

MINUTES
CITY COUNCIL

04/09/2019
REGULAR MEETING

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

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT Doug Schulze, City Manager
Kevin 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 April 9, 2019, at 5:00 p.m. at the Banning Civic Center Council Chamber, 99 E. Ramsey Street, Banning, California.

Mayor Welch offered the invocation.

Mayor Welch led the audience in the Pledge of Allegiance.

Mayor Welch stated that there had been a change made to the agenda to which the Council was aware of and thus entertained a motion to approve the agenda as presented.

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

None

IV. REPORT ON CLOSED SESSION

City Attorney Kevin Ennis provided a brief report out of closed session as follows:

1. CONFERENCE WITH LABOR NEGOTIATOR
Pursuant to Government Code Section 54957.6
Agency Designated Representative: Doug Schulze, City Manager
Unrepresented Employees: Department Directors. **Direction given to City Negotiation with respect to this item.**
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9) (One Case). **Status report was provided. No reportable action.**

V. PUBLIC COMMENTS, CORRESPONDENCE, AND APPOINTMENTS

Correspondence was received regarding item No. 5 from Frances Flanders of Cherry Valley.

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

Ellen Carr spoke on behalf of Tender Loving Critters reminding the community to spay and neutered their pets; and spoke about the services they provide.

Inge Schuler addressed some issues pertaining to the previous Council meeting regarding the email issue, in which she was named and provided a copy of what she believed was the proof. Ms. Schuler also made comments relative to the dynamics of communication amongst Councilmembers, and recommended to have everyone acquainted with the rules of decorum, Brown Act and parliamentary procedure. Additionally, she commented on the issue of the Downtown Ad-hoc committee members and the reasons why certain members want to be a part of it.

Don Haggan commented on economic development issues stating that the City of Banning was losing businesses.

Bill Hobbs spoke relative to business development stating that he took a positive view about the direction of the City; spoke of the Coffee with the City Manager events, which he thought were a good idea; made reference to Section 9.10 of the City Council Rules of Procedure related to ethical standards, and commented that such rules had

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Don Haggan commented on economic development issues stating that the City of Banning was losing businesses.

Bill Hobbs spoke relative to business development stating that he took a positive view about the direction of the City; spoke of the Coffee with the City Manager events, which he thought were a good idea; made reference to Section 9.10 of the City Council Rules of Procedure related to ethical standards, and commented that such rules had

been violated by a member of the City Council. He related that while attending a tennis event recently, he received a call from Councilmember Peterson making derogatory comments about City personnel as well as the City of Banning, which he thought were inappropriate from a member of the City Council; he stated that he did not appreciate to be called out simply because he happened to support the City Manager and new Police Chief.

Councilmember Peterson asked for a point of privilege and clarified the situation that Mr. Hobbs spoke about stating that he had made contact with Mr. Hobbs in reference to the slide of the presentation the City Manager had done at Sunlakes.

Diego Rose addressed the City Council on the work being done in the City, and thanked Public Works Director Art Vela; commented on beautification of the City; mentioned that the savings from having LED lights were not passed on the consumer, and that they should; and made comments relative to taxes.

David Ellis commented on the public records request, which also included him and presented the same document as Ms. Schuler as proof; made comments as to whether or not the City Manager could be trusted; mentioned a Supreme Court case related to first amendment rights dated June 18, 2018, which allows people the right to say anything they want to say in front of the City Council; suggested the City should send the Fire Marshall to conduct an inspection of dead trees, which represents a real fire hazard.

APPOINTMENTS:

1. Appointment to Parks & Recreation Commission.

Mayor Welch opened the floor for nominations for a vacancy on the Parks and Recreation Commission to fill the remainder of the term vacated by former Parks and Recreation Commissioner Richard Sanchez.

A motion was made by Councilmember Peterson to nominate Laura Leindecker to the Parks and Recreation Commission. Motion did not receive a second, therefore motion died.

A motion was made by Councilmember Wallace to nominate Vickie Sellers to the Parks and Recreation Commission. Seconded by Mayor Pro Tem Andrade. Electronic vote was taken as follows:

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

A motion was made by Mayor Welch to nominate Frank Diaz to the Parks and Recreation Commission. Seconded by Councilmember Peterson. Electronic vote was taken as follows:

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

The nomination of Vickie Sellers carried 4-1, therefore, Vickie Sellers was thereby appointed as Parks and Recreation Commissioner to fill the remainder of the term vacated by former Commissioner Richard Sanchez, said term due to expire on January 18, 2021.

VI. CONSENT ITEMS

Mayor Welch asked if the Council wished to pull any items.

