



*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

03/10/2020  
REGULAR MEETING

COUNCIL MEMBERS PRESENT: Mayor Andrade  
Mayor Pro Tem Wallace  
Councilmember Happe  
Councilmember Pingree (upon appointment)  
Councilmember Welch

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT Douglas Schulze, City Manager  
Marie Calderon, City Clerk  
Sonja De La Fuente, Deputy City Clerk  
Jennifer Christensen, Administrative Services Director  
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  
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 March 10, 2020, at 5:00 p.m. at the Banning City Council Chamber, 99 E. Ramsey Street, Banning, California.

Police Chaplain Merle Malland offered the invocation.

Mayor Pro Tem Wallace led the audience in the Pledge of Allegiance.

## **II. AGENDA APPROVAL**

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

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

## **III. PRESENTATION(S)**

### **1. Mayor's Special Recognition**

The Mayor and City Council presented Certificates of Recognition to Suzanne Cook with the City of Banning and Table of Plenty, thanking them for making Banning a better place to work, live, and play.

## **IV. REPORT ON CLOSED SESSION**

The City Manager reported that the City Council only discussed two of the five items on the Closed Session Agenda as follows:

### **1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9

Name of Case: San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Services into Markets Operated by the California Independent System Operator Corporation and the California Power Exchange (Midway Sunset Cogeneration Company Settlement), Federal Energy Regulatory Commission, Docket No. EL00-95-311

**Direction was provided to staff regarding the case.**

### **5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8

Properties: 150 E. Ramsey Street

City Negotiator: Douglas Schulze, City Manager

Negotiating Parties: Brandon Sudweeks, Sudweeks Development and Investment Company

Under Negotiation: Price and terms for potential sale of City property to Sudweeks Development Company.

**No action taken.**

## **V. PUBLIC COMMENTS, CORRESPONDENCE, AND APPOINTMENTS**

### **PUBLIC COMMENT(S)**

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

Aaron Thomas, Government Relations Manager, Southern California Edison introduced himself and indicated he would like to present some opportunities at a future City Council Meeting.

Inge Schuler spoke regarding the microphones being difficult to hear and expressed gratitude for adding page numbers to the agenda. She asked about a notification system for things such as the coronavirus, as the notification system through the website is not working for her.

Frank Burgess expressed concern with construction at Wilson and Smith Creek as well as Ramsey and Highland Springs. He would like someone to contact him and explain the plans for both projects.

Seeing no further comments, the Mayor closed Public Comments.

### **CORRESPONDENCE**

None.

### **APPOINTMENT(S)**

1. Resolution 2020-30, Appointment of District 2 City Council Representative

Councilmember Welch nominated Kyle Pingree. Councilmember Wallace seconded the nomination.

Councilmember Happe nominated Jennifer Flesher. Nobody seconded the nomination.

A motion was made by Councilmember Welch, seconded by Mayor Pro Tem Wallace, to adopt Resolution 2020-30, appointing Kyle Pingree as the District 2 City Council Representative. Electronic vote was taken as follows:

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

**Action: Adopted Resolution 2020-30.**

Marie Calderon, City Clerk, administered the Oath of Office.

**2. Planning Commissioner Appointment**

Mayor Pro Tem Wallace nominated David Lopez. Councilmember Happe seconded the nomination.

A motion was made by Mayor Pro Tem Wallace, seconded by Councilmember Happe, to appoint David Lopez to serve on the Planning Commission for a term of four years. Electronic vote was taken as follows:

AYES: Andrade, Happe, Pingree, Wallace & Welch

NOES: None

ABSTAIN: None

ABSENT: None

**Action: Appointed David Lopez to the Planning Commission.**

Marie Calderon, City Clerk, administered the Oath of Office.

**VI. CONSENT ITEMS**

Items 3, 6, and 8 were pulled for discussion.

1. Minutes – February 25, 2020, Special Meeting (Closed Session)
2. Minutes – February 25, 2020, Regular Meeting
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
5. Increase to the Purchase Order with Coutts Heating and Cooling, Inc. for HVAC Repairs and Emergency Services
7. 2<sup>nd</sup> 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
9. Resolution 2020-28, Approving the Census Funding Agreement #2020Census-01 Between the County of Riverside and the City of Banning
10. Contracts Approved Under the City Manager's Signature Authority for the Month of January 2020
11. Resolution 2020-25, Approving New and Revised Job Descriptions and Revisions to the Compensation and Classification Plan

**Public Comments**

None

A motion was made by Councilmember Welch, seconded by Mayor Pro Tem Wallace, to approve consent calendar items 1-2, 4-5, 7 and 9-11. Electronic vote was taken as follows:

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

**Action:       Approved Consent Items 1-2, 4-5, 7 and 9-11.**

3.       Minutes – February 27, 2020, Special Meeting (Interviews)

### **Public Comment**

None

Councilmember Happe requested the typo under attendance be corrected. Deputy City Clerk confirmed that it would be corrected.

A motion was made by Councilmember Happe, seconded by Councilmember Welch, to approve Consent Items 3 as amended. Electronic vote was taken as follows:

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

**Action:       Approved Consent Item 3 as amended.**

6.       1<sup>st</sup> 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

Councilmember Happe requested clarification regarding the design fees and property negotiations.

The City Manager reminded all that property negotiations are a closed session item.

## Public Comment

Frank Burgess asked if a contract is amended, does staff have to bring back to Council for approval. He also questioned the re-design of the project.

Seeing no further comments, the Mayor closed Public Comment.

The City Manager clarified that there is an adopted City Policy that staff has the authority to issue change orders up to 10% of the total contract price. Regarding property negotiations, the City Council will often give staff authority a maximum amount they will allow staff to negotiate up to. Therefore, it would not require going back to Council to reject an offer.

Public Works Director Vela confirmed that the contract had 10% contingency built into the contract. Temporary Construction Easements (TCE) were not included in the original contract. He also explained that the redesign of the project would reduce construction costs by approximately \$200,000. Plans will be finalized when Right-of-Way acquisition phase is completed.

A motion was made by Mayor Pro Tem Wallace, seconded by Councilmember Welch, to approve Consent Items 6. Electronic vote was taken as follows:

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

**Action:       Approved Consent Item 6.**

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

Deputy Finance Director Suzanne Cook provided clarification on the contract terms.

## Public Comment

Inge Schuler recommended changing companies.

Frank Burgess recommended allowing the new director one year to review the contract then decide what to do after one year.

Seeing no further comments, the Mayor closed Public Comment.

A motion was made by Mayor Pro Tem Wallace, seconded by Mayor Andrade, to approve Consent Items 8. Electronic vote was taken as follows:

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

**Action:        Approved Consent Item 8.**

## **VII.    PUBLIC HEARING(S)**

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.

Adam Rush, Community Development Director provided a presentation (Attachment 1).

### **Public Hearing**

Seeing nobody come forward, the Mayor closed the Public Hearing

Councilmember Happe asked how this would affect Homeowner's Associations (HOAs).

Community Development Director Rush explained that this prevents HOAs from enforcing their rules.

The Mayor clarified that this is a housekeeping to implement State of California regulation.

Mayor Pro Tem Wallace asked if this pertains to tiny houses.

Community Development Director Rush confirmed that if they meet State Code and would be a secondary unit.

The Mayor asked the Deputy City Clerk to read the title of Ordinance 1559. The Deputy City Clerk read as follows:

*"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).”*

A motion was made by Councilmember Welch, seconded by Mayor Pro Tem Wallace to waive further reading of Ordinance 1559. Electronic vote was taken as follows:

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

**Action:        Waived further reading of Ordinance 1559.**

A motion was made by Councilmember Welch, seconded by Councilmember Happe that Ordinance 1559 pass its first reading. Electronic vote was taken as follows:

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

**Action:        Ordinance 1559 passed 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.

Adam Rush, Community Development Director provided a presentation (Attachment 2).

### **Public Hearing**

Inge Schuler indicated she did not see the what the beginning and ending dates of the moratorium in the document.

