



AGENDA

REGULAR MEETING OF THE BANNING CITY COUNCIL

CITY OF BANNING, CALIFORNIA

March 10, 2020
5:00 p.m.

Banning Civic Center
Council Chamber
99 E. Ramsey Street

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

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

I. CALL TO ORDER

1. Invocation – Merle Malland, Police Chaplain
2. Pledge of Allegiance
3. Roll Call – Councilmembers Happe, Wallace, Welch, and Mayor Andrade

II. AGENDA APPROVAL

III. PRESENTATION(S)

1. Mayor's Special Recognition
(*Mayor and City Council*)

IV. REPORT ON CLOSED SESSION

City Attorney

V. PUBLIC COMMENTS, CORRESPONDENCE, AND APPOINTMENTS

PUBLIC COMMENTS – On Items Not on the Agenda

A five (5) minute limitation shall apply to each member of the public who wishes to address the Mayor and Council on a matter not on the agenda. No member of the public shall be permitted to “share” his/her five minutes with any other member of the public. Usually, any items received under this heading are referred to staff for future study, research, completion and/or future Council Action (see last page). PLEASE STATE YOUR NAME FOR THE RECORD.

CORRESPONDENCE

Items received under this category may be received and filed or referred to staff for future research or a future agenda.

APPOINTMENTS

1. Resolution 2020-30, Appointment of District 2 City Council Representative.....	1
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(Staff Report: Douglas Schulze, City Manager)

Recommendation: Adopt Resolution 2020-30, appointing someone to fill the remaining term for the City Council District 2 position effective immediately.

2. Planning Commissioner Appointment.....	3
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(Staff Report: Douglas Schulze, City Manager)

Recommendation: Appoint one candidate to serve as Planning Commissioner for a term of four years.

VI. CONSENT ITEMS

(The following items have been recommended for approval and will be acted upon simultaneously, unless a member of the City Council/Banning Utility Authority wishes to remove an item for separate consideration.)

Mayor to Open Consent Items for Public Comments

Motion: Approve Consent items 1 – 11: Items __, __, __ to be pulled for discussion.

(Resolutions require a recorded majority vote of the total membership of the City Council/Banning Utility Authority/Successor Agency)

1. Minutes – February 25, 2020, Special Meeting (Closed Session)	5
2. Minutes – February 25, 2020, Regular Meeting.....	7
3. Minutes – February 27, 2020, Special Meeting (Interviews)	31

4.	Appropriation of Funds and an Increase to the Purchase Order with A-Z Bus Sales, Inc. for the As-Needed Repairs to the City's Transit Fleet.....	35
5.	Increase to the Purchase Order with Couts Heating and Cooling, Inc. for HVAC Repairs and Emergency Services.....	37
6.	1 st Amendment to the Professional Services Agreement with Stantec Consulting Services, Inc. for the Design of the Reconstruction and Widening of Ramsey Street and Hathaway Street.....	39
7.	2 nd Amendment to the Transportation Uniform Mitigation Fee Program Reimbursement Agreement with Western Riverside Council of Governments for Project No. 2006-06, 'Sunset Avenue Grade Separation'.....	43
8.	Resolutions 2020-31, 2020-4 UA and 2020-2 SA, Approving Amendment No. 3 to the Professional Services Agreement with Lance, Soll & Lunghard, LLP CPAs for Financial Auditing Services	47
9.	Resolution 2020-28, Approving the Census Funding Agreement #2020Census-01 Between the County of Riverside and the City of Banning.....	51
10.	Contracts Approved Under the City Manager's Signature Authority for the Month of January 2020	53
11.	Resolution 2020-25, Approving New and Revised Job Descriptions and Revisions to the Compensation and Classification Plan	55

VII. PUBLIC HEARINGS:

1.	Ordinance 1559, Approving Zoning Text Amendment No. 19-97506 and Section 17.08.100 "Accessory Dwelling Unit Standards" of Title 17 of the Banning Municipal Code in Compliance with Assembly Bills 881, 68, 587 and 670, and Senate Bill 13, Removing Barriers to the Construction of Accessory Dwelling Units and Junior Accessory Dwelling Units	59
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(Staff Report: Adam Rush, Community Development Director)

Recommendation: Ordinance 1559 pass its first reading.

Mayor asks the City Clerk to read the title of Ordinance 1559

"Ordinance 1559, an Ordinance of the City Of Banning, California, Amending Title 17 ("Zoning") of the Banning Municipal Code to Update the City's Development Standards for Accessory Dwelling Units and Establish Development Standards for Junior Accessory Dwelling Units Consistent with State Law, and Making a Determination of Statutory Exemption Under CEQA Section 21080.17 and CEQA Guidelines Section 15282(H)."

Motion: **I move to waive further reading of Ordinance 1559**
(Requires a majority vote of the Council)

Motion: **I move that Ordinance 1559 pass its first reading**

2. Ordinance 1560, an Interim Ordinance Prohibiting the Establishment or Expansion of RV Storage Facilities in all Zones of the City, Making a Determination of Exemption Under the California Environmental Quality Act, and Declaring the Urgency Thereof..... 63
(Staff Report: Adam Rush, Community Development Director)

Recommendation: Adopt Interim Urgency Ordinance 1560.

Mayor asks the City Clerk to read the title of Ordinance 1560

"Ordinance 1560, an Interim Ordinance of the City of Banning, California, Prohibiting the Establishment or Expansion of RV Storage Facilities in All Zones of the City, Making a Determination of Exemption Under the California Environmental Quality Act, and Declaring the Urgency Thereof."

Motion: **I move to waive further reading of Ordinance 1560**
(Requires a majority vote of the Council)

Motion: **I move that Ordinance 1560 be adopted.**

VIII. ANNOUNCEMENTS AND REPORTS:

CITY COUNCIL COMMITTEE REPORTS

REPORT BY CITY ATTORNEY

REPORT BY CITY MANAGER

REPORTS OF OFFICERS

1. Fiscal Year 2018-19 Audited Financial Statements for City of Banning, Banning Utility Authority and Banning Housing Authority 67
(Staff Report: Suzanne Cook, Deputy Finance Director)

Recommendation: Receive and File Fiscal Year 2018-19 Audited Financial Reports and Independent Auditor's Reports for the City, Banning Utility Authority, and the Housing Authority, which were audited by Lance, Soll & Lunghard, LLP.

2. Resolution 2020-33, Adopting the Official City Seal and Ordinance 1561 Amending Municipal Code Pertaining to the Seal Design and Use Restrictions..... **69**
(Staff Report: Douglas Schulze, City Manager)

Recommendations: 1) Adopt Resolution 2020-33. 2) Introduce Ordinance 1561 and read by title only.

Mayor asks the City Clerk to read the title of Ordinance 1561

"Ordinance 1561, an Ordinance of the City Of Banning, California, Amending Section 1.08.10 of the Banning Municipal Code Pertaining to the Design and Restrictions for Use of the City Seal and Penalties for Misuse Thereof."

Motion: **I move to waive further reading of Ordinance 1561**
 (Requires a majority vote of the Council)

Motion: **I move that Ordinance 1561 pass its first reading**

3. Exclusive Negotiation Agreement for 150 E. Ramsey Street..... **71**
(Staff Report: Douglas Schulze, City Manager)

Recommendation: Authorize the City Manager to execute the Exclusive Negotiation Agreement with Sudweeks Development for 150 E. Ramsey Street.

4. Update and Discussion of the Rate Options to Appear on Proposition 218 Ballots for Landscape Maintenance District (LMD) No. 1..... **73**
(Staff Report: Art Vela, Public Works Director)

Recommendations: Determine the Rate Options/Assessment Units to appear on Proposition 218 Ballots for Landscape Maintenance District No. 1.

5. Resolution 2020-32, Awarding a Construction Agreement to Weka, Inc. in the Amount of \$3,735,435 and Establishing a Total Project Budget of \$4,108,978.50 and Rejecting all Other Bids **77**
(Staff Report: Art Vela, Public Works Director)

Recommendation: Adopt Resolution 2020-32.

6. Resolution 2020-27, Authorizing the Submittal of an Application for Grant Funds from the Bureau of Reclamation WaterSMART Grants: Small-Scale Water Efficiency Projects Program for Fiscal Year (FY) 2020, Funding Opportunity No. BOR-DO-20-F006 **81**
(Staff Report: Art Vela, Public Works Director)

Recommendation: Adopt Resolution 2020-27.

7. Budget Processes, Policies and Fund Structures **85**
(Staff Report: Jennifer Christensen, Administrative Services Director)

Recommendation: Adopt the proposed Budgetary Processes, Policies and Fund Structure for the fiscal years ending 2021 and 2022 budget for the City of Banning.

IX. DISCUSSION ITEM

None

X. ITEMS FOR FUTURE AGENDAS

New Items:

Pending Items:

1. Fee Suspension Update
2. Website Redesign
3. CNG Facility Update
4. New Energy Workshop

XI. ADJOURNMENT

Next Meeting – Tuesday, March 24, 2020 at 5:00 P.M.

NOTICE: Any member of the public may address this meeting of the Mayor and City Council on any item appearing on the agenda by approaching the microphone in the Council Chambers and asking to be recognized, either before the item about which the member desires to speak is called, or at any time during consideration of the item. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to "share" his/her five minutes with any other member of the public.

Any member of the public may address this meeting of the Mayor and Council on any item which does not appear on the agenda but is of interest to the general public and is an item upon which the Mayor and Council may act. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to "share" his/her five minutes with any other member of the public. The Mayor and Council will in most instances refer items of discussion which do not appear on the agenda to staff for appropriate action or direct that the item be placed on a future agenda of the Mayor and Council. However, no other action shall be taken, nor discussion held by the Mayor and Council on any item which does not appear on the agenda, unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of Section 54954.2 of the Government Code.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office (951)-922-3102. **Notification 48 hours prior to the meeting** will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.02-35.104 ADA Title II]

Pursuant to amended Government Code Section 54957.5(b) staff reports and other public records related to open session agenda items are available at City Hall, 99 E. Ramsey St., at the office of the City Clerk during regular business hours, Monday through Friday, 8 a.m. to 5 p.m.

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

MEETING DATE: March 10, 2020

SUBJECT: Resolution 2020-30, Appointment of District 2 City Council Representative

RECOMMENDED ACTION:

Adopt Resolution No. 2020-30, appointing one candidate to fill the remaining term for the City Council District 2 position effective immediately.

BACKGROUND:

Don Peterson was elected to City Council District 2 at the November 8, 2016 General Election. Mr. Peterson submitted a letter of resignation, which was effective January 13, 2020. At the January 14, 2020 Regular Meeting of the City Council, the City Council decided to fill the vacancy by appointment.

Interviews of four qualified applicants were conducted on Thursday, February 27, 2020.

JUSTIFICATION:

The City Council has an option to fill vacant positions by appointment or by calling for a special election. The earliest option for a special election is November 2020, which is also the date of the General Election. City Council

FISCAL IMPACT:

Position is budgeted.

OPTIONS:

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

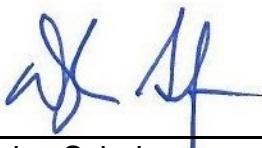
March 10, 2020

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ATTACHMENTS:

1. Application of Alma Dean
<https://banningca.gov/DocumentCenter/View/7052/Application---Alma-Marie-Dean>
2. Application of Jennifer Flesher
<https://banningca.gov/DocumentCenter/View/7053/Application---Jennifer-Flesher>
3. Application of Rick Minjares
<https://banningca.gov/DocumentCenter/View/7050/Application---Rick-Minjares>
4. Application of Kyle Pingree
<https://banningca.gov/DocumentCenter/View/7049/Application---Kyle-Pingree>
5. Public Notice <https://banningca.gov/DocumentCenter/View/7051/Public-Notice>
6. Resolution 2020-30 <https://banningca.gov/DocumentCenter/View/7073/Resolution-2020-32>

Approved by:



Douglas Schulze

City Manager



CITY OF BANNING CITY COUNCIL REPORT

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Sonja De La Fuente, Deputy City Clerk**

MEETING DATE: **March 10, 2020**

SUBJECT: **Planning Commissioner Appointment**

RECOMMENDED ACTION:

City Council appoint one of two candidates to serve as Planning Commissioner for a term of four years.

BACKGROUND:

The Planning Commission (“Commission”) consists of five (5) members appointed by the City Council. The Commission’s rules and responsibilities are governed by Chapter 2.28 of the Municipal Code. The Commissioners each serve a four-year term, which is intended to stagger every two (2) years concurrent with the City’s elections.

The recruitment was advertised on the City’s website and application forms were made available at City Hall. Information was posted on the City’s social media platforms and a public notice was published in the Record Gazette.

The final date to submit an application was Friday, February 10, 2020 at 5:00 P.M. The Deputy City Clerk received two (2) applications from the following candidates: Richard Krick and David S. Lopez.

OPTIONS:

1. Appoint one (1) Planning Commissioner.
2. Do not appoint a Planning Commissioner and provide alternative direction.

Staff Report: Planning Commissioner Appointment

March 10, 2020

Page 2 of 2

ATTACHMENTS:

1. Application from David Lopez
<https://banningca.gov/DocumentCenter/View/7047/Application--David-Lopez>
2. Application from Richard Krick
<https://banningca.gov/DocumentCenter/View/7048/Application--Richard-Krick>
3. Public Notice <https://banningca.gov/DocumentCenter/View/7046/Public-Notice>

Approved by:



Douglas Schulze
City Manager



In accordance with City Council Resolution 1995-21, the minutes of meetings of the City Council and the Boards, Commissions, and Committees of the City shall be prepared as Action Minutes.