Councilmember Happe requested that item No. 5 be pulled for further discussion.

A motion was made by Councilmember Peterson, seconded by Mayor Pro Tem Andrade 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 – 3/26/19 Minutes (Closed Session)

Action: Approved by Minute Order No. 2019-052

2. Approval of Special Meeting - 3/26/19 Minutes (Workshop)

Action: Approved by Minute Order No. 2019-053

3. Approval of Regular Meeting – 3/26/19 Minutes (Regular Meeting)

Action: Approved by Minute Order No. 2019-054

4. Contracts Approved Under City Manager Authority for March, 2019

Action: Approved by Minute Order No. 2019-055

5. Approval of Measure A Five-Year Capital Improvement Program. (Pulled)

Councilmember Happe commented that he wanted to have staff provide clarification of the timing of a specific project, and to address the correspondence received regarding this item; he inquired about re-prioritizing the Sunlakes Boulevard extension from Highland Home to Sunset.

Art Vela, Director of Public Works/City Engineer presented the staff report and answered Council's questions stating that this was a high priority project, however, it had been pushed back several times because the alignment that was shown in the circulation element of the General Plan, the City did not have the right-of-way for, and because the property owner was not ready to dedicate that right-of-way to the City.

Further, Mr. Vela stated that a possible solution to deal with the right-of-way issue lied in a found alignment that reduces or eliminates completely any alignment challenges and that they will propose additional steps moving forward in terms of the actions that need to be taken.

Councilmember Happe urged staff to make it a priority for the benefit of the community.

Public Comment

David Ellis spoke in favor of the realignment and commented about the J-Hook concept as an option.

A motion was made by Councilmember Happe, seconded by Mayor Pro Tem Andrade 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. 2019-38

6. Approval of the SB-1 Projects.

Action: Adopted Resolution No. 2019-39

7. Resolution, Approving an Agreement with Pyro Spectaculars, Inc. for production of the Fourth of July Aerial Fireworks Display.

Action: Adopted Resolution No. 2019-40

VII. PUBLIC HEARING(S)

1. Resolution 2019-03; General Plan Amendment 18-2501; Ordinance No. 1541 approving Zone Change 18-3501 and making findings pursuant to CEQA; Design Review 18-7001; and Environmental Assessment 18-1501 for the Proposed Development of a 146,890 Square Foot Industrial Building within the General Commercial (GC) Land Use District Located on Developed and Undeveloped Property Located at 1897 West Lincoln Street, 1661 West Lincoln Street, 1617 West Lincoln Street, 1589 West Lincoln Street and Vacant Parcels to the East (APNs: 538-230-014, 538-220-002, 538-220-003, 538-220-004, 540-180-041, 540-180-042, 540-180-043, 540-180-044 & 540-180-045
(Staff Report – Adam Rush, Community Development Director)

Recommendation(s): 1) Continue the public hearing to Tuesday, April 23 based upon the applicant's request; and 2) Applicant's request attached herein.

Adam Rush, Community Development Director stated that at the request of the applicant, staff was recommending a continuation of this item to the April 23, Council meeting.

There was no public comment.

A motion was made by Councilmember Happe, seconded by Mayor Pro Tem Andrade to continue the public hearing and agenda item to April 23. Electronic vote was taken as follows:

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

Action: Public Hearing and agenda item continued to April 23, by Minute Order No. 2019-056

2. Resolution No. 2019-04 and Ordinance No. 1542, Approving Zoning Text Amendment 19-97501 amending chapter 17.53 of Title 17 of the Banning Municipal Code to reduce the separation requirements between commercial cannabis cultivation, manufacturing, and testing laboratory uses and residentially zoned property and amending the definition of "Canopy Space."
(Staff Report – Adam Rush, Community Development Director)

Recommendation(s): 1) Open the public hearing, receive public comment, and close the public hearing; 2) Adopt Resolution 2019-04, which is a Resolution of the City of Banning, California recommending that the Council make a determination under CEQA Guidelines Section 15060(c)(3) and 15061(b)(1) that the project is exempt from CEQA and approval of Zoning Text Amendment 19-97501 amending Chapter 17.53 of Title 17 of the Banning Municipal Code to

Reduce the separation requirements between commercial cannabis businesses and residentially zoned property and amending the definition of “canopy space”; 3) Making a determination under 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, and further that under CEQA Guidelines Section 15061(b)(1) the project is exempt from CEQA as it is exempt by statute (Business and Professions Code Section 26055(h)); and 4) Recommending that the City Council approve Zoning Text Amendment 19-97501 to amend Chapter 17.53 of the Municipal Code to reduce the separation requirement between commercial cannabis cultivation, manufacturing, and testing laboratory uses and residentially zoned property from 600 to 300 feet, and to amend the definition of canopy space.

