



The following information comprises the minutes for a regular meeting of the City Council, a joint meeting of the Banning City Council and Banning Utility Authority and a joint meeting of the Banning City Council and the Banning City Council sitting in its capacity as the Successor Agency Board.

**MINUTES
CITY COUNCIL**

**4/26/2022
REGULAR MEETING**

COUNCIL MEMBERS PRESENT: Council Member Mary Hamlin
Council Member David Happe
Council Member Alberto Sanchez
Mayor Pro Tem Colleen Wallace
Mayor Kyle Pingree

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Doug Schulze, City Manager
Serita Young, Assistant City Attorney
Marie Calderon, City Clerk
Caroline Patton, Deputy City Clerk
Art Vela, Public Works Director
Adam Rush, Community Development Director*
Thomas Miller, Electric Utility Director
Suzanne Cook, Finance Director*
Matthew Hamner, Chief of Police
Ralph Wright, Parks and Recreation Director
Carla Young, Electric Business Support Manager
Amber Rockwell, Electric Core Manager
Laurie Sampson, Executive Assistant*

*Participated via Zoom.

1. CALL TO ORDER

Mayor Pingree called the regular meeting to order at 5:10 p.m.

- 1.1. Invocation – Reverend Jerry Liversage of Banning Church of the Nazarene delivered the invocation.
- 1.2. Pledge of Allegiance – Council Member Hamlin led the Pledge of Allegiance.
- 1.3. Roll Call

COUNCIL MEMBER	PRESENT	ABSENT
Hamlin, Mary	X	
Happe, David	X	
Pingree, Kyle	X	
Sanchez, Alberto	X	
Wallace, Colleen	X	

2. **AGENDA APPROVAL**

2.1. Approve Agenda

Motion to approve the agenda.

Motion by Mayor Pro Tem Wallace

Seconded by Council Member Hamlin

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

3. **PRESENTATION(S)**

3.1. DeAnn's PAASS Kids Presentation

Parks and Recreation Director Ralph Wright presented the recognition to DeAnn and Mike Dobbins of DeAnn's PAASS Kids.

3.2. Drinking Water Week

Director of Public Works, Art Vela, presented on Drinking Water Week, which is May 1 through 7, 2022.

3.3. Banning Beautification Award for March 2022

City Manager Schulze reported this item would be carried over to the next regular meeting on May 10, 2022.

4. **REPORT ON CLOSED SESSION**

Assistant City Attorney Young said there was no final or reportable action on any of the three agenda items.

5. **PUBLIC COMMENTS, CORRESPONDENCE, APPOINTMENTS, CITY COUNCIL COMMITTEE REPORTS, CITY MANAGER REPORT, AND CITY ATTORNEY REPORT**

5.1. PUBLIC COMMENTS

Ellen Carr reported on her organization, Tender Loving Critters, and upcoming events.

Pat Merckland said she was from Dorothy Ramon Learning Center, located at Hays Street and San Gorgonio Avenue, will be reopening after 2 years of pandemic closures. She said a catered reception will be held Monday, May 2nd at 5:00 p.m. to celebrate their grand reopening.

Inge Schuler spoke regarding public comment from the City Treasurer during a previous City Council meeting and promoted fireworks enforcement measures.

Chris McAllum read a piece he wrote named, "Me and my flag."

Frank Burgess told the City Council that they represent the citizens of Banning, who are suing the city for the City Council's decision [on the Banning Point Project]. He said the citizens of Banning were suing themselves and that the warehouse was in the wrong place.

Bill Hobbs said Congressman Ruiz agrees with him that the Banning Point Project should not be located where it's planned. He said the City Council should treat public commenters consistently and not allow some to go over their allotted time while cutting some speakers off.

Stuart McKenzie shared a story about students who walked in front of a train. He suggested the City consider moving the homeless village site so that it is not adjacent to the railroad tracks.

5.2. CORRESPONDENCE

Macy Newell submitted written correspondence related to Agenda Item 8.7.

5.3. APPOINTMENTS

5.3.1. Planning Commission Appointment

Motion to appoint Alannah Figueroa to the Planning Commission.

Motion by Council Member Sanchez
Seconded by Mayor Pro Tem Wallace

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

5.3.2. Downtown Ad Hoc Committee Appointments

Motion to appoint Jeffrey Platt, Oleg Ivaschuk and Paul Smith to the Downtown Ad Hoc Committee.

Motion by Mayor Pingree

Seconded by Council Member Sanchez

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

5.4. CITY COUNCIL COMMITTEE REPORTS

Mayor Pro Tem Wallace reported on a future Southern California Association of Governments (SCAG) conference and shared an event relate to the National Day of Prayer.

Council Member Hamlin reported on the Riverside County Transportation Commission (RCTC) meeting, saying that Highway 60 improvements through the Badlands is almost complete, but may be delayed to a concrete shortage.

Mayor Pingree reported on forthcoming upgrades at the Animal Shelter, including the fencing going in and the walk-in freezer on order.

5.5. CITY MANAGER REPORT

None

5.6. CITY ATTORNEY REPORT

None

6. CONSENT ITEMS

- 6.1. Approval of Minutes of the April 12, 2022 City Council Meetings
- 6.2. Approval and Ratification of Accounts Payable and Payroll Warrants Issued in the Month of March 2022
- 6.3. Receive and File Cash, Investments and Reserve Report for the Month of March 2022
- 6.4. Receive and File Police Department Statistics for the Month of March 2022
- 6.5. Receive and File Fire Department Statistics for the Month of March 2022
- 6.6. Public Works Capital Improvement Project Tracking List
- 6.7. Parks and Recreation Report of Monthly Activities Through the 3rd Quarter of Fiscal Year 2021-22

- 6.8. Consideration of Resolution 2022-37, Adopting the Water Supply Verification for Tentative Tract Map 37389 (Atwell Phase 2A)
- 6.9. Consideration of Resolution 2022-38, Approving the Measure “A” Five-Year Capital Improvement Plan Project List and Authorizing the City Manager to Execute the Maintenance of Effort Certification Statement
- 6.10. Consideration of Resolution 2022-39, Awarding the Purchase of a Camera System for Nine Banning Connect Transit System Buses to Pro-Vision Video System in the amount of \$91,884
- 6.11. Consideration of Resolution 2022-40, Approving the Second Amendment to the Custodial Services Agreement with Dynamic Building Maintenance, Inc. of Riverside, California for Municipal Facility Maintenance for Fiscal Year 2023 in the amount of \$77,998
- 6.12. Consideration of Resolution 2022-43, Approving an Increase in the amount of \$7,500 to Fiscal Year 2021/2022 Blanket Purchase Order with Ken Grody Redlands Ford for Auto Parts and Repairs
- 6.13. Consideration of Resolution 2022-44, Authorizing Execution of the Subdivision Improvement Agreement with Tri-Pointe Homes and Accepting the Performance and Labor/Materials Bonds for Public Improvements for the Meadowline Interconnect Potable Water Facility
- 6.14. Consideration of Resolution 2022-45, Authorizing the Execution of the Property Improvement Agreement with LPC Banning, LP and Accept the Performance, Labor/Materials, and Warranty Bonds for Public Improvements for the Banning Distribution Center Project
- 6.15. Consideration of Resolution No. 2022-48, Awarding a Construction Agreement for Project No. 2022-03 “Bryant Street Homeless Shelter” to C.S. Legacy Construction, Inc. of Walnut, California in the Amount of \$276,270, Establishing a Total Project Budget of \$303,897, and Rejecting All Other Bids
- 6.16. Consideration of Resolution 2022-49 Approving Final Tract Map No. 38057, Authorizing Staff to Sign the Final Tract Map, and Releasing the Map for Recordation
- 6.17. Update on Cost Recovery Services for First Responder (EMS/Fire) Medical Billing Fees Collected by Wittman Enterprises LLC for the City of Banning
- 6.18. Consideration of Resolution 2022-03 UA, Approving the Five-Year Purchase Agreement for WaterView Water Efficiency Software from Eagle Aerial Solutions

Public Comments

Frank Burgess wished to speak on a non-agenda item – an agenda item from the April 12, 2022 Regular Meeting.

Assistant City Attorney Young explained that since that was not an agenda item, this was not the appropriate period for public comment.

Motion to approve the consent agenda items 6.1 to 6.3, 6.5, 6.7 to 6.14, 6.16, 6.18.

Motion by Mayor Pro Tem Wallace
Seconded by Council Member Happe

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

6.4. Receive and File Police Department Statistics for the Month of March 2022

Public Comment

None

Motion to approve Consent Agenda Item 6.4.

Motion by Council Member Happe
Seconded by Council Member Sanchez

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

6.6. Public Works Capital Improvement Project Tracking List

Public Comment

None

Motion to approve Consent Agenda Item 6.6.

Motion by Council Member Happe
Seconded by Council Member Sanchez

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

- 6.10. Consideration of Resolution 2022-39, Awarding the Purchase of a Camera System for Nine Banning Connect Transit System Buses to Pro-Vision Video System in the amount of \$91,884

Deputy City Clerk Patton reported that the request has been adjusted downward, for a total contract value of \$82,668. Staff are requesting approval to establish an agreement based on the quote received from the vendor (and not as a piggyback agreement, as was previously reported).

Public Comment

None

Motion to approve Consent Agenda Item 6.10.

Motion by Mayor Pro Tem Wallace

Seconded by Mayor Pingree

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

- 6.15. Consideration of Resolution No. 2022-48, Awarding a Construction Agreement for Project No. 2022-03 "Bryant Street Homeless Shelter" to C.S. Legacy Construction, Inc. of Walnut, California in the Amount of \$276,270, Establishing a Total Project Budget of \$303,897, and Rejecting All Other Bids

Public Comment

Ellen Carr commented on the audio quality.

Cindy Barrington asked questions about the quality of the pallet shelters and their ability to withstand fire.

Motion to approve Consent Agenda Item 6.15, adopting Resolution 2022-48.

Motion by Council Member Happe

Seconded by Mayor Pro Tem Wallace

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
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Hamlin, Mary	X
Happe, David	X
Pingree, Kyle	X
Sanchez, Alberto	X
Wallace, Colleen	X

Motion approved by a vote of 5-0.

- 6.17. Update on Cost Recovery Services for First Responder (EMS/Fire) Medical Billing Fees Collected by Wittman Enterprises LLC for the City of Banning

Public Comment

None

Motion to approve Consent Agenda Item 6.17.

Motion by Council Member Happe

Seconded by Mayor Pro Tem Wallace

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

Mayor Pingree called a recess at 6:55 p.m. The meeting was reconvened at 7:06 p.m.

7. PUBLIC HEARING(S)

- 7.1. Consideration of Ordinance 1582 which would Approve a Military Equipment Use Policy Pursuant to Assembly Bill 481 and Government Code §7070 et seq.

Public Comment

None

Motion to waive further reading of Ordinance 1582 and introduce for a first reading.

Motion by Council Member Happe

Seconded by Council Member Hamlin

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				

Happe, David	X
Pingree, Kyle	X
Sanchez, Alberto	X
Wallace, Colleen	X

Motion approved by a vote of 5-0.

8. REPORTS OF OFFICERS

8.2. Update on the Highland Springs Avenue Interchange

Director of Public Works Art Vela presented the staff report.

Public Comment

Bill Hobbs said there are parked freight trucks along Joshua Palmer that should be removed by Banning Police.

8.1. Update on the Design of Sun Lakes Boulevard Extension

Director of Public Works Art Vela presented the staff report.

Public Comment

Amy Pippenger said the stop light at Highland Home is needed for resident who live on the south end near where it would intersect with the extension.

8.3. Large Commercial Vehicle Parking Regulations

Chief of Police Matthew Hamner presented the staff report.

Public Comment

Bill Hobbs said the owners of a local business did not like the trucks blocking access. He said he did not think there should be trucks on the end of Joshua Palmer close to Highland Springs Avenue.

Community Development Director Adam Rush said the City's Planning Commission had recently approved two parcels for truck parking that could hold a couple of dozen trucks total. He said truck parking was allowed in the Industrial and Business Park zones of the city.

City Manager Schulze commented on a city-owned parcel near the Joshua Palmer site.

8.4. Consideration of Resolution 2022-42, Establishing the City of Banning Small Business Grant Program

City Manager Doug Schulze presented the staff report.

Public Comment

None

Motion to approve Resolution 2022-42.

Motion by Mayor Pro Tem Wallace

Seconded by Council Member Hamlin

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

Mayor Pingree announced a recess at 8:45 p.m. The meeting was reconvened at 8:53 p.m.

