of Banning does hereby recommend that the City Council of the City of Banning find and determine that the proposed Tentative Tract Map No. 37474 should be approved because:

A. **Finding: Tentative Tact Map No. 37474 is consistent with the objectives, policies, general land uses, and programs specified in the City's General Plan and the Butterfield Specific Plan.**

Findings of Fact:
The General Plan land use designation for the site is classified as Specific Plan; the Butterfield Specific Plan land use designations of Medium Density Residential uses within the proposed Project area. The proposed Tentative Tract Map No. 37474 is consistent with the City's General Plan in that as it will provide for medium density housing as envisioned by the General Plan's Land Use element and an efficient transportation system as envisioned by the General Plan's Circulation element. It is consistent with the Butterfield Specific Plan as it provides for land uses consistent with those designated for the Project area by the Specific Plan land use map. As such, the proposed Tentative Tract Map No. 37474 is consistent and compatible with the objectives, policies, general land uses, and programs specified in the City's General Plan and the Butterfield Specific Plan.

B. **Finding: The design and improvement of the subdivision proposed under Tentative Tract Map No. 37474 is consistent with the City's General Plan and the Butterfield Specific Plan.**

Findings of Fact:
The design and improvement of the proposed subdivision is consistent with the City's General Plan and the Butterfield Specific Plan in that it will provide for housing to meet the needs of the City's residents, and an efficient transportation system as envisioned by the General Plan, and is designed to meet City standards, including providing satisfactory pedestrian and vehicular circulation, emergency vehicle access and on site improvements,

such as streets, utilities, and drainage facilities consistent with the Specific Plan.

C. **Finding: The subject site is physically suitable for the type of development proposed under Tentative Tract Map No. 37474.**

Findings of Fact:

D. The Project site transitions from relatively flat land at the northeast corner of Highland Springs Avenue and Wilson Street to the foothills of the San Bernardino Mountains. Major access to the Project site is provided by Highland Springs Avenue and Wilson Street. Analysis of the Project site relative to the physical suitability of the site for development was included in previous approvals for the Butterfield Specific Plan and the site is physically suitable for the proposed development as allowed under the Butterfield Specific Plan.

E. **Finding: The site is physically suitable for the proposed density of development under Tentative Tract Map No. 37474.**

Findings of Fact:

The Project site transitions from relatively flat land at the northeast corner of Highland Springs Avenue and Wilson Street to the foothills of the San Bernardino Mountains. Major access to the site is provided by Highland Springs Avenue and Wilson Street. Analysis of the Project site relative to the physical suitability for density of development was included in the approvals for the Butterfield Specific Plan, and the proposed number of dwelling units is consistent with that allowed under the Butterfield Specific Plan.

F. **Finding: The design of the subdivision and improvements proposed under Tentative Tract Map No. 37474 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

Findings of Fact:

Potential environment issues associated with the proposed Tentative Tract Map No. 37474 were analyzed in the previously certified Environmental Impact Report for the Butterfield Specific Plan project (SCH 2007091149), as amended by the Addendum approved by the City Council in February 2017. With the imposition of mitigation measures, the Project will not have a significant effect on biological resources. There have been no substantial changes in the Project, nor in the circumstances under which the Project is undertaken, that will require major revisions of the prior certified EIR; nor is there new information that shows that the Project will have a significant environmental effect or an effect more severe than originally thought. Therefore, the proposed Tentative Tract Map No. 37474 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

G. **Finding: The design of the subdivision and improvements proposed under Tentative Tract Map No. 37474 is not likely to cause serious health problems.**

Findings of Fact:
The proposed Tentative Tract Map No. 37474 is in conformance with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the Butterfield Specific Plan, and the Project has been conditioned to comply with all applicable Specific Plan requirements and requirements of the City's ordinances, codes, and standards. In addition, the design and construction of improvements are conditioned to be in conformance with adopted City street and public works standards. The City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety, and welfare.

H. **Finding: The design of the subdivision and improvements proposed under Tentative Tract Map No. 37474 will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

Findings of Fact:
Tentative Tract Map No. 37474 does not conflict with any easements for access through or use of property within the proposed subdivision.

I. **Finding: The design of the proposed Tentative Tract Map No. 37474 provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

Findings of Fact:
Tentative Tract Map No. 37474 does not propose any design features that would conflict with future passive or natural heating or cooling opportunities.

SECTION 3: PLANNING COMMISSION ACTION - Recommendation of Approval of Tentative Tract Map No. 37474 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 Tentative Tract Map No. 37474, attached hereto as Exhibit "A," a subdivision of approximately 16.5 gross acres into 109 single family lots and 2 open space lots, and public streets on real property located north of Wilson Street and east of Highland Springs Avenue within the southwesterly portion of the Butterfield Specific Plan (APNs: 405-120-002, 408-120-005, 408-120-007), subject to the recommended Conditions of Approval attached as Exhibit "B".

PASSED, APPROVED AND ADOPTED this 5th day of June, 2019.

Eric Shaw, Chairman
Banning Planning Commission

APPROVED AS TO FORM
AND LEGAL CONTENT:

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 2019-16, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 5th day of June, 2019, by the following vote, to wit:

AYES: Brosious, Krick, Shaw

NOES: Schuler

ABSENT: None

ABSTAIN: None

Sandra Calderon

Sandra Calderon, Recording Secretary
City of Banning, California

Attachment 3

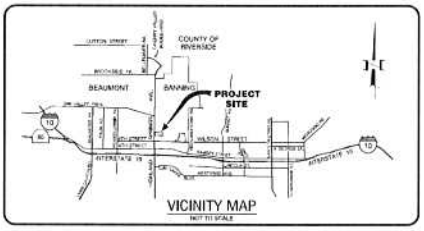
Tentative Tract Map 37474

SHEET INDEX

SHEET 1	TITLE SHEET / SHEET INDEX
SHEET 2	NOTES
SHEET 3	STREET SECTIONS
SHEET 4	LOT TABULATION / OPEN SPACE AREA CALCULATIONS
SHEETS 5 & 6	TENTATIVE TRACT MAP
SHEET 7	COMPOSITE TENTATIVE TRACT MAP

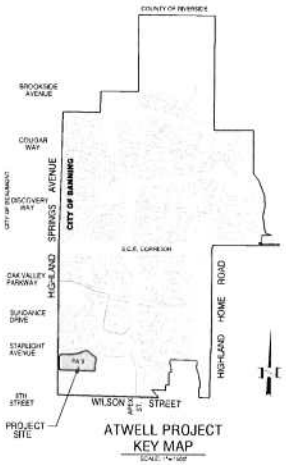
LOT INDEX

LOTS 1 THRU 49 OF PA 3	PA 3	SHEET 5
LOTS 1 THRU 69	PA 3	SHEET 6



VICINITY MAP
NOT TO SCALE

SHEET INDEX MAP
SCALE: 1"=100'



ATWELL PROJECT KEY MAP
SCALE: 1"=1000'

10-29-18
EDWARD J. LEMPE RCE 052495
EXP. DATE: DECEMBER 31, 2018

DATE	NO.	REVISIONS

APPLICANT/DEVELOPER/OWNER

Pardee Homes
1250 Corona Pointe Court
Suite 850
Corona, CA 92879
(951) 824-0150

ENGINEER

MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL
PA 3 / TENTATIVE TRACT NO. 37474
TITLE SHEET / SHEET INDEX
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 1 OF 7

PA 3 - TENTATIVE TRACT MAP

LEGEND

- TRACT BOUNDARY
- STREET CENTERLINE
- SIDEWALK
- DAYLIGHT LINE
- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- PROPOSED STREET AT CENTERLINE
- 1.00% PROPOSED STREET GRADE
- FLOWLINE
- (NG) 10 PAD ELEVATION
- LOT NUMBER
- (109) HIGHEST SINGLE-FAMILY RESIDENTIAL LOT NUMBER
- PROPOSED STREET LIGHT
- PROPOSED STORM DRAIN
- PROPOSED SANITARY SEWER
- PROPOSED POTABLE WATER
- PROPOSED NON-POTABLE WATER
- EXISTING STORM DRAIN
- EXISTING SANITARY SEWER
- EXISTING POTABLE WATER
- EXISTING GAS LINE
- PROPOSED RETAINING WALL
- PROPOSED RETAINING WALL HEIGHT
- LOT MIDPOINT DIMENSION

ABBREVIATIONS

Δ	DELTA
AC	ACREAGE
AVG.	AVERAGE
DU	DWELLING UNIT
DW	DOMESTIC WATER
EX.	EXISTING
FL	FLOWLINE
G	GAS
GB	GRADE BREAK
HP	HIGH POINT
L	LENGTH
LP	LOW POINT
MAX	MAXIMUM
MIN	MINIMUM
NO.	NUMBER
PA	PLANNING AREA
PI	POINT OF INTERSECTION
R	RADIUS
RCW	RECYCLED WATER
R/W	RIGHT OF WAY
RW	RETAINING WALL
SD	STORM DRAIN
SS	SANITARY SEWER
ST	STREET
SQ. FT.	SQUARE FEET
TC	TOP OF CURB

UTILITIES

WATER
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

SEWER
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

ELECTRIC
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

GAS
SOUTHERN CALIFORNIA GAS COMPANY
1981 WEST LUGONIA AVENUE
REDLANDS, CA. 92374
(800) 427-2200

TRASH
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

TELEPHONE
FRONTIER COMMUNICATIONS
290 SOUTH COLIT STREET
PORTOLA, CA. 96122
(800) 397-8262

CABLE
SPECTRUM CABLE
311 WEST RAMSEY STREET
BANNING, CA. 92220
(888) 812-1122

STORM DRAIN
CITY OF BANNING
99 EAST RAMSEY STREET
BANNING, CA. 92220
(951) 922-3130

FLOOD ZONE NOTE

THE SUBJECT PROPERTY IS DESIGNATED AS LYING WITHIN ZONE "X" ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 06065C0781G EFFECTIVE AUGUST 28, 2008.

ZONE "X" BEING DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

EASEMENT NOTES

1. PROPOSED 25' STORM DRAIN EASEMENT

BASIS OF BEARINGS

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE LINE BETWEEN STATION "PM" AND "MM" AS SHOWN ON PARCEL MAP NO. 31355, AS RECORDED IN BOOK 192, PAGES 93 THROUGH 97, OF PARCEL MAPS, AS SHOWN ON THE MAP FILED IN BOOK 192, PAGES 93 THROUGH 97, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA. BEING NORTH 32° 49'58" EAST.

BENCHMARK

ELEVATIONS ARE SHOWN REFERENCED TO MEAN SEA LEVEL DATUM OF 1929 AS BASED LOCALLY UPON THE FOLLOWING BENCH MARK SHOWN ON THE MAP:
3" BRASS ALUMINUM WITH DISK, FLUSH LOCATED IN MARKING, 0.5 MILES SOUTH ALONG HIGHLAND SPRINGS AVENUE FROM THE INTERSECTION OF HIGHLAND SPRINGS AVENUE AND THE SOUTHERN PACIFIC RAILROAD BRIDGE, 114 FEET EAST OF THE CENTERLINE OF HIGHLAND SPRINGS AVENUE AT THE NORTHWEST CORNER OF CATCH BASIN AT THE TOP OF CURB 53 FEET EAST OF FACE OF CURB.

LEGAL DESCRIPTION

PORTIONS OF LOT 3 AND 6 OF TRACT MAP NO. 31355 FILED IN BOOK 192 OF MAPS, PAGES 94 THROUGH 100 INCLUSIVE, IN THE OFFICE OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

ASSESSORS PARCEL NUMBERS

PORTIONS OF 541-120-005, 541-120-006 AND 541-120-007

LAND USE SUMMARY

LOTS	LAND USE	ACREAGE	PERCENT (%)
1 - 109	SINGLE-FAMILY RESIDENTIAL	11.29	72.2%
'A' - 'B'	OPEN SPACE	3.04	19.4%
	STREETS R/W	1.32	8.4%
	GROSS ACREAGE	15.65	100%

TENTATIVE TRACT NO. 37474

NUMBER OF LOTS - TOTAL	118
SINGLE FAMILY RESIDENTIAL	109
LOCAL STREETS 'A' - 'J'	9
GROSS ACREAGE - ALL AC	
CONTOUR INTERVAL - 1 FOOT	
DATE - OCTOBER 26, 2018	

STREET AREA SUMMARY

STREET	ACREAGE
'A' STREET	0.13 AC
'B' STREET	0.61 AC
'C' STREET	1.28 AC
'D' STREET	0.38 AC
'E' STREET	0.31 AC
'F' STREET	0.26 AC
'G' STREET	0.48 AC
'H' STREET	0.31 AC
'I' STREET	1.48 AC
TOTAL ACREAGE	5.67 AC

OPEN SPACE AREA SUMMARY

LOT'S	ACREAGE
LOT 'A'	2.52 AC
LOT 'B'	0.52 AC
TOTAL ACREAGE	3.04 AC

GENERAL INFORMATION

1. EXISTING LAND USE: VACANT
2. EXISTING ZONING: BUTTERFIELD SPECIFIC PLAN
3. EXISTING GENERAL PLAN: BUTTERFIELD SPECIFIC PLAN
4. PROPOSED LAND USE:
   - SINGLE FAMILY RESIDENTIAL (PDA)
   - OPEN SPACE
5. PROPOSED ZONE: BUTTERFIELD SPECIFIC PLAN
6. PROPOSED GENERAL PLAN: BUTTERFIELD SPECIFIC PLAN
7. ADJACENT LAND USES:
   - NORTH: VACANT / FUTURE SINGLE FAMILY RESIDENTIAL
   - EAST: VACANT / FUTURE SINGLE-FAMILY RESIDENTIAL
   - SOUTH: VACANT / FUTURE COMMERCIAL
   - WEST: SINGLE FAMILY RESIDENTIAL
8. PARK REQUIREMENTS TO BE MET IN ACCORDANCE WITH THE BUTTERFIELD SPECIFIC PLAN.
9. SCHOOL DISTRICTS:
   - ELEMENTARY: BEAUMONT UNIFIED SCHOOL DISTRICT
   - MIDDLE SCHOOL: BEAUMONT UNIFIED SCHOOL DISTRICT
   - HIGH SCHOOL: BEAUMONT UNIFIED SCHOOL DISTRICT
10. PAD ELEVATIONS SHOWN HEREON MAY BE ADJUSTED PLUS OR MINUS 1 FEET.
11. ALL GRADING SHALL BE AS PER PLANS AND TO MEET THE REQUIREMENTS OF THE CALIFORNIA BUILDING CODE.
12. THE TENTATIVE TRACT MAP IS WITHIN THE APPROVED BUTTERFIELD SPECIFIC PLAN.
13. ALL PROPOSED MANUFACTURED HOMES SHALL BE A MINIMUM OF 61' UNLESS OTHERWISE NOTED ON THE TENTATIVE TRACT MAP.
14. ESTIMATED EARTHWORK QUANTITIES:

	CUT (+)	FILL (-)
MASS EXCAVATION	16,000 CY	16,000 CY
IMPORT / EXPORT		

15. GEOTECHNICAL SOILS INVESTIGATION REPORT WAS PREPARED BY GEOCON WEST, INC., DATED MAY 15, 2017.
16. THERE ARE NO HABITABLE STRUCTURES WITHIN THE BOUNDARIES OF THE TENTATIVE TRACT MAP.
17. ALL PROPOSED STREETS WITHIN THIS TENTATIVE TRACT ARE PUBLIC AND SHALL BE MAINTAINED BY THE CITY OF BANNING.
18. THE DEVELOPER/APPLICANT SHALL RESERVE THE RIGHT TO MERGE LOTS ON THE FINAL MAP.
19. THIS TENTATIVE TRACT MAP HAS BEEN DESIGNED TO BE VESTING WITHIN ZONE "B" OF TOWN FARM PLANNER MANAGEMENT DATED AUGUST 28, 2008.
20. THE TENTATIVE TRACT MAP INCLUDES THE ENTIRE CONTIGUOUS OWNERSHIP OF LAND BEING SUBDIVIDED.
21. TOPOGRAPHIC SURVEY WAS FLOWN AND COMPILED BY CON TEAM CORPORATION, DATED MAY 15, 2017.
22. THERE ARE NO PROPOSED OPEN STORM DRAIN CHANNELS WITHIN THIS TENTATIVE TRACT MAP.
23. THE TENTATIVE TRACT MAP IS NOT PROPOSED TO BE A GATED COMMUNITY.
24. ACCESS SHALL BE RESTRICTED ON WESTWARD LAND SYMBOLE AVENUE AND 1ST STREET.
25. PAVEMENT DESIGN SHALL COMPLY WITH THE R.T.E.D.S. REQUIREMENTS SET FORTH BY THE CITY OF BANNING.
26. ALL PROPOSED RESIDENTIAL LOTS SHALL MEET THE MINIMUM GRADE FROM REAR OF THE LOT TO THE STREET IN ACCORDANCE WITH LATEST CALIFORNIA BUILDING CODE.
27. FIRE PROTECTION SHALL BE PROVIDED BY THE CITY OF BANNING.
28. ALL PROPOSED ON-SITE STORM DRAIN FACILITIES, SIZE AND LOCATION ARE PRELIMINARY AND SUBJECT TO FINAL HYDRAULIC CALCULATIONS ACCEPTABLE TO THE CITY OF BANNING.
29. ALL PROPOSED ON-SITE STORM WATER RUNOFF FROM THE TENTATIVE TRACT MAP SHALL BE TREATED BY HYDRAULIC EQUITY TREATMENT CONTROL MEANS FOR TRASH AND DEBRIS OF THE CITY AND ENTER PRIOR TO DISCHARGE TO ANY EXISTING OR PROPOSED DRAINAGE FACILITY.
30. ALL DIMENSIONS ON THE TENTATIVE TRACT MAP ARE APPROXIMATE.

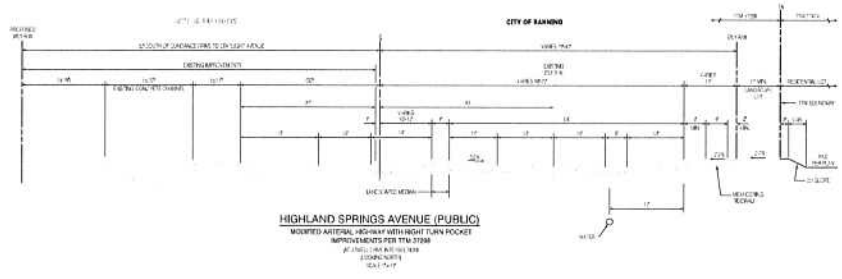
DATE	NO	REVISIONS

PREPARED FOR:
Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 479-3500

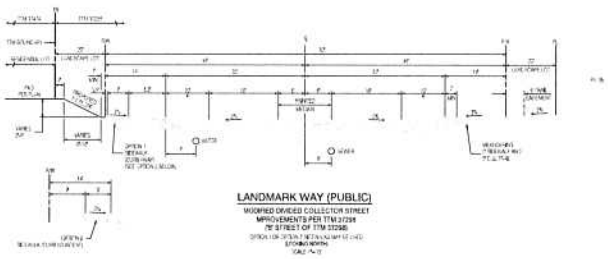
PREPARED BY:
MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL
PA 3 / TENTATIVE TRACT NO. 37474
NOTES
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 2 OF 7

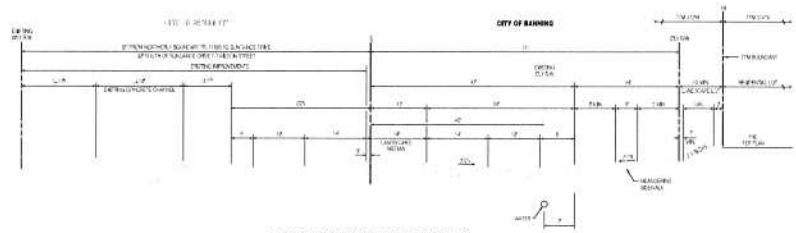
PA 3 - TENTATIVE TRACT MAP



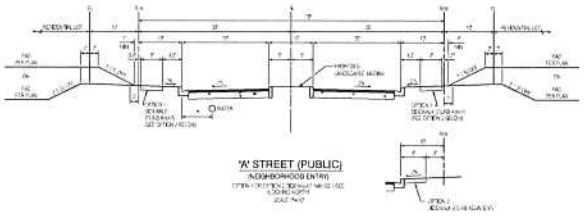
HIGHLAND SPRINGS AVENUE (PUBLIC)
MODIFIED ARTERIAL HIGHWAY WITH RIGHT TURN POCKET
IMPROVEMENTS PER TTM 37298



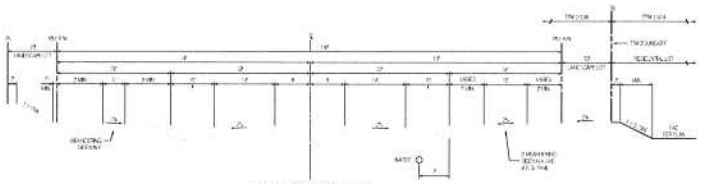
LANDMARK WAY (PUBLIC)
MODIFIED DIVIDED COLLECTOR STREET
IMPROVEMENTS PER TTM 37298
('B' STREET OF TTM 37298)



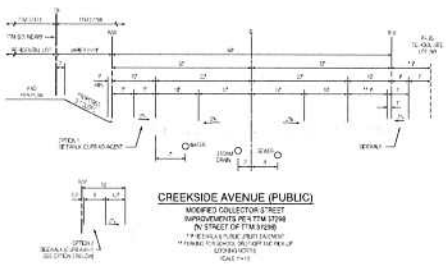
HIGHLAND SPRINGS AVENUE (PUBLIC)
MODIFIED ARTERIAL HIGHWAY



'A' STREET (PUBLIC)
NEIGHBORHOOD ENTRY



ATWELL DRIVE (PUBLIC)
MODIFIED DIVIDED COLLECTOR STREET
IMPROVEMENTS PER TTM 37298
('A' STREET OF TTM 37298)



CREEKSIDE AVENUE (PUBLIC)
MODIFIED COLLECTOR STREET
IMPROVEMENTS PER TTM 37298
('N' STREET OF TTM 37298)

GRAPHIC SCALE
0 2 5 10 20 40
(IN FEET)

DATE	NO.	REVISIONS

PREPARED FOR:
Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 479-4400

PREPARED BY:
MDS CONSULTING
PLANNING ENGINEERING SURVEYING

ATWELL
PA 3 / TENTATIVE TRACT NO. 37474
STREET SECTIONS
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 3 OF 7

PA 3 - TENTATIVE TRACT MAP

RESIDENTIAL LOT SUMMARY

PLANNING AREA 3 (MDR)

LOT AREA SUMMARY
LOTS 1 - 109

LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT.)	LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT.)	LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT.)	LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT.)	LOT #	LOT AREA (SQ. FT.)	PAD AREA (SQ. FT.)
1	4,202	4,202	23	4,096	4,096	45	4,130	4,130	67	5,334	5,413	89	6,544	6,641
2	3,572	3,572	24	7,639	7,639	46	4,130	4,130	68	5,197	5,739	90	4,446	4,527
3	3,572	3,572	25	7,259	7,259	47	4,965	4,618	69	4,230	3,854	91	5,445	5,786
4	3,572	3,572	26	3,997	3,997	48	5,107	4,811	70	4,230	3,854	92	5,226	5,743
5	3,572	3,572	27	4,215	4,215	49	4,268	3,837	71	4,230	3,854	93	7,267	7,228
6	3,572	3,572	28	4,304	4,304	50	4,268	3,836	72	4,230	3,854	94	5,958	5,706
7	3,572	3,572	29	4,264	4,264	51	4,268	3,836	73	4,230	3,995	95	3,525	3,525
8	3,572	3,572	30	4,255	4,255	52	5,777	5,415	74	4,277	3,915	96	3,525	3,525
9	3,572	3,572	31	4,234	4,234	53	4,892	4,771	75	5,552	4,922	97	3,525	3,525
10	3,572	3,572	32	7,142	6,745	54	3,618	3,618	76	5,771	4,613	98	3,525	3,525
11	3,572	3,572	33	6,806	6,471	55	3,618	3,618	77	5,750	5,122	99	3,525	3,525
12	3,572	3,572	34	4,218	3,618	56	3,618	3,618	78	6,196	4,609	100	3,525	3,525
13	3,572	3,572	35	4,388	3,763	57	4,892	4,547	79	5,548	5,277	101	4,557	4,179
14	3,572	3,572	36	4,179	6,143	58	5,327	4,979	80	7,748	7,663	102	5,987	4,984
15	3,572	3,572	37	4,246	3,572	59	3,604	3,647	81	7,287	7,281	103	3,594	3,594
16	3,572	3,572	38	4,575	4,122	60	3,995	3,658	82	5,413	6,413	104	3,593	3,593
17	3,572	3,572	39	4,233	4,090	61	3,595	3,664	83	4,941	4,311	105	5,566	5,462
18	3,572	3,572	40	5,813	7,118	62	3,497	3,582	84	4,597	4,287	106	3,593	3,591
19	3,572	3,572	41	5,192	5,629	63	3,245	3,629	85	5,809	5,623	107	3,593	3,536
20	3,572	3,572	42	5,353	5,353	64	4,193	4,193	86	4,906	4,644	108	3,535	3,534
21	3,572	3,572	43	4,189	4,189	65	4,193	4,193	87	3,918	3,814	109	5,013	4,619
22	3,496	3,496	44	4,191	4,191	66	4,191	4,191	88	5,975	5,594			

PLANNING AREA SUMMARY

PROPOSED TENTATIVE TRACT 37474

PLANNING AREA (No.)	LAND USE (TYPE)	GROSS AREA (ACRE)	NUMBER LOTS (No.)	GROSS DENSITY (DU/AC)	RESIDENTIAL AREA (ACRE)	STREETS (ACRE)	LOT SIZE (MIN)	PAD SIZE (MIN)	LOT AREA MIN (SQ. FT.)	LOT AREA MAX (SQ. FT.)	LOT AREA AVG (SQ. FT.)
3	MDR	19.3	109	5.6	11.6	4.8	47' x 78'	47' x 78'	3,525	7,371	4,438

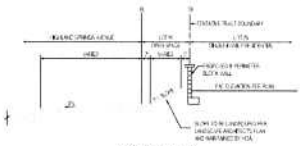
PER BUTTERFIELD SPECIFIC PLAN 2017

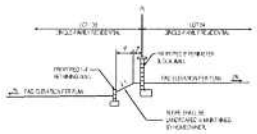
PLANNING AREA (No.)	LAND USE (TYPE)	GROSS AREA (ACRE)	NUMBER LOTS (No.)	GROSS DENSITY (DU/AC)	RESIDENTIAL AREA (ACRE)	STREETS (ACRE)	LOT SIZE (MIN)	PAD SIZE (MIN)	LOT AREA MIN (SQ. FT.)	LOT AREA MAX (SQ. FT.)	LOT AREA AVG (SQ. FT.)
3	MDR	19.3	109	5.6	N/A	N/A	39' x 98'	39' x 98'	3,996	N/A	N/A

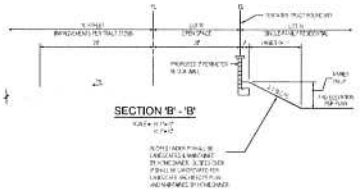
LEGEND
MDR MEDIUM DENSITY RESIDENTIAL

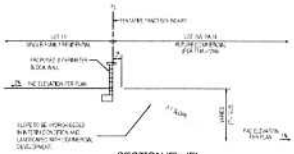
GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.

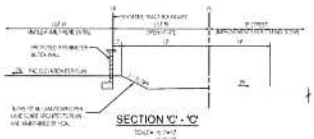
SITE SECTIONS

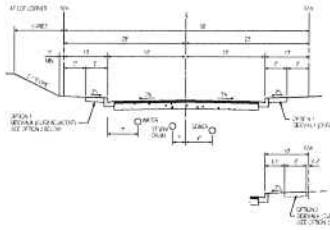

SECTION 'A' - 'A'

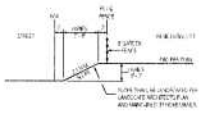

SECTION 'D' - 'D'

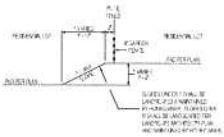

SECTION 'B' - 'B'


SECTION 'E' - 'E'


SECTION 'C' - 'C'


'B' THROUGH 'I' STREETS (PUBLIC)
(MODIFIED LOCAL RESIDENTIAL STREET)


TYPICAL SIDE-YARD SLOPE SECTION AT STREET CORNER LOT


TYPICAL REAR-YARD SLOPE SECTION

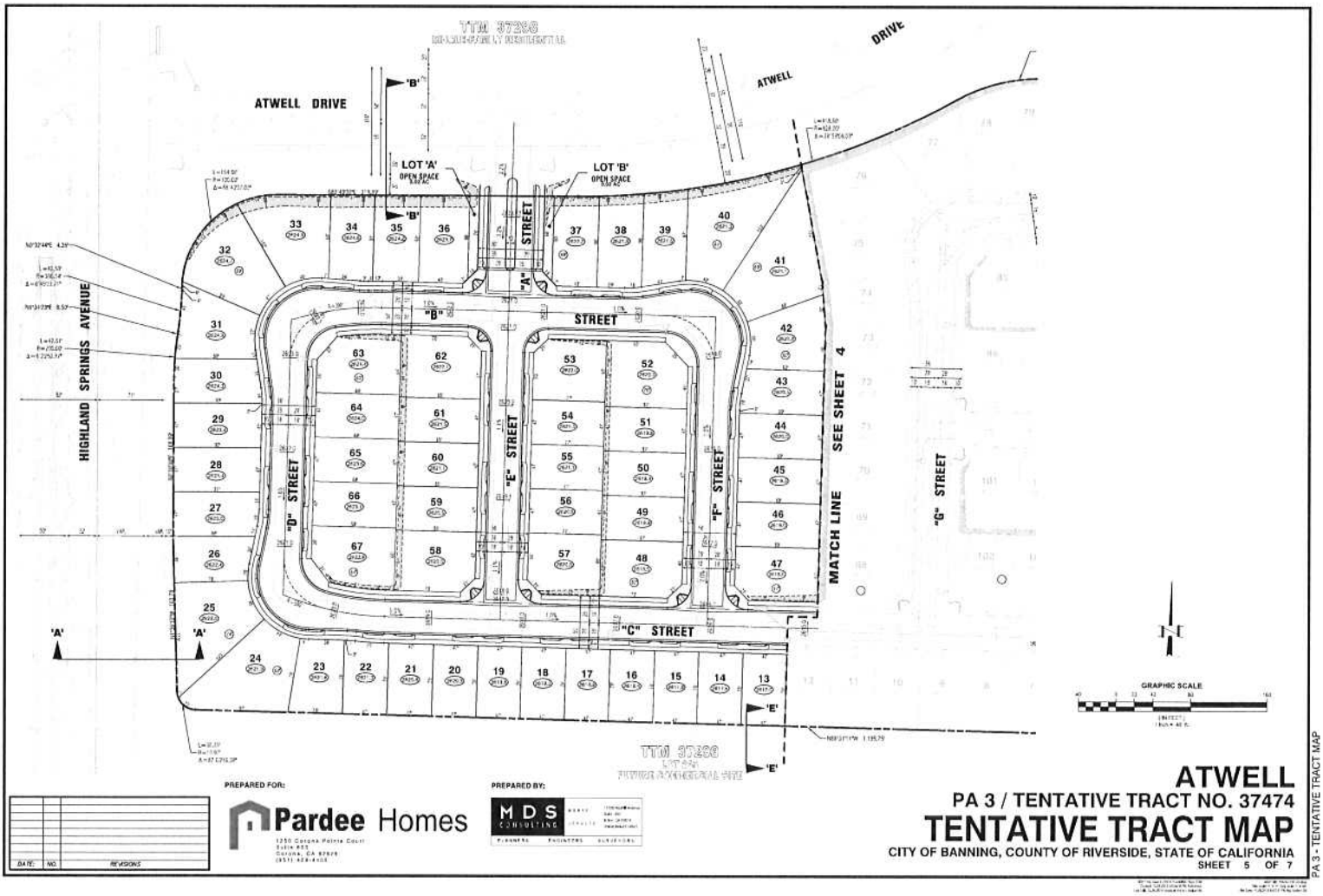
DATE	NO.	REVISIONS

PREPARED FOR:
Pardee Homes
1250 Corona Pointe Court
Suite 600
Corona, CA 92879
(951) 479-3500

PREPARED BY:
MDS CONSULTING
PLANNING ENGINEERING SURVEYING

ATWELL
PA 3 / TENTATIVE TRACT NO. 37474
AREA SUMMARIES / SECTIONS
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 4 OF 7

PA 3 - TENTATIVE TRACT MAP



ATWELL

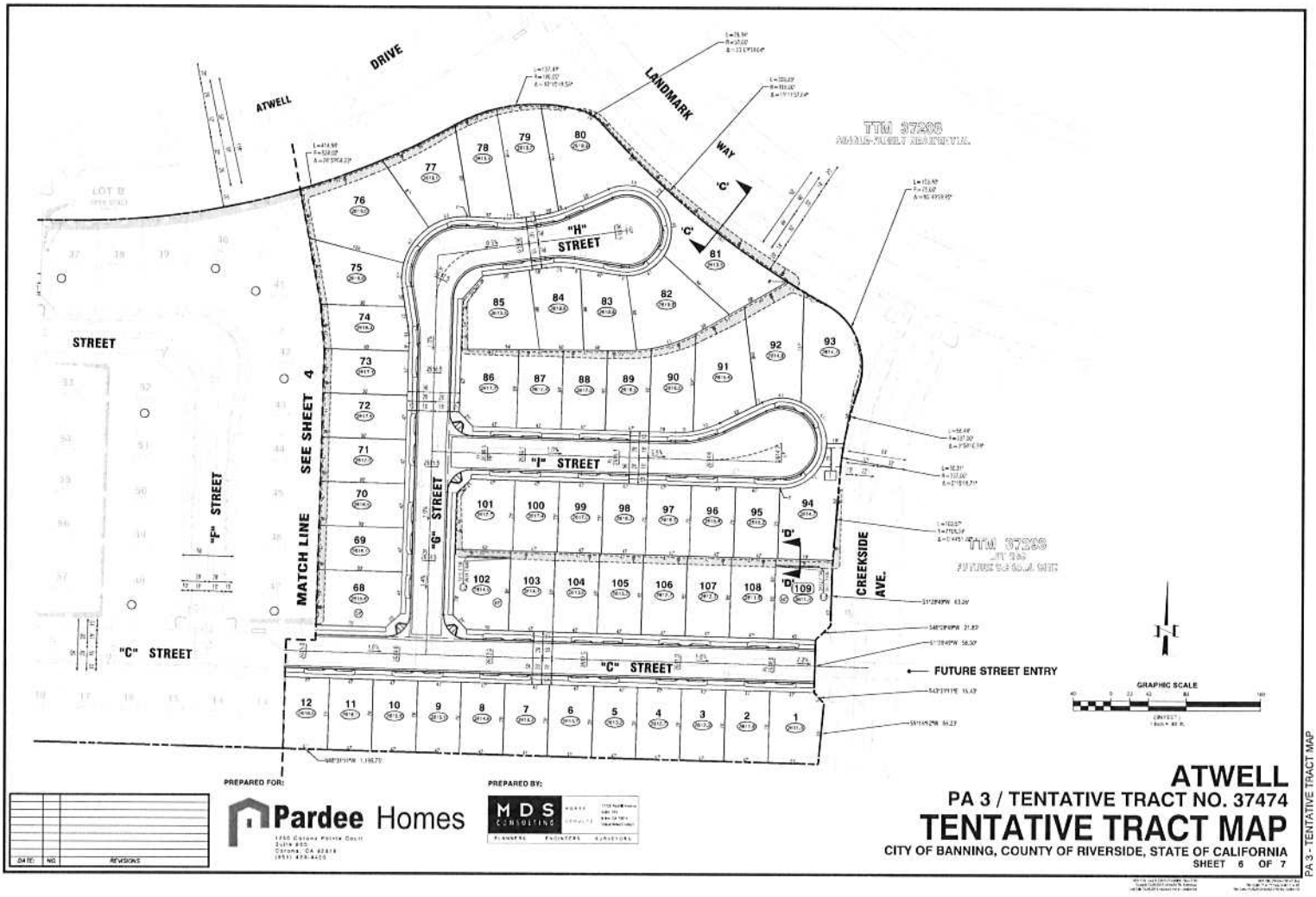
PA 3 / TENTATIVE TRACT NO. 37474

TENTATIVE TRACT MAP

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 5 OF 7

PA 3 - TENTATIVE TRACT MAP



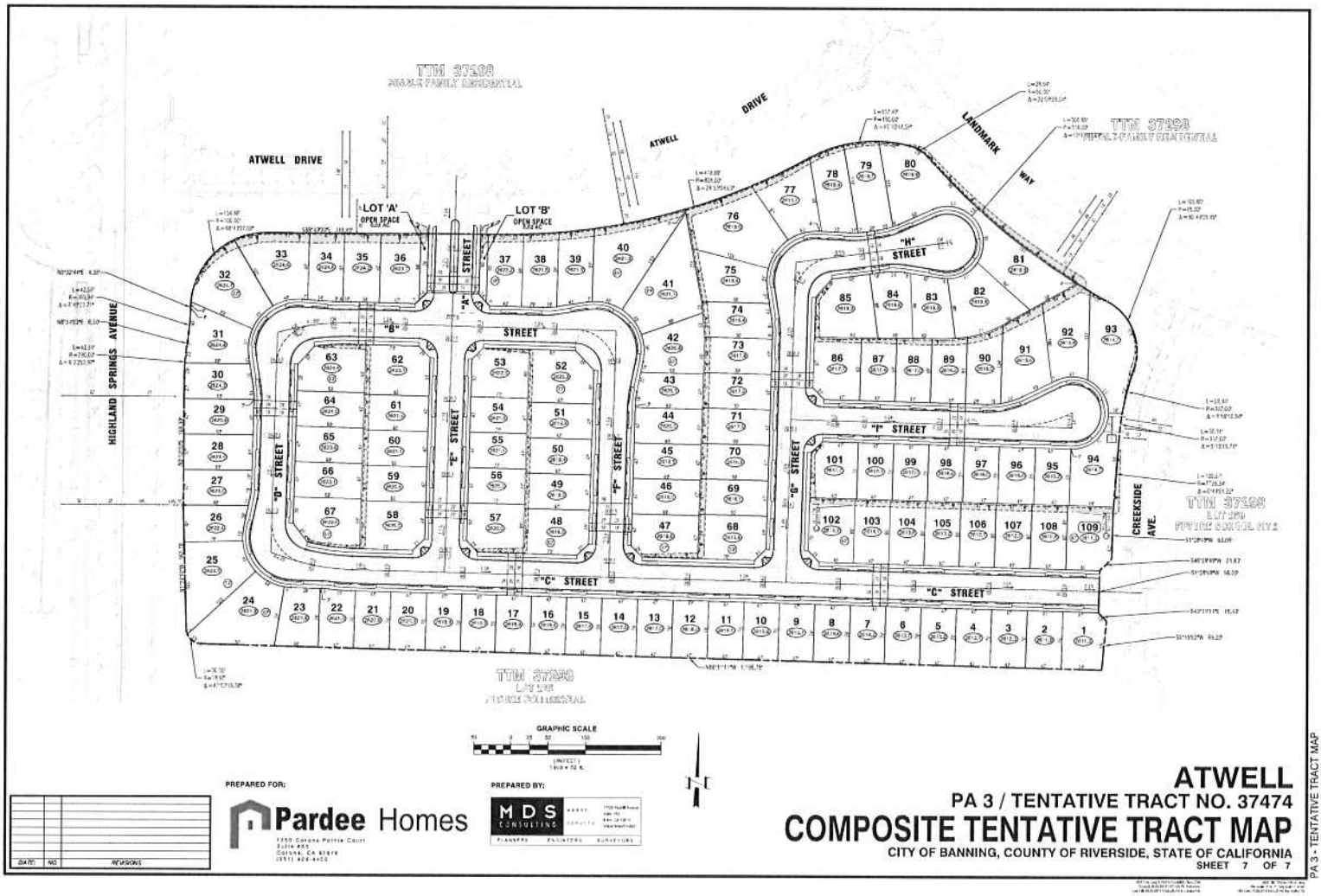
PREPARED FOR: Pardee Homes

PREPARED BY: MDS CONSULTING

DATE	NO.	REVISIONS

ATWELL
PA 3 / TENTATIVE TRACT NO. 37474
TENTATIVE TRACT MAP
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SHEET 6 OF 7

PA 3 - TENTATIVE TRACT MAP



PREPARED FOR:

Pardee Homes

PREPARED BY:

MDS CONSULTING

DATE	NO.	REVISIONS

ATWELL

PA 3 / TENTATIVE TRACT NO. 37474

COMPOSITE TENTATIVE TRACT MAP

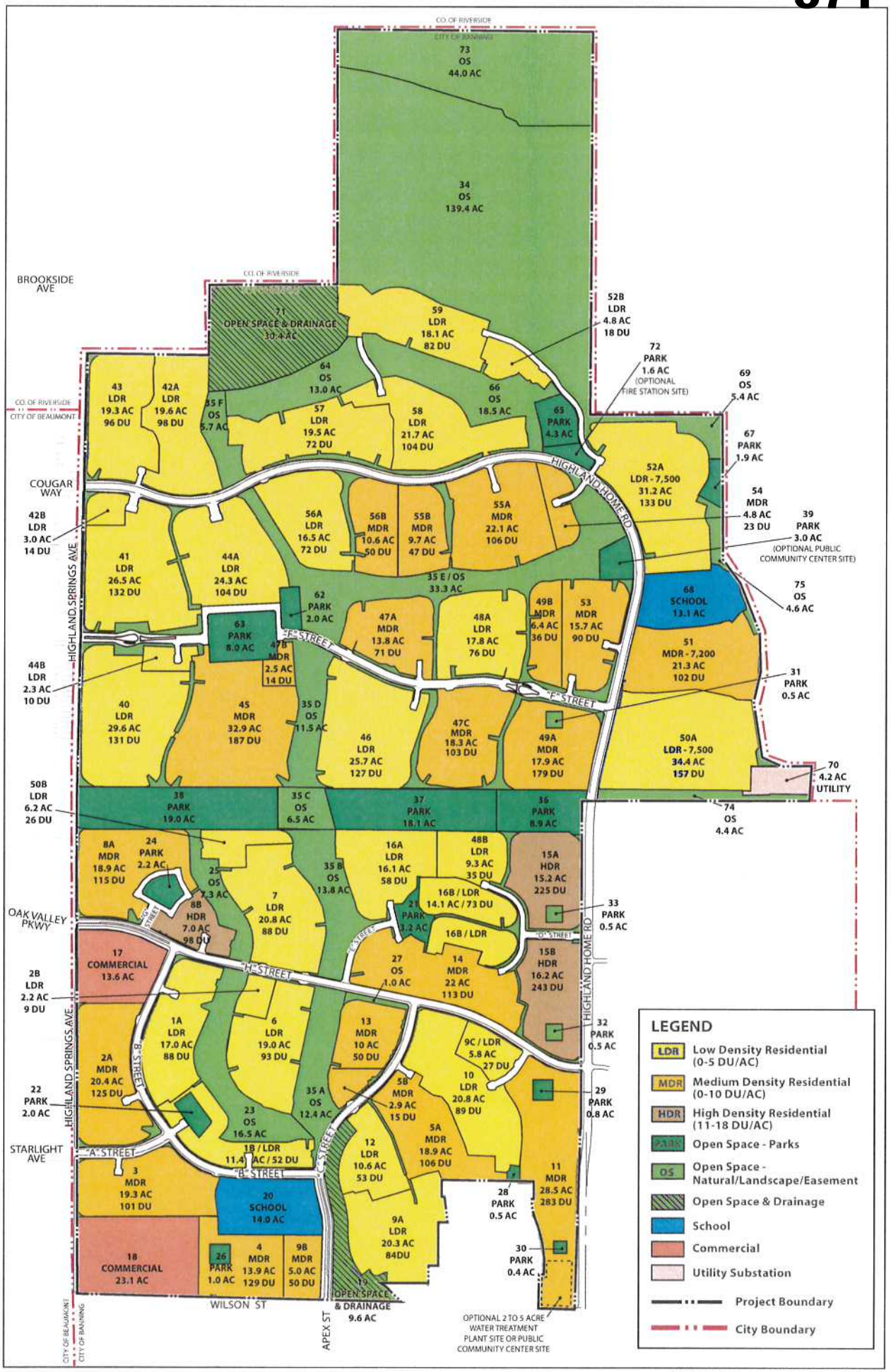
CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 7 OF 7

PA 3 - TENTATIVE TRACT MAP

Attachment 4

Butterfield Specific Plan Land Use Plan



Michael Baker INTERNATIONAL

NOT TO SCALE

PARDEE HOMES • BUTTERFIELD SPECIFIC PLAN

Land Use Plan

PREPARED FOR:

Pardee Homes

PREPARED BY:

MDS CONSULTING
PLANNERS ENGINEERS SURVEYORS

ATWELL
TENTATIVE TRACT MAP NO. 37474 SITE EXHIBIT

DATE PREPARED: SEPTEMBER 24, 2018

CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 1 OF 1

TENTATIVE TRACT MAP NO. 37474 - SITE EXHIBIT

Attachment 5

Butterfield Specific Plan Land Excerpts – Development Regulations

https://ci.banning.ca.us/Archive.aspx?ADID=1962

(Full Pardee Butterfield Specific Plan available on City website at under Butterfield Specific Plan)

http://www.ci.banning.ca.us/Archive.aspx?ADID=1741

Attachment 7

Butterfield Specific Plan Development Agreement

https://ci.banning.ca.us/Archive.aspx?ADID=1875

Attachment 8

CC Resolution 2017-07 Approving Minor Modifications and Attachment C, Conditions of Approval

https://ci.banning.ca.us/Archive.aspx?ADID=1878

Exhibit "B"
Tentative Tract Map 37474 Conditions of Approval
(Phase 1A)

Community Development

1. The City and Developer are parties to a Development Agreement (DA), recorded on July 17, 2012 as document number 2012-0332888 ("DA"). In the event of any inconsistency or conflict between these Conditions of Approval and the DA, the DA shall control. The Developer shall indemnify the City as described in the DA.

2. Approval of this entitlement shall not waive compliance with any sections of the DA, Butterfield Specific Plan, or other applicable City Ordinances in effect at the time of building permit issuance, to the extent such City Ordinances are applicable to the project and not vested under the DA.

3. Approval of Tentative Tract Map 37474 shall run with the term of the DA. All Conditions of Approval (COA) must be met on or before the expiration date or the applicant must request an extension of time at least thirty (30) days prior to the expiration date, and receive approval of said extension; otherwise, the approval shall expire and become null and void.

4. Unless approved otherwise by City, the Developer shall comply with all applicable conditions of City Council Ordinance No. 1450 approving the Butterfield Specific Plan and conditions of City Council Resolution No. 2017-07 approving Minor Modifications to the Butterfield Specific Plan.

5. All mitigation measures required by the Butterfield Specific Plan Environmental Impact Report (EIR), and its Mitigation Monitoring and Reporting Program (MMRP), as modified pursuant to the approved Addendum and conditions of the project's Settlement Agreement, as incorporated herein, shall be implemented if those measures/conditions relate to this phase or part of the development or are required to be satisfied in connection with this phase or part of the development.