Mayor asks the City Clerk to read the title of Ordinance 1542

“Ordinance 1542, an Ordinance of the City of Banning, California, Amending Chapter 17.53 of Title 17 of the Banning Municipal Code to reduce the separation requirements between commercial cannabis cultivation, manufacturing, and testing laboratory uses and residentially zoned property and amending the definition of “Canopy Space”, and making a determination pursuant to CEQA.”

Motion: **I move to waive further reading of Ordinance 1542**
(Requires a majority vote of the Council)

Motion: **I move that Ordinance No. 1542 pass its first reading**

Adam Rush, Community Development Director presented the staff report providing a summary of the background of the actions taken thus far by the City Council with respect commercial cannabis cultivation, manufacturing, and testing laboratory uses and no retail authorized under this ordinance. He indicated that multiple inquiries seeking clarification had been received over a long period of time with respect to two issues, one being the definition of canopy space, more specifically, he stated that this ordinance will add a definition to the municipal code calculating canopy space in square footage and measuring clearly identifiable boundaries of all areas containing mature plants at all times; he stated that staff was also including within this definition that canopy space may be non-contiguous, in separate areas of the building but the total calculation has a maximum limit that could be separated by identifiable boundaries that staff will be reviewing as part of the CUP and building permit process; spoke about mature plants being cultivated by a shelving system and related requirements for this process.

He provided the background on the state code requirements in terms of distances from sensitive uses such as: schools, kindergarten facilities, day care centers, which was 600 feet with no state requirement for residential separation; however, there was

a 600 feet separation from residential zoned property with a proposal to decrease that separation to 300 feet.

Community Development Director Adam Rush indicated that the other issue of concern was the 600 feet separation, which would create impediments for business owners on multiple fronts such as being pushed to new construction etc. Mr. Rush stated that in being able to push that setback from 600 feet to 300 feet, it would then allow existing facilities to accommodate these businesses; canopy and separation were the main issues of concern.

There were a number of questions from the Council with respect to distances, zoning requirements, setbacks, projection of income, impact upon current properties, eliminating the restriction of the setback and type of cannabis business allowed. A substantive discussion ensued on these and other issues raised by the public.

City Attorney Kevin Ennis reminded the City Council that the City was only allowing three types of activities within the industrial zone, including manufacturing, cultivation of a certain size 10,000 – 20,000, and testing; he also stated that when the City Council considered the relative uses, it wanted to allow and studied the variety of options, there was a policy decision that the Council did not want to have very small operators, which could have created a proliferation of a lot of small operators; the Council then expressed an interest to have medium size operators for purposes of cultivation.

Councilmember Happe expressed frustration relative to the issue of the setback stating that it did not make any sense; he inquired about the former commercial center and whether or not this property was located in the industrial zone, would this property qualify for this type of use; and wanted to know a specific reason for the setback configuration; he expressed that cannabis was an effort to stimulate the economy, however, the rules were impeding development as evidenced by the setback distance; he stated he saw no reason for the setback at all.

Public Comment

Don Haggan, Diego Rose, John Weeks, Laura Leindecker, Frank Burgess, David Ellis, and Ali Rashouk made comments relative to this item, particularly speaking about: setbacks to adjacent properties, health and safety hazards, property values, how the 600 foot distance was measured, possible rezoning of properties, how this fits into the general plan and the overdue general plan update, and eliminating the setback requirement.

Mayor Welch closed the public hearing.

City Attorney Kevin Ellis clarified the following points regarding where the measures were from and stated that “the proposed language that the distances specified in the subsection, meaning the 300 foot separation, shall be the horizontal distance

measured in a straight line without regard for intervening structures from the property line of the lot in which the cannabis business is located to the nearest property line of those uses described”; the second point, Mr. Ennis sought to clarify was on the variable issue stating that the setback was just one of the criteria in order to get permission to operate under the city’s ordinance, they have to get a regulatory permit but then, they also have to get a Conditional Use Permit (CUP); thus there will be an opportunity to look at each one of these proposals on a case-by-case basis. He also stated that the Council could reduce the separation standard if the Council so desired.

Mayor Welch reopened the public hearing.

Diego Rose spoke in favor or rezoning parts of Hathaway to accommodate new cannabis businesses.

Frank Burgess urged the Council that since the public hearing was reopened the Council needs to make a motion to postpone or approve.

Mayor Welch closed the public hearing.

