



## AGENDA

### REGULAR MEETING OF THE BANNING CITY COUNCIL CITY OF BANNING, CALIFORNIA

**March 23, 2021**

5:00 P.M.

**In Chamber and Video/Teleconference**

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

***Due to the COVID-19 pandemic emergency, and to protect the health and safety of all participants, this meeting is being held in Chamber and via video/teleconference. Pursuant to Governor Newsom's Executive Orders, members of the Banning City Council, staff and public may observe and participate in this meeting electronically or telephonically as outlined below:***

To observe and participate in the on-line video portion of the meeting through your personal computer or device enter the following or click on the link:

<https://us02web.zoom.us/j/87415277765?pwd=dFVSOFBuMGpSeTBSREtPNytXYnhSQT09>

**Meeting ID: 874 1527 7765**

**Password: 870511**

One tap mobile: +16699009128,, 87415277765#

Dial in: +1 669 900 9128 US

Meeting ID: 874 1527 7765

Find your local number: <https://us02web.zoom.us/u/kb6rMlvB4i>

*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.*

#### **1. CALL TO ORDER**

- 1.1 Invocation – Elder Ralph Bobik, Church of Jesus Christ of Latter Day Saints
- 1.2 Pledge of Allegiance
- 1.4 Roll Call - *Council Members Hamlin, Happe, Pingree, Sanchez and Mayor Wallace*

## 2. AGENDA APPROVAL

2.1 Approve Agenda

## 3. PRESENTATIONS

*None*

## 4. REPORT ON CLOSED SESSION

*City Attorney*

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

### PUBLIC COMMENTS – Items Not on the Agenda

*A three (3) 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 three 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

*None*

### CITY MANAGER REPORT

*Doug Schulze, City Manager*

### CITY ATTORNEY REPORT

*Kevin Ennis, City Attorney*

### CITY COUNCIL COMMITTEE REPORTS

*Mayor and City Council*

## 6. CONSENT ITEMS

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

Recommendation: Approve Consent Items 6.1 – 6.20

6.1	Minutes of the March 9, 2021 City Council Meetings.....	1
6.2	Police Department Statistics for March 2021.....	2
6.3	Fire Department Statistics for March 2021 .....	3
6.4	Contracts Approved Under the City Manager's Signature Authority for March 2021 .....	4
6.5	Accounts Payable and Payroll Warrants Issued in the Month of March 2021.....	5
6.6	Cash, Investments and Reserve Report for the Month of March 2021 .....	7
6.7	Public Works Capital Improvement Project Update .....	10
6.8	Accept the Easement for APN 541-162-010 for the Maintenance of the City Owned Distribution System .....	12
6.9	Award a Professional Services Agreement to Golden Bell Products, Inc. of Orange, CA for the Application of Insecticidal Latex Coating for Insect Control within Sanitary Sewer Manholes in the Amount of \$25,000 Per Year for up to Five Consecutive Years.....	14
6.10	Award a Purchase Agreement to 48 Barriers for Purchase of 700 feet of K-Rail in the amount of \$33,000 .....	16
6.11	Accept Various Improvements within the Atwell Specific Plan Development and Authorize the 90% Bond Exoneration for Various Improvement Bonds .....	19
6.12	Resolution 2021-18, Declaring, Pursuant to Government Code Section 54221, that Real Property Owned by the City Located at 447 East Ramsey. (APN: 541-150-004) and Real Property Identified as (APN 541-150-025, 541-150-026, 541-150-027, 541-150028 & 541-150-029) As Surplus Land and Not Necessary for the City's Use, finding that Such Declaration is Exempt from Environmental Review Under the California Environmental Quality Act, and Taking Related Actions.....	21
6.13	Approve Amendment No. 4 to the Professional Services Agreement with Stantec Consulting Services, Inc. to Extend the Contract Term to June 30, 2022 for the Design of the Reconstruction and Widening of Ramsey Street and Hathaway Street.....	26

6.14	Award Request for Proposal (RFP 21-001) for Professional Financial Auditing Services to CliftonLarsonHall LLP (CLA) of Irvine, California, and execute a two-year Professional Services Agreement in the Amount of \$131,780 with the option to extend the agreement for up to three additional one-year terms, for a total amount not to exceed \$337,280 over five (5) years.....	29
6.15	Resolution 2021-2 UA, Awarding a Construction Agreement for Project No. 2018-01W "Water Improvement Plan – Location 2" to MCC Equipment Rentals, Inc. of Yucaipa, CA in the Amount of \$1,398,051.50 and establishing a Total Project Budget of \$1,537,856.65 and Rejecting all Other Bids. ....	33
6.16	Resolution 2021-3 UA, Awarding a Contract for Project 2021-01WW "Digesters Cleaning and Inspection" to Synagro, WWT Inc. in the Amount of \$305,627. Approving a 10% Project Contingency for a Total Project Budget of \$336,190 and Rejecting all Other Bids. ....	37
6.17	Resolution 2021-13. Awarding a Construction Agreement for Project No. 2020-02 "ADA Improvements Senior Center" to Horizons Company International, Inc., Orange, CA in the Amount of \$127,544 and Establishing a Total Project Budget of \$140,298.40 and Rejecting all Other Bids .....	40
6.18	Resolution 2021-14, Approving the Execution of a Service Contract with the California Department of Transportation for Safety Improvements at the At-Grade Crossing of San Gorgonio Avenue, and the Union Pacific Railroad .....	44
6.19	Resolution 2019-19, Authorizing the City of Banning to enter into a 1-year Lease Agreement, Effective April 15, 2021, with Skydive West Coast for Property Located at the Banning Municipal Airport.....	47
6.20	Banning Animal Shelter Lease Agreement with ARE Animal Rescue, Inc.....	49

