

MINUTES  
CITY COUNCIL  
BANNING, CALIFORNIA

03/13/18  
REGULAR MEETING

A regular meeting of the Banning City Council was called to order by Mayor Moyer on March 13, 2018, at 5:17 p.m. at the Banning Civic Center Council Chamber, 99 E. Ramsey Street, Banning, California.

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

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT Rochelle Clayton, Interim City Manager  
Kevin Ennis, City Attorney  
John McQuown, City Treasurer  
Tim Chavez, Fire Battalion Chief  
Heidi Meraz, Community Services Director  
Patty Nevins, Community Development Director  
Art Vela, Public Works Director/City Engineer  
Thomas Miller, Electric Utility Director  
Phil Holder, Police Captain  
Suzanne Cook, Deputy Finance Director  
Ted Shove, Economic Development Manager  
Stacy Bouslog, Utility Financial Analyst  
Sonja De La Fuente, Deputy City Clerk  
Laurie Sampson, Executive Assistant  
Leila Lopez, Office Specialist

The Invocation was given by Pastor Tate Crenshaw, LifePoint Church. Council Member Peterson led the audience in the Pledge of Allegiance to the Flag.

REPORT ON CLOSED SESSION

City Attorney Ennis listed the items 1) PUBLIC EMPLOYEE APPOINTMENT: City Manager – Pursuant to Government Code Section 54957. The City Council accepted the resignation of Alex Diaz and unanimously appointed Rochelle Clayton to serve as Interim City Manager, effective immediately. 2) CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6 Agency designated representative: Deputy City Manager Rochelle Clayton. Employee Organizations: Banning Police Management Association (BPMA). Direction was given to the City's labor negotiator. 3) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Fields v. City of Banning, Riverside County Superior

Court Case No. RIC 1102234 and Court of Appeal Case No. E057277. This item was continued to the next meeting. 4) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Name of Cases: City of Banning v. Hendon, Riverside Superior Court Case No. RIC 1401424; In re: Marc L. Hendon, Sr., U.S. Bankruptcy Court, Central District of California – Riverside Divisions, Case No. 6:17-bk- 18214-SY. This item was continued to the next meeting. 5) CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957. Persons Applying for or Being Considered for Police Chief. The City Council accepted the resignation of Alex Diaz with his last day April 6, 2018.

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

ROLL CALL

BOARD MEMBERS PRESENT: Board Member Andrade  
Board Member Franklin  
Board Member Peterson  
Board Member Welch  
Chairman Moyer

BOARD MEMBERS ABSENT: None

PRESENTATION

1. Fiscal Year 2016-17 Audited Financial Statements for the City of Banning and the Banning Utility Authority

Debbie Harper with Lance, Soll and Lunghard provided report as contained in the Agenda Packet.

Council Member Welch asked to hear from member of the Finance Committee, City Treasurer John McQuown, who explained that the Finance Committee had a productive meeting in February covering approximately ten items and 40-50 questions.

Council Member Peterson asked for clarification on the PERS liability. Ms. Harper clarified that the City is in a decent position in regard to their PERS liability.

Council Member Franklin asked if a forensic audit is needed. Ms. Harper explained it is part of the Audit process if fraud had been discovered her firm would have notified the City Council immediately.

Mayor Moyer clarified the breakdown of the City's PERS liability.

Council Member Peterson explained that the special audit the City is looking at is related to electricity purchased by the City and wattage used vs. billed.

The Mayor opened the item for public comment.

Paul Perkins pointed out that in 2015 the pension cost was \$18 million, in 2016 it was \$20 million and in 2017 it was \$22 million. He asked where the liability came from.

The Mayor explained that people are living longer.

Seeing no further comments, the Mayor closed public comment.

Council Member Peterson asked if the Auditor performed certain tasks as outlined in the Request for Proposals issued for the Audit of the Electric Utility. She explained what they audited and how.

**Motion Franklin/Peterson to receive and file Fiscal Year 2016-17 Audited Financial Statements for the City of Banning and the Banning Utility Authority. Motion carried, 5-0.**

The Mayor adjourned the joint meeting and reconvened the regular City Council Meeting.

**PUBLIC COMMENTS / CORRESPONDENCE / ANNOUNCEMENTS & REPORTS**

**PUBLIC COMMENTS**

Inge Schuler thanked Interim City Manager Clayton for responding to her questions from the last meeting. She would like clarification on the monthly charges from Electric and Water for \$3 that changed to a fluctuating charged based on the billing cycle. Finally, she expressed concern with the last Council meeting and the discussion regarding the Electric Utility Director contract.