Andy Anderson read a prepared statement (Attachment 3).

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

Community Development Director Rush advised that the moratorium would not apply to Mr. Anderson, as there are permits in process and he would email him as

such. Regarding Ms. Schuler's concern, the ordinance will be effective 45 days from the date of adoption (today).

The City Manager explained that in Section 6 of the Ordinance there is an effective date and the 45-day duration.

**The Mayor asked the Deputy City Clerk to read the title of Ordinance 1560. The Deputy City Clerk read as follows:**

*"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."*

A motion was made by Councilmember Happe, seconded by Councilmember Welch to waive further reading of Ordinance 1560. Electronic vote was taken as follows:

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

**Action: Waived further reading of Ordinance 1560.**

A motion was made by Councilmember Welch, seconded by Mayor Pro Tem Wallace that Ordinance 1560 is adopted. Electronic vote was taken as follows:

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

**Action: Adopted Ordinance 1560.**

## **VIII. ANNOUNCEMENTS AND REPORTS**

### **CITY COUNCIL COMMITTEE REPORTS**

Councilmember Pingree thanked the Council for the opportunity to serve as the Councilmember representing District 2.

Councilmember Happe congratulated Councilmember Pingree.

Councilmember Welch congratulated Councilmember Pingree.

Mayor Pro Tem Wallace congratulated Councilmember Pingree and reported on the following:

- Last Thursday she read books to kindergartners at Central Elementary.
- Community Action Partnership held Tech Assist at the Community Center today. There were 23 graduates and they received computers.
- Speaking at the High School on Thursday about what made her want to run for City Council.
- Community Clean Up at Dysart Park on April 18, 2020 from 1:00 p.m. until 3:00 p.m.

Mayor Andrade reported on the following:

- Attended and spoke at Girls Empowerment Club at Nicolet Middle School.
- Demolition of the former Banning Business Center began on Monday of last week.
- Thanked the Chamber of Commerce for supporting the City and their events.
- Attended the Riverside County Board of Education State of Education Address with Mayor Pro Tem Wallace on Thursday.
- Attended the League of California Cities in Indio where they discussed the Coronavirus.
- Those that wish to be updated regarding the Coronavirus may sign up on the City's website.

#### REPORT BY CITY ATTORNEY

None

#### REPORT BY CITY MANAGER

City Manager Doug Schulze reported on the following:

- Regarding the Coronavirus (COVID-19), cases have been confirmed in Riverside County. Participating in conference calls with Emergency Management and Public Health on a weekly basis. Most of the information received is the same that can be found in the news. Riverside County Board of Supervisors ratified the Riverside County Public Health Officer's Order.
- Nixle is the tool the City will use for emergency notifications and encouraged all to sign up to receive notifications by visiting the City's website: <https://banningca.gov/540/City-of-Banning-Alerts> or texting 92220 to 888777.

- Pardee is completing projects on Wilson Street and Highland Springs in phases. The work being done right now is consistent with Phase 1. Improvements will continue as they continue with additional phases.
- Video conference interviews for the Economic Development Manager position will be held tomorrow with five candidates. Some or all candidates will be invited for in-person interviews. If all goes well, an offer would hopefully be made in late March with the selected candidate starting in late April or early May.

## REPORTS OF OFFICERS

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

Deputy Finance Director Suzanne Cook provided the staff report and PowerPoint presentation (Attachment 4) regarding this item.

Deborah Harper with Lance Soll & Lunghard provided additional information regarding the audit.

### **Public Comment**

None.

A motion was made by Mayor Pro Tem Wallace, seconded by Councilmember Welch, to 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. Electronic vote was taken as follows:

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

**Action: Approved receiving and filing reports.**

2. Resolution 2020-33, Adopting the Official City Seal and Ordinance 1561 Amending Municipal Code Pertaining to the Seal Design and Use Restrictions.

City Manager Schulze provided the staff report for this item.

Mayor Pro Tem Wallace expressed her dissatisfaction with the new design of the seal. Councilmember Welch expressed his satisfaction with the design of the new seal.

## Public Comment

None

A motion was made by Councilmember Welch, seconded by Mayor Andrade, to adopt Resolution 2020-33, Adopting the Official City Seal. Electronic vote was taken as follows:

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

**Action: Adopted Resolution 2020-33.**

The Mayor asked the Deputy City Clerk to read the title of Ordinance 1561. The Deputy City Clerk read as follows:

*“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.”*

A motion was made by Councilmember Happe, seconded by Councilmember Pingree to waive further reading of Ordinance 1561. Electronic vote was taken as follows:

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

**Action: Waived further reading of Ordinance 1561.**

A motion was made by Councilmember Welch, seconded by Councilmember Happe that Ordinance 1561 pass its first reading. Electronic vote was taken as follows:

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

**Action: Ordinance 1561 passed its first reading.**

3. Exclusive Negotiation Agreement for 150 E. Ramsey Street.

Councilmember Happe recused himself due to potential conflict of interest.

City Manager Schulze provided the staff report for this item.

Brandon Sudweeks with Sudweeks Development provided a PowerPoint presentation for this item (Attachment 5).

**Public Comment**

Paul Perkins spoke in favor of the project and asked about deposits from the developer to work against.

Bill Hobbs spoke in favor of the project and asked if there was any affiliation with Beaver.

John Hagan spoke in favor of the project and recommended water tolerant landscape. He also asked if there would be adequate parking.

Seeing no further comments, the Mayor closed Public Comment.

There was some discussion held among Council and staff. The City Manager explained that the developer would provide deposits that would be drawn against and fully accounted for.

A motion was made by Councilmember Welch, seconded by Mayor Pro Tem Wallace, to approve an Exclusive Negotiation Agreement with Sudweeks Development for 150 E. Ramsey Street. Electronic vote was taken as follows:

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

**Action: Approved Exclusive Negotiation Agreement.**

The Mayor recessed the meeting at 7:22 p.m. and reconvened at 7:33 pm.

4. Update and Discussion of the Rate Options to Appear on Proposition 218 Ballots for Landscape Maintenance District (LMD) 1.

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

## Public Comment

John Hagan advised he lives in Landscape Maintenance District No. 1 Zone 8. He asked how the company arrived at the figure for the cost of services provided. He asked everyone to vote against the item.

Karen Amirson expressed her concern with an annual rate increase. She asked if property owners were being notified, not just renters.

Seeing no further comments, the Mayor closed Public Comment.

Public Works Director Vela explained how the costs were arrived upon and added the increased level of service. He also explained that this is an assessment, not a fee and the property owner would be assessed through the Riverside County Assessor's office. Finally, he advised that all property owners were notified.

Councilmember Happe asked what would happen if the voters did not pass this. Public Works Director Vela explained that the level of service would have to be reduced as the revenue is reduced.

Councilmember Welch asked if there would be a way to show how the money is spent. Public Works Director Vela advised the annual Engineer's Report is available to the public and if it is the Council's desire it could be mailed to the residents.

A motion was made by Councilmember Happe, seconded by Councilmember Welch, to determine the Rate Options/Assessment Units to appear on Proposition 218 Ballots for Landscape Maintenance District No. 1. Electronic vote was taken as follows:

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

**Action:       Approved Rate Options/Assessment Units for 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.

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

## Public Comment

None

Councilmember Wallace asked if Hargrave would be smooth upon completion of the project. Public Works Director Vela advised it would be.

A motion was made by Councilmember Welch, seconded by Councilmember Happe, to adopt Resolution 2020-32. Electronic vote was taken as follows:

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

**Action: Adopted 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.

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

## Public Comment

John Hagan suggested the City would be eligible for more grants if rock scaping was implemented.

Seeing no further comments, the Mayor closed Public Comment.

Public Works Director Vela explained this type of grant wouldn't fund landscape improvements.

A motion was made by Councilmember Welch, seconded by Councilmember Happe, to adopt Resolution 2020-27. Electronic vote was taken as follows:

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

**Action: Adopted Resolution 2020-27.**

7. Budget Processes, Policies and Fund Structures.

Administrative Services Director Jennifer Christensen provided the staff report and PowerPoint presentation (Attachment 6) for this item.