## **7. PUBLIC HEARINGS**

7.1	Resolution 2021-12, Make a Determination of Exemption under CEQA Guidelines Section15332 and Approve Tentative Tract Map 38057 for Condominium Purposes Allowing 32 Townhome Units and Associated Parking on 3-acres of Vacant Land Within a Previously Approved Planned Residential Development Located South of Theodore Street at Vista Serena Avenue Within the Vista Serena Townhome Complex at 1428 Vista Serena Avenue in the High Density Residential (HDR) Zoning District	51
	<i>(Staff Report: Adam Rush, Community Development Director</i>	
	<b>Recommended Action:</b> 1) Make a determination under CEQA Guidelines that the project is categorically exempt from the California	

Environmental Quality Act (CEQA) pursuant to Section 15332 (Infill Development Projects) of the CEQA Guidelines; and 2) Approve Tentative Tract Map 38057 for Condominium purposes allowing 32 townhome units and associated parking in the High Density Residential (HDR) General Plan Designation and Zoning subject to the recommended Conditions of Approval

## **8. REPORTS OF OFFICERS**

8.1	Fiscal Year 2020-21 Second Quarter Budget Update and Financial Status Report. ....	57
	( <i>Staff Report: Jennifer Christensen, Administrative Services Director</i> )	
	<b>Recommendation:</b> Receive and File	
8.2	Ramsey Street Village Update.....	65
	( <i>Staff Report: Doug Schulze, City Manager</i> )	
	<b>Recommendation:</b> Receive and File	

## **9. DISCUSSION ITEMS**

*None*

## **10. ITEMS FOR FUTURE AGENDAS**

New Items:

Pending Items:

1. Permanent Homeless Solution
2. Shopping Cart Ordinance Update

## **11. ADJOURNMENT**

*Next Meeting: Tuesday, April 13, 2021 at 5:00 P.M.*

**IT IS HEREBY CERTIFIED** under the laws of the State of California that the above Agenda was posted on the Banning City Hall Bulletin Board and the City's Website by 5:00 P.M. on the 18<sup>th</sup> day of March 2021.



Laurie Sampson, Executive Assistant

**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 regular meeting agenda but is of interest to the general public and is an item upon which the March 23, 2021 Regular City Council Meeting Agenda

Mayor and Council may act. A three-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 three 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. Since City Hall is currently closed to the public due to COVID, please call (951) 922-3102 or email [lsampson@banningca.gov](mailto:lsampson@banningca.gov) to request information be mailed.*



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** Laurie Sampson, Acting Deputy City Clerk

**MEETING DATE:** March 23, 2021

**SUBJECT:** Minutes of the March 9, 2021 City Council Meetings

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**RECOMMENDED ACTION:**

Approve the Minutes of the March 9, 2021 City Council Meetings.

**OPTIONS:**

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

**ATTACHMENTS:**

1. Minutes of the March 9, 2021 Regular City Council Meeting  
<https://banningca.gov/DocumentCenter/View/8494/Regular-Meeting-Minutes-3-9-2021>
2. Minutes of the March 9, 2021 Workshop Meeting  
<https://banningca.gov/DocumentCenter/View/8495/Workshop-Minutes-3-9-2021>

Approved by:

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

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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** Matthew Hamner, Police Chief  
Sol Ivett Avila, Executive Assistant

**MEETING DATE:** March 23, 2021

**SUBJECT:** Receive and File Police Department Statistics for February 2021

**RECOMMENDED ACTION:**

Receive and File February 2021 Police Statistics.

**BACKGROUND:**

The Police Department provides statistics to the public and City Council upon request.

**FISCAL IMPACT:**

None

**OPTIONS:**

1. Receive and File

**ATTACHMENT:**

1. Police Statistics February 2021  
<https://banningca.gov/DocumentCenter/View/8463/Feb-2021-Stats>

Approved by:

A handwritten signature in blue ink, appearing to read "AS" and "SF".

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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** Todd Hopkins, Division Chief  
Laurie Sampson, Executive Assistant

**MEETING DATE:** March 23, 2021

**SUBJECT:** Receive and File Fire Department Statistics for February 2021

### **RECOMMENDED ACTION:**

Receive and File Fire Department statistics for February 2021.

### **BACKGROUND:**

The Fire Department provides statistics to the public and City Council upon request.

### **FISCAL IMPACT:**

None

### **ATTACHMENTS:**

1. Fire Statistics for February 2021

<https://banningca.gov/DocumentCenter/View/8462/Banning-February-2021-Fire-Report>

Approved by:

A handwritten signature in blue ink, appearing to read "AS" and "SF".