- 8.5. Consideration of Resolution 2022-47, Approving City of Banning Electric Utility's Centennial Celebration with a Budget of \$100,000

Electric Utility Director Tom Miller introduced the staff report. Business Support Manager Carla Young and Core Manager Amber Rockwell elaborated on the budget and planning for the proposed Centennial event.

Public Comment

Ellen Carr said she felt it was obscene and would only impact a portion of ratepayers. She suggested they find a way to benefit every ratepayer and not just some. She said it looked bad at this time because of the economic recession.

Laura Leindecker said thank you to the Electric Utility for their good service. She said she thought it was fabulous and wanted to help find sponsors for the event. Due to the pandemic, people have been inside too long and the community needs events like these for local kids.

Amy Pippenger Chair of the Stagecoach Days Association said the money will be a separate budget from the Stagecoach Days budget. She said the funds could not be given directly back to ratepayers because it must be used in accordance with state law, such as education. She felt it was of mutual benefit to the City and Stagecoach Days event and cited the capital improvements to the lighting and electric at Dysart Park, a City asset.

Bill Hobbs said he liked Stagecoach Days, but due to economic conditions like inflation, he felt they should use the money on something permanent. He

said the lighting at Dysart Park would be good, but it could also be used at the Animal Shelter, for example. He emphasized that the timing was bad when people were suffering. He said he concurred with Ellen Carr's statements.

City Manager Schulze spoke to the value of the permanent capital improvements that would be made to Dysart Park as part of this project. He said Dysart Park is a city asset that is largely underutilized. With energy efficient lighting and electrical upgrades will allow the city to hold other events at the park throughout the year.

Electric Utility Director Miller said that the Utility gives over \$500,000 annually to out of that fund to assist customers in need. They went out and secured \$673,000 in funding during the pandemic to pay low-income customers' utility bills. He emphasized that the funds are going to help customers in need. He went into further detail regarding budget items, including the cost of significant improvements to Dysart Park.

Motion to approve Resolution 2022-47.

Motion by Council Member Sanchez

Seconded by Council Member Happe

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

- 8.6. Consideration of Resolution 2022-46, Approving a License Agreement with Milsoft Utility Solutions for Account and Utility Billing iXp Hosted Solution Customer Information System (CIS) Conversion and Implementation

Electric Utility Director Tom Miller presented the staff report.

Public Comment

None

Motion to approve Resolution 2022-46.

Motion by Council Member Sanchez

Seconded by Council Member Hamlin

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				

Happe, David	X
Pingree, Kyle	X
Sanchez, Alberto	X
Wallace, Colleen	X

Motion approved by a vote of 5-0.

Motion to continue the meeting to 11:00 p.m.

Motion by Council Member Happe

Seconded by Mayor Pro Tem Wallace

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle		X			
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 4-1.

Mayor Pingree announced a break at 10:13 p.m. The meeting was reconvened at 10:22 p.m.

- 8.7. Cannabis Ad Hoc Committee Report and Discussion Regarding Increasing the Existing Cap on Cannabis Retailers and Method for Selection if Cap is Increased, Allowing Cannabis Retailers in the General Commercial Zone, Allowing Cannabis Distribution in the Business Park Zone, Allowing Cannabis Microbusinesses in the General Commercial Zone, and Allowing Shared Use Cannabis Manufacturing Facilities in the Industrial Zone

Community Development Director Rush presented a portion of the staff report.

Public Comment

Jerry Liversage spoke in opposition to cannabis in Banning. He said cannabis is an epidemic contributing to the breakdown of family and encouraged the City Council to look past the commerce aspect.

Laura Leindecker said she started in cannabis in Banning in 2019. She said the regulation would impact the three dispensaries already permitted, and it would not be an easy decision, but would have to be made eventually.

Jeff Mao from Harvest Corner, a dispensary in Banning, said the city should allow the existing dispensaries to succeed before changing the regulation to

allow more within the city limits. He suggested the City Council look at what other local cities are doing.

Chasom Brown from Culture Cannabis Club, a dispensary in Banning, spoke about dispensaries in Cabazon and other neighboring areas. He said he felt three was enough dispensaries in the city and the Council should not be allowing more retail facilities.

Motion to approve continue this item to the next regular meeting on May 10, 2022.

Motion by Mayor Pingree

Seconded by Council Member Sanchez

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

9. DISCUSSION ITEM(S)

None

10. ITEMS FOR FUTURE AGENDAS

10.1. New Items

10.2. Pending Items:

1. Permanent Homeless Solution
2. Shopping Cart Ordinance Update
3. Golf Cart/EV Ordinance (On hold)
4. Airport Advisory Commission
5. Business-Friendly Zoning (Wallace)
6. ~~Parking Enforcement Update (Happe)~~ See Agenda Item 8.3.
7. Community Garden Project (Sanchez)
8. Internship Program (Hamlin)

11. ADJOURNMENT

Mayor Pingree adjourned the meeting at 11:05 p.m.

Minutes Prepared by:


Caroline Patton, Deputy City Clerk

This entire meeting may be viewed here:

<https://banninglive.viebit.com/index.php?folder=City+Council+Meetings>

All documents related to this meeting are available here:

<http://banning.ca.us/ArchiveCenter/ViewFile/Item/2627>

ATTACHMENTS:

1. Exhibit A – Agenda Item 3.1. DeAnn’s PAASS Kids Presentation
2. Exhibit B – Agenda Item 3.2. Drinking Water Week Presentation
3. Exhibit C – Agenda Item 8.1. Sun Lakes Boulevard Extension Update
4. Exhibit D – Agenda Item 8.2. Highland Springs Avenue/I-10 Interchange Update
5. Exhibit E – Agenda Item 8.7. Cannabis Ad Hoc Committee Report/Cannabis Program Discussion Presentation
6. Exhibit F – Agenda Item 8.7. Handouts
7. Exhibit G – Public Comment on Agenda Item 8.7. Newell, Macy

Exhibit A - Agenda Item 3.1



DeAnn's PAASS Kids "Pass Area Activities Sports and Stuff" for People with Special Needs

BANNING CITY COUNCIL - APRIL 26, 2022

Partnering with Banning Parks and Rec

- ▶ Youth Basketball
- ▶ Swimming
- ▶ Craft Classes
- ▶ Events



Exhibit A - Agenda Item 3.1

DeAnn's PAASS kids - History

- ▶ 15 Years ago – Started Stallions Baseball with Beaumont youth Baseball
- ▶ Seven Years later – started Challenger Team with Banning Pass Little League
- ▶ Today – Seasonal Activities, Mon-Fri activities, Saturdays etc.



Events/Programs in the Pass Area

- ▶ Parades
- ▶ Fundraisers
- ▶ Seasonal Events



Exhibit A - Agenda Item 3.1

Other Sports and Programs

- ▶ Bowling
- ▶ Music
- ▶ Soccer
- ▶ Parties



Contact Information: DeAnn's PAASS Kids

- ▶ PHONE: (951) 267-9041
- ▶ WEBSITE: www.deannspaasskids.org
- ▶ FACEBOOK: DEANNS PAASS KIDS

Exhibit B - Agenda Item 3.2



WHAT IS DRINKING WATER WEEK?

- A weeklong recognition to celebrate the vital role that water plays in all our daily lives.
- Recognition of dedicated water professionals that work to ensure water is there when we need it.
- Appreciate and learn what it takes to deliver high-quality drinking water.

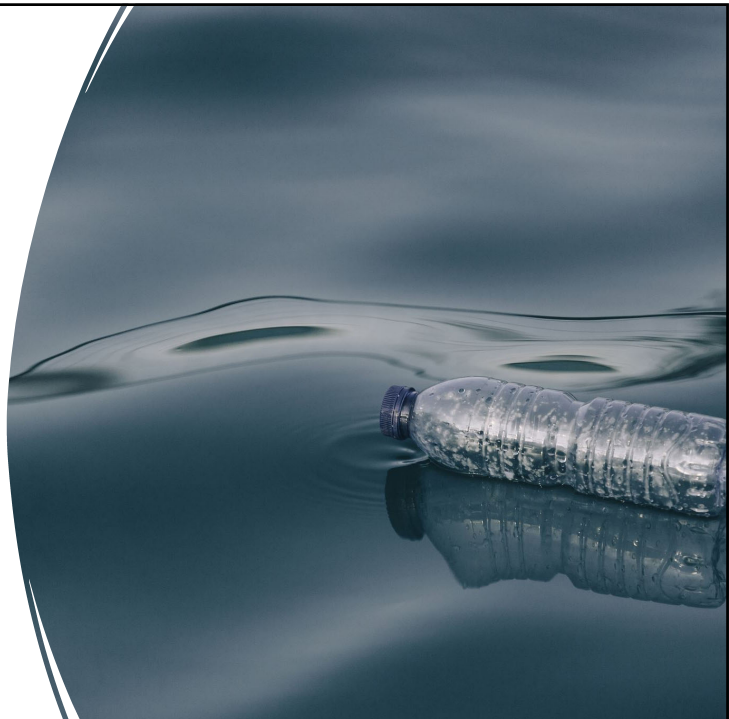
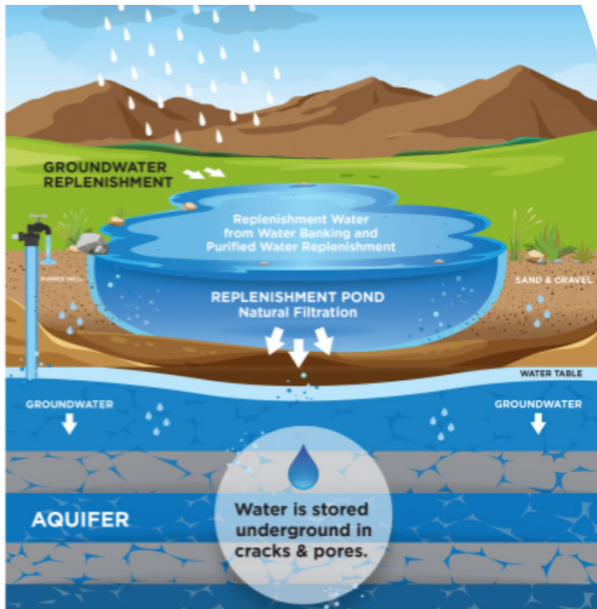


Exhibit B - Agenda Item 3.2



SAFE SUSTAINABLE AND RELIABLE WATER

Provides drinking water and fire protection to approximately 10,700 customers

100% groundwater from 21 production wells and 3 co-owned wells

2021: Produced, treated and delivered approximately 8,000 acre-feet (2.6 Billion Gallons)

19.6 MG of above ground water storage in 9 storage reservoirs

165 miles of water mains (2" to 36")



OUR OPERATIONS CREW

Water Division made up of 16.5 FTEs

Exhibit B - Agenda Item 3.2



Banning's Value of Water

- Taking a Shower: Average shower uses **17 gallons**. Take **11 showers** for \$1.00.
- Toiler Flush: Average Flush uses **1.6 gallons**. Flush the toilet **127 times** for \$1.00.
- Running the Dishwasher: Average dishwasher load uses **6 gallons**. Run the dishwasher over **33 times** for \$1.00.
- Taking a Bath: Average bath uses **42 gallons**. Take **4 baths** for \$1.00.
- Washing Laundry: Average load of laundry uses **30 gallons**. Do **6 loads** of laundry for \$1.00.

THANK YOU!


**Drinking
Water
Week²²**
May 1-7, 2022



SUN LAKES BOULEVARD EXTENSION UPDATE



April 26, 2022

PURPOSE

- To eliminate a missing link in the City's arterial system along the southside of the I-10.
- To help relieve congestion at the Highland Springs Avenue Interchange and improve east-west traffic circulation to accommodate current and future growth.
- Will improve emergency response capability.
- Will provide needed relief during the construction of the HS Avenue Interchange Improvements.