Ellen Carr informed everyone the Animal Action League will be at the Community Center again March 27-28, 2018, with their mobile spay and neuter clinic and a low cost shot clinic from 10:00 a.m. until 2:00 p.m. Appointments can be made by calling (760) 366-1100. If there are no spots left this month, they can be made for April. She thanked Interim City Manager Clayton for looking into her complaint and issuing a credit for months that were billed over 30 days. She hopes all citizens will receive the same. She also expressed concern regarding the salary afforded the new Electric Utility Director. She would like a presentation on benefits the employees of the City receive.

Paul Perkins asked about the City's propane system and the proposal for a new one. He would like to know the cost is to dispense. He would also like to know how the cost is calculated to provide to the City and School District, and the cost of maintenance. He was disappointed with the Electric Utility Director contract.

Ann Price thanked Heidi Meraz and the Parks & Recreation staff for all of their help. Unfortunately, Banning Pass Little League Opening Day was rained out. However, she appreciates those who showed up.

Araceli Carranza, resident of the Snow Creek development shared her concern with how many traffic collisions have taken place at the Wilson Street/Sunrise intersection. She explained how unsafe she feels the intersection is and would like to see a stop sign or speed bump installed if a stop light cannot be. She also would like someone to look into their improving the landscape maintenance in and around the development, as they pay for this service and it has not been maintained well lately.

#### CORRESPONDENCE

The Deputy City Clerk read a letter from Ed Miller. (Exhibit "A")

Mayor Moyer read a prepared statement. (Exhibit "B")

#### ANNOUNCEMENTS & REPORTS

Council Member Andrade explained that she has not attended a Regional Conservation Authority Meeting this year, as they have not had one. She is excited about the ideas coming from the Downtown Ad Hoc Committee.

Council Member Welch complimented the schools involved in the Banning and Beaumont High school Student of the Month program.

Council Member Franklin:

- WRCOG met and received updates regarding the PACE consumer protections being updated, revised, and brought into compliance with State regulations. Also, there was a presentation on job automation in areas such as restaurant, retail, and logistics. She will provide information received to staff.
- SCAG met last week and reviewed historical preservation and the Mills Act. They discussed types of preservation. The least common is restoration. The type growing is adaptive reuse, and the most common is rehabilitation. She will provide this information to staff as well. They reviewed revisions on CEQA and there are some dramatic changes coming forward. This information will be provided to staff.
- Downtown Ad Hoc Committee held a focus group with local business with 13 in attendance. Their next step is to hold a community focus group in the next several weeks.
- School 2x2 met yesterday and discussed the CNG station. They will bring information to their School Board then return to meet on March 21<sup>st</sup> to discuss the School Board's recommendations.
- League of California Cities Division Meeting was held and attendees were informed of multiple Bills. She advised a lot had to do with local control and the State trying to take away control from cities and counties. She will share these with staff.

- The Women's Club Meeting met and had a presentation from HICAP regarding Medicare. They advised that new cards will be coming between April and June this year and they have removed the Social Security number. They also received a report regarding various senior scams. She will also give this information to staff
- The Disaster Survival Expo will be held on April 28, 2018.

Council Member Peterson asked if WRCOG will be improving consumer protection with the HERO program. Council Member Franklin confirmed that it includes all of their programs. She has a whole page of them and she will provide a copy to Council Member Peterson.

Mayor Moyer:

- The I-10 Bypass Town Hall Meeting will be April 11, 2018, at 6:00 p.m. in the Council Chamber.
- Waste Management will hold a Community Clean-Up event on April 14<sup>th</sup> at Dysart Park from 8:00 a.m. until 1:00 p.m. (Exhibit "C").
- Community Action Partnership will prepare taxes for free for qualified individuals. (Exhibit "D")
- 5<sup>th</sup> District Supervisor Candidate Forum will be held on March 15<sup>th</sup> at 6:00 p.m. at Sun Lakes Country Club.

#### REPORT BY CITY ATTORNEY

City Attorney Ennis did not have anything to report.

#### REPORT BY CITY MANAGER

Interim City Manager Clayton advised that with the bill changeover to proration was done at the end of last year when staff was conducting clean up so as not to push anyone into the third tier. Since receiving feedback recently, staff has gone back and evaluated and will be returning to regular billing instead of prorating. She thanked the community for their input.

#### CONSENT ITEMS

Mayor Moyer indicated that Item 8 was being pulled from the Consent Calendar for separate consideration.