\_\_\_\_\_  
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 23, 2021

**SUBJECT:** Receive and File Contracts Approved Under the City Manager's Signature Authority for the Month of February 2021

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**RECOMMENDATION:**

Receive and file contracts approved under the City Manager's signature authority for the Month of February 2021.

**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 February 2021  
<https://banningca.gov/DocumentCenter/View/8453/2021-Executed-Contracts-up-to-25000>

Approved by:

A handwritten signature in blue ink, appearing to read "AS" and "SF".

Douglas Schulze  
City Manager



**CITY OF BANNING  
CITY COUNCIL REPORT**

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** Suzanne Cook, Deputy Finance Director  
A'ja Wallace, Budget and Financial Analyst

**MEETING DATE:** March 23, 2021

**SUBJECT:** Approval and Ratification of Accounts Payable and Payroll Warrants Issued in the Month of February 2021

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**RECOMMENDATION:**

That City Council review and ratify the warrants for period ending **February 28, 2021**, per California Government Code Section 37208.

**WARRANT SUMMARY:**

Description	Payment #	Amount	Total Amount
<b>Checks:</b>			
Checks Issued during Month	177091-177490	\$ 3,120,694.41	
Voided / Reissue Check		\$ 10,841.38	
	<b>Check Total</b>		<b>\$ 3,109,853.03</b>
	<b>Wires Total</b>	1048-1050	<b>\$ 1,623,161.20</b>
<b>ACH payments:</b>	9006947-9006962		
Payroll Direct Deposit	2/12/2021	\$ 431,218.96	
Payroll Direct Deposit	2/26/2021	\$ 417,835.72	
Other Payments		\$ 872,897.69	
	<b>ACH Total</b>		<b>\$ 1,721,952.37</b>
<b>Payroll Checks:</b>	12257-12272		
Payroll - Regular	2/12/2021	\$ 1,122.96	
Payroll - Regular	2/26/2021	\$ 1,122.96	
	<b>Payroll Check Total</b>		<b>\$ 2,245.92</b>
	<b>Total Warrants Issued for February 2021</b>		<b>\$ 6,457,212.52</b>

Staff Report: Accounts Payable & Payroll February 2021

March 23, 2021

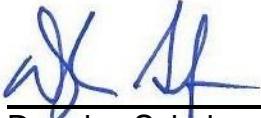
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**ATTACHMENTS:**

1. Fund List  
<https://banningca.gov/DocumentCenter/View/8444/Attachment-1--Fund-List>
2. Warrant Report February 2021  
<https://banningca.gov/DocumentCenter/View/8445/Attachment-2--Warrant-Report-February-2021>
3. Warrant Report Detail February 2021  
<https://banningca.gov/DocumentCenter/View/8446/Attachment-3--Warrant-Report-Detail-February-2021>
4. Voided Check Log, Payroll Log & Registers – February 2021  
<https://banningca.gov/DocumentCenter/View/8447/Attachment-4--Void-Check-Log-Payroll-Log-and-Payroll-Registers>

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

Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** Suzanne Cook, Deputy Finance Director  
A'ja Wallace, Budget and Financial Analyst

**MEETING DATE:** March 23, 2021

**SUBJECT:** Receive and File Cash, Investments and Reserve Report for the Month of February 2021

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### RECOMMENDATION:

That City Council receive and file Cash, Investment and Reserve Report for **February 28, 2021** in accordance with California Government Code 53646.

### CASH AND INVESTMENT SUMMARY:

Description	Prior Month	Current Month
<b>Funds Under Control of the City</b>		
Cash		
Cash on Hand	\$ 4,155.00	\$ 4,155.00
Checking and Savings Accounts	\$ 7,075,379.21	\$ 6,323,594.40
Investments		
LAIF	\$ 39,669,409.52	\$ 39,669,409.52
Brokerage	\$ 27,526,957.45	\$ 27,527,082.14
<b>Total Funds Under Control of the City</b>	<b>\$ 74,275,901.18</b>	<b>\$ 73,524,241.06</b>
<b>Funds Under Control of Fiscal Agents</b>		
US Bank		
Restricted Bond Project Accounts	\$ 14,802,248.83	\$ 14,802,351.72
Restricted Bond Accounts	\$ 4,820,125.46	\$ 4,867,983.67
Union Bank & SCPPA		
Restricted Funds	\$ 4,190,289.94	\$ 4,169,595.79
<b>Total Funds Under Control of Fiscal Agents</b>	<b>\$ 23,812,664.23</b>	<b>\$ 23,839,931.18</b>
<b>Total Funds</b>	<b>\$ 98,088,565.41</b>	<b>\$ 97,364,172.24</b>