City Attorney Kevin Ennis suggested that the City Council could make changes in terms of the separation distance and staff could make the changes so that the ordinance could be introduced and approved at this meeting subject to the amendments directed to staff by the City Council.

A motion was made by Councilmember Happe, to adopt the Ordinance with modification to the language that would eliminate the setback, seconded by Mayor Pro Tem Andrade. City Attorney Kevin Ennis stated the Council would be introducing the ordinance as amended. Electronic vote was taken as follows:

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

Action: **Introduced Ordinance No. 1541with amendments on first reading, and approved General Plan Amendment No. 18-2501**

The City Council recessed for a short break at 7:17 p.m. and reconvene at 7:27 p.m.

VIII. ANNOUNCEMENTS AND REPORTS

CITY COUNCIL COMMITTEE REPORTS

Councilmember Peterson – None

Councilmember Wallace reported on having attended the Community Action Committee Partnership meeting and that she had been promoted to Commissioner.

Councilmember Happe – None

Mayor Pro Tem Andrade spoke about the upcoming Coffee with the City Manager event and encouraged everyone to attend.

Mayor Welch thanked Banning staff for an excellent job during the Disaster Expo on Saturday, April 6. Mayor Welch also reported on the passing of former Mayor/Councilmember Don Smith, and requested that the meeting be adjourned in memory of Don Smith, a long-time resident of the City of Banning and an avid advocate of the City.

REPORT BY CITY ATTORNEY

None

REPORT BY CITY MANAGER

City Manager Douglas Schulze made several announcements including: the Community Clean-up at Dysart Equestrian Park on Saturday April 13; spoke about the LED street light conversion spoken during public comment, and stated that with any conversion there was a cost associated with it, which ultimately pays-off over a five-year span for the initial cost, however, during those five-years it was hard to predict what the cost of electricity could be and therefore, the cost of operating the street lights was of benefit to the community.

City Manager Douglas Schulze reiterated that on the issue of the public records request, there was no records request submitted to the City of Banning, which was what he had conveyed at the last Council meeting; it was submitted to the City of Bainbridge Island.

REPORT OF OFFICERS

1. Proposed Memorandum of Understanding from Banning Chamber of Commerce.

(Staff Report – Douglas Schulze, City Manager)

Recommendation: Staff Recommends the City Council Review, Discuss and Provide Direction Regarding the Proposed Memorandum of Understanding (MOU) with the Banning Chamber of Commerce.

City Manager Douglas Schulze presented the staff report and answered Council's questions with respect to the benefits derived to the City, and the cost of service.

Public Comment

Frank Burgess, Chamber of Commerce Board member spoke in support of approving the item.

Robert Ybarra, Chamber of Commerce President addressed the City Council advocating for approval of the item due to the events that the Chamber can assist the City with and the benefits to the residents and business community.

Upon receiving further inquiries from the Council, City Manager Douglas Schulze stated that he was simply seeking direction and some level of support with respect to the items included in the proposal, and that he will come back at the next meeting with an amount and a formal Memorandum of Understanding (MOU) for the Council to consider.

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

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

Action: Approved by Minute Order No. 2019-057

2. Proposed Amendment to Section 3.18.030 (D) of the Banning Municipal Code, Updating the Methodology for Calculating the Annual Consumer Price Index Adjustment to the Mining Tax Rate.

(Staff Report – Douglas Schulze, City Manager)

Recommendation: That the City Council Review the Proposed Methodology Update for Calculating the Mining Tax Rate Annual Increase Based on Data from the Consumer Price Index (CPI) for Riverside-San Bernardino-Ontario Index and Comment or Provide Alternate Direction to Staff Before Proceeding with a Public Hearing.

City Manager Douglas Schulze presented the staff report and stated that due to the change made by the Bureau of Labor Statistics for the area that the CPI Banning was within, the City must look at new methodology to compute the rate; and because the City was within the Los Angeles-Riverside-Anaheim CPI Index, however, presently, the City was within the Riverside-San Bernardino-Ontario Index; further, because this was the first year for the new index, the City did not have a year-over-a-year comparison; thus the City will need to continue using the old Index (Los Angeles-Riverside-Anaheim).

There were several questions from the Council related to: reduction of the per ton rate from 80 cents to 25 cents; whether or not the settlement agreement dictated such reduction; and increasing the rate back up to 80 cents through formal Council action.

A lengthy discussion ensued with respect to the history of the former lawsuit (s), and the legal issues that led to the reduction of the rate.

Mayor Welch provided a historical perspective of the issues surrounding this matter, which lead to the legal challenges and ultimate the settlement agreement.