1. Minutes – Special Meeting – 2/27/18 (Employee Recognition Ceremony)

Recommendation: Approve the Minutes from the February 27, 2018 Special Meeting of the Banning City Council (Employee Recognition Ceremony)

2. Minutes – Special Joint Meeting – 2/27/18 (Workshop)

Recommendation: Approve the Minutes from the February 27, 2018 Special Joint Meeting of the Banning City Council (Workshop)

3. Minutes – Special Meeting – 2/27/18 (Closed Session)

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

4. Minutes – Regular Meeting 2/27/18

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

5. Minutes – Special Meeting – 3/6/18 (Closed Session)

Recommendation: Approve the Minutes from the March 6, 2018 Special Meeting of the Banning City Council (Closed Session)

6. Contracts Approved Under the City Manager's Signature Authority

Recommendation: Receive and File

7. California Water Environment Association Small Collection System of the Year Award

Recommendation: Receive and File

9. Donated Window Tint for Police Department Vehicles

Recommendation: Accept Donation

Mayor Moyer opened Consent Items 1 through 7 and 9 for public comment. Seeing none, closed public comment.

**Motion Peterson/Welch to approve Consent Items 1 through 7 and 9. Motion carried, 5-0.**

Mayor Moyer pointed out Item 7 from the Consent Items, congratulating the Water Department for their special recognition and thanked them for a good job.

Council Member Andrade indicated that she requested Consent Item 8 be pulled for discussion, as she is opposed to the new speed limits.

The Mayor opened the item for public comment.

Don Smith expressed he is not able to understand the proposed speed limits and is against increasing speed limits in residential areas. He indicated the residents along those roads need to back out of their driveways. He feels this increases the probability of

accidents, injuries and death. He encouraged the Council to vote against the new speed limits.

Inge Schuler shared her opposition to the speed limit increases on Wilson and Westward. She doesn't agree with the logic of increasing speed limits because people are already speeding.

Gary Hironimus indicated that most people will drive a safe speed. He supports the City adopting the speed limits according to the survey. The downside to not setting speed limits according to the study it impedes the City's ability to enforce.

Paul Perkins suggested putting in boulevard stops every half a mile on some of the streets.

Mayor Moyer asked about the intersection at Sunrise and Wilson and asked how many accidents had occurred over the last few years. Public Works Director Vela indicated Captain Holder will be pulling the statistics and he will personally visit the intersection to see what can be done.

Council Member Peterson pointed out that the Council adjusted quite a few of the recommended speed limits and asked Director Vela to explain the process to the public.

Director Vela explained the survey is required every five to seven years based on changes in traffic in the City. He indicated that Mr. Hironimus is correct regarding the City's ability to enforce the speed limits and the City's need to complete this process in order to do so.

Council Member Peterson asked if the City would be better protected legally if they adopted the recommended speed limits. City Attorney Ennis confirmed he believed it would be.

8. 2<sup>nd</sup> Reading of Ordinance 1516 – Re-Establishing and Declaring Prima Facie Speed Limits within Specified Speed Zones Throughout the City of Banning and Amending Ordinance 1449

Recommendation: Ordinance 1516 Pass its 2<sup>nd</sup> Reading

**Motion Peterson/Franklin to approve Consent Item 8. Motion carried, 4-1, with Council Member Andrade voting against.**

#### REPORTS OF OFFICERS

1. Resolution 2018-25, Awarding the Repllier Park Parking Lot Landscaping Improvements Contractor

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

Council Member Franklin asked what the differences were in the bids, as there is a big difference in bid amounts. Director Vela explained that the irrigation system was the biggest difference. The lowest bidder was contacted and confirmed the price and committed to the bid. She asked if there was a warranty. Director Vela confirmed there is a one year warranty and they also submitted a performance bond as well. She then asked about the raised cement squares and Director Vela informed the Council they will be removed.

Council Member Andrade expressed her concern with how low the bid was compared to the others.

Mayor Moyer questioned the 15-gallon trees, as it seems small. Director Vela explained the tree size was reduced to accommodate the budget.

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

**Motion Welch/Franklin to adopt Resolution 2018-25; 1) approving a Construction Agreement with Urban Habitat Environmental Landscapes of La Quinta, California for Project No. 2017-10, “Repplier Park Parking Lot Landscape Improvements” in an amount of \$88,467 and a 10% contingency for a total project budget of \$97,314 and rejecting all other bids. 2) Authorizing the Interim City Manager or her designee to make necessary budget adjustments, appropriations and transfers related to the Construction Agreement and approval of change orders within the 10% contingency. 3) Authorizing the Interim City Manager or her designee to execute the Construction Agreement. Motion carried, 5-0.**

2. Recommendation by Downtown Ad Hoc Committee to Research Micro Business Incubator

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

Council Member Welch expressed his support of such a project.

Council Member Peterson asked who all is interested in this type of project. Manager Shove has received interest from the Brewery and Station Tap House. Council Member Franklin explained this is what the Ad Hoc Committee would like staff to look into.