**RESTRICTED, ASSIGNED, COMMITTED AND RESERVED SUMMARY:**

Description	Prior Month	Current Month
<b>Total Funds</b>	\$ 98,088,565.41	\$ 97,364,172.24
Restricted Funds	43,729,271.64	\$ 42,952,094.68
Assigned Funds - Specific Purpose	8,881,339.00	\$ 8,881,339.00
Committed Funds - Specific Purpose	3,525,858.25	\$ 3,525,858.25
Fund Balance Reserves	13,059,561.44	\$ 13,059,561.44
<b>Total Restricted, Assigned, Committed and Reserves</b>	<b>\$ 69,196,030.33</b>	<b>\$ 68,418,853.37</b>
<b>Operating Cash - Unrestricted Reserves</b>	<b>\$ 28,892,535.08</b>	<b>\$ 28,945,318.87</b>
Less Accounts held in Investments	\$ 27,526,957.45	\$ 27,527,082.14
Liquid Cash	\$ 1,365,577.63	\$ 1,418,236.73

**ATTACHMENTS:**

1. Cash, Investment and Reserve Report February 2021  
<https://banningca.gov/DocumentCenter/View/8448/Attachment-1--Cash-Investment-and-Reserve-Report-February-2021>
2. Investment Report February 2021  
<https://banningca.gov/DocumentCenter/View/8449/Attachment-2--Investment-Report-February-2021>
3. City of Banning Broker Investment Report – February 2021  
<https://banningca.gov/DocumentCenter/View/8450/Attachment-3--City-of-Banning-Broker-Investment-Report>
4. LAIF / PMIA Performance Report  
<https://banningca.gov/DocumentCenter/View/8451/Attachment-4--PMIA-LAIF-Performance-Report-February-2021>
5. LAIF Market Valuation Report February 2021  
<https://banningca.gov/DocumentCenter/View/8452/Attachment-5--LAIF-Market-Valuation-February-2021>

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

Staff Report: Investment Report February 2021

March 23, 2021

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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 23, 2021  
**SUBJECT:** Public Works Capital Improvement Project Tracking List

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### **RECOMMENDED ACTION:**

This is informational only; receive and file report.

### **BACKGROUND:**

There are several planning, environmental, design and construction contracts that have been approved by City Council and/or the City Manager's office that are being managed by the Public Works Department. In an effort to keep the City Council and the public informed of the progress made and current status of each project, staff has prepared and will continue to update the attached Public Works CIP Tracking List. The list will be presented to City Council on a monthly basis.

### **FISCAL IMPACT:**

None

### **ATTACHMENTS:**

1. CIP Status List  
<https://banningca.gov/DocumentCenter/View/8464/Attach-1-CIP-Update-March-2021>

Approved by:

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Douglas Schulze

Staff Report: Resolution 2020-40

April 28, 2020

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City Manager



**CITY OF BANNING  
CITY COUNCIL REPORT**

**TO:** **CITY COUNCIL**

**FROM:** **Douglas Schulze, City Manager**

**PREPARED BY:** **Thomas Miller, Electric Utility Director  
Brandon Robinson, Electrical Engineering Supervisor**

**MEETING DATE:** **March 23, 2021**

**SUBJECT:** **Accept the Easement for APN 541-162-010 for the Maintenance  
of the City Owned Electric Distribution System**

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**RECOMMENDED ACTION:**

Accepting an easement for electric utility purposes at APN 541-162-010 for the maintenance of the City owned electric distribution system.

**BACKGROUND:**

The property owner at APN 541-162-010 in Banning, CA has constructed electrical improvements for commercial purposes that were required to serve the parcel. As part of the conditions for electric service for the project, the owner is required to provide the City the necessary easements for the maintenance of the City-owned electric distribution system.

**JUSTIFICATION:**

It is necessary to obtain the easements for the City to access and provide maintenance for the City owned electric distribution equipment which may include utility poles, conduit with conductors, transformers, switchgear, equipment pads and meters.

**FISCAL IMPACT:**

There is no fiscal impact associated with this easement acceptance.

**OPTIONS:**

1. Approve as recommended.

March 23, 2021

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2. Do not approve and provide alternative direction.

**ATTACHMENTS:**

1. Easement for APN 541-162-010  
<https://banningca.gov/DocumentCenter/View/8465/Attachment-1---Easement - APN-541-162-010>
2. Certificate of Acceptance  
<https://banningca.gov/DocumentCenter/View/8466/Attachment-2---Certificate-of-Acceptance>

Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING BANNING UTILITY AUTHORITY REPORT

**TO:** **BANNING UTILITY AUTHORITY**

**FROM:** **Douglas Schulze, City Manager**

**PREPARED BY:** **Art Vela, Public Works Director**  
**Perry Gerdes, Water/Wastewater Superintendent**

**MEETING DATE:** **March 23, 2021**

**SUBJECT:** **Award a Professional Services Agreement to Golden Bell Products Inc. of Orange, CA for the Application of Insecticidal Latex Coating for Insect Control within Sanitary Sewer Manholes in the Amount of \$25,000 per Year for up to Five Consecutive Years**

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**RECOMMENDED ACTION:**

Staff Recommends that the Banning Utility Authority:

1. Award a Professional Services Agreement for the application of insecticidal latex coating for insect control in sanitary sewer manholes, to Golden Bell Products Inc. in the amount of \$25,000 per year, for up to five consecutive years.
2. Authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the Professional Services Agreement Golden Bell Products, Inc.
3. Authorizing the City Manager or his designee to execute the Professional Services Agreement with Golden Bell Products Inc. of Orange, CA in the amount of \$25,000 per year, for up to five consecutive years.