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

02/25/2020
SPECIAL MEETING - CLOSED SESSION

COUNCIL MEMBERS PRESENT:

Mayor Andrade
Councilmember Happe
Councilmember Welch

COUNCIL MEMBERS ABSENT:

Mayor Pro Tem Wallace

OTHERS PRESENT:

Douglas Schulze, City Manager
Kevin G. Ennis, City Attorney
Sonja De La Fuente, Deputy City Clerk
Art Vela, Public Works Director
Adam Rush, Community Development Director

I. CALL TO ORDER

A special meeting of the Banning City Council was called to order by Mayor Andrade on February 25, 2020, at 4:00 P.M. at the Banning City Council Chamber, 99 E. Ramsey Street, Banning, California.

II. CLOSED SESSION

The Mayor opened the closed session items for public comments. There were none.

The City Attorney listed the items on the closed session Agenda as follows:

1. CONFERENCE WITH LEGAL COUNCIL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One potential case

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9
Name of Case: James Arthur Algea II and Cali Emerald Care, Inc. v. City of Banning, Case No. RIC 1903009

II. ADJOURNMENT

By consensus, the meeting adjourned at 5:07 p.m.

Minutes Prepared by:

Sonja De La Fuente, Deputy City Clerk

*The entire discussion of this meeting may be viewed by visiting
<https://banninglive.viebit.com/player.php?hash=ygTbO2IbbMUp>. Related
documents may be found by visiting
<http://www.banningca.gov/ArchiveCenter/ViewFile/Item/2248> or by purchasing a
CD or DVD at Banning City Hall in the amount of \$7.00, located at 99 E. Ramsey
Street.*



In accordance with City Council Resolution 1995-21, the minutes of meetings of the City Council and the Boards, Commissions, and Committees of the City shall be prepared as Action Minutes.

The following information comprises the minutes for the 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

02/25/2020
REGULAR MEETING

COUNCIL MEMBERS PRESENT: Mayor Andrade
Councilmember Happe
Councilmember Welch

COUNCIL MEMBERS ABSENT: Mayor Pro Tem Wallace

OTHERS PRESENT Douglas Schulze, City Manager
Kevin G. Ennis, City Attorney
Sonja De La Fuente, Deputy City Clerk
Matthew Hamner, Police Chief
Art Vela, Public Works Director/City Engineer
Adam Rush, Community Development Director
Ralph Wright, Community Services Director
Tom Miller, Electric Utility Director
Suzanne Cook, Deputy Finance Director
Jeff Horn, Police Captain
Brandon Robinson, Electric Engineering Supervisor
Carla Young, Business Support 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 Andrade on February 25, 2020, at 5:10 p.m. at the Banning City Council Chamber, 99 E. Ramsey Street, Banning, California.

Assistant Pastor Mike Moyer from Mountain Avenue Baptist Church offered the invocation.

Councilmember Happe led the audience in the Pledge of Allegiance.

II. AGENDA APPROVAL

A motion was made by Councilmember Happe, seconded by Councilmember Welch, to approve the agenda. Roll Call vote was taken as follows:

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

III. PRESENTATION(S)

1. Mayor's Special Recognition

The Mayor and City Council presented Certificates of Recognition to Eric Brown, Louie Homan, and David Roblee with the City's Information Technology Department; and Ellen Carr with Tender Loving Critters and Police Volunteer, thanking them for making Banning a better place to work, live, and play.

2. Census 2020

Parks & Recreation Director Ralph Wright introduced Jerome Braun with the US Census Bureau who provided a PowerPoint presentation (Attachment 1).

IV. REPORT ON CLOSED SESSION

City Attorney reported as follows:

1. CONFERENCE WITH LEGAL COUNCIL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One potential case

The item was continued to March 11, 2020.

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9
Name of Case: James Arthur Algea II and Cali Emerald Care, Inc. v. City of Banning, Case No. RIC 1903009

A status report was provided with no final reportable action.

V. PUBLIC COMMENTS, CORRESPONDENCE, AND APPOINTMENTS

PUBLIC COMMENT(S)

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

Jerry Westholder offered kudos to City Staff for acquiring property for the Sun Lakes Boulevard extension and encouraged making this project a priority.

Ellen Carr with Tender Loving Critters reported that Animal Action League would be here Monday, March 2nd and Tuesday March 3rd. To get on the waiting list people may call (760) 366-1100. There will be a shot clinic both days from 10:00 A.M. until 2:00 P.M.

John Hagan read a prepared statement (Attachment 2).

Pat Murkland shared some History of Banning and advised that, according to her records, Banning held their first meeting on February 25, 1913.

Ted Gunderson expressed his happiness to see progress on Lincoln and 8th. He shared his concern that he didn't believe homeowners received notice regarding proposed changes to Landscape Maintenance District 1. He also advised it was illegal to post notices on mailboxes. (Attachment 3).

Diego Rose acknowledged the Record Gazette for recognizing young readers. He expressed support for the extension Sun Lakes Boulevard. He cautioned against hypocrisy in government.

Oleg Ivaschuck advised his truck was vandalized last Tuesday to the tune of \$2,500. He shared other stories of theft and vandalism experienced by him and others. He encouraged all citizens to come together to fight this criminal activity.

Bill Hobbs expressed his concern with safety in regard to the extension of Sun Lakes Boulevard.

Seeing no further comments, the Mayor closed Public Comments.

Police Chief Matthew Hamner provided some information and statistics in regard to the Police Department's challenges when he came on board just over one year ago. He shared some of the accomplishments and progress made thus far regarding processes and staffing. He also discussed some challenges they are facing in regard to law enforcement. He, District Attorney Mike Hestrin, and Sheriff Chad Bianco will be bringing their concerns to Sacramento next week.

CORRESPONDENCE

None.

APPOINTMENT(S)

None.

VI. CONSENT ITEMS

Mayor Andrade asked if the Council wished to pull an item for discussion. There were none.

1. Minutes – February 11, 2020, Special Meeting (Closed Session)
2. Minutes – February 11, 2020, Regular Meeting
3. Approval and Ratification of Accounts Payable and Payroll Warrants
4. Investment Report for January 2020
5. Capital Improvement Project Update
6. Police Statistics – January 2020
7. Fire Statistics – January 2020
8. Ordinance 1558, an Ordinance of the City of Banning, California, Approving Development Agreement No. 11 Between the City of Banning and AMG Outdoor Advertising, Inc., for the Construction and Operation of an Electronic Message Center in the Downtown Commercial General Plan Designation and Zoning District on Real Property Located at 583 West Livingston Street (APN: 540-192-005) (2nd Reading)
9. Resolution 2020-1 UA, Approving the Professional Services Agreement in the Amount of \$103,924 with US Geological Survey for the Continued Implementation of a Stream Flow Monitoring Program Related to the San Gorgonio Flume
10. Resolution 2020-17, Approving the First Amendment to Contract Services Agreement C00229 with Electric Power Systems International, Inc.
11. Resolution 2020-3 UA, Approving an Amendment to the Professional Services Agreement with Falen Law Offices, LLC for Legal Services Related to the Transfer of the San Gorgonio Flume System in the Amount of \$250,000
12. Increase Purchase Order with Altec Industries, Inc., by \$20,000 for Onsite Inspections and Repair of Bucket Trucks
13. Appropriate \$25,000 and Increase Purchase Order with Sonsray Machinery, LLC, by Same Amount for As Needed Repairs to the City's Heavy-Duty Equipment
14. Resolution 2020-18, Awarding a Construction Agreement for IFB No. 19-037 Electric Utility Underground Construction Labor and Equipment Work to Gross Development Marketing, Inc./9500, Inc. and Establishing a Total Contract Budget of \$1,500,000 and Rejecting all Other Bids

Public Comments

None

A motion was made by Councilmember Welch, seconded by Councilmember Happe, to approve consent calendar items 1 and 3-9. Electronic vote was taken as follows:

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

Action: Approved Consent Items 1 through 14.

VII. PUBLIC HEARING(S)

None

VIII. ANNOUNCEMENTS AND REPORTS

CITY COUNCIL COMMITTEE REPORTS

Councilmember Happe had nothing to report.

Councilmember Welch reported on the following:

- Attended the Chamber breakfast on Wednesday at the Haven where a representative from the Riverside County Transportation Commission (RCTC) spoke regarding the highway improvements.

Mayor Andrade reported on the following

- School District held two townhall meetings this past week regarding their search for a new Superintendent.
- Attended ribbon cutting for a new tattoo business on Ramsey Street.
- City Seal Committee met and is making progress. She thanked the Chamber of Commerce for their vital input.
- Downtown Ad Hoc Committee met and is making progress. The Alleyway improvements are underway and there is discussion regarding beautification of the alleys. The Adopt a Roadway program will also continue. She advised there are still some streets available. There was also discussion held regarding the Ring of Honor.
- Riverside County Flood and Water Conservation Committee met last Thursday in the Council Chamber.
- The Girl Scout Troop toured City Hall and the Police Department. She thanked The City Manager and Chief of Police for providing the tours.

REPORT BY CITY ATTORNEY

None

REPORT BY CITY MANAGER

City Manager Doug Schulze reported on the following:

- In response to public comment regarding landscape maintenance district 1,000 letters were mailed to property owners regarding notices related to the landscape maintenance district proposed changes using the same addresses utility bills are mailed. Approximately 15 letters were returned either undeliverable or the recipient wasn't the current owner.
- Participated in a conference call with City Managers coordinated by WRCOG to discuss how cities can collaborate in order to address homeless issues in their cities. The affirmative response from all is they would like to continue developing ways to address the issue regionally.
- Adding to Chief Hamner's comments regarding the condition of the police department just over a year ago; not only were they down several police officers, but there was also equipment that was inoperable for many years, and approximately \$1 million in grant money that could have fixed a lot of those issues. He thanked Chief Hamner and his staff for moving the department forward.
- Demolition of the buildings at the site of the Banning Business Center begins Monday, March 2, 2020.

REPORTS OF OFFICERS

1. Resolution 2020-26, Initiating Proceedings to Update Landscape Maintenance District No. 1 for Fiscal Year 2020/2021.

Public Works Director Art Vela provided the staff report regarding this item.

Public Comment

None.

A motion was made by Councilmember Happe, seconded by Councilmember Welch, to adopt Resolution 2020-26, initiating proceedings to update Landscape Maintenance District No. 1 for Fiscal Year 2020/2021 in order to prepare for the assessments of the area. Electronic vote was taken as follows:

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

Action: Adopted Resolution 2020-26.

IX. DISCUSSION ITEM

None

X. ITEMS FOR FUTURE AGENDAS

XI. ADJOURNMENT

By consensus, the meeting was adjourned at 6:52 p.m.

Minutes Prepared by:

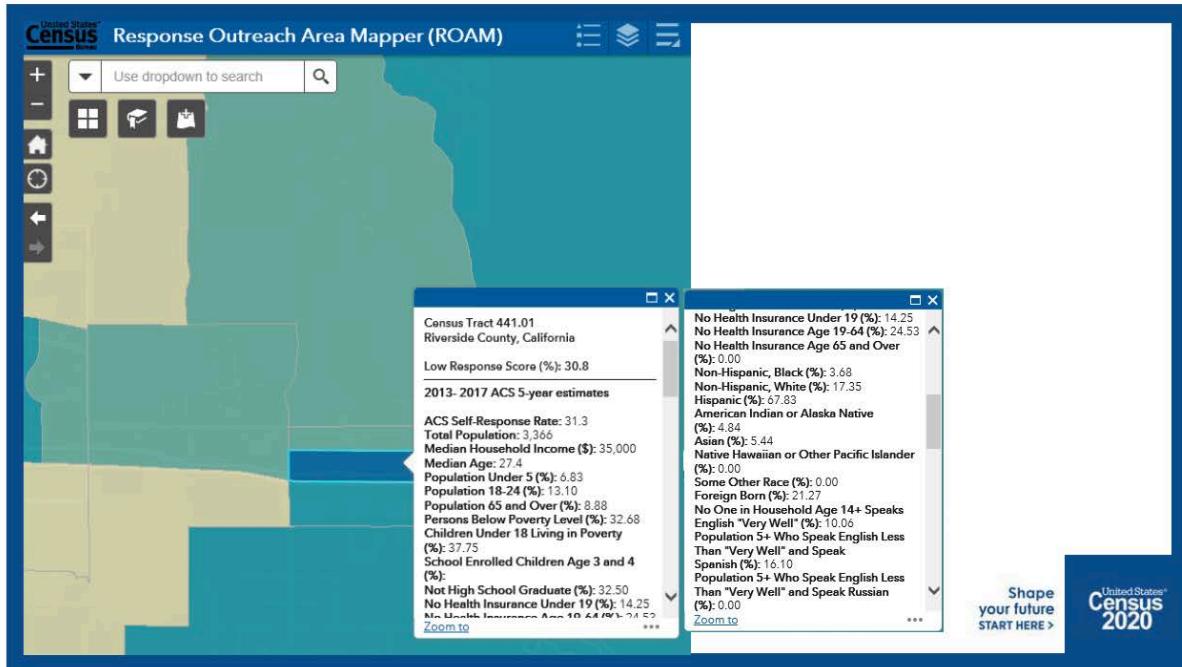
Sonja De La Fuente, Deputy City Clerk

The entire discussion of this meeting may be viewed here:

<https://banninglive.viebit.com/player.php?hash=6v3Zhaa6zbed> and related documents maybe viewed here:

<http://www.banningca.gov/ArchiveCenter/ViewFile/Item/2249> or by purchasing a CD or DVD in the amount of \$7.00 at Banning City Hall located at 99 E. Ramsey Street.