6. A copy of the signed resolution of approval and all conditions of approval and any applicable mitigation measures shall be reproduced in legible form on the grading plans submitted for review and approval as required by the reviewing department.

7. The Developer shall pay all applicable Development Impact Fees (DIF) and other fees as required under the DA. Adjustments and/or fee credits to the applicable DIFs may be provided as allowed in the DA and any applicable implementing DIF credit agreement. The project proponent shall provide written evidence to the City that school mitigation fees have been paid or other arrangements acceptable to the applicable school district and Developer have been met.

8. Deposits shall be handled per the executed Deposit Agreement dated May 7, 2019.

9. A copy of the final grading and erosion control plan, approved by the Department of Public Works – Engineering Division, shall be submitted to the Planning Department for review

and approval of the landscaping plans when graded cut slopes exceed five (5) feet in height and fill slopes exceed five (5) feet in height.

10. Per DA Exhibit E, Section 5.2, the Developer shall stabilize according to the City Grading and Landscaping Ordinance the rear slope of all residential lots prior to issuance of a Certificate of Occupancy but shall not be required to landscape and/or irrigate the slopes. It is the intention that the rear yard landscaping will be required and installed within the time specified in the CC&Rs by the homeowner.

11. Per DA Section 6.5.2, Phasing Plans specifying when the lots within Tract 37474 will be developed and when all appropriate public infrastructure within Tract 37474 will be constructed shall be approved prior to commencement of development within the Tract Map. Prior to approval of the Final Tract Map, all conditions requiring the provision or proposed project facilities and subdivision improvements for the area covered by the Tentative Tract Map must be satisfied either through performance or through the provision of suitable security prior to recordation of the Final Map or deferred with City approval under the terms of the DA.

12. Prior to precise grading plan approval, a conceptual (non-structural) project wall/fencing plan to include retaining walls, perimeter walls, and interior walls shall be developed and shall be subject to design review approval by the Community Development Department.

13. All residential and commercial neighborhoods and public facilities shall require Design Review approval by the Community Development Department.

14. Temporary construction fencing shall be installed around portions of the tract under construction until replacement by permanent walls/fencing or completion of improvements.

15. Developer shall meet all legal requirements of responsible agencies.

Engineering/Public Works

A. General Requirements

16. 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 new public improvements accepted or not accepted by the City that are damaged during construction by the Developer or the Developer's contractors shall be removed and replaced as reasonably determined by the City Engineer or his/her representative.

17. Prior to the issuance of any grading, construction, or public works permit by the City, the applicant shall obtain any applicable and legally required clearances and/or permits. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting improvement plans to the City:

- Fire Marshal (access)

- Public Works Department (grading permits, street improvement permits)
- Community Development Department
- 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)

18. 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 for final signatures. 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
b.	Haul Route Plans (If soil is exported off site)	1" = 40' Horizontal
c.	Clearing Plans (Include fuel modifications zones) (Include construction fencing plan)	1" = 50' Horizontal
d.	Erosion Control & SWPPP, WQMP (Note: a, b, c & d shall be reviewed and approved concurrently)	1" = 40' Horizontal
e.	Storm Drain Plans	1" = 40' Horizontal
f.	Street Improvement Plans	1" = 40' Horizontal 1" = 4' Vertical
g.	Traffic Signal Plans (Caltrans Standard)	1" = 20' Horizontal
h.	Signing & Striping Plans	1" = 40' Horizontal
i.	Construction Traffic Control Plan (Major or Arterial Highways only)	1" = 40' Horizontal
j.	Precise Grading Plans	1" = 40' Horizontal
k.	Landscaping Plans	1" = 20' Horizontal

l. Water, Sewer, & Non-potable water Plans 1" = 40' Horizontal

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.

19. 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.

20. All on-site signing and striping plans shall show the following at a minimum: stop signs, limit lines and legends, no parking signs, raised pavement markers (including blue raised pavement markers at fire hydrants) and street name signs per Public Works standard plans and/or as approved by the City Engineer.

21. 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.

22. 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.

23. All future utility systems including gas, electric, telephone, water, sewer, and cable TV, except for temporary utility systems as defined under the DA, shall be provided for underground, with easements provided as required, and designed and constructed in accordance with City codes and the utility provider. Telephone, cable TV, and/or security systems shall be pre-wired.

B. Rights of Way/Public Improvements

24. Prior to issuance of any permit(s), the applicant shall acquire or confer property rights necessary for the construction or proper functioning of the proposed project/development. If those property rights are located outside the project/development, then the procedures and requirements of Government Code Section 66462.5 shall apply, including the potential acquisition of those rights by the City or waiver of the City's requirement to obtain those rights. Conferred rights may include right-of-way dedications, irrevocable offers to dedicate or grant of easements to the City for emergency services, maintenance, utilities, storm drain facilities, or temporary construction purposes including the reconstruction of essential improvements.

25. The applicant shall offer for dedication on the Final Map, within Final Map boundaries, all public street right-of-way in conformance with the DA and the Butterfield Specific Plan. The City may reject the dedications and leave them open for future acceptance when all required public street improvements for the map are installed by the applicant in the rights of way.

26. Maintenance easements dedicated to the City of Banning shall extend no more than 10-feet beyond the toe of slope, where sufficient space is available or as approved by the City Engineer, for those slope areas where maintenance falls within the responsibility of the City.

27. Prior to the issuance of any certificates of occupancy, the applicant shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer of dedication to the City of Banning or the Riverside County Flood Control and Water Conservation District unless such easements are expressly made subordinate to the easements to be offered for dedication to the City or RCFCD or unless such easements do not conflict with the City's or RCFCD's intended purposes or uses. Prior to granting any of said easements, the applicant shall furnish a copy of the proposed easement to the City Engineer for review and approval. Further, a copy of the approved easement shall be furnished to the City Engineer prior to the issuance of any certificate of use and/or occupancy.

28. All street improvement designs shall provide pavement and lane transitions per City of Banning and Caltrans standards for transition to existing street sections, subject to the terms of the DA.

29. Design and construct full street improvements in accordance with City standards, subject to the terms of the DA, for ALL streets as approved on the Final Tract Map including, but not limit to street lighting, curb and gutter, cross gutters and spandrels, access ramps, driveway approaches, sidewalk, asphalt concrete pavement, street name signs, traffic signs and striping, and any transitions. Applicant's geotechnical engineer shall provide the design of the pavement section based upon the Caltrans method. STREET AND SIDEWALK WIDTHS AND CROSS SECTIONS SHALL COMPLY WITH THE APPROVED 2016 UPDATED BUTTERFIELD SPECIFIC PLAN or as agreed to by the Developer and City Engineer.

30. The applicant shall plant and maintain trees, shrubs, and ground cover placed in the parkway, slopes adjacent to public right-of-ways, and median islands constructed in connection with the project in accordance with applicable City standards until maintenance of such area is turned over to HOA, LMD or other public financing District. This includes ensuring that irrigation systems are operating properly, the clearing of debris, and regular weed removal. Turnover to a LMD or other public financing District will not be unreasonably withheld, conditioned or delayed.

31. All applicable public improvements required for occupancy shall be completed, tested, and approved by the Engineering Division prior to issuance of any Certificate of Occupancy. City to provide inspections in timely manner and any inspections exceeding 2 inspections to require meeting with City Engineer to address.

C. Grading and Drainage

32. The applicant shall submit an updated Drainage Study with hydrologic and hydraulic analysis for developed and undeveloped (existing) conditions to the Public Works Department – 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 these criteria are exceeded, additional drainage facilities shall be designed and constructed.

33. At a minimum, all development will make provisions to store runoff from rainfall events up to and including the 100-year 3-hour duration event. Post-development peak urban runoff discharge rates shall not exceed pre-development peak urban runoff discharge rates.

34. If the site is located in an identified 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.

35. 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.

36. 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, subject to the terms of the DA; and, the State Water Resources Control Board's orders, rules and regulations.

37. 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.

38. 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.

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

a. Temporary Soil Stabilization (erosion control).
b. Temporary Sediment Control.
c. Wind Erosion Control.
d. Tracking Control.
e. Non-Storm Water Management.
f. Waste Management and Materials Pollution Control.

40. 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 phase.

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

42. 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.

43. 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.

44. Prior to issuance of any grading or building permit, a Project-Specific Final Water Quality Management Plan (F-WQMP) shall be reviewed and approved in accordance with California Regional Water Quality Control Board Colorado River Basin Region Order No. R7-2013-0011.

45. Prior to the issuance of a grading permit, the applicant shall execute a Stormwater Management Facilities Agreement on terms agreed to by the parties guaranteeing the maintenance of stormwater pollution controls. Said agreement shall be recorded with the Riverside County Recorder and run with the land.

46. Prior to issuance of any grading or building permit, the applicant shall install trash filters on newly constructed storm drain systems that are not tributary to any onsite water quality/detention basin in compliance with the Trash Amendment as amended and approved in accordance with California Regional Water Quality Control Board Colorado River Basin Region Order No. R7-2013-0011.

47. A notation shall be placed on all applicable rough grading plan(s): "Compliance with Mitigation Measures BIO-1 and BIO-2 is required."

48. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification. The pad certification shall include an elevation and compaction certification. The elevation certification shall be stamped and signed by a licensed civil engineer or land surveyor and shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. The compaction certification shall list the relative compaction of the pad soil and shall be certified by a licensed geotechnical engineer.

49. If this final map includes areas within a designated Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Special Flood Hazard Zone, a letter of map revision (LOMR) shall be processed through FEMA and provided to the City Engineer prior to occupancy of affected lots.

50. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development. Prior to issuance of any grading permits, FEMA may require a hydrologic and hydraulic analysis to be submitted and approved that demonstrates that the development will not cause any rise in base flood levels.

D. Landscaping Public Right of Way

51. The developer shall prepare a water conservation using xeriscape principles. "Xeriscape" shall mean a combination of landscape features and techniques that in the aggregate reduce the demand for and consumption of water, including appropriate low water using plants, non-living ground-cover, a low percentage of turf coverage (limited to 25% of the planted area), and water conserving irrigation techniques and systems. A low water-using drought tolerant plant includes species suited to our climate, requiring less water in order to grow well.

52. An automatic sprinkler system and landscaping shall be installed, prior to certificate of occupancy for the portion of the project for which certificates of occupancy are requested, within the common areas including perimeter slopes and the interior collector streets. Each system shall include a smart landscape irrigation controller (including remote communication), a separate water meter and electric meter, and plantings as approved by the Community Development Director. Landscaping plans and specifications shall be reviewed and approved by the City Engineer.

53. A home owners' association shall be established and the applicable Conditions, Covenants & Restrictions (CC & R's), shall be prepared for review and approval of the City Engineer at the time set forth in the DA providing for maintenance of the parkway on-site lighting and landscaping, slopes adjacent to public right-of-ways, onsite private parking/roadway, any debris basins, BMP's referenced in the approved WQMP, and median island landscaping. The developer shall appoint the initial members of the Board of Directors of the home owners' association, or take such other steps as may be reasonably necessary to assure that members have been appointed or elected to such Board of Directors, until under the terms of the applicable CC & R's individual lot owners have the power to elect the members of the Board of Directors in accordance with the CC & R's.

54. The, conditions, covenants, and restrictions shall contain provisions which prohibit dissolution of the home owners' association unless another entity has agreed to assume the operation and maintenance responsibilities of the home owners' association. The conditions, covenants and restrictions shall contain provisions that prohibit the developer and his/her successors-in-interest from amending said covenants, conditions and restrictions to conflict with these Conditions of Approval.

55. Alternatively, to having an HOA provide maintenance of the parkway on-site lighting and landscaping, slopes adjacent to public right-of-ways, any debris basins, BMP's referenced in the approved WQMP, and median island landscaping, a Landscaping Maintenance District (LMD), or other public financing mechanism, can be formed to provide for the landscape maintenance.

56. Landscape improvements shall be certified by a licensed landscape architect or licensed landscape contractor as having been installed in accordance with the approved detailed plans and specifications. The applicant shall furnish said certification, including an irrigation management report, for each landscape irrigation system and any other required implementation report determined applicable, to the City Engineer for review and approval.

57. Landscape improvement plans shall incorporate the City's letter, dated May 11, 2019, providing construction level recommendations to the landscape working drawings.

E. Traffic

58. As part of each final tract map, a validation report, referencing compliance with Mitigation Measure TRF-2; which requires a Traffic Impact Analysis (TIA) validation report, is required at the direction of the City Engineer.

59. Street name signs and traffic control devices including traffic legends and traffic striping shall be installed or relocated in accordance with applicable City or Caltrans Standards and as shown on the approved plans and/or as directed by the City Engineer.

60. Prior to first building permit issuance of the phase, the applicant shall submit and obtain approval in writing from the Fire Marshall for the plans for the access and possible evacuation of all public or private access roads, drives, streets, and alleys. 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.

61. Driveway grades shall be designed in accordance with current City standards.

62. Parking areas shall be designed and improved with grades not to exceed five percent slope. All applicable ADA standards will be adhered to.

63. Access drives to the public right-of-way shall be restricted to those approved by the City Engineer as shown on the approved plans.

64. 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 as approved by the Fire Marshall, and must be maintained in good condition by the applicant or developer until the street is accepted by the City for maintenance.

A. Final Map

65. Prior to approval of any Final Map, the applicant shall construct on-site and off-site improvements required for the development of the property in accordance with the approved plans and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement on terms agreed to by the Parties guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, unless such improvements are deferred with City approval under the terms of the DA or as otherwise set forth under the terms of the DA. For off-site improvements, the procedures and

requirements of Government Code Section 66462.5 shall apply, including the potential acquisition of those rights by the City or waiver of the City's requirement to obtain those rights.

66. Prior to the recordation of Final Map or the issuance of the first grading permit (whichever occurs first), the applicant shall obtain approval from the Fire Marshall in consultation with the City Engineer, for a conceptual fuel modification plan and program, unless the City of Banning Fire Marshall ("Fire Marshall") finds in writing to the City that such plan and program are not required for development of the property within the boundaries of this TTM No. 37474. Prior to the issuance of the first certificate of occupancy, within the lots affected by said fuel modification plans, the fuel modification shall be installed and completed under the supervision of the Fire Marshall with an approved plant palette. The CC&Rs or other approved documents shall contain provisions for maintaining the fuel modification zones, including the removal of all dead and dying vegetation.

67. Security for the construction of public improvements in accordance with Government Code Section 66499 shall be as follows:

Faithful Performance Bond	100% of estimated cost
Labor and Material Bond	100% of estimated cost
Monumentation Bond	$10,000.00

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

68. Prior to approval of the Final Map, the applicant shall submit a list of street names and addresses in Microsoft Excel spread sheet format for review and approval. The house number system shall be in accordance with Section 12.32 of the Banning Municipal Code. A reduced copy of the subdivision map shall be included with the submittal.

69. Revisions to the approved Tentative Map during Final Map plan check process; including, but not limited to, lot line alignments, easements, improvement plan revisions, and similar minor changes that are in substantial compliance with the Tentative Map, or associated Conditions of Approval, shall be administratively approved through the plan check process with the mutual consent and approval of the Developer, the Community Development Director, and the City Engineer. Changes that are not administratively approved, through the process referenced above and herein shall be amended in accordance with the Subdivision Map Act, as amended and codified within the Banning Municipal Code (BMC).

70. Prior to approval of any Final Map the applicant shall identify and include in its improvement plans those routine structural and non-structural Best Management Practices (BMP's) as outlined in Supplement A to the Riverside County Drainage Area Management Plans and any attachments or as approved by the City Engineer.

71. Submit a copy of the title report, closure calculations, and any separate instruments or necessary right-of-way documents to the Engineering Division prior to final map approval.

72. A map of the proposed subdivision drawn at 1"=200' showing the outline of the streets including street names shall be submitted to the City to update the city atlas map.

73. An original Mylar of the final map (after recordation) shall be provided to the City for the record files.

74. Public improvements shall be completed and accepted by City of Banning prior to release of Faithful Performance Bond and Labor and Material Bond for such improvements. Faithful Performance Bond for applicable public improvements shall be reduced to 10% once City accepts improvements into maintenance period. Final 10% to serve as the maintenance bond for the 1-year maintenance period.

75. A record of all street centerline monument ties shall be submitted to the Engineering Division upon completion of improvements or prior to release of Monumentation Bond.

G. Water

76. Submit Water Improvement Plans along with the infrastructure phasing plan to the City Engineer for review and approval. The phasing plan, which shall be supported by a hydraulic analysis, shall identify all required water infrastructure (e.g. water mains, wells, booster stations, pressure reducing stations, reservoirs, etc.) required to meet the demands of this tract map. Design and construct water lines throughout and to property boundaries to tract as needed. The proposed new water lines shall connect to the City's water system as needed.

77. Submit a hydraulic analysis report demonstrating adequate pressures throughout the Tract 37474 water system during max day demand (MDD) with fire flow conditions. The hydraulic analysis, based on the City's latest calibrated water model, shall identify when and if additional facilities would be required to meet Tract 37474 water demands.

78. All water lines and fittings shall be a minimum of 8-inch in diameter and shall be DIP. Water line easements shall be a minimum width of 20 feet if installed outside of right-of-way or public utility easement.

79. Fire hydrants shall be installed within and on the tract boundaries as per approved plans, at a 300-foot maximum spacing.

80. A backflow device must be installed on all common-area buildings and at each irrigation water connection. The backflow device must be in compliance with City of Banning.

81. Fire Services will require an RPDA Device.

82. Sizing and timing of the construction of the water storage tanks shall be identified in the phasing plan as determined by the water system analysis or as agreed to by the Developer and City.

H. Sewer

83. Submit Sewer Improvement Plans along with the infrastructure phasing plan to the City Engineer for review and approval. The phasing plan shall identify all required sewer infrastructure (e.g. sewer mains, lift stations, treatment facilities, manholes, etc.) required to meet the demands of the tract map. A hydraulic analysis will need to be prepared and submitted that demonstrates the maximum discharge that can be accommodated by the existing collections system before a new trunk line is needed. Design and construct sewer lines throughout and to property boundaries of this tract. The proposed new sewer lines shall connect into the City's sewer system.

84. All sewer lines to be constructed within the public right-of-way shall be extra strength Vitrified Clay Pipe (VCP) or Polyvinyl Chloride (PVC) SDR 26 Pipe. All sewer mains shall be minimum of 8 inches in diameter. Any sewer main less than or equal to 15-inches (15") shall be PVC. Any sewer main greater than 15-inches (15") shall be extra strength VCP. Final sizes shall be approved by the City Engineer based on calculations submitted by the design engineer accounting for ultimate discharge flows for phase and all upstream areas. Sewer line easements shall be a minimum of 20 feet wide if installed outside of right-of-way or public utility easement.

85. Each residential unit shall have its own sewer lateral and shall be PVC SDR 26.

86. 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.

87. Sewer flow monitoring COA for Phase 1 – Until such a time as the new Atwell Sewer Lift Station is constructed and fully operational, sewer flows shall be continuously monitored at a mutually agreed-upon location. The means of monitoring shall be by a flow meter that is capable of recording velocities and estimate flow volume, with a minimum data resolution of 15-minute intervals. Flow meter shall be installed and calibrated by a qualified sewer flow monitoring technician. Data shall be available directly to City of Banning staff via a cloud-hosted solution. The developer shall be responsible for all costs related to the sewer flow monitoring, including cloud-hosting of the data.

I. Recycled Water (Non-Potable)

88. Submit non-potable water Improvement Plans along with a non-potable water Master Plan that includes a written phasing plan to the City Engineer for review and approval. Design and construct non-potable water lines throughout to parks, schools, and other large irrigation areas and to tie-in points at the tract boundary. The proposed new non-potable water

lines shall have an interconnection to the BCVWD's existing stub-outs located along Highland Springs Avenue.

89. All non-potable water lines to be constructed within the Public right-of-way shall be a minimum of 8-inches in diameter DIP. Final sizes shall be approved by the City Engineer based on hydraulic calculations provided by the design engineer. Where non-potable water line easements are necessary, they shall be a minimum of 20 feet wide if improvements are installed outside of right-of-way or public utility easements.

90. Any final subdivision map shall comply with the provisions of Government Code Section 66473.7, as applicable, per the DA.

91. All non-potable water lines shall be Ductile Iron Pipe (DIP) Class 350, with restrained joints conforming to DIPRA design guidelines where required. All non-potable water DIP mains shall be protected with purple-colored V-Bio polyethylene encasement.

92. A backflow device must be installed on each irrigation water connection; and in compliance with the State of California Department of Health Regulations. Contact the City of Banning, Water Operations Division, prior to the installation.

93. The non-potable water plans shall include appropriate signage for the irrigation of publicly-accessible areas with non-potable water as required by the California Code of Regulations.

Electric Utility

94. The City of Banning Electric Utility ("Utility") will require adequate easements needed to service the project. An easement area behind sidewalk may be needed for Wilson Street and Highland Springs Avenue for vaults, conduits, street lights and pad mounted transformers and switches.

95. Easements will be required for vaults, conduits, meter pedestals, and pad mounted transformers and switches for Local Streets "A" – "I" to serve residential lots. A non-exclusive

easement shall be provided to the City of Banning to include the installation of electric distribution facilities within all common areas.

96. All street lights to be installed on the major thoroughfares, arterial streets, and local streets will be assumed to be publicly owned and maintained by the Utility unless otherwise approved by the Electric Department for private maintenance.

97. Prior to constructing the Utility's electric distribution system, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the Utility.

98. The Developer shall execute any legally required agreement with the Utility on terms agreed to by the parties providing for the installation, construction, improvement and dedication of the utility system following recordation of final map.

Fire Department

99. For residential areas, approved standard fire hydrants, located at each intersection and spaced 300 feet apart with no portion of any lot frontage more than a maximum of 250 feet from a hydrant. Minimum fire flow for all residential structures shall be 1000 GPM for a 2 –hour duration at 20 psi residual operating pressure, which must be available in time permitted per the DA.

100. The required water system, including fire hydrants, shall be accepted by the City of Banning Public Works, Water Division in accordance with the timing per the DA. Two sets of water plans are to be submitted to the Fire department for approval.

101. The Developer shall mount blue dot retro-reflectors pavement markers on private/public streets and driveways to indicate locations of all fire hydrants. Marker to be 8-inches from the centerline to the side that the fire hydrant is on, to identify the hydrant location.

102. Residential fire sprinklers are required in all dwellings per the California Residential Fire Code.

103. Fire Apparatus access roads 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 6 inches. Access lanes will be designed to withstand the weight of 80 thousand pounds (80,000 lbs.) 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 the weather driving capabilities.

104. Roadways may not exceed 1320-feet without secondary access. This access may be restricted to emergency vehicles only however; public egress must be unrestricted.

105. Dead-end fire apparatus access roads in excess of 150-feet in length shall be provided with approved provision for the turn-around capabilities of the fire apparatus.

106. Any turn–around requires a minimum 38-foot turning radius or as approved by the Fire Marshall.

107. The minimum dimensions for gates is 20-feet clear and unobstructed width and a minimum vertical clearance of 13-feet 6-inches in height. Any gate providing access from a road shall be located at least 35-feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 38-foot foot turning radius shall be used.

108. Gates may be automatic or manual and shall be equipped with a rapid entry system (KNOX).

109. Plans shall be submitted to the Fire Department for approval prior to installation. Automatic gate pins shall be rated with a shear pin force, not to exceed 30-pounds (30 lbs.). Gates activated by the rapid entry system shall remain open until closed by the rapid entry system. Automatic gates shall be provided with backup power.

-END-

Attachment 9

Mitigation Monitoring and Reporting Program and Addendum Modifications
https://ci.banning.ca.us/Archive.aspx?ADID=1877

(Butterfield Specific Plan Environmental Impact Report
available on City website at http://www.ci.banning.ca.us/Archive.aspx?AMID=56

Minor Modification Addendum and appendices available on City website at
http://www.ci.banning.ca.us/Archive.aspx?ADID=1630

Attachment 10

Public Hearing Notice

NOTICE OF A PUBLIC HEARING ON PROPOSED TENTATIVE TRACT MAP NO. 37474 TO SUBDIVIDE APPROXIMATELY 16.5 GROSS ACRES OF VACANT LAND FOR RESIDENTIAL, OPEN SPACE, AND PARKS USES ALONG WITH PUBLIC STREETS ON REAL PROPERTY LOCATED NORTH OF WILSON STREET AND EAST OF HIGHLAND SPRINGS AVENUE WITHIN THE BUTTERFIELD SPECIFIC PLAN AREA

NOTICE IS HEREBY GIVEN of a public hearing before the City of Banning City Council, to be held on Wednesday, June 25, 2019, at 5:00p.m. (or soon thereafter) in the Council Chambers, City Hall, 99 East Ramsey Street, Banning, California, to consider proposed Tentative Tract Map No. 37474 to subdivide approximately 16.5 gross acres of vacant land into 109 single family residential lots, 2 open space lettered lots, and public streets, all within the Butterfield Specific Plan Area. The Project site is located north of Wilson Street and east of Highland Springs Avenue. Assessor's Parcel Numbers are identified as portions of 405-120-002, 408-120-005, and 408-120-007 within the City of Banning.

The Planning Commission has considered the potential environmental impacts of the proposed Tentative Tract Map No. 37474 in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The Planning Commission also reviewed the previously certified Environmental Impact Report prepared for the Butterfield Specific Plan project (SCH No. 2007091149) as modified by the Addendum approved by the City Council on February 14, 2017, including the impacts and mitigation measures identified therein, which documents are on file in the Community Development Department. Based on that review, the City of Banning Planning Division has determined that the proposed Project and the circumstances under which the proposed Project is undertaken do not involve substantial changes which will result in new significant environmental effects, and that the Project does not involve new information of substantial importance which shows that the Project will have significant effects not discussed in the prior EIR. All potential environmental impacts associated with the Butterfield Specific Plan project and the proposed Tentative Tract Map No. 37474 are adequately addressed by the prior EIR, and the mitigation measures contained in the prior EIR will reduce those impacts to a level that is less than significant. Therefore, in accordance with CEQA Guidelines Section 15162 ("Subsequent EIRs and Negative Declarations"), a subsequent environmental document is not required.

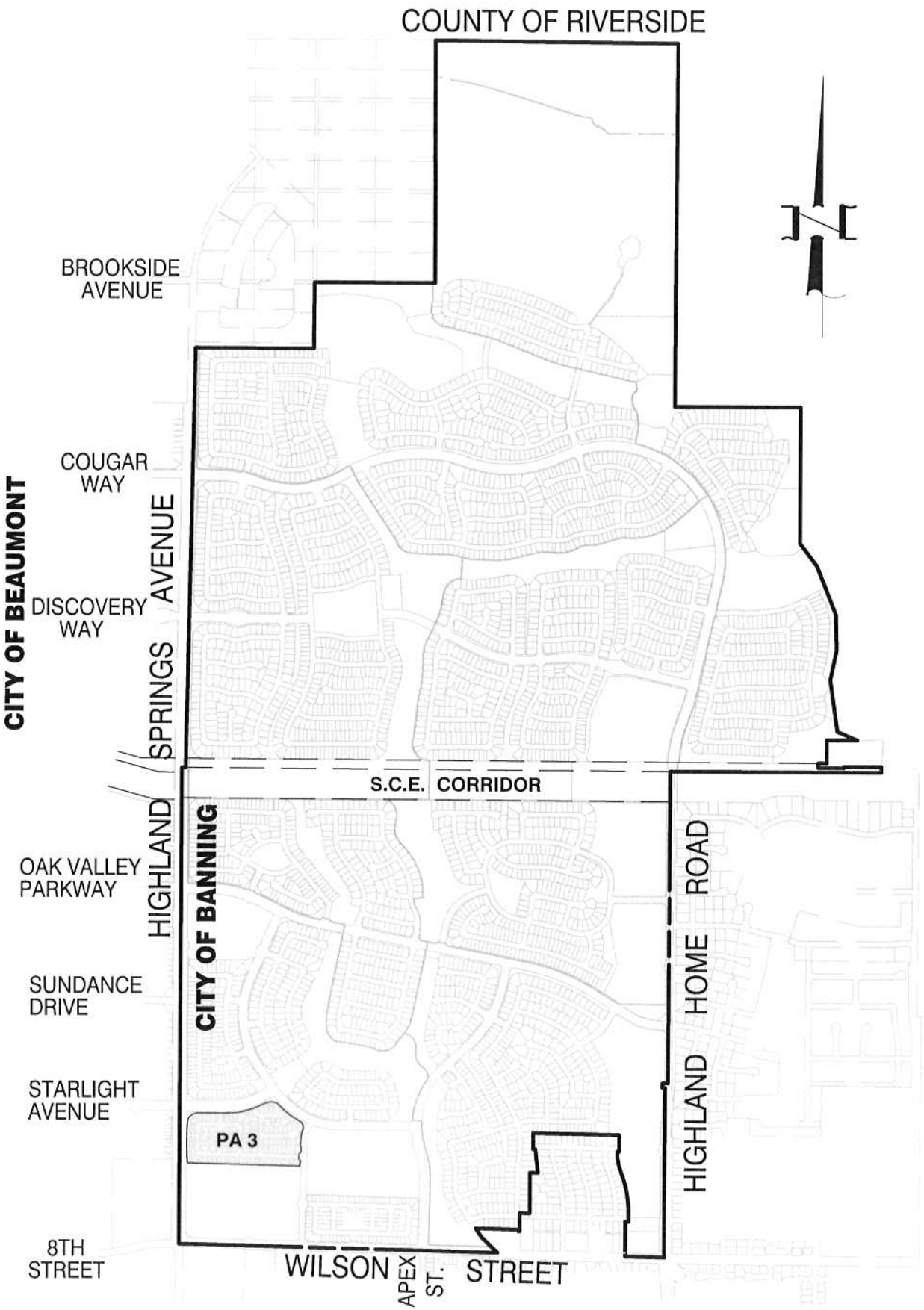
Information regarding Tentative Tract Maps No. 37474 can be obtained by contacting the City's Community Development Department at (951) 922-3125, or by visiting the City Hall located at 99 East Ramsey Street, Banning. You may also go to the City of Banning website at http://www.ci.banning.ca.us/.

All parties interested in speaking either in support of or in opposition of this item are invited to attend said hearing, or to send their written comments to the Community Development Department, City of Banning at P.O. Box 998, Banning, California, 92220. If you challenge the proposed Tentative Tract Map No. 37474 in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the Planning Commission at, or prior to, the public hearing, or, you or someone else raised at the public hearing described in this Notice (Cal. Gov. Code, § 65009).

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA

Adam B. Rush, M.A., AICP
Community Development Director

Dated: June 11, 2019
Publish: June 14, 2019



ATWELL PROJECT KEY MAP

SCALE: 1"=1500'

408-120-002
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-003
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-004
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-005
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-007
Pardee Homes
19540 Jamboree Rd #300
Irvine, CA 92612-8452

408-120-008
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-011
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

408-120-030
Pardee Homes
177 E Colorado Blvd #500
Pasadena, CA 91105-1989

419-424-002
Conley Willie J
1685 Jade Moon Ln
Beaumont, CA 92223-2044

419-424-003
Kummerle Tina
1693 Jade Moon Ln
Beaumont, CA 92223-2044

419-424-004
Zanforlin Elmar
1697 Jade Moon Ln
Beaumont, CA 92223-2044

419-424-005
Rosales Sandra P
1054 Sandpiper Dr
Beaumont, CA 92223-2052

419-424-012
City Of Beaumont
Po Box 158
Beaumont, CA 92223

419-424-013
Sundance Community Assn
5966 La Place Ct #170
Carlsbad, CA 92008-8830

419-424-014
City Of Beaumont
Po Box 158
Beaumont, CA 92223

419-550-004
Figueroa Alex I
1686 Rigel St
Beaumont, CA 92223-2490

419-550-005
Ramos Jaime D
1690 Rigel St
Beaumont, CA 92223-2490

419-550-006
Fermin Tristan
1306 Quince St
Beaumont, CA 92223-8452

419-550-007
Puskarov Robert M
996 Pavo Dr
Beaumont, CA 92223-2492

419-550-008
Pantoja Noel
992 Pavo Dr
Beaumont, CA 92223-2492

419-550-009
Cortez Elizabeth
980 Pavo Dr
Beaumont, CA 92223-2492

419-550-010
Krolak Beata
730 S Mckinley Ave
Arlington Heights, IL 60005-2820

419-550-011
Gonzalez Juan
958 Pavo Dr
Beaumont, CA 92223-2492

419-550-012
Malone Ladarious V
944 Pavo Dr
Beaumont, CA 92223-2492

419-550-013
Torres Terri L
938 Pavo Dr
Beaumont, CA 92223-2492

419-550-014
Lam Tuan T
930 Pavo Dr
Beaumont, CA 92223-2492

419-550-015
Bonadiman Roger W
922 Pavo Dr
Beaumont, CA 92223-2492

419-550-016
Kinser Russell Welling
1699 Apollo Way
Beaumont, CA 92223-2495

419-550-017
Diaz Sarafina Romo
1695 Apollo Way
Beaumont, CA 92223-2495

419-550-018
Geiger Anthony C
1693 Apollo Way
Beaumont, CA 92223-2495

04A
Étiquette do format 25 mm x 67 mm compatible avec Avery ®5160/8160
label size 1" x 2 5/8" compatible with Avery ®5160/8160
STAPLES®

419-550-019
Bernhardy David P
1689 Apollo Way
Beaumont, CA 92223-2495

419-550-058
City Of Beaumont
Po Box 158
Beaumont, CA 92223

419-550-059
Sundance Community Assn
5966 La Place Ct #170
Carlsbad, CA 92008-8830

419-550-060
City Of Beaumont
Po Box 158
Beaumont, CA 92223

419-551-016
Wu Pei Fen
1688 Apollo Way
Beaumont, CA 92223-2495

419-551-017
Ceralde Nora D
1690 Apollo Way
Beaumont, CA 92223-2495

419-551-018
Martinez Jose L
1321 S Marine St
Santa Ana, CA 92704-3140

419-551-019
Saenz Julian Pablo
965 Pavo Dr
Beaumont, CA 92223-2492

419-551-020
Arrojado Bob Herculano M
977 Pavo Dr
Beaumont, CA 92223-2492

419-750-001
Beaumont Sundance
1059 Tierra De Rey Ste L
Chula Vista, CA 91910

419-750-004
Beaumont Sundance
1059 Tierra De Rey Ste L
Chula Vista, CA 91910

419-750-006
Sundance C
2371 Fenton St
Chula Vista, CA 91914

Applicant/Owner
Pardee Homes
ATTN: Chris Courtney
1250 Corona Pointe Ct Ste 600
Corona, CA 92879

Engineer
MDS Consulting
ATTN: Ed Lenth
17320 Redhill Ave Ste 350
Irvine, CA 92614

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CITY OF BANNING
PUBLIC HEARING

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Art Vela, Public Works Director**
Holly Stuart, Management Analyst

MEETING DATE: **June 25, 2019**

SUBJECT: **Resolution 2019-XX, Approving an Increase in Overage and Contamination Fees related to the Collection, Transportation and Disposal of Solid Waste**

RECOMMENDATION ACTION:

The City Council adopt Resolution 2019-XX:

1. Approving an increase in Overage and Contamination fees related to the Collection, Transportation and Disposal of Solid Waste.

2. Overage and Contamination fee adjustments related to the Collection, Transportation and Disposal of Solid Waste services shall be effective July 1, 2019.

3. Rescind all previous Overage and Contamination fees related to the Collection, Transportation and Disposal of Solid Waste rate structures.

BACKGROUND:

The City of Banning ("City") entered into a Franchise Agreement ("Agreement") for the Collection, Transportation, and Disposal of Solid Waste 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 through the First Amendment for an additional five years as allowed per the Agreement, from July 1, 2001 to June 30, 2006. The Agreement was also re-negotiated to include automated services.

On March 15, 2002 under Resolution 2002-28 and execution of the Second Amendment, the contract was re-negotiated to extend the Agreement for an additional five-year period from July 1, 2006 to June 30, 2011.

On December 12, 2006 under Resolution 2006-99 and with the execution of the Third Amendment, the agreement terms were modified and conditions of the Agreement for the collection of Bulky Waste were adjusted.

On June 28, 2011 under Resolution 2011-53 and with the execution of the Fourth Amendment, bulky item services were adjusted and the term was extended for an additional ten years from July 1, 2011 to June 30, 2021.

On September 11, 2018, the Fifth Amendment was processed revising the methodology for determining the annual rate adjustment calculation.

The Agreement allows for an annual rate adjustment and requires that adjustments adhere to the requirements of Proposition 218 (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.

As a result, a Proposition 218 process was administered in July of 2018 and approved by property owners, rate payers and the City Council under Resolution 2018-110 at a Public Hearing on September 11, 2018. The approval allowed for rates to be adjusted annually, utilizing an approved methodology, for a five (5) year period with the first rate adjustment scheduled to occur October 1, 2018 and the remaining adjustments to occur July 1st of 2019, 2020, 2021 and 2022.

On June 11, 2019, under the approved Proposition 218 process and Resolution 2019-68, City Council approved a standard rate adjustment amounting to a 3.08% increase, effective July 1, 2019. In addition to the standard annual rate adjustments, Waste Management also requested an increase in Overage and Contamination fees, which were presented and approved by City Council on June 11, 2019.

JUSTIFICATION:

A public hearing was published and released in the Press Enterprise on June 15, 2019 and June 21, 2019 notifying property owners and rate payers of the proposed increase in Overage and Contamination fees related to the Collection, Transportation and Disposal of Solid Waste. Additionally, notifications were published on the City's website.

Overage and Contamination fees are assessed when containers are overfilling with debris or non-conforming waste is placed in the waste bins. To avoid these fees, customers are encouraged to choose the appropriate level of service to accommodate their needs.

Outreach material is also made available providing education on acceptable debris and appropriate waste streams. Overage and Contamination fees are only assessed when violations occur.

The existing Overage fee is $49.27 and WM is proposing an increase to $59.27.

The current Contamination fee is $64.54 and WM is proposing an increase to $67.00.

FISCAL IMPACT:

If approved, the Overage Fee will increase 20.3% from $49.27 to $59.27. The Contamination fee will increase 3.8% from $64.54 to $67.00. The fee adjustments shall be effective July 1, 2019.

ALTERNATIVES:

Reject WM's request to increase Overage and Contamination. WM shall have the right to dispute the denial action by pursuing measures outlined in the Franchise Agreement.

ATTACHMENTS:

1. Resolution 2019-XX
2. WM Letter Requesting a Rate Adjustment
3. Notice of Public Hearing

Approved by:

Douglas Schulze
City Manager

ATTACHMENT 1

Resolution 2019-XX

RESOLUTION 2019-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING AN INCREASE IN OVERAGE AND CONTAMINATION FEES RELATED TO THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE

WHEREAS, the City of Banning ("City") entered into a Franchise Agreement ("Agreement") for the Collection, Transportation, and Disposal of Solid Waste with Waste Management of the Inland Empire (WM) in 1993 for an eight-year period; and

WHEREAS, the City Council at its regular meeting on April 24, 2001, adopted Resolution 2001-35, extending the Agreement through the First Amendment for an additional five years as allowed per the Agreement, from July 1, 2001 to June 30, 2006. The Agreement was also re-negotiated to include automated services; and

WHEREAS, on March 15, 2002 under Resolution 2002-28 and execution of the Second Amendment, the contract was re-negotiated to extend the Agreement for an additional five-year period from July 1, 2006 to June 30, 2011; and

WHEREAS, on December 12, 2006 under Resolution 2006-99 and with the execution of the Third Amendment, the agreement terms were modified and conditions of the Agreement for the collection of Bulky Waste were adjusted; and

WHEREAS, on June 28, 2011 under Resolution 2011-53 and with the execution of the Fourth Amendment, bulky item services were adjusted and the term was extended for an additional ten years from July 1, 2011 to June 30, 2021; and

WHEREAS, on September 11, 2018, the Fifth Amendment was processed revising the methodology for determining the annual rate adjustment calculation; and

WHEREAS, pursuant to the Franchise Agreement, annual rate adjustments related to changes in the tipping fee and Consumer Price Index (CPI) are permitted so long as Proposition 218 requirements are satisfied; and

WHEREAS, a Proposition 218 process was administered in July of 2018 and approved by property owners, rate payers and the City Council at a Public Hearing on September 11, 2018 under Resolution 2018-110 with rate adjustments to occur October 1, 2018 and July 1st of 2019, 2020, 2021 and 2022; and

WHEREAS, on June 11, 2019, under the approved Proposition 2018 process and Resolution 2019-68, City Council approved a standard rate adjustment amounting to a 3.08% increase, effective July 1, 2019; and

WHEREAS, in addition to the standard annual rate adjustments, Waste Management requested and subsequently approved by City Council, an increase in Overage and Contamination fees, requiring a public hearing; and

WHEREAS, a public hearing was published and released in the Press Enterprise on June 15, 2019 and June 21, 2019 and published on the City's website notifying property owners and rate payers of the proposed increase in Overage and Contamination fees related to the collection, transportation and disposal of solid waste; and

WHEREAS, a public hearing was held on June 25, 2019 approving a 20.3% increase in the Overage fee from $49.27 to $59.27 and a 3.8% increase in the Contamination fee from $64.54 to $67.00, effective July 1, 2019.

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

SECTION 1. Resolution 2019-XX is adopted approving an increase in Overage and Contamination fees related to the Collection, Transportation and Disposal of Solid Waste.

SECTION 2. This Resolution shall be considered as adopted by the City Council and the Overage and Contamination fees will become effective on July 1, 2019.

SECTION 3. All previous Overage and Contamination fees related to the Collection, Transportation and Disposal of Solid Waste are hereby rescinded.

SECTION 4. The City Clerk shall certify to the adoption of this Resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019.

_____
Arthur L. Welch, Mayor
City of Banning

ATTEST:

_____
Daryl Betancur, Deputy City Clerk
City of Banning

APPROVED AS TO FORM AND LEGAL CONTENT:

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

CERTIFICATION:

I, Daryl Betancur, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-XX, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Daryl Betancur, Deputy City Clerk
City of Banning, California

ATTACHMENT 2

WM Letter Requesting a Rate Adjustment

WASTE MANAGEMENT
17700 Indian St.
Moreno Valley, CA 92551

May 24, 2019

Mr. Art Vela
Director of Public Works
City of Banning
99 East Ramsey Street
Banning, CA 92220

RE: 2019/2020 Rate Adjustment Request

Dear Mr. Vela:

Pursuant to Section 18A8, Annual Rate Adjustment of the franchise agreement, the 2019/2020 rate adjustment was calculated by using the Consumer Price Index as prepared by the United States Department of Bureau of Labor Statistics for the Riverside-San Bernardino-Ontario Metropolitan Area, all urban consumers March 2019 index.

Summary of Proposed Adjustments

- CPI- The average annual percentage change increase was 1.82% and should be applied to all service components and ancillary charges in the current rate sheet.
- Solid Waste Disposal Costs- The Riverside County tipping fee will be increasing by 1.26% and will be applied to all disposal components of the rate structure. The disposal component of the rates will increase from $37.94 to $39.31 per ton.
- Overall Rate Adjustment – The overall rate adjustment to the residential customer will be 3.08 %.

Customer Rate Overview:

Residential Rate - $ 22.38 | Commercial Rate- $ 126.11 (3-yard, 1 X per week)

In addition, Waste Management is requesting the outlined below to address service impacts:

Overage Fee Adjustment - $59.27 [Existing Program in Place]

The Snapshot program works with customers to manage the problem of trash overflow and under-serviced accounts. Customers may receive "snapshot" photos taken by drivers of overage or other hazards with suggestions for service changes to remediate the issue. The goal of the program assisting customers with establishing the appropriate service levels for their needs, container maintenance & safety issues. We would like to request that the current Snapshot rate of $49.27 be increased to $59.27. With a higher rate, customers will be inclined to properly adjust their service levels to ensure that over filled waste bins are minimized which help keep the City clean.

Contamination Fee Adjustment - $67.00 [Existing Program in Place]

The Contamination program works with customers to manage the problem of contamination in recycling accounts. Customers may receive a notification taken by drivers of improperly disposed items or other hazards with suggestions for proper ways to recycle right to remediate the issue. The goal of the program is to increase participation in clean recycling and diverting streams from the landfill as required by AB341 and AB1826 and upcoming legislations. We would like to request that the current rate of $64.54 be increased to $67.00. With a higher rate, customers will be inclined to recycle often and recycle right. This ensures that we can minimize contamination in the recycling material to safeguard our diversion tonnage goals from being negatively impacted.

With the Council's approval, we would like to implement these new service rates effective July 1, 2019, in conjunction with our annual rate adjustment.

Please feel free to contact me if you have any questions at (951) 218-1189. I look forward to meeting with you to discuss these items in detail. Meanwhile, Waste Management is proud to service the Banning community.

Respectfully,

Clara Vera
Representative to the City of Banning
Waste Management

Cc: Lily Quiroa, Waste Management
Steve Kanow, Waste Management

ATTACHMENT 3
Notice of Public Hearing

NOTICE OF PUBLIC HEARING

PURSUANT TO LAW, notice is hereby given of a Public Hearing before the City Council of the City of Banning, to be heard June 25, 2019 at 5:00 p.m. at Banning City Hall located at 99 E. Ramsey Street, Banning, California, notifying all affected property owners and rate payers of the proposed fee adjustment increasing contamination and overage fees related to the Collection, Transportation and Disposal of Solid Waste to be considered for approval under resolution. The existing overage fee is $49.27 and may increase to $59.27. The existing contamination fee is $64.54 and may increase to $67.00.

ALL INTERESTED PARTIES are invited to attend said hearing and present oral or written testimony on the matter or to send written comments to the City Clerk, P.O. Box 998, Banning, CA 92220. Data relevant to these fees is available for public review at the office of the City Clerk or at the Engineering Division of the Public Works Department, at 99 E. Ramsey Street. Information regarding the proposed fee increase is also available at http://www.ci.banning.ca.us/380/Recycling-Waste-Hauling.

If you wish to legally challenge any action taken by the City on these solid waste fee increases, you may be limited to raising only those issues you or someone else raised at the public hearing as described in this notice or in written correspondence delivered to the City prior to or at the public hearing.

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

Publish: Press Enterprise
June 15, 2019
June 21, 2019

CITY OF BANNING, CALIFORNIA
Dated: 06/12/19
/s/ Daryl Betancur
Deputy City Clerk

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Laurie Sampson, Executive Assistant

MEETING DATE: June 25, 2019

SUBJECT: **Adopt Resolution, 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 Mpbs Internet Feed to City Hall for Fiscal Year 2019-2020 for $31,188.00**

RECOMMENDED ACTION:

Adopt Resolution, 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 Mpbs Internet Feed to City Hall and Authorizing the City Manager to execute the related agreement.

BACKGROUND:

Beginning 2010 Cybertime Network Communications has provided the City of Banning High-Speed Interconnectivity Services and Technical Support as a sole source provider. The High-Speed Data System provides a private, secure and City dedicated network which interconnects multiple City departments and facilities. Cybertime owns and maintains all of the system components.

JUSTIFICATION:

The continued private and secure communications between the City departments and facilities are vital to maintain daily operations.

FISCAL IMPACT:

Funds are currently available in the Fiscal Year 2020 operating budgets of Water Department ($22,800.00) and Information Technology ($8,388.00). No additional appropriation is necessary.