**BACKGROUND:**

The City of Banning owns and operates the sanitary sewer collections system that encompasses 119 miles of sewer mainline and 2,221 manholes with several being added each year. Over the past ten years the City has contracted for the application of insecticide in the manholes to eliminate the over population of insects, mainly cockroaches, within the collections system. These efforts have been very successful at minimizing complaints from residents and commercial facilities.

**JUSTIFICATION:**

Sewer collection systems, which tend to be warm and dark, provide the food and water insects need to survive and also offer protection from weather conditions. The application

of insecticides to sewer manholes is an effective strategy for minimizing insects in the systems, protects quality of life for our customers and provides for a safe environment for the City's wastewater maintenance workers.

**FISCAL IMPACT:**

Staff recommends awarding an agreement to Golden Bell Products Inc. in the amount of \$25,000 per year, for a total of five years. The agreement will be funded using the Wastewater Division Operational Fund, Account No. 680-8000-454.45-09 (Sewer Collection System Expense). Funds needed for this operation is regularly included in the annual budget for wastewater operations.

**ALTERNATIVE:**

Reject staff's recommendation and provide alternative direction.

**ATTACHMENTS:**

1. Golden Bell Products Inc. Proposal Dated January 25, 2021  
<https://banningca.gov/DocumentCenter/View/8470/Attach-1-SOW-Golden-Bell-Products>
2. Sole Source Letter  
<https://banningca.gov/DocumentCenter/View/8471/Attach-2-Sole-Source-Ltr-7-2020>

Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING BANNING UTILITY AUTHORITY REPORT

**TO:** **BANNING UTILITY AUTHORITY**

**FROM:** **Douglas Schulze, City Manager**

**PREPARED BY:** **Art Vela, Public Works Director**  
**Perry Gerdes, Water/Wastewater Superintendent**

**MEETING DATE:** **March 23, 2021**

**SUBJECT:** **Award a Purchase Agreement to 48 Barriers for the Purchase of 700 feet of K-Rail in the Amount of \$33,000**

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**RECOMMENDED ACTION:**

Staff Recommends that the Banning Utility Authority:

1. Award a Purchase Agreement for the purchase of 700 feet of K-Rail, to 48 Barriers in the amount of \$33,000
2. Authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the Purchase Agreement for the purchase of K-Rail for the protection of water infrastructure.
3. Authorizing the City Manager or his designee to execute the Purchase Agreement with 48 Barriers in the amount of \$33,000.

**BACKGROUND:**

On July 30, 2020 the Apple Wildland fire (“Fire”) burned a large portion of the City of Banning’s watershed that drains into the San Gorgonio water canyon. Since the Fire, staff has had serious concerns with potential mudslides that could potentially damage the City’s infrastructure (e.g. production wells, water mains, generators, fire hydrants, etc.) located in the San Gorgonio water canyon.

The Public Works Department staff identified a grant opportunity provided by U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) via its Emergency Watershed Protection Grant (EWPG) Program. Staff prepared and submitted a grant application to fund protective measures based on an estimated project cost of \$50,863. Subsequently, the City received an award of funds in the amount of \$38,147.25, 75% of project construction costs, with the remainder (25%) of the funding coming from City funds (i.e. match). The grant award also provides funding for the City’s administration of the grant and project management in the amount of 7.5% of construction costs or \$3,814.72.

The funding will support the purchase of 35, 20 foot K-Rail sections for a total of 700 feet. The K-Rail shall be positioned and supported upstream and adjacent to the City's infrastructure to divert possible mud flows away from said infrastructure.

The City, also sponsored Banning Heights Mutual Water Company (BHMWC) in the grant application as they were not eligible, as a mutual water company, to apply for EWPG funds. Several of the K-Rails to be purchased will be used to protect BHMWC's water reservoir in the San Gorgonio water canyon.

Since the award of the grant, the City acquired three quotes ranging from \$33,000 to \$39,344. 48 Barriers submitted the lowest bid.

**JUSTIFICATION:**

The purchase of the K-Rail would allow City water staff to position K-Rail around various well sites to minimize any mud and debris from impacting critical water infrastructure during high flood events. 75% of the cost to purchase of the K-Rail will be funded by a grant.

**FISCAL IMPACT:**

Staff recommends awarding an agreement to 48 Barriers in the amount of \$33,000 using the Water Division Operational Fund, Account No. 660-6300-471.45.08 (Distribution System) to fund the agreement.

Based on the lowest bid, staff is expecting \$24,750 in EWPG funds for the purchase of K-Rail and the balance, \$8,250, will be funded by local funds. Additionally, \$2,475 will be provided to the City for administration and management of the project.

BHMWC has provided the City with a deposit in the amount of \$4,000, which is sufficient to cover their share of the project.

**ALTERNATIVE:**

Reject the Purchase Agreement with 48 Barriers. If rejected, the City water division would have the potential of critical water infrastructure to be damaged during high flood events.