ATTACHMENT 1



Next Steps

- Encourage your community to be counted in the 2020 Census.
- Involve local leaders in your Complete Count Committee and Engage diverse community groups.
- Help us to reach your community. Invite your Census Partnership Specialists to present at your networking meetings, events, and festivals.
- Help us identify Questionnaire Assistance Center locations to reach and count your Community.

Focus on High LRS Tracts

Response Outreach Area Mapper (ROAM)

Public mapping application that displays characteristics of hard-to-count areas.

Census tract levels are from 0 to 100.

If LRS= 30, we are estimate that 30% of households will not respond to the Census.

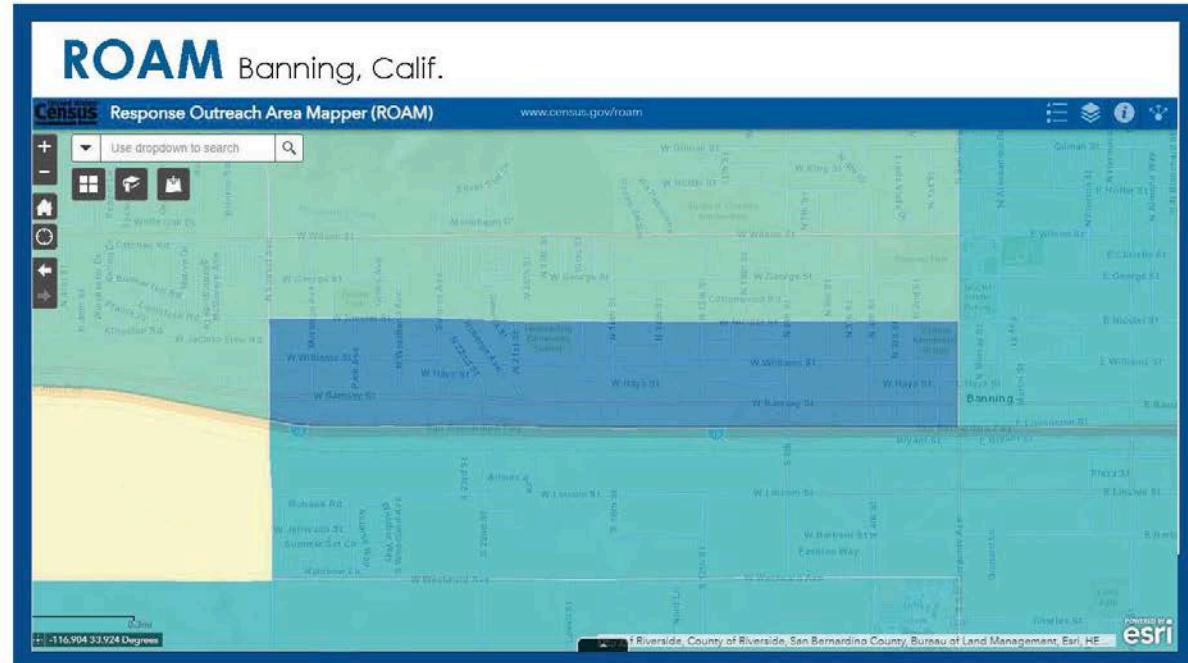
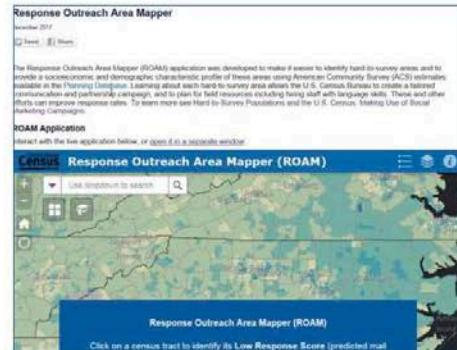
Census/American Community Survey estimates.

<https://www.census.gov/roam>

2020CENSUS.GOV

Shape your future
START HERE >

United States Census
2020



CCC Structure

CCCs should be all-inclusive, addressing the various racial, ethnic, cultural and geographic considerations of your community. *This is YOUR count!*

Census Bureau representative serves as liaison and information resource for CCCs to help you meet *YOUR* goals and the requirements of the State and County.

Goal: To reach Your local Hard to Reach populations.

2020CENSUS.GOV

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United States
Census
2020

Identifying Hard-to-Count Areas and Populations

The CCC develops a work plan leveraging the knowledge and expertise of *YOUR* local community leaders.

Data tools provide assistance to the committee to identify predicted areas of low response at the community level.

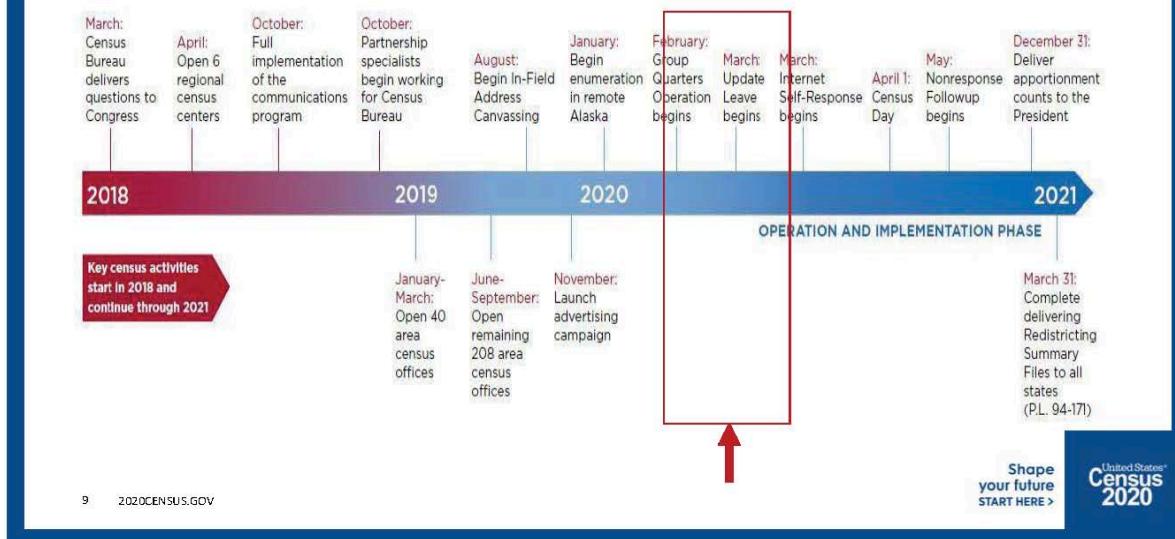
Objective: Reach Low Response Score (LRS) Tracts.

2020CENSUS.GOV

Shape
your future
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United States
Census
2020

2020 Census Timeline



Introduction to Complete Count Committees (CCCs)

City Leaders work together with your local Community Partners to form CCCs to promote the 2020 Census and engage their constituents.

Committee members are experts in these areas:

*Government	*Education
*Media	*Community Organizations
*Workforce development	*Faith-Based Community
*Business	*Others, based on needs

Shape your future
START HERE >

United States Census 2020

Census 2020 Mailing Strategy

WHAT WE WILL SEND IN THE MAIL	
On or between	You'll receive:
March 12-20	An invitation to respond online to the 2020 Census. (Some households will also receive paper questionnaires.)
March 16-24	A reminder letter.
	If you haven't responded yet:
March 26-April 3	A reminder postcard.
April 8-16	A reminder letter and paper questionnaire.
April 20-27	A final reminder postcard before we follow up in person.

We understand you might miss our initial letter in the mail.

- Every household that hasn't already responded will receive reminders and will eventually receive a paper questionnaire.
- It doesn't matter which initial invitation you get or how you get it—we will follow up in person with all households that don't respond.

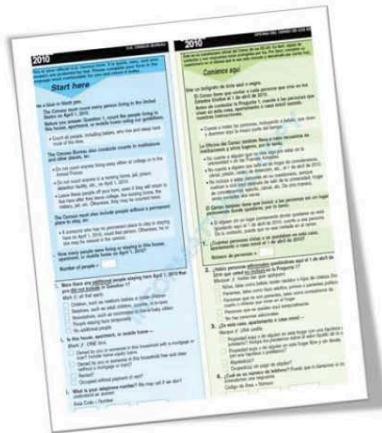


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2020

English/Spanish Questionnaire



This will be available in some areas:

- Determined at the Census Tract Level
- Where 20% or more speak Spanish at home

And

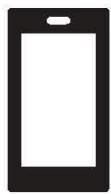
- No member 14 years and older speaks English "very well"

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New Abilities to Self Respond



Internet



Phone



Paper Form



In-person

**12 languages plus English will be supported (Internet & Phone)*

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Census
2020

Responses are Protected by Law Title 13 of the U.S. Code

- The Census is Confidential and required by Law.
- Results of the Census are reported in Statistical format only.
- We do not share a respondent's personal information or responses with any other government agencies.
- All Census Employees swear to a lifetime oath to protect respondent information.
- Penalties for wrongful disclosure - Up to 5 years imprisonment and or a fine of \$250,000.

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Why the Census matters



3 2020CENSUS.GOV

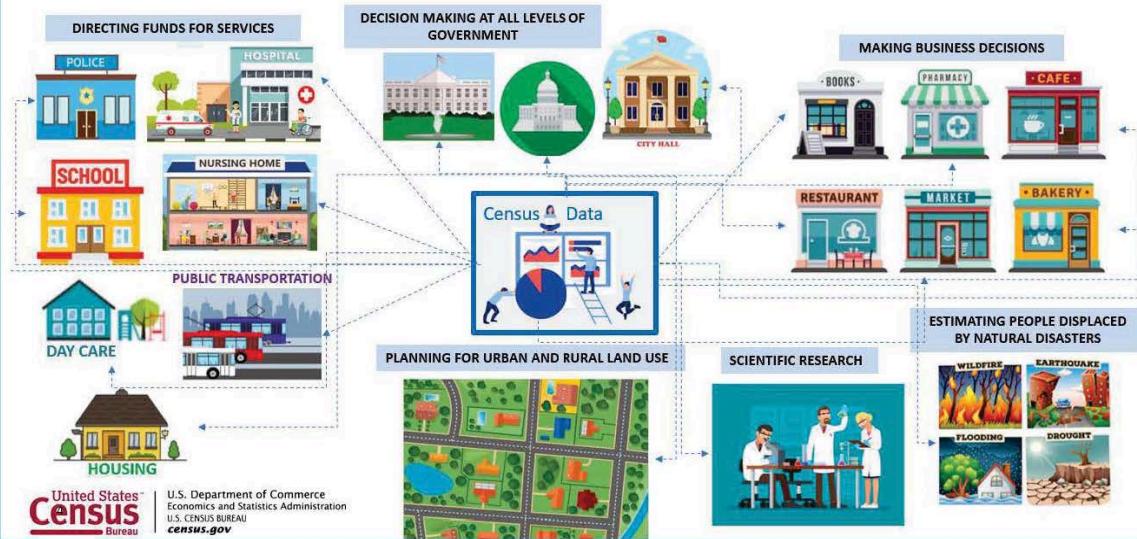
- Power in Representation
- Re-apportionment of Congressional Seats
- Our States' Redistricting of legislative boundaries

- More than \$675 Billion funding distributed annually
- Critical funding distributed based on population

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Census Data is important



United States™
Census
Bureau

U.S. Department of Commerce
Economics and Statistics Administration
U.S. CENSUS BUREAU
census.gov

CENSUS 2020



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Why do the Census? The Constitution mandates it

Constitution Article 1, Section 2 of the U.S. Constitution

"The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct."

The fact that it is in the constitution makes it central to our form of government.

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Contact Information

Jerome Braun
Partnership Specialist

669-264-3939

Jerome.L.Braun@2020Census.gov

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CENSUS 2020



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ATTACHMENT 2

Rec'd 2/25/2020
SS

Landscape Maintenance Program District 1

From the information I collected on LMD1 the actual cost of the maintenance contract is Approx 80.000 a year. This cost has not been increased by the contractor. Operations comes in at roughly 64K a year which covers Admin, Water, lighting. This cost leaves a lot of room for fudging as the water and electric are billed at retail prices when the city should be getting a wholesale rate at least. Admin costs are added for the clerks and office staff that are already employed. That's one of their duties for the position they hold. The lighting we are already billed for in the 18.00 meter fee monthly on the utility bill so this appears to be a double billing

There is a 16k incidental pool that may or may not be used yearly and by the looks of these areas it appears that they are saving that for a rainy day because I drove through some of these areas and there are a lot of dead plants or no plants at all.

They are receiving approx 140k annually from the fees that are collected now and they are claiming it is costing them 160k an inflated estimate.(20k deficit) They are looking to increase the fees to 185K to pad the account and incert a CPI annual raise that would be automatic and forever with a max of 5%.

I would like to know how much was spent on the firm they hired to figure out the new fees rates and come up with the degree of benefit each zone receives from these landscaped areas that the rest of the city doesn't and then convert that benefit into a dollar amount. Was that a council action to hire that firm if so I must have missed it on an agenda some where. In zone 9 the home owners just south of zone borders are the only ones benefiting and they don't pay any fees as they are not

Page 1 of 2

counted in the district. I don't see the benefit for the 26 homes out of 35 homes in my zone 8. 9 homes get their front median mowed but how is that a benefit to the rest of us.

I spoke at the last council meeting about this issue and suggested rock scaping most of these areas to eliminate the expense and ongoing maintenance. Adam Rush spoke after me about the mandated state policy for water conservation methods which added weight to my views.