Exhibit C - Agenda Item 8.1

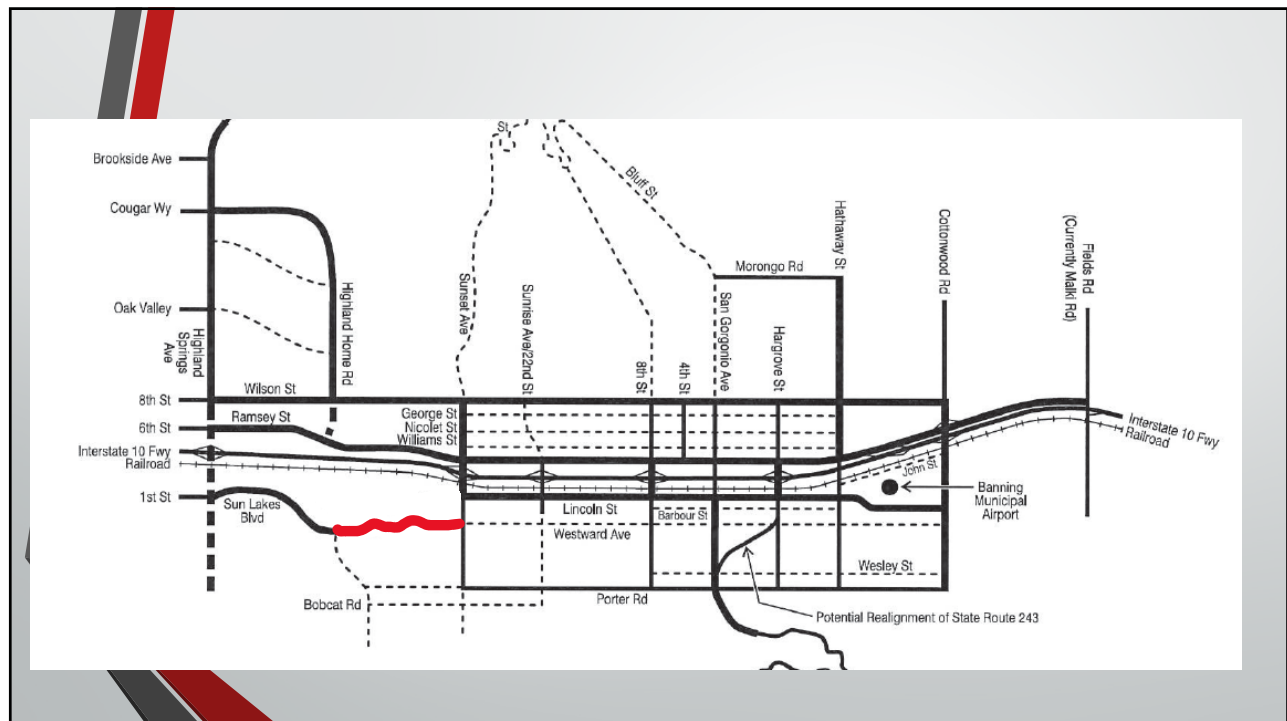
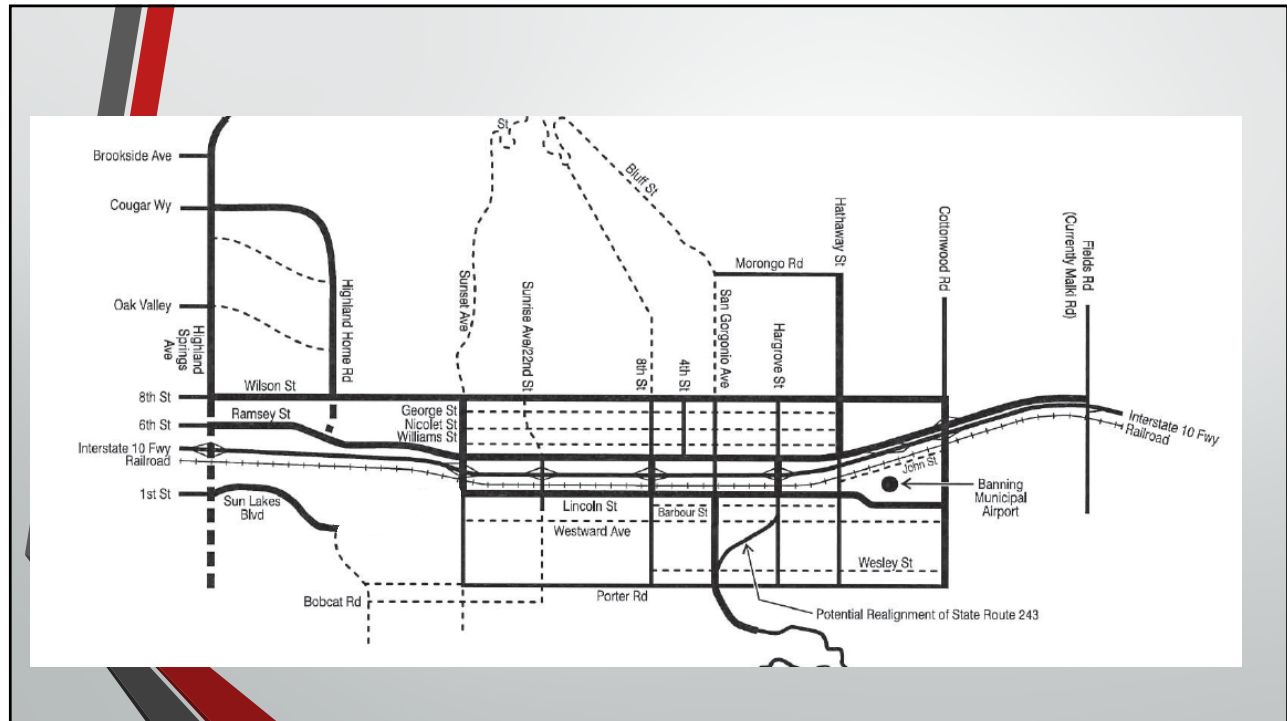
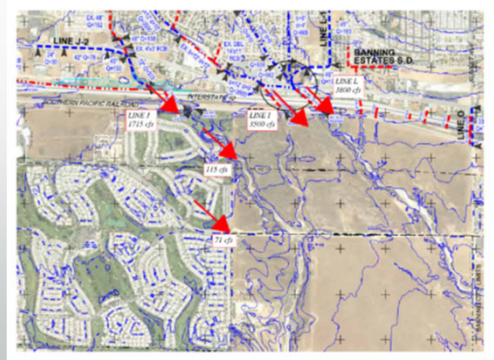


Exhibit C - Agenda Item 8.1

UPDATE

- Hired WEBB to:
 - Conduct surveys and technical reports to support the CEQA documentation.
 - Complete design including:
 - Survey and Aerial Topography
 - Geotechnical reports
 - Utility coordination
 - Storm water pollution prevention plan
 - Hydrology/Hydraulics analysis
 - Roadway and storm drain plans
 - Preparation of Construction Bidding Docs
- Project kicked off in August, 2020



UPDATE

- Work completed:
 - Survey/Aerial Topo
 - Utility research and base mapping
 - Roadway Geometric Design Approval
 - **Preliminary Drainage Plans**
 - Environmental surveys and studies (e.g. TIA, AQ/GHG, Noise, etc.)
 - Design 60% complete.

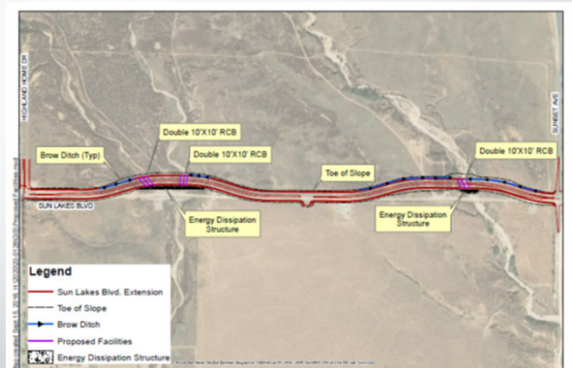
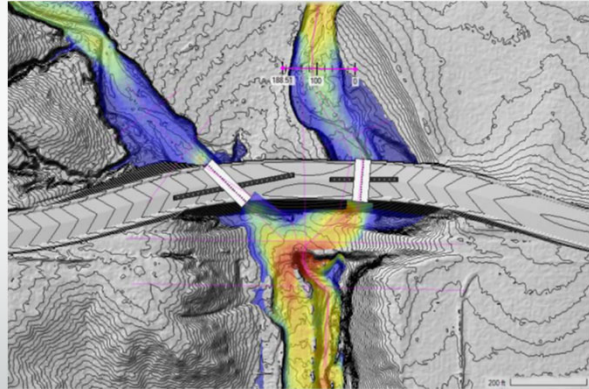


Exhibit C - Agenda Item 8.1

CHALLENGES

- Geometric changes outside of existing right-of-way
- Stormdrain design
 - Comments from CDFW
 - Required sediment transport analysis (Out of Scope).
 - Resulted in redesign of storm drain and ongoing coordination (Out of Scope)
 - Larger footprint (2 RCB to 9 RCB) which has expanded the area of environmental surveys and additional site visits (Out of Scope)



UPDATED SCHEDULE



June 2022
90% Design



October
100% Design:
October, 2022



May 2023
Regulation
Permitting

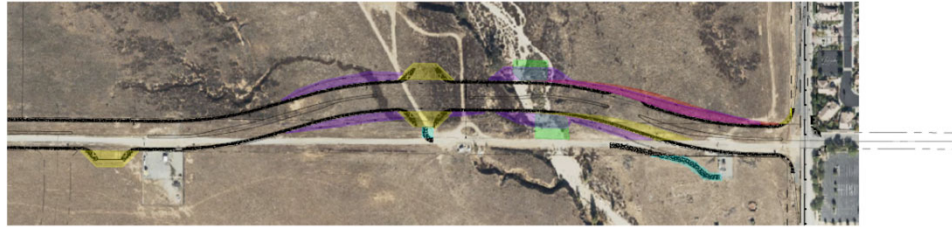


Aug. 2023
Bidding



Nov. 2023
Begin
Construction

Exhibit C - Agenda Item 8.1



THANK YOU
QUESTIONS?

Exhibit D - Agenda Item 8.2

HIGHLAND SPRINGS AVENUE/ I-10 INTERCHANGE UPDATE



April 26, 2022

- Cooperative Agreement (Sept, 2019) between the Cities of Banning, Beaumont and RCTC for the preparation of a Project Study Report (PSR).
- PSR 100% funded by WRCOG TUMF program funds.
- PSR is a Caltrans required Project Initiation Document (PID) to obtain consensus on:
 - Purpose and Need
 - Scope
 - Schedule
- PSR is also required to obtain Caltrans' approval in order to move to the next phase: Project Approval & Environmental Document (PA&ED)



RIVERSIDE
COUNTY
TRANSPORTATION
COMMISSION



Exhibit D - Agenda Item 8.2

PURPOSE AND NEED

PURPOSE

- TO REDUCE QUEUING AND CONGESTION
- TO ACCOMMODATE INCREASE IN TRAFFIC VOLUMES OVER A 20 YEAR HORIZON
- TO AVOID WIDENING THE UNDERPASS BRIDGE STRUCTURE

NEED

- TO ADDRESS CURRENT/FUTURE OPERATIONAL PERFORMANCE ISSUES
- ISSUES ARE RELATED TO LANE CONSTRAINTS UNDER THE OVERPASS AND SHORT QUEUING DISTANCES FOR HIGHWAY ACCESS