**ATTACHMENTS:**

1. 48 Barriers Quote  
[https://banningca.gov/DocumentCenter/View/8472/Attach-1-Est\\_Q21481\\_from\\_48\\_Barriers\\_2264](https://banningca.gov/DocumentCenter/View/8472/Attach-1-Est_Q21481_from_48_Barriers_2264)
2. Grant Award  
[https://banningca.gov/DocumentCenter/View/8473/Attach-2-NR219104XXXXC005\\_City-of-Banning\\_Fully-Executed](https://banningca.gov/DocumentCenter/View/8473/Attach-2-NR219104XXXXC005_City-of-Banning_Fully-Executed)

Staff Report: Purchase of Barriers and K-Rail

March 23, 2021

Page 3 of 3

Approved by:



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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 23, 2021

**SUBJECT:** Accept Various Improvements within the Atwell Specific Plan Development and Authorize the 90% Bond Exoneration for Various Improvement Bonds

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### **RECOMMENDED ACTION:**

City Council accept various public improvements constructed within the Atwell Specific Plan development along Highland Springs Avenue (i.e. street improvements, storm drain improvements, water improvements, traffic signals) and along Apex Street (i.e. street improvements and water improvements).

### **BACKGROUND:**

On December 10, 2019 City Council adopted Resolution 2019-151 approving Final Tract Map No. 37298-1, releasing the map for recordation; authorizing staff to sign the Subdivision Improvement Agreement and Final Tract Map; and accepting the Performance and Labor and Material Bonds for public improvements.

As a condition of the development agreement, Tri-Pointe Homes IE-SD, (formerly known as Pardee Homes) Inc. was required to sign a Subdivision Improvement Agreement and submit bonds to assure the City that the required public improvements including street, sewer, water, non-potable water and storm drain improvements are constructed according to City standards and specifications.

### **JUSTIFICATION:**

Staff has verified that the improvements related to the bonds were completed per City standards and specifications and recommends that City Council accept the improvements and authorize the 90% bond exonerations for the following bonds:

<u>Bond #</u>	<u>Bond Amount</u>	<u>Improvements</u>
CMS331800	\$3,113,789.13	Highland Springs Street
CMS331799	\$ 61,973.50	Highland Springs Storm Drain
CMS331801	\$ 701,005.50	Highland Springs Water
CMS331852	\$ 108,802.00	Highland Springs Traffic Signal
CMS331853	\$ 208,644.00	Highland Springs Traffic Signal
CMS331851	\$ 87,700.00	Highland Springs Traffic Signal
CMS331854	\$ 100,839.00	Highland Springs Traffic Signal
CMS331786	\$ 807,984.37	Apex Street Street
CMS331787	\$ 276,276.00	Apex Street Water

10% of the bond amounts will remain for a period of 12 months (maintenance period) at which point the 10% balance will be released and the improvements will become City owned and maintained improvements.

**FISCAL IMPACT:**

Not applicable

**ALTERNATIVE**

Do not accept staff's recommendation and provide staff with additional direction.

**ATTACHMENTS:**

1. Subdivision Improvement Agreement TM 37298-1

<https://banningca.gov/DocumentCenter/View/8478/Attachment-1--SIA-37298-1>

Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** James Wurtz, Economic Development Manager

**MEETING DATE:** March 23, 2021

**SUBJECT:** Resolution No. 2021-18, Declaring, Pursuant to Government Code Section 54221, that Real Property Owned by the City Located at 447 East Ramsey. (APN: 541-150-004) and Real Property Identified as (APN 541-150-025, 541-150-026, 541-150-027, 541-150-028 & 541-150-029) As Surplus Land and Not Necessary for the City's Use, finding that Such Declaration is Exempt from Environmental Review Under the California Environmental Quality Act, and Taking Related Actions

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### **RECOMMENDED ACTION:**

Staff recommends that the City Council approve the attached resolution declaring pursuant to Government Code Section 54221 that real property owned by the City located at 447 East Ramsey. (**APN: 541-150-004**) and real property identified as (**APN 541-150-025, 541-150-026, 541-150-027, 541-150-028 & 541-150-29**) is surplus land and not necessary for the City's use, finding that such declaration is exempt from environmental review under the California Environmental Quality Act, and taking related actions.

### **BACKGROUND:**

The City is the owner in fee simple of certain undeveloped real property ("Property") located at 447 E. Ramsey (**APN-541-150-004**) and real property identified as (**APN 541-150-025, 541-150-026, 541-150-027, 541-150-028, & 541-150-029**)

Under the Surplus Land Act, Government Code Sections 54220-54233 ("Act"), surplus land is land owned in fee simple by the City for which the City Council takes formal action in a regular public meeting declaring the land is surplus and not necessary for the City's use. The Act provides that land shall be declared either surplus land or exempt surplus

land before the City may take action to dispose of it consistent with the City's policies or procedures.

Under the Act, land is necessary for the City's use if the land is being used or is planned to be used pursuant to a written plan adopted by the City Council, for City work or operations. The Act specifies that the City's use does not include commercial or industrial uses, and land that is disposed of for the sole purpose of investment or generation of revenue is not necessary for the City's use.