City Attorney Kevin Ennis asserted that he would want to first review the allegations of the lawsuit to determine if it would be based upon the rate that a lawsuit could resurface before rendering a legal opinion.

Public Comment

Don Haggan asked if the city was still in pending litigation with respect to the rate.

A motion was made by Councilmember Happe, 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: Approved by Minute Order No. 2019-058 with direction given to the City Manager.

3. Adopt Resolution, Approving the Maximum Compensation and Benefits for City Executive Department Directors.

(Staff Report – Douglas Schulze, City Manager)

Recommendation(s): 1) Adopt Resolution, Approving the Maximum Compensation and Benefits in City Executive Department Director Employment Contracts, Including the City Manager, Administrative Services Director/Deputy City Manager, Community Development Director, Community Services Director, Electric Utility Director, Police Chief, and Public Works Director/City Engineer, Approving a Minimum Cost of Living Adjustment (“COLA”) Increase of One Percent (1%) and Maximum of Two Percent (2%) Based on Annual Consumer Price Index for Urban Wage Earners (CPI-W), and Approving Benefits; 2) Authorize the Administrative Services Director to Make the Necessary Budget Adjustments, Appropriations and Transfers.

City Attorney Kevin Ennis stated that there were some recommended changes to the proposed resolution specifically the recommendation was not to have the resolution apply to the City Manager or the Police Chief; the second change was with respect to the annual cost of living adjustment (COLA) for Director’s salary equivalent to the annual consumer price index with a minimum increase of one percent (1%) and a maximum increase of three percent (3%).

Councilmember Peterson alluded to his remarks made at the last meeting relative to pay parity with the newly appointed Police Chief; that the Council had directed the City Manager to review the comprehensive benefit package recommended and consider it during the upcoming organizational changes that he was considering in the near future.

There was no public comment

A motion was made by Councilmember Wallace, seconded by Mayor Pro Tem Andrade to approve the item with the changes alluded to earlier by the City Attorney. Electronic vote was taken as follows:

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

Action: Adopted Resolution No. 2019-41

4. Adopt Resolution, Awarding a Professional Services Agreement to Webb Municipal Finance, LLC for the Financial Analysis and Redevelopment of Landscape Maintenance District No. 1 in the amount of \$74,789, which includes a 10% Contingency.

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

Recommendation(s): 1) Awarding a Professional Services Agreement for the Financial Analysis and Redevelopment of Landscape Maintenance District (LMD) No. 1 to Webb Municipal Finance, LLC in the amount of \$67,990 and authorize an additional 10% contingency (\$6,799) for a total amount of \$74,789; 2) Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to the Professional Services Agreement for the Financial Analysis and Redevelopment of LMD No.1; 3) Authorizing the City Manager or his designee to execute the Professional Services Agreement with Webb Municipal Finance, LLC of Riverside, California in the amount of \$74,789; and 4) Authorizing the City Clerk to certify the adoption of this resolution and to have said resolution filed in the book of original resolutions.

Art Vela, Director of Public Works/City Engineer presented the staff Report. There were no questions from the Council.

There was no public comment

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. 2019-42

IX. DISCUSSION ITEM - None

BANNING UTILITY AUTHORITY (BUA) – Next Meeting, April 23, 2019, at 5:00 p.m.

BANNING FINANCING AUTHORITY (BFA) – no meeting.

X. ITEMS FOR FUTURE AGENDAS

1. Mills Act Update
2. Fee Suspension Update
3. Website Redesign
4. Street Naming Policy to Honor Land Owners
5. Contingency Plan for Residents During Emergencies
6. Appraisals Update
7. Honor Banning High School Senior Aliyah Amis
8. Golf Carts
9. Empty Lots Clean Up
10. Enterprise Zone
11. Police Audit

XI. ADJOURNMENT

By consensus, the meeting was adjourned at 8:11 P.M in memory of Mr. Don Smith former Mayor/Councilmember of the City of Banning and a moment of silence was observed.

Minutes Prepared by:


Daryl Betancur, Deputy City Clerk

NOTICE: Minutes of the City Council are prepared in abbreviated format and accordingly need not be verbatim. Only the best and most complete available

recording of the meeting shall constitute the official record of the legislative body, but minutes shall constitute the official record of the legislative body meeting where a verbatim record of the meeting is not *available (Section 5.10 Minutes and Recordings, City Council Rules of Procedure, p. 10)*.

These Minutes reflect actions taken by the City Council. The entire discussion of this meeting can be found by visiting the following website: <https://www.ci.banning.ca.us/ArchiveCenter/ViewFile/Item/2058> or by requesting and paying for a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.