**Public Comment**

None

City Manager Schulze advised there will be a lot of information over the next few months during the budget process. He encouraged Council and the public to reach out to staff with any questions.

There was some discussion held among Council and Staff regarding the budget process and system.

A motion was made by Councilmember Welch, seconded by Councilmember Happe, to adopt the proposed Budgetary Processes, Policies and Fund Structure for the fiscal years ending 2021 and 2022 budget for the City of Banning. Electronic vote was taken as follows:

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

**Action: Adopted Budgetary Processes, Policies and Fund Structure for Fiscal Years 2021 and 2022.**

**IX. DISCUSSION ITEM**

None

**CITY COUNCIL – Next Meeting, March 24, 2020, 5:00 p.m.**

**X. ITEMS FOR FUTURE AGENDAS**

**XI. ADJOURNMENT**

By consensus, the meeting was adjourned at 8:41 p.m.

Minutes Prepared by:

*Sonja De La Fuente*

Sonja De La Fuente, Deputy City Clerk

***The entire discussion of this meeting may be viewed here:***

***<https://banninglive.viebit.com/player.php?hash=JHLsPAEN7nUn> and  
<https://banninglive.viebit.com/player.php?hash=3Tvlps2BA9d>.*** Any related

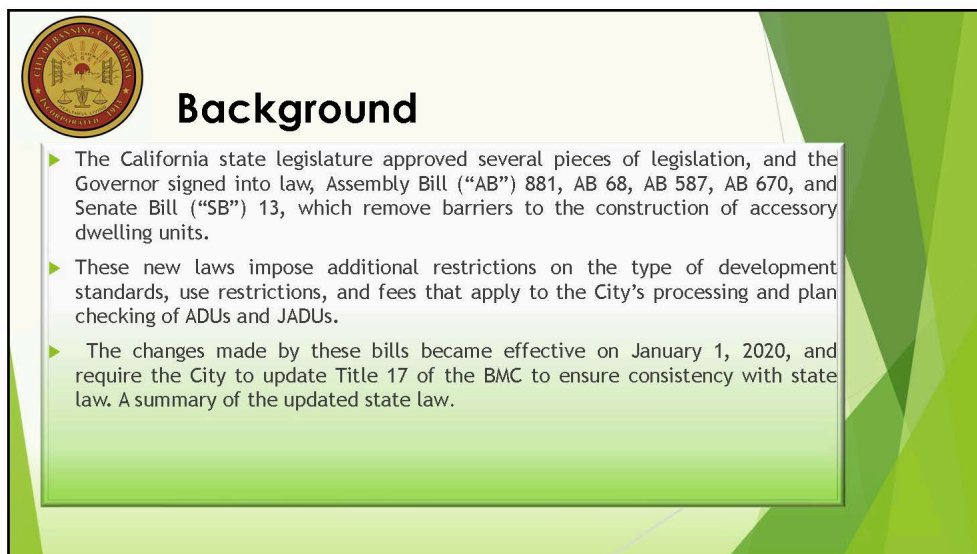
***documents maybe viewed here:***

***<http://www.banningca.gov/ArchiveCenter/ViewFile/Item/2260> 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**




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## Updated Provisions

**Accessory Dwelling Unit** is an **attached or a detached residential dwelling unit** that includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated.”

**Junior Accessory Dwelling Unit** is a unit that is **no more than five hundred square feet** in size, is contained entirely within a single-family residence, and may include separate sanitation facilities, or may share sanitation facilities with the existing structure.”

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## Updated Provisions

- Building Permit Only (approval w/in 60-days)
- Unless, if submitted concurrent with a new SFR
- One attached ADU per lot if within the same dimensions of the SFR “footprint” or 150 s.f. beyond
- Exterior Access
- Rear and side safety setbacks
- Not more than two ADU within SFR At least 800 s.f., but not more than 1,200 s.f., and 16-feet in height, except as an efficiency unit
- Not more than two ADU within MFR lots and up to 25% expansion

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## Updated Provisions

- Zoning of existing lot shall be single or multi-family zoning
- Density and lot coverage is not an absolute
- No additional parking requirements are applied, even for loss of parking due to conversion of interior space.
- Fire sprinklers are required only if within the primary dwelling
- Owner Occupancy required with attached but not for detached
- Utility requirements can be applied

5



## Updated Provisions


Junior ADUs:

In addition to the previously described standards, the following are in addition:

- A minimum of 200 s.f. but maximum of 500 s.f. in floor area
- An “efficiency” kitchen
- Junior ADUs not subject to utility connections
- Owner-occupancy is required
- Prohibition on sale of Junior ADU

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## Fees and Utilities

- ▶ The impact of ADUs can be assessed for water and sewer services with the exception of the first 750 s.f. is removed from this impact fee calculation for most ADUs
- ▶ ADUs are subject to inspection fees

7



## General Regulations

- ▶ No subdivision of the ADU from the primary dwelling
- ▶ All construction must meet Building, Electrical, Plumbing, and Fire Codes

8

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## Environmental Determination

The project 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.

9

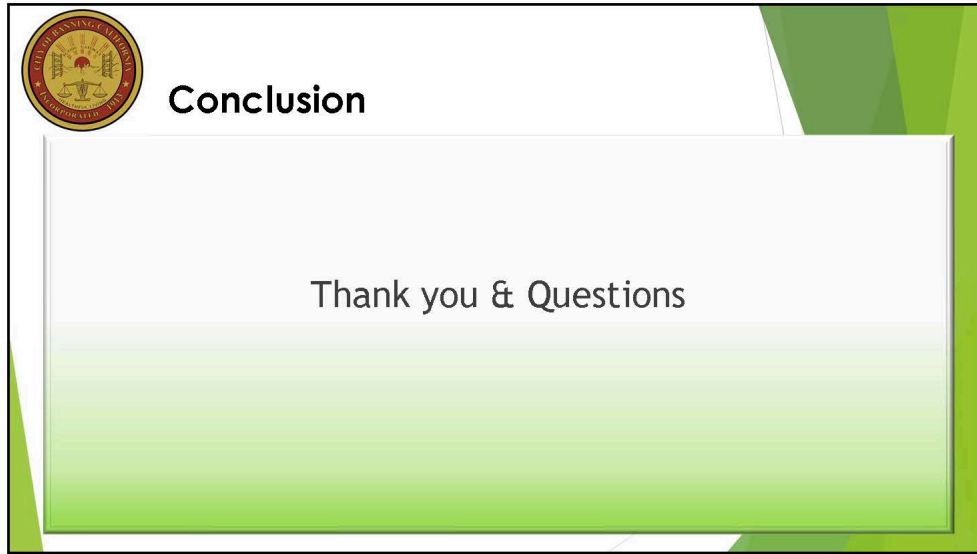


## City Council Action:

- ▶ 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.
- ▶ Adopt Planning Commission Resolution No. 2020-03, recommending the City Council approve 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.

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# **ATTACHMENT 2**




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## Analysis

- Increases in speculative activity and investigation of land uses and zonings.
- RV storage projects typically follow increases in residential development activity.
- Staff is concerned that a sudden increase in establishment or expansion of RV storage facilities could create a public safety impact.
- Currently, no RV storage applications have been filed with the City. As such, no current entitlements will be directly impacted.

3




## Investigation and Report.

- During the interim ordinance, the Community Development Department will study revisions to the existing RV storage regulation to mitigate the conditions that present potential concern.
- During this term, a report back to the City Council with his or her findings and proposed revisions to current regulations necessary to implement the recommended course of action

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## Effective Date & Term

- Pursuant to Government Code, this Interim Ordinance shall be adopted by not less than a four-fifths vote of the City Council and **shall be in effect for 45 days from its adoption**, unless extended.
- After notice pursuant to Government Code Section 65090 and a public hearing, **the City Council may extend the Interim Ordinance for up to an additional 10 months and 15 days** and subsequently for one year, if necessary.
- The Community Development Director and the City Clerk's office shall undertake all actions legally necessary to extend this Interim Ordinance in the event the **studies and reports** required by the City Council cannot be completed within 45 days.