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

Interim City Manager Clayton requested Council provide staff with a priority level and timeline for staff to return with findings.

Council Member Peterson would like staff time to be spent on bigger business instead of a food court.

Council Member Andrade agrees she would like big businesses to come to Banning, but the Committee would like to make Banning more attractive for those business and believes this is a first step.

Council Member Welch asked Mr. Ed Parker with Brew Rebellion to offer his insight. He believes this would be a good project for the City. He is willing to work with the City to get something started.

Council Member Franklin asked staff how long it would take to bring something back. Manager Shove indicated he believes something could be prepared and brought back by the first meeting in May.

**Motion Welch/Franklin to Concur with the Downtown Ad Hoc Committee in directing staff to develop a micro business incubator concept for the City Council to consider as part of the revitalization effort for the downtown area at their first meeting in May. Motion carried, 5-0.**

3. Resolution 2018-07, Awarding Contract for Security Services at City Parks

This item was pulled by staff and will be brought back to a future meeting.

**PUBLIC HEARING**

1. Resolution 2018-26 Approving a 12-Month Extension for Tentative Parcel Map (TPM) 33326, Located Generally North of Sun Lakes Boulevard and East of Highland Springs Avenue

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

The Mayor asked if the investment company is interested in developing the property themselves or selling to developers.

Beau Cooper, the Entitlement Manager with United Engineering Group advised that the investment group is currently marketing and looking for commercial developers to come in to develop the parcel.

Council Member Andrade asked what the property owner's intention was. Mr. Cooper advised it is their intention to continue marketing the parcel.

There was some discussion among the Council regarding the benefits of having an approved parcel map, ingress and egress to the property, and the history of the parcel.

The Mayor opened the Public Hearing.

Julio, Albertson's Store Director, expressed concern about citizen access to this property, as the traffic on Highland Springs is already an issue. Mayor Moyer asked him to contact him and he will meet with him personally to discuss.

Seeing no further comments, the Mayor closed the Public Hearing.

**Motion Peterson/Welch to Adopt Resolution 2018-26, approving a 12-month extension of time for TPM 33326. Motion carried, 5-0.**

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

BOARD MEMBERS PRESENT: Board Member Andrade  
Board Member Franklin  
Board Member Peterson  
Board Member Welch  
Chairman Moyer

BOARD MEMBERS ABSENT: None

**REPORTS OF OFFICERS**

1. Water and Wastewater Rate Study and Proposed Rate Update

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

Kevin Burnett with Willdan Financial Services provided a presentation as contained in the Agenda packet.

Mayor Moyer asked Mr. Burnett to explain the peaking methodology, and Mr. Burnett explained.

Council Member Andrade understands some increases are needed, but cannot accept it.

Chairman Moyer opened the item for public comment.

Ellen Carr asked for clarification of the percentage of increase the citizens would see on their bill. She explained how difficult this will be for those on a fixed income like social security.

Mayor Moyer explained that if the recommended increases were adopted, citizens would incur a 3% increase to their water and a 3% increase to sewer (wastewater).

Gary Hironimus thanked Council and staff for returning to the drawing board and coming back with a reasonable plan. Although he doesn't like rate increases, he accepts this one.

He would like the Proposition 218 Notice to not be vague or misleading and instead be very transparent.

Paul Perkins asked about the water reduction requirement from the State. He asked about the well that the people at the quarry were drilling. He recommended conditions be placed on projects to share the responsibility of the costs. He would like transparency as well.

Seeing no further comments, the Mayor closed the public comment.

Council Member Peterson expressed his dissatisfaction with the 218 notice and how the water bond was previously spent (i.e. pool and police station).

Mayor Moyer indicated that the Finance Committee had looked at this very closely and doesn't see a way around the increase if the system is to pay for itself. He requested the 3% every year for five years information get added to the Proposition 218 notice.

Interim City Manager Clayton indicated that staff would update the notice to include all five years and what it means every year.

There was a consensus of the Council to schedule the Public Hearing on May 22, 2018. Council Member Franklin would like it at the beginning of that meeting agenda.

**Motion Welch/Franklin to authorize staff to mail written notice with recommended adjustments to customers and property owners of the proposed update to Water and Wastewater rates in compliance with all requirements of Proposition 218 and California State Law and schedule a Public Hearing on May 22, 2018, to consider adoption of updated Water and Wastewater rates at a date no less than 45 days after mailing the notice. Motion carried, 3-2, with Council Members Andrade and Peterson voting against.**

The Mayor adjourned the scheduled Meeting of the Banning Utility Authority and reconvened the regular City Council Meeting.

#### ITEMS FOR FUTURE AGENDAS

Council Member Franklin would like Ana Cabral, former US Treasurer and former resident of Banning, recognized at the next City Council Meeting.