ALTERNATIVE 1: EXISTING/NO BUILD



Exhibit D - Agenda Item 8.2

ALTERNATIVE 2: HOOK RAMPS

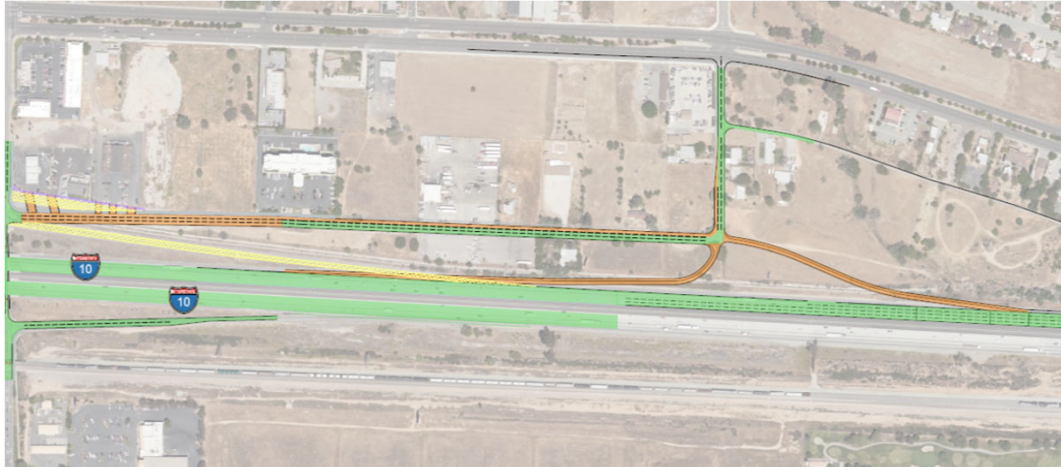


ALTERNATIVE 2: HOOK RAMPS



Exhibit D - Agenda Item 8.2

ALTERNATIVE 2: HOOK RAMPS

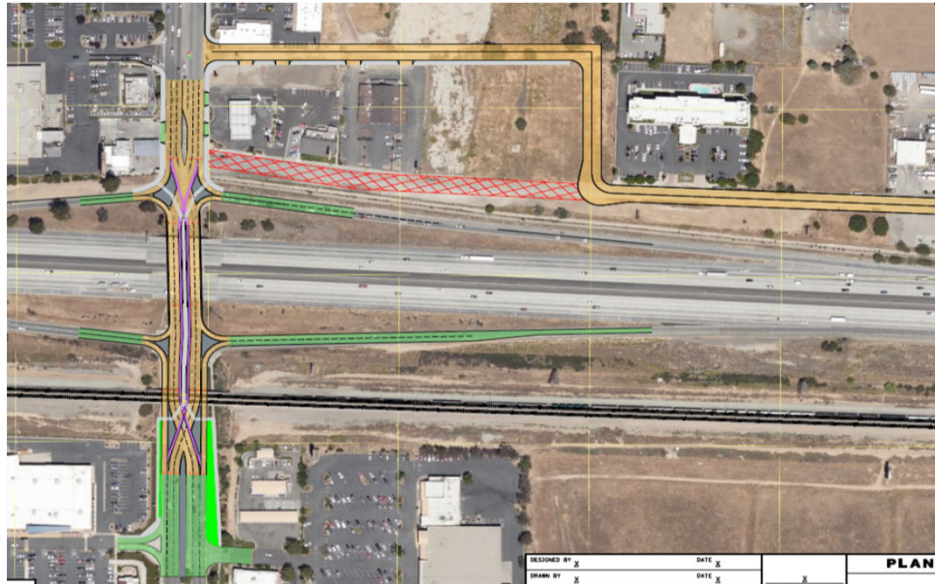


ALTERNATIVE 3: DIVERGING DIAMOND



Exhibit D - Agenda Item 8.2

ALTERNATIVE 4: DIVERGING DIAMOND



PSR COMPLETED
AND APPROVED



PROJECT APPROVAL
AND ENVIRONMENTAL
DOCUMENT (PA/ED)
DECEMBER, 2023



PLANS,
SPECIFICATIONS, AND
ESTIMATES (PS&E)
JUNE, 2025




CONSTRUCTION
DECEMBER, 2025 –
OCTOBER, 2027

Exhibit D - Agenda Item 8.2



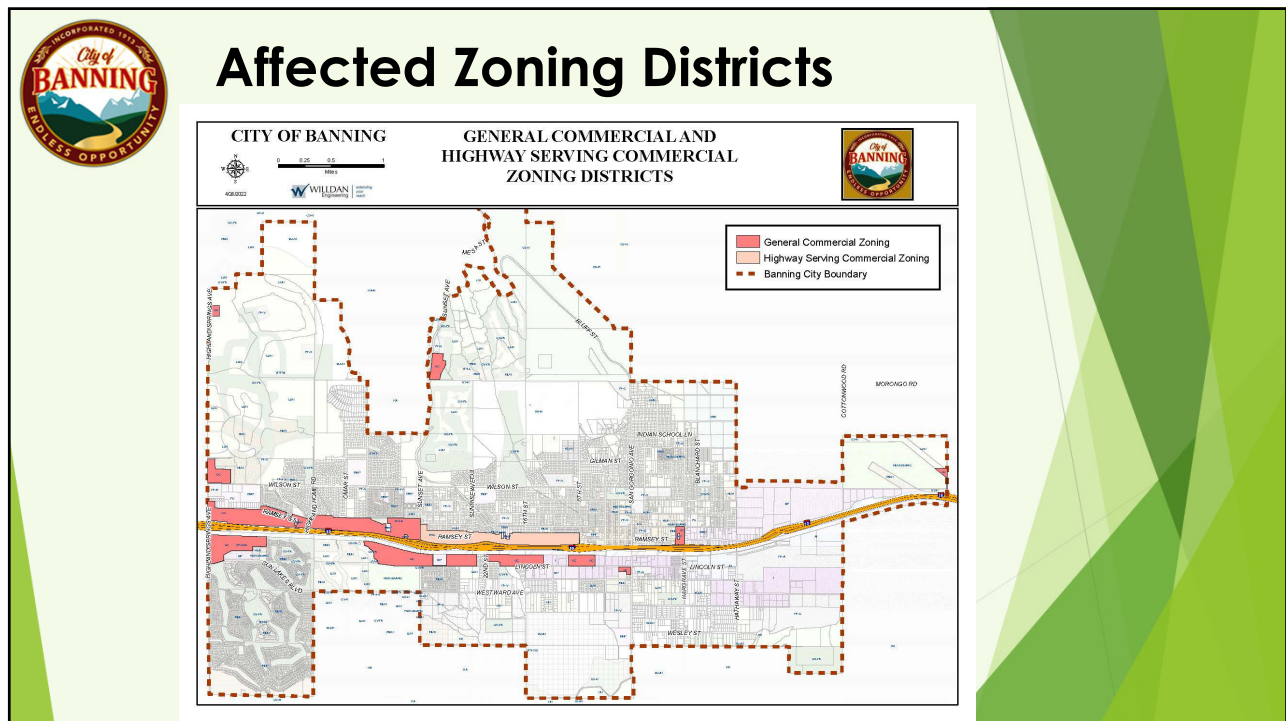
THANK YoU
QUESTIONS?

Exhibit E - Agenda Item 8.7: Presentation



CITY COUNCIL AGENDA Report of Officers ITEM 8.7 (April 26, 2022)

Report to Council of the Cannabis Retailers “Ad Hoc” Committee, which was established to investigate the existing Cannabis Program, interview existing business owners, interest and potential cannabis retailers, and subject-matter experts in the field of Cannabis Retail sales tax revenue, financial auditing, and industry consulting.



CITY OF BANNING

**GENERAL COMMERCIAL (GC) AND
HIGHWAY SERVING COMMERCIAL (HSC)
ZONING DISTRICTS: VACANT PARCELS**
(no structures)

4/29/2012

WILLDAN ENGINEERING

LEGEND

- Vacant parcels or used only for storage
- 156 parcels
- General Commercial and Highway Serving Commercial Zoning District Boundaries
- General Commercial (GC)
- Highway Serving Commercial (HSC)
- Banning City Boundary

Source: Esri, Maxar GeoEye, Earthstar GeoIntelligence, CNES Airphoto RS

Exhibit E - Agenda Item 8.7: Presentation

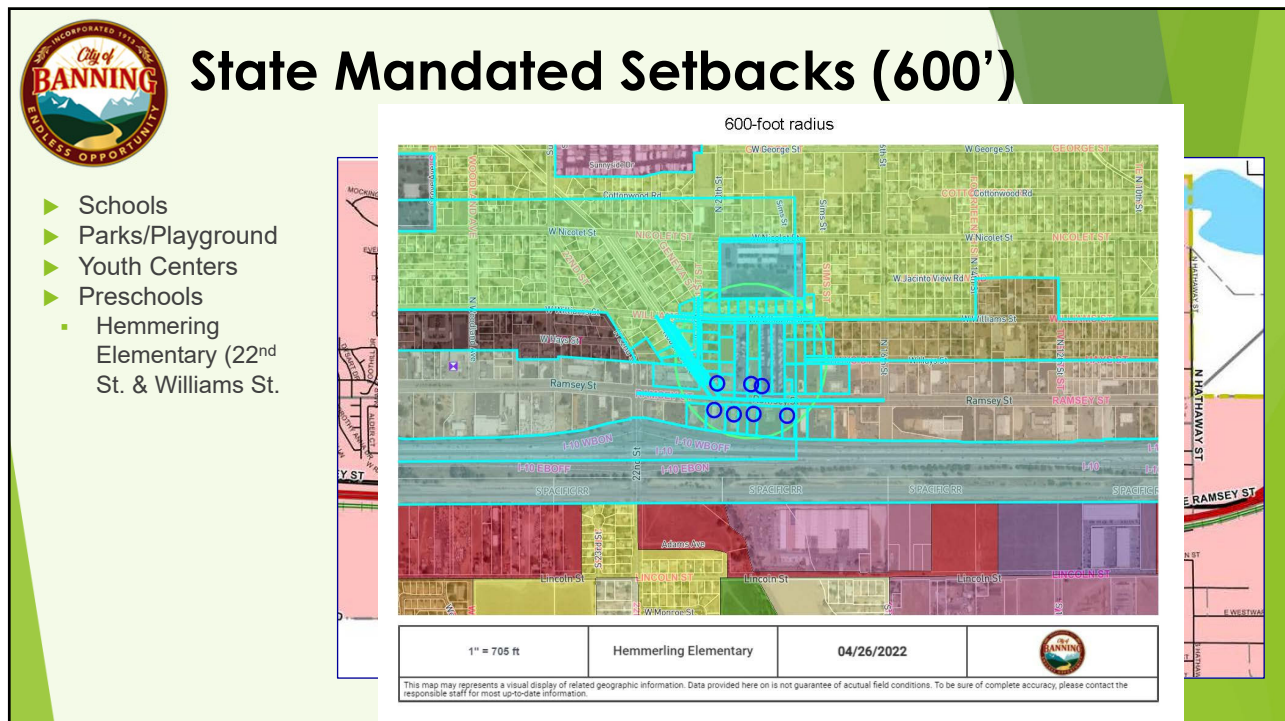
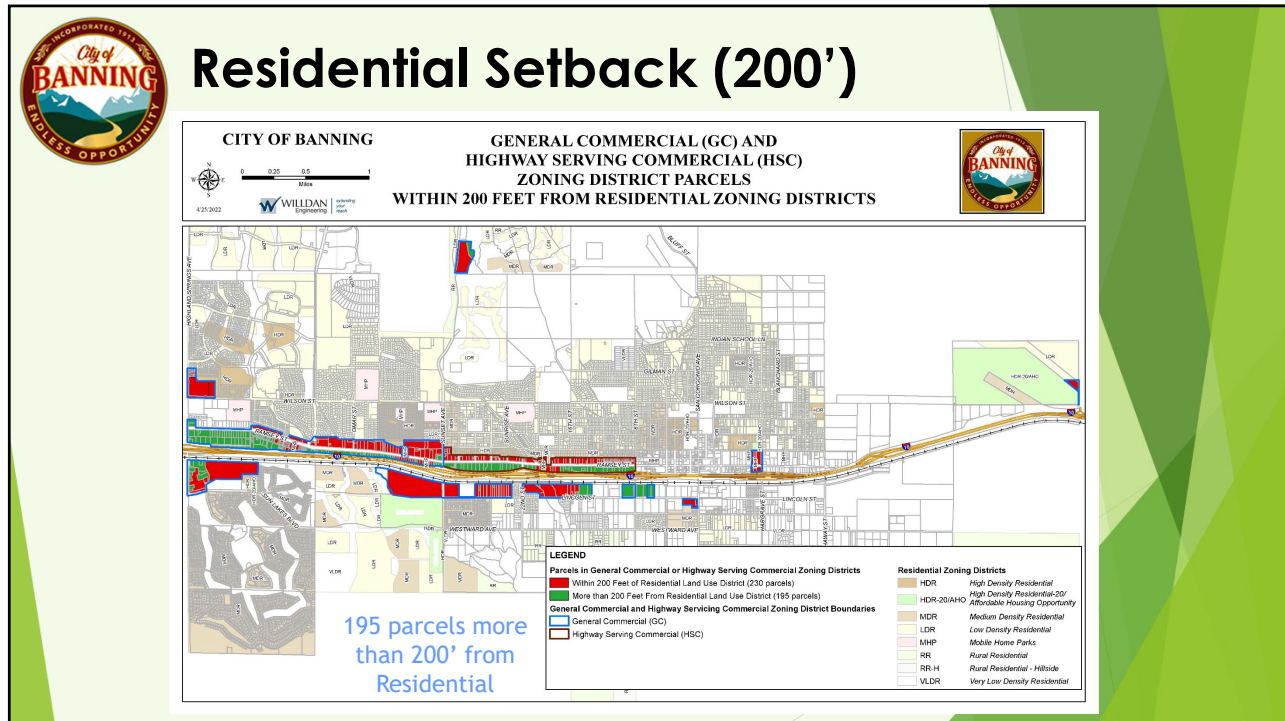




Exhibit E - Agenda Item 8.7: Presentation



Affected Zoning District				
PARCEL CATAGORY	TOTAL NUMBER OF PARCELS	TOTAL ACREAGE	CANNABIS BUSINESS <u>PERMITTED</u>	CANNABIS BUSINESS <u>PROPOSED</u>
General Commercial (GC)	269	728.47	N/A	Retail
Highway-Serving Commercial (H-SC)	154	87.63	Retail*	Retail
Number of Occupied Parcels	266	TBD	Retail*	N/A
Number of Vacant Parcels	156	TBD	Retail*	N/A

**Retail Only Permitted with a CUP and Regulatory Permit, which have all been assigned.*



Ad Hoc Committee Summary

- ▶ March 10th
 - Establishment of Committee Expectations
 - Committee Members provide desired level of staff support
 - The Committee invited existing CUP holders (current Cannabis Businesses):
 - ✓ Culture c/o Chasom Brown
 - ✓ Jeff Moa w/ Harvest Corner
 - ✓ Macy Newell c/o Nourish Earth
 - ✓ Summary of Items Discussed:
 - Existing Cannabis Retailers expressed stress from increasing regulations and possible overconcentration in the Retail Cannabis Industry.
 - Lack of regulations in advertising, juxtaposed to the cost, places further financial stress on business models.
 - The inability to enjoy common business "write-offs" (e.g., labor, overhead, etc.) places further competition stress.
 - Initial Capital Investments have soured past \$700,000
 - Amortization of investment takes 3-5 years to "break even".