5



## Environmental Determination

The City Council 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.

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## City Council Action:

- ▶ 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.
- ▶ **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.

7



## Conclusion

Thank you & Questions

8

# **ATTACHMENT 3**

Received 3-10-2020  
(56)

March 10, 2020  
City of Banning  
Council Meeting  
Banning, CA  
Good Evening,

My name is Andy Andersen. I'm the owner of 4.53 acres of land on Charles Street, APN: 543-090-0195-5. I started the construction for the Andersen RV and Equipment Facility, May 2019. I finished the rough grading January 2020.

I'm here regarding the proposed Ordinance 1560, prohibiting the establishment or expansion of RV storage facilities in all zones of the City of Banning.

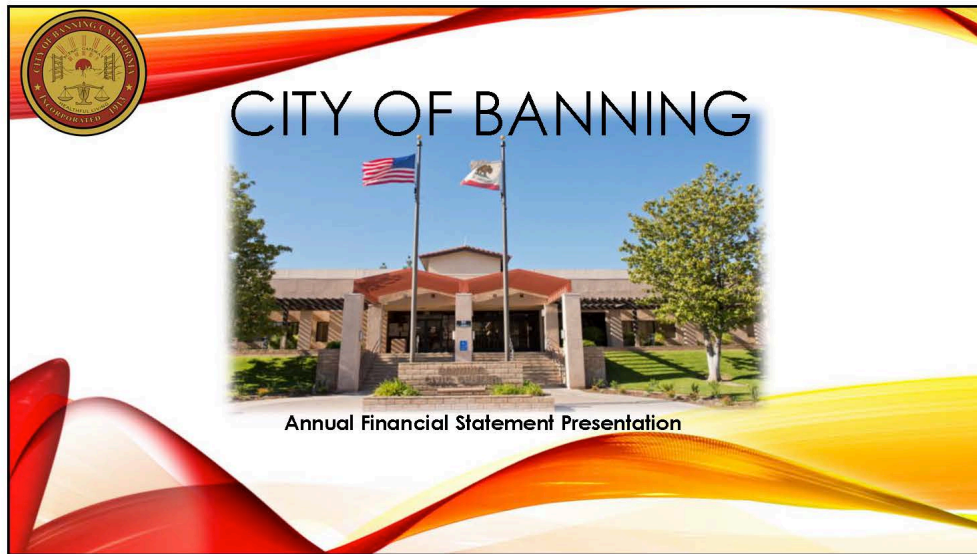
The **Analysis** notes that the City of Banning does not have any RV storage applications filed, in process, or pending any type of permit or entitlement approval.

I put in a call to Doug Schulze, the City Manager today, and he promptly returned my call, which I appreciate, he assured me that this ordinance would not apply to my project since I was vested. What I would like from the City of Banning is a letter for my file stating that, and recognizing my project is in progress.

Thank you very much,

Andy Andersen

# **ATTACHMENT 4**



1



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SC2

## WHAT MAKES UP THE FINANCIAL STATEMENTS?

- Independent Auditor's Report p.1
- Management's Discussion & Analysis (MD&A) p.6
- Government-Wide Financial Statements p.23
  - Statement of Net Position
  - Statement of Activities
- Fund Financial Statements p.24
  - Balance Sheet (Presentation of Assets, Liabilities & Net Position) Governmental, Proprietary & Fiduciary Funds
  - Statement of Revenues, Expenditures & Changes in Fund Balances: Governmental, Proprietary & Fiduciary Funds
  - Cash Flow Statements Proprietary Funds
- Notes to Financial Statements include the following: p.39
  - Cash & Investments (Note 2, p. 52)
  - Long-Term Debt
  - Retirement & Other Post Employment Benefits
  - Commitments and Contingencies
  - Prior Period Adjustments (Restatements)
- Required Supplementary Information p. 80
  - Includes Changes in Net Pension Liability and related schedules (p.80-81)
  - Budgetary Comparison General Fund
  - Notes to Required Supplementary Information
- Combining and Individual Fund Statements & Schedules, p.87
  - Includes Budgetary Comparison Schedules for Special Revenue Funds and Capital Project Funds

3

## FINANCIAL STATEMENTS - BACKGROUND

**Contract with independent CPA Firm**

Perform two audits annually
 

- Internal Controls – Interim Audit
- Year-end Field Work on Year-end figures

**Over the years, expanded reporting requirements by GASB have increased the work effort required for the preparation of the Financial Statement.**

**Received an unqualified ("clean") opinion for Fiscal Year 2018-19**

4



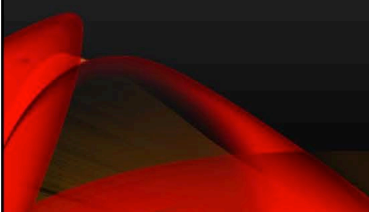
## AUDITOR'S OPINION

**Independent Auditor's Report (pp 1-3)**

Unqualified opinion excerpt from the report:

"In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Banning, California, as of June 30, 2019, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America."

5



## FINANCIAL HIGHLIGHTS

**Management's Discussion and Analysis (pp 5-22)**

Highlights of the City as a Whole (p.8):

- 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. (p80-81)

6

## FINANCIAL STATEMENT DETAILS

Summary of Net Position (in Millions) Comparison to FY 2018  
Table 1 MD&A p10

Reference Statement of Net Position p 23

	Governmental Activities		Business-Type Activities		Government-Wide Totals		% CHG
	2018	2019	2018	2019	2018	2019	
Assets:							
Current and other assets	38.74	38.44	79.40	83.85	118.22	122.29	3.4%
Capital assets	71.12	67.31	113.76	112.14	184.87	179.45	2.9%
<b>TOTAL ASSETS</b>	<b>\$ 109.85</b>	<b>\$ 105.75</b>	<b>\$ 193.24</b>	<b>\$ 195.99</b>	<b>\$ 303.09</b>	<b>\$ 301.74</b>	<b>0.4%</b>
Deferred outflows on refunding	-	-	3.13	2.94	3.13	2.94	6.1%
Deferred pension related items	7.35	5.29	2.84	2.21	10.19	7.50	26.4%
<b>TOTAL DEFERRED OUTFLOWS</b>	<b>\$ 7.35</b>	<b>\$ 5.29</b>	<b>\$ 5.97</b>	<b>\$ 5.15</b>	<b>\$ 13.32</b>	<b>\$ 10.44</b>	<b>21.6%</b>
Liabilities:							
Current and other liabilities	5.23	5.44	7.55	7.25	12.78	12.70	0.6%
Long-term liabilities*	27.85	26.73	74.02	70.97	101.87	97.70	4.1%
<b>TOTAL LIABILITIES</b>	<b>\$ 33.08</b>	<b>\$ 32.17</b>	<b>\$ 81.57</b>	<b>\$ 78.23</b>	<b>\$ 114.65</b>	<b>\$ 110.40</b>	<b>3.7%</b>
Deferred inflows on refunding	-	-	-	-	-	-	0.0%
Deferred pension related items	0.83	0.50	0.52	0.51	1.34	1.01	24.6%
<b>TOTAL DEFERRED INFLOWS</b>	<b>\$ 0.83</b>	<b>\$ 0.50</b>	<b>\$ 0.52</b>	<b>\$ 0.51</b>	<b>\$ 1.34</b>	<b>\$ 1.01</b>	<b>24.6%</b>
<b>Net Position:</b>							
Net investment in capital assets	70.01	66.69	54.65	55.42	124.66	122.11	2.0%
Restricted for:							
Community Development Projects	2.58	2.65	-	-	2.58	2.65	2.7%
Public Safety	0.29	0.31	-	-	0.29	0.31	6.9%
Culture and Leisure	0.04	0.04	-	-	0.04	0.04	0.0%
Transportation	3.31	3.86	-	-	3.31	3.86	16.0%
Capital Projects	8.30	8.16	6.87	6.91	15.17	15.07	0.7%
Debt Service	-	-	-	-	-	-	0.0%
SCPPA Projects	-	-	-	2.03	-	2.03	0.0%
SCPPA Project Stabilization Fund	-	-	-	3.96	-	3.96	0.0%
Unrestricted	18.23	18.44	55.80	54.08	54.37	50.74	6.7%
<b>TOTAL NET POSITION</b>	<b>\$ 83.29</b>	<b>\$ 78.37</b>	<b>\$ 117.12</b>	<b>\$ 122.40</b>	<b>\$ 200.41</b>	<b>\$ 200.77</b>	<b>0.2%</b>