#### ADJOURNMENT

Mayor Moyer asked for a moment of silence in remembrance of Gail Paparian.

By common consent the meeting was adjourned at 7:58 P.M.

Minutes Prepared by:



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Sonja De La Fuente, Deputy City Clerk

These Minutes reflect actions taken by the City Council. The entire discussion of this meeting can be found by visiting the following website: <https://banninglive.viebit.com/player.php?hash=h0HdcrNCKoX6> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.

## **EXHIBIT A**

Regular Meeting Minutes – 3/13/18

## Exhibit "A"

Sonja De La Fuente

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**From:** emiller1@dc.rr.com  
**Sent:** Monday, March 12, 2018 11:52 AM  
**To:** Sonja De La Fuente  
**Subject:** [BULK] CORRESPONDENCE TO COUNCIL

**Importance:** Low

Hi:

The following is correspondence to the Council that I would like read at the next meeting.

Thanks

Ed

To: The Banning City Council:

From: Ed Miller

California State Proposition 26 was passed eight years ago. That proposition requires our electric utility to only charge us ratepayers exactly what it costs to provide us with electricity. Instead, we, the residents of Banning, have been overcharged illegally three million dollars per year for our electric bills for the last eight years.

How will that money be paid back to us? It is obvious our City does not have any means to do so.

But how did this happen?

It is the responsibility of the City Manager and the staff to be certain that the City follows the rules and regulations of the State which prevent such overcharges. The head of the electric utility was paid about \$170,000 plus benefits per year, in a city with an average income of only \$40,000, and other directors are making close to that. It is inexcusable that the City Council does not have the control of the well paid staff to assure that the rules of the State are being followed.

But this lack of control of the staff by the Council has been long-term, and still continues. The agenda for the last meeting required the Council to approve the contract of the newly appointed City Directors. Such an appointment is a personnel matter, and the Brown Act (which controls how meetings are to be arranged) specifies that personnel matters should be in closed session "to avoid undue publicity or embarrassment for public employees and to allow full and candid discussion". . That agenda is arranged by the City Manager and the Mayor. The City Manager and the Mayor should have placed this item in the closed session, and once receiving the Council's approval of the contract make the offer of employment to the interested party.

We saw the exact opposite. The staff and the Mayor were so secure in ignoring the input of the rest of the Council that a contract and employment offer for the director of the Electric Utility were made without any formal Council input. Furthermore, it appears that the majority of the Council was only informed of that decision by the appearance of the appointment contract in the agenda packet, with an employment date immediately following the Council meeting.

To further emphasize the disdain for the Council by the staff, the Assistant City Manager baldly stated that the contract was written by simply copying an old contract directly, without bothering to incorporate changes made by the Council since that time.

The City Attorney said that this contract discussion could be moved to the next closed session, but Mayor Moyer strongly insisted that it be settled that night.

This resulted in exactly what the Brown act was designed to prevent: the embarrassment and incompleteness of negotiations of a personnel contract in open session with the candidate present. Obviously, a careful discussion of such an important contract was impossible under these conditions. Despite that fact, Welch, Franklin and Moyer still voted to approve this appointment.

That proved that the Council members will indeed would eventually approve anything placed before them, as the staff assumes. It also proves the staff and Council's willingness to ignore the spirit of the Brown Act.

But that is not the way things should be. How do you think the Board of any major corporation would handle unapproved contracts, candidates and out-dated documents given them to approve without prior discussion?

The contempt the staff shows the Council and the residents of Banning is further openly manifest in the work schedule of the staff. The staff work-week was reduced to four days a week a decade ago in return for a salary reduction when the city was in financial crisis. When salaries were returned to appropriate levels, the Council decided that the city should return to a normal work-week, and all contracts were then written specifically stating the work-week to be five days (Monday through Friday). But Banning still has the four day work schedule for Managers and Directors, and that this reversion to the normal work-week demanded by the Council has been completely ignored. The current work schedule is indicative of Banning being run as a sleepy, 19th century town

Is it possible that the staff would have known about the rules for correct utility rates if they had the usual work-week? Is it possible that contracts would be written correctly if the staff had the usual work-week? Wouldn't it be refreshing if Banning were run as a modern twenty first century city?

Council member Andrade stated that Banning is considered the Death Valley for business. It is Death Valley for many residents who cannot afford the ever increasing cost of living here. The Council's acceptance of the staff's failure to be exact, careful, and professional, and the Council's failure to provide the necessary oversight is contributing to that decline.