My suggestion would be to eliminate the LMD#1 and roll it all into the street maintenance program or the parks and green space budget as they are all on public right of ways. You could still sub the work out so the work load would not have an impact on either of those departments but you could do away with most of the inflated admin costs because the entire city benefits from the maintenance of these areas. We could rock scape most of those areas to eliminate excessive maintenance, planting, replanting, and watering. At the same time comply with the state mandates on water conservation. Why are certain homeowners targeted for those expenses? The city required green space areas and parkways as a condition of planned improvement this expense should be absorbed by the entire city.

In driving around this city to look at these areas I discovered that the signage is ridiculous. The street signs are so faded that you can hardly read them if they are there at all. If you don't know your way around this city good luck trying to find any locations.

John Hagen, City of Banning

Page 2 of 2

ATTACHMENT 3

Recd 2-25-2020 



[FAQs Home](#) » [Receiving Mail & Packages](#) » [Mailboxes](#)



Restrictions for attaching flyers, posters, etc. to a mailbox

Guidelines governing placing any item into a mail receptacle.

© Sep 5, 2019 . FAQ

Feedback

Article Number

000003419

Customer Information

Can a flyer/envelope be put it in someone else's mailbox without being mailed? What if a stamp was placed on it?

A mailpiece with postage must go through the United States Postal Service® and be delivered in order for it to be a valid mailpiece to go in the mail receptacle. A flyer cannot be placed in a mailbox after putting a stamp on it unless the item was actually mailed. According to Sect. 508.3.1.3 of the Domestic Mail Manual (DMM):

"No part of a mail receptacle may be used to deliver any matter not bearing postage, including items or matter placed upon, supported by, attached to, hung from, or inserted into a mail receptacle. Any mailable matter not bearing postage and found as described above is subject to the same postage as would be paid if it were carried by mail."

"Postage" is defined as: Payment for a delivery service that is affixed or imprinted to a mailpiece, usually in the form of a postage stamp, permit imprint, or meter impression.

Page 1 of 2

Notes:

- If you have a curbside mailbox or a mailbox on the outside of your house, Postal Service regulations govern what can and can not be placed in them. Generally speaking, only mail that has been sent through the USPS may be placed in these types of receptacles. Conversely, USPS regulations do not govern what can be placed in a mail slot on your door. This means that if a local business wants to put a flyer in the mail slot, they can do so.
- For further questions (or to report occurrences) regarding flyers being placed into your mailbox without first going through the postal system, please refer to the local Post Office.

Can I affix a flyer or poster to a United States Postal Service® Collection Box®?

United States Postal Service Collection boxes are the property of the Postal Service. You are not allowed to affix anything to them, including flyers, signs about missing items or animals, and advertisements.

Related Information

Receiving Mail & Packages

Mailboxes

Feedback

Page 2 of 2

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In accordance with City Council Resolution 1995-21, the minutes of meetings of the City Council and the Boards, Commissions, and Committees of the City shall be prepared as Action Minutes.

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

02/27/2020
SPECIAL MEETING - INTERVIEWS

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

COUNCIL MEMBERS ABSENT: Councilmember Happe

OTHERS PRESENT: Douglas Schulze, City Manager
Sonja De La Fuente, Deputy City Clerk
Laurie Sampson, Executive Assistant

I. CALL TO ORDER

A special meeting of the Banning City Council was called to order by Mayor Andrade on February 27, 2020 at 9:05 a.m. at the Banning Civic Center City Council Chamber, 99 E. Ramsey Street, Banning, California.

II. INTERVIEWS

1. City Council Member – District 2

The City Council interviewed Jennifer Flesher, Alma Dean, Rick Minjares, and Kyle Pingree for the position of City Council Member – District 2, to complete a vacated term through the certification of votes from the November 2020 election. Ms. Flesher provided an attachment to her application (Attachment 1).

2. Planning Commissioner

The City Council interviewed Richard Krick and David Lopez for the position of Planning Commissioner to serve a four-year term.

III. PUBLIC COMMENTS

Linda Molina spoke in support of Rick Minjares for Council Member District 2 and David Lopez for Planning Commissioner.

IV. ADJOURNMENT

By consensus, the meeting adjourned at 9:56 a.m.

Minutes Prepared by:

Sonja De La Fuente, Deputy City Clerk

The entire discussion of this meeting may be viewed here:

**<https://banninglive.viebit.com/player.php?hash=KvDcNwPsNDvH>. Related documents
may be viewed here: <http://www.banningca.gov/ArchiveCenter/ViewFile/Item/2254> or
by purchasing a CD or DVD in the amount of \$7.00 at Banning City Hall located at 99 E.
Ramsey Street.**

ATTACHMENT 1

Rec'd 2/27/2020 (SK)

Jennifer Flesher

The major issues that face city council:

1. Safety. I would like to meet with neighbors and work closely with the police department to form more consistent and robust neighborhood watch programs.
2. As a resident in District 2 I am familiar with how neglected our neighborhoods are when it comes to weed abatement and absentee property owners. One of the residents contacted me and reminded me that summer is coming and there is a lot of dried out weeds that not only creates the perfect fire storm but can also affect our insurance rates.
3. Creating affordable housing- I have several options for the city to consider. One being the legalization of tiny houses that would be no cost to the tax payers, create incomes for local residents, solve temporary housing needs for our aging population and caretakers, and other family members that have a need for temporary to long term affordable housing.
4. Job training is a high priority. With I-10 going through the middle of town, we need to work on a regional basis to get good paying jobs in our communities. We also need to work with the County and our high schools and community colleges for job training. Over the past 15 years our leaders have pulled the vo-tech shops out of our schools. Today, good paying jobs go unfilled for plumbers, carpenters and electricians -- this must be reverse ASAP.
5. We must have more aggressive code enforcement. Too many property owners, especially absentee landlords or owners of vacant parcel need to be required to get their property into compliance. These eyesores and vacant unattended properties reduce our property values and create opportunities for mischief and vagrants.



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: March 10, 2020

SUBJECT: Appropriation of Funds and an Increase to the Purchase Order with A-Z Bus Sales, Inc. for the As-Needed Repairs to the City's Transit Fleet

RECOMMENDED ACTION:

Approve an appropriation in the amount of \$25,000 to Fleet Fund 702 and an increase to the purchase order with A-Z Bus Sales, Inc. in the amount of \$25,000 for Fiscal Year 2019-2020 for repair and maintenance services of the City's Transit Fleet as needed.

BACKGROUND:

On March 8, 2018, A-Z Bus Sales, Inc. was categorized as a sole source provider based on a non-responsive bid process. Essentially, bids were solicited but no responsive bids were received by the City other than the proposal submitted by A-Z Bus Sales, Inc. Consequently, the Purchasing Policy allows for the vendor to be classified as a sole source provider which is valid for a 5-year period from the date of determination, in this instance, through March 8, 2023. Additionally, the prices charged by the vendor are also comparable with the prices paid for similar goods and services for the prior fiscal year.

As a result, on July 1, 2019, the City issued a blanket purchase order to A-Z Bus Sales, Inc. for transit fleet parts, equipment and the repair and maintenance of buses as needed for Fiscal Year 2019-2020. Currently, a purchase order increase and additional funding in the amount of \$25,000 is necessary in order to continue obtaining services from A-Z Bus Sales, Inc. for the remainder of Fiscal Year 2019-2020. For this reason, staff respectfully requests an increase to the annual blanket order with A-Z Bus Sales, Inc. for repair and maintenance services to the City's Transit Fleet as needed for an annual blanket purchase order aggregate amount "not to exceed" \$50,000.

JUSTIFICATION:

Repairs and maintenance are necessary in order to maintain the City-owned and operated Transit Fleet.

Per the Purchasing Policy, A-Z Bus Sales, Inc. is classified as a sole source provider through March 8, 2023 based on a non-responsive bid process.

FISCAL IMPACT:

The Fleet Division operational budget will fund repairs and maintenance via Account No. 702-3800-480.38-52 (Auto Parts) and Account No. 702-3800-480.30-05 (Repair/Maint-Vehicles). An appropriate to Fund 702 in the amount of \$25,000 is required to cover the increase in the purchase order.

ALTERNATIVE:

City Council reject this request, possibly resulting in an interruption of City Transit operations due to delays in performing required repairs and maintenance of buses.

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING CITY COUNCIL REPORT

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Art Vela, Director of Public Works**

MEETING DATE: **March 10, 2020**

SUBJECT: **Increase to the Purchase Order with Couts Heating and Cooling, Inc. for HVAC Repairs and Emergency Services**

RECOMMENDED ACTION:

Approving an increase to the purchase order with Couts Heating and Cooling, Inc. in the amount of \$15,000 for a total Fiscal Year 2019-2020 purchase order amount of \$40,000 and authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the requested increase.

BACKGROUND:

City of Banning facilities are serviced by our Building Maintenance division, including HVAC units, heating systems, and swamp coolers. Routine inspections and repairs are necessary throughout the year as necessary. Following the inspections, if any defects are found, they are categorized by severity and scheduled for repairs.

In order to obtain inspection and repair services, staff has solicited the services of Couts Heating and Cooling, Inc., a company that has provided the City with reliable and effective services in the past. There were several unforeseen repairs that were required during the current fiscal year. For these reasons, staff respectfully requests to increase the annual blanket order with Couts Heating and Cooling, Inc. for HVAC repairs and emergency services in the amount of \$15,000 for a total contract amount of "not to exceed" \$40,000.

JUSTIFICATION:

Inspections of HVAC systems and repairs as needed to maintain appropriate work conditions throughout our facilities and to keep certain equipment protected such as I.T. server rooms.

Staff Report: PO Increase – Couts Heating and Cooling, Inc.

March 10, 2020

Page 2 of 2

City of Banning issued a Blanket PO to Couts Heating and Cooling, Inc. which is valid through June 30, 2020.

FISCAL IMPACT:

The Building Maintenance Division operational budget will fund the annual onsite inspections and repairs as needed of the HVAC repairs and emergency services, Account No. 001-3200-412.30-21 (Repair/Maint. AC/Heating). An appropriation in the amount of \$15,000 is required to cover the increase in the purchase order. If approved, the total contract amount will be for a “not to exceed” amount of \$40,000.

ALTERNATIVE:

City Council may reject this approval which will result in delays in performing the required inspections and needed repairs.

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING CITY COUNCIL REPORT

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Art Vela, Director of Public Works**
Patrick Safari, Associate Engineer

MEETING DATE: **March 10, 2020**

SUBJECT: **1st Amendment to the Professional Services Agreement with Stantec Consulting Services, Inc. for an Additional \$25,200 for the Design of the Reconstruction and Widening of Ramsey Street and Hathaway Street.**

RECOMMENDATION:

1. Approving Amendment No.1 to the Professional Services Agreement with Stantec Consulting Services, Inc. for additional \$25,200 for the design of the Reconstruction and Widening of Ramsey Street and Hathaway Street.
2. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to the Professional Services Agreement Amendment No.1 with Stantec Consulting Services, Inc.
3. Authorizing the City Manager to execute Amendment No.1 to the Professional Services Agreement with Stantec Consulting Services, Inc.

BACKGROUND:

On December 12, 2016 under Resolution No. 2016-116, the City Council approved the Professional Services Agreement with Stantec Consulting Services, Inc. for the design of the reconstruction and widening of Ramsey Street and Hathaway Street in the amount of \$254,512.

On January 9, 2018 Public Works Department approved a change order to the Professional Services Agreement with Stantec Consulting Services, Inc. for the preparation of temporary construction easements in the amount of \$19,200. The change order increased the contract amount to \$273,712.

The primary purpose of the project is to improve traffic circulation at the intersection of Ramsey Street and Hathaway Street along with beautifying the intersection. To achieve this purpose, the acquisition of right-of-way is necessary and critical to the

improvement. The City identified 16 parcels that would be impacted by the proposed right-of-way realignment and that the City would need to acquire right-of-way from. To date the City has acquired the right-of-way from 11 parcels at comparable market transactions for similar properties in the competitive marketplace.

On January 28, 2020 the City Council approved four Resolutions of Necessity for the acquisition of right-of-way from four of the five remaining parcels by eminent domain.

City staff has received direction to remove the remaining parcel, APN: 532-140-005, located along the south side of Ramsey Street and commencing at the intersection of Ramsey Street and Hathaway Street, from the scope of the project.

As of today, Stantec, the engineer of record, has prepared plans that are 95% complete. Staff requested that Stantec Consulting Services, Inc. provide the City with a proposal to revise the current plans to include revisions to the proposed right-of-way realignment, street improvements, utility plans, traffic plans and mapping related to the removal of APN 532-140-005 from the project. The proposal was submitted in the amount of \$25,200. The total contract amount including the change order and first amendment will amount to \$298,912.

JUSTIFICATION:

The First Amendment to the Professional Services Agreement with Stantec Consulting Services, Inc. will modify the existing scope of work to include additional design services prompted by the need to revise the right-of-way realignment at the parcel mentioned above.

The original Professional Services Agreement in the amount of \$254,512 will not be adequate to cover all the costs associated with the needed plan revisions. In order to make the necessary changes to the plans, the Professional Services Agreement must be increased by \$25,200.

FISCAL IMPACT:

The design and construction of the street improvement project is on the approved Capital Improvement Projects List for Fiscal Years 2019-2020. The Amendment to the Professional Services Agreement with Stantec in the amount of \$25,200 and will be funded by the Tax Allocation Bond proceeds, Account No. 856-9500-490.93-15.

It is estimated that the reduction in scope will reduce the overall construction cost of the project by approximately \$200,000.