OPTIONS:

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

ATTACHMENTS:

1. Resolution 2019-XX
2. Cybertime Network Communications Subscription Service Agreement
3. Cybertime Network Communications Sole Source Letter

Approved by:

Douglas Schulze
City Manager

ATTACHMENT 1

Resolution 2019-XX

RESOLUTION 2019-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, 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 MPBS INTERNET FEED TO CITY HALL FOR FISCAL YEAR 2019-2020

WHEREAS, Cybertime Network Communications, as a sole source provider, has been providing Citywide Looped Microwave Backbone System and Data Circuit to the Water Plant and Provision of 10.0 Mpbs Internet Feed to City Hall; and

WHEREAS, the current agreement will expire on June 30, 2019; and

WHEREAS, the City intends to continue the use the current services provided by Cybertime Network Communications; and

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

SECTION 1. The Banning City Council adopts Resolution 2019-XX approving the agreement with Cybertime Network Communications for the Citywide Looped Microwave Backbone System and Data Circuit to the Water Plant and Provision of 10.0 mpbs Internet Feed to City Hall.

SECTION 2. The City Manager is authorized to execute the related agreement.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019.

_____
Arthur L. Welch, Mayor
City of Banning

ATTEST:

_____
Daryl Betancur, Deputy City Clerk
City of Banning

APPROVED AS TO FORM AND LEGAL CONTENT:

_____

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

CERTIFICATION:

I, Daryl Betancur, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-XX, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Daryl Betancur, Deputy City Clerk
City of Banning, California

ATTACHMENT 2

Cybertime Network Communications Subscription
Service Agreement

1090 Fifth Street, Suite 107
Calimesa, CA 92320
909-795-9559 Customer Service 909-795-9221 Fax

SUSCRIPTION SERVICE AGREEMENT

This sets forth the terms of the Service Agreement ("Agreement") made this 1st day of July, 2019, (the "Effective Date") by and between Cybertime Network Communications ("Cybertime") and The City of Banning ("Customer"). This Agreement is Month-to Month ("TERM") through the end of the Service Month of June 2020. Services provided are subject to the Terms and Conditions and the Rate Schedule below.

Customer Name: Attn: Eric Brown, IT Services
Service Address: City of Banning
City Hall Building
Billing Address: 99 E. Ramsey St.
Banning, CA 92220
Phone: 951-922-3105

Services Provided by Cybertime Network Communications
Citywide Looped Microwave Backbone System
and Data Circuit to Water Plant

FAX / EMAIL

RATE SCHEDULE

Item	Qty	Monthly Service Rate	Monthly Svc. Total	Hardware	Installation	Qty	Total
Citywide Looped Microwave Backbone System and Data Circuit to Water Plant July 1, 2019 through June 30, 2020	12	1,900.00					22,800.00
Total							22,800.00

By signing this Agreement, the Customer hereby authorizes Cybertime to provide the Services listed herein and on any/all attachments. The Agreement shall be effective on the Effective Date; the Term of the Agreement shall commence upon the later of (i) installation of the initial Service or (ii) the Effective Date. Each month Customer shall purchase at least the minimum described service(s) set forth above. This is a Temporary Month-to-Month Agreement. As such, services are provided on a Month-to-Month basis through the end of the service month indicated above.

In addition to the rates for the Services(s), Customer shall be responsible for payment of all local, state, and federal taxes, fees, and surcharges, however designated, imposed on or based upon the provision, sale or use of the Services, excluding taxes based on Cybertime's net income, if ever mandated. All bills are due and payable upon receipt. If Customer's bill for monthly service is not paid within thirty (30) days after the due date, Customer also shall pay Cybertime a monthly late charge amount equal to 1.5% of the unpaid balance due (or such lesser amount as is the maximum amount permitted under applicable law). Customer shall bear the risk of loss arising from any unauthorized or fraudulent usage of Services provided.

Non-Appropriation and Partial-Appropriation -
This contract may be terminated by the Customer prior to the completion of the contract term only as a result of an act of the City Council relating to the City's non-appropriation of funds designated to pay for such services. Cybertime reserves the right to immediately withdraw services and recover all system hardware upon the City's effective budgetary date of said modification. In such event, the Customer shall not withhold from Cybertime reasonable accessibility to its system components. Complete recovery of all system i system components will be facilitated by both parties within thirty days of termination of services.

Additionally, in such case where an act from City Council results in insufficient or reduced budget availability for the services provided by this contract (partial-appropriation), the Customer may request to negotiate a reduction in the scope of services as contained herein. Cybertime may, at its own discretion, enter into negotiations with the Customer to consider a reduced scope of services. However, Cybertime reserves the right to immediately withdraw services and recover all system hardware upon the City's effective budgetary date of said modification. In such event, the Customer shall not withhold from Cybertime reasonable accessibility to its system components. Complete recovery of all system Cybertime system components will be facilitated by both parties within thirty days of termination of services.

In any case, appropriation, non-appropriation or partial-appropriation, Cybertime requires a minimum of 60 days written notice of the Customer's intent to modify the original terms and scope of this agreement. Either Party may terminate this Agreement at any time upon no less than 45 days written notification to the other party of its intent to terminate In the event of termination or modification, each party shall fully pay and discharge all obligations in favor of the other accruing prior to the date of such termination or modification, and each party shall be released from all obligations of performance which would otherwise accrue subsequent to the date of termination or modification. Neither party shall incur any liability to the other by reason of such termination or modification. In order of precedence, these terms shall supersede any potentially conflicting terms referenced on any other written document that may be incorporated into the entire Subscribed Service Agreement Documentation.

The quality of service provided hereunder is Subject to Service Level Agreement contained on Exhibit A of this Agreement Documentation and shall be consistent with industry standards, government regulations and sound business practices. CYBERTIME MAKES NO OTHER WARRANTIES ABOUT THE SERVICE PROVIDED HEREUNDER, EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

IN NO EVENT SHALL CYBERTIME BE LIABLE TO THE CUSTOMER FOR ANY INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL OR EXEMPLARY DAMAGES, INCLUDING, WITHOUT LIMITATION, DAMAGES FOR LOSS OF REVENUE, LOSS OF PROFITS, OR LOSS OF CUSTOMERS, CLIENTS OR GOODWILL ARISING IN ANY MANNER FROM THIS AGREEMENT AND/OR THE PERFORMANCE OR NONPERFORMANCE HEREUNDER.

The Subscription Service Agreement shall be interpreted, construed, and enforced in accordance with the laws of the State of California, without regard to its conflict of law principles.

Accepted By Customer:

Customer Signature	**Date**
Customer Printed Name	**Title**

Accepted By Cybertime Network Communications:

	Jun 18 2019
Signature	**Date**
Gordon J. Campbell	CEO
Printed Name	**Title**

1090 5th Street, Suite 107
Calimesa, CA 92320
909-795-9559 Bus 909-795-9221 Fax
909-795-9980 Tech Support

SUSCRIPTION SERVICE AGREEMENT

This sets forth the terms of the Service Agreement ("Agreement") made this 1st day of July, 2019, (the "Effective Date") by and between CYBERTIME Network Communications and The City of Banning ("Customer"). The term of this Agreement is for 12 months ("TERM"). All Services provided are subject to the Terms and Conditions and the Rate Schedule below.

Customer Name: Attn: Eric Brown
Service Address: City of Banning
City Hall Building
Billing Address: 99 E. Ramsey St.
Banning, CA 92220
Phone: 951-922-4841

Services Provided by ARINC-CYBERTIME Wireless Broadband
10.0 Mbps Internet Circuit
(Via link into City Microwave System and delivered to Router @ City Hall)

FAX / EMAIL Eric Brown [eric.brown@ci.banning.ca.us]

RATE SCHEDULE

Item	Qty	Monthly Service Rate	Monthly Svc. Total	Hardware	Installation	Qty	Total
10.0 Mbps Internet Circuit- (12 month term: July 1, 2019 through June 30, 2020)	12 Mos	699.00	8,388.00	0	0	0	8,388.00
Total							8,388.00

By signing this Agreement, the Customer hereby authorizes CYBERTIME Network Communications to provide the Services listed herein and on any/all attachments. The Agreement shall be effective on the Effective Date; the Term of the Agreement shall commence upon the later of (i) installation of the initial Service or (ii) the Effective Date. Each month Customer shall purchase at least the minimum described service(s) set forth above. In the event that Customer terminates this Agreement any time after the Effective Date but prior to the expiration of the Term, Customer shall pay CYBERTIME an early termination charge equal to the monthly fee of the described service times the number of months remaining in the term unless otherwise provided in this Agreement Documentation. Upon expiration of the Term, the Agreement shall renew automatically for successive renewal terms, each for a period of time equal to one calendar year from the expiration date, unless either Party serves the other Party with written notice of such Party's intent not to renew the Agreement at least sixty (60) days prior to the expiration of the then current Term.

In addition to the rates for the Services(s), Customer shall be responsible for payment of all local, state, and federal taxes, fees, and surcharges, however designated, imposed on or based upon the provision, sale or use of the Services, excluding taxes based on CYBERTIME's net income, if ever mandated. All bills are due and payable upon receipt. If Customer's bill for monthly service is not paid within thirty (30) days after the due date, Customer also shall pay CYBERTIME a monthly late charge amount equal to 1.5% of the unpaid balance due (or such lesser amount as is the maximum amount permitted under applicable law). Customer shall bear the risk of loss arising from any unauthorized or fraudulent usage of Services provided.

Non-Appropriation and Partial-Appropriation -
This contract may be terminated by the Customer prior to the completion of the contract term only as a result of an act of the City Council relating to the City's non-appropriation of funds designated to pay for such services. CYBERTIME reserves the right to immediately withdraw services and recover all system hardware upon the City's effective budgetary date of said modification. In such event, the Customer shall not withhold from CYBERTIME reasonable accessibility to its system components. Complete recovery of all CYBERTIME system components will be facilitated by both parties within thirty days of termination of services.

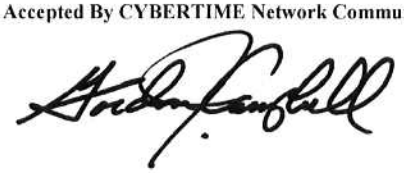
Additionally, in such case where an act from City Council results in insufficient or reduced budget availability for the services provided by this contract (partial-appropriation), the Customer may request to negotiate a reduction in the scope of services as contained herein. CYBERTIME may, at its own discretion, enter into negotiations with the Customer to consider a reduced scope of services. However, CYBERTIME reserves the right to immediately withdraw services and recover all system hardware upon the City's effective budgetary date of said modification. In such event, the Customer shall not withhold from CYBERTIME reasonable accessibility to its system components. Complete recovery of all system CYBERTIME system components will be facilitated by both parties within thirty days of termination of services.

In either case, non-appropriation or partial-appropriation, CYBERTIME requires a minimum of 60 days written notice of the Customer's intent to modify the original terms and scope of this agreement. In the event of termination or modification, each party shall fully pay and discharge all obligations in favor of the other accruing prior to the date of such termination or modification, and each party shall be released from all obligations of performance which would otherwise accrue subsequent to the date of termination or modification. Neither party shall incur any liability to the other by reason of such termination or modification. In order of precedence, these terms shall supersede any potentially conflicting terms referenced on any other written document that may be incorporated into the entire Subscribed Service Agreement Documentation.

The quality of service provided hereunder is Subject to Service Level Agreement contained on Exhibit A of this Agreement Documentation and shall be consistent with industry standards, government regulations and sound business practices. CYBERTIME MAKES NO OTHER WARRANTIES ABOUT THE SERVICE PROVIDED HEREUNDER, EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

IN NO EVENT SHALL CYBERTIME BE LIABLE TO THE CUSTOMER FOR ANY INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL OR EXEMPLARY DAMAGES, INCLUDING, WITHOUT LIMITATION, DAMAGES FOR LOSS OF REVENUE, LOSS OF PROFITS, OR LOSS OF CUSTOMERS, CLIENTS OR GOODWILL ARISING IN ANY MANNER FROM THIS AGREEMENT AND/OR THE PERFORMANCE OR NONPERFORMANCE HEREUNDER.

The Subscription Service Agreement shall be interpreted, construed, and enforced in accordance with the laws of the State of California, without regard to its conflict of law principles.

Accepted By Customer:		**Accepted By CYBERTIME Network Communications:**	
			
			Jun 18 2020
Customer Signature	**Date**	**Signature**	**Date**
		Gordon J. Campbell	CEO
Customer Printed Name	**Title**	**Printed Name**	**Title**

ATTACHMENT 3

Cybertime Network Communications Sole Source Letter

cybertime
network communications

City of Banning
Attn: Eric Brown, IT Services Manager
99 E. Ramsey St.
Banning, CA 92220

May 9, 2018

Re: City of Banning Citywide Looped Microwave Backbone System and Internet Services
Cybertime Network Communications

To Whom It May Concern:

Cybertime Network Communications provides to the City of Banning High-Speed Data Interconnectivity Services and Technical Support that are delivered in a manner unique to Cybertime. To date, no other Data Service Provider has offered equivalent or similar services without requiring significant capital investment on the part of the City, and/or requiring recurring monthly fees substantially higher (two to five times or more higher) than Cybertime's monthly fee.

Several years back Cybertime invested in (built) a High-Speed Microwave Data System (with looped redundancy) within the City in order to provide a private, secure and City Dedicated high-speed data network which would interconnect multiple City Departments and facilities to each other as well as core IT Services originating from City Hall. We own and maintain all of the system components. Should a component fail, we (not the City) are responsible to replace the device. Similar to any other utility the City might procure, we charge a monthly fee for the availability of this service at rates that cannot be matched by any other service provider.

We control elements of the system remotely (the devices, not the actual data which is encrypted) by interconnecting this system to our Southern California Wireless Internet Network. This control link also enables us to provide a backup internet feed to the City for internet redundancy—should the City's Fiber-based internet provider have periodic temporary outages. This allows the City to maintain a continuous presence on the internet for various Web-based pages and Utility Payment Services.

We are familiar with all of the various providers of data connectivity for both internet access and private (secured) data systems (cable, fiber or wireless). No other providers are able/willing to provide interconnectivity between City Facilities 1) at the speeds we deliver, 2) at any type of comparable price.

Very Truly Yours,

Gordon J. Campbell, CEO

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CITY OF BANNING
CITY COUNCIL REPORT

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

MEETING DATE: **June 25, 2019**

SUBJECT: **Resolution 2019-XX, Authorizing Workers' Compensation Coverage for Off-Duty Peace Officers Injured Out of State**

RECOMMENDED ACTION:

Staff recommends the City Council adopt Resolution 2019-XX, authorizing Workers' Compensation Coverage for Off-Duty Peace Officers Injured Out of State.

BACKGROUND:

If a police officer is traveling out of state while off duty and engages in the apprehension of law violators or suspected law violators, or protection or preservation of life or property, the officer could potentially be injured. Currently, the officer would not be covered by Workers' Compensation benefits. As a result, an injured officer could be unable to return to work and would not be eligible for any compensation.

The attached Resolution, if adopted, would authorize acceptance of workers' compensation liability for police officers who sustain an injury or illness while out of state in accordance with Labor Code Section 3600.2 and the PERMA and LAWCX Memoranda of Coverage.

JUSTIFICATION:

Prior to acceptance of any workers' compensation claim under this authority, the City would be required to determine that providing compensation serves the public purposes of the City. Ensuring that police officers are not subject to financial risk resulting from an injury or illness sustain in assisting with enforcement of the law is in the public interest.

FISCAL IMPACT:

Potential impact is minimal, but claims submitted do impact the City's experience rating, which could affect workers' compensation rates.

OPTIONS:

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

ATTACHMENTS:

1. Resolution 2019-XX

Approved by:

Douglas Schulze
City Manager

ATTACHMENT 1

Resolution 2019-XX

RESOLUTION NO. 2019-XX

RESOLUTION OF THE CITY OF CITY COUNCIL OF THE CITY OF BANNING CALIFORNIA AUTHORIZING WORKERS' COMPENSATION COVERAGE FOR OFF-DUTY PEACE OFFICERS INJURED OUT OF STATE

WHEREAS, Labor Code Section 3600.2 was amended by Assembly Bill 1749 in 2018, to allow a peace officer employer to accept liability for workers' compensation liability and provide benefits for an injury or illness sustained by a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace, outside the state of California, but who was not at the time acting under the immediate direction of his or her employer, if the employer determines that providing compensation serves the public purposes of the employer; and

WHEREAS, the City's workers' compensation insurance providers, Public Entity Risk Management Authority (PERMA) and Local Agency Workers' Compensation Excess Joint Powers Authority (LAWCX), have amended [or plan to amend] their Memorandum of Coverage to provide coverage for peace officers who sustain a bodily injury or occupational illness while out of state under the circumstances described in Section 3600.2, but only if, prior to the occurrence, the governing board of the covered member has adopted a resolution under Section 3600.2, subsection (b)(4), accepting liability for such injury and or illness under the California workers' compensation law; and,

WHEREAS, the City desires to accept workers' compensation liability for peace officers who sustain an injury or illness while out of state in accordance with Labor Code Section 3600.2 and the PERMA and LAWCX Memoranda of Coverage;

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

SECTION 1. The City authorizes and agrees to accept liability for workers' compensation benefits under California Labor Code, Division 4 for an injury or illness sustained by a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace, outside the state of California, but who was not at the time acting under the immediate direction of the City. This resolution is adopted pursuant to Labor Code Section 3600.2, subsection (b)(4).

SECTION 2. The City finds and determines that providing workers' compensation benefits in the circumstances described in paragraph 1 serves the public purposes of the City.

SECTION 3. This coverage shall not apply if, at the time of the occurrence, the peace officer was suspended from peace officer duty or otherwise not in good standing as a peace officer.

SECTION 4. This coverage applies only to a peace officer as defined at Government Code Section 50920.

SECTION 5. This coverage applies to bodily injury by accident or bodily injury by disease covered by the terms and conditions of the Memoranda of Coverage that occurs on or after July 1, 2019, and during the coverage period.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019

_____
Arthur L. Welch, Mayor
City of Banning

ATTEST:

_____
Daryl Betancur, Deputy City Clerk
City of Banning

APPROVED AS TO FORM AND LEGAL CONTENT:

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

CERTIFICATION:

I, Daryl Betancur, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-XX was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____

Daryl Betancur, Deputy City Clerk
City of Banning, California

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CITY OF BANNING
CITY COUNCIL REPORT

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Adam B. Rush, Community Development Director**
Sonia Pierce, Senior Planner

MEETING DATE: **June 25, 2019**

SUBJECT: **APPROVING A DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY FOR THE SALES OF BEER AND WINE (TYPE 20) IN AN EXISTING RETAIL STORE (DOLLAR GENERAL) LOCATED AT 1323 WEST RAMSEY STREET; (APN 540-130-039) IN THE HIGHWAY SERVICING COMMERCIAL (HSC) ZONING DISTRICT.**

RECOMMENDED ACTION:

Staff recommends the City Council takes the following actions:

I. Make a determination of Public Convenience and Necessity, based on the findings provided below, in order for the California Department of Alcoholic Beverage Control (ABC) to issue a Type-20 License to Dolgen California, LLC for the off-site sales of beer and wine at an existing retail store at 1323 West Ramsey in the Highway Serving Commercial (HSC) Zoning District.

PROJECT/APPLICANT INFORMATION:

Project Applicant:	Dolgen California, LLC C/O Steve Rawlings 26023 Jefferson Avenue, Suite B Murrieta, CA 92562
Project Location:	1323 West Ramsey Street
APN Information:	540-130-039

REQUEST

The applicant, Dolgen California, LLC on behalf of DG Strategic II is requesting a determination of public convenience and necessity to allow the sales of beer and wine for off site consumption (Type 20) at an existing 9,002 square foot retail store (Dollar General).

FINDINGS:

The proposed off-site beer and wines sales would be within an existing 9,002 square foot retail building (Dollar General) on a 1.09 acre (47,600 square foot) site fronting Ramsey Street in the Highway Serving Commercial (HSC) zoning district. The beer and wine display area will not exceed 2% (181 square foot) of the gross floor area of the store. The beer and wine sales are anticipated to represent less than 5% of the overall store sales. There will be no single sales of beer or malt beverage cans or bottles. Beer, wine coolers and malt beverages will be sold in manufacturer's pre-packages multi-unit quantities only.

The site is located in the Highway Serving Commercial (HSC) zone. This district allows land uses geared toward the Interstate 10 traveler, including restaurants (fast food and sit down), hotels and motels, auto related retail, repair and services, including gas stations, convenience stores and similar uses. The proposed use of alcohol beverage sales is allowed within a retail store, subject to the approval of a conditional use permit. The Planning Commission approved the conditional use permit on June 5, 2019, under CUP 19-8003. The site conforms to the development standards and design guidelines of the Zoning Ordinance.

The Department of Alcoholic Beverage Control (ABC) has made the determination the site is within an area of over concentration and is requesting confirmation that the City has determined that issuing a license to the applicant will serve the public convenience or necessity. The site is within Census tract 441.01, where ABC has determined an undue concentration exists. An undue concentration exists if the proposed licensee is located in a census tract where the ratio of on-site or off-site retail ABC licenses to population exceeds the ratio that has been established by the ABC. The number of off-sale Type-20 licenses allowed in Census Tract 441.01 is one (1).

The subject site is located in Census Tract 441.01. Per the ABC, there are 11 existing off-sale licenses within the tract. The proposed license would represent the 12th off-sale license in the tract, where only one (1) off-sale license is permitted. Ramsey Street is the major commercially zoned street within the City and it is anticipated that the street would have majority of the alcohol beverage sales establishments within the City. Based on the following the off-sale of beer and wine sales at this location should be viewed as a public convenience.

1. The sale of beer and wine will be clearly incidental as evidenced by the relatively small display area for beer and wine.

2. Given the wide array of general and convenience merchandise sold at the business, off-sale of beer and wine is anticipated to amount to a small percentage of gross sales at this business.

3. The alcohol license would be located on a site with adequate parking and lighting. As such, the incidental sale of beer and wine at this location would be a convenience to patrons and travelers staying in the area.

4. The proposal provides public necessity and convenience for the residents of the surrounding community. The proposal provides additional local retail services for the surrounding community in line with the General plan. In addition, the proposal will provide a convenience to local residents, jobs and overall economic growth in the community.

5. The proposal also provides public necessity and convenience for visitors in the community. Due to the tourist nature of this community there are a disproportionate number of existing licenses compared to typical census tracts to service visitors to the community. The proposal follows this trend of providing additional liquor consumption opportunities to the visitors of this community and thus furthering the economic stimulation that results from servicing these visitors.

The California Department of Alcoholic Beverage Control (ABC) may deny an application an ABC license unless the local governing body of the area determines that public convenience or necessity would be served by the issuance of the license.

FISCAL IMPACT

Staff believes that issuing a license will serve the community by providing a convenient location for the purchase of beer and wine, provide jobs, tax revenue and assist highway consumers traveling and staying in the surrounding area.

OPTIONS:

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

ATTACHMENTS

1. Planning Commission Resolution No. 2019-13

Approved by:

Douglas Schulze
City Manager

Attachment 1

RESOLUTION NO. 2019-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BANNING, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 19-8003 TO ALLOW OFF-SITE BEER AND WINE SALES AT AN EXISTING RETAIL STORE (DOLLAR GENERAL) LOCATED AT 1323 WEST RAMSEY ST (APN: 540-130-039) IN THE HIGHWAY SERVING COMMERCIAL (HSC) ZONING DISTRICT, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA GUIDELINE SECTION 15301

WHEREAS, an application for a Conditional Use Permit to permit off-site beer and wine sales at an existing retail store (Dollar General) has been duly filed by:

Project Location:	1323 West Ramsey Street
APN Information:	540-130-039
Project Applicant:	Dolgen California, LLC 26023 Jefferson Avenue, Suite B. Murrieta, CA 92562
Property Owner:	DG Strategic II 100 Mission Ridge Goodlettsville, TN 37072;

WHEREAS, the Planning Commission is authorized under Chapter 17.52 of the Banning Municipal Code to take action on proposed Conditional Use Permit No. 19-8003, to allow off-site beer and wine sales at an existing retail store (Dollar General) in the Highway Serving Commercial (HSC) zoning district (the "Project");

WHEREAS, on May 24, 2019, the City gave public notice by advertising in the Record Gazette, a newspaper of general circulation within the City of Banning, and by mailing notices to property owners within 300 feet of the project, of the holding of a public hearing at which the Project would be considered; and

WHEREAS, on June 5, 2019, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, proposed Conditional Use Permit No. 19-8003.

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

SECTION 1: California Environmental Quality Act and Multiple Species Habitat Conservation Plan Findings.

A. CEQA. Planning Division staff has determined that the Project is categorically

exempt from the requirements of the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code § 21000, *et seq.*) and the State Guidelines (the "Guidelines") (14 Cal. Code Regs. §15000 *et seq.*). The Project qualifies under the Class 1 categorical exemption because the Project consists of the operation, permitting, licensing, and minor alteration of an existing private structure involving negligible or no expansion of an existing use. The Planning Commission has reviewed staff's determination of exemption, and based on its own independent judgment, concurs in the staff's determination of exemption.

B. Multiple Species Habitat Conservation Plan (MSHCP). The Project is not subject to MSHCP as the Project is an existing facility.

SECTION 2: Required Findings for Conditional Use Permit No. 19-8003: The Planning Commission of the City of Banning does hereby find and determine that CUP No. 19-8003 should be approved because:

Finding No. 1: The proposed use is consistent with the General Plan;

Finding of Fact: Conditional Use Permit No. 19-8003 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 Highway Serving Commercial allows restaurants (fast food and sit down), hotels and motels, auto related retail, repair and services, including gas stations, convenience stores and similar uses serving the I-10 traveler as the primary uses in this designation. Further, Conditional Use Permit No. 19-8003 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." Approval of the permit would allow the applicant to promote business diversity while providing an economic benefit to the City.

Finding No. 2: The proposed use is conditionally permitted within the subject land use district and complies with all the applicable provisions of Title 17 of the Banning Municipal Code;

Finding of Fact: Table 17.12.020 ("Permitted, Conditional and Prohibited Commercial and Industrial Uses") of Section 17.12.020 of Chapter 17.12 of Title 17 of the Banning Municipal Code provides that "alcoholic beverage sales, on or off-site", is a conditionally permitted use in the HSC zoning district. Further, the proposed off-site beer and wine sales complies with all other applicable provisions of Title 17 of the Banning Municipal Code, including the standards set forth in Section

17.12.050.B.2. applicable to alcohol Beverage Control "ABC" licenses.

Finding No. 3 The proposed use would not impair the integrity and character of the land use district in which it is to be located;

Finding of Fact: The proposed use is on Ramsey Street, which is a major commercially zoned street within the City and it is anticipated that the street would have the majority of the establishments with alcoholic beverage sales within the City. Given the wide array of general and convenience merchandise sold at the business, off-site sales of beer and wine is anticipated to amount to a small percentage of gross sales at this business and will provide a desirable new use for residents and visitors to the City.

Finding No. 4 The subject site is physically suitable for the type and intensity of land use being proposed;

Finding of Fact: The subject site currently consists of an existing building and the applicant is not proposing any significant exterior changes to the building. Furthermore, the site has adequate parking and lighting and the retail sales and services are the primary uses in the HSC zoning district.

Finding No. 5: There are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety;

Finding of Fact: The subject site is served by the public and private utilities, including the City's water and electrical utilities. The subject site has access and is served from West Ramsey Street, which is an existing developed roadway with existing utilities.

Finding No. 6: There will not be significant harmful effects upon environmental quality; natural resources; or neighborhood characteristics;

Finding of Fact: The proposed CUP to permit off-site sales of beer and wine is exempt from the requirements of CEQA, as discussed in Section 1 of this Resolution.

Finding No. 7 The proposed location, size, design, and operating characteristics of the proposed use will not be detrimental to the public interests, health, safety, convenience, or welfare of the City.

Finding of Fact: The proposed location, design, and operating characteristics of the proposed off-site sales of beer and wine will not be detrimental to the public interests, health, safety, convenience, or welfare of the City and will complement existing businesses located on West Ramsey

Street. Sales of alcohol are regulated by the State of California, Department of Alcoholic Beverage Control (ABC). The applicant must maintain a valid ABC license to be compliant with ABC. If determined for good cause that the continuance of such license would be contrary to the public welfare or morals, ABC is authorized to suspend or revoke any license issued to sell alcoholic beverages. Furthermore, the City of Banning Police Department has reviewed the proposed off-site sales of beer and wine and does not have concerns with the proposed use.

SECTION 3: Required Additional Findings under Banning Municipal Code Section 17.12.050.B.2.: The Planning Commission of the City of Banning does hereby find and determine as follows:

Finding No. 1: Establishments shall not be located within 500-feet of any school or public park within the City;

Finding of Fact: The subject retail store is not located within 500-feet of any school or public park within the City.

Finding No. 2: The ABC license application shall be reviewed by the Police Department prior to Planning Commission approval;

Finding of Fact: The Banning Police Department has reviewed, and does not object to, the proposed off-site sales of beer and wine in the existing retail store.

SECTION 4: PLANNING COMMISSION ACTION - Approval of Conditional Use Permit No. 19-8003: Based on the foregoing, the Planning Commission of the City of Banning hereby approves Conditional Use Permit No. 19-8003 to allow off-site beer and wine sales at an existing retail store (Dollar General) located at 1323 W. Ramsey Street (APNs: 540-103-039) in the Highway Serving Commercial (HSC) zoning district, consistent with the site plans attached hereto as Exhibit "A," and subject to the recommended Conditions of Approval attached hereto as Exhibit "B".

PASSED, APPROVED, AND ADOPTED this 5th day of June, 2019.

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. 2019-13, was duly adopted by the Planning Commission of the City of Banning, California, at a regular meeting thereof held on the 5th day of June, 2019, by the following vote, to wit:

AYES: Brosious, Krick, Schuler, Shaw

NOES: None

ABSENT: None

ABSTAIN: None

Sandra Calderon

Sandra Calderon, Recording Secretary
City of Banning, California

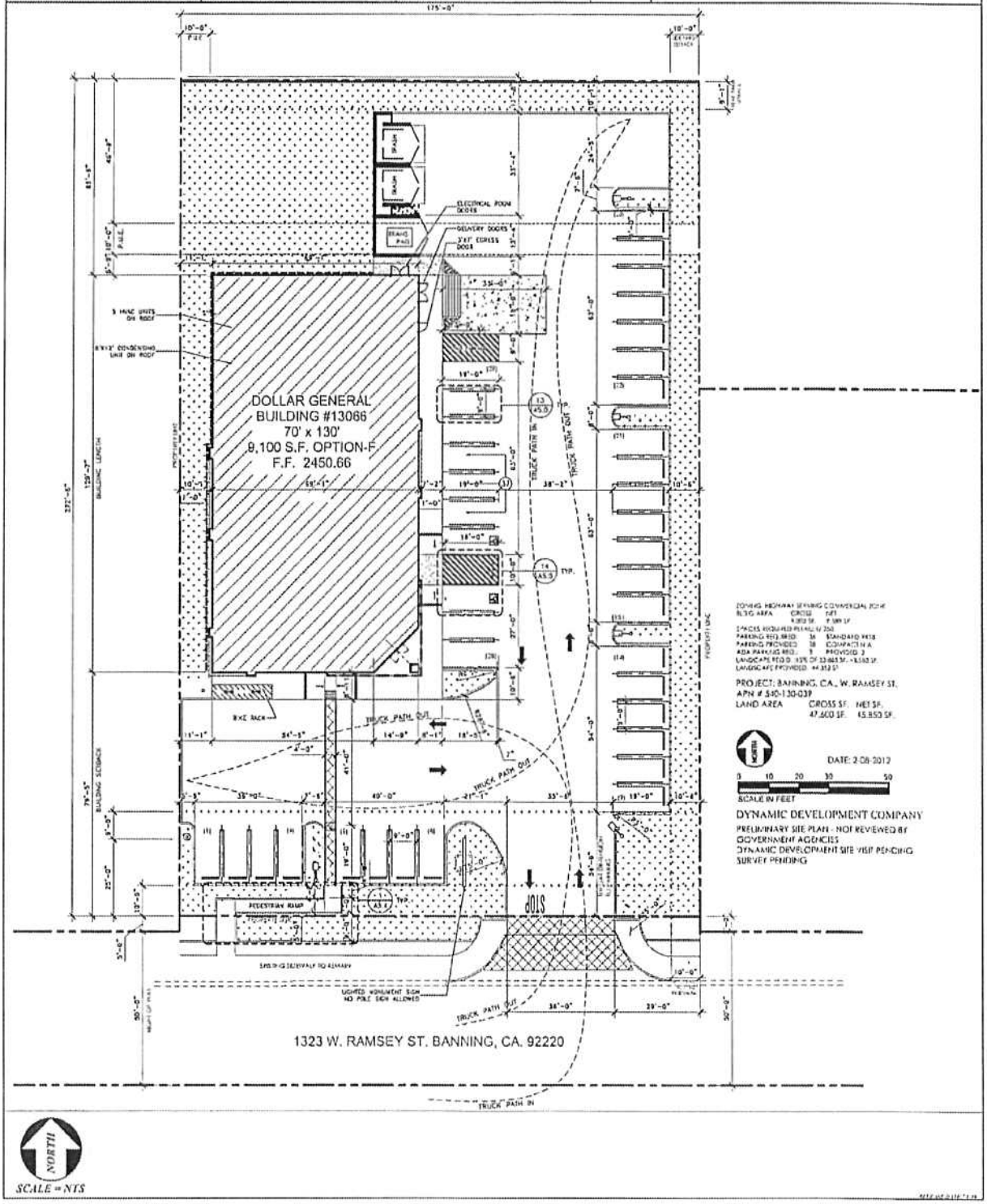
Site Plan

APN:	540-130-039
BLDG/SALES SF:	9,002 / 7,389
ACREAGE:	1.09
PARKING SPACES:	38

Applicant:
Dolgen California, LLC Store #13066
c/o Steve Rawlings
Rawlings Consulting
26023 Jefferson Ave., Ste. D
Murrieta, CA 92562
951-667-5152

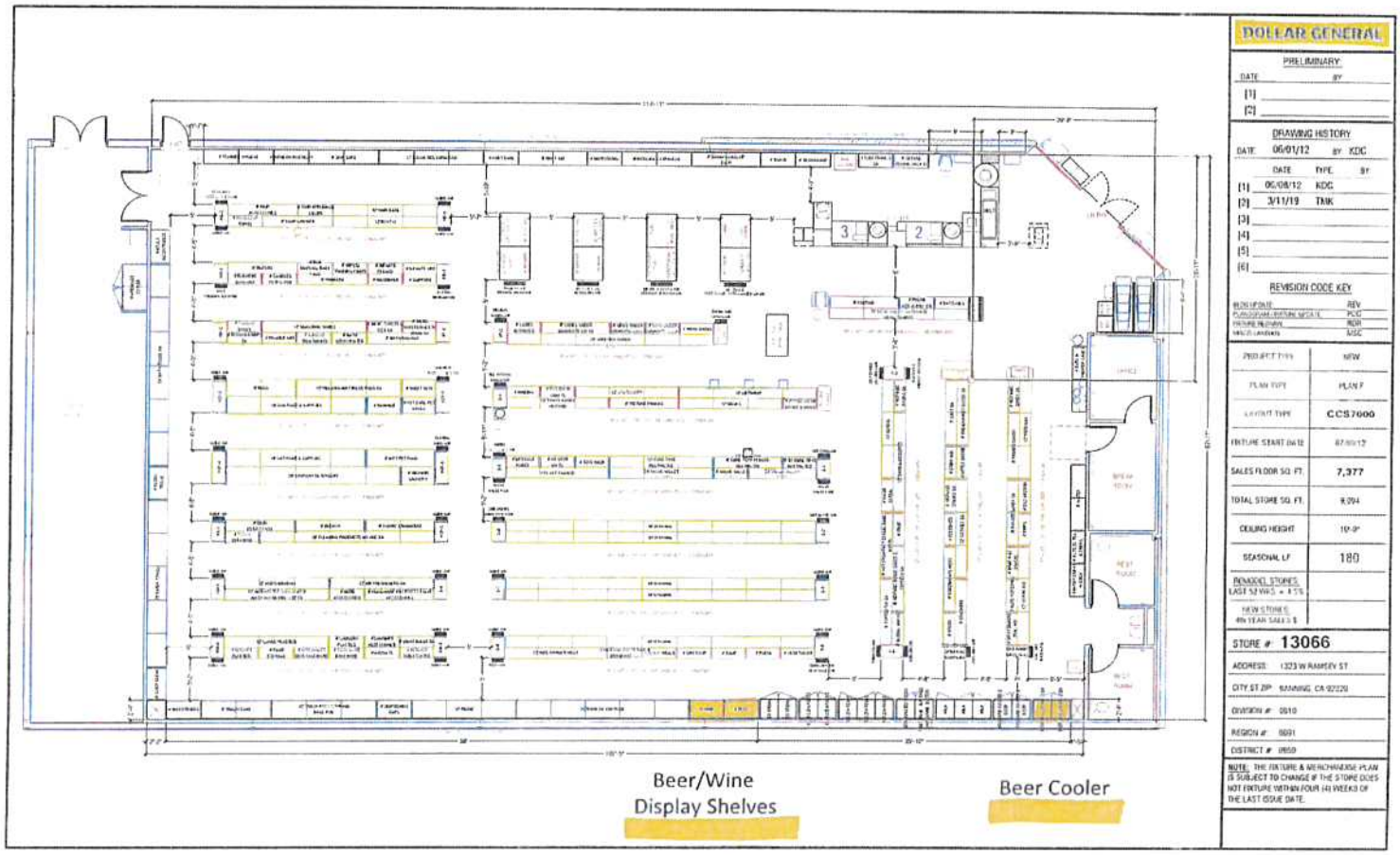
Property Owner:
DG Strategic II
100 Mission Ridge
Goodlettsville, TN 37072

Dollar General Store #13066
1323 W. Ramsey Street
Banning, CA



NORTH

SCALE = NTS



DOLLAR GENERAL

PRELIMINARY

DATE BY

[1]

[2]

DRAWING HISTORY

DATE: 06/01/12 BY: KDC

	DATE	TYPE	BY
[1]	06/08/12	KDC	
[2]	3/11/19	TNK	
[3]			
[4]			
[5]			
[6]			

REVISION CODE KEY

BOX UPDATE	REV
PLANOGRAM / FIXTURE UPDATE	PCC
FIXTURE REVIEW	RDR
MISC. UPDATES	MSC

PROJECT TYPE	NEW
PLAN TYPE	PLAN F
LAYOUT TYPE	CCS7000
FIXTURE START DATE	07/01/12
SALES FLOOR SQ. FT.	7,377
TOTAL STORE SQ. FT.	9,014
CEILING HEIGHT	10'-0"
SEASONAL LF	180
REMODEL STORES LAST 52 WKS + 4 %	
NEW STORES 4th YEAR SALES $	

STORE # 13066

ADDRESS: 1323 W RAMSEY ST

CITY ST ZIP: BANNING, CA 92220

DIVISION #: 0510

REGION #: 0691

DISTRICT #: 0650

NOTE: THE FIXTURE & MERCHANDISE PLAN IS SUBJECT TO CHANGE IF THE STORE DOES NOT FIXTURE WITHIN FOUR (4) WEEKS OF THE LAST ISSUE DATE.

City of Banning

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

Proud History
Prosperous Tomorrow

COMMUNITY DEVELOPMENT
DEPARTMENT

PROJECT #: Conditional Use Permit No. 19-8003

SUBJECT: Conditions of Approval (Planning Commission Resolution No. 2019-13)

APPLICANT: Dolgen California, LLP

LOCATION: APN: 540-130-039

EXHIBIT B
to Planning Commission Resolution No. 2019-13

*** 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 project shall at all times comply with all federal, state, County and City laws, codes, regulations, and standards, including those that relate to hazardous materials.

2. 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 (CEQA), State Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

3. Approval of this entitlement shall not waive compliance with any sections of the Banning Municipal Code (BMC), other applicable City ordinances, in effect at the time of building permit issuance.

4. Off-site beer and wine sales permitted under the Conditional Use Permit (CUP) shall commence sales within two (2) years from the date of this approval, or the Conditional Use Permit shall become null and void. Additionally, if after commencement of operations, off-site beer and wine sales are discontinued for a period of one year, the Conditional Use Permit shall become null and void. 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 Conditional Use Permit complies with all current provisions of Title 17 of the Banning Municipal Code.

5. A copy of the signed Resolution of approval, all Conditions of Approval imposed on the Conditional Use Permit shall be reproduced in legible form on the tenant improvement plans and landscape and irrigation plans submitted for review and approval as required by the reviewing department.

6. The subject retail building shall be developed and maintained in accordance with the site plans stamped approved by the City and on file in the Planning Division, the conditions contained herein, and the applicable regulations within the Banning Municipal Code.

7. There shall be no single sales of beer or malt beverage cans or bottles. The applicant shall sell beer, wine coolers, and malt beverages in the manufacturer's pre-packaged multi-unit qualities only.

8. The applicant shall comply with the guidelines of the California Department Alcoholic Beverage Control (ABC) applicable to off-sales premises.

9. There shall be no consumption of alcoholic beverages on the subject site. The applicant shall prominently post signs stating this prohibition in the subject retail building and throughout the subject site.

10. No displays of beer or wine shall be located within five feet (5') of the subject building's entrance, windows, or checkout counter.

11. The applicant and the applicant's employees shall attend a 4-hour LEAD (License, Education, Alcohol and Drugs) class presented by ABC's Riverside office **or an alternative training class subject to the approval of the Community Development Director,** within ninety (90) calendar days of obtaining a license from ABC.

~~12. The applicant shall submit plans for security gates to secure the subject premises to the Community Development Director, City Engineer, and City of Banning Fire Marshal for review and approval. Security gates shall not block any public street.~~

13. The applicant shall install a digital video surveillance system (including ability for a 45-day back-up) on the subject site subject to approval by the Community Development Department and the Banning Police Department.

14. The applicant and property owner shall continually maintain all landscaped areas on-site, as well as contiguous planted areas within the parkway in accordance with the approved landscape and irrigation plan. All landscaped areas shall be kept free from weeds and debris and maintained in healthy and thriving condition, and shall receive regular pruning, fertilizing, mowing, and trimming. Any damaged, dead, diseased, or decaying plant material shall be replaced within thirty (30) calendar days of notice from the City.

15. The applicant shall submit a Construction-level ("working drawings") Landscaping and Irrigation Plan to the Community Development Department for review and approval. The applicant shall submit the plan to the Department in the form of a set of working/construction drawings, along with the current fee. The plan shall comply with the applicable requirements under the Banning Municipal Code. The plan shall show all common open space areas. The plan shall address all areas and conditions of the subject site requiring landscaping and irrigation to be installed including, but not limited to, slope planting, common area and/or park landscaping, and individual front yard landscaping. The plan shall place an emphasis on the use of plant species that are drought tolerant and low water using. The plan shall provide for the following:

    A. Permanent automatic irrigation systems shall be installed on all landscaped areas requiring irrigation. Low water use systems are required.

B. All utility service areas and enclosures shall be screened from view with landscaping and decorative barriers or baffle treatments, as approved by the Planning Department. Utilities shall be placed underground.

C. Any required landscape screening shall be designed to be opaque up to a minimum height of six (6) feet at maturity.

D. Parkways and landscaped building setbacks shall be landscaped to provide visual screening or a transition into the primary use area of the site. Landscape elements shall include earth berming, ground cover, shrubs, and specimen trees in conjunction with meandering sidewalks, benches, and other pedestrian amenities where appropriate as approved by the Community Development Department.

E. Incorporate the use of specimen accent trees at key visual focal points within the subject site.

F. Incorporate native and drought tolerant plants where appropriate.

G. All specimen trees and significant rock outcroppings on the subject site intended for retention shall be shown on grading plans. Replacement trees for those to be removed shall also be shown.

H. All trees shall be minimum double-staked. Weaker and/or slow-growing trees shall be steel-staked.

I. Multi-programmable irrigation controllers that have enough programs to break up all irrigation stations into hydro zones shall be utilized. If practical and feasible, rain shutoff devices shall be employed to prevent irrigation after significant precipitation. Irrigation systems shall be designed so areas that have different water use requirements are not mixed on the same station (hydro zones). Assistance in implementing a schedule based on plant water needs is available from CIMIS or Mobile Lab. The use of drip irrigation should be considered for all planter areas that have a shrub density that will cause excessive spray interference of an overhead irrigation system. Use flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. (BMP S2)

J. Plants with similar water requirements shall be grouped together in order to reduce excessive irrigation runoff and promote surface filtration, where possible. (BMP S3).

Building Department

The following comments are required at time of plan check submittal:

16. The subject site shall be developed in compliance with all current Building codes. All plans shall be designed in compliance with the latest editions of the California Building Codes, as adopted by the City of Banning.

17. 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 be 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. The City enforces the California Building Standards Code disabled access requirements. The Federal ADA standards differ in some cases from the State requirements. to the applicant and property owner shall be aware of those differences and comply accordingly.

    B. Disabled access parking shall be located on the shortest accessible route. The applicant shall relocate parking spaces accordingly.

    C. Separate submittals and permits are required for all accessory structures including, but not limited to, trash enclosures, patios, block walls, and storage buildings.

18. The subject retail building on the subject site shall be assessable per the California Building Code (CBC) 11B.

19. The address numbering of the subject retail building shall comply with the requirements of the California Building Code (CBC) 11A, 11B, and 31B.

END

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: June 25, 2019

SUBJECT: Adopt Resolution 2019-XX, Approving and Authorizing the Submittal of the Application for Statewide Park Development and Community Revitalization Program Grant Funds

---

RECOMMENDED ACTION:

Staff recommends that the City Council adopt Resolution 2019-XX, approving and authorizing the application for Statewide Park Development and Community Revitalization Program Grant Funds to expand Lions Park.

BACKGROUND:

The State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Development and Community Revitalization Grant Program. Statewide Park Program (SPP) competitive grants will create new parks and new recreation opportunities in critically underserved communities across California. A total of $254,942,000 is available for the current round of funding. The maximum grant request per application is $8,500,000, and the minimum grant request is $200,000. There is no local match required. The application deadline is August 5, 2019, and funded projects must be complete by March 31, 2022.

The City desires to utilize SPP grant funds to expand Lions Park and add needed recreation amenities, including two multipurpose fields, walking path, lighting, parking lot and restrooms ("Project").

JUSTIFICATION:

If awarded, SPP funds will provide the vital support necessary to expand Lions Park and add needed recreation amenities included in the Project.

FISCAL IMPACT:

The SPP application will be prepared to request the full amount required to construct the proposed Project, which has been estimated to cost $2,750,000. The project will be fully funded by the grant if the City is successful, therefore there will not be a fiscal impact to the City. If funds are awarded, the SPP will reimburse the City up to the amount requested/awarded.

ALTERNATIVE:

Do not approve Resolution 2019-XX. If not approved staff will continue to seek funding for the Project, unless otherwise directed by City Council.

ATTACHMENTS:

1. Resolution 2019-XX
2. Project Exhibits

Approved by:

Douglas Schulze
City Manager

ATTACHMENT 1

Resolution 2019-XX

RESOLUTION 2019-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA APPROVING AND AUTHORIZING THE SUBMITTAL OF THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Development and Community Revitalization Grant Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of the application before submission of said application to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project;

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

SECTION 1. Resolution 2019-XX is adopted approving the filing of a Statewide Park Development and Community Revitalization Grant Program application for the Lions Park Expansion Project.