Ed Miller  
5088 Breckenridge Avenue  
Banning Ca 92220

## **EXHIBIT B**

Regular Meeting Minutes – 3/13/18

Exhibit "B"

As Mr. Miller points out the transfers have been going on for several years, including the four years he sat on the Council and approved budgets that included the same transfers. It was the current Council who discovered the issue and took immediate steps to limit the City's liability and insure things are being done properly. Also, it is this Council demonstrating transparency that brought the subject to the public's attention.

Mr. Miller was correct in his assessment of the last meeting left a lot to be desired. There certainly was confusion and everyone involved was embarrassed. However, his assumptions, or provided information, are not totally correct. Yes, a previous Council adopted a policy that contracts for City directors must have Council approval. It certainly would have been desirable to be able to have reviewed and made any recommended amendments to the contract in closed session. It would also have been preferred that the hiring offer did not happen prior to the Council seeing the contract. In addition, it did not help the situation that the candidate was sitting in the audience and was due to start work the very next morning. For all of this I apologize to the public.

I agree that staff should have followed direction and allowed Council review of the contract prior to offering the position. However, there was no Brown Act violation as Mr. Miller indicates. In these matters the final contract must be approved in open session, and by law certain details of the contract must be provided to the public at the time of approval. Staff acted as they felt was correct, and following the advice of the City Attorney. Measures have been taken to insure this type of embarrassing situation will not occur in the future.

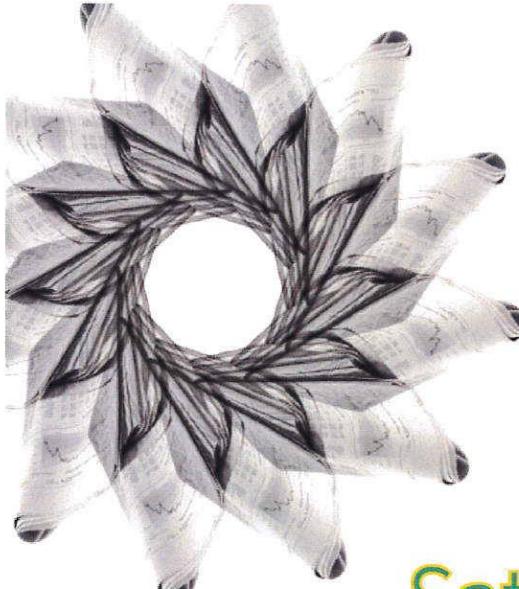
Finally, yes, the contract was approved as amended, pending the candidate's acceptance of the amendment. That amendment had to do with a reduction in the severance clause. The other issue of "sick leave and vacations" that Mr. Miller mentions are set in the City's approved labor policies. These adopted policies will be revisited by Council, but in this case are what had to be followed.

Respectfully,

George Moyer

## **EXHIBIT C**

Regular Meeting Minutes – 3/13/18



*free*



# COMMUNITY CLEAN UP EVENT

Exhibit "C"

**Saturday, April 14, 2018**

**Dysart Park (South end of 22nd Street)**

**8:00am-1:00pm**

## ACCEPTABLE ITEMS:

- Washers/Dryers • TVs • Microwaves • Air Conditioners • Electronic Waste
- Refrigerators/Freezers • Chairs/Couches/Tables • Box Springs/Mattresses
- Barbecue/Patio Furniture • Bundled Branches • Bagged Green Waste • Household Batteries

\*Free document shredding (remove binder clips & other hardware)

## ITEMS NOT ACCEPTED:

- LATEX, OIL, OR PAINT • FLUORESCENT LIGHT TUBES • EMPTY DRUMS • CAR BATTERIES
- MOTOR PARTS OR MOTOR OIL • POOL CHEMICALS • COMMERCIAL OR REMODELING WASTE
- TRANSMISSION/BRAKE FLUIDS • WEED KILLERS/HERBICIDES • BLEACH/TUB & TILE CLEANER
- FERTILIZERS • PESTICIDES & RODENT POISONS • ANTI-FREEZE • SOLVENTS/GASOLINE • ENGINES • TIRES
- OTHER HAZARDOUS WASTE

**\*BANNING RESIDENTS ONLY, PHOTO ID OR UTILITY BILL IS REQUIRED.**

**PLEASE BE PREPARED TO OFF LOAD YOUR MATERIALS.**

**Please call Waste Management at (800) 423-9986 with any questions.**

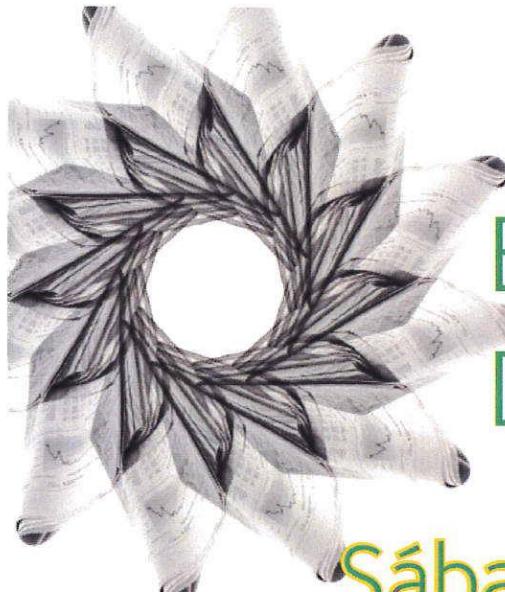
## DID YOU KNOW ABOUT OUR FREE SERVICES?