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## FINANCIAL STATEMENT DETAILS

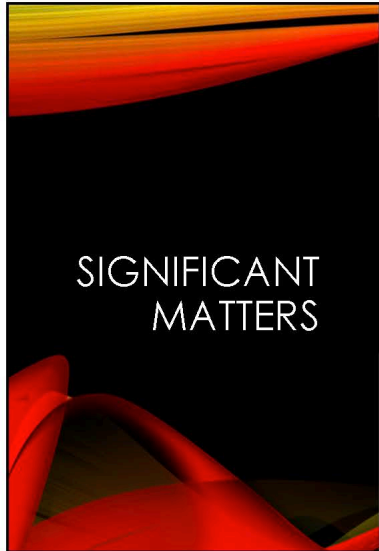
Statement of Activities (in Millions) comparison to FY 2018

	Governmental Activities		Business-Type Activities		Government-Wide Totals	
	2018	2019	2018	2019	2018	2019
<b>Revenues:</b>						
Program Revenues:						
Charges for Services	3.34	4.30	47.26	49.64	\$6.70	\$4.59
Operating Contributions and Grants	2.01	0.36	2.59	1.84	4.60	2.72
Capital Contributions and Grants	0.16	0.30	-	-	0.16	0.30
<b>Subtotal Program Revenues</b>	<b>5.51</b>	<b>6.01</b>	<b>50.45</b>	<b>51.50</b>	<b>\$6.06</b>	<b>\$7.51</b>
General Revenues:						
Property Taxes	4.76	5.22	-	-	4.76	5.22
Sales Taxes	4.19	4.47	-	-	4.19	4.47
Business Licenses Taxes	0.16	0.17	-	-	0.16	0.17
Franchise Taxes	0.87	0.90	-	-	0.87	0.90
Transient Occupancy Taxes	0.85	0.90	-	-	0.85	0.90
Other Taxes	0.54	1.20	-	-	0.54	1.20
Motor Vehicle In-Lieu	0.02	0.02	-	-	0.02	0.02
Use of Money and Property	0.74	1.13	0.64	1.59	1.38	2.72
Other	0.51	0.55	0.41	0.27	0.92	0.83
Gain on sale of capital asset	-	-	-	-	-	-
<b>Subtotal General Revenues</b>	<b>17.36</b>	<b>18.56</b>	<b>1.05</b>	<b>1.86</b>	<b>13.90</b>	<b>16.41</b>
<b>TOTAL REVENUES</b>	<b>18.47</b>	<b>20.57</b>	<b>51.50</b>	<b>53.36</b>	<b>20.96</b>	<b>23.92</b>
<b>Expenses:</b>						
General Government	2.46	3.12	-	-	2.46	3.12
Public Safety	13.12	13.56	-	-	13.12	13.56
Community Development	1.62	2.01	-	-	1.62	2.01
Culture and Leisure	1.44	1.41	-	-	1.44	1.41
Transportation	4.97	5.75	-	-	4.97	5.75
Interest on long-term debt	0.06	0.04	-	-	0.06	0.04
Airport	-	-	0.59	0.55	0.59	0.55
Traffic	-	-	1.87	2.32	1.87	2.32
Electric Utility	-	-	22.72	21.02	22.72	21.02
BWA Water	-	-	8.14	8.32	8.14	8.32
BWA Wastewater	-	-	2.94	3.50	2.94	3.50
Refuse	-	-	3.51	4.48	3.51	4.48
<b>TOTAL EXPENSES</b>	<b>23.67</b>	<b>26.11</b>	<b>49.53</b>	<b>49.99</b>	<b>73.27</b>	<b>76.10</b>
<b>Increase/(Decrease) in Net Position Before Transfers and Special Items</b>	<b>(5.21)</b>	<b>(5.59)</b>	<b>1.97</b>	<b>3.38</b>	<b>(3.30)</b>	<b>(1.77)</b>
<b>Transfers</b>	<b>0.72</b>	<b>0.94</b>	<b>(0.72)</b>	<b>(0.61)</b>	<b>-</b>	<b>-</b>
<b>Increase/(Decrease) in Net Position</b>	<b>(4.49)</b>	<b>(4.65)</b>	<b>1.25</b>	<b>2.77</b>	<b>(3.30)</b>	<b>(1.77)</b>
<b>Net Position at Beginning of Year</b>	<b>87.77</b>	<b>85.29</b>	<b>115.24</b>	<b>117.11</b>	<b>203.71</b>	<b>204.41</b>
<b>Restatement of Net Position</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2.54</b>	<b>-</b>	<b>2.54</b>
<b>Net Position at End of Year</b>	<b>83.29</b>	<b>78.37</b>	<b>117.12</b>	<b>122.40</b>	<b>200.41</b>	<b>206.77</b>

Table 2 MD&A p11  
Reference Statement of Activities pp 24-25

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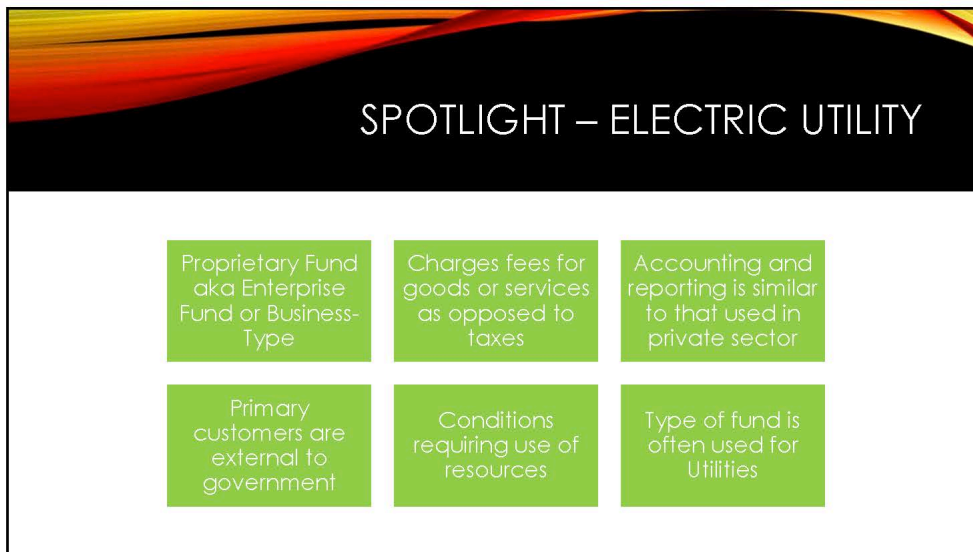


## SIGNIFICANT MATTERS

### Restatements for FY2019 (Note 18, p. 79)

- From May 2014 to May 2016, the Electric Fund overcharged the Banning Utility Water Fund on six electrical utility accounts. Total overstatement of Banning Electric revenues of \$1,276,936 and understatement on the Banning Water Utility, restated in fiscal year 2019.
- Over billing from SPPA for various projects with the joint powers authority which used as a credit towards current year projects. Prior years accumulated over billings were \$202,898 and \$1,561,705 specifically for San Juan Unit 3 project. Adjustments were made to reflect these restatements.
- City transferred \$773,322 from prior year over billings to the SPPA Project Stabilization Fund, which was incorrectly recorded as an expense. This was corrected to show the proper investment help by SPPA for the City in the Project Stabilization Fund.