Exhibit E - Agenda Item 8.7: Presentation



Ad Hoc Committee Summary

► March 17th:

The Committee invited HDL and Kosmont Companies who are both subject-matter experts in the Retail Cannabis Industry:

HDL Companies:

- Over 1,800 Cannabis Retailers in their Portfolio
- HDL conducts audits to verify tax revenue and assess financial health
 - ✓ There is still room in the regional market of Banning, Beaumont, Calimesa, & unincorporated Riverside County.
 - ✓ A Total Addressable Market (TAM) in excess of 100,000 residents = 5 Cannabis Retailers (>2)
- According to HDL, 30% of the market consist of illicit sales
 - ✓ Delivery Service is Key to a successful business

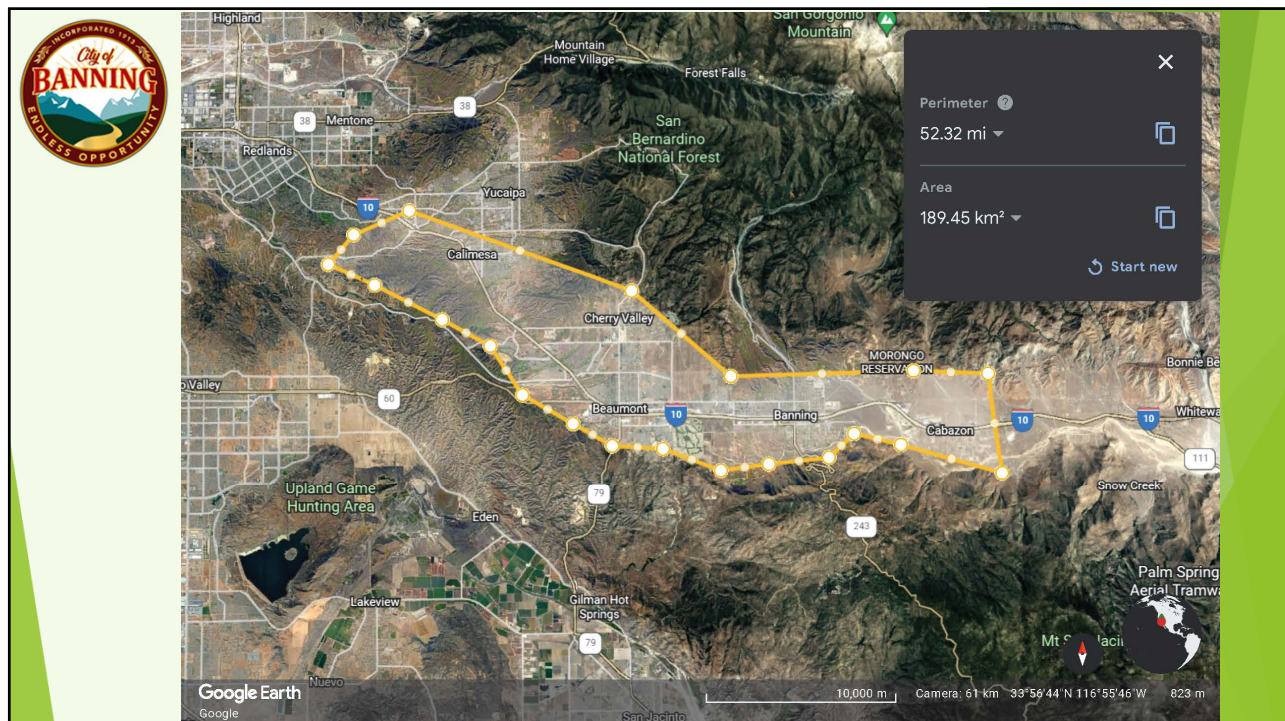

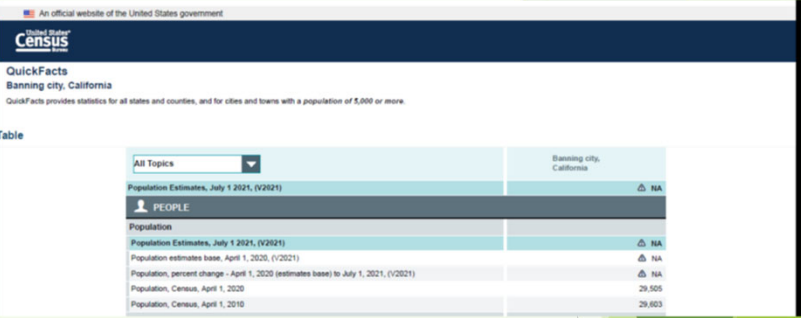


Exhibit E - Agenda Item 8.7: Presentation



Banning (as of 4/1/22): 29,505



Table


All Topics	Banning city, California
Population Estimates, July 1 2021, (V2021)	NA
PEOPLE	
Population	
Population Estimates, July 1 2021, (V2021)	NA
Population estimates base, April 1, 2020, (V2021)	NA
Population, percent change - April 1, 2020 (estimates base) to July 1, 2021, (V2021)	NA
Population, Census, April 1, 2020	29,505
Population, Census, April 1, 2010	29,603

Beaumont (as of 4/1/22): 53,036

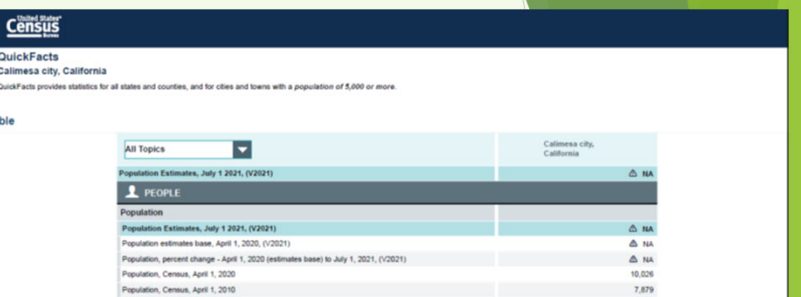


Table

All Topics	Beaumont city, California
Population Estimates, July 1 2021, (V2021)	NA
PEOPLE	
Population	
Population Estimates, July 1 2021, (V2021)	NA
Population estimates base, April 1, 2020, (V2021)	NA
Population, percent change - April 1, 2020 (estimates base) to July 1, 2021, (V2021)	NA
Population, Census, April 1, 2020	53,036
Population, Census, April 1, 2010	36,877



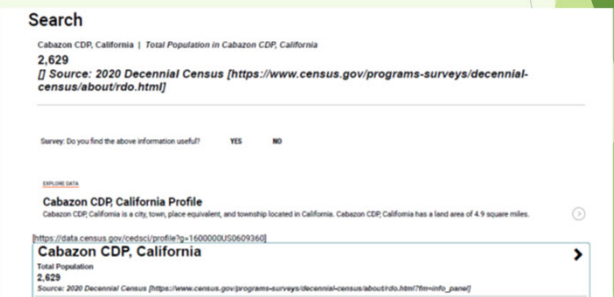
Calimesa (as of 4/1/22): 10,026



Table

All Topics	Calimesa city, California
Population Estimates, July 1 2021, (V2021)	NA
PEOPLE	
Population	
Population Estimates, July 1 2021, (V2021)	NA
Population estimates base, April 1, 2020, (V2021)	NA
Population, percent change - April 1, 2020 (estimates base) to July 1, 2021, (V2021)	NA
Population, Census, April 1, 2020	10,026
Population, Census, April 1, 2010	7,879

Cabazon (as of 4/1/22): 2,629



Search

Cabazon CDP, California | Total Population in Cabazon CDP, California

2,629

[Source: 2020 Decennial Census [https://www.census.gov/programs-surveys/decennial-census/about/rdo.html]]

Survey: Do you find the above information useful? YES NO

05/09/2023

Cabazon CDP, California Profile

Cabazon CDP, California is a city, town, place equivalent, and township located in California. Cabazon CDP, California has a land area of 4.9 square miles.

[https://data.census.gov/cedsci/profile?q=1600000US0609260]

Cabazon CDP, California

Total Population

2,629

Source: 2020 Decennial Census [https://www.census.gov/programs-surveys/decennial-census/about/rdo.html?from-city_page]

Total* (as of 4/1/22): 86,196

** Does Not Include Unincorporated County Population*

Exhibit E - Agenda Item 8.7: Presentation



Ad Hoc Committee Summary

► March 17th (cont'd):

Kosmont & Associates:

- ✓ *The City is losing tax revenue from Retail Delivery Services from outside City Boundaries:*
 - *Raising the cap will create more competition with pricing and product, in the opinion of Kosmont.*
 - *Use of Data Analytics: the location mobile data can tell you more about patterns of travel and what constitutes a trip.*
 - *This data is used in a wide variety of direct-to-consumer advertising*
- ✓ *Current land use demands are:*
 - *Residential and Industrial real-estate – What parcels are available after meeting all criteria.*

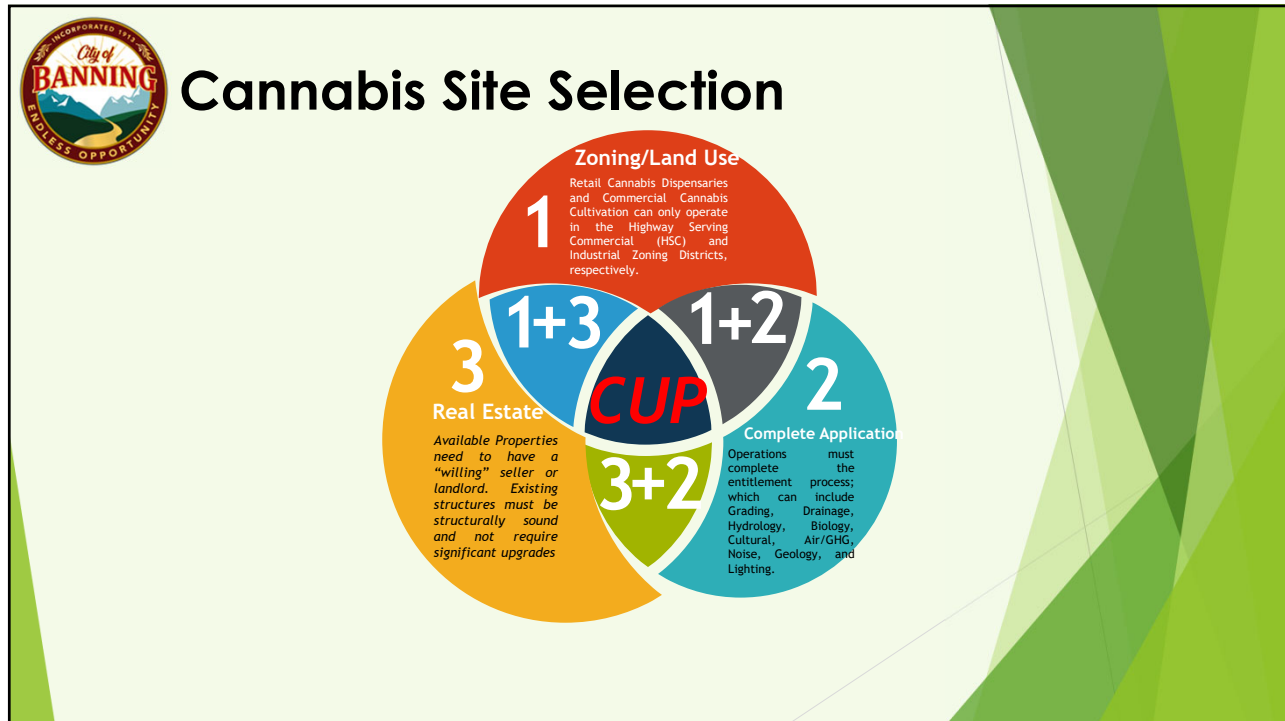


Ad Hoc Committee Summary

► March 24th

- ✓ *The Committee invited businesses interested in opening a Retail Cannabis Store in Banning*
- ✓ *Dana Cisneros (representing Butter®) and Nicolas Frasier (representing himself) attended.*
- ✓ *Other potential business owners were contacted but did not respond or were unable to attend.*
- ✓ *The Committee held a Q&A with each potential applicant about raising the "CAP" on Cannabis Retailers*
- ✓ *Each company expressed significant interest to invest in Banning, given our location, access to freeway travelers, and untapped TAM.*