### Bulky Item Pick Up

Residents may request a free bulky item pick up on their regular service day. The program allows residents to dispose of larger items that cannot fit into the regular trash cart. Bulky items include chairs, sofas, appliances, bed frames, mattresses, lawn furniture, tires (up to four per request), etc. Call Waste Management at (800) 423-9986.

### Disposal of Used Motor Oil

As part of your bulky item collection program, residents may request the collection of used motor oil. A maximum of two gallons per month will be collected for free. Call Waste Management at (800) 423-9986.



# EVENTO COMUNITARIO DE LIMPIEZA GRATUITO

**Sábado, 14 de abril de 2018**

**Dysart Park (Extremo sur de 22nd Street)**

**8:00am-1:00pm**

**ARTÍCULOS ACEPTABLES:**

- Lavadoras/secadoras • TV • Microondas • Aires acondicionados • Desechos electrónicos
- Refrigeradores/congeladores • Sillas/sofás/mesas • Colchones y bases de colchón
- Barbacoas y muebles de patio • Ramas atadas • Desechos orgánicos del jardín embolsados • pilas de uso doméstico

\* Trituración gratuita de documentos (Retire los clips de carpetas y otros accesorios)

**ARTÍCULOS NO ACEPTADOS:**

**LÁTEX, ACEITE O PINTURA • TUBOS FLUORESCENTES • BIDONES VACÍOS • BATERÍAS DE AUTOS • PIEZA DE MOTOR O ACEITE DE MOTOR • PRODUCTOS QUÍMICOS PARA PISCINAS • DESECHOS COMERCIALES O ESCOMBROS DE REMODELACIONES • FLUIDO DE FRENO Y DE TRANSMISIÓN • MATAMALEZAS/ERBICIDAS • LEJÍA/LIMPIADORES DE BAÑERAS Y AZULEJOS•FERTILIZANTES • PLAGUICIDAS Y VENENO PARA ROEDORES • ANTICONGELANTE • DISOLVENTES/GASOLINA • MOTORES • LLANTAS • OTROS DESECHOS PELIGROSOS**

**\* PARA RESIDENTES DE BANNING ÚNICAMENTE, ES NECESARIO PRESENTAR UN DOCUMENTO DE IDENTIFICACIÓN CON FOTO O UNA FACTURA DE UN SERVICIO PÚBLICO.  
VENGA PREPARADO PARA DESCARGAR SUS MATERIALES.**

Llame a Waste Management si tiene alguna pregunta al (800) 423-9986.

## ¿SABÍA USTED ACERCA DE NUESTROS SERVICIOS GRATUITOS?

### Recolección de artículos voluminosos

Los residentes pueden solicitar la recolección gratis de un artículo voluminoso el día de su servicio de recolección regular. El programa permite a los residentes desechar artículos de mayor tamaño que no caben en el carrito regular de basura. Entre los artículos voluminosos se incluyen: sillas, sofás, electrodomésticos, armazones de camas, colchones y llantas (hasta cuatro por solicitud), muebles de jardín, etc. Llame a Waste Management al (800) 423-9986.

### Eliminación de aceite de motor usado

Como parte de su programa de recolección de artículos voluminosos, los residentes pueden solicitar la recolección de aceite para motor usado. Se recolectará de forma gratuita un máximo de dos galones

## **EXHIBIT D**

Regular Meeting Minutes – 3/13/18

**County of Riverside  
Community Action Partnership****GET YOUR TAXES DONE FREE!**

**If you earned less than \$66K in 2017 and had no business losses or rental income you qualify!**

Items to bring to get your taxes done for free:

Identification – No Copies

- Driver's License
- California ID
- Military ID
- Social Security Cards – For you and all dependents you can claim.