SECTION 2. City Council certifies the following:

1. Certifies that the City of Banning (Applicant) has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project.
2. Certifies that if the project is awarded, the Applicant has or will have sufficient funds to operate and maintain the project.
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide.
4. Delegates the authority to the City Manager to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope.
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
6. Will consider promoting inclusion per Public Resources Code §80001(b)(8 A-G).

SECTION 3. The City Clerk shall certify to the adoption of this Resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019.

_____
Arthur L. Welch, Mayor
City of Banning

ATTEST:

_____
Daryl Betancur, Deputy City Clerk
City of Banning

APPROVED AS TO FORM AND LEGAL CONTENT:

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

CERTIFICATION:

I, Daryl Betancur, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-XX was duly adopted by the City Council of the City of Banning at a Regular Meeting thereof held on the 25th of June, 2019.

AYES:

NOES:

ABSENT:

ABSTAIN:

Daryl Betancur, Deputy City Clerk
City of Banning
Banning, California

ATTACHMENT 2

Project Exhibits

PLANT PALETTE

GRAPHIC SYMBOL	BOTANIC NAME	COMMON NAME	SIZE	SPACING	MIN. HT/ WIDTH	COMMENTS
	Quercus agrifolia	Coast Live Oak	24" Box	Per Plan	5-6' x 3-5'	Multi-trunk
	Brachychiton discolor	Queensland Lacebark	24" Box	Per plan	8-10' x 3-4'	Standard
	Ginko biloba 'Princeton Sentry'	Princeton Sentry Maidenhair Tree	24" Box	Per Plan	9-10' x 2' +	Columnar
	Pistacia chinensis	Chinese Pistache	24" Box	Per Plan	9-11' x 4-5'	Standard
	Pyrus calleryana 'Bradford'	Bradford Flowering Pear	24" Box	Per Plan	9-11' x 3-4'	Standard
	Koelreuteria bipinnata	Chinese Flame Tree	24" Box	Per Plan	9-10' x 3-4'	Standard
	Pro Sportsfield Turfgrass Seed Mixture available from Stover Seed Co. (800) 621-0315	30% Affinity Perennial Ryegrass 25% Elfrin Perennial Ryegrass 25% Manhattan 4 Perennial Grass 10% Hulled Bermudagrass 10% Unhulled Bermudagrass				Hydroseed 10-12 pounds of seed per 1,000 square feet

Cozad & Fox, Inc.
CIVIL / STRUCTURAL ENGINEERS
MUNICIPAL CONSULTANTS / PLANNERS
SURVEYORS / GPS
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FAX (760) 777-9132

DATE 11/20/17

LIONS PARK - PRELIMINARY PLAN

CITY OF BANNING

Grant Administration Guide
for the

California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018

COMPETITIVE GRANT PROGRAMS
CAPITAL IMPROVEMENT PROJECTS

February 25, 2019 Draft

State of California
The Natural Resources Agency
Department of Parks and Recreation
Office of Grants and Local Services (OGALS)

"Creating Community through People, Parks, and Programs"

Send correspondence to:

Street Address for Overnight Mail:

Calif. Dept. of Parks and Recreation
Office of Grants and Local Services
1416 Ninth Street, Room 918
Sacramento, CA 95814

Mailing Address:

Calif. Dept. of Parks and Recreation
Office of Grants and Local Services
P.O. Box 942896
Sacramento, CA 94296-0001

Phone: (916) 653-7423

Website: www.parks.ca.gov/grants

STATE OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION

Department Mission

The mission of the California Department of Parks and Recreation is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

Community Engagement Division Mission

The mission of the Community Engagement Division is to encourage healthy communities by connecting people to parks, supporting innovative recreational opportunities, embracing diversity, fostering inclusivity, and delivering superior customer service, with integrity for the enrichment of all.

The Office of Grants and Local Services Mission

The mission of the Office of Grants and Local Services is to address California's diverse recreational, cultural and historical resource needs by developing grant programs, administering funds, offering technical assistance, building partnerships and providing leadership through quality customer service.

OGALS VISION GOALS

To Be:

- A leader among park and recreation professionals.
- Proactive in anticipating public park and recreation needs and how new legislation and grant programs could best meet these needs.
- Honest, knowledgeable and experienced grant administration facilitators.
- Sensitive to local concerns while mindful of prevailing laws, rules and regulations.
- Perceptive to opportunities for partnerships, growth and renewal where few existed before.
- Committed to providing quality customer service in every interaction and transaction.
- Responsive to the needs of applicants, grantees, nonprofit organizations, local governments, legislative members, and department employees.

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DEFINITIONS **34**

Words and terms shown in SMALL CAPS are found in the definitions section.

Background
This guide provides grant administration procedures and requirements for competitive programs capital improvement projects funded by Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access For All Act of 2018. OGALS retains the right to waive requirements not mandated by statute.

Grant Process

1. Applicants receive a letter from OGALS indicating an application has been selected for funding.
2. Applicants attend a mandatory grant administration workshop.
3. If applicable, applicant fulfills any unmet application requirements, such as land tenure.
4. OGALS sends a contract to the applicant:
   a. The CONTRACT section, beginning on page 25, includes a sample contract.
   b. The applicant returns the contract signed by the AUTHORIZED REPRESENTATIVE to OGALS within 60 days of receipt.
   c. OGALS returns a copy of the fully executed contract, at which point the applicant becomes a GRANTEE.
5. **Deed Restriction:**
   A Deed Restriction *is required* for all PROJECTS where the land is owned by the GRANTEE. The GRANTEE must record a Deed Restriction on the title to the property before OGALS will approve any grant payments, except an advance into escrow. See page 12.
6. **Payments and end of GRANT PERFORMANCE PERIOD:** GRANTEE requests payments for ELIGIBLE COSTS. The GRANT payments section, beginning on page 16, provides payment request instructions and forms.
   - The GRANTEE completes PROJECT no later than December 31, of the year before the GRANT liquidation date as shown on the contract.
   - The GRANTEE sends PROJECT COMPLETION PACKET(s) to OGALS no later than March 31, of the year the GRANT liquidates.
   - OGALS processes the final payment request after each PROJECT is complete as documented by the GRANTEE in the PROJECT COMPLETION PACKET, and as verified by OGALS by conducting a site inspection.
7. **Accounting and Audit:** DPR's Audits Office may conduct an audit. The GRANTEE is required to retain all PROJECT records for five years following issuance of the final GRANT payment or PROJECT termination, whichever is later. The Accounting and Audit Section, beginning on page 32, provides directions and an Audit Checklist for DPR audit and accounting requirements.

Acquisition Projects

Acquisition Requirements

1. Purchase price cannot exceed the appraised value, even if the GRANTEE is willing to pay the difference.
2. Associated acquisition costs, such as appraisals, escrow fees, title insurance, etc., combined must be less than 25% of the GRANT.
3. The GRANTEE must record a deed restriction on the property after the acquisition is complete.
4. GRANTEE must provide title insurance.

Acquisition Documentation

For each parcel to be acquired, submit the following documents:

1. An appraisal conducted within the last twelve months.
2. A separate letter from an independent third party, AG-rated appraiser, certified by the California Office of Real Estate Appraisers, stating the appraisal was reviewed, and was completed using acceptable methods.

For easement acquisitions, in addition to the requirements above, provide:

3. A copy of the proposed easement guaranteeing the authority to use the property for the purposes specified in the application.

For relocation costs, in addition to the requirements above, provide:

4. A letter signed by the AUTHORIZED REPRESENTATIVE, listing the relocation costs for each displaced tenant, certifying that the relocation amount does not exceed the maximum allowed pursuant to Government Code §§7260-7277.

Eligible Acquisition Costs

- IN-HOUSE EMPLOYEE SERVICES – see accounting rules for more information (page 32)
- GRANT/PROJECT administration and accounting
- Public meetings/focus groups/design workshop
- Appraisals, escrow fees, surveying, other costs associated with acquisition
- Cost of land

Ineligible Acquisition Costs – Cannot be charged to the GRANT

- Costs incurred outside the GRANT performance period
- Cost for land acquired through eminent domain or condemnation
- Acquisitions where purchase price is greater than appraised value

Development Projects

Development Project Requirements

1. Contracted work must comply with the provisions of §1771.5 of the State Labor Code.
2. GRANTEE must have adequate liability insurance, performance bond, or other security necessary to protect the State and GRANTEE'S interest against poor workmanship, fraud, or other potential loss associated with the completion of the PROJECT.
3. PRE-CONSTRUCTION COSTS may not exceed 25% of the GRANT.
4. PROJECTS must be accessible, including an accessible path of travel to the PROJECT.

Eligible Development Costs

All costs must be incurred within the GRANT PERFORMANCE PERIOD. Costs listed below are examples of eligible costs, and not inclusive. Contact OGALS if you have any questions regarding a PROJECT cost.

Eligible Pre-construction Costs – up to 25% of GRANT; incurred prior to groundbreaking as determined by the grantee

- Public meetings, focus groups, design workshops
- Plans, specifications, construction documents, and cost estimates
- Permits
- CEQA
- Bid preparation and packages
- IN-HOUSE EMPLOYEE SERVICES prior to groundbreaking
- GRANT/PROJECT administration and accounting prior to groundbreaking

Eligible Construction Costs – up to 100% of the grant; incurred after groundbreaking

- Construction – necessary labor and construction activities to complete the PROJECT, including site preparation (demolition, clearing and grubbing, excavation, grading), onsite implementation and construction supervision
- Equipment – equipment use charges (rental and in-house) must be made in accordance with GRANTEE'S normal accounting practices
- Bond and other signs
- Premiums on hazard and liability insurance to cover personnel or property
- Site preparation
- Purchase and installation of equipment: security cameras, lighting, signs, display boards, sound systems, video equipment, etc.
- Construction management, including site inspections and PROJECT administration
- Miscellaneous – other costs incurred during the construction phase, such as transporting materials, equipment, or personnel, and communications
- IN-HOUSE EMPLOYEE SERVICES after groundbreaking
- GRANT/PROJECT administration and accounting after groundbreaking

Ineligible Development Costs – Cannot be charged to the grant

- PRE-CONSTRUCTION COSTS that exceed 25% of the GRANT
- Development to fulfill any mitigation requirements imposed by law (PRC §80020)
- All non-capital costs, including interpretive and recreational programming, software and software development
- Construction or improvements to facilities that are not primarily designated for recreational purposes, such as park district offices
- Furniture or equipment not site specific *and* not necessary for the core function of a new facility (non-capital outlay)
- Costs incurred before or after the GRANT PERFORMANCE PERIOD
- Indirect costs – overhead business expenses of the GRANTEE'S fixed or ordinary operating costs (rent, mortgage payments, property taxes, utilities, etc.)
- Food and beverages
- Out-of-state travel
- Repairs – activities performed to a section of a structure that are intended to allow the continued use
- Maintenance – activities intended to be performed on a regular basis to maintain the expected useful life of a structure
- Fundraising

Accounting Rules for In-House Employee Services

GRANTEES must follow these accounting practices for services performed by its employees to be eligible for reimbursement:

- Maintain time and attendance records as charges are incurred, identifying the employee through a name or other tracking system, and that employee's actual time spent on the PROJECT.
- Time estimates, including percentages, for work performed on the PROJECT are not acceptable.
- Time sheets that do not identify the specific employee's time spent on the PROJECT are not acceptable.
- Costs of the salaries and wages must be calculated according to the GRANTEE'S wage and salary scales, and may include benefit costs such as vacation, health insurance, pension contributions and workers' compensation.
- Overtime costs may be allowed under the GRANTEE'S established policy, provided that the regular work time was devoted to the same PROJECT.
- May not include overhead or cost allocation. These are the costs generally associated with supporting an employee, such as rent, personnel support, IT, utilities, etc.

State of California – The Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Funding Sources Form

GRANTEE: _____ Project Name: _____

PROJECTS funded by the program are not complete until the SCOPE is complete.

GRANT funds **will/will not** (circle one) be used as part of the funding for a larger project.

If the GRANT will be used as part of the funding for a larger project, briefly describe the scope of that larger project:

The TOTAL PROJECT COST that this GRANT will contribute to is: $_____

Anticipated completion date of larger project (or N/A) : _____

List all committed funds. Submit revised Funding Sources Form should funding sources be added or modified.

Funding Source	Date Committed	Amount
		$

I represent and warrant that I have full authority to execute this Funding Sources Form on behalf of the Grantee. I declare under penalty of perjury, under the laws of the State of California, that this status report, and any accompanying documents, for the above-mentioned Grant is true and correct to the best of my knowledge.

_____ _____
AUTHORIZED REPRESENTATIVE Signature Date

_____
Print Name and Title

A revised version of this form must be submitted to OGALS should there be any changes to funding for the project. A final version of this form must be submitted with the PROJECT COMPLETION PACKET.

State of California – The Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION

CEQA Compliance Certification

GRANTEE: _____

Project Name: _____

Project Address: _____

Is CEQA complete? ☐Yes ☐No Is completing CEQA a project scope item? ☐Yes ☐No

What document was filed, or is expected to be filed for this project's CEQA analysis:

Date complete/expected to be completed

☐ Notice of Exemption (attach recorded copy if filed) _____
☐ Notice of Determination (attach recorded copy if filed) _____
☐ Other: _____ _____

If CEQA is complete, and a Notice of Exemption or Notice of Determination was not filed, attach a letter from the Lead Agency explaining why, certifying the project has complied with CEQA and noting the date that the project was approved by the Lead Agency.

Lead Agency Contact Information:

Agency Name: _____

Contact Person: _____

Mailing Address: _____

Phone: ( ) _____ Email: _____

Certification:

I hereby certify that the above referenced Lead Agency has complied or will comply with the California Environmental Quality Act (CEQA) and that the project is described in adequate and sufficient detail to allow the project's construction or acquisition.

I further certify that the CEQA analysis for this project encompasses all aspects of the work to be completed with grant funds.

_____	_____	_____
AUTHORIZED REPRESENTATIVE (Signature)	Date	AUTHORIZED REPRESENTATIVE (Printed Name and Title)

FOR OGALS USE ONLY		
CEQA Document	**Date Received**	**PO Initials**
☐NOE ☐NOD		

Special Requirements

- Greenhouse Gas Emissions Reduction and Carbon Sequestration
- Status Reports (page 9)
- Bond Act Sign (page 11)
- Deed Restriction (page 12)

Greenhouse Gas Emissions Reduction and Carbon Sequestration.[1]
If your PROJECT involves tree planting, follow the instructions below and submit with the PROJECT COMPLETION PACKET.

Before getting started, gather the following PROJECT information:

- Tree species
- Size of trees at planting
- Information on the distance and direction to the nearest building (if applicable)
- Information on the age and climate control of any nearby buildings (if applicable)
- Information about the tree's growing conditions

Getting started:

1. Navigate to the i-Tree site at https://planting.itreetools.org and select the tab for a new project.
2. On the Location map, select your state, county and city, and then click Next.
3. Configure the project parameters[2]:
   - "Electricity emissions factor" enter 285 and select kilograms
   - "Fuel emissions factor" enter 53.1 and select kilograms
   - "Years for the project" is the age of the trees 40 years from when they are planted. So, if the trees will be four years old at the time of planting, enter 44.
   - "Tree mortality" enter 0
4. Tree Planting Configurations
   - Enter the tree groups for the project; create a new group for each new species or for each new location.
   - Species – select the species; add multiple species by creating new groups.
   - DBH – tree diameter four feet above the ground at time of planting.
   - Distance to nearest tree – select from drop down menu
   - Tree is _____ of Building – select the direction the tree is located to the nearest climate controlled building (north, south, east or west).

---

[1] PRC §80001(b)(7)
[2] Project parameters are from the California Air Resources Board's "Quantification Methodology for the California Natural Resources Agency Urban Greening Grant Program."

- Climate controls – select the type of climate controls the nearby building has installed. If a tree is more than 60 feet away from a climate controlled building, select "none."
- Condition – select the overall health of the trees at the time of planting.
- Exposure to sunlight – select the amount of sun that reaches the tree, based on its surroundings.
- Number of trees – enter the number of trees that are the same species and the same characteristics (e.g. distance to building, location in respect to building, exposure to sunlight, etc.) If some of these characteristics change, multiple lines of the same species should be input into the tool.

Once all the groups are entered, click next

5. Print the report in landscape mode, and submit it to OGALS.

Status Report

OGALS will send a Status Report every six months until receipt of a PROJECT COMPLETION PACKET. Payment requests will not be processed if Status Reports are overdue.

Sample Status Report – Due xx/xx/20xx (30 days from mail date)

Grantee:
Project Number:
Project Name:
Project Scope:
Project Phase: □ Pre-Construction/Pre-Acquisition □ Acquisition and/or Construction

When will you submit your next payment request? For how much?

Estimated date of project completion:

Potential obstacles affecting completion:

Is the project: On Time? yes/no Within Budget? yes/no Within Scope? yes/no If no, explain:

Describe grant-funded work completed since last status report submitted on (DATE):

Are CCC or certified local corps working on this project? Yes/No

Provide photos showing work completed since (DATE)

Describe grant-funded work expected to be completed by (MailDate + 6 mos)

If there have been any changes to the proposed funding for this project, attach a revised Funding Sources Form.

Provide information on payments to be submitted over the next three years:

Between 7/1/18 and 6/30/19	Between 7/1/19 and 12/31/19	Between 1/1/20 and 6/30/20	Between 7/1/20 and 12/30/20	Between 1/1/21 and 6/30/21	Between 7/1/21 and 12/30/21	After 1/1/22
$	$	$	$	$	$	$

The purpose of this data is to help the State estimate borrowing needs; you will not be held to these estimates.

I represent and warrant that I have full authority to execute this Grant Progress Status Report on behalf of the Grantee. I declare under penalty of perjury, under the laws of the State of California, that this status report, and any accompanying documents, for the above-mentioned Grant is true and correct to the best of my knowledge.

_____ _____ _____

Authorized Representative* Title Date

(*Certification to above information requires a signature by a person authorized in the resolution)

Bond Act Sign

A sign at the PROJECT site, acknowledging the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 as the funding source for the PROJECT must be installed during construction and at completion of the PROJECT (PRC §80001(b)(3)).

Types of Signs

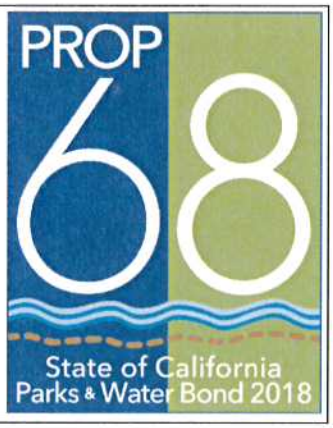
1) Construction – An acknowledgment sign is required during construction.
2) Post Completion – All grantees are required to post a sign at the PROJECT site upon completion of the PROJECT. The sign must be available for the final inspection of the PROJECT and remain in place for a minimum of four (4) years from date of PROJECT completion. There is no minimum or maximum size other than the minimum size for the logo, as long as the sign contains the required wording.

If appropriate, the same sign can be used during construction and completion.

Sign Language

All signs must contain the language shown to the right of this paragraph. Use the names of the current officials. The name of the director of the local agency or other governing body may be added. The sign may also include names (and/or logos) of other partners, organizations, individuals and elected representatives.

GAVIN NEWSOM, GOVERNOR
Wade Crowfoot, Secretary for Natural Resources
Lisa Mangat, Director, California Department of Parks and Recreation



Logo

All signs must display the Parks and Water Bond Act logo. The logo is available at http://resources.ca.gov/grants/logo-art/. Display the logo to maximize visibility and durability. Each edge of the logo must be a minimum of 24″ x 24″. Exceptions may be approved, when appropriate, at OGALS' discretion.

Sign Construction

All materials used shall be durable and resistant to the elements and graffiti. The California Department of Transportation and DPR standards may be used as a guide for gauge of metal, quality of paints used, mounting specifications, etc.

Sign Cost

The cost of the sign(s) is an eligible PROJECT cost. Permanent signage is encouraged.

Appropriateness of Signs

For PROJECTS where the required sign may be out of place or affected by local sign ordinances, OGALS may authorize a sign that is more appropriate to the PROJECT.

State Approval

GRANTEE shall submit the proposed number, locations, size, and language of signs for preliminary review. Final payments will not be processed until post completion signage has been approved and installed.

Deed Restriction

The Deed Restriction is a restriction on the title to the property, safeguarding the property for purposes consistent with the GRANT for the duration of the CONTRACT PERFORMANCE PERIOD.

A Deed Restriction *is required* for all PROJECTS owned by the APPLICANT. The GRANTEE must record a Deed Restriction on the title to the property before OGALS will approve any grant payments except an advance into escrow.

Deed Restriction Instructions

1. Before filing the Deed Restriction, the GRANTEE must own the PROJECT land, and have an ENCUMBERED CONTRACT for the GRANT amount.
2. The PROJECT OFFICER will send the Deed Restriction to the GRANTEE. *Do not alter the Deed Restriction.* The GRANTEE takes the following steps:
    1. Add ownership information to **Paragraph I of the Deed Restriction:** [formal name of GRANTEE] *Insert ownership information as it appears on the deed.*
    2. *Create 3 copies (GRANTEE copy, OGALS copy and recorder's copy) of the Deed restriction and the required attachments:*
       (1) Exhibit A: Label this attachment "Exhibit A (Legal Description of Property)" and include a formal legal description of every parcel of property to which GRANT funds will be used for the development and/or acquisition thereof. This information can be obtained from the grant deed or title policy. (The assessor's parcel number or a street address is NOT a valid legal description.) and,
       (2) Exhibit B: Label this attachment "Exhibit B (Grant Contract)" and include a complete copy of the Grant Contract and provisions signed by the AUTHORIZED REPRESENTATIVE and the State of California.
    3. *Notarize it:* OGALS recommends submitting the following documents to the OGALS PROJECT OFFICER for review prior to taking them to a notary.
        - Unsigned and undated Deed Restriction with Notary Acknowledgement
        - Exhibit A (Legal Description of Property)
        - Exhibit B (Grant Contract)

       The AUTHORIZED REPRESENTATIVE dates and signs the Deed Restriction signature page in the presence of a notary. The notary will complete a Notary Acknowledgement (Civil Code §1189).
    4. *Record it:* Take the notarized documents bulleted above to the County Recorder's Office of the county in which the property is located. Ask the County Clerk to record the Deed Restriction with Notary Acknowledgement, Exhibit A, and Exhibit B, on the title to the property.
    5. *Send it:* Send a copy of the notarized and recorded documents bulleted above to the OGALS PROJECT OFFICER.

RECORDING REQUESTED BY:
California Department of Parks and Recreation
Office of Grants and Local Services

WHEN RECORDED MAIL TO:
Office of Grants and Local Services
PO Box 942896
Sacramento, CA 94296-0001
Attn: [Project Officer]

DEED RESTRICTION

I. WHEREAS, insert ownership information as it appears on the deed (hereinafter referred to as "Owner(s)" is/are recorded owner(s) of the real property described in Exhibit A, attached and incorporated herein by reference (hereinafter referred to as the "Property"); and

II. WHEREAS, the California Department of Parks and Recreation (hereinafter referred to as "DPR") is a public agency created and existing under the authority of section 5001 of the California Public Resources Code (hereinafter referred to as the "PRC"). And

III. WHEREAS, Owner(s) (or Grantee) received an allocation of grant funds pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 Competitive Grant Program for improvements on the Property; and

IV. WHEREAS, on (enter date), DPR's Office of Grants and Local Services conditionally approved Grant [project number], (hereinafter referred to as "Grant") for improvements on the Property, subject to, among other conditions, recordation of this Deed Restriction on the Property; and

V. WHEREAS, but for the imposition of the Deed Restriction condition of the Grant, the Grant would not be consistent with the public purposes of the Competitive Grant Program and the funds that are the subject of the Grant could therefore not have been allocated; and

VI. WHEREAS, Owner(s) has/have elected to comply with the Deed Restriction of the Grant, so as to enable Owner(s), to receive the Grant funds and perform the work described in the Grant;

NOW, THEREFORE, in consideration of the issuance of the Grant funds by DPR, the undersigned Owner(s) for himself/herself/themselves and for his/her/their heirs, assigns, and successors-in-interest, hereby irrevocably covenant(s) with DPR that the condition of the grant (set forth at paragraph(s) 1 through 5 and in Exhibit B hereto) shall at all times on and after the date on which this Deed Restriction is recorded constitute for all purposes covenants, conditions and restrictions on the use and enjoyment of the Property that are hereby attached to the deed to the Property as fully effective components thereof.

1. DURATION. This Deed Restriction shall remain in full force and effect and shall bind Owner(s) and all his/her/their assigns or successors-in-interest for the period running from July 1, 20xx to June 30, 20xx (20 years) or June 30, 20xx (30 years).

2. TAXES AND ASSESMENTS. It is intended that this Deed Restriction is irrevocable and shall constitute an enforceable restriction within the meaning of a) Article XIII, section 8, of the California Constitution; and b) section 402.I of the California Revenue and Taxation Code or successor statue. Furthermore, this Deed Restriction shall be deemed to constitute a servitude upon and burden to the Property within the meaning of section 3712(d) of the California Revenue and Taxation Code, or successor statue, which survives a sale of tax-deeded property.

3. RIGHT OF ENTRY. DPR or its agent or employees may enter onto the Property at times reasonably acceptable to Owner(s) to ascertain whether the use restrictions set forth above are being observed.

4. REMEDIES. Any act, conveyance, contract, or authorization by Owner(s) whether written or oral which uses or would cause to be used or would permit use of the Property contrary to the terms of this Deed Restriction will be deemed a violation and a breach hereof. DPR may pursue any and all available legal and/or equitable remedies to enforce the terms and conditions of this Deed Restriction up to and including a lien sale of the property. In the event of a breach, any forbearance on the part of DPR to

enforce the terms and provisions hereof shall not be deemed a waiver of enforcement rights regarding such breach, or any subsequent breach.

5. SEVERABILITY. If any provision of these restrictions is held to be invalid, or for any reason becomes unenforceable, no other provision shall be affected or impaired.

Dated: _____, 20 ____

Business Name (if property is owned by a business):

_____

Signed: _____ Signed:_____
Authorized Representative Additional signature, as required

_____ _____
Print/Type Name & Title of Above Print/Type Name & Title of Above

SAMPLE

Grant Payment Section

Payments may be requested from OGALS once a PROJECT is approved and the CONTRACT is encumbered. Payment requests are processed through the State Controller's Office and are mailed to the GRANTEE approximately six to eight weeks from the date the request is approved by OGALS.

Payment Requirements

1. A Grant Expenditure Form (see page 19) is required with all reimbursement and final payment requests.
2. Payment requests prior to groundbreaking are limited to 25% of the PROJECT amount, unless for acquisition costs.
3. Payments before the final payment may not exceed 80% of the PROJECT amount. 20% of the PROJECT amount is retained for the final REIMBURSEMENT payment.
4. A deed restriction is required prior to processing any payment except an ADVANCE into escrow.
5. Group costs together to avoid frequent payment requests. Payment requests greater than $10,000 are encouraged.
6. CEQA must be complete prior to requesting any construction payments.
7. If claiming IN-HOUSE EMPLOYEE SERVICES costs, provide a sample timesheet with each reimbursement payment request.
8. A summary list of bidders, recommendation by reviewer of bidders, awarding by governing body and contract agreement must be provided to the PROJECT OFFICER prior to requesting a payment related to that CONTRACT.
9. Provide construction progress photos, including a photo with the construction sign visible on the PROJECT site (see page 11), with all construction payment requests.
10. Payment may be withheld by OGALS if the GRANTEE has outstanding issues, such as:
    - breach of any other contract with OGALS
    - an unresolved audit exception
    - an outstanding conversion
    - park sites closed or inadequately maintained
    - overdue Project Status Reports
    - other unmet grant requirements

Payment Request Form Instructions

- All payment request types (reimbursement, final, ADVANCE) require this form.
- Payment requests may be submitted by e-mail to the PROJECT OFFICER. GRANTEES are encouraged to follow up with PROJECT OFFICER to confirm documents were received.
- Round all amounts down to the nearest whole dollar.
- A Grant Expenditure Form (see page 19) is required with all reimbursement and final payment requests.
- Complete the Payment Request Form as follows:

1. PROJECT Number - Number assigned by OGALS when this PROJECT was approved.
2. CONTRACT Number - As shown in Certification of Funding section of the CONTRACT
3. APPLICANT - GRANTEE name as shown on the CONTRACT
4. PROJECT Title - Name of the PROJECT as shown in the Application
5. Type of Payment – check appropriate box on form
6. Payment Information – always round down to the nearest dollar.
7. Send Warrant To - AGENCY name, address and contact person
8. Signature of AUTHORIZED REPRESENTATIVE according to the Resolution

Payment Request Form

State of California - Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PAYMENT REQUEST
State Grant Programs

See Instructions on Page 2.

1. PROJECT NUMBER

2. CONTRACT NUMBER

3. APPLICANT

4. PROJECT NAME

5. TYPE OF PAYMENT
☐ Advance ☐ Reimbursement ☐ Final

6. PAYMENT INFORMATION
(Round all figures to the nearest dollar)

a. Grant Project Amount	$
b. Funds Received To Date	$
c. Available *(a. minus b.)*	$
d. Amount Of This Request	$
e. Remaining Funds After This Payment *(c. minus d.)*	$

7. SEND WARRANT TO:

AGENCY NAME

STREET ADDRESS

CITY/STATE/ZIP CODE

8. CERTIFICATION AND SIGNATURE OF PERSON AUTHORIZED IN RESOLUTION

I represent and warrant that I have full authority to execute this payment request on behalf of the Grantee. I declare under penalty of perjury, under the laws of the State of California, that this report, and any accompanying documents, for the above-mentioned Grant is true and correct to the best of my knowledge.

SIGNATURE OF PERSON AUTHORIZED IN RESOLUTION	TITLE	DATE
▶		

FOR CALIFORNIA DEPARTMENT OF PARKS AND RECREATION USE ONLY

PAYMENT APPROVAL SIGNATURE	DATE
▶	

DPR 212 (Rev. 3/2015)(Excel 3/3/2015)(Page 1 of 2)

Grant Expenditure Form

An electronic version of this form is available at www.parks.ca.gov/grants. GRANTEES may use their own spreadsheet if it contains the required information shown below. All payment requests require a summary of costs incurred. Keep copies of invoices or warrants with the PROJECT records. OGALS reserves the right to require the submission of any or all invoices or warrants for which payments are made. On the Grant Expenditure Form, provide the following information to OGALS:

PROJECT Number_____

Warrant/Check #(1)	Date(2)	Recipient(3)	Purpose(4)	Pre-Construction Amount(5)	Construction Amount(6)

PRE-CONSTRUCTION Subtotal (5) $_____

Construction Subtotal (6) $_____

Grand Total (5) + (6) $_____

List only ELIGIBLE COSTS charged to the GRANT.

Column (1) Electronic payment numbers/electronic funds transfer numbers in the "Warrant/Check Number" column are acceptable. Include an "EP" next to the electronic payment numbers/electronic funds transfer numbers.

If IN-HOUSE EMPLOYEE SERVICES or GRANTEE'S own equipment was used, a work order or other tracking number can be used instead of a check/warrant number.

Column (2) Date payment was made to recipient. If IN-HOUSE EMPLOYEE SERVICES were used, provide the date range with a summary of actual hours worked, and a sample timesheet.

Column (3) Name of Contractor, IN-HOUSE EMPLOYEE SERVICES, or other entity providing services and/or materials.

Column (4) SCOPE item related to the expenditure and a brief description, such as "playground design," "community center permits," "walkway materials," "sports field construction."

Column (5) PRE-CONSTRUCTION costs eligible for up to 25% of the GRANT.

Column (6) DEVELOPMENT costs eligible for up to 100% of GRANT.

Project Completion Packet

PROJECT COMPLETION PACKETS must be submitted by March 31, of the year the GRANT liquidates, as shown on the contract.

GRANTEES are encouraged to submit documents digitally, as .pdf files. E-mail the documents to the PROJECT OFFICER as separate digital files, labeled as the document item. GRANTEES are encouraged to follow up with PROJECT OFFICER to confirm documents were received.

The final payment (not less than 20% of the GRANT) will be processed after PROJECT COMPLETION and the following occurs:

1. Approval of the PROJECT COMPLETION PACKET (page 20).
2. Site inspection by the PROJECT OFFICER to verify PROJECT COMPLETION.

To request the final payment and complete the PROJECT, the GRANTEE must submit the following documents:

1. Payment Request Form (page 18)
2. Grant Expenditure Form (page 19)
3. Final Funding Sources Form (page 6)
4. Project Completion Certification Form (page 21)
5. Greenhouse Gas Emissions Reduction and Carbon Sequestration (if applicable) (page 8)
6. Notice of Completion (optional)[3]
7. Photo of the bond act sign and location (page 11)
8. Recorded Deed Restriction if not already provided (page 12)
9. Completed CEQA if not already provided (page 7)
10. Audit checklist with items checked that GRANTEE will retain for five years following receipt of final payment (page 33)

For acquisition PROJECTS, the GRANTEE must submit these additional documents:

1. A copy of the recorded deed to the property
2. A map sufficient to verify the description of the property including parcel numbers and acreage
3. Copy of title insurance policy
4. Copy of title report

---

[3] OGALS recommends that the GRANTEE file a Notice of Completion with the County Recorder pursuant to State of California Civil Code §3093. Filing the Notice of Completion is not a PROJECT COMPLETION requirement.

State of California – The Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Project Completion Certification Form

Grantee: _____ **Project Number:** _____

Grantee contact for audit purposes
Name: _____

Address: _____

Phone: (_____) _____ Email:_____

Project completion – list the grant scope items:

Provide revised Funding Sources Form

Interest earned on advanced funds: $ _____

Interest spent on eligible costs: $ _____

Was a Notice of Completion filed with the County Recorder? Yes __ No __

Certification:
I hereby certify that all Grant funds were expended on the above named Project and that the Project is complete and we have made final payment for all work done.

I have read California Penal Code §118 and understand that every person who testifies, declares, deposes, or certifies under penalty of perjury and willfully states as true any material matter which he or she knows to be false, is guilty of perjury, which is a felony punishable by imprisonment in state prison for two, three, or four years.

Furthermore, I have read California Penal Code §72 and understand that every person who, with the intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, city, or District board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is guilty of a felony-misdemeanor punishable either by imprisonment in county jail for a period of not more than one year, by a fine not exceeding one thousand dollars, or both, or by imprisonment in state prison, by a fine not exceeding ten thousand dollars, or both.

I represent and warrant that I have full authority to execute this Project Completion Certification on behalf of the Grantee. I declare under penalty of perjury that the foregoing certification of Project Completion for the above-mentioned Grant is true and correct.

_____ _____
GRANTEE'S AUTHORIZED REPRESENTATIVE (Printed or Typed name) Title

_____ _____
GRANTEE'S AUTHORIZED REPRESENTATIVE (Signature) Date

Advance Payments

- ADVANCE payments are made at the discretion of OGALS. OGALS reserves the right to disapprove ADVANCE payment requests. Past performance, GRANTEE capacity, and the GRANTEE'S financial resources will all be considered before issuing an ADVANCE.
- ADVANCE payments may be requested for costs expected to be incurred in the next six months.
- ADVANCE funds, and any interest earned on those funds, *must* be spent within six months of receipt, or returned to OGALS.
- The sum of DEVELOPMENT ADVANCES cannot exceed 50% of the GRANT.

There are two types of DEVELOPMENT ADVANCE payments: PRE-CONSTRUCTION and CONSTRUCTION:

Pre-Construction Advance

Payment Type	Maximum Request	When to Request	Documents to Send to PROJECT OFFICER
ADVANCE(s) costs to be incurred in next six months	Preconstruction estimate shown on PROJECT SCOPE/cost estimate form	After the contract has been encumbered	• Payment Request Form • ADVANCE justification (see below) • Sample timesheet if funds will be spent on IN-HOUSE EMPLOYEE SERVICES

Construction Advance

Payment Type	Maximum Request	When to Request	Documents to Send to PROJECT OFFICER
ADVANCE(s) costs to be incurred in next six months	No more than 50% of the GRANT.	After the contract has been encumbered, and construction will commence during the next six months	• Payment Request Form • ADVANCE justification (see below) • Bid documents (see page 16, number 7), copy of signed construction contract and a notice to proceed or IN-HOUSE EMPLOYEE SERVICES schedule • Filed NOD or NOE (page 7) • Sample timesheet if funds will be spent on IN-HOUSE EMPLOYEE SERVICES

Advance Justification

Provide the following information:

- Explanation as to why an ADVANCE is needed instead of a reimbursement. Describe any hardships the GRANTEE will experience if a reimbursement were issued instead of an ADVANCE.
- A payment schedule, with a month-by-month estimate, for up to six months, showing the anticipated amount needed, and to whom the funds will be paid (IN-HOUSE EMPLOYEE SERVICES or name of contractor). The six month period should begin six to eight weeks after payment request is submitted.
- A funding plan, indicating how the GRANTEE intends to provide cash flow to the percentage of the PROJECT exceeding the 50% ADVANCE limit.
- A statement indicating the GRANTEE will put the advanced funds into a separate, interest bearing account, and spend any interest earned on the PROJECT.
- An acknowledgement that all invoices and contracts pursuant to which payments are made shall be made available to OGALS on demand.

Clearing the Advance

ADVANCES must be cleared with six months of receipt, or earlier. ADVANCES should be cleared incrementally, that is, as costs are incurred.

An ADVANCE is cleared as follows:

- Submit a grant expenditure form (see page 19) documenting expenditures of eligible costs equal to the ADVANCE amount *plus any earned interest*.
- Submit photos of construction completed and the construction sign (see page 11) with the ADVANCE funds (for construction ADVANCES).
- Return the balance of unspent GRANT funds to OGALS no later than thirty days after the end of the six month ADVANCE period. OGALS will then return the GRANT funds to the CONTRACT balance. OGALS cannot return interest to the CONTRACT balance.

Subsequent Payments

ADVANCE payments must be cleared before *any* payments will be approved.

This requirement may be waived in cases where a PROJECT requires timely payments to contractors, and the remaining balance of unspent ADVANCED funds cannot cover the next PROJECT payment. The following are required to request a waiver:

1. A letter to the PROJECT OFFICER, signed by the AUTHORIZED REPRESENTATIVE, explaining why the waiver is needed.
2. A statement in the letter that the majority of ADVANCED funds has been cleared.
3. A payment schedule with month by month estimates detailing the anticipated amount needed including the unspent balance of previously ADVANCED funds, along with the additional requested reimbursement or ADVANCE.

Acquisition Advance

Payment Type	When to Request	Documents to Send
ADVANCES up to 100% of the GRANT	After the contract is encumbered and escrow is open	See following instructions 1. Escrow letter 2. Title report cover page 3. Payment request form

The following items are required to request an ADVANCE payment into escrow:

1. A letter on the GRANTEE's letterhead, addressing all of the following elements, and signed by the GRANTEE's AUTHORIZED REPRESENTATIVE:
   a) Name, address and telephone number of the title company or escrow holder, and the escrow account number to which the GRANT funds will be disbursed.
   b) Copy of the property appraisal and written concurrence (page 3).
   c) GRANT CONTRACT number and amount of GRANT funds requested.
   d) A statement by the GRANTEE that "the preliminary title report shows that there are no liens, easements, or any other restrictions that would prevent completion of the SCOPE and fulfillment of the CONTRACT provisions."
   e) A statement by the GRANTEE that "all funds (exclusive of the GRANT funds to be provided under this agreement) needed for the completion of the acquisition of the property or properties have been secured and have been or will be deposited to escrow on or about the same date as the requested GRANT funds." In making this statement, the GRANTEE is entitled to reasonably rely on the representations of the seller.
2. Cover page of the preliminary title report.
3. Payment Request Form: the "Send Warrant To" item 7 on the Payment Request Form must be completed using the title company's or escrow holder's name, mailing address, and contact person (see page 18).

After approval by OGALS, the payment will be mailed by the State Controller's Office to the designated escrow company within approximately 30 working days.

Returning Unexpended Advanced Funds for Acquisition

If all or a portion of GRANT funds ADVANCED to the title or escrow company are not expended, the unused portion of the ADVANCED funds must be returned to OGALS within 60 days after completion of the acquisition(s), within 60 days of the acquisition withdrawal, or within 60 days after the end of the GRANT PERFORMANCE PERIOD, *whichever is earliest.*

Competitive Grant Program Contract

State of California – The Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Sample Grant Contract
Competitive Grant Program

Grantee: Grantee

Grant Performance Period is from July 1, 20xx through June 30, 20xx

CONTRACT PERFORMANCE PERIOD is from July 1, 20xx through June 30, 20xx

The GRANTEE agrees to the terms and conditions of this Contract, and the State of California, acting through its Director of the Department of Parks and Recreation, pursuant to the State of California, agrees to fund the total State grant amount indicated below.

The GRANTEE agrees to complete the GRANT SCOPE(s) as defined in the GRANT SCOPE/Cost Estimate Form for the application filed with the State of California.

Total State grant amount not to exceed $ Grant amount

The General and Special Provisions attached are made a part of and incorporated into the Contract.

STATE OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION

By _____

Date _____

_____
GRANTEE

By _____

(Typed or printed name of Authorized Representative)

_____
(Signature of AUTHORIZED REPRESENTATIVE)

Title _____

Date _____

CERTIFICATION OF FUNDING (FOR STATE USE ONLY)

AMOUNT OF ESTIMATE $		CONTRACT NUMBER	FUND		
ADJ. INCREASING ENCUMBRANCE $		APPROPRIATION			
ADJ. DECREASING ENCUMBRANCE $		ITEM VENDOR NUMBER			
UNENCUMBERED BALANCE $		LINE ITEM ALLOTMENT	CHAPTER	STATUTE	FISCAL YEAR
T.B.A. NO.	B.R. NO.	INDEX	Funding Source		OBJ. EXPEND
I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance.					
SIGNATURE OF ACCOUNTING OFFICER			DATE		

SAMPLE

I. RECITALS

This CONTRACT is entered into between the California Department of Parks and Recreation (hereinafter referred to as "GRANTOR," "DEPARTMENT" or "STATE") and [grantee name] (hereinafter referred to as "GRANTEE").

The DEPARTMENT hereby grants to GRANTEE a sum (also referred to as "GRANT MONIES") not to exceed $grant amount, subject to the terms and conditions of this CONTRACT and the 20xx/xx California State Budget, Chapter xx, statutes of 20xx, Item number – 3790-xxx-xxxx (appropriation chapter and budget item number hereinafter referred to as "COMPETITIVE GRANT PROGRAM GRANT"). These funds shall be used for completion of the GRANT SCOPE(S).

The Grant Performance Period is from July 1, 20xx to June 30, 20xx.

II. GENERAL PROVISIONS

A. Definitions

As used in this CONTRACT, the following words shall have the following meanings:

1. The term "ACT" means the California Drought, Water, Parks Climate, Coastal Protection, and Outdoor Access for All Act of 2018, as referred to in section I of this CONTRACT.
2. The term "APPLICATION" means the individual project APPLICATION packet for a project pursuant to the enabling legislation and/or grant program process guide requirements.
3. The term "DEPARTMENT" or "STATE" means the California Department of Parks and Recreation.
4. The term "DEVELOPMENT" means capital improvements to real property by means of, but not limited to, construction, expansion, and/or renovation, of permanent or fixed features of the property.
5. The term "GRANTEE" means the party described as the GRANTEE in Section I of this CONTRACT.
6. The term "GRANT SCOPE" means the items listed in the GRANT SCOPE/Cost Estimate Form found in each of the APPLICATIONS submitted pursuant to this grant.
7. The term "GUIDES" means (1) the document identified as the "Grant Administration Guide for California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 Competitive Grant Programs Capital Improvement Projects" and (2) The Application Guide that established the competitive procedures and policies for the selection of projects.

B. Project Execution

1. Subject to the availability of GRANT MONIES in the act, the STATE hereby grants to the GRANTEE a sum of money not to exceed the amount stated in Section I of this CONTRACT, in consideration of, and on condition that, the sum be expended in carrying out the purposes as set forth in the scope described in the enabling legislation and referenced in the APPLICATION, Section I of this CONTRACT, and under the terms and conditions set forth in this CONTRACT.

SAMPLE

The GRANTEE shall assume any obligation to furnish any additional funds that may be necessary to complete the GRANT SCOPE(S).

The GRANTEE agrees to submit any change or alteration from the original GRANT SCOPE(S) in writing to the STATE for prior approval. This applies to any and all changes that occur after STATE has approved the APPLICATION. Changes in the GRANT SCOPE(S) must be approved in writing by the STATE.

2. The GRANTEE shall complete the GRANT SCOPE(S) in accordance with the time of the Performance Period set forth in Section I of this CONTRACT, and under the terms and conditions of this contract.

   To maintain the integrity of the competitive grant program, the GRANTEE agrees that any other project changes or alterations which deviate from the intent of the project selection criteria provided by the GRANTEE in the original competitive APPLICATION must be submitted in writing to the STATE for prior approval.

3. The GRANTEE shall comply with the California Environmental Quality Act (Public Resources Code, §21000, et seq., Title 14, California Code of Regulations, §15000 et seq.).

4. The GRANTEE shall comply with all applicable current laws and regulations affecting DEVELOPMENT projects, including, but not limited to, legal requirements for construction contracts, building codes, health and safety codes, and laws and codes pertaining to individuals with disabilities, including but not limited to the Americans With Disabilities Act of 1990 (42 U.S.C. §12101 et seq.) and the California Unruh Act (California Civil Code §51 et seq.)

C. Procedural Guide

1. GRANTEE agrees to abide by the GUIDES.

2. GRANTEE acknowledges that STATE may make reasonable changes to its procedures as set forth in the GUIDES. If STATE makes any changes to its procedures and guidelines, STATE agrees to notify GRANTEE within a reasonable time.

D. Project Administration

1. If GRANT MONIES are advanced for DEVELOPMENT projects, the advanced funds shall be placed in an interest bearing account until expended. Interest earned on the advanced funds shall be used on the project as approved by the STATE. If grant monies are advanced and not expended, the unused portion of the grant and any interest earned shall be returned to the STATE within 60 days after project completion or end of the grant performance period, whichever is earlier.

2. The GRANTEE shall submit written project status reports within 30 calendar days after the STATE has made such a request. In any event, the GRANTEE shall provide the STATE a report showing total final project expenditures within 60 days of project completion or the end of the grant performance period, whichever is earlier. The grant performance period is identified in Section I of this CONTRACT.

3. The GRANTEE shall make property or facilities acquired and/or developed pursuant to this contract available for inspection upon request by the STATE.

E. Project Termination

1. Project Termination refers to the non-completion of a GRANT SCOPE. Any grant funds that have not been expended by the GRANTEE shall revert to the STATE.

2. The GRANTEE may unilaterally rescind this CONTRACT at any time prior to the commencement of the project. The commencement of the project means the date of the letter notifying GRANTEE of the award or when the funds are appropriated, whichever is later. After project commencement, this CONTRACT may be rescinded, modified or amended only by mutual agreement in writing between the GRANTEE and the STATE, unless the provisions of this contract provide that mutual agreement is not required.

3. Failure by the GRANTEE to comply with the terms of the (a) GUIDES, (b) any legislation applicable to the ACT, (c) this CONTRACT as well as any other grant contracts, specified or general, that GRANTEE has entered into with STATE, may be cause for suspension of all obligations of the STATE unless the STATE determines that such failure was due to no fault of the GRANTEE. In such case, STATE may reimburse GRANTEE for eligible costs properly incurred in performance of this CONTRACT despite non-performance of the GRANTEE. To qualify for such reimbursement, GRANTEE agrees to mitigate its losses to the best of its ability.