Exhibit E - Agenda Item 8.7: Presentation



Affected Zoning District (cont'd)

- **75 of 156 vacant parcels** in GC or HSC zoning districts *are not* within 200 feet of a residential zoning district;
- **81 of 156 vacant parcels** in GC or HSC zoning districts *are* within 200 ft of a residential zoning district;
- **113 of 256 occupied parcels** in GC or HSC zoning districts *are not* within 200 feet of a residential zoning district;
- **153 of 256 occupied parcels** in GC or HSC zoning districts *are* within 200 ft of a residential zoning district;
- **231 of all 426 parcels** in GC or HSC zoning districts *are not* within 200 feet of a residential zoning district; and,
- **195 of all 426 parcels** in GC or HSC zoning districts *are* within 200 feet of a residential zoning district.

Exhibit E - Agenda Item 8.7: Presentation

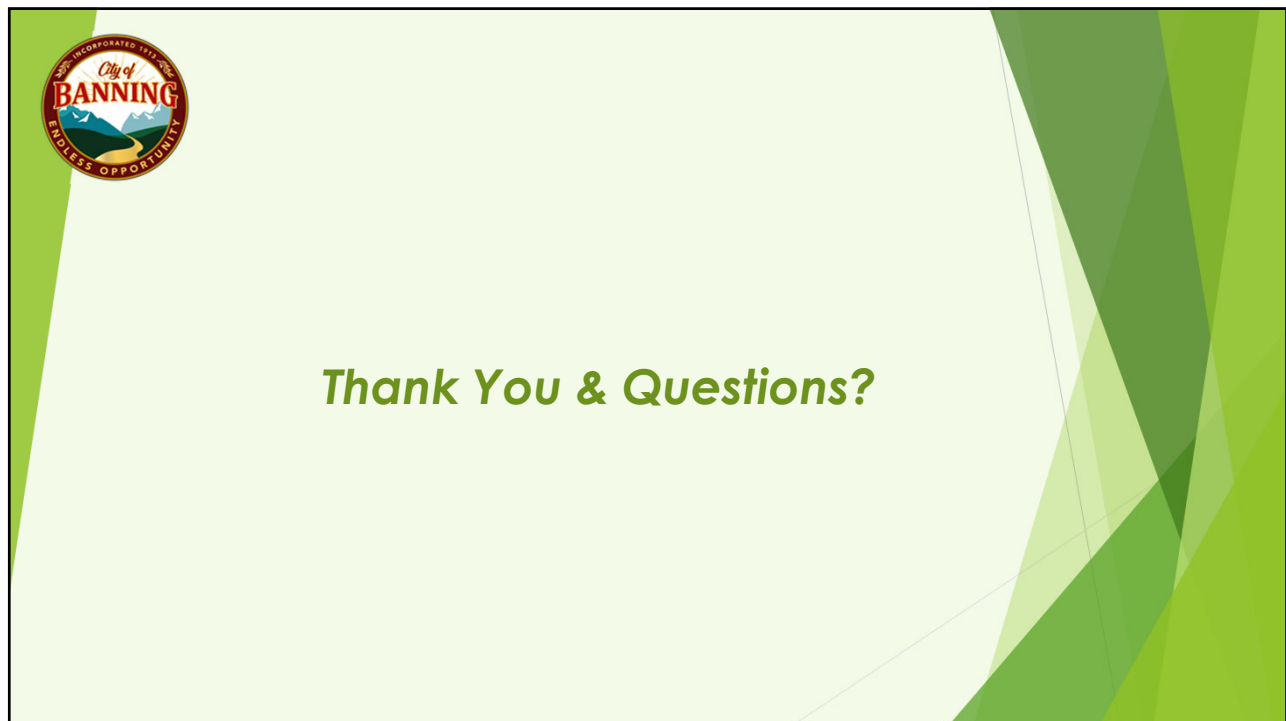
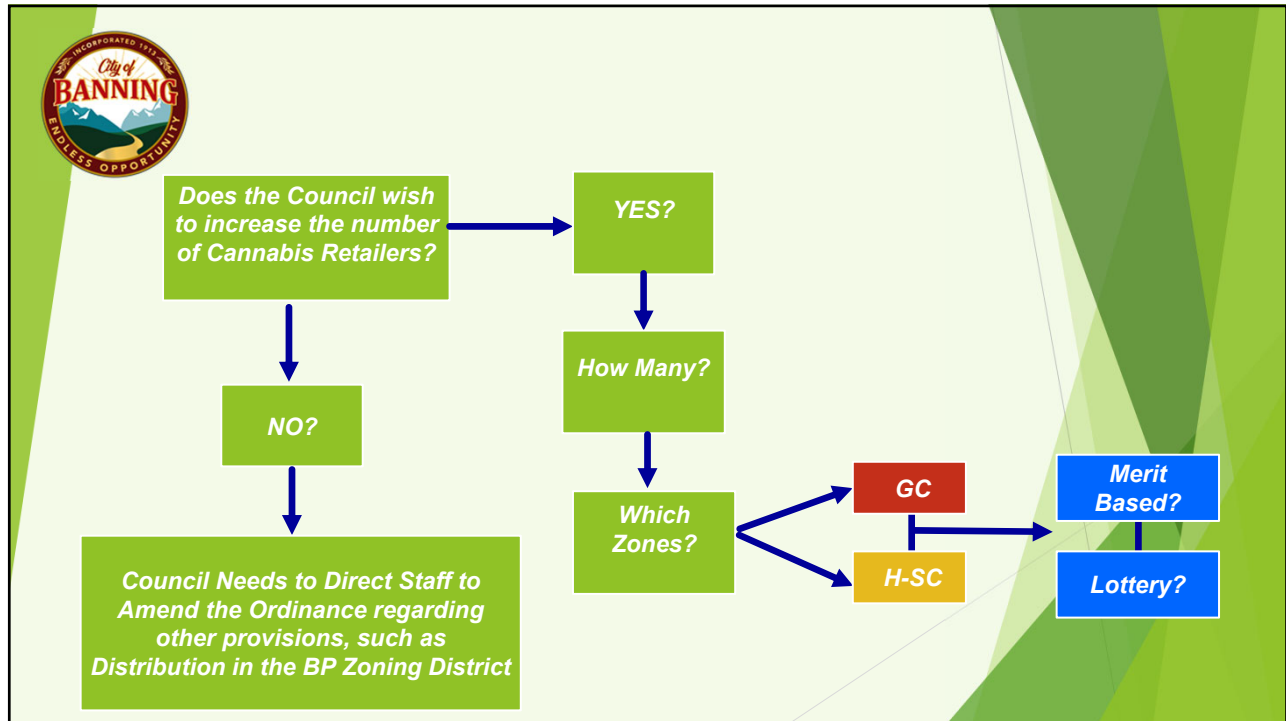




Exhibit F

Agenda Item 8.7: Handouts X

Perimeter ?

52.32 mi ▾



Area

189.45 km² ▾



↻ Start new



A horizontal scale bar with tick marks at 0, 0.25, 0.5, and 1. The unit 'Miles' is written below the bar.



WILLDAN
Engineering | extending
your reach

CITY OF BANNING



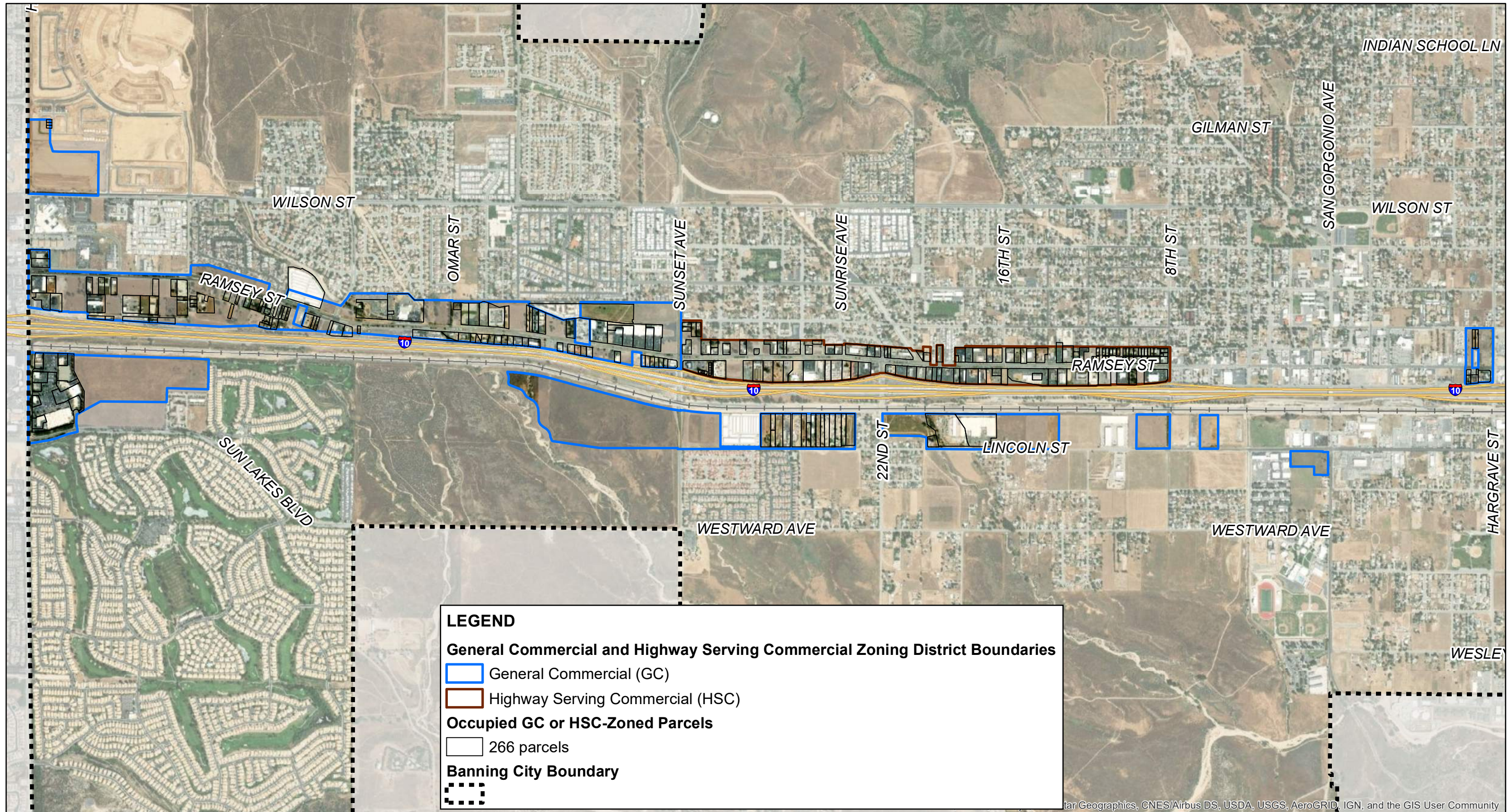
0 0.25 0.5 0.75
Miles

4/26/2022



GENERAL COMMERCIAL (GC) AND HIGHWAY SERVING COMMERCIAL (HSC) ZONING DISTRICTS: OCCUPIED PARCELS

(not vacant, not used only as storage)