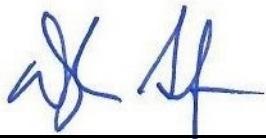
ALTERNATIVE:

City Council may reject this approval, which will result in the project not proceeding to construction.

ATTACHMENTS:

1. Approved Resolution 2016-116
<https://banningca.gov/DocumentCenter/View/7022/Attachment-1-Resolution-No-2016-116-Stantec>
2. Stantec Consulting Services, Inc. Proposal
<https://banningca.gov/DocumentCenter/View/7023/Attachment-2-Stantec-Proposal-Amendment-1>
3. Original Agreement
<https://banningca.gov/DocumentCenter/View/7024/Attachment-3-Stantec-Agreement-12-12-16-Signed>
4. Amendment 1
<https://banningca.gov/DocumentCenter/View/7021/Attachment-4-Stantec-PSA-Amendment-1>

Approved by:



Douglas Schulze
City Manager

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: March 10, 2020

SUBJECT: **2nd Amendment to the Transportation Uniform Mitigation Fee Program Reimbursement Agreement with Western Riverside Council of Governments for Project No. 2006-05, 'Sunset Avenue Grade Separation'**

RECOMMENDATION:

That City Council:

1. Approve an Amendment No. 2 to the Transportation Uniform Mitigation Fee Program ("TUMF") Reimbursement Agreement with Western Riverside Council of Governments ("WRCOG") for Project No. 2006-05, "Sunset Avenue Grade Separation".
2. Authorize the City Manager to execute Amendment No. 2 to the TUMF Program Agreement for Project No. 2006-05, "Sunset Avenue Grade Separation" with WRCOG.

BACKGROUND:

In 2007, as part of the TUMF program, WRCOG approved program funding for the Pass Zone 2008 TIP for Project No. 2006-05, "Sunset Avenue Grade Separation" in the amount of \$4.2 million. On February 12, 2008 under Resolution 2018-17, City Council approved the TUMF Reimbursement Agreement with WRCOG for Project No. 2006-05, "Sunset Avenue Grade Separation" for this allocation. On March 23, 2010, under Resolution 2010-42, City Council approved Amendment No. 1 to this agreement designating the County of Riverside as the lead agency for the project.

The TUMF agreement between the City of Banning and WRCOG is a mechanism intended to be used for the distribution of TUMF Program Funds to the City for the Sunset Avenue Grade Separation project, which was a qualifying project through the program.

In summary, the project consisted of the development and construction of a vehicle underpass to separate vehicle traffic from train traffic at the Sunset Avenue railroad crossing. This included the construction of a bridge for trains to cross over Sunset Avenue without disturbing the circulation of vehicle and pedestrian traffic traveling on the roadway under the bridge. In addition to the construction of a bridge and roadway, on-ramps and off-ramps were modified to align with the new roadway grade.

The construction of this project was intended to accomplish the following:

1. Eliminate crossing conflicts between trains and vehicles
2. Improve vehicle and pedestrian safety
3. Improve emergency services responses
4. Reduce congestion and traffic delays
5. Facilitate regional commercial and commuter rail transportation

The project roadways opened to the public on March 9, 2016. To date the City has been reimbursed \$4.2 million dollars from the TUMF program for the project. Recently, City and WRCOG staff reconciled expenditures related to the project and identified an additional \$360,792 in TUMF eligible expenditures related to the right-of-way phase could be reimbursed through the program.

JUSTIFICATION:

The approval of amendment to the TUMF Reimbursement Agreement between WRCOG and the City of Banning for the Sunset Avenue Grade Separation will allow WRCOG to reimburse the City \$360,792 which was expended by the City during the right-of-way phase of the project.

FISCAL IMPACT:

The TUMF amendment will provide an additional TUMF reimbursement in the amount of \$360,792 which was spent by the City during the right-of-way phase.

ALTERNATIVE:

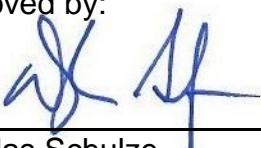
Approve staff's recommendation. Without the approval of the amendment the City would not receive the available TUMF funding.

ATTACMENT:

1. TUMF Agreement Amendment

<https://banningca.gov/DocumentCenter/View/7025/ATT-1---TUMF-Agmt-Amend-2>

Approved by:



Douglas Schulze
City Manager

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**CITY OF BANNING
CITY COUNCIL, UTILITY AUTHORITY AND SUCCESSOR AGENCY
BOARD REPORT**

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Suzanne Cook, Deputy Finance Director**

MEETING DATE: **March 10, 2020**

SUBJECT: **Resolutions 2020-31, 2020-4 UA and 2020-2 SA, Approving Amendment No. 3 to the Professional Services Agreement with Lance, Soll & Lunghard, LLP CPAs for Financial Auditing Services**

RECOMMENDATION:

That City Council adopt Resolution 2020-31, 2020-4 UA and 2020-2 SA, approving the amendment to the professional services agreement with Lance, Soll, & Lunghard, LLP CPAs to exercise the options for the audit periods covering Fiscal Years ending June 30, 2019 and June 30, 2020 and authorize the City Manager to execute the amendment to the contract.

BACKGROUND:

On May 12, 2015, Council approved the selection of Lance, Soll, & Lunghard, LLP CPAs as the City's external auditors for the audit periods covering June 20, 2015 through June 30, 2017 (with the option of extending through December 31, 2020), and authorized the City Manager to execute the Professional Services Agreement (PSA) for a three-year total of \$175,872. However, when the agreement was written, it did not include the optional years in Exhibit "C" and "C-1" of the agreement, as approved by Council on May 12, 2015. With three additional options to extend, the total contract amount is \$348,651.00.

On September 17, 2015 the City amended the Agreement (Amendment No. 1), to include additional compensation in the not to exceed amount of Five Thousand Six Hundred Twenty Dollars (\$5,620.00) and revised the Scope of Services to verify accounting charges invoiced to Robertson's Ready Mix for the period of January 1, 2012 through June 30, 2015, to accounting documentation supporting charges, for a new total contract amount of \$354,271.00.

On May 22, 2018, City amended the agreement (Amendment No. 2), to adopt City Council Resolution No. 2018-02, 2018-06 and 2018-65, which authorized the extension of the Term of the Agreement to December 31, 2019 and added the compensation for Fiscal Year 2017-2018 (July 1, 2017 to June 30, 2018), of \$58,899.00, and for Fiscal

Year 2018-2019 (July 1, 2018 to June 30, 2019), of \$60,665.00. The total contract value remains \$354,271.00.

The City and Consultant now desire to exercise its last option to extend the contract for Fiscal Year 2019-2020 (July 1, 2019 to June 30, 2020), in the amount of \$62,486.00 as provided in the original contract options listed in Exhibit "C" and "C-1", and include additional scope of services in the amount of Three Thousand Four Hundred Twenty Seven Dollars (\$3,427.00) for a new contract total not to exceed \$357,698.00.

Annually the City is required per City ordinance No. 1445, Municipal Code, Chapter 3, Section 21.030, and state law to have an audit conducted of all City funds and accounts by a certified public accountant. The purpose of the audit is to ensure that the City is handling its accounts consistent with Generally Accepted Accounting Principles (GAAP) and regulations as promulgated by state and federal guidelines. The audit consists of two parts; 1) the interim audit for tests of internal controls and 2) the year-end field work to test the ending balances in accordance with generally accepted auditing standards and GAAP. In addition to the audit, the external auditors help prepare the financial statements and reports required by the State Controller's Office.

For the past several years, the audit of the City has been performed by the firm Lance, Soll, & Lunghard, LLP CPAs. Industry best practices published by the Government Finance Officers Association of the United States and Canada recommends every five years either changing firms or rotating partners and key staff (i.e., manager and senior-in-charge).

JUSTIFICATION:

In addition to the requirements as mandated by state law and ordinance, staff is recommending that we continue audit services, for the additional two years, with Lance, Soll, & Lunghard, LLP, CPAs. To prevent the delay in conducting the necessary interim and year end audit, it is essential to continue services with our current auditing firm. The additional year of 2019-2020 is recommended at this time, as well, to allow for sufficient time to conduct the necessary RFP process for a potential new audit firm. Staff will plan accordingly to engage in this process for audit services starting the fiscal year ended June 30, 2021.

FISCAL IMPACT:

Fiscal Year 2017-2018 \$58,899.00 – Budget year 2018-2019

- General Fund (001) \$15,975,
- Successor Agency Administration (005) \$6010,
- Successor Housing Agency (810) \$3,825,
- Water Operations (660) \$2691,
- Wastewater Operations (680) \$2691,
- Utility Billing Administration (761) \$23,964
- Airport Fund (600) \$3,743, if applicable for Single Audit

Fiscal Year 2018-2019 \$60,665.00 – Budget year 2019-2020

- General Fund (001) \$16,454,
- Successor Agency Administration (005) \$6,190,
- Successor Housing Agency (810) \$3,939,
- Water Operations (660) \$2,772,
- Wastewater Operations (680) \$2,772,
- Utility Billing Administration (761) \$24,683,
- Airport Fund (600) \$3,855 if applicable for Single Audit

Fiscal Year 2019-2020 \$62,486.00 – Budget year 2020-2021 *including an additional amount of \$3,427.00 for the Public Finance Authority (PFA) report for a new total of \$65,913.00

- General Fund (001) \$19,036,
- Successor Agency Administration (005) \$6,376,
- Successor Housing Agency (810) \$4,057,
- Water Operations (660) \$2,855,
- Wastewater Operations (680) \$2,855,
- Utility Billing Administration (761) \$23,336,
- Airport Fund (600) \$3,971 if applicable for Single Audit
- *Public Finance Authority (670) \$3,427.

OPTIONS:

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

ATTACHMENTS:

1. Resolution 2020-31
<https://banningca.gov/DocumentCenter/View/7032/Attachment-1--Resolution-2020-31>
2. Resolution 2020-4 UA
<https://banningca.gov/DocumentCenter/View/7033/Attachment-2--Resolution-2020-4-UA>
3. Resolution 2020-2 SA
<https://banningca.gov/DocumentCenter/View/7034/Attachment-3--Resolution-2020-2-SA>
4. Amendment No. 3 to Agreement for Auditing Services
<https://banningca.gov/DocumentCenter/View/7035/Attachment-4--Amendment-3>
5. Original Agreement dated May 12, 2015
<https://banningca.gov/DocumentCenter/View/7031/Attachment-5--Original-Agreement>

Staff Report: Resolutions 2020-31, 2020-4 UA, and 2020-2 SA

March 10, 2020

Page 4 of 4

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

Approved by:

A handwritten signature in blue ink, appearing to read "DS".

Douglas Schulze

City Manager



CITY OF BANNING CITY COUNCIL REPORT

TO: City Council

FROM: Douglas Schulze, City Manager

PREPARED BY: Ralph Wright, Parks and Recreation Director

MEETING DATE: March 10, 2020

SUBJECT: Adopt Resolution 2020-28, Approving the Census Funding Agreement #2020Census-01 between the County of Riverside and the City of Banning

RECOMMENDATION:

The City Council adopt Resolution 2020-28 approving the following:

1. Approving the 2020 Census Funding Agreement #2020Census-01 between the County of Riverside and the City of Banning for the not to exceed amount of \$12,574.53.
2. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to agreement and its use.

SUMMARY:

Staff recommends entering into an agreement with Riverside County where the City of Banning will perform outreach services in conjunction with Riverside County to ensure a more accurate count of City of Banning residents as part of the 2020 Census. As per the agreement, Riverside County will pay the amount of \$12,574.53 for staff labor and supply costs.

BACKGROUND:

Every ten years the U.S. Census Bureau conducts a Census. The next Census is set for 2020. The data collected during each Census is used to calculate the distribution levels of federal funds to local communities. More than 70 federal programs that benefit local governments use the Bureau's Census numbers as part of their funding formulas. For these reasons a complete, fair and accurate count of the population of Banning is necessary to best provide services to the community.

The State has invested over \$187 million toward strategies and activities to ensure an accurate and successful count in California. Riverside County is one of the ten counties that has been designated as a Census region and is attempting to work with local municipalities to aid in the accurate count and is providing funding to local cities to perform outreach.

To that end, Riverside County has requested to work with the City of Banning to provide outreach to the Community regarding the importance and value of an accurate Census and to aid and support the process and requested that the City of Banning enter into an agreement to coordinate and provide opportunities for outreach to the hard to count areas and populations in the City of Banning.

JUSTIFICATION:

A complete, fair and accurate count of the residents of the City of Banning will have a significant positive effect on the City and its residents ensuring that opportunities for services and funding are accurately represented and allocated.

FISCAL IMPACT:

This agreement will have a neutral fiscal impact on the Parks and Recreation Budget as associated staff costs and operational costs associated with the fulfillment of the agreement will be paid to the City by Riverside County.

ATTACHMENTS:

1. Resolution No. 2020-28
<https://banningca.gov/DocumentCenter/View/7012/Att-1---Reso-2020-28>
2. Agreement #2020Census-01
<https://banningca.gov/DocumentCenter/View/7011/Att-2---2020-Census-Funding-Agreement>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Laurie Sampson, Executive Assistant

MEETING DATE: March 10, 2020

SUBJECT: Receive and File Contracts Approved Under the City Manager's Signature Authority for the Month January 2020

RECOMMENDATION:

Receive and file contracts approved under the City Manager's signature authority for the Month of January 2020.

BACKGROUND:

City Council requested regular reports of contracts signed under the City Manager's signature authority of \$25,000 or less.