4. Any breach of any term, provision, obligation or requirement of this CONTRACT by the GRANTEE shall be a default of this CONTRACT. In the case of any default by GRANTEE, STATE shall be entitled to all remedies available under law and equity, including but not limited to: a) Specific Performance; b) Return of all GRANT MONIES; c) Payment to the STATE of the fair market value of the project property or the actual sales price, whichever is higher; and d) Payment to the STATE of the costs of enforcement of this CONTRACT, including but not limited to court and arbitration costs, fees, expenses of litigation, and reasonable attorney fees.
5. The GRANTEE and the STATE agree that if the GRANT SCOPE includes DEVELOPMENT, final payment may not be made until the work described in the GRANT SCOPE is complete and the GRANT PROJECT is open to the public.

F. Budget Contingency Clause

If funding for any fiscal year is reduced or deleted by the budget act for purposes of this program, the STATE shall have the option to either cancel this contract with no liability occurring to the STATE, or offer a CONTRACT amendment to GRANTEE to reflect the reduced grant amount. This Paragraph shall not require the mutual agreement as addressed in Paragraph E, provision 2, of this CONTRACT.

G. Hold Harmless

1. The GRANTEE shall waive all claims and recourse against the STATE including the right to contribution for loss or damage to persons or property arising from, growing out of or in any way connected with or incident to this CONTRACT except claims arising from the concurrent or sole negligence of the STATE, its officers, agents, and employees.

2. The GRANTEE shall indemnify, hold harmless and defend the STATE, its officers, agents and employees against any and all claims, demands, damages, costs, expenses or liability costs arising out of the ACQUISITION, DEVELOPMENT, construction, operation or maintenance of the property described as the project which claims, demands or causes of action arise under

California Government Code Section 895.2 or otherwise except for liability arising out of the concurrent or sole negligence of the STATE, its officers, agents, or employees.

3. The GRANTEE agrees that in the event the STATE is named as codefendant under the provisions of California Government Code Section 895 et seq., the GRANTEE shall notify the STATE of such fact and shall represent the STATE in the legal action unless the STATE undertakes to represent itself as codefendant in such legal action in which event the GRANTEE agrees to pay the STATE's litigation costs, expenses, and reasonable attorney fees.

4. The GRANTEE and the STATE agree that in the event of judgment entered against the STATE and the GRANTEE because of the concurrent negligence of the STATE and the GRANTEE, their officers, agents, or employees, an apportionment of liability to pay such judgment shall be made by a court of competent jurisdiction. Neither party shall request a jury apportionment.

5. The GRANTEE shall indemnify, hold harmless and defend the STATE, its officers, agents and employees against any and all claims, demands, costs, expenses or liability costs arising out of legal actions pursuant to items to which the GRANTEE has certified. The GRANTEE acknowledges that it is solely responsible for compliance with items to which it has certified.

H. Financial Records

1. The GRANTEE shall maintain satisfactory financial accounts, documents, including loan documents, and all other records for the project and to make them available to the STATE for auditing at reasonable times. The GRANTEE also agrees to retain such financial accounts, documents and records for five years following project termination or issuance of final payment, whichever is later.

2. The GRANTEE shall keep such records as the STATE shall prescribe, including records which fully disclose (a) the disposition of the proceeds of STATE funding assistance, (b) the total cost of the project in connection with such assistance that is given or used, (c) the amount and nature of that portion of the project cost supplied by other sources, and (d) any other such records that will facilitate an effective audit.

3. The GRANTEE agrees that the STATE shall have the right to inspect and make copies of any books, records or reports pertaining to this contract or matters related thereto during regular office hours. The GRANTEE shall maintain and make available for inspection by the STATE accurate records of all of its costs, disbursements and receipts with respect to its activities under this contract. Such accounts, documents, and records shall be retained by the GRANTEE for at least five years following project termination or issuance of final payment, whichever is later.

4. The GRANTEE shall use a generally accepted accounting system.

I. Use of Facilities

1. The GRANTEE agrees that the GRANTEE shall operate and maintain the property acquired or developed with the GRANT MONIES, for the duration of the Contract Performance Period.

2. The GRANTEE agrees that, during the Contract Performance Period, the GRANTEE shall use the property acquired or developed with GRANT MONIES under this contract only for the purposes of this grant and no other use, sale, or other disposition or change of the use of the

property to one not consistent with its purpose shall be permitted except as authorized by the STATE and the property shall be replaced with property of equivalent value and usefulness as determined by the STATE.

3. The property acquired or developed may be transferred to another entity if the successor entity assumes the obligations imposed under this CONTRACT and with the approval of STATE.

4. Any real Property (including any portion of it or any interest in it) may not be used as security for any debt or mitigation, without the written approval of the STATE provided that such approval shall not be unreasonably withheld as long as the purposes for which the Grant was awarded are maintained. Any such permission that is granted does not make the STATE a guarantor or a surety for any debt or mitigation, nor does it waive the STATE'S rights to enforce performance under the Grant CONTRACT.

5. All real property, or rights thereto, acquired with GRANT MONIES shall be subject to an appropriate form of restrictive title, rights, or covenants approved by the STATE. If the project property is taken by use of eminent domain, GRANTEE shall reimburse STATE an amount at least equal to the amount of GRANT MONIES received from STATE or the pro-rated full market value of the real property, including improvements, at the time of sale, whichever is higher.

6. If eminent domain proceedings are initiated against GRANTEE, GRANTEE shall notify STATE within 10 days of receiving the complaint.

J. Nondiscrimination

1. The GRANTEE shall not discriminate against any person on the basis of sex, race, color, national origin, age, religion, ancestry, sexual orientation, or disability in the use of any property or facility developed pursuant to this contract.

2. The GRANTEE shall not discriminate against any person on the basis of residence except to the extent that reasonable differences in admission or other fees may be maintained on the basis of residence and pursuant to law.

3. All facilities shall be open to members of the public generally, except as noted under the special provisions of this project contract or under provisions of the enabling legislation and/or grant program.

K. Severability

If any provision of this CONTRACT or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of the CONTRACT which can be given effect without the invalid provision or application, and to this end the provisions of this CONTRACT are severable.

L. Liability

1. STATE assumes no responsibility for assuring the safety or standards of construction, site improvements or programs related to the GRANT SCOPE. The STATE'S rights under this CONTRACT to review, inspect and approve the GRANT SCOPE and any final plans of

implementation shall not give rise to any warranty or representation that the GRANT SCOPE and any plans or improvements are free from hazards or defects.

2. GRANTEE will secure adequate liability insurance, performance bond, and/or other security necessary to protect the GRANTEE's and STATE'S interest against poor workmanship, fraud, or other potential loss associated with completion of the grant project.

M. Assignability

Without the written consent of the STATE, the GRANTEE'S interest in and responsibilities under this CONTRACT shall not be assignable by the GRANTEE either in whole or in part.

N. Use of Grant Monies

GRANTEE shall not use any grant funds (including any portion thereof) for the purpose of making any leverage loan, pledge, promissory note or similar financial device or transaction, without: 1) the prior written approval of the STATE; and 2) any financial or legal interests created by any such leverage loan, pledge, promissory note or similar financial device or transaction in the project property shall be completely subordinated to this CONTRACT through a Subordination Agreement provided and approved by the STATE, signed by all parties involved in the transaction, and recorded in the County Records against the fee title of the project property.

O. Section Headings

The headings and captions of the various sections of this CONTRACT have been inserted only for the purpose of convenience and are not a part of this CONTRACT and shall not be deemed in any manner to modify, explain, or restrict any of the provisions of this CONTRACT.

P. Waiver

Any failure by a party to enforce its rights under this CONTRACT, in the event of a breach, shall *not* be construed as a waiver of said rights; and the waiver of any breach under this CONTRACT shall *not* be construed as a waiver of any subsequent breach.

_____
GRANTEE
By:_____
Signature of Authorized Representative

Title: _____
Date: _____

STATE OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION

By: _____

Date: _____

Accounting and Audits

Accounting Requirements

GRANTEES must use accounting practices that:

- Provide accounting data that clearly records costs incurred on the PROJECT and accurately reflects fiscal transactions, with the necessary controls and safeguards.
- Provide good audit trails, especially the source documents (purchase orders, receipts, progress payments, invoices, time cards, cancelled warrants, warrant numbers, etc.) specific to the PROJECT.

Accounting Rules for Employee Services (IN-HOUSE EMPLOYEE SERVICES)

GRANTEES must follow these accounting practices for employee services:

- Maintain time and attendance records as charges are incurred, identifying the employee through a name or other tracking system, and that employee's actual time spent on the PROJECT.
- Time estimates, including percentages, for work performed on the PROJECT are not acceptable.
- Time sheets that do not identify the specific employee's time spent on the PROJECT are not acceptable.
- Costs of the salaries and wages must be calculated according to the GRANTEE'S wage and salary scales, and may include benefit costs such as vacation, health insurance, pension contributions and workers' compensation.
- Overtime costs may be allowed under the GRANTEE'S established policy, provided that the regular work time was devoted to the same PROJECT.
- May not include overhead or cost allocation. These are costs generally associated with supporting an employee, such as rent, personnel support, IT, utilities, etc.

State Audit

Grants are subject to audit by DPR. (See page 33, Audit Checklist). All PROJECT records must be retained for five years after final payment was issued, or PROJECT terminated, whichever is later.

The GRANTEE must provide the following when an audit date and time has been confirmed by DPR:

- All PROJECT records, including the source documents and cancelled warrants, books, papers, accounts, time sheets, or other records listed in the Audit Checklist or requested by DPR.
- An employee having knowledge of the PROJECT and its records to assist the DPR auditor.

Record Keeping Recommendation

GRANTEES are encouraged to keep records of all eligible costs, including those not submitted to OGALS for payment. This provides a potential source of additional eligible costs, should any submitted expenses be deemed ineligible.

Contact the DPR Audits Office at (916) 657-0370 for questions about these requirements.

Audit Checklist

An audit of the PROJECT may be performed before or following PROJECT completion. The GRANTEE must retain and make available all PROJECT related records for five years following PROJECT termination or final payment of grant funds. Listed below are some of the items the auditor will examine during the review of your records as applicable. It is the responsibility of the GRANTEE to have these records available in a central location ready for review once an audit date and time has been confirmed. If you have any questions regarding these documents, you may contact the State Department of Parks and Recreation Audits Office at (916) 657-0370.

CONTRACTS

_____ Summary list of bidders (including individual bid packages)

_____ Recommendation by reviewer of bids

_____ Awarding by governing body (minutes of the meeting/resolution)

_____ Construction contract agreement

_____ CONTRACT bonds (bid, performance, payment)

_____ CONTRACT change orders

_____ Contractor's progress billings

_____ Payments to contractor (cancelled checks/warrants, bank statements and EFT receipts**)

_____ Stop Notices (filed by sub-contractors and release if applicable)

_____ Liquidated damages (claimed against the contractor)

_____ Notice of completion (recorded)

IN-HOUSE EMPLOYEE SERVICES*

_____ Authorization/work order identifying project

_____ Daily time sheets signed by employee and supervisor

_____ Hourly rate (salary schedules/payroll register)

_____ Fringe benefits (provide breakdown)

IN-HOUSE EQUIPMENT*

_____ Authorization/work order

_____ Daily time records identifying the project site

_____ Hourly rate related backup documents

MINOR CONTRACTS/MATERIALS/SERVICES/ EQUIPMENT RENTALS

_____ Purchase orders/Contracts/Service Agreements

_____ Invoices

_____ Payments (actual cancelled checks/warrants, bank statements and EFT receipts **)

ACQUISITION

_____ Appraisal Report

_____ Did the owner accompany the appraiser?

_____ 10 year history

_____ Statement of just compensation (signed by seller)

_____ Statement of difference (if purchased above appraisal)

_____ Waiver of just compensation (if purchased below appraisal: signed by seller)

_____ Final Escrow Closing Statement

_____ Cancelled checks/warrants, bank statements and EFT receipts, [payment(s) to seller(s)]

_____ GRANT deed (vested to the participant) or final order of condemnation

_____ Title insurance policy (issued to participant)

_____ Relocation documents

_____ Income (rental, grazing, sale of improvements, etc.)

INTEREST

_____ Schedule of interest earned on State funds advanced
Note: Interest on grant advances is accountable, even if commingled in a pooled fund account and/or interest was never allocated back to the grant fund.

AGREEMENT/CONTRACTS

_____ Leases, agreements, etc., pertaining to developed/acquired property

_____ Proof of insurance pertaining to developed/acquired property

* Estimated time expended on the projects is not acceptable. Actual time records and all supporting documentation must be maintained as charges are incurred and made available for verification at the time of audit.

** Front and back if copied.

Definitions

Capitalized words and terms used in this guide are defined below.

ADVANCE – payment made to the GRANTEE for work that will occur in the future or work that has already occurred during the GRANT PERFORMANCE PERIOD and has not been paid for by the GRANTEE.

AUTHORIZED REPRESENTATIVE – the GRANTEE'S designated position authorized in the Resolution to sign all required GRANT documents.

CEQA – the California Environmental Quality Act established policies and procedures requiring GRANTEES to identify, disclose to decision makers and the public, and attempt to lessen, significant impacts to environmental and historical resources that may occur as a result of the GRANTEE's proposed PROJECT. (Public Resources Code §21000 et seq.; Title 14 California Code of Regulations §15000 et seq.)

CONSTRUCTION COSTS – costs incurred starting with the date when ground-breaking construction activities such as site preparation, grading, or gutting begins, and continuing to the end of the GRANT PERFORMANCE PERIOD.

CONTRACT PERFORMANCE PERIOD – the amount of time stated on the CONTRACT agreement, specifying the performance of the contractual grant obligations between the GRANTEE and DPR.

DEVELOPMENT – construction, expansion, or renovation.

DPR – the California Department of Parks and Recreation.

GRANT – funds made available to a GRANTEE for completion of the PROJECT during the GRANT PERFORMANCE PERIOD.

GRANTEE – an entity having a fully executed CONTRACT with DPR.

GRANT PERFORMANCE PERIOD – period of time that ELIGIBLE COSTS may be incurred by the GRANTEE and paid for by DPR, as specified in the fully executed CONTRACT.

IN-HOUSE EMPLOYEE SERVICES – use of the GRANTEE's employees working on the PROJECT SCOPE.

OGALS – DPR's Office of Grants and Local Services.

PRE-CONSTRUCTION COSTS – costs incurred within the GRANT PERFORMANCE PERIOD for the planning, design, and permit phase of the PROJECT before construction can begin.

PROJECT – the SCOPE as described in the competitive application to be completed with GRANT funds and committed funds, if identified on Funding Sources Form (page 6).

PROJECT COMPLETION – when the SCOPE is complete and the facilities are open and useable by the public.

PROJECT COMPLETION PACKET – The documents listed on page 20 that are required in order to request final payment following PROJECT COMPLETION.

PROJECT OFFICER – an OGALS employee, who acts as a liaison with GRANTEES and administers GRANT funds, facilitates compliance with the Administration Guide, and the GRANT CONTRACT.

SCOPE – the recreation features and major support amenities, as described in the competitive application that must be completed prior to final GRANT payment.

TOTAL PROJECT COST – the combined dollar amount of all funding sources used to complete the recreation features and major support amenities listed in the PROJECT SCOPE/Cost Estimate Form.

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works
Holly Stuart, Management Analyst

MEETING DATE: June 25, 2019

SUBJECT: Adopt Resolution 2019-XX, Approving the Replacement of Vehicles for Fiscal Year 2020 pursuant to the Five (5) Year Master Equity Lease Agreement with Enterprise Fleet Management

---

RECOMMENDED ACTION:

Staff Recommends that City Council adopt Resolution 2019-XX:

1. Approving the replacement of vehicles for Fiscal Year 2020 pursuant to the Five (5) Year Master Equity Lease Agreement with Enterprise Fleet Management and authorizing the City Manager or designee to execute all required documents related to the Fiscal Year 2020 replacement vehicles.

2. Authorizing the City Manager or designee to declare and remove various City-owned vehicles from the City's fleet and dispose of the surplus vehicle assets per City policy.

3. Authorizing the proceeds from the sale of the surplus vehicles to be applied towards the cost of the annual leasing program.

4. Authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the Vehicle Lease and Replacement Program.

BACKGROUND:

On September 25, 2018, City Council approved a Five (5) Year Master Equity Lease Agreement with Enterprise Fleet Management for a Vehicle Lease and Replacement

Program beginning Fiscal Year 2019 and ending Fiscal Year 2023. Through the implementation of the Five (5) Year Replacement Plan, it is staff's intention to replace a total of 57 existing light and medium weight passenger vehicles. Staff committed to presenting a list of vehicles to City Council that have been identified to be replaced as part of the replacement program on an annual basis.

During the initial program year, Fiscal Year 2019, twelve (12) vehicles were replaced as identified on the master fleet replacement schedule. Following evaluation of the schedule, staff recommends proceeding with the replacement of the eight (8) vehicles identified for Fiscal Year 2020. The continued implementation of this leasing program will reduce fleet operating costs (maintenance, fuel & repairs). Additionally, through the continued implementation of the program, the City will be able to capitalize on the resale value of new vehicles obtained through the program but released once the effective vehicle lifecycle (5 years) is exhausted.

JUSTIFICATION:

The City entered into a Maser Equity Lease Agreement with Enterprise Fleet Management effective for a five (5) year period beginning Fiscal Year 2019. Upon the annual evaluation of the replacement schedule, staff recommends the replacement of eight (8) vehicles as identified per the master fleet replacement schedule for Fiscal Year 2020.

FISCAL IMPACT:

The total annual cost of the program during the 60-month term is $103,596.48 which includes the lease payment, maintenance services, and down payment for aftermarket parts (e.g. arrow boards, light bars, etc.). The total end year cost for the first year may be lower than the amount budgeted and will depend on the date the vehicles are delivered to the City.

The cost for the program has been included in the proposed budget for FY 2019-2020 and will be included in future budget years as follows:

001-3600-461.32-06 (Parks):	$7,253.52
001-3000-442.32-06 (Engineering):	$6,643.92
100-4900-431.32-06 (Streets):	$15,054.00
660-6300-471.32-06 (Water):	$38,452.56
680-8000-454.32-06 (Wastewater):	$9,603.36
670-7000-473.32-06 (Electric):	$26,589.12
	$103,596.48

At the end of the individual vehicle lease term (i.e. 5 years) the City will have the option to either purchase the vehicle at market value or sell the vehicle and apply the proceeds (i.e. resale value minus balance of vehicle) as a down payment on the replacement vehicles, which would in turn will lower the monthly lease payment.

ALTERNATIVE:

Reject Resolution 2019-XX and provide direction to staff.

ATTACHMENTS:

1. Resolution 2019-XX
2. Staff Report and Resolution 2018-118 (excluding attachments)
3. Agreement with Enterprise for a Vehicle Leasing Replacement Program
4. 2019-2020 Vehicle Replacement List
5. 5 Year Replacement List

Approved by:

Douglas Schulze
City Manager

ATTACHMENT 1

Resolution 2019-XX

RESOLUTION 2019-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE REPLACMENT OF VEHICLES FOR FISCAL YEAR 2019/2020 PURSUANT TO THE FIVE (5) YEAR MASTER EQUITY LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT

WHEREAS, on September 25, 2018, City Council approved a Five (5) Year Master Equity Lease Agreement with Enterprise Fleet Management for a Vehicle Lease and Replacement Program beginning Fiscal Year 2019 and ending Fiscal Year 2023; and

WHEREAS, as a result, the City entered into a lease and replacement program with Enterprise for a five (5) year period beginning Fiscal Year 2019 and ending Fiscal Year 2023 that would allow the City to replace the majority of its light and medium duty fleet vehicles over a five-year period beginning in Fiscal Year 2018-2019; and

WHEREAS, during the initial program year, Fiscal Year 2019, twelve (12) vehicles were replaced; and

WHEREAS, the City will replace eight vehicles previously identified on the master fleet replacement schedule during Fiscal Year 2020; and

WHEREAS, every year City staff will present a list of vehicles that have been identified to be replaced as part of the replacement program; and

WHEREAS, total cost of the program for Fiscal Year 2019-2020 is $65,296.68 which includes the lease payment, maintenance services and down payment for aftermarket parts (e.g. arrow boards, light bars, etc.); and

WHEREAS, the annual cost for the program during the 60-month term is $103,596.48 and will be funded by the following accounts: 001-3000-442.32-06 (Engineering), 100-4900-431.32.06 (Streets), 660-6300-471.32.06 (Water), and 670-7000-473.32.06 (Electric).

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

SECTION 1. The Banning City Council adopts Resolution 2019-XX, approving the replacement of vehicles for Fiscal Year 2020 pursuant to the Five (5) Year Master Equity Lease Agreement with Enterprise Fleet Management and authorizing the City Manager or designee to execute all required documents related to the Fiscal Year 2020 replacement vehicles.

SECTION 2. The City Manager or designee is authorized to declare and remove various City-owned vehicles from the City's fleet and dispose of the surplus vehicle assets per City policy.

SECTION 3. The proceeds from the sale of the surplus vehicles is authorized to be applied towards the cost of the annual leasing program.

SECTION 4. The City Manager or designee is authorized to make necessary budget adjustments, appropriations and transfers related to the Vehicle Lease and Replacement Program.

SECTION 5. The City Clerk shall certify to the adoption of this Resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019.

_____
Arthur L. Welch, Mayor
City of Banning

ATTEST:

_____
Daryl Betancur, Deputy City Clerk
City of Banning

APPROVED AS TO FORM AND LEGAL CONTENT:

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

CERTIFICATION:

I, Daryl Betancur, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-___, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Daryl Betancur, Deputy City Clerk
City of Banning, California

ATTACHMENT 2

Staff Report and Resolution 2018-118, excluding attachments

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: September 25, 2018

SUBJECT: Adopt Resolution 2018-118, Approving a Vehicle Lease and Replacement Program and Awarding a Five (5) Year Master Equity Lease Agreement to Enterprise Fleet Management

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RECOMMENDED ACTION:

Staff Recommends that City Council adopt Resolution 2018-118:

1. Authorizing the Interim City Manager or her designee to execute a Five (5) year Master Equity Lease Agreement and supporting documentation, beginning Fiscal Year 2019 and ending Fiscal year 2023 with Enterprise Fleet Management for a Vehicle Lease and Replacement Program.

2. Authorizing the Interim City Manager or her designee to declare and remove various City-owned vehicles from the City's fleet and dispose of the surplus vehicle assets per City policy.

3. Authorizing the proceeds from the sale of the surplus vehicles to be applied towards the cost of the annual leasing program.

4. Authorizing the Interim City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the Vehicle Lease and Replacement Program.

BACKGROUND:

Vehicles and equipment have historically been purchased and owned by the City. The City maintains a fleet of vehicles for use by various City Departments which includes

light, medium and heavy duty vehicles and equipment. The City owns 57 light and medium duty passenger vehicles (excluding Police Department vehicles) and on average, the age of these passenger vehicles is 12.7 years.

The City's fleet are typically kept in operation long past the appropriate vehicle life span resulting in higher repair, maintenance and fuel costs. In addition to the expense, in order to reduce vehicle downtown time fleet mechanics are dedicated to the repair of these older vehicles which prevents the mechanics from performing important preventative maintenance work on other vehicles within appropriate timeframes.

In an effort to reduce costs and provide a more efficient fleet, staff has researched leasing options and found that the implementation of a leasing program can reduce operating costs (maintenance, fuel & repairs) and lead to greater vehicle efficiency that is more environmentally friendly than existing vehicle technology. A program will also result in less vehicle downtime with the vehicles being more reliable and offer warranties for the duration of the leasing period. Furthermore, implementation of a leasing program may create uniformity and standardization, improve the City's image, increase morale, as well as, safety. A leasing program will also provide an opportunity for the City to capitalize on the resale value of new vehicles obtained through the program but released once the effective vehicle lifecycle (5 years) is exhausted.

JUSTIFICATION:

Through research staff identified its existing membership in The Interlocal Purchasing System (TIPS). TIPS is a national cooperative purchasing program whose memberships include government and other entities in various states including California. This cooperative purchasing system enables member entities to purchase on an "as-needed" basis from competitively awarded contracts with high performance vendors. Enterprise is one of the vendors and has secured a contract with TIPS through a competitive process for fleet leasing and management services under TIPS Contract No. 2072816.

Upon request, Enterprise proposed a vehicle leasing and replacement program that would allow the City to replace the majority of its light and medium duty fleet vehicles over a five-year period beginning in Fiscal Year 2018-2019. The proposal has no impact on current staff levels and allows for the City to determine the number and rate of vehicles to lease/and or replace.

As part of the proposal, Enterprise also offers maintenance services such as routine vehicle maintenance related to tires, brakes and fluids. Staff feels that including the maintenance service as part of the agreement with Enterprise would allow the Fleet Department staff to increase their level of service on the remaining vehicles that are not part of the fleet replacement program (e.g. tractors, graders, Police Department vehicles, boom trucks, buses, dump trucks, etc.).

The City's fleet is made of over 250 vehicles and pieces of equipment, 57 are classified as light or medium duty passenger vehicles (excluding Police Department vehicles) and

have been identified as good candidates to participate in a Vehicle Lease and Replacement Program offered by Enterprise.

Staff analyzed and identified twelve (12) vehicles to be replaced during the initial year of the proposed program as shown in Attachment 4. These vehicles will be replaced with equal or comparable vehicles that best meet operational needs. The replacement vehicles were coordinated with staff from each department that is scheduled to receive the replacement vehicles.

Staff will evaluate the replacement of the remaining fleet vehicles on an annual basis and will bring recommendations to City Council for consideration and approval. It is staff's intention to Implement a Five (5) Year Replacement Plan which will result in replacing the 57 vehicles that have been identified to be part of the replacement program.

FISCAL IMPACT:

The total cost of the program for fiscal year 2018-2019 is $124,564.74 which includes the lease payment, maintenance services and an initial onetime payment of $25,999.98 for aftermarket parts (e.g. arrow boards, light bars, etc.). At the end of the individual vehicle lease term (i.e. 5 years) the City will have the option to either purchase the vehicle at market value or sell the vehicle and apply the proceeds (i.e. resale value minus balance of vehicle) as a down payment on the replacement vehicles, which would in turn will lower the monthly lease payment.

The cost for the program has been included in the approved budget for 2018-2019 as follows:

001-3000-442.32-06 (Engineering):	$9,917
100-4900-431.32.06 (Streets):	$25,290
660-6300-471.32.06 (Water):	$41,265
670-7000-473.32.06 (Electric):	$17,914
702-3800-480.32-06 (Fleet Maint.):	$16,128
	$110,514

Appropriations in the amount of $1,151.20 from the General Fund to Account 001-3000-442.32-06; $4,644.16 from the Gas Tax Street Fund to Account 100-4900-431.32.06; $8,268.56 from the Water Fund to Account 660-6300-471.32.06 to cover the total cost of the program for fiscal year 2018-2019.

ALTERNATIVE:

Reject Resolution 2018-118 and provide direction to staff.

ATTACHMENTS:

1. Resolution 2018-118
2. Enterprise TIPS Contract No. 2072816
3. Draft Agreement with Enterprise for a Vehicle Leasing Replacement Program
4. 2018-2019 Vehicle Replacement List
5. 5 Year Replacement List
6. Case Studies

Approved by:

_____

Rochelle Clayton
Interim City Manager

ATTACHMENT 1

Resolution 2018-118

RESOLUTION 2018-118

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING A VEHICLE LEASE AND REPLACEMENT PROGRAM AND AWARDING A FIVE (5) YEAR MASTER EQUITY LEASE AGREEMENT TO ENTERPRISE FLEET MANAGEMENT

WHEREAS, historically the City has purchased and owns vehicles used for daily operations of the City; and

WHEREAS, in order to reduce repair and maintenance costs, staff researched vehicle leasing options and found that the City would benefit from the implementation of a leasing program which would result in the reduction of operating costs; greater vehicle efficiency; more environmentally friendly technology; less vehicle downtime; uniformity and standardization; improved City image; increased morale and safety; and would provide an opportunity for the City to capitalize on the resale value of vehicles released from the program; and

WHEREAS, staff identified its existing membership with The Interlocal Purchasing System (TIPS) which is a national cooperative purchasing program which enables its members, government and other entities, to purchase on an "as-needed" basis from competitively awarded contracts; and

WHEREAS, Enterprise Fleet Management is an approved vendor that has secured a contract with TIPS through a competitive process for fleet leasing and management services under TIPS Contract No. 2072816; and

WHEREAS, the City will enter into a lease and replacement program with Enterprise for a five (5) year period beginning Fiscal Year 2019 and ending Fiscal Year 2023 that would allow the City to replace the majority of its light and medium duty fleet vehicles over a five-year period beginning in Fiscal Year 2018-2019; and

WHEREAS, the City will replace 57 existing light and medium weight passenger vehicles during the first year of the leasing program; and

WHEREAS, every year City staff will present a list of vehicles that have been identified to be replaced as part of the replacement program; and

WHEREAS, total cost of the program for fiscal year 2018-2019 is $124,564.74 which includes the lease payment, maintenance services and an initial onetime payment of $25,999.98 for aftermarket parts (e.g. arrow boards, light bars, etc.); and

WHEREAS, the cost for the program will be funded by the following accounts: 001-3000-442.32-06 (Engineering), 100-4900-431.32.06 (Streets), 660-6300-471.32.06 (Water), 670-7000-473.32.06 (Electric), and 702-3800-480.32-06 (Fleet Maint.); and

WHEREAS, appropriations from the General Fund to Account 001-3000-442.32-06; from the Gas Tax Street Fund to Account 100-4900-431.32.06; from the Water Fund

to Account 660-6300-471.32.06 are required to cover the total cost of the program for fiscal year 2018-2019.

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

SECTION 1. The Banning City Council adopts Resolution 2018-118, approving a Vehicle Lease and Replacement Program and Awarding a Five (5) Year Agreement to Enterprise Fleet Management for Fleet Leasing and Management Services.

SECTION 2. The Interim City Manager or her designee is authorized to execute a Five (5) year term Master Equity Lease Agreement beginning Fiscal Year 2019 and ending Fiscal year 2023 with Enterprise Fleet Management for a Vehicle Lease and Replacement Program.

SECTION 3. The Interim City Manager or her designee is authorized to declare and remove various City-owned vehicles from the City's fleet and dispose of the surplus vehicle assets per City policy.

SECTION 4. The proceeds from the sale of the surplus vehicles is authorized to be applied towards the cost of the annual leasing program.

SECTION 5. The Interim City Manager or designee is authorized to make necessary budget adjustments, appropriations and transfers related to the Vehicle Lease and Replacement Program.

PASSED, APPROVED AND ADOPTED this 25th day of September, 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 2018-118, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of September, 2018, by the following vote, to wit:

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

NOES: None

ABSTAIN: None

ABSENT: Council Member Franklin

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

ATTACHMENT 3

Agreement with Enterprise for a Vehicle Leasing Replacement Program

enterprise
FLEET MANAGEMENT

MASTER EQUITY LEASE AGREEMENT

This Master Equity Lease Agreement is entered into this 25 day of September 2018, by and between Enterprise FM Trust, a Delaware statutory trust ("Lessor"), and the lessee whose name and address is set forth on the signature page below ("Lessee").

1. LEASE OF VEHICLES: Lessor hereby leases to Lessee and Lessee hereby leases from Lessor the vehicles (individually, a "Vehicle" and collectively, the "Vehicles") described in the schedules from time to time delivered by Lessor to Lessee as set forth below ("Schedule(s)") for the rentals and on the terms set forth in this Agreement and in the applicable Schedule. References to this "Agreement" shall include this Master Equity Lease Agreement and the various Schedules and addenda to this Master Equity Lease Agreement. Lessor will, on or about the date of delivery of each Vehicle to Lessee, send Lessee a Schedule covering the Vehicle, which will include, among other things, a description of the Vehicle, the lease term and the monthly rental and other payments due with respect to the Vehicle. The terms contained in each such Schedule will be binding on Lessee unless Lessee objects in writing to such Schedule within ten (10) days after the date of delivery of the Vehicle covered by such Schedule. Lessor is the sole legal owner of each Vehicle. This Agreement is a lease only and Lessee will have no right, title or interest in or to the Vehicles except for the use of the Vehicles as described in this Agreement. This Agreement shall be treated as a true lease for federal and applicable state income tax purposes with Lessor having all benefits of ownership of the Vehicles. It is understood and agreed that Enterprise Fleet Management, Inc. or an affiliate thereof (together with any subservicer, agent, successor or assign as servicer on behalf of Lessor, "Servicer") may administer this Agreement on behalf of Lessor and may perform the service functions herein provided to be performed by Lessor.

2. TERM: The term of this Agreement ("Term") for each Vehicle begins on the date such Vehicle is delivered to Lessee (the "Delivery Date") and, unless terminated earlier in accordance with the terms of this Agreement, continues for the "Lease Term" as described in the applicable Schedule.

3. RENT AND OTHER CHARGES:

(a) Lessee agrees to pay Lessor monthly rental and other payments according to the Schedules and this Agreement. The monthly payments will be in the amount listed as the "Total Monthly Rental Including Additional Services" on the applicable Schedule (with any portion of such amount identified as a charge for maintenance services under Section 4 of the applicable Schedule being payable to Lessor as agent for Enterprise Fleet Management, Inc.) and will be due and payable in advance on the first day of each month. If a Vehicle is delivered to Lessee on any day other than the first day of a month, monthly rental payments will begin on the first day of the next month. In addition to the monthly rental payments, Lessee agrees to pay Lessor a pro-rated rental charge for the number of days that the Delivery Date precedes the first monthly rental payment date. A portion of each monthly rental payment, being the amount designated as "Depreciation Reserve" on the applicable Schedule, will be considered as a reserve for depreciation and will be credited against the Delivered Price of the Vehicle for purposes of computing the Book Value of the Vehicle under Section 3(c). Lessee agrees to pay Lessor the "Total Initial Charges" set forth in each Schedule on the due date of the first monthly rental payment under such Schedule. Lessee agrees to pay Lessor the "Service Charge Due at Lease Termination" set forth in each Schedule at the end of the applicable Term (whether by reason of expiration, early termination or otherwise).

(b) In the event the Term for any Vehicle ends prior to the last day of the scheduled Term, whether as a result of a default by Lessee, a Casualty Occurrence or any other reason, the rentals and management fees paid by Lessee will be recalculated in accordance with the rule of 78's and the adjusted amount will be payable by Lessee to Lessor on the termination date.

(c) Lessee agrees to pay Lessor within thirty (30) days after the end of the Term for each Vehicle, additional rent equal to the excess, if any, of the Book Value of such Vehicle over the greater of (i) the wholesale value of such Vehicle as determined by Lessor in good faith or (ii) except as provided below, twenty percent (20%) of the Delivered Price of such Vehicle as set forth in the applicable Schedule. If the Book Value of such Vehicle is less than the greater of (i) the wholesale value of such Vehicle as determined by Lessor in good faith or (ii) except as provided below, twenty percent (20%) of the Delivered Price of such Vehicle as set forth in the applicable Schedule, Lessor agrees to pay such deficiency to Lessee as a terminal rental adjustment within thirty (30) days after the end of the applicable Term. Notwithstanding the foregoing, if (i) the Term for a Vehicle is greater than forty-eight (48) months (including any extension of the Term for such Vehicle), (ii) the mileage on a Vehicle at the end of the Term is greater than 15,000 miles per year on average (prorated on a daily basis) (i.e., if the mileage on a Vehicle with a Term of thirty-six (36) months is greater than 45,000 miles) or (iii) in the sole judgment of Lessor, a Vehicle has been subject to damage or any abnormal or excessive wear and tear, the calculations described in the two immediately preceding sentences shall be made without giving effect to clause (ii) in each such sentence. The "Book Value" of a Vehicle means the sum of (i) the "Delivered Price" of the Vehicle as set forth in the applicable Schedule minus (ii) the total Depreciation Reserve paid by Lessee to Lessor with respect to such Vehicle plus (iii) all accrued and unpaid rent and/or other amounts owed by Lessee with respect to such Vehicle.

(d) Any security deposit of Lessee will be returned to Lessee at the end of the applicable Term, except that the deposit will first be applied to any losses and/or damages suffered by Lessor as a result of Lessee's breach of or default under this Agreement and/or to any other amounts then owed by Lessee to Lessor.

(e) Any rental payment or other amount owed by Lessee to Lessor which is not paid within twenty (20) days after its due date will accrue interest, payable on demand of Lessor, from the date due until paid in full at a rate per annum equal to the lesser of (i) Eighteen Percent (18%) per annum or (ii) the highest rate permitted by applicable law (the "Default Rate").

(f) If Lessee fails to pay any amount due under this Agreement or to comply with any of the covenants contained in this Agreement, Lessor, Servicer or any other agent of Lessor may, at its option, pay such amounts or perform such covenants and all sums paid or incurred by Lessor in connection therewith will be repayable by Lessee to Lessor upon demand together with interest thereon at the Default Rate.

Initials: EFM _____ Customer _____

(g) Lessee's obligations to make all payments of rent and other amounts under this Agreement are absolute and unconditional and such payments shall be made in immediately available funds without setoff, counterclaim or deduction of any kind. Lessee acknowledges and agrees that neither any Casualty Occurrence to any Vehicle nor any defect, unfitness or lack of governmental approval in, of, or with respect to, any Vehicle regardless of the cause or consequence nor any breach by Enterprise Fleet Management, Inc. of any maintenance agreement between Enterprise Fleet Management, Inc. and Lessee covering any Vehicle regardless of the cause or consequence will relieve Lessee from the performance of any of its obligations under this Agreement, including, without limitation, the payment of rent and other amounts under this Agreement.

4. USE AND SURRENDER OF VEHICLES: Lessee agrees to allow only duly authorized, licensed and insured drivers to use and operate the Vehicles. Lessee agrees to comply with, and cause its drivers to comply with, all laws, statutes, rules, regulations and ordinances and the provisions of all insurance policies affecting or covering the Vehicles or their use or operation. Lessee agrees to keep the Vehicles free of all liens, charges and encumbrances. Lessee agrees that in no event will any Vehicle be used or operated for transporting hazardous substances or persons for hire, for any illegal purpose or to pull trailers that exceed the manufacturer's trailer towing recommendations. Lessee agrees that no Vehicle is intended to be or will be utilized as a "school bus" as defined in the Code of Federal Regulations or any applicable state or municipal statute or regulation. Lessee agrees not to remove any Vehicle from the continental United States without first obtaining Lessor's written consent. At the expiration or earlier termination of this Agreement with respect to each Vehicle, or upon demand by Lessor made pursuant to Section 14, Lessee at its risk and expense agrees to return such Vehicle to Lessor at such place and by such reasonable means as may be designated by Lessor. If for any reason Lessee fails to return any Vehicle to Lessor as and when required in accordance with this Section, Lessee agrees to pay Lessor additional rent for such Vehicle at twice the normal pro-rated daily rent. Acceptance of such additional rent by Lessor will in no way limit Lessor's remedies with respect to Lessee's failure to return any Vehicle as required hereunder.

5. COSTS, EXPENSES, FEES AND CHARGES: Lessee agrees to pay all costs, expenses, fees, charges, fines, tickets, penalties and taxes (other than federal and state income taxes on the income of Lessor) incurred in connection with the titling, registration, delivery, purchase, sale, rental, use or operation of the Vehicles during the Term. If Lessor, Servicer or any other agent of Lessor incurs any such costs or expenses, Lessee agrees to promptly reimburse Lessor for the same.

6. LICENSE AND CHARGES: Each Vehicle will be titled and licensed in the name designated by Lessor at Lessee's expense. Certain other charges relating to the acquisition of each Vehicle and paid or satisfied by Lessor have been capitalized in determining the monthly rental, treated as an initial charge or otherwise charged to Lessee. Such charges have been determined without reduction for trade-in, exchange allowance or other credit attributable to any Lessor-owned vehicle.

7. REGISTRATION PLATES, ETC.: Lessee agrees, at its expense, to obtain in the name designated by Lessor all registration plates and other plates, permits, inspections and/or licenses required in connection with the Vehicles, except for the initial registration plates which Lessor will obtain at Lessee's expense. The parties agree to cooperate and to furnish any and all information or documentation, which may be reasonably necessary for compliance with the provisions of this Section or any federal, state or local law, rule, regulation or ordinance. Lessee agrees that it will not permit any Vehicle to be located in a state other than the state in which such Vehicle is then titled for any continuous period of time that would require such Vehicle to become subject to the titling and/or registration laws of such other state.

8. MAINTENANCE OF AND IMPROVEMENTS TO VEHICLES:

(a) Lessee agrees, at its expense, to (i) maintain the Vehicles in good condition, repair, maintenance and running order and in accordance with all manufacturer's instructions and warranty requirements and all legal requirements and (ii) furnish all labor, materials, parts and other essentials required for the proper operation and maintenance of the Vehicles. Any alterations, additions, replacement parts or improvements to a Vehicle will become and remain the property of Lessor and will be returned with such Vehicle upon such Vehicle's return pursuant to Section 4. Notwithstanding the foregoing, so long as no Event of Default has occurred and is continuing, Lessee shall have the right to remove any additional equipment installed by Lessee on a Vehicle prior to returning such Vehicle to Lessor under Section 4. The value of such alterations, additions, replacement parts and improvements will in no instance be regarded as rent. Without the prior written consent of Lessor, Lessee will not make any alterations, additions, replacement parts or improvements to any Vehicle which detract from its economic value or functional utility. Lessor will not be required to make any repairs or replacements of any nature or description with respect to any Vehicle, to maintain or repair any Vehicle or to make any expenditure whatsoever in connection with any Vehicle or this Agreement.

(b) Lessor and Lessee acknowledge and agree that if Section 4 of a Schedule includes a charge for maintenance, (i) the Vehicle(s) covered by such Schedule are subject to a separate maintenance agreement between Enterprise Fleet Management, Inc. and Lessee and (ii) Lessor shall have no liability or responsibility for any failure of Enterprise Fleet Management, Inc. to perform any of its obligations thereunder or to pay or reimburse Lessee for its payment of any costs and expenses incurred in connection with the maintenance or repair of any such Vehicle(s).

9. SELECTION OF VEHICLES AND DISCLAIMER OF WARRANTIES:

(a) LESSEE ACCEPTANCE OF DELIVERY AND USE OF EACH VEHICLE WILL CONCLUSIVELY ESTABLISH THAT SUCH VEHICLE IS OF A SIZE, DESIGN, CAPACITY, TYPE AND MANUFACTURE SELECTED BY LESSEE AND THAT SUCH VEHICLE IS IN GOOD CONDITION AND REPAIR AND IS SATISFACTORY IN ALL RESPECTS AND IS SUITABLE FOR LESSEE'S PURPOSE. LESSEE ACKNOWLEDGES THAT LESSOR IS NOT A MANUFACTURER OF ANY VEHICLE OR AN AGENT OF A MANUFACTURER OF ANY VEHICLE.

(b) LESSOR MAKES NO REPRESENTATION OR WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, WITH RESPECT TO ANY VEHICLE, INCLUDING, WITHOUT LIMITATION, ANY REPRESENTATION OR WARRANTY AS TO CONDITION, MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, IT BEING AGREED THAT ALL SUCH RISKS ARE TO BE BORNE BY LESSEE. THE VEHICLES ARE LEASED "AS IS," "WITH ALL FAULTS." All warranties made by any supplier, vendor and/or manufacturer of a Vehicle are hereby assigned by Lessor to Lessee for the applicable Term and Lessee's only remedy, if any, is against the supplier, vendor or manufacturer of the Vehicle.

Initials: EFM mh Customer

(c) None of Lessor, Servicer or any other agent of Lessor will be liable to Lessee for any liability, claim, loss, damage (direct, incidental or consequential) or expense of any kind or nature, caused directly or indirectly, by any Vehicle or any inadequacy of any Vehicle for any purpose or any defect (latent or patent) in any Vehicle or the use or maintenance of any Vehicle or any repair, servicing or adjustment of or to any Vehicle, or any delay in providing or failure to provide any Vehicle, or any interruption or loss of service or use of any Vehicle, or any loss of business or any damage whatsoever and however caused. In addition, none of Lessor, Servicer or any other agent of Lessor will have any liability to Lessee under this Agreement or under any order authorization form executed by Lessee if Lessor is unable to locate or purchase a Vehicle ordered by Lessee or for any delay in delivery of any Vehicle ordered by Lessee.

10. RISK OF LOSS: Lessee assumes and agrees to bear the entire risk of loss of, theft of, damage to or destruction of any Vehicle from any cause whatsoever ("Casualty Occurrence"). In the event of a Casualty Occurrence to a Vehicle, Lessee shall give Lessor prompt notice of the Casualty Occurrence and thereafter will place the applicable Vehicle in good repair, condition and working order; provided, however, that if the applicable Vehicle is determined by Lessor to be lost, stolen, destroyed or damaged beyond repair (a "Totaled Vehicle"), Lessee agrees to pay Lessor no later than the date thirty (30) days after the date of the Casualty Occurrence the amounts owed under Sections 3(b) and 3(c) with respect to such Totaled Vehicle. Upon such payment, this Agreement will terminate with respect to such Totaled Vehicle.

11. INSURANCE:

(a) Lessee agrees to purchase and maintain in force during the Term, insurance policies in at least the amounts listed below covering each Vehicle, to be written by an insurance company or companies satisfactory to Lessor, insuring Lessee, Lessor and any other person or entity designated by Lessor against any damage, claim, suit, action or liability:

(i) Commercial Automobile Liability Insurance (including Uninsured/Underinsured Motorist Coverage and No-Fault Protection where required by law) for the limits listed below (Note - $2,000,000 Combined Single Limit Bodily Injury and Property Damage with No Deductible is required for each Vehicle capable of transporting more than 8 passengers):

State of Vehicle Registration	Coverage
Connecticut, Massachusetts, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont	$1,000,000 Combined Single Limit Bodily Injury and Property Damage - No Deductible
Florida	$500,000 Combined Single Limit Bodily Injury and Property Damage or $100,000 Bodily Injury Per Person, $300,000 Per Occurrence and $50,000 Property Damage (100/300/50) - No Deductible
All Other States	$300,000 Combined Single Limit Bodily Injury and Property Damage or $100,000 Bodily Injury Per Person, $300,000 Per Occurrence and $50,000 Property Damage (100/300/50) - No Deductible

(ii) Physical Damage Insurance (Collision & Comprehensive): Actual cash value of the applicable Vehicle. Maximum deductible of $500 per occurrence - Collision and $250 per occurrence - Comprehensive).

If the requirements of any governmental or regulatory agency exceed the minimums stated in this Agreement, Lessee must obtain and maintain the higher insurance requirements. Lessee agrees that each required policy of insurance will by appropriate endorsement or otherwise name Lessor and any other person or entity designated by Lessor as additional insureds and loss payees, as their respective interests may appear. Further, each such insurance policy must provide the following: (i) that the same may not be cancelled, changed or modified until after the insurer has given to Lessor, Servicer and any other person or entity designated by Lessor at least thirty (30) days prior written notice of such proposed cancellation, change or modification, (ii) that no act or default of Lessee or any other person or entity shall affect the right of Lessor, Servicer, any other agent of Lessor or any of their respective successors or assigns to recover under such policy or policies of insurance in the event of any loss of or damage to any Vehicle and (iii) that the coverage is "primary coverage" for the protection of Lessee, Lessor, Servicer, any other agent of Lessor and their respective successors and assigns notwithstanding any other coverage carried by Lessee, Lessor, Servicer, any other agent of Lessor or any of their respective successors or assigns protecting against similar risks. Original certificates evidencing such coverage and naming Lessor, Servicer, any other agent of Lessor and any other person or entity designated by Lessor as additional insureds and loss payees shall be furnished to Lessor prior to the Delivery Date, and annually thereafter and/or as reasonably requested by Lessor from time to time. In the event of default, Lessee hereby appoints Lessor, Servicer and any other agent of Lessor as Lessee's attorney-in-fact to receive payment of, to endorse all checks and other documents and to take any other actions necessary to pursue insurance claims and recover payments if Lessee fails to do so. Any expense of Lessor, Servicer or any other agent of Lessor in adjusting or collecting insurance shall be borne by Lessee.