CITY OF BANNING

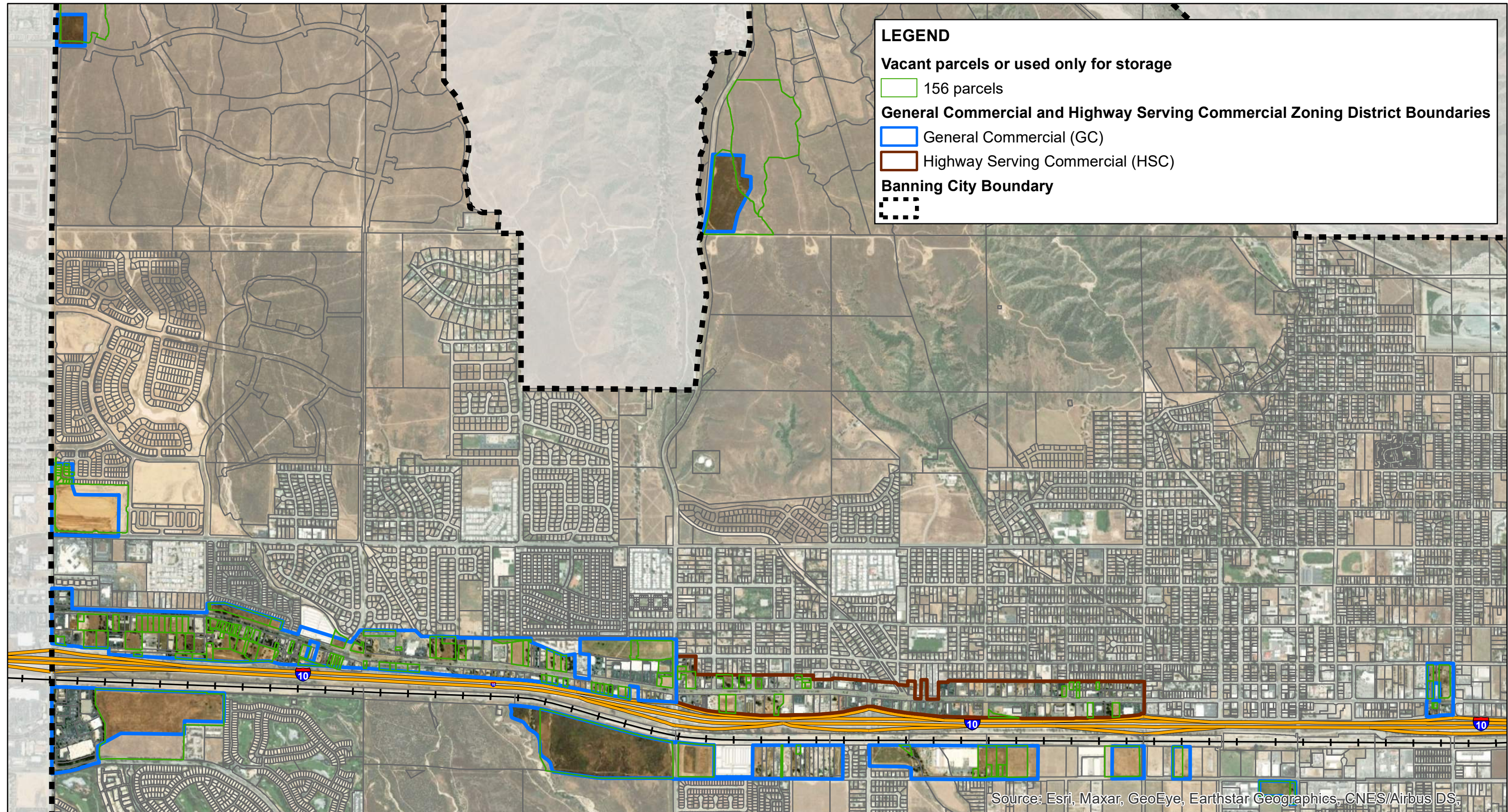


4/26/2022



GENERAL COMMERCIAL (GC) AND HIGHWAY SERVING COMMERCIAL (HSC) ZONING DISTRICTS: VACANT PARCELS

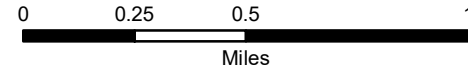
(no structures)



CITY OF BANNING

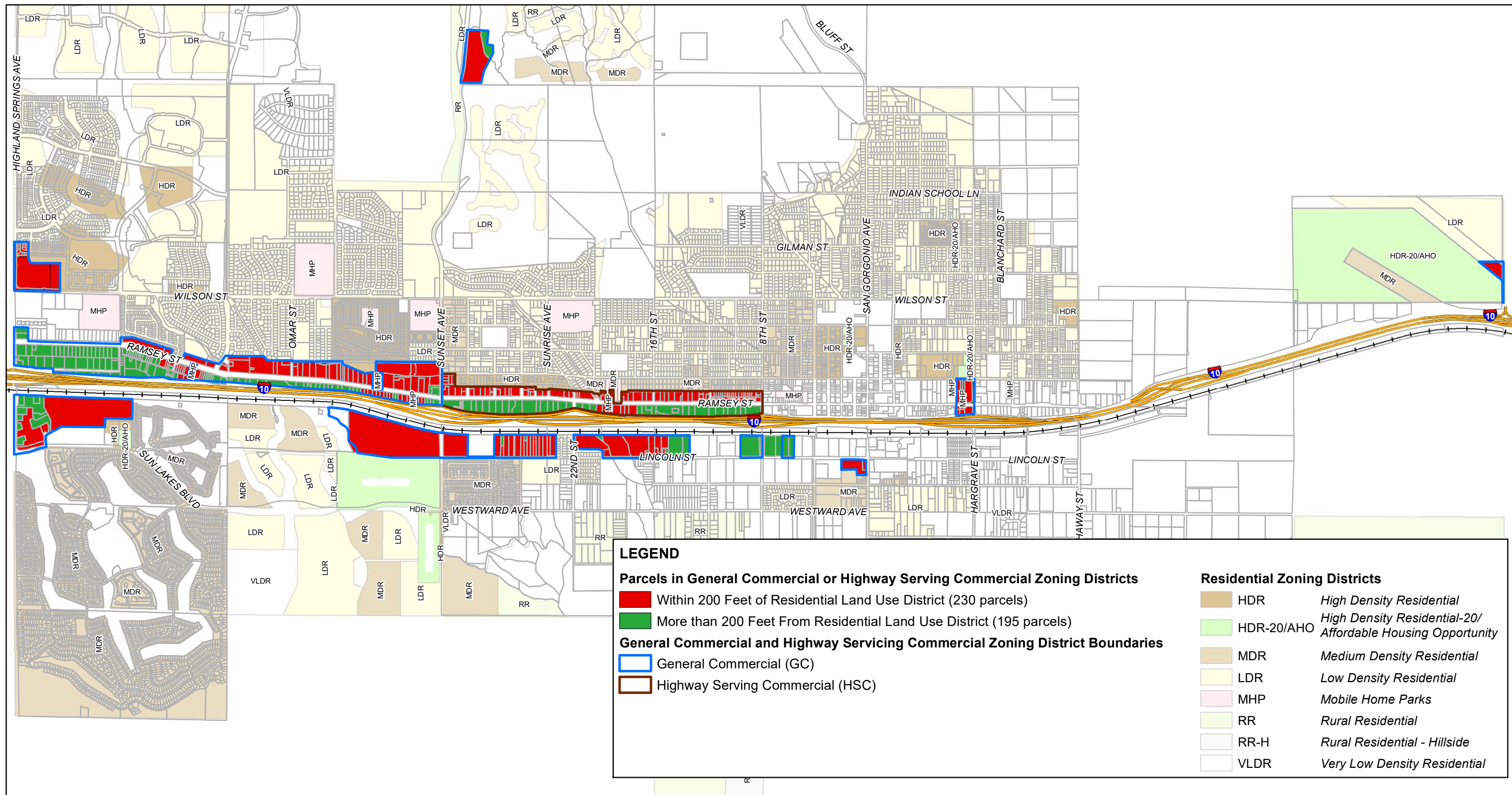


4/25/2022



GENERAL COMMERCIAL (GC) AND HIGHWAY SERVING COMMERCIAL (HSC) ZONING DISTRICT PARCELS

WITHIN 200 FEET FROM RESIDENTIAL ZONING DISTRICTS

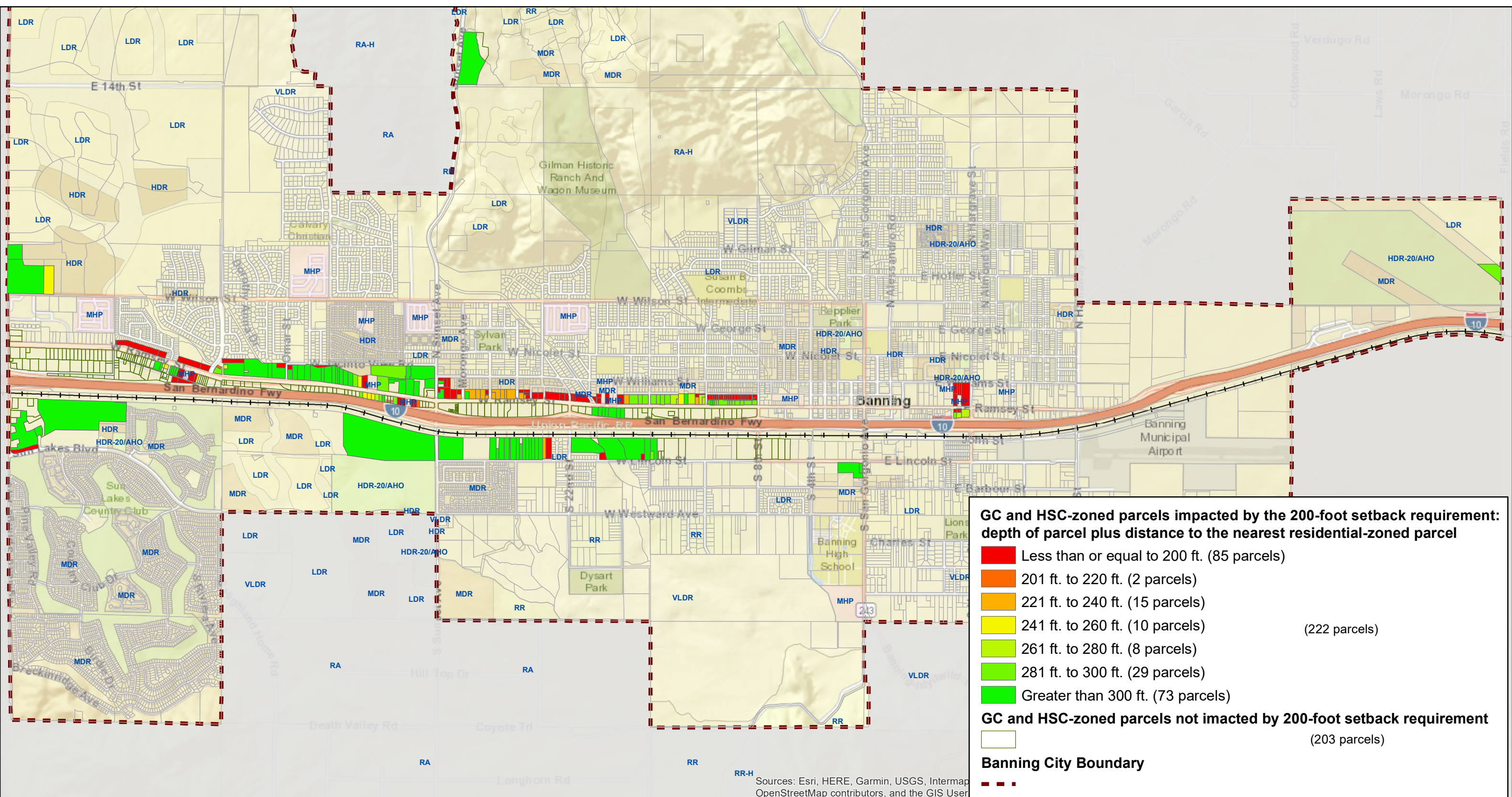
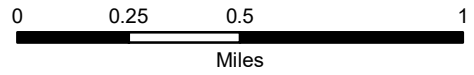