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## SPOTLIGHT – ELECTRIC UTILITY






Proprietary Fund aka Enterprise Fund or Business- Type	Charges fees for goods or services as opposed to taxes	Accounting and reporting is similar to that used in private sector
Primary customers are external to government	Conditions requiring use of resources	Type of fund is often used for Utilities

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## SPOTLIGHT – ELECTRIC UTILITY

### Electric Utility Funds:

-  Electric Operations (670) including Generation – tracks the revenues and costs to provide the reliable and safe distribution of electricity to residents and business in the City of Banning. The department contracts with both public and private entities for the provisions of specialized services
-  Rate Stability (672) – accumulated funds are used to offset operation costs to help mitigate the need for rate increases. There is a minimum reserve of 20% required per the available fund balance reserve policy
-  Electric Improvement (673) – financial tracking and accounting of the Electric Utility capital projects that are funded from the Electric Operations fund. Purpose is to provide a clear financial separation between operational and maintenance work, and capital projects
-  Electric Bond Project (674) – Banning Financial Authority was created in 2003 for the purpose of providing financing for the acquisition or construction of public capital improvements. This fund tracks the revenue bond proceeds set aside for certain improvements to the Electric System. Debt Service (678) – tracks the debt service payments and costs.
-  Public Benefits Fund (675) – The California electric restructuring legislation, Assembly Bill 1890, requires publicly owned utilities to maintain a usage based Public Benefits Charge to be used for Public Benefits Programs. This fund tracks these charges and programs.

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## SPOTLIGHT – ELECTRIC UTILITY

### Statement of Net Position June 30, 2019 p. 30

Electric Utility		Liabilities, Deferred Inflow of Resources and Net Position:	
<b>Assets:</b>		<b>Liabilities:</b>	
<b>Current:</b>		<b>Current:</b>	
Pooled cash and investments	\$ 10,487,003	Accounts payable	\$ 1,080,404
Receivables:		Accrued liabilities	171,403
Accounts, net	4,765,922	Accrued interest	105,952
Loans	4,935	Unearned revenues	-
Interest	185,100	Deposits payable	403,856
Prepaid costs	1,597,859	Compensated absences	287,356
Deposits	113,744	Claims and judgments	-
Due from other governments	-	Bonds, notes, and capital leases	1,150,000
Inventories	2,310,406	<b>Total Current Liabilities</b>	<b>3,778,781</b>
<b>Restricted:</b>		<b>Noncurrent:</b>	
Cash and investments	2,279,429	Net Pension Liability	7,877,728
Cash with fiscal agent	2,785,087	Compensated absences	107,570
Investment in SCPPA Project Stabilization Fund	2,367,820	Claims and judgments	-
<b>Total Current Assets</b>	<b>36,163,384</b>	Bonds, notes, and capital leases	29,850,953
<b>Noncurrent:</b>		<b>Total Noncurrent Liabilities</b>	<b>36,836,081</b>
Advances to other funds	394,118	<b>Total Liabilities</b>	<b>40,614,872</b>
Capital assets - net of accumulated depreciation	48,858,603	<b>Deferred Inflows of Resources:</b>	
<b>Total Noncurrent Assets</b>	<b>49,252,721</b>	Deferred person related items	222,472
<b>Total Assets</b>	<b>85,386,105</b>	<b>Total Deferred Inflows of Resources</b>	<b>222,472</b>
<b>Deferred Outflows of Resources:</b>		<b>Net Position:</b>	
Deferred charge on refunding	2,117,290	Net investment in capital assets	20,025,200
Deferred person related items	1,197,021	Restricted for capital projects	2,788,287
<b>Total Deferred Outflows of Resources</b>	<b>3,304,321</b>	Restricted for debt service	-
<b>Total Assets and Deferred Outflows of Resources</b>	<b>\$ 88,670,426</b>	Restricted for SCPPA Projects	2,031,133
		Restricted for SCPPA Stabilization Fund	3,662,458
		Unrestricted	18,126,204
		<b>Total Net Position</b>	<b>47,853,082</b>
		<b>Total Liabilities, Deferred Inflows of Resources, and Net Position</b>	<b>\$ 88,670,426</b>

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## SPOTLIGHT – ELECTRIC UTILITY

Statement of Revenue, Expenses and Change in Fund Net Position Year Ended June 30, 2019 p. 32

Operating Revenues:		Electric Utility	Nonoperating Revenues (Expenses):	
Sales and service charges	\$	31,485,295	Intergovernmental	13,515
Miscellaneous		158,171	Interest revenue and change in fair value of investments	645,906
			Interest expense	(1,289,017)
			Gain (loss) on disposal of capital assets	(92,738)
<b>Total Operating Revenues</b>		<b>31,643,466</b>	<b>Total Nonoperating Revenues (Expenses)</b>	<b>(722,334)</b>
<b>Operating Expenses:</b>			<b>Income (Loss) Before Transfers</b>	<b>1,762,552</b>
Salaries and benefits		5,337,456	Transfers in	-
Supplies and services		5,541,309	Transfers out	-
Repairs and maintenance		32,838		
Street lighting costs		144,287	<b>Changes in Net Position</b>	<b>1,762,552</b>
Power purchased		16,753,417		
Bad debt expense		65,291	<b>Net Position:</b>	
Insurance premiums		-	Beginning of Year, as previously reported	44,809,541
Depreciation expense		1,283,982	Restatements	1,260,989
<b>Total Operating Expenses</b>		<b>29,158,580</b>	Beginning of Fiscal Year, as restated	46,070,530
<b>Operating Income (Loss)</b>		<b>2,484,886</b> ★★	<b>End of Fiscal Year</b>	<b>\$ 47,833,082</b> ★

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## SPOTLIGHT – ELECTRIC UTILITY

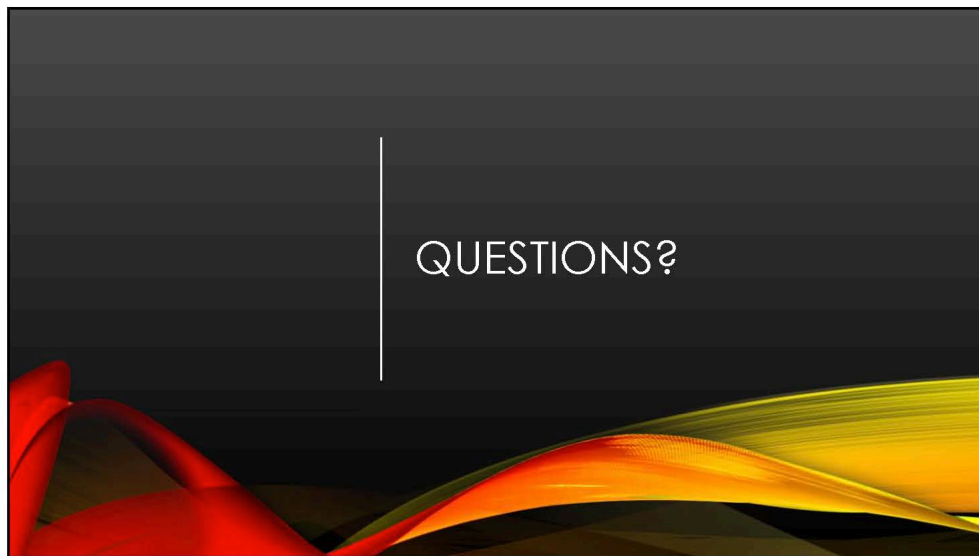
Statement of Cash Flows Year Ended June 30, 2019 p.34