Income and Earnings

- W-2 Forms
- 1099 Forms
- Self-Employment Income
- Unemployment Income

Education Expenses

- 1098-T Forms
- Receipts for Books

Childcare Expenses

- Proof of Childcare Expense

Health Insurance Expenses

- 1095 Forms A, B or C
- Exemption Notification
- Out of Pocket Medical Expenses

If you purchased or own a Home

- 1098 Statement
- HUD-1 Form

Miscellaneous

- Charitable Contributions
- Vehicle Registration
- Work Related Expenses

Reminders:

- Bring previous year's tax documents.
- For Direct Deposit, you must bring a direct deposit form from your bank with routing and account numbers or bring a blank check.

[www.capriverside.org](http://www.capriverside.org)



For more information call Community Action Partnership at (951) 955-4900.

## COUNTY OF RIVERSIDE COMMUNITY ACTION PARTNERSHIP VITA/EITC PROGRAM

## FREE TAX PREPARATION SITES

\*\*\*\*\*SITES OPEN JANUARY 26, 2018\*\*\*\*\*

www.capriverside.org

CITY	NAME OF SITE	ADDRESS	HOURS OF OPERATION	APPOINTMENT REQUIRED
Beaumont	Albert Chatigny Community Center (Beaumont)	1310 Oak Valley Parkway Beaumont, CA 92223	Tuesday & Thursday 9 am to 1 pm	Appt Only (951)769-8539
Blythe	Blythe Community Center	445 N Broadway Blythe, CA 92225	Monday through Thursday 9 am - 1 pm <b>Closed 2/12 &amp; 2/19</b>	Appt Only (760) 921-5080
Corona	Hope Through Housing Corona Del Oro Apts	680 W 2nd Street, Corona, CA 92882	Wednesday 4 pm- 7 pm Saturday 9 am - 3 pm	Appt & Walkin (951)551-4053
Desert Hot Springs	Desert Hot Springs FRC	14291 Palm Drive Ste 108 Desert Hot Springs, CA 92240	Wednesday & Thursday 9 am - 3 pm	Appt Only (760)288-3313
Highgrove	Highgrove Library	530 Center St., Riverside, Ca 92507	Saturday 10:30 am - 2 pm	
Indio	Martha's Village	83791 Date Ave, Indio, CA 92201	Friday 4 pm - 7 pm Saturday 9 am - 4 pm	
Indio	Catholic Charities	83-180 Requa Ave Ste 9B Indio, CA 92201	Wednesday & Thursday 9 am - 12 pm	
Jurupa Valley	Louis Robidoux Library	5840 Mission Blvd. Jurupa Valley, CA 92509	Saturday 10:30 am - 3:30 pm	
Lake Elsinore	Lake Elsinore Senior Center	420 E. Lakeshore Dr. Lake Elsinore, CA 92530	Tuesday & Wednesday 9 am - 3 pm	Appt Only (951)328-1575
Lake Elsinore	Vick Knight Community Library	32593 Riverside Dr, Lake Elsinore, CA 92530	Saturday 10:30 am - 3:30 pm	
Mead Valley	Charles Meigs Senior Center (Mead Valley)	21091 Rider St Perris, CA 92570	Thursday 9 am - 1 pm	Appt Only (951)210-1587
Mecca	Mecca WIC Office	91275 Avenue 66 Mecca, CA 92554	Tuesday 9:30 am -3:30 pm	
Moreno Valley	Moreno Valley Library	25480 Alessandro Blvd, Moreno Valley, CA 92553	Tuesday 3 pm - 7 pm Saturday 10 am - 3 pm	
Norco	Norco Community College	2001 3rd St, Rm IT 202 Norco CA	Saturday 8:30am - 12:30pm <b>Closed 2/10, 2/17 &amp; 4/14</b>	
Palm Springs	Desert Aids Project	1695 North Sunrise Way Palm Springs, CA 92262	Wednesday & Thursday 9 am - 1 pm	
Perris	Perris Valley FRC	2055 N. Perris Blvd C-1 Perris, Ca 92571	Friday & Saturday 10:30 am - 3:30 pm	
Riverside	Cesar Chavez Community Center	2060 University Ave. Riverside, CA 92507	Tuesday, Wednesday, & Thursday 3 pm - 6 pm	
Riverside	Riverside City College	4800 Magnolia Ave. Riverside, CA 92506	Friday 3 pm - 7 pm Saturday 9 am - 3 pm <b>Closed 2/16 - 2/19 &amp; 3/30 - 3/31</b>	
Riverside	Casa Blanca Library	2985 Madison St. Riverside, CA 92504	Friday & Saturday 10:30 am - 3:30 pm	
San Jacinto	Mt. San Jacinto College	1499 N. State St. San Jacinto, CA 92583 BLDG 100 ROOM 111	Saturday 9 am -3 pm <b>Closed 2/10, 2/17 &amp; 4/14</b>	

For more information call Community Action Partnership at (951) 955-4900.

Revised 1/10/2018