ATTACHMENT:

1. List of Contracts January 2020
<https://banningca.gov/DocumentCenter/View/7003/Att-1---Jan-2020-CM-Approved-Contracts>

Approved by:

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Douglas Schulze
City Manager

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Suzanne Cook, Deputy Finance Director
Jennifer Christensen, Administrative Services Director

MEETING DATE: March 10, 2020

SUBJECT: Resolution 2020-25 Approving New and Revised Job Descriptions and Revisions to the Compensation and Classification Plan.

RECOMMENDED ACTION:

City Council adopt Resolution 2020-25:

1. Approving new job descriptions, (Transit Manager, Solid Waste Program Coordinator) revised job descriptions (Customer Service & Billing Manager, Office Specialist) and revision to the Compensation and Classification Plan.
2. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers.

BACKGROUND:

It is necessary to amend the City's Classification and Compensation Plan from time to time to maintain a current plan which reflects the budget amendments, organizational structure, and department needs. The adoption of Resolution 2020-25 would replace Resolution 2019-109.

JUSTIFICATION:

Proposed changes to the Classification and Compensation Plan to include:

The addition of a Transit Manager position is needed to oversee the day to day operations of the Fixed Route and Dial-A-Ride systems. This position will oversee many projects that are required to bring the operations to industry standard; manage the administration of several grants that have gone unspent; apply for new grants; driver scheduling and coordinate the submittal of reporting requirements with the Riverside

County Transportation Commission (e.g. Short Range Transit Plan). These tasks cannot be accomplished with current staffing levels in the Transit Division. This position will be funded by fare box revenues and State Transit Assistance funds used to fund the division's operations.

The addition of a Solid Waste Program Coordinator is due to the CalRecycle's aggressive implementation of existing and upcoming solid waste regulations (e.g. mandatory commercial recycling and organic recycling, etc.) work loads related to complying with said regulations have increased and are expected to continue to increase. This position will play a key role in managing the City's outreach/education programs; assuring the City remains in compliance with solid waste regulations; developing a food recovery program and assuring the City's solid waste hauler is complying with contractual obligations. The management of solid waste programs require full time oversight which cannot be accomplished with current staff resources. The position will be funded by the Refuse Fund

The update to the salary scale for the Customer Service & Billing Manager position appropriately reflect the demands of the duties, responsibilities and need for this department which takes in tens of millions of dollars in the city's utility revenues each year. Increasing the salary range will make this salary equitable to a comparable manager position across the City's utilities.

The addition of an Office Specialist to provide assistance with clerical workload need of a highly sensitive revenue area of the City where current work load demands are being handled through the use of a temporary agency. Due to the AMI/AMR projects with the Water and Electric utilities, demands on staffing have increased and are not anticipated to diminish in the foreseeable future. As the utilities continue to expand so does the demands on staff and the need for additional clerical staff is a necessity.

FISCAL IMPACT:

Transit Manager with a salary range (T73) from \$72,765.46 to \$84,635.87 funded 100% by the Transit Fund, total salaries and benefits \$130,883.

Solid Waste Program Coordinator with a salary range (G58) from \$49,226.42 to \$66,651.43 funded 100% from the Refuse Fund, total salaries and benefits \$92,281.

Customer Service & Billing Manager salary range from T71 to T83, total salaries and benefits annual increase of \$48,168.06 funded by the Utility Funds.

Office Specialist with a salary range (G44) from \$34,866.95 to \$47,170.71, funded by the Utility Funds, total salaries and benefits \$82,577.

Revisions to Class and Compensation Plan:

Add:

Transit Manager	1
Solid Waste Program Coordinator	1
Office Specialist (Utility Group)	1

Range Change:

Customer Service & Billing Manager from T71 to T83

OPTIONS:

1. Approve Resolution 2020-25 authorizing the new and revised job description and revisions to the Classification and Compensation Plan and make the necessary budget adjustments, appropriation and transfers.
2. Do not approve the resolution and provide direction to staff.

ATTACHMENTS:

1. Resolution 2020-25
<https://banningca.gov/DocumentCenter/View/7062/Attachment-1---2020-02-25-Reso-2020-25>
2. Position Costs for New Positions and Reclassifications
<https://banningca.gov/DocumentCenter/View/7061/Attachment-2--Position-Costs-for-New-Positions-and-Reclassifications>

Approved by:



Douglas Schulze
City Manager

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam Rush, Community Development Director

MEETING DATE: March 10, 2020

SUBJECT: **Ordinance 1559, Approving Zoning Text Amendment (ZTA) No. 19-97506 and Section 17.08.100 ("Accessory Dwelling Unit Standards") of Title 17 ("Zoning") of the Banning Municipal Code in Compliance with Assembly Bill ("AB") 881, AB 68, AB 587, AB 670, and Senate Bill ("SB") 13, which Remove Barriers to the Construction of Accessory Dwelling Units and Junior Accessory Dwelling Units**

RECOMMENDED ACTION:

That the City Council take the following actions:

1. Make a determination, pursuant to Section 21080.17 of the California Environmental Quality Act (CEQA) and Section 15282(h) of the CEQA Guidelines, that Zoning Text Amendment No. 19-97506 is statutorily exempt from the requirements of CEQA because the amendment implements Government Code Section 65852.2.
2. Introduce for the first reading, Ordinance 1559, approving Zoning Text Amendment No. 19-97506, Amending Title 17 ("Zoning") of the Banning Municipal Code (BMC) to update the City's development standards for accessory dwelling units (ADUs) and establish development standards for junior accessory dwelling units (JADUs) in compliance with Assembly Bill ("AB") 881, AB 68, AB 587, AB 670, and Senate Bill ("SB") 13, which remove barriers to the construction of ADUs and JADUs.

APPLICANT INFORMATION:

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

Property: All single-family, multi-family, and mixed-use parcels, all single-family, multi-family, and mixed-use APNs within the City limits of Banning

BACKGROUND:

The California state legislature approved several pieces of legislation, and the Governor signed into law, Assembly Bill ("AB") 881, AB 68, AB 587, AB 670, and Senate Bill ("SB") 13, which remove barriers to the construction of accessory dwelling units. These new laws impose additional restrictions on the type of development standards, use restrictions, and

fees that apply to the City's processing and plan checking of ADUs and JADUs. The changes made by these bills became effective on January 1, 2020, and require the City to update Title 17 of the BMC to ensure consistency with state law. A summary of the updated state law provisions is incorporated herein as **Attachment 4**. At the February 5, 2020 Planning Commission public hearing, the City's commission held a duly noticed public hearing to solicit public testimony and review the proposed amendment. After conducting this public hearing, the Commission recommended adoption of the ordinance amendment to the City Council.

ANALYSIS:

The City's process for Ordinance Amendment to the Development Code allows proposals to be initiated by the Director, by the City Attorney, by any member of the Planning Commission or City Council, or by any land owner or his/her agent. Upon receipt of a complete Zoning Ordinance Amendment application, or direction of the City Council, and following Community Development Department review, a hearing shall be set before the Planning Commission. Notice of the hearings shall be given pursuant to the requirements of Chapter 17.68, Hearings and Appeals. The Planning Commission shall make a written recommendation of the proposed amendment wherein the Commission can approve, approve in modified form, or disapprove based upon their findings. Planning Commission action recommending that the proposed Zoning Ordinance Amendment be approved, approved in modified form, or disapprove based upon their findings shall be considered by the City Council following the Planning Commission action. A copy of the Planning Commission's written recommendation shall be forwarded to the City Council and set for a public hearing at a duly noticed meeting. Upon receipt of the Planning Commission's recommendation, the City Council may also approve, approve with modifications, or disapprove the proposed amendment based upon its findings. Amendments to Title 17 of the BMC shall be adopted by ordinance, with an executed copy held with the City Clerk.

An amendment to Title 17 may only be adopted if the following findings are made:

- A. The proposed Amendment is consistent with the goals and policies of the General Plan.
- B. The proposed Amendment is internally consistent with the Zoning Ordinance.
- C. That the City Council has independently reviewed and considered the requirements of the California Environmental Quality Act.

Findings have been made and can be found in the attached Planning Commission Resolution No. 2020-03.

ENVIRONMENTAL DETERMINATION:

- A. California Environmental Quality Act (CEQA)

City staff has determined that proposed Zoning Text Amendment No. 19-97506 is statutorily exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Section 21080.17 and the State CEQA Guidelines Section 15282(h) because it is not a project as defined by the CEQA Guidelines Section 15378. The Zoning Text Amendment will implement Government Code Section 65852.2 and remove barriers to the construction of accessory dwelling units.

B. Multiple Species Habitat Conservation Plan (MSHCP)

The proposed Zoning Text Amendment does not relate to any one physical project and are not subject to the MSHCP.

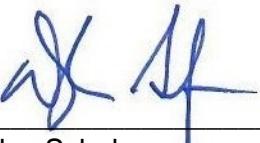
PUBLIC COMMUNICATIONS:

This public hearing was advertised in the Record Gazette newspaper January 3, 2020 and continued at the January 15, 2020 Planning Commission to the February 5th. As of this writing one constituent email was received and responded to; providing the public copy of the ADU ordinance amendment.

ATTACHMENTS:

1. Ordinance 1559, Approving Zoning Text Amendment No. 19-97506
<https://banningca.gov/DocumentCenter/View/7038/ATTACHMENT-NO-1---Banning---ADU-and-JADU-Ordinance>
2. Planning Commission Resolution No. 2020-03
<https://banningca.gov/DocumentCenter/View/7039/ATTACHMENT-NO-2---PC-Resolution-2020-03>
3. Revised ADU Statutes and Bill Text
<https://banningca.gov/DocumentCenter/View/7040/ATTACHMENT-NO-3---Revised-ADU-Law>
4. Summary of Revised ADU Laws
<https://banningca.gov/DocumentCenter/View/7041/ATTACHMENT-NO-4---Summary-of-Revised-ADU-Laws>
5. Notice of Exemption (NOE)
<https://banningca.gov/DocumentCenter/View/7036/ATTACHMENT-NO-5---NOE-ZTA-19-97506>
6. Public Hearing Notice (PHN)
https://banningca.gov/DocumentCenter/View/7037/ATTACHMENT-NO-6---Ordinance-1559_ADUs

Prepared by:



Douglas Schulze
City Manager

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**CITY OF BANNING
CITY COUNCIL REPORT**

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Adam Rush, Community Development Director**

MEETING DATE: **March 10, 2020**

SUBJECT: **Ordinance 1560, an Interim Ordinance of the City of Banning, California, Prohibiting the Establishment or Expansion of RV Storage Facilities in all Zones of the City, Making a Determination of Exemption Under the California Environmental Quality Act, and Declaring the Urgency Thereof**

RECOMMENDED ACTION:

That the City Council take the following actions:

1. Make a determination pursuant to sections 15061(b)(3) (the activity has no potential to result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) and 15378 (the activity is not a project under CEQA) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.
2. Introduce for the first reading, Ordinance 1560, adopting an Interim Ordinance of the City of Banning, California, prohibiting the establishment or expansion of RV storage facilities in all zones of the City, making a determination of exemption under the California Environmental Quality Act, and declaring the urgency thereof.

APPLICANT INFORMATION:

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

Property: All zones in the City of Banning

BACKGROUND:

The City of Banning recently adopted several master planned communities, which generating a substantial amount of residential development activity along with the supportive retail services. Due to these recent changes in the residential housing market, effecting the City of Banning, and the availability of land surrounding these new developments a substantial increase in land speculation is occurring. Potential developers are actively looking for potential RV storage facilities to support the new home buyers.

After a review of the potential zoning capacity, that can accommodate RV storage, there is a wide availability of property and zoning capacity that can accommodate such use.

ANALYSIS:

After a comprehensive review of the increase in speculative activity, investigation of land uses and zoning, phone calls and emails associated with the initial stages of project development associated with potential RV storage facilities, staff has recommended this Interim Urgency Ordinance. Furthermore, staff is concerned that establishment or expansion of RV storage facilities may create public safety, health and welfare impacts within the City. At this time, current regulations governing RV storage are significantly outdated and require immediate revision in order to minimize adverse impacts to the public health and safety.

It must be noted that the City does not have any RV storage applications filed, in process, or pending any type of permit or entitlement approval. Upon the adoption of this Interim Urgency Ordinance staff will publicize and disseminate the moratorium through all available means of communication.

During the term of this Interim Ordinance, the staff will study the appropriate revisions, and updates, to the existing RV storage regulations in order to ensure greater land use compatibility and reduce potential concerns resulting from the status quo.

ENVIRONMENTAL DETERMINATION:

A. California Environmental Quality Act (CEQA)

City staff finds that this Interim Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) (the activity has no potential to result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) and 15378 (the activity is not a project under CEQA) of the CEQA Guidelines, California Code of Regulations, Title 14,

Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

B. Multiple Species Habitat Conservation Plan (MSHCP)

The proposed Zoning Text Amendment does not relate to any one physical project and are not subject to the MSHCP.

PUBLIC COMMUNICATIONS:

This Interim Ordinance an urgency ordinance pursuant to the provisions of Government Code Section 65858. As such, a public notification and advertisement is not necessary at this time. In addition, urgency ordinance shall take effect immediately upon its adoption.