Cash Flows from Operating Activities:		Electric Utility	Cash and Cash Equivalents at Beginning of Year	
Cash received from customers and users	\$	31,240,878		27,227,704
Cash received from interfund services provided		158,171	<b>Cash and Cash Equivalents at End of Year</b>	<b>\$ 24,534,519</b>
Cash paid to suppliers for goods and services		(23,235,878)	<b>Reconciliation of Operating Income to Net Cash Provided (Used) by Operating Activities:</b>	
Cash paid to employees for services		(4,839,556)	Operating income (loss)	\$ 2,484,886 ★★
Cash received from others		-	<b>Adjustments to Reconcile Operating Income (loss)</b>	
<b>Net Cash Provided (Used) by Operating Activities</b>		<b>3,323,410</b> ★	<b>Net Cash Provided (Used) by Operating Activities:</b>	
<b>Cash Flows from Non-Capital Financing Activities:</b>			Depreciation	1,283,982
Cash transfers in		-	Bad debt expense	65,291
Cash transfers out		-	(Increase) decrease in accounts receivable	(211,837)
Intergovernmental		13,515	(Increase) decrease in deposits receivable	(2,352)
Cash received (paid to) other enterprise funds		(1,278,635)	(Increase) decrease in due from other governments	-
<b>Net Cash Provided (Used) by Non-Capital Financing Activities</b>		<b>(1,263,421)</b>	(Increase) decrease in prepaid expense	(124,111)
<b>Cash Flows from Capital and Related Financing Activities:</b>			(Increase) decrease in inventories	4,045
Acquisition and construction of capital assets		(1,336,495)	Increase (decrease) in accounts payable	(941,009)
Principal paid on capital debt		(1,005,000)	Increase (decrease) in accrued liabilities	42,412
Interest paid on capital debt		(1,304,711)	Increase (decrease) in deposits payable	(32,782)
Proceeds from sales of capital assets		-	Increase (decrease) in unearned revenue	-
<b>Net Cash Provided (Used) by Capital and Related Financing Activities</b>		<b>(3,729,176)</b>	Increase (decrease) in employee salary/benefit obligations	384,853
<b>Cash Flows from Investing Activities:</b>			Increase (decrease) in claims and judgments	-
Collections of repayment on loan receivables		(3,923)	Increase (decrease) in compensated absences	70,632
Issuance of notes and loans receivable		-	<b>Total Adjustments</b>	<b>838,524</b>
Payments made to SCPPA Project Stabilization Fund		(1,504,568)	<b>Net Cash Provided (Used) by Operating Activities</b>	<b>\$ 3,323,410</b> ★
Interest received		584,403	<b>Non-Cash Investing, Capital, and Financing Activities:</b>	
<b>Net Cash Provided (Used) by Investing Activities</b>		<b>(1,913,988)</b>	Amortization of Unamortized Premiums/Discounts	\$ 152,817
<b>Net Increase (Decrease) in Cash and Cash Equivalents</b>		<b>(2,693,185)</b>	Amortization of Gain/Loss on Deleverance	(117,627)

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City Council receive and file the City of Banning, Banning Utility Authority and Banning Housing Authority Financial Statements for the Fiscal Year ended June 30, 2019

ACTION ITEM

17

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# **ATTACHMENT 5**



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## Our Team

- Developer- Sudweeks Development and Investment Company (SDIC);
- Contractor- Sudweeks Construction. (SC);
- Architect- Pings & Associates (Pings);
- Property Management Team- Coldwell Banker Commercial (CBC).

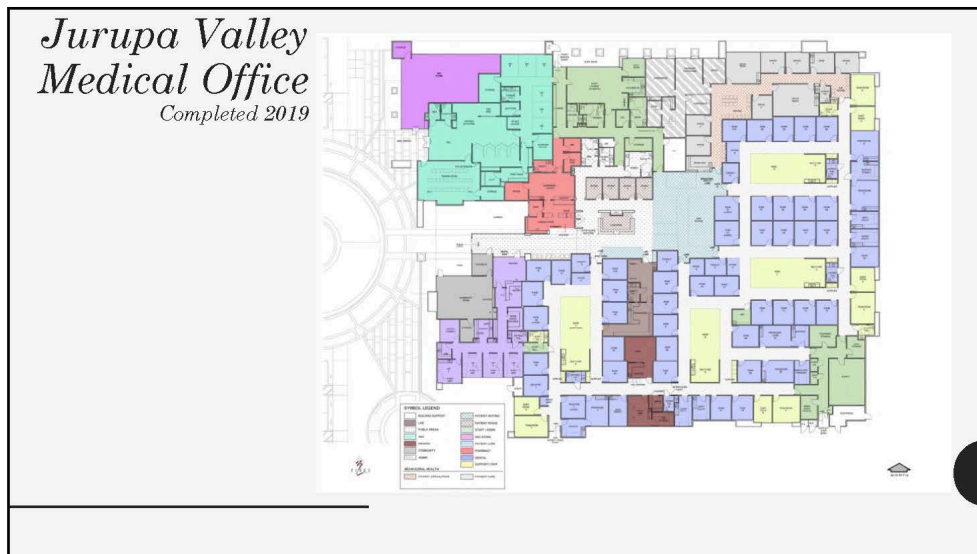
*We are passionate about building a project that will provide the underserved Banning community with much needed medical services and will enable the City to enhance its mission and growth objectives. If selected we will bring our passion for creating attractive and functional developments to the Banning Community and build a mixed-use project including; a state of the medical office project, along-side a downtown town-center, while utilizing the knowledge and expertise of industry experts.*

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# RAMSEY & LIVINGSTON

5.5 Gross Acres – 4 Net Acres

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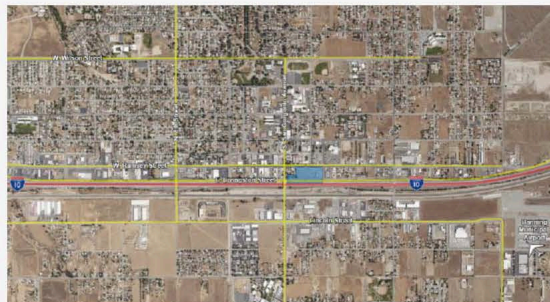
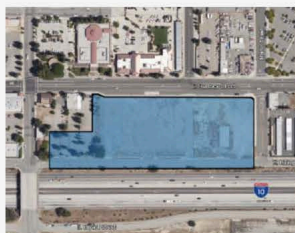
## Site Information

ADDRESS (PROPOSED)  
E. Livingston Street Banning, CA

TOTAL LAND AREA  
±5.5 Gross Acres±4 Net Acres

ZONING  
Downtown Commercial

PERMITTED USES  
Restaurants, Professional Offices



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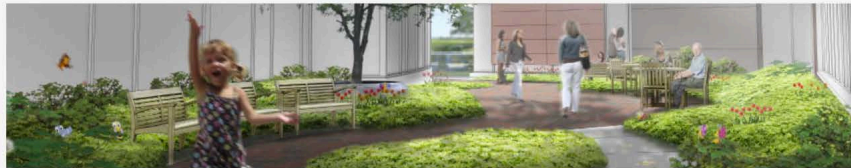


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## Healing and Therapy Gardens



### HEALING GARDEN

To give a welcoming and comforting refuge, this project has included a healing garden. This is an open and inviting space for both patients and their families. This also serves as an offload area.

Collectively, this integrated setting is in a natural landscape enclave, providing a peaceful refuge accented with screen walls and benches.



### THERAPY GARDEN

To provide clinicians with an alternate therapeutic environment, we have provided this therapy garden. This is a secure space, separated from the surrounding area.

Pediatric patients are often not comfortable in the office-based environment.

This landscaped garden environment may be helpful for select patients

This is a large yet personalized area that is emotionally and physically separated from any outside intrusions.