Lessee, its drivers, servants and agents agree to cooperate fully with Lessor, Servicer, any other agent of Lessor and any insurance carriers in the investigation, defense and prosecution of all claims or suits arising from the use or operation of any Vehicle. If any claim is made or action commenced for death, personal injury or property damage resulting from the ownership, maintenance, use or operation of any Vehicle, Lessee will promptly notify Lessor of such action or claim and forward to Lessor a copy of every demand, notice, summons or other process received in connection with such claim or action.

(b) Notwithstanding the provisions of Section 11(a) above: (i) if Section 4 of a Schedule includes a charge for physical damage waiver, Lessor agrees that (A) Lessee will not be required to obtain or maintain the minimum physical damage insurance (collision and comprehensive) required under Section 11(a) for the Vehicle(s) covered by such Schedule and (B) Lessor will assume the risk of physical damage (collision and comprehensive) to the Vehicle(s) covered by such Schedule; provided, however, that such physical damage waiver shall not apply to, and Lessee shall be and remain liable and responsible for, damage to a covered Vehicle caused by wear and tear or mechanical breakdown or failure, damage to or loss of any parts, accessories or components added to a covered

Vehicle by Lessee without the prior written consent of Lessor and/or damage to or loss of any property and/or personal effects contained in a covered Vehicle. In the event of a Casualty Occurrence to a covered Vehicle, Lessor may, at its option, replace, rather than repair, the damaged Vehicle with an equivalent vehicle, which replacement vehicle will then constitute the "Vehicle" for purposes of this Agreement; and (ii) if Section 4 of a Schedule includes a charge for commercial automobile liability enrollment, Lessor agrees that it will, at its expense, obtain for and on behalf of Lessee, by adding Lessee as an additional insured under a commercial automobile liability insurance policy issued by an insurance company selected by Lessor, commercial automobile liability insurance satisfying the minimum commercial automobile liability insurance required under Section 11(a) for the Vehicle(s) covered by such Schedule. Lessor may at any time during the applicable Term terminate said obligation to provide physical damage waiver and/or commercial automobile liability enrollment and cancel such physical damage waiver and/or commercial automobile liability enrollment upon giving Lessee at least ten (10) days prior written notice. Upon such cancellation, insurance in the minimum amounts as set forth in 11(a) shall be obtained and maintained by Lessee at Lessee's expense. An adjustment will be made in monthly rental charges payable by Lessee to reflect any such change and Lessee agrees to furnish Lessor with satisfactory proof of insurance coverage within ten (10) days after mailing of the notice. In addition, Lessor may change the rates charged by Lessor under this Section 11(b) for physical damage waiver and/or commercial automobile liability enrollment upon giving Lessee at least thirty (30) days prior written notice.

12. **INDEMNITY:** To the extent permitted by state law, Lessee agrees to defend and indemnify Lessor, Servicer, any other agent of Lessor and their respective successors and assigns from and against any and all losses, damages, liabilities, suits, claims, demands, costs and expenses (including, without limitation, reasonable attorneys' fees and expenses) which Lessor, Servicer, any other agent of Lessor or any of their respective successors or assigns may incur by reason of Lessee's breach or violation of, or failure to observe or perform, any term, provision or covenant of this Agreement, or as a result of any loss, damage, theft or destruction of any Vehicle or related to or arising out of or in connection with the use, operation or condition of any Vehicle. The provisions of this Section 12 shall survive any expiration or termination of this Agreement. Nothing herein shall be deemed to affect the rights, privileges, and immunities of Lessee and the foregoing indemnity provision is not intended to be a waiver of any sovereign immunity afforded to Lessee pursuant to the law.

13. **INSPECTION OF VEHICLES; ODOMETER DISCLOSURE; FINANCIAL STATEMENTS:** Lessee agrees to accomplish, at its expense, all inspections of the Vehicles required by any governmental authority during the Term. Lessor, Servicer, any other agent of Lessor and any of their respective successors or assigns will have the right to inspect any Vehicle at any reasonable time(s) during the Term and for this purpose to enter into or upon any building or place where any Vehicle is located. Lessee agrees to comply with all odometer disclosure laws, rules and regulations and to provide such written and signed disclosure information on such forms and in such manner as directed by Lessor. Providing false information or failure to complete the odometer disclosure form as required by law may result in fines and/or imprisonment. Lessee hereby agrees to promptly deliver to Lessor such financial statements and other financial information regarding Lessee as Lessor may from time to time reasonably request.

14. **DEFAULT; REMEDIES:** The following shall constitute events of default ("Events of Default") by Lessee under this Agreement: (a) if Lessee fails to pay when due any rent or other amount due under this Agreement and any such failure shall remain unremedied for ten (10) days; (b) if Lessee fails to perform, keep or observe any term, provision or covenant contained in Section 11 of this Agreement; (c) if Lessee fails to perform, keep or observe any other term, provision or covenant contained in this Agreement and any such failure shall remain unremedied for thirty (30) days after written notice thereof is given by Lessor, Servicer or any other agent of Lessor to Lessee; (d) any seizure or confiscation of any Vehicle or any other act (other than a Casualty Occurrence) otherwise rendering any Vehicle unsuitable for use (as determined by Lessor); (e) if any present or future guaranty in favor of Lessor of all or any portion of the obligations of Lessee under this Agreement shall at any time for any reason cease to be in full force and effect or shall be declared to be null and void by a court of competent jurisdiction, or if the validity or enforceability of any such guaranty shall be contested or denied by any guarantor, or if any guarantor shall deny that it, he or she has any further liability or obligation under any such guaranty or if any guarantor shall fail to comply with or observe any of the terms, provisions or conditions contained in any such guaranty; (f) the occurrence of a material adverse change in the financial condition or business of Lessee or any guarantor; or (g) if Lessee or any guarantor is in default under or fails to comply with any other present or future agreement with or in favor of Lessor, The Crawford Group, Inc. or any direct or indirect subsidiary of The Crawford Group, Inc.. For purposes of this Section 14, the term "guarantor" shall mean any present or future guarantor of all or any portion of the obligations of Lessee under this Agreement.

Upon the occurrence of any Event of Default, Lessor, without notice to Lessee, will have the right to exercise concurrently or separately (and without any election of remedies being deemed made), the following remedies: (a) Lessor may demand and receive immediate possession of any or all of the Vehicles from Lessee, without releasing Lessee from its obligations under this Agreement; if Lessee fails to surrender possession of the Vehicles to Lessor on default (or termination or expiration of the Term), Lessor, Servicer, any other agent of Lessor and any of Lessor's independent contractors shall have the right to enter upon any premises where the Vehicles may be located and to remove and repossess the Vehicles; (b) Lessor may enforce performance by Lessee of its obligations under this Agreement; (c) Lessor may recover damages and expenses sustained by Lessor, Servicer, any other agent of Lessor or any of their respective successors or assigns by reason of Lessee's default including, to the extent permitted by applicable law, all costs and expenses, including court costs and reasonable attorneys' fees and expenses, incurred by Lessor, Servicer, any other agent of Lessor or any of their respective successors or assigns in attempting or effecting enforcement of Lessor's rights under this Agreement (whether or not litigation is commenced) and/or in connection with bankruptcy or insolvency proceedings; (d) upon written notice to Lessee, Lessor may terminate Lessee's rights under this Agreement; (e) with respect to each Vehicle, Lessor may recover from Lessee all amounts owed by Lessee under Sections 3(b) and 3(c) of this Agreement (and, if Lessor does not recover possession of a Vehicle, (i) the estimated wholesale value of such Vehicle for purposes of Section 3(c) shall be deemed to be $0.00 and (ii) the calculations described in the first two sentences of Section 3(c) shall be made without giving effect to clause (ii) in each such sentence); and/or (f) Lessor may exercise any other right or remedy which may be available to Lessor under the Uniform Commercial Code, any other applicable law or in equity. A termination of this Agreement shall occur only upon written notice by Lessor to Lessee. Any termination shall not affect Lessee's obligation to pay all amounts due for periods prior to the effective date of such termination or Lessee's obligation to pay any indemnities under this Agreement. All remedies of Lessor under this Agreement or at law or in equity are cumulative.

15. **ASSIGNMENTS:** Lessor may from time to time assign, pledge or transfer this Agreement and/or any or all of its rights and obligations under this Agreement to any person or entity. Lessee agrees, upon notice of any such assignment, pledge or transfer of any amounts due or to become due to Lessor under this Agreement to pay all such amounts to such assignee, pledgee or transferee. Any such assignee, pledgee or transferee of any rights or obligations of Lessor under this Agreement will have all of the rights and obligations that have been assigned to it. Lessee's rights and interest in and to the Vehicles are and will continue

at all times to be subject and subordinate in all respects to any assignment, pledge or transfer now or hereafter executed by Lessor with or in favor of any such assignee, pledgee or transferee, provided that Lessee shall have the right of quiet enjoyment of the Vehicles so long as no Event of Default under this Agreement has occurred and is continuing. Lessee acknowledges and agrees that the rights of any assignee, pledgee or transferee in and to any amounts payable by the Lessee under any provisions of this Agreement shall be absolute and unconditional and shall not be subject to any abatement whatsoever, or to any defense, setoff, counterclaim or recoupment whatsoever, whether by reason of any damage to or loss or destruction of any Vehicle or by reason of any defect in or failure of title of the Lessor or interruption from whatsoever cause in the use, operation or possession of any Vehicle, or by reason of any indebtedness or liability howsoever and whenever arising of the Lessor or any of its affiliates to the Lessee or to any other person or entity, or for any other reason.

Without the prior written consent of Lessor, Lessee may not assign, sublease, transfer or pledge this Agreement, any Vehicle, or any interest in this Agreement or in and to any Vehicle, or permit its rights under this Agreement or any Vehicle to be subject to any lien, charge or encumbrance. Lessee's interest in this Agreement is not assignable and cannot be assigned or transferred by operation of law. Lessee will not transfer or relinquish possession of any Vehicle (except for the sole purpose of repair or service of such Vehicle) without the prior written consent of Lessor.

16. MISCELLANEOUS: This Agreement contains the entire understanding of the parties. This Agreement may only be amended or modified by an instrument in writing executed by both parties. Lessor shall not by any act, delay, omission or otherwise be deemed to have waived any of its rights or remedies under this Agreement and no waiver whatsoever shall be valid unless in writing and signed by Lessor and then only to the extent therein set forth. A waiver by Lessor of any right or remedy under this Agreement on any one occasion shall not be construed as a bar to any right or remedy, which Lessor would otherwise have on any future occasion. If any term or provision of this Agreement or any application of any such term or provision is invalid or unenforceable, the remainder of this Agreement and any other application of such term or provision will not be affected thereby. Giving of all notices under this Agreement will be sufficient if mailed by certified mail to a party at its address set forth below or at such other address as such party may provide in writing from time to time. Any such notice mailed to such address will be effective one (1) day after deposit in the United States mail, duly addressed, with certified mail, postage prepaid. Lessee will promptly notify Lessor of any change in Lessee's address. This Agreement may be executed in multiple counterparts (including facsimile and pdf counterparts), but the counterpart marked "ORIGINAL" by Lessor will be the original lease for purposes of applicable law. All of the representations, warranties, covenants, agreements and obligations of each Lessee under this Agreement (if more than one) are joint and several.

17. SUCCESSORS AND ASSIGNS; GOVERNING LAW: Subject to the provisions of Section 15, this Agreement will be binding upon Lessee and its heirs, executors, personal representatives, successors and assigns, and will inure to the benefit of Lessor, Servicer, any other agent of Lessor and their respective successors and assigns. This Agreement will be governed by and construed in accordance with the substantive laws of the State of Missouri (determined without reference to conflict of law principles).

18. NON-PETITION: Each party hereto hereby covenants and agrees that, prior to the date which is one year and one day after payment in full of all indebtedness of Lessor, it shall not institute against, or join any other person in instituting against, Lessor any bankruptcy, reorganization, arrangement, insolvency or liquidation proceedings or other similar proceeding under the laws of the United States or any state of the United States. The provisions of this Section 18 shall survive termination of this Master Equity Lease Agreement.

19. NON-APPROPRIATION: Lessee's funding of this Agreement shall be on a Fiscal Year basis and is subject to annual appropriations. Lessor acknowledges that Lessee is a municipal corporation, is precluded by the County or State Constitution and other laws from entering into obligations that financially bind future governing bodies, and that, therefore, nothing in this Agreement shall constitute an obligation of future legislative bodies of the County or State to appropriate funds for purposes of this Agreement. Accordingly, the parties agree that the lease terms within this Agreement or any Schedules relating hereto are contingent upon appropriation of funds. The parties further agree that should the County or State fail to appropriate such funds, the Lessor shall be paid all rentals due and owing hereunder up until the actual day of termination. In addition, Lessor reserves the right to be paid for any reasonable damages. These reasonable damages will be limited to the losses incurred by the Lessor for having to sell the vehicles on the open used car market prior to the end of the scheduled term (as determined in Section 3 and Section 14 of this Agreement).

IN WITNESS WHEREOF, Lessor and Lessee have duly executed this Master Equity Lease Agreement as of the day and year first above written.

LESSEE: City of Banning	LESSOR: Enterprise FM Trust
Signature:	By: Enterprise Fleet Management, Inc. its attorney in fact
By: Rochelle Clayton	Signature:
Title: Interim City Manager	By: Richard Murrell
Address: 99 E. Ramsey St.	Title: Regional Sales Manager
Banning, CA 92220	Address: 1400 N. Kellogg Dr. Suite G
	Anaheim, CA 92807
Date Signed: October 4, 2018	Date Signed: _____, _____

Initials: EFM _____ Customer _____

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FLEET MANAGEMENT

MAINTENANCE AGREEMENT

This Maintenance Agreement (this "Agreement") is made and entered into this 25 day of September 2018, by Enterprise Fleet Management, Inc., a Missouri corporation ("EFM"), and City of Banning ("Lessee").

WITNESSETH

1. **LEASE.** Reference is hereby made to that certain Master Lease Agreement dated as of the 25 day of September 2018, by and between Enterprise FM Trust, a Delaware statutory trust, as lessor ("Lessor"), and Lessee, as lessee (as the same may from time to time be amended, modified, extended, renewed, supplemented or restated, the "Lease"). All capitalized terms used and not otherwise defined in this Agreement shall have the respective meanings ascribed to them in the Lease.

2. **COVERED VEHICLES.** This Agreement shall only apply to those vehicles leased by Lessor to Lessee pursuant to the Lease to the extent Section 4 of the Schedule for such vehicle includes a charge for maintenance (the "Covered Vehicle(s)").

3. **TERM AND TERMINATION.** The term of this Agreement ("Term") for each Covered Vehicle shall begin on the Delivery Date of such Covered Vehicle and shall continue until the last day of the "Term" (as defined in the Lease) for such Covered Vehicle unless earlier terminated as set forth below. Each of EFM and Lessee shall each have the right to terminate this Agreement effective as of the last day of any calendar month with respect to any or all of the Covered Vehicles upon not less than sixty (60) days prior written notice to the other party. The termination of this Agreement with respect to any or all of the Covered Vehicles shall not affect any rights or obligations under this Agreement which shall have previously accrued or shall thereafter arise with respect to any occurrence prior to termination, and such rights and obligations shall continue to be governed by the terms of this Agreement.

4. **VEHICLE REPAIRS AND SERVICE.** EFM agrees that, during the Term for the applicable Covered Vehicle and subject to the terms and conditions of this Agreement, it will pay for, or reimburse Lessee for its payment of, all costs and expenses incurred in connection with the maintenance or repair of a Covered Vehicle. This Agreement does not cover, and Lessee will remain responsible for and pay for, (a) fuel, (b) oil and other fluids between changes, (c) tire repair and replacement, (d) washing, (e) repair of damage due to lack of maintenance by Lessee between scheduled services (including, without limitation, failure to maintain fluid levels), (f) maintenance or repair of any alterations to a Covered Vehicle or of any after-market components (this Agreement covers maintenance and repair only of the Covered Vehicles themselves and any factory-installed components and does not cover maintenance or repair of chassis alterations, add-on bodies (including, without limitation, step vans) or other equipment (including, without limitation, lift gates and PTO controls) which is installed or modified by a dealer, body shop, upfitter or anyone else other than the manufacturer of the Covered Vehicle, (g) any service and/or damage resulting from, related to or arising out of an accident, a collision, theft, fire, freezing, vandalism, riot, explosion, other Acts of God, an object striking the Covered Vehicle, improper use of the Covered Vehicle (including, without limitation, driving over curbs, overloading, racing or other competition) or Lessee's failure to maintain the Covered Vehicle as required by the Lease, (h) roadside assistance or towing for vehicle maintenance purposes, (i) mobile services, (j) the cost of loaner or rental vehicles or (k) if the Covered Vehicle is a truck, (i) manual transmission clutch adjustment or replacement, (ii) brake adjustment or replacement or (iii) front axle alignment. Whenever it is necessary to have a Covered Vehicle serviced, Lessee agrees to have the necessary work performed by an authorized dealer of such Covered Vehicle or by a service facility acceptable to EFM. In every case, if the cost of such service will exceed $50.00, Lessee must notify EFM and obtain EFM's authorization for such service and EFM's instructions as to where such service shall be made and the extent of service to be obtained. Lessee agrees to furnish an invoice for all service to a Covered Vehicle, accompanied by a copy of the shop or service order (odometer mileage must be shown on each shop or service order). EFM will not be obligated to pay for any unauthorized charges or those exceeding $50.00 for one service on any Covered Vehicle unless Lessee has complied with the above terms and conditions. EFM will not have any responsibility to pay for any services in excess of the services recommended by the manufacturer, unless otherwise agreed to by EFM. Notwithstanding any other provision of this Agreement to the contrary, (a) all service performed within one hundred twenty (120) days prior to the last day of the scheduled "Term" (as defined in the Lease) for the applicable Covered Vehicle must be authorized by and have the prior consent and approval of EFM and any service not so authorized will be the responsibility of and be paid for by Lessee and (b) EFM is not required to provide or pay for any service to any Covered Vehicle after 100,000 miles.

5. **ENTERPRISE CARDS:** EFM may, at its option, provide Lessee with an authorization card (the "EFM Card") for use in authorizing the payment of charges incurred in connection with the maintenance of the Covered Vehicles. Lessee agrees to be liable to EFM for, and upon receipt of a monthly or other statement from EFM, Lessee agrees to promptly pay to EFM, all charges made by or for the account of Lessee with the EFM Card (other than any charges which are the responsibility of EFM under the terms of this Agreement). EFM reserves the right to change the terms and conditions for the use of the EFM Card at any time. The EFM Card remains the property of EFM and EFM may revoke Lessee's right to possess or use the EFM Card at any time. Upon the termination of this Agreement or upon the demand of EFM, Lessee must return the EFM Card to EFM. The EFM Card is non-transferable.

6. **PAYMENT TERMS.** The amount of the monthly maintenance fee will be listed on the applicable Schedule and will be due and payable in advance on the first day of each month. If the first day of the Term for a Covered Vehicle is other than the first day of a calendar month, Lessee will pay EFM, on the first day of the Term for such Covered Vehicle, a pro-rated maintenance fee for the number of days that the Delivery Date precedes the first monthly maintenance fee payment date. Any monthly maintenance fee or other amount owed by Lessee to EFM under this Agreement which is not paid within twenty (20) days after its due date will accrue interest, payable upon demand of EFM, from the date due until paid in full at a rate per annum equal to the lesser of (i) Eighteen Percent (18%) per annum or (ii) the highest rate allowed by applicable law. The monthly maintenance fee set forth on each applicable Schedule allows the number of miles per month as set forth

in such Schedule. Lessee agrees to pay EFM at the end of the applicable Term (whether by reason of termination of this Agreement or otherwise) an overmileage maintenance fee for any miles in excess of this average amount per month at the rate set forth in the applicable Schedule. EFM may, at its option, permit Lessor, as an agent for EFM, to bill and collect amounts due to EFM under this Agreement from Lessee on behalf of EFM.

7. NO WARRANTIES. Lessee acknowledges that EFM does not perform maintenance or repair services on the Covered Vehicles but rather EFM arranges for maintenance and/or repair services on the Covered Vehicles to be performed by third parties. EFM MAKES NO REPRESENTATION OR WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, WITH RESPECT TO ANY PRODUCTS, REPAIRS OR SERVICES PROVIDED FOR UNDER THIS AGREEMENT BY THIRD PARTIES, INCLUDING, WITHOUT LIMITATION, ANY REPRESENTATION OR WARRANTY AS TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, COMPLIANCE WITH SPECIFICATIONS, OPERATION, CONDITION, SUITABILITY, PERFORMANCE OR QUALITY. ANY DEFECT IN THE PERFORMANCE OF ANY PRODUCT, REPAIR OR SERVICE WILL NOT RELIEVE LESSEE OF ITS OBLIGATIONS UNDER THIS AGREEMENT, INCLUDING THE PAYMENT TO EFM OF THE MONTHLY MAINTENANCE FEES AND OTHER CHARGES DUE UNDER THIS AGREEMENT.

8. LESSOR NOT A PARTY. Lessor is not a party to, and shall have no rights, obligations or duties under or in respect of, this Agreement.

9. NOTICES. Any notice or other communication under this Agreement shall be in writing and delivered in person or sent by facsimile, recognized overnight courier or registered or certified mail, return receipt requested and postage prepaid, to the applicable party at its address or facsimile number set forth on the signature page of this Agreement, or at such other address or facsimile number as any party hereto may designate as its address or facsimile number for communications under this Agreement by notice so given. Such notices shall be deemed effective on the day on which delivered or sent if delivered in person or sent by facsimile, on the first (1st) business day after the day on which sent, if sent by recognized overnight courier or on the third (3rd) business day after the day on which mailed, if sent by registered or certified mail.

10. MISCELLANEOUS. This Agreement embodies the entire Agreement between the parties relating to the subject matter hereof. This Agreement may be amended only by an agreement in writing signed by EFM and Lessee. Any provision of this Agreement which is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective only to the extent of such prohibition or unenforceability without invalidating the remaining provisions of this Agreement or affecting the validity or enforceability of such provisions in any other jurisdiction. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, except that Lessee may not assign, transfer or delegate any of its rights or obligations under this Agreement without the prior written consent of EFM. This Agreement shall be governed by and construed in accordance with the substantive laws of the State of Missouri (without reference to conflict of law principles).

IN WITNESS WHEREOF, EFM and Lessee have executed this Maintenance Agreement as of the day and year first above written.

LESSEE:	City of Banning	EFM:	Enterprise Fleet Management, Inc.
Signature:		Signature:	
By:	Rochelle Clayton	By:	Richard Murrell
Title:	Interim City Manager	Title:	Regional Sales Manager
Address:	99 E. Ramsey St. Banning, CA 92220	Address:	1400 N. Kellogg Dr. Suite G Anaheim, CA 92807
Attention:		Attention:	
Fax #:		Fax #:	
Date Signed:		Date Signed:	

Initials: EFM _____ Customer _____

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AUTHORIZED SIGNER

AUTHORIZED SIGNERS FOR MOTOR VEHICLE LEASE(S)

RESOLVED, The undersigned hereby certifies (i) that he/she is the duly appointed Interim City Manager (Title) for the City of Banning (Entity legal name) hereafter known as "The Entity", (ii) that he/she is authorized by The Entity to execute and deliver on behalf of The Entity to Enterprise Fleet Management, hereafter known as "Enterprise" ("Lessor") and the Master Lease Agreement between Enterprise and the Entity) the ("Lessee"), and (iii) that the following individuals are authorized and empowered on behalf of and in the name of The Entity to execute and deliver to Enterprise Schedules to the Lease for individual motor vehicles, together with any other necessary documents in connection with those Schedules:

RESOLVED FURTHER, that:

Print Name	Title
Art Vela	Public Works Director
Suzanne Cook	Deputy Finance Director
Frank Chesonis	Fleet Manager
SHILOH ROGERS	Purchasing Manager

are authorized and empowered on behalf of and in the name of this Company to execute Motor Vehicle with EFM on such terms as may be agreed to by said person.

RESOLVED FURTHER, that EFM is authorized to act upon this authorization until written notice of its revocation is received by EFM.

I do hereby certify that I am an authorized representative of this Company and have been given the authority to sign this agreement on behalf of the Company.

Rochelle Clayton
Print Name

Interim City Manager
Title

Signature

City of Banning
Company Name

10-4-2018
Date

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FLEET MANAGEMENT

AMENDMENT TO MASTER EQUITY LEASE AGREEMENT

THIS AMENDMENT ("Amendment") dated this 25 day of September, 2018 is attached to, and made a part of, the MASTER EQUITY LEASE AGREEMENT entered into on the 25 day of September, 2018 ("Agreement") by and between Enterprise FM Trust, a Delaware statutory trust ("Lessor") and City of Banning ("Lessee"). This Amendment is made for good and valuable consideration, the receipt of which is hereby acknowledged by the parties.

Section 4 of the Master Equity Lease Agreement is amended to read as follows:

Lessee agrees to allow only duly authorized, licensed and insured drivers to use and operate the Vehicles. Lessee agrees to comply with, and cause its drivers to comply with, all laws, statutes, rules, regulations and ordinances and the provisions of all insurance policies affecting or covering the Vehicles or their use or operation. Lessee agrees to keep the Vehicles free of all liens, charges and encumbrances. Lessee agrees that in no event will any Vehicle be used or operated for transporting hazardous substances or persons for hire, for any illegal purpose or to pull trailers that exceed the manufacturer's trailer towing recommendations. Lessee agrees that no Vehicle is intended to be or will be utilized as a "school bus" as defined in the Code of Federal Regulations or any applicable state or municipal statute or regulation. Lessee agrees not to remove any Vehicle from the continental United States without first obtaining Lessor's written consent. At the expiration or earlier termination of this Agreement with respect to each Vehicle, or upon demand by Lessor made pursuant to Section 14, Lessee at its risk and expense agrees to return such Vehicle to Lessor at such place within the County of Riverside, California and by such reasonable means as may be designated by Lessor. If for any reason Lessee fails to return any Vehicle to Lessor as and when required in accordance with this Section, Lessee agrees to pay Lessor additional rent for such Vehicle at twice the normal pro-rated daily rent. Acceptance of such additional rent by Lessor will in no way limit Lessor's remedies with respect to Lessee's failure to return any Vehicle as required hereunder.

Section 14 second paragraph of the Master Equity Lease Agreement is amended to read as follows:

Upon the occurrence of any Event of Default, Lessor, without notice to Lessee, will have the right to exercise concurrently or separately (and without any election of remedies being deemed made), the following remedies: (a) Lessor may demand and receive immediate possession of any or all of the Vehicles from Lessee, without releasing Lessee from its obligations under this Agreement; if Lessee fails to surrender possession of the Vehicles to Lessor on default (or termination or expiration of the Term), Lessor, Servicer, any other agent of Lessor and any of Lessor's independent contractors shall have the right to enter upon any premises, subject to public safety restrictions, where the Vehicles may be located and to remove and repossess the Vehicles; (b) Lessor may enforce performance by Lessee of its obligations under this Agreement; (c) Lessor may recover damages and expenses sustained by Lessor, Servicer, any other agent of Lessor or any of their respective successors or assigns by reason of Lessee's default including, to the extent permitted by applicable law, all costs and expenses, including court costs and reasonable attorneys' fees and expenses, incurred by Lessor, Servicer, any other agent of Lessor or any of their respective successors or assigns in attempting or effecting enforcement of Lessor's rights under this Agreement (whether or not litigation is commenced) and/or in connection with bankruptcy or insolvency proceedings; (d) upon written notice to Lessee, Lessor may terminate Lessee's rights under this Agreement; (e) with respect to each Vehicle, Lessor may recover from Lessee all amounts owed by Lessee under Sections 3(b) and 3(c) of this Agreement (and, if Lessor does not recover possession of a Vehicle, (i) the estimated wholesale value of such Vehicle for purposes of Section 3(c) shall be deemed to be $0.00 and (ii) the calculations described in the first two sentences of Section 3(c) shall be made without giving effect to clause (ii) in each such sentence); and/or (f) Lessor may exercise any other right or remedy which may be available to Lessor under the Uniform Commercial Code, any other applicable law or in equity. A termination of this Agreement shall occur only upon written notice by Lessor to Lessee. Any termination shall not affect Lessee's obligation to pay all amounts due for periods prior to the effective date of such termination or Lessee's obligation to pay any indemnities under this Agreement. All remedies of Lessor under this Agreement or at law or in equity are cumulative.

Section 19 of the Master Equity Lease Agreement is amended to read as follows:

Lessee's funding of this Agreement shall be on a Fiscal Year basis and is subject to annual appropriations. Lessor acknowledges that Lessee is a municipal corporation, is precluded by the County or State Constitution and other laws from entering into obligations that financially bind future governing bodies, and that, therefore, nothing in this Agreement shall constitute an obligation of future legislative bodies of the Lessee to appropriate funds for purposes of this Agreement. Accordingly, the parties agree that the lease terms within this Agreement or any Schedules

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relating hereto are contingent upon appropriation of funds. The parties further agree that should the Lessee fail to appropriate such funds, the Lessor shall be paid all rentals due and owing hereunder up until the actual day of termination. In addition, Lessor reserves the right to for any reasonable damages be paid by Lessee, but solely from funds legally available therefor. These reasonable damages will be limited to the losses incurred by the Lessor for having to sell the vehicles on the open used car market prior to the end of the scheduled term (as determined in Section 3 and Section 14 of this Agreement).

All references in the Agreement and in the various Schedules and addenda to the Agreement and any other references of similar import shall henceforth mean the Agreement as amended by this Amendment. Except to the extent specifically amended by this Amendment, all of the terms, provisions, conditions, covenants, representations and warranties contained in the Agreement shall be and remain in full force and effect and the same are hereby ratified and confirmed.

IN WITNESS WHEREOF, Lessor and Lessee have executed this Amendment to Master Equity Lease Agreement as of the 25th day of September, 2018.

Rochelle Clayton
City of Banning (Lessee)

By _____

Title: Interim City Manager

_____
Enterprise FM Trust (Lessor)
By: Enterprise Fleet Management, Inc., its attorney in fact

By _____

Title: _____

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FLEET MANAGEMENT

SELF-INSURANCE ADDENDUM TO MASTER EQUITY LEASE AGREEMENT
(Physical Damage Only)

This Addendum is made to the Master Equity Lease Agreement dated 25 day of September 2018, as amended (the "Agreement"), by and between Enterprise FM Trust, a Delaware statutory trust ("Lessor"), and the lessee whose name is set forth on the signature line below ("Lessee").

This Addendum is attached to and made a part of the Agreement (including each Schedule to the Agreement). All capitalized terms used and not otherwise defined herein shall have the respective meanings ascribed to them in the Agreement.

Notwithstanding the provisions of Section 11 of the Agreement, Lessee shall be permitted to assume and self-insure the risks covered by the Physical Damage insurance policy set forth in Section 11 of the Agreement and shall not be required to purchase or maintain any Physical Damage insurance policy of any kind with respect to any Vehicle; provided, however, that if any Federal, state, local or other law, statute, rule, regulation or ordinance requires Lessee to maintain any amount of Physical Damage insurance with respect to any Vehicle, Lessee shall purchase and maintain such amount of Physical Damage insurance in the form of a Physical Damage insurance policy which complies in all respects, other than the amount of Physical Damage insurance required, with Section 11 of the Agreement.

Notwithstanding the foregoing, if (1) Lessor, at any time in its good faith judgment, is not satisfied with the condition, prospects or performances, financial or otherwise, of Lessee or (2) any default or event of default occurs under the Agreement, then Lessor may, at its option, revoke this Addendum and terminate Lessee's right to self-insure by providing Lessee with at least thirty (30) days prior written notice thereof. Upon the termination of Lessee's right to self-insure, Lessee shall comply in all respects with Section 11 of the Agreement.

Except as amended hereby, all the terms and provisions of the Agreement shall remain in full force and effect. In the event of any conflict between this Addendum and the Agreement or any of the Schedules, the terms and provisions of this Addendum will govern and control.

LESSEE: City of Banning

By: Rochelle Clayton

Title: Interim City Manager

Date Signed: October 4, 2018

LESSOR: Enterprise FM Trust
By: Enterprise Fleet Management, Inc. its attorney in fact

By: Kevin Morrissey

Title: Vice President

Date Signed: 1/2/19

© 2017 Enterprise Fleet Management, Inc. 072050 - Self Insurance Addendum (Equity, Physical Damage)

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SELF-INSURANCE ADDENDUM TO MASTER EQUITY LEASE AGREEMENT
(Physical Damage Only)

This Addendum is made to the Master Equity Lease Agreement dated 25 day of September 2018, as amended (the "Agreement"), by and between Enterprise FM Trust, a Delaware statutory trust ("Lessor"), and the lessee whose name is set forth on the signature line below ("Lessee").

This Addendum is attached to and made a part of the Agreement (including each Schedule to the Agreement). All capitalized terms used and not otherwise defined herein shall have the respective meanings ascribed to them in the Agreement.

Notwithstanding the provisions of Section 11 of the Agreement, Lessee shall be permitted to assume and self-insure the risks covered by the Physical Damage insurance policy set forth in Section 11 of the Agreement and shall not be required to purchase or maintain any Physical Damage insurance policy of any kind with respect to any Vehicle; provided, however, that if any Federal, state, local or other law, statute, rule, regulation or ordinance requires Lessee to maintain any amount of Physical Damage insurance with respect to any Vehicle, Lessee shall purchase and maintain such amount of Physical Damage insurance in the form of a Physical Damage insurance policy which complies in all respects, other than the amount of Physical Damage insurance required, with Section 11 of the Agreement.

Notwithstanding the foregoing, if (1) Lessor, at any time in its good faith judgment, is not satisfied with the condition, prospects or performances, financial or otherwise, of Lessee or (2) any default or event of default occurs under the Agreement, then Lessor may, at its option, revoke this Addendum and terminate Lessee's right to self-insure by providing Lessee with at least thirty (30) days prior written notice thereof. Upon the termination of Lessee's right to self-insure, Lessee shall comply in all respects with Section 11 of the Agreement.

Except as amended hereby, all the terms and provisions of the Agreement shall remain in full force and effect. In the event of any conflict between this Addendum and the Agreement or any of the Schedules, the terms and provisions of this Addendum will govern and control.

LESSEE: City of Banning

By: Rochelle Clayton

Title: Interim City Manager

Date Signed: October 4, 2018

LESSOR: Enterprise FM Trust
By: Enterprise Fleet Management, Inc. its attorney in fact

By: Kevin Morrissey

Title: Vice President

Date Signed: 1/2/18

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ATTACHMENT 4

2019-2020

Vehicle Replacement List

CITY OF BANNING

2019 REPLACEMENT YEAR - ENTERPRISE ESTIMATED OPEN-ENDED (EQUITY) LEASE RATES

REPLACEMENT VEHICLE NUMBER	NEW UNIT: YEAR, MAKE, MODEL	Quote	TERM (months)	ESTIMATED ANNUAL MILEAGE	DOWN PAYMENT (due at delivery)	TAX ON DOWN PAYMENT (due at delivery)	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													
803	2019 F150 XLT 4x4 Crew Cab 6.5 FT	4257986	60	6,700	$1,508.26	$116.89	**$768.79**	$34.75	$803.54	$9,642.48	$18,900.00	$7,740.38	**$11,159.62**
					$1,508.26	**$116.89**	**$768.79**	**$34.75**	**$803.54**	**$9,642.48**	**$18,900.00**	**$7,740.38**	**$11,159.62**
ELECTRIC													
301	2019 Ford Expedition XL 4x4	4258045	60	6,700	$0.00	$0.00	**$838.68**	$35.94	$874.62	$10,495.44	$25,300.00	$8,473.95	**$16,826.05**
310	2019 F250 4X4 Regular Cab 8' Utility Body	4260002	60	6,700	$5,385.55	$417.38	**$641.79**	$35.94	$677.73	$8,132.76	$16,000.00	$6,403.74	**$9,596.26**
309	2019 F250 XL 4X4 SuperCab 8FT	4258194	60	6,700	$0.00	$0.00	**$627.47**	$35.94	$663.41	$7,960.92	$20,700.00	$6,316.35	**$14,383.65**
					$5,385.55	**$417.38**	**$2,107.94**	**$107.82**	**$2,215.76**	**$26,589.12**	**$62,000.00**	**$21,194.04**	**$40,805.96**
STREET													
621	2019 F250 XL 4x2 Regular Cab 8' Utility Body	4260013	60	6,700	$5,385.50	$417.38	**$592.57**	$34.68	$627.25	$7,527.00	$14,000.00	$5,898.99	**$8,101.01**
622	2020 F250 XL 4x2 Regular Cab 8' Utility Body	4260013	60	6,700	$5,385.50	$417.38	**$592.57**	$34.68	$627.25	$7,527.00	$14,000.00	$5,898.99	**$8,101.01**
					$10,771.00	**$834.75**	**$1,185.14**	**$69.36**	**$1,254.50**	**$15,054.00**	**$28,000.00**	**$11,797.98**	**$16,202.02**
PARKS													
701	2019 F150 XL 4x2 SuperCab 6.5 FT	4258085	60	6,700	$1,721.39	$133.41	**$570.83**	$33.63	$604.46	$7,253.52	$14,000.00	$5,707.35	**$8,292.65**
					$1,721.39	**$133.41**	**$570.83**	**$33.63**	**$604.46**	**$7,253.52**	**$14,000.00**	**$5,707.35**	**$8,292.65**
ENGINEERING													
409	2019 F150 XL 4x2 SuperCab 6.5 FT	4258099	60	6,700	$0.00	$0.00	**$520.03**	$33.63	$553.66	$6,643.92	$14,000.00	$5,205.64	**$8,794.36**
					$0.00	**$0.00**	**$520.03**	**$33.63**	**$553.66**	**$6,643.92**	**$14,000.00**	**$5,205.64**	**$8,794.36**
WATER & WASTE WATER**2020 Estimates													
908	2020 Estimate* F350 Regular Cab 4x4 9FT Utility	4275448	60	6,700	$6,250.00	$484.38	**$763.64**	$36.64	$800.28	$9,603.36	$19,000.00	$7,671.40	**$11,328.60**
833	2020 Estimate* F350 Regular Cab 4x4 9FT Utility	4275448	60	6,700	$6,250.00	$484.38	**$763.64**	$36.64	$800.28	$9,603.36	$19,000.00	$7,671.40	**$11,328.6**
838	2020 Estimate* F350 Regular Cab 4x4 9FT Utility	4275448	60	6,700	$6,250.00	$484.38	**$763.64**	$36.64	$800.28	$9,603.36	$19,000.00	$7,671.40	**$11,328.60**

839	2020 Estimate* F350 Regular Cab 4x4 9FT Utility	4275448	60	6,700	$6,250.00	$484.38	**$763.64**	$36.64	$800.28	$9,603.36	$19,000.00	$7,671.40	**$11,328.60**
					$25,000.00	**$1,937.50**	**$3,054.56**	**$146.56**	**$3,201.12**	**$38,413.44**	**$76,000.00**	**$30,685.60**	**$45,314.40**
				TOTAL	**$44,386.20**	**$3,439.93**	**$8,207.29**	**$425.75**	**$8,633.04**	**$103,596.48**	**$212,900.00**	**$82,330.99**	**$130,569.01**

NOTES:

Open-ended Leases are based on 60 month term. Service Charge of $400 per unit is due at lease termination (netted out of the proceeds on the sale of vehicle).

1. Base Monthly Payment includes Depreciation, Interest, and Use Tax @ 7.75%.
2. Full Maintenance Program is a fixed and guaranteed monthly cost, which includes all preventative, unscheduled, and uncommon repairs (oil changes, engines, transmissions, alternators, etc.) and 24-hour Roadside Assistance with Towing. Full Maintenance Rate includes 0 brakes and 0 tires.
3. Total Monthly Payment includes Monthly Lease Payment and Full Maintenance Program.
4. Estimated Market/Resale Value is a conservative commercial wholesale value. This value is based on estimates from Enterprise's Remarketing Dept and third party Automotive Leasing Guide.
5. Reduced Book Value is the amount that is left on the books at 60 months. At lease term, the customer has three options: 1) replace existing vehicle with new vehicle, 2) pay RBV plus tax and own the vehicle, and 3) continue making payments and extend the lease.
6. Estimated Equity is Estimated Resale Value minus Reduced Book Value. The Customer can choose to roll that equity as the down payment on the new vehicle, or Enterprise can cut a check back to the Customer.

ATTACHMENT 5

5 Year Replacement List

City of Banning Fleet Replacement Schedule

Vehicle #	Department	Year	Make	Model	Current Odometer	Assigned Category	Recommended Replacement Year	New Replacement Category
801	WATER	2005	FORD	EXPEDITION	148,147	Full Size SUV 4x2	2018	Full Size SUV 4x2
835	WATER	2006	FORD	EXPEDITION	161,035	Full Size SUV 4x2	2018	Full Size SUV 4x2
828	WATER	2001	DODGE	3500 SRVC BODY	123,882	1 Ton Pickup Reg 4x2	2018	1 Ton Pickup Reg 4x2
ADDITIONAL							2018	1 Ton Pickup Reg 4x2
311	ELECTRIC	2006	CHEVY	2500 EXT CAB	98,421	3/4 Ton Pickup Ext 4x2	2018	3/4 Ton Pickup Ext 4x2
407	ENGINEERING	2002	FORD	F150 4X4	132,408	1/2 Ton Pickup Reg 4x4	2018	1/2 Ton Pickup Reg 4x4
608	STREET	1991	CHEVY	3500 STAKEBODY	91,148	1 Ton Pickup Reg 4x2	2018	1 Ton Pickup Reg 4x2
620	STREET	2001	DODGE	BR1500 PICKUP	70,650	1/2 Ton Pickup Reg 4x2	2018	1/2 Ton Pickup Reg 4x2
605	STREET	2000	FORD	E350 VAN	142,966	1 Ton Van Cargo	2018	1 Ton Van Cargo
436	FLEET MAINT.	2001	DODGE	B1600	171,421	1/2 Ton Pickup Reg 4x2	2018	1/2 Ton Pickup Reg 4x2
38	FLEET MAINT.	2005	FORD	CROWN VICTORIA	124,060	Mid-size Sedan	2018	Mid-size Sedan
37	FLEET MAINT.	2005	FORD	CROWN VICTORIA	114,277	Mid-size Sedan	2018	Mid-size Sedan
803	WATER	2002	FORD	F150 4X4	146,911	1/2 Ton Pickup Reg 4x4	2019	1/2 Ton Pickup Reg 4x4
833	WATER	2006	FORD	F-250 FWD	136,335	3/4 Ton Pickup Reg 4x2	2019	3/4 Ton Pickup Reg 4x2
838	WATER	2007	FORD	F-250 SERVICE	118,895	3/4 Ton Pickup Reg 4x2	2019	3/4 Ton Pickup Reg 4x2
839	WATER	2008	FORD	F-250 SERVICE	125,385	3/4 Ton Pickup Reg 4x2	2019	3/4 Ton Pickup Reg 4x2
908	WASTE WATER	2005	FORD	F-250 SERVICE	153,909	3/4 Ton Pickup Reg 4x2	2019	3/4 Ton Pickup Reg 4x2
301	ELECTRIC	2005	FORD	EXPEDITION	119,482	Full Size SUV 4x2	2019	Full Size SUV 4x2
310	ELECTRIC	2005	FORD	F-250 SERVICE	48,023	3/4 Ton Pickup Reg 4x2	2019	3/4 Ton Pickup Reg 4x2
621	STREET	2005	FORD	F-250 SERVICE	92,679	3/4 Ton Pickup Reg 4x2	2019	3/4 Ton Pickup Reg 4x2
622	STREET	2005	FORD	F-250 SERVICE	70,041	3/4 Ton Pickup Reg 4x2	2019	3/4 Ton Pickup Reg 4x2
701	BLDG. MAINT.	2006	GMC	1500 HYBRID	54,827	1/2 Ton Pickup Reg 4x2	2019	1/2 Ton Pickup Reg 4x2
409	ENGINEERING	2007	GMC	1500 HYBRID	29,027	1/2 Ton Pickup Reg 4x2	2019	1/2 Ton Pickup Reg 4x2
309	ELECTRIC	2003	FORD	F-250 SUPERCAB	48,244	3/4 Ton Pickup Ext 4x2	2019	3/4 Ton Pickup Ext 4x2
308	ELECTRIC	2003	FORD	F350	104,164	1 Ton Pickup Reg 4x2	2020	1 Ton Pickup Reg 4x2
831	WATER	2003	FORD	F350	84,967	1 Ton Pickup Reg 4x2	2020	1 Ton Pickup Reg 4x2
830	WATER	2003	FORD	F350 SRVC BODY	150,828	1 Ton Pickup Reg 4x2	2020	1 Ton Pickup Reg 4x2
403	FLEET MAINT.	2000	CHEVY	IMPALA	105,421	Mid-size Sedan	2020	Mid-size Sedan
408	FLEET MAINT.	2003	CHEVY	IMPALA	177,378	Mid-size Sedan	2020	Mid-size Sedan
602	STREET	2003	DODGE	RAM 1500 4WD	110,273	1/2 Ton Pickup Reg 4x4	2020	1/2 Ton Pickup Reg 4x4
437	CODE ENFORCEMENT	2001	FORD	RANGER	63,478	Compact Pickup Ext 4x2	2020	Compact Pickup Ext 4x2
438	CODE ENFORCEMENT	2001	FORD	RANGER	47,323	Compact Pickup Ext 4x2	2020	Compact Pickup Ext 4x2
505	METER READER	2002	FORD	RANGER	108,989	Compact Pickup Ext 4x2	2020	Compact Pickup Ext 4x2
110	FIRE	2007	FORD	RANGER	67,143	Compact Pickup Ext 4x2	2020	Compact Pickup Ext 4x2
604	STREET	2007	FORD	RANGER	44,161	Compact Pickup Ext 4x2	2020	Compact Pickup Ext 4x2
225	TRANSIT	2002	FORD	RANGER	89,206	Compact Pickup Ext 4x2	2021	Compact Pickup Ext 4x2
226	TRANSIT	2004	FORD	RANGER	96,595	Compact Pickup Ext 4x2	2021	Compact Pickup Ext 4x2
201	FLEET MAINT.	2006	FORD	RANGER EXTRA	67,143	Compact Pickup Ext 4x2	2021	Compact Pickup Ext 4x2
502-1	METER READER	2001	FORD	RANGER PU	108,250	Compact Pickup Ext 4x2	2021	Compact Pickup Ext 4x2
504-1	METER READER	2001	FORD	RANGER PU	101,878	Compact Pickup Ext 4x2	2021	Compact Pickup Ext 4x2
439	CODE ENFORCEMENT	2006	FORD	RANGER XCAB	46,927	Compact Pickup Ext 4x2	2021	Compact Pickup Ext 4x2
507	METER READER	2005	FORD	RANGER XCAB	101,024	Compact Pickup Ext 4x2	2021	Compact Pickup Ext 4x2
14	PUBLIC WORKS	2009	CHEVY	TAHOE HYBRID	114,268	Full Size SUV 4x2	2021	Full Size SUV 4x2
441	CODE ENFORCEMENT	1996	FORD	TAURUS	116,133	Full-size Sedan	2021	Full-size Sedan
312	ELECTRIC	2009	CHEVY	2500HD	30,668	3/4 Ton Pickup Reg 4x2	2021	3/4 Ton Pickup Reg 4x2
313	ELECTRIC	2011	CHEVY	EQUINOX	99,066	Mid Size SUV 4x2	2021	Mid Size SUV 4x2
212	TRANSIT	2009	CHEVY	MALIBU HYBRID	29,977	Hybrid Sedan	2022	Hybrid Sedan
227	TRANSIT	2010	FORD	RANGER	80,797	Compact Pickup Ext 4x2	2022	Compact Pickup Ext 4x2
503-1	METER READER	2011	FORD	RANGER PU	93,916	Compact Pickup Ext 4x2	2022	Compact Pickup Ext 4x2
316	ELECTRIC	2015	CHEVY	3500	19,324	1 Ton Pickup Reg 4x2	2022	1 Ton Pickup Reg 4x2
315	ELECTRIC	2015	CHEVY	3500	16,964	1 Ton Pickup Reg 4x2	2022	1 Ton Pickup Reg 4x2
502	METER READER	2018	CHEVY	COLORADO	2,134	Compact Pickup Ext 4x2	2022	Compact Pickup Ext 4x2
503	METER READER	2018	CHEVY	COLORADO	2,134	Compact Pickup Ext 4x2	2022	Compact Pickup Ext 4x2
504	METER READER	2018	CHEVY	COLORADO	2,134	Compact Pickup Ext 4x2	2022	Compact Pickup Ext 4x2
901	WASTE WATER	2017	FORD	TRANSIT 250	553	3/4 Ton Van Cargo	Under-Utilized	3/4 Ton Van Cargo
211	TRANSIT	2017	CHEVY	MALIBU LS	1,823	Mid-size Sedan	Under-Utilized	Mid-size Sedan
303	ELECTRIC	2010	CHEVY	SILVERADO 4X4	14,560	1/2 Ton Pickup Reg 4x4	Under-Utilized	1/2 Ton Pickup Reg 4x4

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: June 25, 2019

SUBJECT: Discuss the Current Policy for the Repair and Maintenance of Curbs, Sidewalks and Parkstrips

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RECOMMENDED ACTION:

Discuss the current policy for the repair and maintenance of curbs, sidewalks and parkstrips as established in the approval of Resolution No. 1977-15.