CITY OF BANNING

GENERAL COMMERCIAL (GC) AND
HIGHWAY SERVING COMMERCIAL (HSC)
ZONING DISTRICT PARCELS:
DISTANCE FROM RESIDENTIAL PARCELS



6/11/2020



Sources: Esri, HERE, Garmin, USGS, Intermap, OpenStreetMap contributors, and the GIS User

Exhibit F- Agenda Item 8.7: Handouts

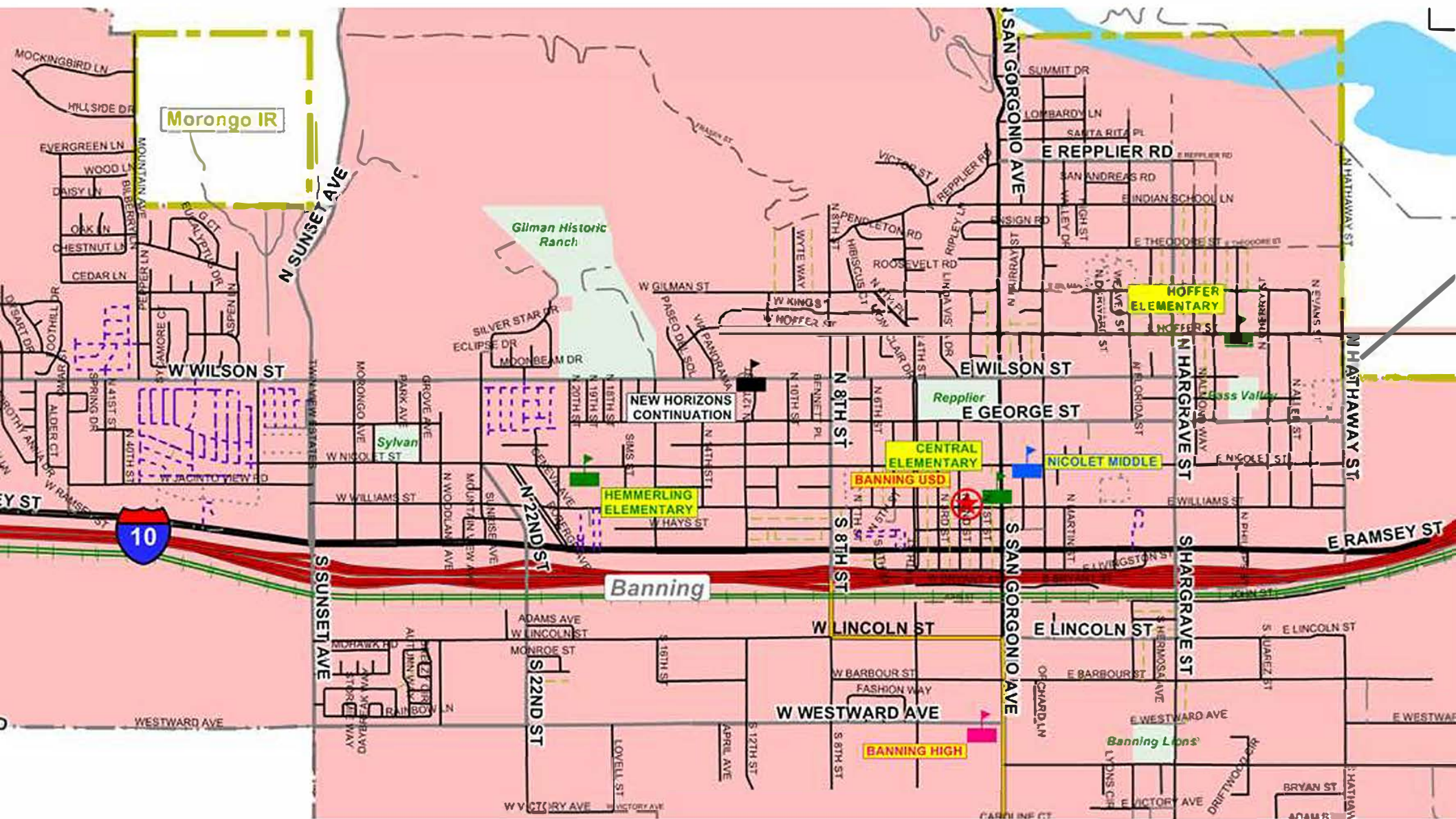


Exhibit F- Agenda Item 8.7: Handouts

Search

Cabazon CDP, California | Total Population in Cabazon CDP, California

2,629

[Source: 2020 Decennial Census [https://www.census.gov/programs-surveys/decennial-census/about/rdo.html]

Survey: Do you find the above information useful? YES NO

EXPLORE DATA

Cabazon CDP, California Profile

Cabazon CDP, California is a city, town, place equivalent, and township located in California. Cabazon CDP, California has a land area of 4.9 square miles.



[https://data.census.gov/cedsci/profile?g=1600000US0609360]

Cabazon CDP, California	
Total Population	2,629
Source: 2020 Decennial Census [https://www.census.gov/programs-surveys/decennial-census/about/rdo.html?fm=info_panel]	
Median Household Income	\$ 44,615
Source: 2020 American Community Survey 5-Year Estimates [https://www.census.gov/programs-surveys/acs.html?fm=info_panel]	
Bachelor's Degree Or Higher	8.1 %
Source: 2020 American Community Survey 5-Year Estimates [https://www.census.gov/programs-surveys/acs.html?fm=info_panel]	
Employment Rate	66.1 %
Source: 2020 American Community Survey 5-Year Estimates [https://www.census.gov/programs-surveys/acs.html?fm=info_panel]	
Total Housing Units	917
Source: 2020 Decennial Census [https://www.census.gov/programs-surveys/decennial-census/about/rdo.html?fm=info_panel]	
Without Health Care Coverage	3.8 %
Source: 2020 American Community Survey 5-Year Estimates [https://www.census.gov/programs-surveys/acs.html?fm=info_panel]	
Total Households	746
Source: 2020 American Community Survey 5-Year Estimates [https://www.census.gov/programs-surveys/acs.html?fm=info_panel]	
Hispanic Or Latino (Of Any Race)	1,400
Source: 2020 Decennial Census [https://www.census.gov/programs-surveys/decennial-census/about/rdo.html?fm=info_panel]	

QuickFacts

QuickFacts provides frequently requested Census Bureau information at the national, state, county, and city level.

[VIEW \[//WWW.CENSUS.GOV/QUICKFACTS/TABLE/PST045215/0609360\]](https://www.census.gov/quickfacts/table/PST045215/0609360)



QuickFacts

Banning city, California

QuickFacts provides statistics for all states and counties, and for cities and towns with a **population of 5,000 or more**.

Table

All Topics ▼	Banning city, California
Population Estimates, July 1 2021, (V2021)	⚠ NA
PEOPLE	
Population	
Population Estimates, July 1 2021, (V2021)	⚠ NA
Population estimates base, April 1, 2020, (V2021)	⚠ NA
Population, percent change - April 1, 2020 (estimates base) to July 1, 2021, (V2021)	⚠ NA
Population, Census, April 1, 2020	29,505
Population, Census, April 1, 2010	29,603
Age and Sex	
Persons under 5 years, percent	⚠ 6.1%
Persons under 18 years, percent	⚠ 22.6%
Persons 65 years and over, percent	⚠ 29.3%
Female persons, percent	⚠ 52.0%
Race and Hispanic Origin	
White alone, percent	⚠ 63.8%
Black or African American alone, percent (a)	⚠ 7.5%
American Indian and Alaska Native alone, percent (a)	⚠ 1.4%
Asian alone, percent (a)	⚠ 4.0%
Native Hawaiian and Other Pacific Islander alone, percent (a)	⚠ 0.0%
Two or More Races, percent	⚠ 10.2%
Hispanic or Latino, percent (b)	⚠ 47.0%
White alone, not Hispanic or Latino, percent	⚠ 37.4%
Population Characteristics	
Veterans, 2016-2020	2,425
Foreign born persons, percent, 2016-2020	19.5%
Housing	



QuickFacts

Beaumont city, California

QuickFacts provides statistics for all states and counties, and for cities and towns with a **population of 5,000 or more**.

Table

All Topics ▼	Beaumont city, California
Population Estimates, July 1 2021, (V2021)	⚠ NA
PEOPLE	
Population	
Population Estimates, July 1 2021, (V2021)	⚠ NA
Population estimates base, April 1, 2020, (V2021)	⚠ NA
Population, percent change - April 1, 2020 (estimates base) to July 1, 2021, (V2021)	⚠ NA
Population, Census, April 1, 2020	53,036
Population, Census, April 1, 2010	36,877
Age and Sex	
Persons under 5 years, percent	⚠ 8.2%
Persons under 18 years, percent	⚠ 31.1%
Persons 65 years and over, percent	⚠ 13.6%
Female persons, percent	⚠ 51.9%
Race and Hispanic Origin	
White alone, percent	⚠ 60.8%
Black or African American alone, percent (a)	⚠ 9.6%
American Indian and Alaska Native alone, percent (a)	⚠ 1.1%
Asian alone, percent (a)	⚠ 7.8%
Native Hawaiian and Other Pacific Islander alone, percent (a)	⚠ 0.2%
Two or More Races, percent	⚠ 8.7%
Hispanic or Latino, percent (b)	⚠ 46.3%
White alone, not Hispanic or Latino, percent	⚠ 33.9%
Population Characteristics	
Veterans, 2016-2020	2,509
Foreign born persons, percent, 2016-2020	17.6%
Housing	



QuickFacts

Calimesa city, California

QuickFacts provides statistics for all states and counties, and for cities and towns with a **population of 5,000 or more**.

Table

All Topics ▼	Calimesa city, California
Population Estimates, July 1 2021, (V2021)	⚠ NA
PEOPLE	
Population	
Population Estimates, July 1 2021, (V2021)	⚠ NA
Population estimates base, April 1, 2020, (V2021)	⚠ NA
Population, percent change - April 1, 2020 (estimates base) to July 1, 2021, (V2021)	⚠ NA
Population, Census, April 1, 2020	10,026
Population, Census, April 1, 2010	7,879
Age and Sex	
Persons under 5 years, percent	⚠ 5.2%
Persons under 18 years, percent	⚠ 21.2%
Persons 65 years and over, percent	⚠ 25.2%
Female persons, percent	⚠ 49.6%
Race and Hispanic Origin	
White alone, percent	⚠ 70.4%
Black or African American alone, percent (a)	⚠ 2.0%
American Indian and Alaska Native alone, percent (a)	⚠ 1.4%
Asian alone, percent (a)	⚠ 6.5%
Native Hawaiian and Other Pacific Islander alone, percent (a)	⚠ 0.0%
Two or More Races, percent	⚠ 10.8%
Hispanic or Latino, percent (b)	⚠ 30.8%
White alone, not Hispanic or Latino, percent	⚠ 58.1%
Population Characteristics	
Veterans, 2016-2020	799
Foreign born persons, percent, 2016-2020	7.1%
Housing	

Exhibit G - Public Comment on Agenda Item 8.7

Dear Councilmembers,

April 27, 2022

I am sending this letter out of extreme concern. My partner and I are shocked that councilmembers are still considering more cannabis retail in the City of Banning.

After already investing close to a half million dollars, we were already concerned with amount of time it will take to achieve our ROI. With the cannabis market already being defined in the City over the last year, the opening of our doors are set to dilute the market-not increase it. More retailer storefronts do not translate to more tax dollars, it only hurts the businesses that have already invested so much in the City of Banning.

There was an argument made that the professionally advised population to retail ratio wasn't a sound formula for the City, as it is next to the Freeway. This assessment is simply untrue. We have studied other Cities with the same advantage (Santa Ana, Moreno Valley & Los Angeles) and the numbers do to not support the theory that freeways are a lifeline.

There was another argument made that cannabis operators should welcome competition like restaurants do with each other. This is another very skewed belief. Studies show that only 12% of the population use cannabis, and out of that percentage almost half is catered to by the black market. A restaurant has the benefit of knowing that 100% of the population must eat. On top of that, a restaurant doesn't have to: pay for 24hr armed security, compete with tax evading black-market operators, pay over market for rental space and comply with 280E Tax Code.

The arguments could go on and on, but the simple question that should be asked is, 'What data suggests that this is a good idea?' We asked this question in the meeting and never received any substantive response. We ask that the City bases their decisions on facts and data alone. When all three stores are open for several years, the City will have the data to make decisions based on fact, not on gut instincts or intuition. Please don't let us pay the price for impatience of some.

Sincerely,

Macy Newell