The Property is not currently being used by the City and was acquired by Banning Electrical Utilities (BEU) for the purpose of economic development. City staff has evaluated the property for its potential to be used for City work or operations, including other municipal purposes. Because of its location in the main commercial corridor (Ramsey Street) and its zoning as Downtown Commercial staff has determined that the property is not suitable for the City's use. Staff recommends that the City Council declare that the Property is surplus land and not necessary for the City's use.

The Act requires that before the City Council disposes of the Property or engages in negotiations to dispose of the Property, the City must send a written notice of availability ("NOA") of the Property, which includes the location and a description of the Property, to certain designated entities. Negotiations do not include commissioning an appraisal, due diligence, discussions with brokers or agents who are not representing a potential buyer, studies to determine value or the best use of the land, the issuance of a request for qualifications, development of marketing materials, or discussions exclusively among local agency employees and officials.

The City must send the NOA by email or U.S. mail to the designated entities set forth below:

a) Housing Sponsors that have notified HCD of their interest in receiving notices of availability (for the purpose of developing low and moderate income housing).

b) Local public entities within whose jurisdiction the Property is located (for the purpose of developing low and moderate income housing). "Local public entities" include cities, counties, cities and counties, the governing bodies of Indian reservations or rancherias, tribally designated housing entities, housing authorities, and any State agency, public district or other political subdivision of the State, and any instrumentality thereof, authorized to engage in or assist in the development of or operation of housing for low or moderate income households. "Local public entities" also include joint power authorities and the Department of Housing and Community Development ("HCD").

c) The park or recreation department of any city or county within which the Property is located; any regional park authority having jurisdiction within the area in which the Property is located; and the State Resources Agency, or any agency that succeeds to its powers (for open space purposes).

d) Any school district in whose jurisdiction the Property is located (for land suitable for school facilities construction or use by a school district for open space purposes).

e) If the Property land is located in an infill opportunity zone or an area covered by a transit village plan adopted pursuant to the Transit Village Development Planning Act of 1994, any county, city, city and county, successor agency to a former redevelopment agency, public transportation agency, or housing authority within whose jurisdiction the Property is located.

If a designated entity is interested in purchasing or leasing the Property for an authorized purpose, it must notify the City in writing within 60 days after the City sends the NOA by email or certified mail.

If the City does not receive any notices of interest within the 60-day period or the notices of interest do not comply with the Act, the City may dispose of the Property without further regard to the requirements of the Act, although, as discussed below, HCD has been given oversight over the disposition of surplus land.

If the City receives a notice of interest from one or more designated entities within the 60-day period that comply with the Act, the City must enter into good faith negotiations with the designated entity or entities in an attempt to agree to a mutually satisfactory sales price and terms or lease terms. If the City does not agree on price and terms with any of the entities after a negotiation period of at least 90 days, the City may dispose of the surplus land without further regard to the Act, except as described below regarding oversight by HCD.

In negotiating with designated entities, the City shall not require terms as a condition of the sale or lease of the Property that disallow residential use, except if required to mitigate impacts to public health and safety or city operations; reduce the allowable number of residential units or the maximum lot coverage below what may be allowed by zoning or the General Plan; or require any design standards or architectural requirements that would have a substantial adverse effect on the viability or affordability of a low and moderate income housing development, other than the minimum standards required by General Plan, zoning and subdivision standards and criteria. Residential uses shall be deemed an acceptable use of surplus land for the purposes of good faith negotiations. Notwithstanding the foregoing, the City may impose a limit on residential use or density if necessary to avoid a specific, adverse impact (supported by written findings) upon the public health or safety or the operation or facilities of a local agency and there is no feasible method to mitigate the impact.

The Act does not restrict the City's authority or discretion to approve land use, zoning or entitlement decisions in connection with the Property or limit the power of the City to sell or the Property for fair market value or less than fair market value.

A designated entity proposing to use the Property to develop low and moderate income housing must agree to make available not less than 25% of the total number of units available at an affordable housing cost or affordable rent to low income households pursuant to a covenant recorded against the land. Rental units must be restricted for at least 55 years and owner-occupied housing must be subject to an equity sharing agreement.

If the City receives a notice of interest from more than one designated entity, the City must give first priority to the entity or entities that agree to use the Property for low and moderate income housing that meets the requirements described above. If more than one entity agrees to meet these requirements, the City must give priority to the entity that proposes to provide the greatest number of units that meet such requirements. If more than one entity proposes the same number of units that meet such requirements, the City must give priority to the entity that proposes the deepest average level of affordability for the affordable units. The City may negotiate concurrently with all designated entities interested in developing affordable housing.