ATTACHMENTS:

1. Ordinance 1560 Adopting an Interim Ordinance
<https://banningca.gov/DocumentCenter/View/7045/Att-1-Ord-1560>
2. Notice of Exemption (NOE)
https://banningca.gov/DocumentCenter/View/7044/Att-2-NOE-ZTA_Ord-1560

Prepared by:



Douglas Schulze
City Manager

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**CITY OF BANNING
COUNCIL, BANNING UTILITY AUTHORITY and BANNING HOUSING
AUTHORITY REPORT**

TO: CITY COUNCIL, BANNING UTILITY AUTHORITY and BANNING HOUSING AUTHORITY

FROM: Doug Schulze, City Manager

PREPARED BY: Suzanne Cook, Deputy Finance Director
Jennifer Christensen, Administrative Services Director

MEETING DATE: March 10, 2020

SUBJECT: Fiscal Year 2018-19 Audited Financial Statements for City of Banning, Banning Utility Authority and Banning Housing Authority

RECOMMENDATION:

Receive and File: Fiscal Year 2018-19 Audited Financial Reports and Independent Auditor's Reports for the City, Banning Utility Authority, and the Housing Authority which were audited by Lance, Soll & Lunghard, LLP ("LSL").

LSL gave an opinion that the financial statements were presented fairly, in all material respects, and the financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Banning, as of June 30, 2019, and the respective changes in financial position, and, where applicable, cash flows thereof, were in accordance with accounting principles generally accepted in the United States of America.

BACKGROUND:

The City's auditors follow specified guidelines in performing their audits including guidelines that are in accordance with generally accepted auditing standards practiced in the United States; Government Auditing Standards issued by the Comptroller General of the United States; and the provisions of Office of Management and Budget Circular A-133, Audits of State and Local Government.

FISCAL IMPACT:

Report of City's financial data as of June 30, 2019. Highlights of the City as a whole:

- As of June 30, 2019, the City's Net Position, which is the difference between the City's assets and deferred outflows of resources versus its liabilities and deferred inflows of resources, is at \$200.77 million, an increase of \$0.36 million over June 30, 2018.

- At the close of the fiscal year, the Unrestricted portion of the Net Position, that which may be used to meet on-going obligations due to creditors, is \$50.74 million, a decrease of \$3.63 million over the prior fiscal year.
- The Net Investment in Capital Assets, another component of Net Position, was \$122.11 a decrease of \$2.55 million over June 30, 2018. The Restricted portion of the Net Position amounted to \$27.92 million, an increase of \$6.53 million over the prior fiscal year.
- GASB Statement No. 68 (Accounting and Financial Reporting for Pensions) and Statement No. 71 (Pension Transition for Contributions Made Subsequent to the Measurement Date) require that the Net Pension Liability be presented on the face of the financial statements. At June 30, 2019, the total Net Pension Liability for the City of Banning, government-wide, was \$40.09 million, an increase of \$0.01 million over the prior fiscal year.

ATTACHMENTS:

1. Audit Communication Letter
<https://banningca.gov/DocumentCenter/View/7029/Attachment---1-Banning-Audit-Communication-Letter-Final>
2. City of Banning Audited Financial Statements for Fiscal Year Ended June 30, 2019
<https://banningca.gov/DocumentCenter/View/7030/Attachment---2-City-of-Banning-Financial-Statement-Final-FYE-6-30-2019>
3. Banning Utility Authority Audited Component Unit Financial Statements, June 30, 2019
<https://banningca.gov/DocumentCenter/View/7026/Attachment---3-Banning-Utility-Authority-Financial-Statement-Final-FYE-6-30-2019>
4. Banning Housing Authority Housing Successor of the City of Banning Audited Financial Statement for Fiscal Year Ended June 30, 2019
<https://banningca.gov/DocumentCenter/View/7027/Attachment---4-Banning-Housing-Successor-Financial-Statement-Final-FYE-6-30-2019>
5. City of Banning Report on Internal Controls
<https://banningca.gov/DocumentCenter/View/7028/Attachment---5-Banning-Report-on-Internal-Controls-Final>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Laurie Sampson, Executive Assistant

MEETING DATE: March 10, 2020

SUBJECT: Resolution 2020-33, Adopting the Official City Seal and Ordinance 1561, Approving a New City Seal, describing the City Seal and Limiting the Use of the City Seal to Official City Business and Documents.

RECOMMENDED ACTION:

City Council approve the following:

1. Resolution 2020-33, adopting the official city seal.
2. Ordinance 1561, limiting the use of the City Seal to official City business and documents.

BACKGROUND:

On February 25, 1913, the Board of Trustees of the City of Banning passed Ordinance Number Two providing for a corporate seal for the City of Banning, prescribing the shape of said seal and the words and figures to be thereon.

The Board of Trustees of the City of Banning do ordain as follows:

Section 1. That the shape of the seal for the City of Banning shall be plain round.

Section 2. That it shall bear the inscription at the top "City of Banning" and at the bottom "California" and in the center "Incorporated 1913". Said seal is hereby declared to be the seal of the City of Banning. (Depiction of 1913 Seal, Attachment 3)

On December 20, 1955, at the direction of Mayor Peterson, a new City Seal was to be created by then Assistant City Engineer James Carney. This design was approved on May 1, 1956 by Ordinance 418. (Depiction of 1956 Seal, Attachment 4)

On October 22, 2019, Mayor Pro Tem Daniela Andrade requested an ad hoc committee be created to determine the feasibility of re-designing the City Logo. At the first meeting it was determined the discussion should include the City Seal as it was over 63 years old and did not reflect the current state of the City. After several meetings the ad hoc committee agreed on a design they felt was more representative of the City of Banning.

FISCAL IMPACT:

The fiscal impact would be negligible. Letterhead and envelopes are no longer printed in advance. The new seal would be placed on business cards as stock is depleted and on vehicles or other assets in need of replacement.

OPTIONS:

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

ATTACHMENTS:

1. Resolution 2020-33
<https://banningca.gov/DocumentCenter/View/7069/Att-1-Resolution-2020-33-City-Seal>
2. Ordinance 1561
<https://banningca.gov/DocumentCenter/View/7070/Att-2-Ordinance-1561-City-Seal-Description-and-Restrictions>
3. Depiction of New City Seal
https://banningca.gov/DocumentCenter/View/7071/Att-3-BanningSeal_Final
4. Depiction of 1913 Seal
<https://banningca.gov/DocumentCenter/View/7067/Att-4-1913-Seal>
5. Depiction of 1956 Seal
<https://banningca.gov/DocumentCenter/View/7068/Att-5-1956-Seal>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

MEETING DATE: March 10, 2020

SUBJECT: Exclusive Negotiation Agreement for 150 E. Ramsey Street

RECOMMENDED ACTION:

Authorize the City Manager to execute the Exclusive Negotiation Agreement with Sudweeks Development for 150 E. Ramsey Street.

BACKGROUND:

A proposal for development of the City-owned property at 150 E. Ramsey Street was received on January 31, 2020. City staff and the developer have been working to draft an Exclusive Negotiation Agreement (ENA) for City Council consideration. The ENA is a tool that gives a developer an exclusive opportunity to conduct due diligence on a property prior to acquiring the property. The standard timeframe of an ENA is typically one year.

Attachment 1 of the ENA provides a timeline and detailed tasks that the developer will deliver for City staff review and preliminary approval. Although the term of the ENA is one year, it is anticipated that a decision on acquisition of the property and development of the project could be completed by the end of 2020. During the ENA period, the City is prohibited from negotiating with any person or entity other than the Developer for the sale, lease, or development of the Property.

JUSTIFICATION:

The City-owned property at 150 E. Ramsey Street has potential to serve as a catalyst for other development within downtown Banning. The proposed project will bring 100 to 150 medical jobs to downtown Banning, on a daily basis, in addition to the clients/patients of the medical providers. This helps to achieve the City goal of a Diverse Economy.

FISCAL IMPACT:

Sale of the property will generate one-time General Fund revenue.

OPTIONS:

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

ATTACHMENTS:

1. Exclusive Negotiation Agreement
<https://banningca.gov/DocumentCenter/View/7059/Att-1---Exclusive-Negotiating-Agreement>
2. Revised Preliminary Site Plan
<https://banningca.gov/DocumentCenter/View/7060/Att-2---SITE-PLAN-FULL-SIZE-2-27-20>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING CITY COUNCIL REPORT

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Art Vela, Director of Public Works**

MEETING DATE: **March 10, 2020**

SUBJECT: **Update and Discussion of the Rate Options to Appear on Proposition 218 Ballots for Landscape Maintenance District (LMD) No. 1**

RECOMMENDED ACTION:

Discuss and Determine the Rate Options/Assessment Units to Appear on Proposition 218 Ballots for Landscape Maintenance District No. 1

BACKGROUND:

LMD No. 1 in the City of Banning was established through the adoption of Resolution No. 1990-59 on August 14, 1990 (nine tracts), with another, Tract No. 22913 being annexed into the District in 1992. There are currently Four (4) Zones and 1,015 assessment units. An additional five tracts and three tentative tracts were annexed (Annexation No. 1) into LMD No. 1 when the City Council approved Resolution No. 2005-36 on May 10, 2005. A map displaying the current District is attached as Attachment 2.

Based on the current assessments, the estimated revenues for Fiscal Year 2019/20 for LMD No. 1 will be approximately \$139,226, and the estimated expenses are \$151,000, a shortfall of approximately \$12,000 which will be covered by the fund balance, at \$298,094. The Assessment Unit annual costs vary from \$98.91 to \$210.38/home per year, depending on the zone. The current assessment provides funding for minimal repairs/replanting and do not fund capital replacement of the landscaping and irrigation in LMD No.1.

For the reasons listed above, the Public Works Department prepared a Request for Proposals (RFP) to hire a consultant with expertise in the Proposition (Prop) 218 process and assessment districts to determine the proper zones and assessment amounts for each tract; the basis of assessments; hold a Prop 218 Public Hearing; determine the estimated budget for the next 15 and 20 years; prepare necessary

reports; and community outreach; in essence, a complete overhaul of the LMD No. 1 including the restructuring of the district zones and assessments.

On January 28, 2020 the City Council approved the Financial Analysis, Redevelopment, and Proposition 218 Report (Report) prepared by Webb Municipal Finance, LLC. The consultant prepared a detailed analysis and budget for all the existing tracts within the LMD. Key goals in this process included:

- Reviewing the existing budgets and assisting with cost recovery accounting to achieve maximum cost to benefit equity and long term financial stability.
- Ensuring the existing zones and assessment amounts for each tract are appropriate; if not justify and recommend changes.
- Ensuring that the developed budget has adequate funding. Budget estimates will be determined and projected each year over the next 20 to 30 years and shall include City staff time, water, electric, operation and maintenance, plant replacement, irrigation repair, etc., incidentals, and capital improvement projects.
- Ensuring the LMD can run itself without deficits and have a balanced budget.
- Determine and recommend new assessment units amounts, new zones, or restructuring of existing zones.
- Ensuring that the current method of apportionment and allocation of the net costs provide a reasonable special benefit nexus to all the properties within the affected zones.

The three options from the Report that were presented to the property owners at four community meetings were as follows:

- Escalated costs with a reserve collection and maintenance program collection (\$0.29/SQFT), Option 1
- Escalated costs with a reserve collection and an escalated maintenance program collection (\$0.44/SQFT), Option 2
- Escalated costs with a reserve and maintenance program collection (\$0.29/SQFT) as well as a CIP collection over 30 years (\$13/SQFT), Option 3

Only twelve (12) vote cards were received at the meetings, with seven (7) property owners voting for Option 1, one (1) for Option 2 and four (4) for "none of the above." The City's website contains information on the Report and survey/vote cards were made available online. Different options result in lower or more costly annual assessment unit costs, depending on the level of service. Attachment 1 contains the Rate Options/ Assessment Units that staff is seeking City Council's approval for the ten Zones within LMD No. 1. It is recommended that all Options have an annual Consumer Price Index (CPI) escalator included to accurately keep up with increasing costs (e.g. utilities, contractor, etc.).

Staff Report: Rate Options to Appear on Proposition 218 Ballots for LMD No. 1

March 10, 2020

Page 3 of 3

It should be noted that the Report found that four (4) tracts/ Zones should be paying less than the current Assessment Unit based on calculations shown in the Report. Thus, staff is recommending that these tracts have Option 2 appear on their Proposition 218 Ballot. Option 2 for the four tracts is still below their current Assessment Unit and will provide much needed enhanced landscape funds for plant replacement and irrigation repairs.

The Proposition 218 Ballot will be mailed in May of 2020 and only one option per Zone will be voted upon by the property owner within that Zone along with the Option to vote "No." Attachment 3 includes Draft envelopes, a Draft Assessment Ballot and Draft Notice of Public Hearing that will be mailed to the affected property owners within LMD No. 1.

FISCAL IMPACT:

Rate Options will determine the revenue collected from LMD No. 1 property owners and will have a significant impact on the budget of the LMD No. 1 for the foreseeable future.

RECOMMENDATION:

Approve staff's recommendation regarding which Assessment Unit (AU)/ Rate Option should appear on the Proposition 218 Ballots for the property owners in LMD No. 1 to vote upon. It is recommended that all options include an annual CPI increase.