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## *Project Benefits*

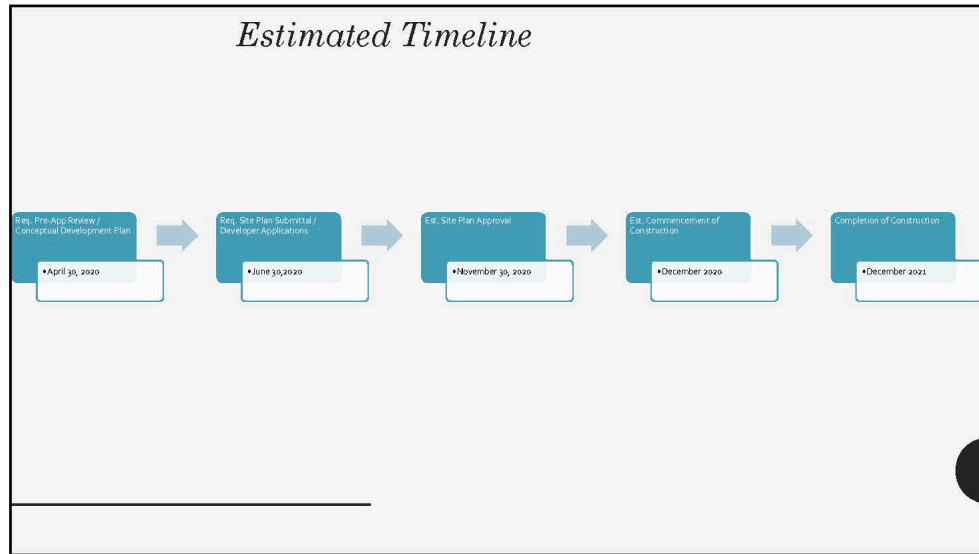
- The Medical Facility will bring much needed health care services to the City of Banning in a state-of-the-art facility.
  - Hundreds of Patrons per day will visit the facility.
- The project will create hundreds of jobs. Including; Doctors, Nurses, Pharmacists, Lab Tech's, Medical Assistants, Phycologists, Psychiatrists, Dentists, Radiologists, Chefs, Waiters / Waitresses, Construction Workers and much more.
- The project will create a Downtown Plaza area to bring the community together for local events.
  - An Art Plaza area will give the project a creative and unique design with Custom Made Art.
- New Restaurants will be targeted and incentivized to come to Downtown Banning.
- Tens of Millions of Dollars will be invested in the Downtown Banning Area.

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## *TIMELINE*

*Design to Completion*

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# **ATTACHMENT 6**

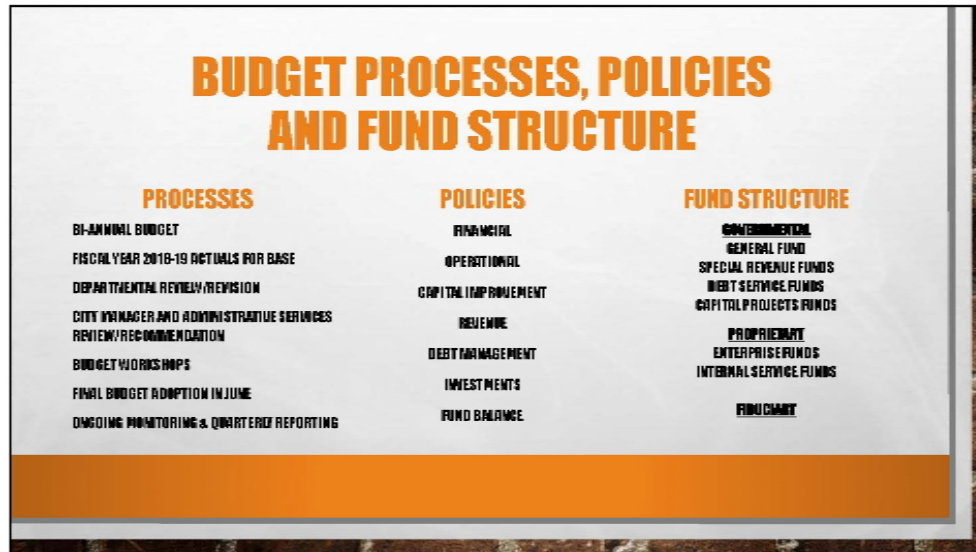


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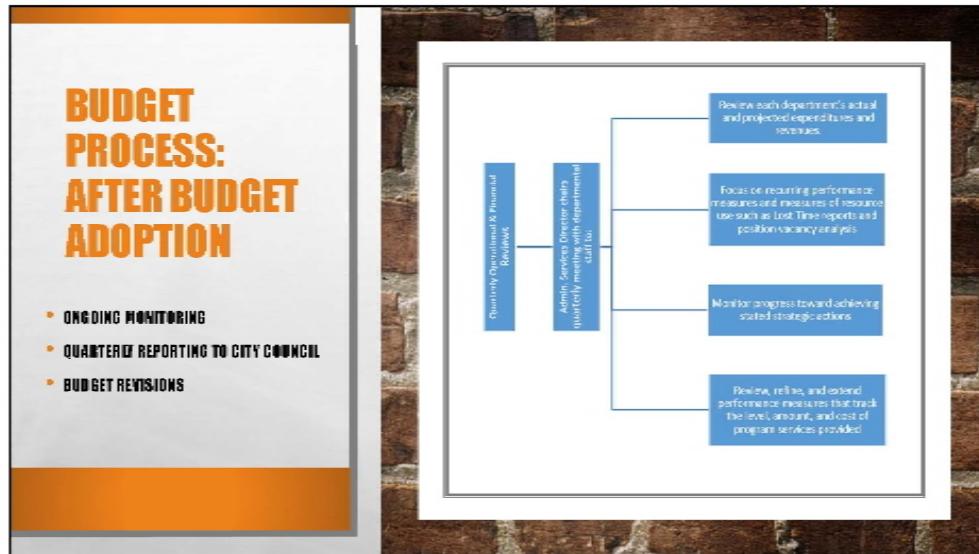


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### BUDGET POLICIES: FINANCIAL

- ACCOUNTABILITY/TRANSPARENCY
- BALANCED BUDGET/FISCAL STABILITY
- FULL COST RECOVERY
- IDENTIFICATION/MITIGATION OF FUTURE RISKS
- ALLOCATION OF GENERAL FUND RESOURCES
- SERVICE LEVELS IMPACTS
- CAPITAL AND INFRASTRUCTURE
- EMPLOYEE RETENTION

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### BUDGET POLICIES: OPERATIONAL

- BUDGETARY CONTROL SYSTEMS
- PERFORMANCE MEASURES
- MONITORING

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### BUDGET POLICIES: CAPITAL IMPROVEMENT

- COSTS ASSIGNED TO USERS: FEES, CHARGES, ASSESSMENTS AND DEVELOPER AGREEMENTS
- FULL LIFE COSTS
- PAY-GO VS. BORROWING
- MATCHING
- INTER-GENERATIONAL EQUITY
- SEE ALSO, DEBT MANAGEMENT POLICY

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### BUDGET POLICIES: REVENUES

**DIVERSIFICATION OF REVENUES**

- FEDERAL & STATE FUNDING
- GRANTS

**ONE TIME VS. ONGOING**

- ONE-TIME NATURE OF DEVELOPMENT IMPACT FEES
- MATCHING

**FULL COST RECOVERY**

- DIRECT AND INDIRECT COSTS
- MASTER FEE SCHEDULE/ELECTRIC COST STUDY/COST ALLOCATION PLAN

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## BUDGET POLICIES: FUND BALANCE AND RESERVES

**TYPES OF BUDGETARY FUNDS**

- GENERAL FUND
- SPECIAL REVENUE FUNDS
- CAPITAL IMPROVEMENT FUNDS
- ENTERPRISE FUNDS
- INTERNAL SERVICE FUNDS

**FUND BALANCE/RESERVES**

EMERGENCY/CONTINGENCY

DATE STABILIZATION

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## FUND STRUCTURE

**GOVERNMENTAL: FUNDS GENERALLY  
USED TO REPORT TAX SUPPORTED  
ACTIVITIES**

**PROPRIETARY: FOCUS ON OPERATING  
INCOME, COST RECOVERY, FINANCIAL  
POSITION AND CASH FLOWS**

**FIDUCIARY: ASSETS HELD FOR  
OTHERS**

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**QUESTIONS?**

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**RECOMMENDATION:**

**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.**

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