BACKGROUND:

On April 14, 1977 the City of Banning City Council ("City Council") approved Resolution 1977-15, "Resolution of the City Council of the City of Banning, California, Establishing a Policy for the Repair and Maintenance of Curbs, Sidewalks and Parkstrips." The policy, which is currently implemented today, defines the responsibilities of the City and of the private property owners that front a public right-of-way.

In summary, the policy sets forth the following:

1. Property owners shall be responsible for maintaining sidewalks in a manner that does not endanger persons or property and which does not interfere with the public convenience in its use.
2. The City shall be responsible for maintaining sidewalks, concrete curb/gutter and driveway approaches and shall bear the costs for repairs and/or replacement if the improvements were installed per the City's standards and under the City's inspections.
3. Planting strips within the public right-of-way shall be maintained by the abutting property owners, including keeping the sidewalk areas, whether improved or unimproved, free of weeds, obstructions and debris.

From time to time there have been inquiries from residents at the City Council meetings and City service counters regarding landscape maintenance responsibilities (e.g. trees and grass) within the public right-of-ways. The purpose of this report is to provide information as to requirements of both the City and of property owners, pursuant to the City's current policy and to receive feedback from City Council regarding the continued implementation of said policy.

There have been several instances in the past when the City has removed trees within the public right-of-way due to the trees being: dead; diseased; roots damaging sidewalks, curbs/gutters, sewer lines and water lines; and for street widening projects.

FISCAL IMPACT:

There is no direct fiscal impact related to this "receive and file" item. There could be a fiscal impact if the current policy is changed to shift the burden of responsibility onto the City rather than the abutting private property owners.

ATTACHMENTS:

1. Resolution 1977-15

Approved by:

Douglas Schulze
City Manager

ATTACHMENT 1

Resolution 1977-15

POLICY MEMORANDUM IV
(REPAIR AND MAINTENANCE OF CURBS AND SIDEWALKS)

RESOLUTION NO. 1977-15
AN AMENDMENT TO RESOLUTION NO. 1967-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, ESTABLISHING A POLICY FOR THE REPAIR AND MAINTENANCE OF CURBS, SIDEWALKS, AND PARKSTRIPS.

WHEREAS, It is determined that the primary duty to keep sidewalks in repair is on the City. A statutory method is available by which the City may collect the cost of repairs from the property owner. The statute creates a duty on the part of the property owner to keep the sidewalks in repair - but that duty is owed to the City not to the traveler on the sidewalk. The extent of the liability created is to pay for the repairs, not to pay damages to an individual, nor to reimburse the City if it is compelled to pay such damages.

WHEREAS, sidewalk is defined to include a parkstrip maintained in the area between the property line and the street line and includes the concrete curb and gutter.

WHEREAS, it is determined that abutting land owner may be held liable for dangerous condition of public sidewalk which has been altered or obstructions placed or constructed for his benefit and which serves a use independent and apart from the ordinary use for which the sidewalks are designed.

WHEREAS, it is determined that the abutting land owner will be directly liable where persons are injured by condition of portions of a public sidewalk which have been altered or obstructions placed for the benefit of the abutting land owner.

WHEREAS, the City Council desires to clearly establish responsibility for sidewalk maintenance.

WHEREAS, to insure a more complete understanding of the sidewalk maintenance policy to be hereinafter defined, a drawing marked Exhibit A is attached and incorporated herein.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Banning, California, that it shall and hereby does establish the policy that:

1. The owners of lots or portions of lots fronting on any portion of a public street or place when that street or place is improved or if and when the area between the property line of the adjacent property and the street line is maintained as a sidewalk or parkstrip shall

maintain any sidewalk in such condition that the sidewalk will not endanger persons or property and maintain it in a condition which will not interfere with the public convenience in the use of those works or areas except as hereinafter provided.

2. The City of Banning shall be responsible for maintaining the concrete walk, concrete curb and gutter and concrete driveway approach in such a condition that the sidewalk will not endanger persons or property and will not interfere with the public convenience in the use of these works or areas. The City of Banning will be responsible for and bear all cost and expense of repair, maintenance and replacement of the concrete walk and curb and gutter only if these improvements have been installed in conformance with City standards and under City inspection. The City Manager shall make the final determinations as to what concrete walk and concrete curb and gutter has been installed to City standards and under City inspection.

3. All sidewalk areas other than concrete walk, concrete curb and gutter and concrete driveway approach shall be maintained by the abutting property owner at his sole cost and expense in such condition that it will not endanger persons or property and will not interfere with the public convenience. These areas which are the maintenance responsibility of the abutting property owner as shown on attached Exhibit A, includes;

   Condition 1: The planting strip between concrete curb and concrete walk.

   Condition 2: The planting strip between concrete walk and property line.

   Condition 3: The planted area between the curb and property line.

   Condition 4: The unimproved area between edge of pavement and property line.

4. Abutting land owner will be responsible for dangerous condition of public sidewalk which has been altered or obstructions placed or constructed for his benefit and which serves a use independent and apart from the ordinary use for which the sidewalk was designed and would include any encroachment into the dedicated street right-of-way for which no permit has been issued by the City.

5. Abutting land owner will be responsible for injuries to persons caused by condition of a portion of a public sidewalk which has been altered or obstructions placed for the benefit of the abutting land owner which would include any encroachment into the dedicated street right-of-way for which no permit has been issued by the City.

Resolution No. 1977-15 con't

6. Abutting land owner will be responsible for keeping the sidewalk and the unimproved area between edge of pavement and property line free of weeds, obstructions and debris which are unsightly and which could endanger persons or property and interfere with the public convenience in the use of the sidewalk and/or the unimproved area between the edge of pavement and the property line.

7. When obstructions or items of construction exist in the parkstrip, which represent a condition which can endanger persons or property and which have been placed by an abutting land owner without a valid permit from City and interferes with the public convenience in the use of the sidewalk, the Superintendent of Streets shall notify the owner or person in possession of the property fronting on that portion of such sidewalk, to make the necessary correction, removals, or repairs. If the correction, removal or reapir is not commenced and prosecuted to completion with due diligence, as required by the notice, the Superintendent of Streets shall forthwith make the necessary corrections, removal or repairs. The method of notice, hearings and provision for collecting the cost from the abutting property owner shall comply with Chapter 22 of Part 3 of Division 7 of the California Streets and Highways Code.

PASSED AND ADOPTED this 14th day of April, 1977.

E. Brigitte Page

E. Brigitte Page; Mayor

ATTEST:

Billie Lou Parks

Billie Lou Parks, City Clerk

I, Billie Lou Parks, City Clerk of the City of Banning, California, DO HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced and adopted by the City Council of said City at its meeting held on the 14th day of April, 1977, by the following vote to-wit:

AYES: Councilmen Burgess, Burt, Mayor Page
NOES: None
ABSENT: Councilmen Crawford, Kohagen

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Banning, California, this 15th day of April, 1977.

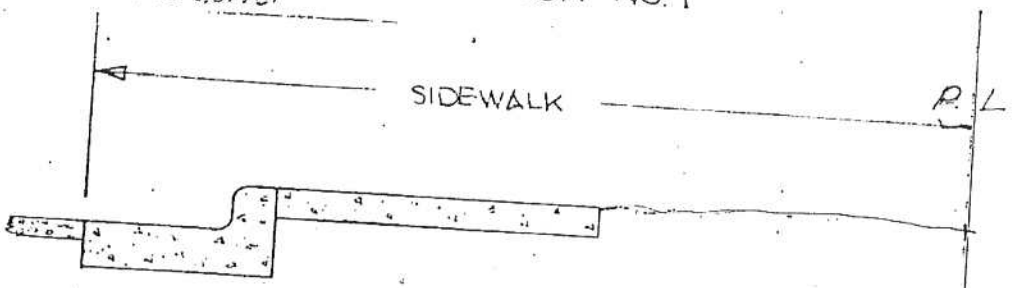
Billie Lou Parks

Billie Lou Parks, City Clerk
City of Banning, California

(S E A L)

EXHIBIT "A"

CONDITION No. 1



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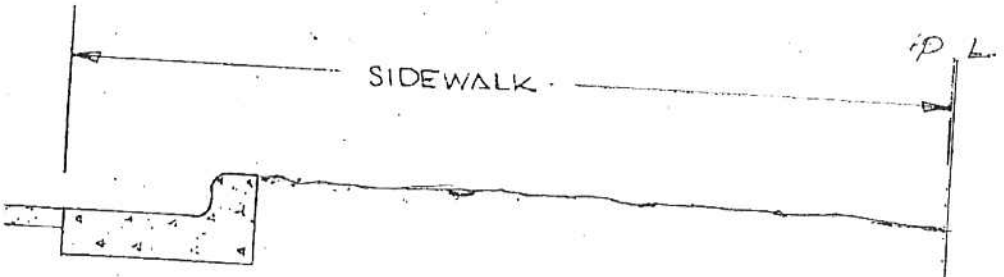
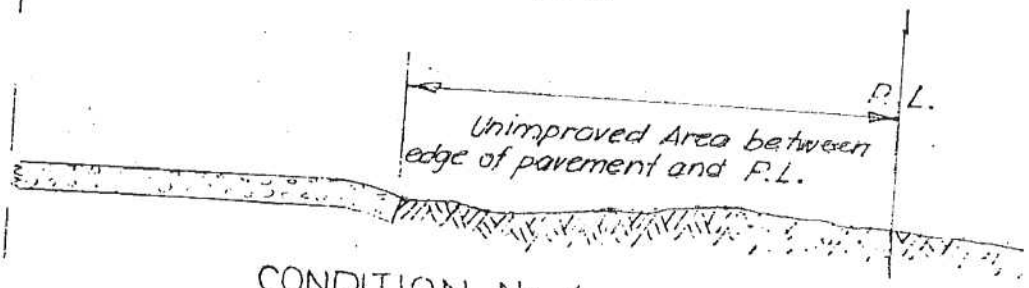
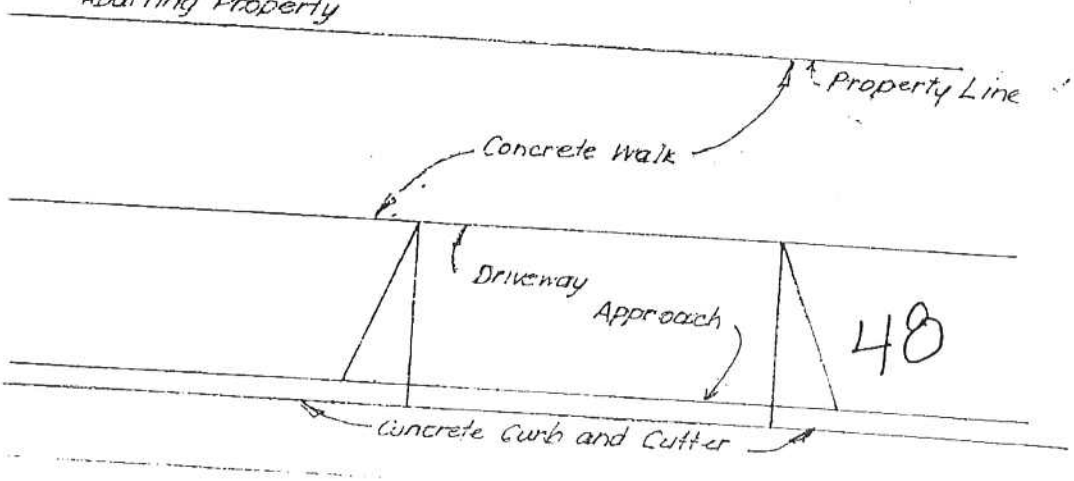


CONDITION No 3



CONDITION No. 4



AMENDED BY RESO 77-15

RESOLUTION NO. 1967-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, ESTABLISHING A POLICY FOR THE REPAIR AND MAINTENANCE OF CURBS AND SIDEWALKS.

IT IS HEREBY RESOLVED by the City Council of the City of Banning, California, that it shall, and hereby does, establish the policy that the owners of lots or portions of lots fronting on any portion of a public street or place when that street or place is improved, or if and when the area between the property line of the adjacent property and the street line is maintained as a park or parking strip, shall maintain and repair, at their own expense, any sidewalks and/or curb in such condition that the sidewalk and/or curb will not endanger persons or property, or interfere with the public convenience, as provided in Chapter 22, of Part 3, of Division 7, of the California Streets and Highway Code.

IT IS FURTHER RESOLVED that the repair and maintenance of curbs and sidewalks shall be the responsibility of the City of Banning under the following situations:

1) Curb returns at all corners, along with the sidewalk area enclosed within such curb return, determined by the prolongation of the front and side property lines of the abutting property.

2) Curb and sidewalk damage caused by parkway trees, municipal water pipes and installation, and flooding.

Dated: June 22, 1967.

John C. Brinton
Mayor Pro Tem

ATTEST: _____
City Clerk

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: June 25, 2019

SUBJECT: Adopt Resolution 2019-XX, Approving the Interagency Services Agreement between the City of Banning and the City of Beaumont for the purpose of providing coordinated transit services

---

RECOMMENDED ACTION:

Staff Recommends that City Council adopt Resolution 2019-XX:

1. Approving an Interagency Services Agreement (ISA) between the City of Banning ("Banning") and the City of Beaumont ("Beaumont") for the purpose of providing coordinated transit services.

2. Authorizing the City Clerk to certify to the adoption of this Resolution and to cause a certified resolution to be filed in the book of original resolutions.

BACKGROUND:

On October 22, 2002 the City Council of the City of Banning approved Resolution 2002-76, "Resolution of the City Council of the City of Banning Authorizing the Execution of an Agreement with the City of Beaumont to Provide Coordinated Transit Services."

In the recent past Banning has expressed concerns with Beaumont's operation along the Ramsey Street corridor and has requested that the Beaumont no longer operate routes within Banning's city limits. Beaumont recently approved their Short Range Transit Plan for fiscal year 2019-2020, which included a plan to remove Beaumont's Route 2, which is the route that currently operates along the Ramsey Street corridor.

With the proposed removal of Route 2 from Beaumont's transit operation, there remains a need to coordinate services for Beaumont and Banning transit dependent citizens during transfers from one agency's transit system to the other. On June 11, 2019, Banning and Beaumont staff met to discuss the terms and conditions of the proposed ISA, attached hereto.

JUSTIFICATION:

The proposed ISA describes the manner in which integration will occur between both agency's transit operations. In summary, the intent of the ISA is to:

1. Agree to cooperate in providing the public with specific bus transit information, advertising the operations of both agencies and promoting the general use of public transit.
2. Agree to cooperate in the location, installation and maintenance of the following jointly used transfer bus stops:
    a. Walmart Transfer Station – 1540 E. 2nd Street, Beaumont, CA 92223
    b. San Gorgonio Memorial Hospital – 600 N. Highland Springs Avenue, Banning, CA 92220
3. Each party shall be solely responsible for claims for damages arising out of its installation of its bus stop signs or passenger amenities and its transportation and related services.
4. That Beaumont will limit Banning to no more than three buses per hour at the Walmart Transfer Station.
5. Banning will limit Beaumont to no more than three buses per hour at the San Gorgonio Memorial Hospital bus stop.
6. Each party agrees that neither party will board passengers at any other bus stop within the other party's jurisdiction, with the exception as those listed as transfer bus stops.
7. Each party shall retain all fares collected in the operation of their service.
8. Each agency agrees to accept a one-time transfer media (e.g. ticket) of the other agency valued at the base fare at the above mentioned transfer stops. Passengers will not be required to "top-up" their bus fare to cover any shortfall between the agencies base fare.
9. Where Beaumont and Banning's commuterlink routes intersect, each agency will accept the other agency transfer media for a one-dollar discount with their applicable premium fare.
10. The transfer ticket or media shall not be issued on a Dial-A-Ride or other curb-to-curb service.
11. Each party shall accept the other party's valid employee identification, on all fixed route and commuter services in lieu of payment of fare.
12. Each agency will accept the others Military Veteran Identification for purchase of each other's reduced Veterans fares.
13. Neither party may operate duplicating services in the other's jurisdiction without the written approval of the other party's elected city council.

14. The term of the Agreement shall be effective on July 1, 2019, or the date of full execution by both parties, whichever date is later, and will remain in effect for a term of one year. Prior to December 15th of the existing year, both parties will meet at least once to discuss coordination of services for the following fiscal year, as well as to discuss an extension of this agreement by an additional subsequent term for one year.

FISCAL IMPACT:

It is expected that with Beaumont ceasing operation within Banning's city limits, Banning's fare box revenue will increase.

ALTERNATIVE:

Reject Resolution 2019-XX and provide direction to staff.

ATTACHMENTS:

1. Resolution 2019-XX
2. Resolution 2002-76
3. Interagency Services Agreement

Approved by:

Douglas Schulze
City Manager

ATTACHMENT 1

Resolution 2019-XX

RESOLUTION 2019-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING AN INTERAGENCY SERVICES AGREEMENT BETWEEN THE CITY OF BANNING AND THE CITY OF BEAUMONT FOR THE PURPOSE OF PROVIDING COORDINATED TRANSIT SERVICES

WHEREAS, on October 22, 2002 the City Council of the City of Banning approved Resolution 2002-76, "Resolution of the City Council of the City of Banning Authorizing the Execution of an Agreement with the City of Beaumont to Provide Coordinated Transit Services"; and

WHEREAS, the City of Beaumont recently approved their Short Range Transit Plan for fiscal year 2019-2020, which included a plan to remove the City of Beaumont's Route 2, which is the route that currently operates along the Ramsey Street corridor; and

WHEREAS, with the removal of Route 2 from the City of Beaumont's transit operation, there remains a need to coordinate services for Beaumont and Banning transit dependent citizens during transfers from one agency's transit system to the other; and

WHEREAS, City of Banning and City of Beaumont met to discuss terms and condition contained in the Interagency Services Agreement for each respective transit operation.

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

SECTION 1. The Banning City Council adopts Resolution 2019-XX, approving Approving the Interagency Services Agreement between the City of Banning and the City of Beaumont for the purpose of providing coordinated transit services.

SECTION 2. The City Clerk shall certify to the adoption of this Resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019.

_____

Arthur L. Welch, Mayor
City of Banning

ATTEST:

_____
Daryl Betancur, Deputy City Clerk
City of Banning

APPROVED AS TO FORM
AND LEGAL CONTENT:

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

CERTIFICATION:

I, Daryl Betancur, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-___, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Daryl Betancur, Deputy City Clerk
City of Banning, California

ATTACHMENT 2

Resolution 2002-76

RESOLUTION NO. 2002-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CITY OF BEAUMONT TO PROVIDE COORDINATED TRANSIT SERVICES

WHEREAS, the Banning Municipal Transit System and the Beaumont Municipal Transit Agency provide valuable transit services to the residents of the Pass Area and desire to better coordinate services for the benefit of Pass Area residents; and

WHEREAS, the Pass Area Transit Plan adopted by the City of Banning and City of Beaumont calls for greater coordination of local transit services within the Pass Area, reducing the need to transfer between bus routes; and

WHEREAS, an agreement between the City of Banning and the City of Beaumont is necessary to allow the two transit providers to travel in to one another's service area;

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

Section 1: The Mayor is hereby authorized to sign, on behalf of the City of Banning, the agreement with the City of Beaumont entitled Agreement to Provide Coordinated Transit Services, a copy of which is attached hereto and by this reference made a part hereof.

Section 2: If such agreement is not executed by all parties within 60 days from the effective date of this resolution, such authorization shall become void and of no effect.

PASSED, APPROVED, AND ADOPTED this 22nd day of October, 2002.

John Hunt, Mayor
City of Banning

APPROVED AS TO FORM
AND LEGAL CONTENT

John F. Wilson
City Attorney

ATTEST:

Marie A. Calderon, City Clerk

CERTIFICATION

I, Marie A. Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2002-76 was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 22nd day of October, 2002 by the following vote, to wit:

AYES:	Councilmembers Jenkins, Mediano, Salas, Wages, Mayor Hunt
NOES:	None
ABSTAIN:	None
ABSENT:	None

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

AGREEMENT TO PROVIDE COORDINATED TRANSIT SERVICES

THIS AGREEMENT, made and entered into this ___ day of October, 2002, by and between the City of Banning ("City") and the City of Beaumont (sometimes jointly referred to herein as the "Parties").

RECITALS

WHEREAS, the City of Banning and the City of Beaumont are operators of separate transit systems; each consisting of fixed route and dial-a-ride services; and,

WHEREAS, the City of Banning and the City of Beaumont are members of the Transit Task Force ("Task Force"), formed for purpose of studying the potential of a single integrated San Gorgonio Pass transit system (the "Study"); and

WHEREAS, the City of Banning entered into a contract with a consultant to conduct the Study on behalf of the Task Force; and,

WHEREAS, the consultant has provided an "Existing Conditions and Transit Needs Report," and based thereon, the Task Force has developed a preliminary Pass Area Transit Plan (the "Plan"); and

WHEREAS, the Plan includes the integration of some components of the City of Banning and City of Beaumont fixed route and dial-a-ride services; and

WHEREAS, the City of Banning and the City of Beaumont desire to jointly document the manner of such integration and to formally allocate the risks associated with such integration.

TERMS AND CONDITIONS

1. **Purpose**

   The purpose of this Agreement is to allow the Parties to integrate their transit systems in the manner described herein.

2. **Term**

   This Agreement shall commence as of the day and year first above shown and shall remain in full force and effect until terminated as provided herein. Either party may terminate this Agreement by giving written notice at least thirty (30) days prior to the effective date of the termination. Each party hereby assumes its risk of loss as a result of such termination and hereby waives any right against the other for costs of performance or for breach of performance hereunder. Said waiver is void and of no effect upon proof of bad faith on the part of the party initiating the termination. The County of Riverside shall be the venue for any legal action commenced hereunder.

3. **GENERAL AUTHORITY; BUDGET AUTHORITY**

   The City Managers ("City Manager"), or their designees, are hereby made the authorized representative, respectively, of the City of Banning and the City of Beaumont to grant such authorizations and take such further actions as may be necessary to effectuate this Agreement. If the integration of services requires the establishment of a budget, such budget shall first be approved as required by the internal regulations of each city. The City Managers, or their designees, shall thereafter have the authority to approve line item adjustments to such budget as long as either of such amendments are upon the same terms and conditions as specified herein, and do not

increase the total compensation agreed upon herein.

4. COMMENCEMENT OF INTEGRATION

At the date and time agreed upon by the City Managers, or their designees, the Parties shall commence the integrated transit operations program described in Attachment I. Attached hereto and made a part hereof.

5. RELEASE OF NEWS INFORMATION

No news release, including photographs, public announcements or confirmation of same, of any part of the subject matter of this Agreement or any phase of any program hereunder shall be made without prior written approval of the City Managers or their designees.

6. COSTS

Each party shall bear its own costs of the transit system integration described in Attachment I.

7. City DISCLOSURE

Each City shall provide the other City with any plans, publications, reports, statistics, records or other data or information pertinent to the services to be provided hereunder which are reasonably available to City.

8 INDEPENDENT CONTRACTOR

Each Party shall perform the services contained herein as an independent contractor. The employees of each Party shall not be considered an employee of the other or under supervision or control of the other. This Agreement is by and between the Parties, and is not intended, and shall not be construed, to create the relationship of agent, servant, employee, partnership, joint venture, joint power, or association, between the City of Banning and the City of Beaumont.

9. Successor and Assignment

The services as contained herein are to be rendered by Parties whose names are as appears first above written and said Parties shall not assign nor transfer any interest in this Agreement without the prior written consent of the other.

10. Indemnification

This Agreement contemplates the operation by each City ("TRANSIT OPERATIOR") of a portion of its transit operations within the territory of the other ("HOST CITY"). Based thereon, the following indemnification is made:

A. Indemnification of City as TRANSIT OPERATOR by the HOST CITY

In addition to the liability imposed by law upon HOST CITY on account of bodily injury or death suffered through HOST CITY's negligence, which liability is not impaired or otherwise affected herein, HOST CITY hereby agrees to defend, indemnify and hold harmless TRANSIT OPERATOR, its officers, boards, commissions, employees and agents against and from any and all claims, demands, cause of action, suits and proceedings, including, but not limited to, actions related to the injury to any person or persons, including death or property damage, regardless of the merits of the same and from damages (including, but not limited to, damages to TRANSIT OPERATOR'S property), liabilities, costs or

expenses of every type, and or part thereof, resulting from an act or omission of HOST CITY or any subcontractor or anyone directly or employed including volunteers by either of them in the performance of any work included in this AGREEMENT.

B. Indemnification of the HOST CITY by the TRANSIT OPERATOR

In addition to the liability imposed by law upon TRANSIT OPERATOR on account of bodily injury or death suffered through TRANSIT OPERATOR'S negligence, which liability is not impaired or otherwise affected herein, TRANSIT OPERATOR hereby agrees to defend, indemnify and hold harmless HOST CITY, its officers, boards, commissions, employees and agents against and from any and all claims, demands, cause of action, suits and proceedings, including, but not limited to, actions related to the injury to any person or persons, including death or property damage, regardless of the merits of the same and from damages (including, but not limited to, damages to HOST CITY'S property), liabilities, costs or expenses of every type, and or part thereof, resulting from an act or omission of TRANSIT OPERATOR or any subcontractor or anyone directly or employed including volunteers by either of them in the performance of any work included in this AGREEMENT.

11. INSURANCE

Without limiting the scope to each Party's indemnification of the other, each Party shall provide and maintain at its own expense during the term of this Agreement the following program(s) of insurance covering its operation hereunder. Such insurance shall be provided by insurer(s) satisfactory to each City and evidence of such programs satisfactory to each City shall be delivered to each City Manager or his/her designee within ten (10) days of the effective date of this Agreement.

Minimum Scope of Insurance:

Commercial General Liability and Umbrella Liability Insurance on an occurrence basis, including the tort liability of another assumed in a business contract. Automobile and Umbrella Liability Insurance for any auto, including owned, hired and non-owned autos. Worker's Compensation Insurance as required by the State of California and Employer's Legal Liability, including a waiver of subrogation against each City.

Minimum Limits of Insurance:

General Liability/Umbrella Liability with a limit of not less than $1,000,000.00 per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to this Agreement. Automobile Liability (and necessary commercial umbrella liability) Insurance with a limit of not less than $1,000,000.00 each accident. Worker's Compensation (commercial umbrella and/or employers liability) Insurance with a limit of not less than $1,000,000.00 each accident for bodily injury by accident or $1,000,000.00 each employee for bodily injury by disease.

Deductibles and Self-Insured Retentions:

Any deductibles or self-insured retentions must be declared to and approved by each City.

Other Insurance Provisions:

Additional Insured Status of HOST City. The HOST City, its officers, officials, employees, and volunteers shall be insureds with respect to either liability arising out of automobiles owned, leased, hired, or borrowed by or on behalf of the Transit Operator or liability arising out of work or

operations performed by or on behalf of the Transit Operator, including materials, parts or equipment furnished in connection with such work or operations, excepting professional liability coverage.

Insurance Primary to City Insurance. For any claims related to this contract, the TRANSIT OPERATOR'S insurance coverage shall be primary insurance as respects the HOST CITY, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the HOST CITY, its officers, officials, employees or volunteers shall be excess of the Transit Operator's insurance and shall not contribute with it.

Prior Notice of Cancellation. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by Transit Operator or Transit Operator's insurance; except after thirty (30) days prior written notice to the HOST City.

12. VERIFICATION OF COVERAGE:

TRANSIT OPERATOR shall furnish the HOST CITY with original certificates and amendatory endorsements effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the HOST City before operations commence. The HOST City reserves the right to require complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications at any time.

Failure on the part of Transit Operator to procure or maintain required insurance shall constitute a material breach of this Agreement upon which HOST City may immediately terminate this Agreement.

13. INSURANCE TERMS APPLICABLE TO GOVERNMENT SERVICE CONTRACT

The verification of coverage requirements in this section supersedes any inconsistent provision appearing above. When each party hereto is a government entity, each Party shall be required to provide to the other, verification of the coverages required herein only from such carrier, joint powers authority, or self-insurance, as is relied upon by the Party in the normal course of business.

14. COMPLIANCE WITH LAWS

The Parties agree to be bound by applicable federal, state and local laws, regulations and directives as they pertain to the performance of this Agreement.

15. NON-DISCRIMINATION

In the fulfillment of the program established under this Agreement, either as to employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other terms of compensation, selection for training, including apprenticeship or participation in the program or the receiving of any benefits under the program, each Party agrees not to discriminate nor to allow any contractor or subcontractor to discriminate on the basis of race, color, creed, religion, natural origin, ancestry, sex, marital status or physical handicap.

16. SEVERABILITY

In the event that any provision herein contained is held to be invalid, void or illegal by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect, impair or invalidate any other provision contained herein. If any such provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid

to the extent of the scope or breadth permitted by law.

17. INTERPRETATION

No provision of this Agreement is to be interpreted for or against either party because that party or that party's legal representative drafted such provision, but this Agreement is to be construed as if both Parties drafted it.

18. WAIVER

No breach of any provision hereof can be waived unless in writing, Waiver of any one breach of any provision shall not be deemed to be a waiver of any other breach of the same or any other provision hereof.

23. ASSESSMENT AND MONITORING

The ongoing assessment and monitoring of this Agreement is the responsibility of the City Managers or their designees.

24. NOTICE

A. Notices, herein shall be presented by regular, certified or registered U.S. mail, as follows:

To City of Beaumont: City of Beaumont
550 W. Sixth Street
Beaumont, CA 92223
Attention: City Attorney

To City of Banning: City of Banning
Post Office Box 998
Banning, California 92220
Attention: City Attorney

Nothing in this paragraph shall be construed to prevent the giving of notice by personal service.

26. Entire Agreement

This Agreement with attachments constitutes the entire understanding and agreement of the parties. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the subject matter hereof and contains all the covenants and agreements with respect to same.

27. No Third Party Beneficiaries.

No third party shall be deemed to have any rights hereunder against any of the parties hereto as a result of this Agreement.

28. EMERGENCY NOTICE

The TRANSIT OPERATOR shall notify the designated contact person of the HOST CITY as soon as reasonably possible upon the occurrence of a traffic accident, passenger trip and fall, or like event involving the Transit Operator during its operations in the HOST CITY. For purposes of this section the designated contact persons are:

City of Banning: Community Services Manager
Community Services Department
(909) 922-3243

City of Beaumont: Transit Services Manager
Transit Department
(909) 769-8530

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above shown.

CITY OF BEAUMONT

By_____
Brian DeForge, Mayor

ATTEST:

_____
Alan Kapanicas, City Clerk
City of Beaumont

CITY OF BANNING

By_____
John Hunt, Mayor

ATTEST:

_____
Marie A. Calderon, City Clerk
City of Banning

APPROVED AS TO FORM
AND LEGAL CONTENT:

By_____
John F. Wilson
City Attorney

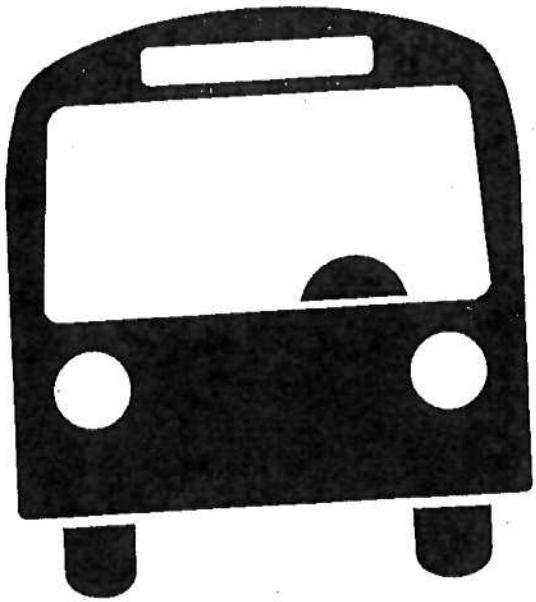
APPROVED AS TO INSURANCE
PROVISIONS:

By_____
F. Ann Yates, R.M. Division

ATTACHMENT I

PASS AREA TRANSIT STUDY

TRANSIT PLAN



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INTRODUCTION

The San Gorgonio Pass Area of Western Riverside County consists of the incorporated cities of Calimesa, Beaumont and Banning and the unincorporated communities of Cherry Valley and Cabazon and the Morongo Band of Mission Indians Reservation.

Currently there are five public transit systems and Greyhound operating in the Pass Area. These include the Riverside Transit Agency (RTA), Omnitrans, SunLine Transit Agency, Banning Municipal Transit System, and Beaumont Municipal Transit System. Each provider functions independently and has its own routes, schedules, and fare structure. Together, these services offer Pass Area residents local transit service, intercity transit service within the Pass Area, and regional transit service to destinations in Riverside County including Hemet/San Jacinto, Moreno Valley, Palm Springs and Redlands/San Bernardino.

Over the course of the past year, the communities of the Pass Area have perceived a need to develop a seamless and user-friendly package of transit services. A study of Pass Area transit needs was funded by the Riverside County Transportation Commission in April 2000. Nelson\Nygaard Consulting Associates was retained in late 2000 to conduct a transit needs assessment of the Pass Area communities, which was completed in November 2001. The task of developing and implementing a transit plan for the Pass Area was assigned to the Pass Area transit providers.

To aid Pass Area transit staff with the development of the transit system, a Transit Task Force was created. The Task Force includes representatives from:

- City of Banning
- City of Beaumont
- City of Calimesa
- County of Riverside
- Morongo Band of Mission Indians (Morongo Commercial Development)
- Riverside Transit Agency (RTA)
- SunLine Transit Agency
- Riverside County Transportation Commission

THE PASS AREA COMMUNITY

Profiles of the Pass Area communities, transit customers and those who currently do not use transit are discussed in-depth in the *Existing Conditions*

and Transit Needs Assessment prepared by Nelson\Nygaard Consulting Associates.

IDENTIFIED NEEDS

With the focus of the study being to develop a single seamless transit system that is easy for Pass Area residents to understand and use, a number of unmet transit needs and improvements were identified during the research phase of this study. They are discussed in detail in the *Existing Conditions and Transit Needs Assessment*.

Briefly, the research identified the following unmet transit needs for the Pass Area communities:

- An unserved residential areas in Banning (along Wilson Street between Sunset and San Gorgonio).
- Service for non-traditional works shifts and swing shifts throughout the Banning, Beaumont, Cherry Valley and Cabazon areas.
- Pass Area access to evening classes at Mount San Jacinto College and the computer manufacturing training program in Hemet.
- Local connections to the last run of regional routes
- Local Sunday service
- Reduced travel time to Redlands/Loma Linda/San Bernardino destinations

The following are areas, identified by the study, where local transit service can be improved:

- Eliminate one-way loops to reduce ride time on local routes
- Eliminate multiple fare structures
- Eliminate the lack of uniform headways
- Develop a single system identity
- Adjust route schedules to provide timed transfers between routes
- Relocate transfer point, develop transit center
- Increase marketing of transit services

OVERVIEW OF TRANSIT PLAN

This transit plan is not intended to be a detailed implementation plan. It is intended to set the priorities and direction for transit services in the Pass Area for the coming years. The plan is phased over three fiscal years, though it is anticipated that some elements will take longer than the three-year period to fully implement.

Noteworthy element of the plan includes:

- A single user-friendly ride guide containing all transit services in and through the Pass Area
- Education program on Transit Friendly Community Planning
- Extended local service hours to get regional travelers back home
- Creation of a fixed route trunk line connecting the Beaumont, Banning and Cabazon commercial areas
- Fixed route deviations to provide service to major employers
- Style standards that will give the Banning and Beaumont transit systems a single system appearance
- The consolidation of the Banning and Beaumont DAR services
- Non-traditional "swing shift" subscription Dial-A-Ride service
- Regional express connector routes to Palm Springs and Loma Linda
- Research and development of a transit center

It will be up to the Transit Task Force and both local and regional policy boards to prioritize the services to be implemented with the resources available.

TRANSIT SYSTEM ELEMENTS

The plan elements listed below are targeted to address specific issues that have been identified through the Pass Area Transit Study. Each element is can be implemented independent of any of the other elements listed.

Consolidated Ride Guide for Pass Area Services

Implementation Date: March 2002 (Revised September 2002)
Estimated Cost: Not yet determined

To make travel in, to and through the Pass Area easier, a single Ride Guide listing the routes and services provided in the Pass Area will be developed. Information on each route will be presented in the same format for ease of understanding and use by the transit customer.

Community Transit Planning

Implementation Date: June 2002
Estimated Cost: Nominal

It is anticipated that the need for transit services will only increase over the coming years. As such, it is important that local cities take a proactive approach to facilitating the development of transit-friendly communities in the Pass Area. Two actions that can be taken now to initiate the forward thinking process are:

1) Educate City Planners on transit-friendly community development
2) Provide City Councils with information on the value of adopting a Transit Development Fee

Extending Local Service to 7:00 PM
Implementation Date: October 2002
Estimated Cost: Operating - $90,000.00/year, Capital - None

The *Existing Conditions and Transit Needs Assessment* identified that individuals transferring from the last run of regional connector routes are being stranded at the San Gorgonio Memorial Hospital transfer point because the local services stop at 5:00 PM (in Beaumont) and 6:00 PM (in Banning).

To address this need, local service will be extended to 7:00 PM. This will allow individuals transferring from almost all regional routes to get home. The only exception will be the 7:00 PM arrival of RTA Route 36 from Yucaipa.

Rerouting of Fixed Routes
Implementation Date: October 2002
Estimated Cost: Operating - $125,000.00/year, Capital - None

Below is a list of the fixed-routes serving the Pass Area. Information provided includes a brief description of service area, operational hours and the number of vehicles in service. Some routes have been modified to meet identified potential service demands. This transit plan includes renaming local fixed routes to present the appearance of a single local transit system. The current names are added for reference.

Route 1 Commercial Area Trunk Route *(Banning Cabazon Route)*
(M-F 6am – 7pm, Sat 8am – 5pm, two vehicles)
The old Cabazon Route will be modified significantly to provide service to the commercial areas of Beaumont, Banning and Cabazon. The route has been extended down Sixth Street to Beaumont Avenue and then to the southwest residential area of Beaumont. The route will serve the Apache Trail and Seminole Drive commercial area heading in both directions and will increase service to the Esperanza and Elm area of Cabazon. The route will deviate on demand to the Arrowhead Bottling Plant at Bonita and Elm and to Duraplastics in Beaumont. A second vehicle will be placed on this route (one operated by Banning and the other operated by Beaumont) to reduce the headway to one-hour. (See attached route map.)

Route 2 *(Beaumont Route 2)*
(M-F 6am – 7pm, one vehicle)
Route 2 was recently modified to provide service to additional areas of Beaumont. No further changes to this route are anticipated. (See attached route map.)

Route 3 *(Beaumont Route 3)*
(M-F 6am – 7pm, Sat 8am – 5pm, one vehicle)
Route 3 was recently put into service. No changes are anticipated for this route. (See attached route map.)

Route 4 *(Beaumont Route 1)*
(M-F 6am – 7pm, Sat 8am – 5pm, one vehicle)
No changes are anticipated for this route. (See attached route map.)

Route 5 *(Banning Northern Route)*
(M-F 6am – 7pm, Sat 8am – 5pm, one vehicle)
Route 5 will replace the Banning Northern Route and will serve the residential areas North of Ramsey Street in Banning and the commercial areas along Ramsey Street and Highland Springs. The route will be modified to provide service to Coombs Middle School (on Wilson Street). In order to accomplish this, the route was shortened slightly at the Northeast end of Banning. (Route 6 will provide service to this area.) Route 5 will maintain a one-hour headway. (See attached route map.)

Route 6 *(Banning Southern Route)*
(M-F 6am – 7pm, Sat 8am – 5pm, one vehicle)
Route 6 will replace the Banning Southern Route and will serve the residential areas South of the I-10 freeway and the commercial areas along Ramsey Street and Highland Springs. The route will deviate on demand to provide service to the Deutsch Company for morning and afternoon shift changes. It has been modified to provide service to Wilson Street between Sunset Avenue and Highland Home Road. Route 6 will maintain a one-hour headway. However, it is anticipated to fall behind schedule when required to deviate to the Deutsch Company. (See attached route map.)

RTA Route 31
(M-F6:15am – 6:25pm, Sa 7:15m – 6:15pm, Sun 8:30am – 6:15pm, 2 vehicles)
Route 31 provides regional connection service to Hemet/San Jacinto from the San Gorgonio Memorial Hospital transfer point. This route will limit passenger stops to the San Gorgonio Memorial Hospital transfer point, Beaumont City Hall, and Wells Fargo Bank (across the street from the Beaumont City Hall). (See attached route map.)

RTA Route 35
(M-Sa 7:45am – 6:02pm, 1 vehicle)
Route 35 provides regional connection service to Moreno Valley from the San Gorgonio Memorial Hospital transfer point. This route

will limit passenger stops to the San Gorgonio Memorial Hospital transfer point, Beaumont City Hall, and Wells Fargo Bank (across the street from the Beaumont City Hall). (See attached route map.)

RTA Route 36

(M-Sa 7:05am – 7:00pm, 2 vehicles)

Route 36 provides local service to Beaumont, Calimesa and Yucaipa, and is a regional connection to Omnitrans in Yucaipa. This route will limit passenger stops to the San Gorgonio Memorial Hospital transfer point, Beaumont City Hall, and Wells Fargo Bank (across the street from the Beaumont City Hall). It will board the freeway at Beaumont Avenue and exit on San Timoteo Canyon Road. (See attached route map.)

SunLink

(M-F 7:05am – 6:20pm, 2 vehicles)

SunLine Transit Agency's SunLink service provides express service between the Coachella Valley, Cabazon, Highland Springs, and Riverside. It travels through the Pass Area eight times a day (four to Riverside and four to the Coachella Valley). . (See attached route map.)

Single System Appearance in Banning and Beaumont

Implementation Date: October 2002

Estimated Cost:

The Banning and Beaumont transit systems will be coordinated to present the appearance of a single transit system to customers and the public. Fares, transfers and passes will be standardized between the two providers. Style standards will be developed for exterior bus graphics (and interior colors on future vehicle purchases), bus stop signs, bus stop benches and amenities, and document and publication appearance. Operational policies, as they relate to the transit customer, will be coordinated. Beaumont Transit System's operating hours will increase to equal Banning Municipal Transit System's operating hours. Operating days and holidays will be coordinated.

The intent of this single system appearance is to simplify use of the transit systems for the transit customer. Whether the customer is boarding a Banning or Beaumont vehicle, he/she will pay the same fare, receive the same transfer, have to abide by the same policies, and read schedules that are presented in the same format. To the customer, it will appear that the Banning and Beaumont systems are a single transit system.

Marketing Plan for Transit in the Pass Area
Implementation Date: August 2002
Estimated Cost:

Any changes to the existing transit services will need to be publicized. However, a significant need for increased marketing of the Pass Area transit services was identified in the *Existing Conditions and Transit Needs Assessment*, with 60% of non-riders in the Pass Area not being familiar with the transit systems.

A comprehensive marketing plan will be developed to promote both the service changes identified within this plan, and the ongoing promotion of transit as a transportation alternative within, and out of, the Pass Area.

Customer Satisfaction Surveys
Implementation Date: January 2003, April 2003
Estimated Cost: Nominal

The success of the transit system depends largely upon the satisfaction of its customers. Customer satisfaction surveys will be distributed three months after the implementation of the service changes within this plan. Customer input will be taken into consideration in "fine tuning" the transit system. Then, the same surveys will be distributed three months after that to identify any changes in customer satisfaction.

Multi-year Banning and Beaumont Dial-A-Ride Consolidation Plan
Implementation Date: October 2003
Estimated Cost: Not yet determined

Though both DAR services operate quite efficiently (just under 4.5 passengers per hour), it is anticipated that greater customer convenience and some cost savings will be realized by combining the two services into a single service. The evolution into a single Dial-A-Ride service will be a multi-year process with the implementation of a single system taking place in FY 04.

A minor, but significant, step will be taken this fiscal year with a cooperative agreement between the two providers allowing each provider to travel into each others service area to eliminate transfers for customers traveling between the cities of Banning and Beaumont. The final system will provide service to ADA certified individuals, the elderly and persons with disabilities throughout Banning, Beaumont, Cherry Valley and Cabazon. Limited general passenger Dial-A-Ride service will be provided in Cherry Valley, outside of the ADA service corridor.

Dial-A-Ride service is not planned for the Banning Bench or the Morongo Band of Mission Indian Reservation. The Banning Municipal

Transit System has received very few requests for service from the Banning Bench or the Morongo Band of Mission Indian Reservation. The *Existing Conditions and Transit Needs Assessment* did not identify a significant need for service in either of these areas. These two factors, along with the recent addition of taxi service in the Pass Area, were the basis of this determination.