ATTACHMENTS:

1. Landscape Maintenance District No. 1 Proposition 218 Rate Options <https://banningca.gov/DocumentCenter/View/7065/Attachment-1-Prop-218-Rate-Options-to-City>
2. LMD No. 1 Map <https://banningca.gov/DocumentCenter/View/7064/Attachment-2-LMD-No1-Map>
3. Draft Envelopes, Assessment Ballot and Notice of Public Hearing <https://banningca.gov/DocumentCenter/View/7066/Attachment-3---Notices-and-Envelopes>

Approved by:



Douglas Schulze
City Manager

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CITY OF BANNING CITY COUNCIL REPORT

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Art Vela, Public Works Director/City Engineer**
Kevin Sin, Senior Civil Engineer

MEETING DATE: **March 10, 2020**

SUBJECT: **Resolution 2020-32, Awarding a Construction Agreement for Project No. 2014-03 "Hargrave at Ramsey Intersection Improvements" to Weka, Inc., Highland, CA in the Amount of \$3,735,435 and Establishing a Total Project Budget of \$4,108,978.50 and Rejecting all Other Bids**

RECOMMENDED ACTION:

That the City Council Adopt Resolution 2020-32:

1. Approving a Construction Agreement for Project No. 2014-03 "Hargrave at Ramsey Intersection Improvements" to Weka, Inc., Highland, CA in the Amount of \$3,735,435 and Establishing a Total Project Budget of \$4,108,978.50 and Rejecting all Other Bids
2. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to the Construction Agreement for Project No. 2014-03 "Hargrave at Ramsey Intersection Improvements" and to approve change orders within the 10% contingency.
3. Authorize the City Manager to execute the Construction Agreement with Weka, Inc. for Project No. 2014-03 "Hargrave at Ramsey Intersection Improvements".

BACKGROUND:

On May 26, 2015 City Council approved Resolution 2015-45, awarding a Professional Services Contract to Cozad & Fox, Inc. for the design services for the preparation of bid documents (i.e. plans, specifications and estimates – PS&E). Although the PS&E phase was completed towards the latter part of 2016, delays were encountered during negotiations with Southern California Edison (SCE) for the relocation of their utility poles. The negotiations resulted in the relocations of the poles at no cost to the City. Additionally, SCE had to acquire an easement for the relocation of their poles which further delayed the bidding of the Project.

On December 20, 2019, Public Works and Purchasing staff advertised an Invitation for Bids (IFB No. 19-053) in The Press-Enterprise and posted on PlanetBids. Additionally, email notifications were sent out to all vendors by PlanetBids. In response to these efforts, the City on January 29, 2020 received the following bids:

<u>Companies</u>	<u>Price</u>
1) Weka, Inc.	\$3,735,435
2) Griffith Company	\$4,981,952

Purchasing staff has conducted reference checks on the apparent low bidder, Weka, Inc. and found that the company is responsive and responsible on their contracts with other agencies on similar projects.

As a result, staff recommends that the Construction Agreement be awarded to the lowest responsive and responsible bidder, Weka, Inc. of Highland, California, in the amount of \$3,735,435. A copy of the bid schedule for the lowest bid can be found attached hereto.

If awarded, staff anticipates the work to commence late April, 2020 and to be completed within one hundred twenty (120) working days or approximately six (6) months from the issuance of a Notice to Proceed.

The scope of work under this project includes improving the intersection of Ramsey Street and Hargrave Street, which consists of construction and placement of new asphaltic concrete paving; grinding and overlay of existing asphaltic concrete pavement; construction of concrete sidewalk, gutters, spandrels, curbs, and driveway aprons; installation of storm drain facilities; installation of striping and signage, reconfiguration of existing traffic control devices and installation of new traffic control devices; and the installation of a new 12" Ductile Iron water main, hydrants, air vacs, etc. on Hargrave Street from Ramsey Street to Hoffer Street; installation of electric utility improvements; all in accordance with the City of Banning Standard Drawings, Standard Specifications for Public Works Construction and the Project Plans and Specifications.

JUSTIFICATION:

Weka, Inc. is the lowest responsive and responsible bidder to construct Project No. 2014-03, "Hargrave at Ramsey Intersection Improvements". The project will improve circulation at the intersection of Hargrave Street and Ramsey Street, will replace an aging water line along Hargrave Street, will improve electrical infrastructure and will rehabilitate the existing pavement along a portion of Hargrave Street from Ramsey Street to Hoffer Street.

FISCAL IMPACT:

The Construction Agreement for Project No. 2014-03 "Hargrave at Ramsey Intersection Improvements" will be for an "not-to-exceed" amount of \$4,108,978.50 which includes a 10% contingency and will be funded by the following accounts:

FUND	AMOUNT
Tax Allocation Bonds (TABS) Fund Acct: 840-9500-490.93-30	\$1,036,319.50
Traffic Control Facility Fund (420-4900-431.93-27)	\$400,000
Measure "A" Fund (101-4900-431.93-16)	\$650,000
Water Operations Fund (660-6300-471.95-10)	\$1,000,000
Electric Revenue Bond Project Fund (674-7000-473.96-29)	\$649,042
Electric Electric Improvement Fund (673.7000.473.96.29)	\$373,617
TOTAL	\$4,108,978.50

Appropriations from Fund 420, in the amount of \$400,000 and from Fund 660 in the amount of \$310,000 to their respective expenditure accounts as listed above are required to fund the Construction Agreement for the Project.

ALTERNATIVE:

Reject Resolution No. 2020-32. If rejected the various improvements as identified in this project, including the water main replacement, will not be constructed at this time.

ATTACHMENTS:

1. Resolution No. 2020-32
<https://banningca.gov/DocumentCenter/View/7058/Attachment-1-Reso-2020-32>
2. Weka, Inc. Bid Schedule
<https://banningca.gov/DocumentCenter/View/7042/Attachment-2-Weka-Inc-Bid>

Approved by:



Douglas Schulze, City Manager

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CITY OF BANNING CITY COUNCIL REPORT

TO: **CITY COUNCIL**

FROM: **Douglas Schulze, City Manager**

PREPARED BY: **Art Vela, Public Works Director/City Engineer**
Jennifer Jackson, Management Analyst

MEETING DATE: **March 10, 2020**

SUBJECT: **Resolution 2020-27, Authorizing the Submittal of an Application for Grant Funds from the Bureau of Reclamation WaterSMART Grants: Small-Scale Water Efficiency Projects Program for FY 2020, Funding Opportunity No. BOR-DO-20-F006.**

RECOMMENDED ACTION:

Staff recommends:

1. The City Council adopt Resolution 2020-27 authorizing the City to apply for grant funds from the Bureau of Reclamation WaterSMART Grants: Small-Scale Water Efficiency Projects Grants Program for FY 2020, and provide the required local match, if awarded.
2. The City Council authorizes the City Manager or his designee to accept and receive grant funding and to make necessary budget adjustments and appropriations related to this resolution.

BACKGROUND:

The City of Banning is requesting \$75,000 in federal funding assistance from the Bureau of Reclamation (BOR) WaterSMART Small-Scale Water Efficiency Projects (Fiscal Year 2020 Funding Opportunity Announcement No. NO-DO-20-F006) for a Pressure Zone Separation & Water Loss Reduction Project.

Pressure Zone Separation & Water Loss Reduction Project

If awarded, the City will utilize funds to equip Well C6 with a variable speed drive (VSD) unit with an upgraded telemetry system to more accurately control and monitor water use and fluctuations. Additionally, the project will rehabilitate previously installed pressure relief valves (PRVs) in order to split the City's Main Pressure Zone into an "Upper Main Zone" and "Lower Main Zone" to reduce high pressures and background water losses occurring in the lower zone. The proposed project has been identified by annual water loss audits conducted by the City as the most cost-effective measure to decrease water

losses and reduce high pressures occurring within the City's water infrastructure. Audit findings identified that lower water pressure in the City's Main Pressure Zone could possibly reduce water losses by 47%, saving an estimated 107 acre ft. per year in the Lower Main Pressure Zone area.

The Pressure Zone Separation & Water Loss Reduction Project consists of the following tasks:

- Installation of a Variable Speed Drive (VSD) unit in Well C6 and replacing outdated starter equipment. A VSD unit at Well C6 will allow City staff to monitor and control water pressure at Well C6 depending on system requirements and water demand. Water operators will be able to regulate the production of the well according to the current water level in the aquifer. Benefits include the ability to operate the well without the possibility of over pumping, as well as cutting down on electrical costs while lengthening the life of the motor and pressure regulators.
- Installation of an upgraded telemetry system, enabling City staff or water operators to make adjustments or implement changes remotely, thereby reducing costly site visits.
- Rehabilitation/replacement of seven (7) pressure relief valves (PRVs) that will be set to open at a predetermined set pressure to protect pressure vessels and other equipment from being subjected to pressures that exceed their design limits.
- Rezoning the City's Main Zone by dividing it into two separate zones (Upper Main Zone and Lower Main Zone) to reduce high pressures in the lower part of the Main Zone due to high elevation differences across the zone.

Bureau of Reclamation Grant

In December 2019, the Bureau of Reclamation released the FY 2020 WaterSMART: Small-Scale Water Efficiency Projects Program ("Program"). The Program will award funding for projects that conserve and use water more efficiently; mitigate conflict risk in areas at a high risk for future water conflict; and accomplish other benefits that contribute to water supply reliability in the western United States. The program specifically supports small-scale water efficiency projects that have been prioritized through planning efforts led by the applicant.

Maximum funding request is \$75,000 per applicant, with the total project cost not to exceed \$200,000. If successful, the grant will fund labor, equipment, materials and supplies, and environmental compliance costs.

JUSTIFICATION:

In Banning's effort to deliver water to residents in an efficient and safe manner, it is in the City's best interest to seek grant funding to offset the cost of this essential project to reduce water system pressures and mitigate water losses.

Per the Bureau of Reclamation, a City Council approved resolution is required to consider the grant application complete. The signed resolution must be received no later than thirty (30) days after application deadline of March 4, 2020.

FISCAL IMPACT:

The City will be responsible for a local match of fifty (50) percent or more of the total project cost.

Matching funds will come from accounts 660-6300-471.95-11 Water Reg, Valves, Etc. and 660-6300-471.95-08 Wells/Pumping Equipment, included in the City's upcoming two-year budget.

ALTERNATIVE:

Reject Resolution 2020-27. If rejected, the City's grant application will be deemed incomplete and not considered for funding.

ATTACHMENT:

1. Resolution 2020-27

<https://banningca.gov/DocumentCenter/View/7020/ATTACHMENT-1---RESO-2020-27>

Approved by:



Douglas Schulze
City Manager

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CITY OF BANNING CITY COUNCIL REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Jennifer Christensen, Administrative Services Director
Suzanne Cook, Deputy Finance Director

MEETING DATE: March 10, 2020

SUBJECT: Budgetary Processes, Policies and Fund Structure

RECOMMENDED ACTION:

That the City Council adopt the proposed Budgetary Processes, Policies and Fund Structure for the Fiscal Years Ending 2021 and 2022 budget for the City of Banning.

BACKGROUND:

Of all the functional areas of city government finance, one of the most critical to success is budgeting. Budgeting has many dimensions: managerial, planning, communications, financial. A sound budget process encourages the development of organizational goals, establishes policies and plans to achieve those goals, and allocates limited resources through the process that are consistent with these goals, policies, and plans. There is also a focus on measuring performance to determine what has been accomplished with the allocated resources.

Budgeting should have a long-range perspective, and not simply be an exercise in balancing revenues and expenditures one year at a time. Sound budget policies encourage consideration of the longer-term consequences of budgetary decisions. All budget decisions need to be understood over a multi-year planning horizon to assess whether program and service levels can be sustained.

A budget process that is well integrated with the other activities of city government, such as the planning and management functions, will provide better financial and program decisions and lead to improved city operations. A budget process that involves all stakeholders and reflects their needs and priorities will serve as a positive force in maintaining good public relations and enhancing citizens' and other stakeholders' overall impression of city government.

For the development of the City's budget for Fiscal Years Ending 2021 and 2022, important process improvements have already been implemented. Implementation of OpenGov has been a major initiative for the development of the City's budget next biennial budget. OpenGov is an integrated cloud solution for public sector budgeting, performance, communications, and reporting. OpenGov provides better data reporting, monitoring and management of financial information as well as powerful collaboration tools for city departments. Greater citywide participation is now incorporated into the budget development process. In addition to the efficiencies gained in the budget development process, OpenGov is also widely adopted by municipalities across the nation because it provides an effective two-way communication tool for governmental agencies and the public thereby building public trust.

The next critical step in the budget development process is the item before the City Council today: the adoption of budgetary processes and policies. A thoughtful and transparent process governed by clear financial and budgetary policies is essential to enhancing the quality of decision making. Future meetings will illuminate the key issues and choices facing the community as the City prepares for budget workshops in April 2020 and final budget adoption in June 2020.

JUSTIFICATION:

Adherence to adopted financial policies promotes sound financial management, can lead to improvement in bond ratings, lower cost of capital, and improve the City's financial stability by helping city officials plan fiscal strategy consistent with the goals and objectives of the City Council. It reduces the impact of unexpected shortfalls which could lead to reductions of city services. It also provides assurance to the community that the city's financial resources are being utilized to bring value and maximum quality of life.

The proposed budgetary processes and policies have been prepared in consideration of the primary and overarching budgetary and financial objectives of:

- Accountability/Transparency
- Fiscal Stability
- Full Cost Recovery
- Future Risks
- Service Levels
- Capital and Infrastructure Needs
- Employee Retention

Additionally, the proposed budgetary policies cover specific guidance on general fund allocation, operations, capital improvement, revenue, debt management, and fund balances and reserves.

FISCAL IMPACT:

No fiscal impact.

Staff Report: Budgetary Processes, Policies & Fund Structure

March 10, 2020

Page 3 of 3

OPTIONS:

1. Approve Budgetary Processes, Policies and Fund Structure as recommended.
2. Do not approve and provide alternative direction.

ATTACHMENTS:

1. Budgetary Processes, Policies and Fund Structure

<https://banningca.gov/DocumentCenter/View/7055/ATT-1-Budget-Policies>

Approved by:



Douglas Schulze
City Manager