Research Day Pass vs. Transfers

Implementation Date: October 2003 (if determined to be feasible)

Estimated Cost: Not yet determined

Currently both the Banning and Beaumont Transit Systems use a paper transfer system for customers wishing to transfer between routes to get to their destination. Local service fixed-routes intersect in multiple locations, which creates a challenge for transit operators to develop and enforce transfer policies that are fair and convenient to both the customer and the transit provider. During FY 03 the Banning and Beaumont Transit Systems will research the potential of adopting a day pass, or smart card technology, that would be honored by both agencies. The day pass offers the customer the maximum amount of flexibility in using the transit system and the ability to choose the most direct route for their chosen trips.

Eliminate One-way Loops

Implementation Date:

Estimated Cost: Operating - 1,000,000.000/year, Capital - $1,500,000.00

The need to eliminate one-way loop routes was identified in *the Existing Conditions and Transit Needs Assessment*. However, upon closer study of the fixed routes this would be expensive to accomplish. In some cases the only method to eliminate the one-way loop (and not require customers to transfer more often) is to add a vehicle traveling in the opposite direction to the route. An alternative to the addition of vehicles is to offer a liberal transfer policy so customers can choose the most direct route to and from their destination. However, simply eliminating transfer restrictions on the Banning and Beaumont fixed-routes would have a significant adverse effect on both systems' farebox revenue. The day pass alternative discusses in this transit plan would offer a liberal transfer policy without the adverse effect on farebox revenue.

Sunday Service

Implementation Date:

Estimated Cost: $40,000.00/year over current allocation

The *Existing Conditions and Transit Needs Assessment* identified that 30% of local fixed route customers identified Sunday service as a need. The Banning Municipal Transit System currently has two Sunday service demonstration routes budgeted. Their implementation has been delayed due to a shortage in drivers and vehicle reliability

issues. A limited hour, limited route Sunday demonstration service (Beaumont Route 3, Banning Northern/Southern combined, and Banning Cabazon Route) could be offered to identify if a need exists for the service. However, implementing the service past the demonstration period would require ongoing additional funding.

"Swing Shift" Subscription Dial-A-Ride Service

Implementation Date:

Estimated Cost: $75,000.00/year

The need for "after hour" service for employees working non-traditional and swing shifts was identified in the *Existing Conditions and Transit Needs Assessment*. After further research, it was found that there is no standard swing shift among Pass Area employers. Below is a chart of businesses with employees that may take advantage of a "swing shift" service, if provided.

Business	After Hours Shifts End	After Hours Shifts Begin
San Gorgonio Memorial Hospital	10:00 PM	10:00 PM
Cherry Valley Health Care	11:00 PM	10:30 PM
Banning Health Care	10:30 PM	10:30 PM
Miravilla Convalescent Facility	11:00 PM	11:00 PM
Deutsch Company	12:00 AM	12:00 AM
Duraplastics	11:30 PM	11:00 PM
Cabazon Outlet Malls	9:30, 10:00 PM	N/A
Albertson's	12:00 AM	8:00 PM, 12:00 PM
K-Mart	9:00 PM	9:00 PM
Food 4 Less	12:00 AM	12:00 AM
Del Taco	9:00 PM, 12:00 AM	N/A
Carl's, Jr.	10:00 PM	N/A
McDonald's	8:00, 9:00, 10:00, 11:00 PM, 12:00AM	N/A

It appears that employee work shifts end anywhere between 8:00 PM and 12:00 AM. To provide this service with a system of fixed-routes would require that they operate from 7:00 PM to 1:00 AM. This would be very expensive and provide a service in excess of the anticipated demand. A general passenger subscription only dial-a-ride service could meet this demand. The service would offer the flexibility to travel only when and where there is a demand.

Since many Pass Area businesses operate on both weekdays and weekends, this service will need to be provided seven days a week.

Regional Express Connector Routes

The need for expedited travel to and from Loma Linda, Veterans Administration Hospital and Redlands Hospital was identified in *the*

Existing Conditions and Transit Needs Assessment. The Cabazon to Palm Desert gap has long been an issue for transit connectivity in Riverside County. Though the SunLink service bridges the gap four times each way Monday through Friday, there is a perceived need for additional service to get employees to jobs. Two freeway flyer routes are proposed to address these regional connection issues.

Desert Express

Implementation Date:

Estimated Cost: Depends on hours and days of operation

The Desert Express would connect the Cabazon Outlet Malls, Casino Morongo and Main Street of Cabazon to SunLine Transit Agency's Route 111 at Stevens and Palm Canyon via the I-10 freeway and highway 111. Service would be provided by a single cutaway vehicle rather than a transit coach. This will better match the anticipated ridership and reduce the overall operating cost per mile. The route would operate on a two-hour headway, making six round-trips each weekday. Weekend service could be provided at a later date. (See attached route map.)

Redlands/Loma Linda Express

Implementation Date:

Estimated Cost: Depends on hours and days of operation

Currently Pass Area transit customers have two transit options to travel to Loma Linda. The first option is to travel via RTA Route 36 and Omnitrans Route 8 or 9. The trip takes approximately one hour and fifty minutes one-way. The second option is via RTA Routes 35, 16 and 25. The trip takes approximately one hour and thirty minutes one-way.

A freeway express route, stopping at the San Gorgonio Memorial Hospital transfer point, Calimesa/Yucaipa, Redlands Mall (connecting with service to Redlands, Redlands Hospital and Highland) and Tippacanoe (connecting with service to Loma Linda, V. A. Hospital, and San Bernardino), could reduce travel time significantly, reducing it to less than an hour. (See attached route map.)

Transit Center/Relocation of Transfer Point

Implementation Date:

Estimated Cost: Not yet determined

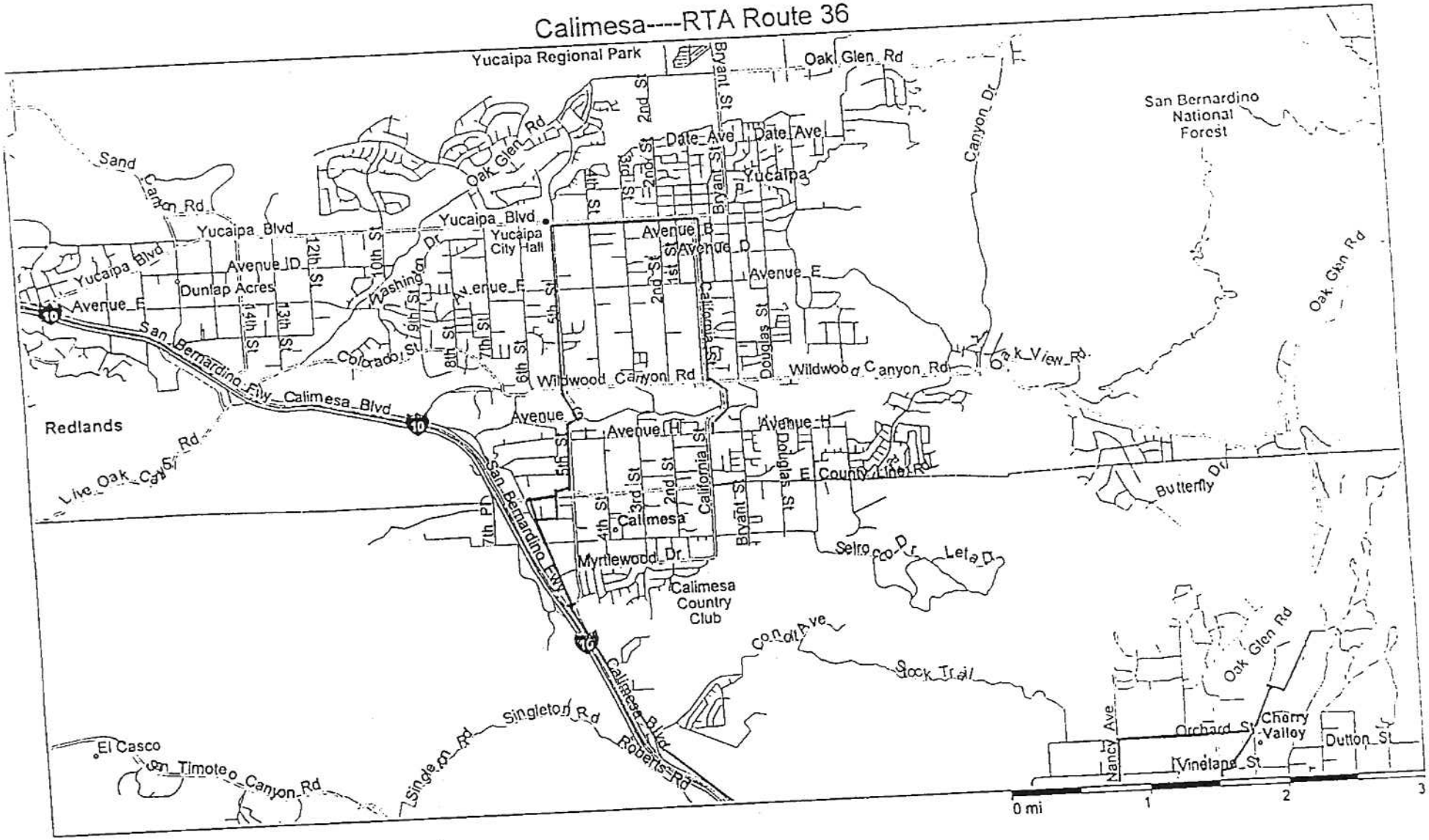
The need to relocate the existing San Gorgonio Memorial Hospital transfer point was identified long before this study was initiated. The transfer point currently connects no less than nine (9) fixed-routes. The congestion caused by the number of vehicles is a frustration to the hospital and its patrons. The need for a transit center with ample room to accommodate local fixed-routes, regional connectors, the local Greyhound bus terminal, and a park-and-ride facility has been

identified. However, there are no funds currently set aside for the purchase of land and development of the transit center.

The development of a transit center is a multi-year process. This plan proposes that a concerted effort for the development of a transit center begin with the identification of costs and potential funding sources. As funding sources are identified, potential locations can be discussed. Since this center will most likely be utilized by all of the transit operators providing service in, to and through the Pass Area, it is recommended that the development of the center be a cooperative venture among all operators.

In the interim, local fixed route make up times will be relocated to different sites throughout the Pass Area when feasible in order to lessen the congestion at the San Gorgonio Memorial Hospital transfer point.

Calimesa----RTA Route 36



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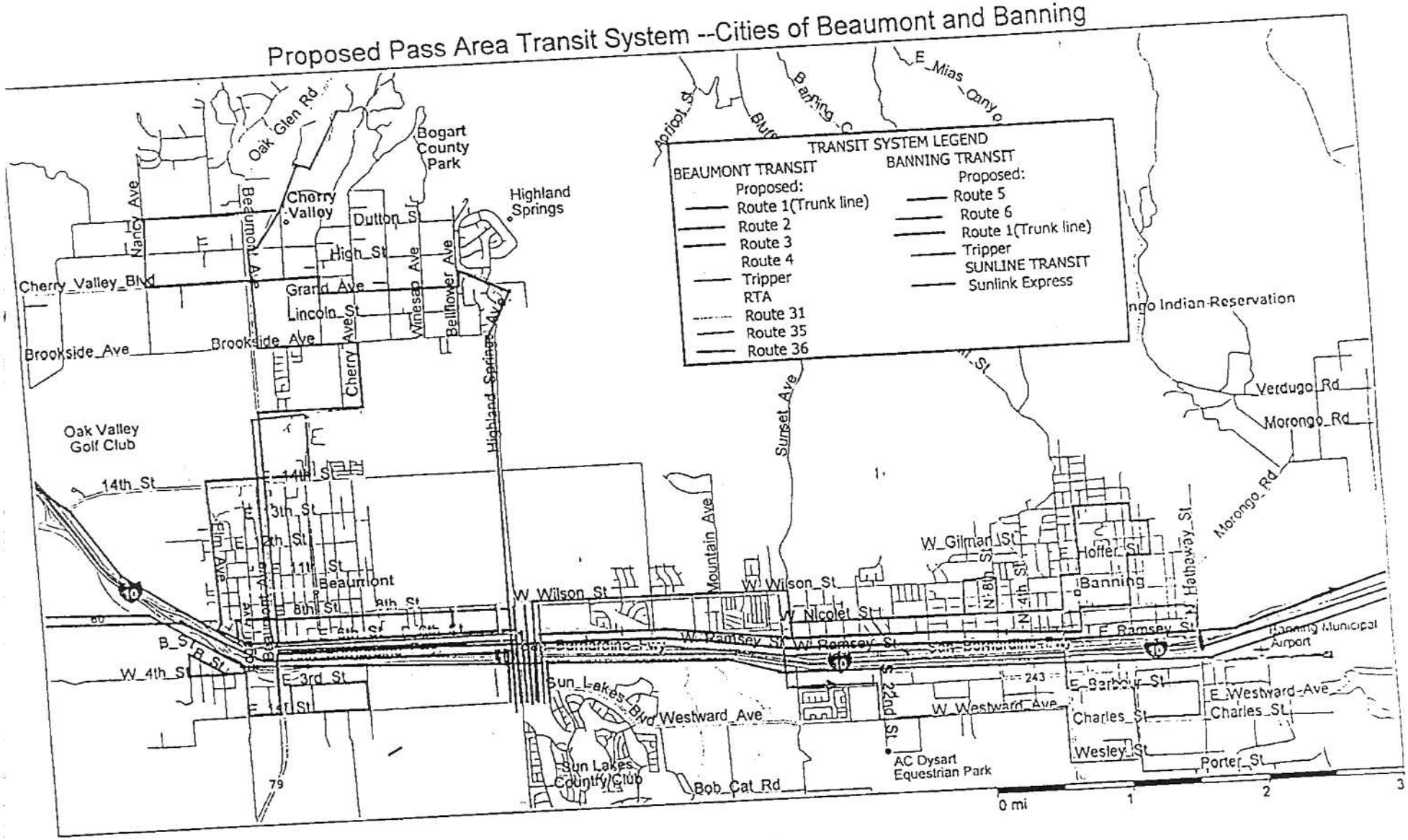
Proposed Pass Area Transit System --Cities of Beaumont and Banning



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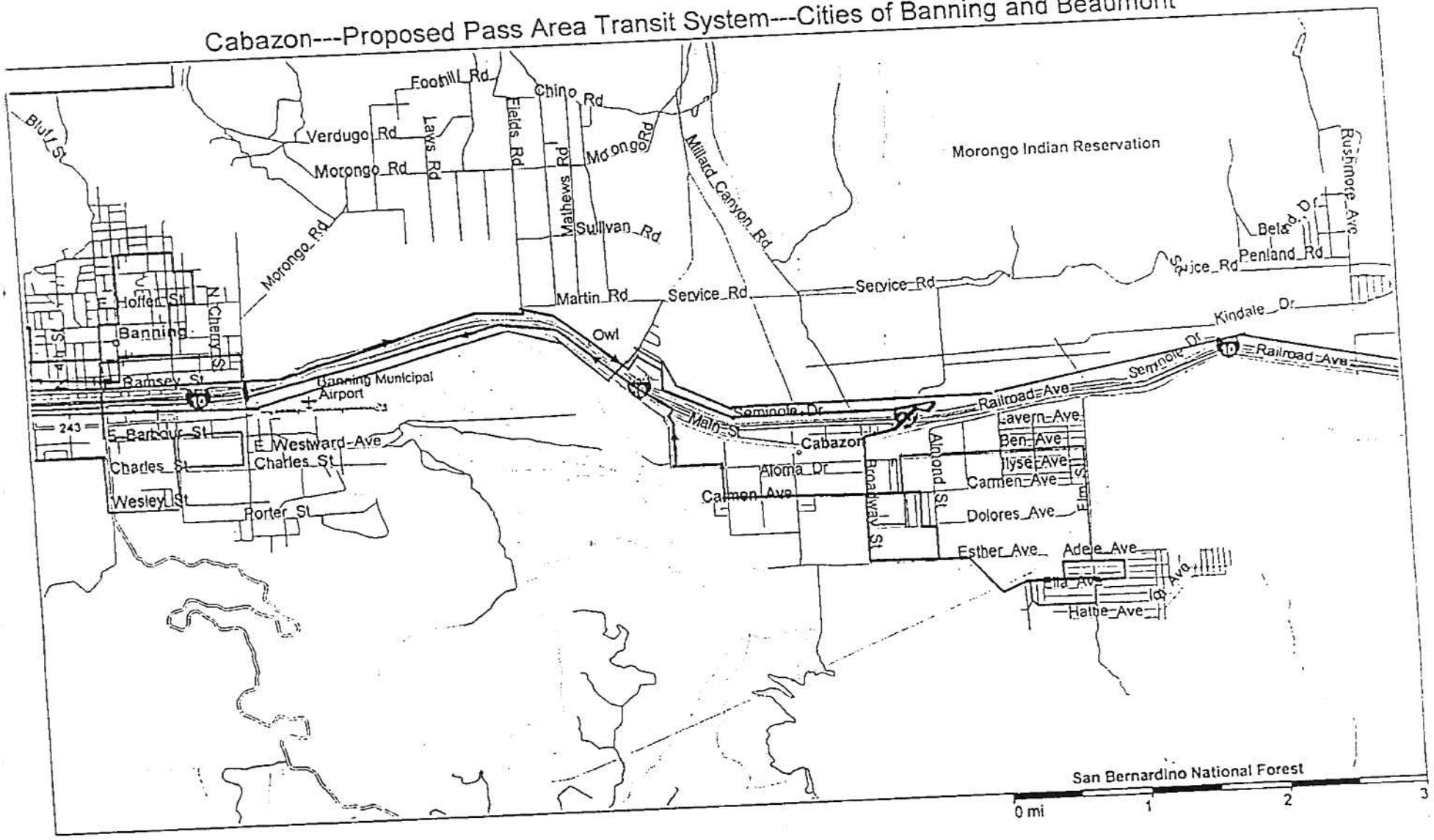
Cabazon---Proposed Pass Area Transit System---Cities of Banning and Beaumont



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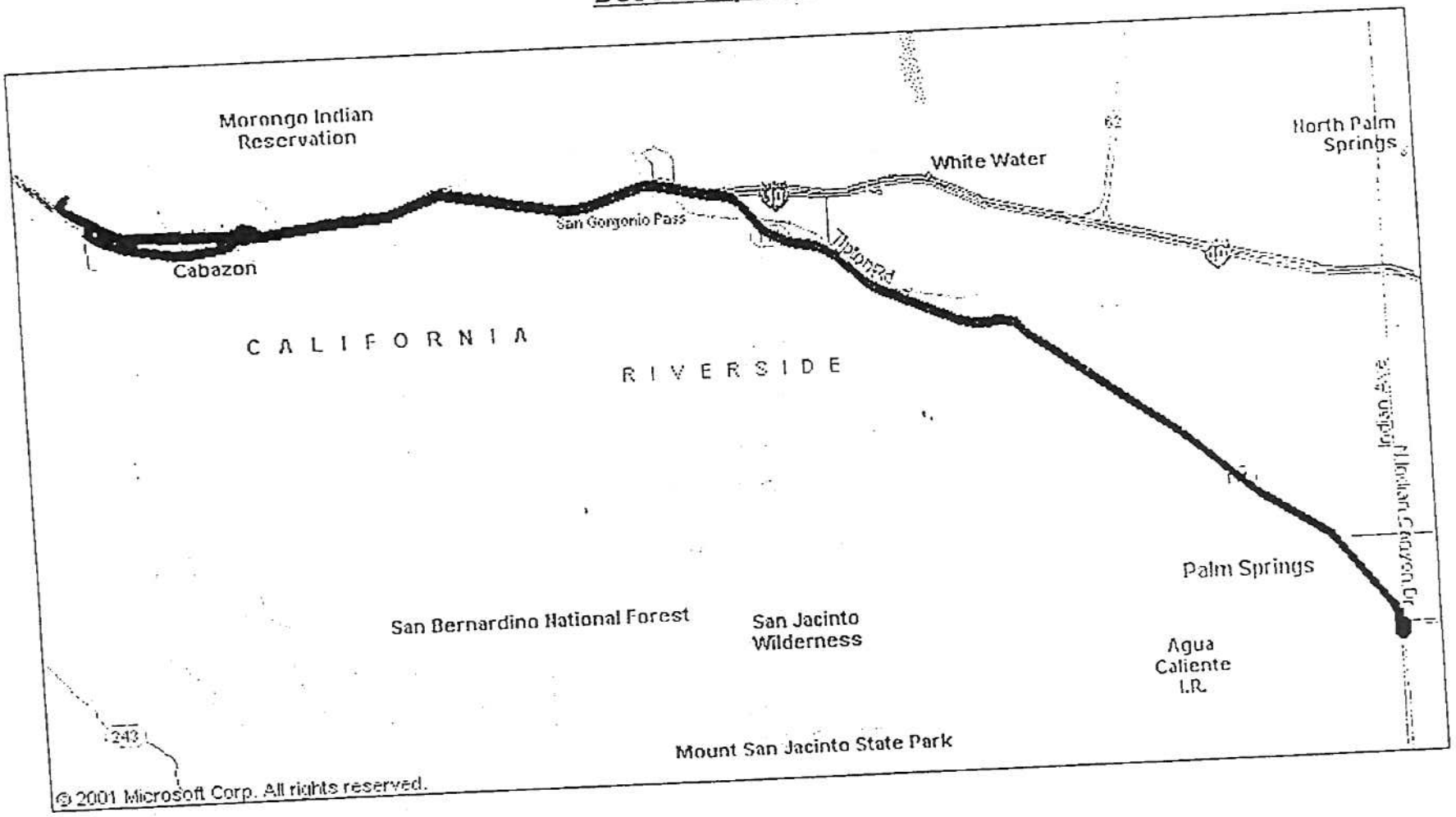
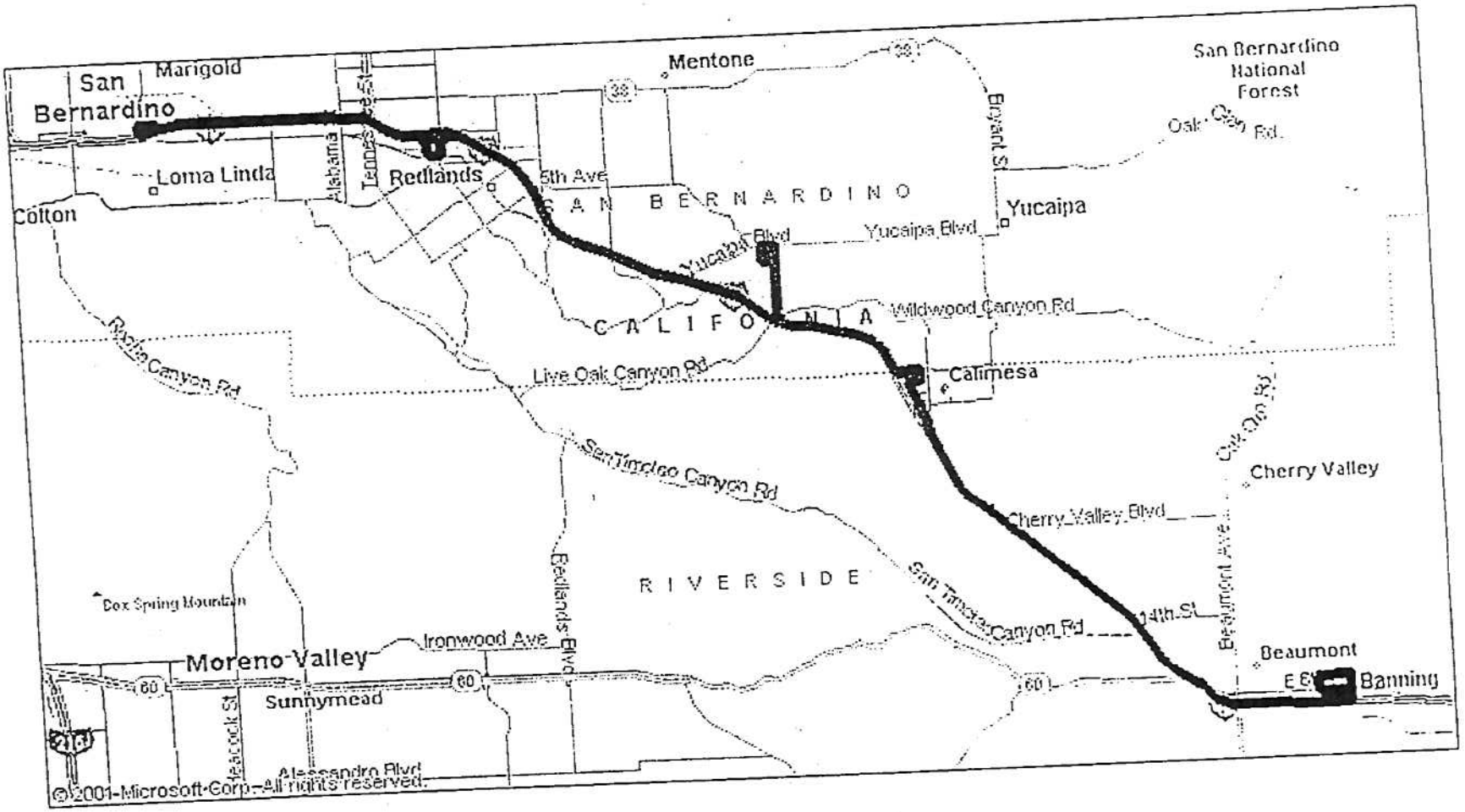
Desert Express



Redlands / Loma Linda / San Bernardino Express



ATTACHMENT 3

Interagency Services Agreement

INTERAGENCY SERVICE AGREEMENT
BETWEEN
THE CITY OF BANNING
AND
THE CITY OF BEAUMONT

THIS AGREEMENT is made and entered into the latter of the 1st day of July, 2019 or the date upon execution by both parties by and between the City of Banning, a municipal corporation, 99 E Ramsey Street, Banning, California 92220 (hereinafter referred to as "BANNING"); and the City of Beaumont, a municipal corporation, 550 East 6th Street, Beaumont, California 92223 (hereinafter referred to as "BEAUMONT"). The annual term of this agreement shall coincide with the fiscal year of July 1st to June 30th.

RECITALS:

WHEREAS, BANNING and BEAUMONT are empowered by law to provide the public with convenient, safe, and accessible transportation within their respective jurisdictions; and

WHEREAS, BANNING and BEAUMONT each operate a public bus transit system; and

WHEREAS, BANNING and BEAUMONT desire to cooperate and coordinate in bus route planning, scheduling, stops, transfers, fares and information dissemination; and

WHEREAS, both parties agree that this Agreement shall be non-financial in nature; and

WHEREAS, this Agreement shall supersede any and all previous service agreements concerning public transit between BANNING and BEAUMONT.

NOW, THEREFORE, it is mutually understood and agreed by BANNING and BEAUMONT as follows:

ARTICLE 1. GENERAL AUTHORITY

The City Managers ("City Manager"), or their designees, of BANNING and BEAUMONT, are hereby made the authorized representative, respectively, of BANNING and BEAUMONT to grant such authorizations and take such further actions as may be necessary to effectuate this Agreement

ARTICLE 2. PUBLIC INFORMATION

BANNING and BEAUMONT agree to cooperate in providing the public with specific bus transit information, advertising the operations of both agencies and promoting the general use of public transit.

ARTICLE 3. STOPS

A. BANNING and BEAUMONT agree to cooperate in the location, installation and maintenance of the following jointly used bus stops, including the use of the other's posts:

(1) Walmart Transfer Station – 1540 East 2nd Street, Beaumont, CA 92223; and
(2) San Gorgonio Memorial Hospital – 600 North Highland Springs Avenue, Banning, CA 92220

B. Each party shall be solely responsible for claims for damages arising out of its installation of its bus stop signs or passenger amenities and its transportation and related services.

C. Each party shall implement the following boarding restrictions within its respective service area where duplication of service or potential revenue loss may occur, including:

BEAUMONT will limit BANNING to no more than three buses per hour at the Walmart Transfer Station; and

BANNING will limit BEAUMONT to no more than three buses per hour at the San Gorgonio Memorial Hospital bus stop.

Neither party will board passengers at any other bus stop within the other party's jurisdiction.

D. Each party shall be responsible for obtaining any required licenses or permits and paying any necessary fees in order to establish bus stops, install amenities or operate service in either service area.

ARTICLE 4. FARES

Fares may vary in accordance with adopted policies of each party. Each party shall retain all fares collected in the operation of their service.

ARTICLE 5. TRANSFER CONNECTIONS

BANNING and BEAUMONT agree to facilitate minimization of passenger waiting time, and both parties shall coordinate schedules whenever practical.

ARTICLE 6. TRANSFER

A. BANNING shall accept BEAUMONT'S transfer tickets or media valued at BANNING's base fare for that service toward BANNING's regular fixed route service at the Walmart Transfer Station and San Gorgonio Hospital bus stop. In the event that BEAUMONT'S base fare is valued at more than BANNING'S base fare, no change or credit will be due to the passenger. Passengers are not required to top-up their fare to cover any shortfall between the BEAUMONT'S and BANNING'S base fares. Transfer media includes a one-time transfer ticket issued by BEAUMONT.

B. BEAUMONT shall accept BANNING'S transfer tickets or media valued at BEAUMONT'S base fare for that service toward BEAUMONT'S regular fixed route service at the Walmart Transfer Station and San Gorgonio Hospital bus stop. In the event that BANNING'S base fare is valued at more than BEAUMONT'S base fare, no change or credit will be due to the passenger. Passengers are not required to top-up their fare to cover any shortfall between the BANNING'S and BEAUMONT'S base fares. Transfer media includes a one-time transfer ticket issued by BANNING.

C. BANNING shall accept BEAUMONT'S Commuter plus Local Day or Monthly Passes as transfer media for a one-dollar ($1) discount on BANNING'S Commuterlink buses with their applicable premium fare.

D. BEAUMONT shall accept BANNING'S Commuter plus Local Day or Monthly Passes as transfer media for a one-dollar ($1) discount on BEAUMONT'S Commuterlink buses with their applicable premium fare.

E. The transfer ticket or media shall not be issued on or valid on Dial-A-Ride or other curb-to-curb service.

F. Until such time as both agencies use electronic fare media (e.g. phone applications), such as Token Transit, electronic fare media is excluded from this agreement.

G. Each party shall accept the other party's valid employee identification, on all fixed route and commuter services in lieu of payment of fare.

H. BANNING shall accept BEAUMONT'S Military Veteran Identification for purchase of BANNING'S reduced Veterans Fares.

I. BEAUMONT shall accept BANNING'S Military Veteran Identification for purchase of BEAUMONT'S reduced Veterans fares.

ARTICLE 7. OPERATIONAL INFORMATION

Each party shall formally inform the designated representative of each City of

future plans for route and schedule changes, exclusive of temporary demand and emergency situations, no later than 30 days before the changes are scheduled to be implemented.

ARTICLE 8. CONTROL AND RESPONSIBILITY

A. Each party to this Agreement, in its operations pursuant hereto, is acting as an independent contractor and agrees to defend, indemnify and hold the other party, including its officers, directors, employees, agents, subcontractors and suppliers, harmless from and against all claims, losses, damages and expenses, including attorney's fees, on account of any loss, damage or claim, including bodily injury to or death of any person, or for property damage arising out of such party's performance of services described in this Agreement, unless, and to the extent, caused by the negligence, gross negligence or intentional conduct of the other party.

B. Each party to this agreement shall indemnify, defend and hold harmless the other party, including its officers, directors, employees, agents, subcontractors and suppliers, from and against any and all liability or expense including any claim of liability and any and all losses or costs, including legal expenses and costs of expert witnesses and consultants, that may be imposed by the other party solely by virtue of the provisions of Section 895.2 of the California Government Code.

ARTICLE 9. SERVICE TO BE OPERATED

Neither party may operate duplicating services in the other's jurisdiction without the written approval of the other party's elected city council. Every attempt shall be made to coordinate alignments, schedules, stops, fare policies, and route planning for the safety and convenience of the public and in accordance with Article 5 – Relationships Between Operators – of the Transportation Development Act.

ARTICLE 10. COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT (ADA)

Each party shall be solely responsible for complying with the Americans with Disabilities Act of 1991 (ADA) as amended, including the provision of parallel ADA demand response service along each party's fixed routes operated in the other party's service area.

ARTICLE 11. NO MONETARY CLAIMS

Neither party shall have any claims against or liabilities to the other party on account of expenses incurred or revenues received or lost as a result of this Agreement except as otherwise provided to the contrary herein.

ARTICLE 12. TERMS OF THE AGREEMENT

This Agreement shall be effective on July 1, 2019, or the date of full execution by both parties, whichever date is later, and will remain in effect for a term of one year. Prior to December 15th of the existing year, both parties will meet at least once to discuss coordination of services for the following fiscal year, as well as to discuss an extension of this agreement by an additional subsequent term for one year. Notwithstanding the forgoing sentence, either party may terminate this agreement by giving 60 days written notice to the other party.

ARTICLE 13. GOVERNING LAW; SEVERABILITY.

This Agreement is in all respects governed by California law and venue for any dispute shall be in Riverside County. If any article, section, part or sentence of this Agreement or the application thereof is declared invalid for any reason, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision or application, and to this end the provisions of this Agreement are declared to be severable.

ARTICLE 14. INSURANCE.

The parties each verify that they are a self-insured entity or maintain insurance coverage through a Joint Powers Authority in reasonable and customary amounts for their respective operations.

ARTICLE 15. COMPLIANCE WITH LAWS.

Each party shall observe and comply with the Transportation Development Act of 1971, all other applicable laws, ordinances, codes and regulations of governmental agencies, including federal, state, municipal and local governing bodies having jurisdiction over any or all of the services, including all provisions of the Occupational Safety and Health Act of 1979 as amended, all California Occupational Safety and Health Regulations, and all other applicable federal, state, municipal and local safety regulations. All services performed by either party must be in accordance with these laws, ordinances, codes and regulations.

ARTICLE 16. NOTIFICATION AND MAILING ADDRESSES

Any requests and demands made between the parties pursuant to this Agreement are to be directed as follows:

CITY OF BEAUMONT:
550 East 6th Street
Beaumont, CA 92223
Attn: Todd Parton
City Manager
(951) 769-8520

CITY OF BANNING:
99 East Ramsey Street
Banning, CA 92220
Attn: Doug Schulze
City Manager
(951) 922-3104

Any notices of service and schedule changes are to be directed as follows:

CITY OF BEAUMONT:
550 East 6th Street
Beaumont, CA 92223
Attn: Elizabeth Gibbs
Community Services Director
(951) 769-8521

CITY OF BANNING:
99 East Ramsey Street
Banning, CA 92220
Attn: Art Vela
Public Works Director
(951)922-3130

ARTICLE 17. ENTIRE AGREEMENT.

The terms and conditions of this Agreement represents the entire agreement between the parties with respect to its subject matter. This Agreement shall supersede any and all prior contracts between the parties, regarding the subject matter of this Agreement. The terms and conditions of this Agreement shall not be altered or otherwise modified except by a written amendment executed by both parties.

ARTICLE 18. NO THIRD PARTY BENEFICIARIES.

This Agreement is not intended to, and shall not be interpreted to, create any rights or establish any standard of care with regards to any third party who is not a signatory and party to this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date first above written.

CITY OF BEAUMONT

By_____
Julio Martinez, Mayor

CITY OF BANNING

By_____
Art Welch, Mayor

APPROVED AS TO FORM:

By_____
John O. Pinkney, City Attorney

APPROVED AS TO FORM:

By_____
Kevin G. Ennis, City Attorney

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CITY OF BANNING
CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Tom Miller, Electric Utility Director

MEETING DATE: June 25, 2019

SUBJECT: Revision and update of Electric Rule #22 – Tree Trimming

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RECOMMENDED ACTION:

Staff recommends discussion and possible action to replace and revise **Electric Rule #22 – Tree Trimming**, revised by City Council on December 19, 1994 by Resolution 1994-130.

Action: Approve City Council Resolution 2019-XX adopting the revisions of Electric Rule #22 – Tree Trimming.

GOAL STATEMENT:

To provide guidance to staff for addressing customer tree trimming concerns.

COMMITTEE RECOMMENDATION:

Staff did not seek any Committee input on Electric Rule #22.

BACKGROUND:

Banning Electric Utility is a not-for-profit publicly-owned load serving retail electrical energy distribution utility for end-use customers. The Utility is locally governed by the City Council of the City of Banning and has the sole rights and authorities to resolve, declare, direct, approve, adopt, and establish rules and regulation of the Utility, including amending or revising utility rules and regulations from time-to-time.

In this case, staff has caused Electric Rule #22 to be reviewed and is recommending the revision of the rule as a matter of sound business practice.

JUSTIFICATION:

Electric Rule #22 – Tree Trimming was last approved by City Council in December 1994. Recently, two customers were involved in a property damage claim as a result of a fallen tree limb. The limb created a disturbance on the service drop and there was in-home electronic equipment damage. The property owner made an insurance claim against the City. City staff was able refute the claim as the (privately owned) trees were not maintained by the neighboring customer and according to Electric Rule #22. Electric Rule #22 clearly delineates the Utility's responsibilities in this case. The rule was reviewed and staff added two revisions: the first adding the chain of command and the second clarifying the Utility's authority during major outages, storm damages, or emergency responses.

FISCAL IMPACT:

None.

OPTIONS:

1. Approve as recommended
2. Approve with amendments
3. Provide alternative direction
4. Do not approve

ATTACHMENTS:

1. Resolution 2019-XX
2. Old Electric Rule #22 - Tree Trimming
3. New Electric Rule #22 - Tree Trimming

Approved by:

Douglas Schulze, City Manager

ATTACHMENT 1

Resolution 2019-XX

RESOLUTION 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, APPROVING THE REVISION OF ELECTRIC RULE #22 – TREE TRIMMING.

WHEREAS, Banning Electric Utility is a not-for-profit publicly-owned retail electrical energy distribution provider and load serving entity; and,

WHEREAS the City Council of the City of Banning has the sole rights and authorities to resolve, declare, direct, approve, adopt, and establish rules and regulations of the Utility, including amending or revising utility rules and regulations from time-to-time; and,

WHEREAS, the electric utility director is responsible for implementing and administering the Utility's rules and regulations as resolved by City Council, and

WHEREAS, customers of the Utility agree to abide by the rules and regulation as a condition of service.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Banning declares, determines, and orders as follows:

SECTION 1. Approves the revised Electric Rule #22 – Tree Trimming and directs the electric utility director to implement the rule immediately.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book or original resolutions.

PASSED, APPROVED, AND ADOPTED this 25th day of June, 2019.

_____
Arthur L. Welch, Mayor
City of Banning

ATTEST:

_____
Daryl Betancur, Deputy City Clerk
City of Banning

APPROVED AS TO FORM AND LEGAL CONTENT:

_____

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

CERTIFICATION:

I, Daryl Betancur, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2019-XX, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Daryl Betancur, Deputy City Clerk
City of Banning, California

ATTACHMENT 2

Old Electric Rule #22

ELECTRIC RULE #22

TREE TRIMMING

A. Clearance of electric distribution lines in public right-of-ways shall be maintained by the Department. The Department shall have the right to remove any tree the trunk of which is completely located within the right-of-way and which creates or may create interference with the electric distribution line. The Department shall have this right to remove a tree even in the case where the branches of the tree extend over private property.

B. 1. The Department shall have the right to trim trees **with trunks** located on private property which encroach upon required clearances about distribution lines located in easements or the public right-of-way. **The Department shall have the right but not the obligation to maintain clearance around service drops from the point of attachment to the distribution system to the point of clearance around the distribution line. The private property owner is not hereby relieved of the duty to maintain all portions of the service drop as hereinafter provided.**

2. The Department shall have the right to trim branches **of trees with trunks on private property**, which do not encroach upon required clearances but which by their condition, and in the judgment of the Department, constitute a threat to the distribution line. The Department shall notify the property Owner prior to removal of such a branch. **The Owner shall have the right to appeal such action to the City Manager within 10 working days of the date of the notice. The City Manager shall have the authority to waive the requirement for the removal of the branch for a period not to exceed one year from the date of the decision.** In the event a branch that has been identified as hazardous has been pointed out to the Owner in writing, and the City Manager ~~at the Owner's request~~ has waived the right to remove the branch and the branch subsequently damages the distribution line, the cost to repair the line shall be paid by the Owner.

C. Private property Owners shall be responsible for maintaining clearance around service drops. ~~along that length of the service drop. not covered by Section B, and~~ The Department shall not be responsible for any consequence stemming from the Owner's failure to maintain clearance around the ~~Owner's portion of~~ the service drop. ~~Private property Owners may apply to the Department for tree trimming around their service drop at the Owner's expense. The charge for such service shall be based on a quotation from the City's Tree Trimming Contractor.~~

~~The charge shall be presented to the Owner in writing along with the City's other terms for performing the work. If the Owner agree's to the quoted charge and authorizes the work, the City through its own forces or its Contractor shall perform the trimming in accordance with the City's then current contract terms with its Tree Trimming Contractor. The Owner may elect to pay for the work upon completion or pay for the work in installments on their City utility bill for a term of up to 12 months, but in no case shall monthly installment payments be less than $5.00 per month. Subsequent tree trimming to maintain clearance about the Owner's portion of the service drop shall remain the responsibility of the Owner.~~

D. In the case of a tree located on private property whose height is such that removal or trimming by the Owner may, in the judgment of the Department, jeopardize the distribution line, upon notification from the property owner of the intent to trim the tree, the Department may assist the Owner of the property by installing protective covers, de-energizing the line, and/or temporarily adjusting the line at no cost to the Owner. The Owner shall pay the full cost for the trimming or removal of such a tree.

E. The Department shall provide due notification prior to commencing tree trimming operations on private property and shall cooperate with the Owner in the preservation of private property.

F. In the case of an Owner who does not fulfill their responsibility to maintain clearance around their service drop, the Department shall serve notice upon the Owner informing them of the need to trim the tree. **Failure of the Department to provide such notice shall not constitute waiver of the Owner's obligation to maintain a clearance around their service drop.** Such notice shall provide that the property owner shalll have 30 calendar days following date of the notice within which to establish clearance as indicated in the notice. ~~about the service drop. and that they may apply for the City to perform the work at the Owner's expense or they may arrange for the line to be cleared themselves.~~ In the event that the service drop is not cleared to required distances within the ~~after the~~ 30 day notice period ~~has passed,~~ the Department shall **have the right, but not the obligation or duty, to** schedule the service drop for clearing at the Owner's expense. ~~The owner shall have the payment options specified in Paragraph C above.~~

G. Private property Owners may apply to the Department for tree trimming around their service drop at the Owner's expense. The charge for such service shall be based on

a quotation from the City's Tree Trimming Contractor. **Prior to commencement of the work,** the charge shall be presented to the Owner in writing along with the City's other terms for performing the work. **Such terms shall include a requirement that the Owner indemnify the City for all liability arising from the performance of the work save for that arising from the active negligence of the City.** If the Owner agrees to the quoted charge and authorizes the work **in writing**, the City through its own forces or its Contractor shall perform the trimming in accordance with the City's then current contract terms with its Tree Trimming Contractor. The Owner may elect to pay for the work at the time of completion or pay for the work in installments on their City utility bill for a term of up to 12 months. In no case shall monthly installment payments be less than $5.00 per month. Subsequent tree trimming to maintain clearance about the Owner's portion of the service drop shall remain the responsibility of the Owner.

ATTACHMENT 3

New Electric Rule #22

City of Banning
Banning Electric Utility
Rules and Regulations

Rule # 22: Tree Trimming
Adopted: December 19, 1994
Resolution: Number 1994-130
Date: March 4, 2019
Revised: June 25, 2019

As stated in the City of Banning Municipal Code Section ***13.05.060 – Responsible Parties***, customers taking service from Banning Electric Utility are required to follow the rules and regulations that are established by the Banning City Council. Failure to comply with the rules and regulations is a violation of the Municipal Code. (www.ci.banning.ca.us – **municipal code**)

A. 1. Clearance of electrical distribution lines in public right-of ways shall be maintained by the Utility. The Utility shall have the right to remove any tree of which the trunk is completely located within the right-of-way and which creates or may create interference with the electric distribution line. The Utility shall have this right to remove a tree even in the case where the branches of the tree extend over private property.

2. In the event of an emergency that jeopardizes public safety and/or property damage, a prolonged outage that impacts public health and welfare, or major storm damage, the Utility shall have the right, but not the obligation or duty to perform tree trimming or falling as necessary for corrective action and the restoration of service. The Utility will make an effort to consult with the property owner about tree trimming or falling but the Utility reserves the right to take corrective action when the situation warrants immediate action.

B. 1. The Utility shall have the right to trim trees with trunks located on private property which encroach upon required clearances about distribution lines located in easements or the public right-of-way. The Utility shall have the right but not the obligation to maintain clearance around service drops from the point of attachment to the distribution system to the point of clearance around the distribution line. The private property owner is not hereby relieved of the duty to maintain all portions of the service drop as hereinafter provided.

2. The Utility shall have the right to trim branches of the trees with trunks on private property, which do not encroach upon required clearances but which by their condition, and in the judgement of the Utility, constitute a threat to the distribution line. The Utility shall notify the property Owner prior to removal of such a branch. The Owner shall have the right to appeal such action to the Electric Utility Director within 10 working days of the date of the notice. The Electric Utility Director shall have the authority to waive this requirement for the removal of the branch for a period not to exceed one year from the date of the decision. In the event a branch that has been identified as hazardous has been pointed out to the Owner in writing, and the Electric Utility Director has waived the right to remove the branch and the branch subsequently damages the distribution line, the cost to repair the line shall be paid by the Owner.

C. Private property Owner shall be responsible for maintaining clearance around service drops. The Utility shall not be responsible for any consequence stemming from the owner's failure to maintain clearance around the service drop.

D. In the case of a tree located on private property whose height is such that removal or trimming by the Owner may, in the judgement of the Utility, jeopardize the distribution line, upon notification from the property owner of the intent to trim the tree, the Utility may assist the Owner of the property by installing protective covers, de-energizing the line, and/or temporarily adjusting the line at no cost to the Owner. The Owner shall pay the full cost for trimming or removal of such a tree.

E. The Utility shall provide due notification prior to commencing tree trimming operations on private property and shall cooperate with the Owner in the preservation of private property.

F. In the case of an Owner who does not fulfill their responsibility to maintain clearance around their service drop, the Utility shall serve notice upon the Owner informing them of the need to trim the tree. Failure of the Utility to provide such notice shall not constitute waiver of the Owner's obligation to maintain a clearance around their service drop. Such notice shall provide that the property owner shall have 30 calendar days following date of the notice within which to establish clearance as indicated in the notice. In the event that the service drop is not cleared to required distances within the 30-day notice period, the Utility shall have the right, but not the obligation or duty, to schedule the service drop for clearing at the Owner's expense.

G. Private property Owners may apply to the Utility for tree trimming around their service at the Owner's expense. The charge for such service shall be based on a quotation from the City's Tree Trimming Contractor. Prior to commencement of the work, the charge shall be presented to the Owner in writing along with the City's other terms for performing the work. Such terms shall include a requirement that the Owner indemnify the City for all liability arising from the performance of the work, except for that arising from the active negligence of the City. If the Owner agrees to the quoted charge and authorizes the work in writing, the City through its own forces, or its Contractor, shall perform the trimming in accordance with the City's then current contract terms with its Tree Trimming Contractor. The Owner may elect to pay for the work at the time of completion or pay for the work in installments on their City utility bill for a term of up to 12 months. In no case shall monthly installment payments be less than $5.00 per month. Subsequent tree trimming to maintain clearance about the Owners portion of the service drop shall remain the responsibility of the Owner.