Prior to agreeing to terms for the disposition of the Property the City must provide to HCD a description of the NOA and the negotiations conducted with any designated entities. If HCD believes that the City has violated the Act, the City will be given the opportunity to correct the issues identified by HCD or provide written findings to HCD explaining why the proposed disposition complies with the Act. If HCD ultimately determines that the proposed disposition of the Property would violate the Act, HCD can impose a penalty equal to 30% of the final sales price of the Property and notify the Attorney General of the violation. While HCD is not required to implement these provisions until January 1, 2021, the Act does not postpone the obligation of cities to provide the required notification to HCD.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) ("CEQA"). City staff has determined that the designation of this property as surplus does not have the potential for creating a significant effect on the environment and is therefore exempt from further review pursuant to State CEQA Guidelines Section 15060(c)(3), because it is not a project as defined by the CEQA Guidelines Section 15378. Adoption of the Resolution does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. If and when the property is sold to a purchaser and that purchaser proposes a use for the property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

## **FISCAL IMPACT**

The sale of this property will generate additional revenue for the City that the City can use to acquire other properties, including distressed properties, so as to provide for greater economic opportunities for new development in the City. In addition, the sale of this property will allow the much needed affordable housing for the Low-Moderate Income and Veteran citizens of our community and much needed retail opportunities in our Downtown Commercial District.

## **ATTACHMENTS:**

1. Resolution No. 2021-18  
<https://banningca.gov/DocumentCenter/View/8439/Att-1-Resolution-2021-18-Declaring-Surplus-Property>
2. Map of Proposed Surplus Property  
<https://banningca.gov/DocumentCenter/View/8440/Att-2-Map>

Approved by:



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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 23, 2021

**SUBJECT:** Approve Amendment No. 4 to the Professional Services Agreement with Stantec Consulting Services, Inc. to Extend the Contract Term to June 30, 2022 for the Design of the Reconstruction and Widening of Ramsey Street and Hathaway Street

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### **RECOMMENDATION:**

1. Approving Amendment No. 4 to the Professional Services Agreement with Stantec Consulting Services, Inc. to extend the contract term to June 30, 2022 for the design of the Reconstruction and Widening of Ramsey Street and Hathaway Street.
2. Authorizing the City Manager to execute Amendment No. 4 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 \$254,512.00.

The 2016 original Professional Services Agreement has been amended three (3) times and includes:

- On December 12, 2017, Amendment No.1 to the 2016 Agreement was approved to extend the Agreement term to December 11, 2018.
- On December 12, 2018, Amendment No.2 to the 2016 Agreement was approved to extend the Agreement term to December 11, 2019.

- On April 14, 2020, Amendment No.3 to the 2016 Agreement was approved to extend the Agreement term to December 11, 2020.

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.

**JUSTIFICATION:**

The current Professional Services Agreement expired on December 11, 2020. The Agreement needs to be extended to the end of fiscal year 2021/2022 (i.e June 30, 2022). This extension is necessary in order for Stantec Consulting Services, Inc. to provide needed construction support services and to assist with project closeout activities.

**FISCAL IMPACT:**

There is no fiscal impact associated with the extension of the current Professional Services Agreement.

**ALTERNATIVE:**

Do not approve term extension and provide alternative direction.

**ATTACHMENTS:**

1. Approved Resolution 2016-116  
<https://banningca.gov/DocumentCenter/View/8484/Attachment-1-Resolution-No-2016-116-Stantec>
2. Amendment 4  
<https://banningca.gov/DocumentCenter/View/8485/Attachment-2-Stantec-Amendment-4>
3. Approved Amendment 1  
<https://banningca.gov/DocumentCenter/View/8486/Attachment-3-Approved-Amendment1>
4. Approved Amendment 2  
<https://banningca.gov/DocumentCenter/View/8487/Attachment-4-Approved-Amendment2>
5. Approved Amendment 3  
<https://banningca.gov/DocumentCenter/View/8488/Attachment-5---Approved-Amendment3>

Approved by:

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

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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

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

**MEETING DATE:** March 23, 2021

**SUBJECT:** Award Request for Proposals (RFP 21-001) for Professional Financial Auditing Services to CliftonLarsonAllen LLP (CLA) of Irvine, California, and execute a two-year Professional Services Agreement in the Amount of \$131,780.00 with the option to extend the agreement for up to three additional one-year terms, for a total amount not to exceed \$337,280.00 over five (5) years.

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### **RECOMMENDATION:**

City Council approve the following:

1. Award RFP 21-001 for Professional Financial Auditing Services to CLA of Irvine, California.
2. Authorize the City Manager or designee to execute the Professional Services Agreement with CLA for a two-year term in the amount of \$131,780.00 and subsequent amendments to extend the Agreement for up to three additional one-year terms upon satisfactory performance, with a total amount not to exceed \$337,280.00 over five (5) years.
3. Authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the Agreement for Professional Financial Auditing Services.

### **JUSTIFICATION:**

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.

**BACKGROUND:**

On August 18, 2020, The City and Lance, Soll, & Lunghard, LLP CPAs exercised its final option to extend their agreement for Professional Financial Auditing Services covering fiscal year 2019-2020 (July 1, 2019 to June 30, 2020).

The scope of work for these services includes, but is not limited to conducting the audit of the City's financial statements in accordance with the Generally Accepted Auditing Standards in the United States of America and Government Auditing Standards, issued by the Controller of the United States along with providing assistance with the preparation of the City's Comprehensive Annual Financial Report (CAFR), assistance with preparation with all applicable State Controller's Reports, and all reports required for compliance with the provisions of OMB Circular A-133 and the Single Audit Act Amendments of 1996. The full scope of work is included in attachment 1.

In accordance with the City's Centralized Purchasing Policy B-30, and best practices, the City publicly advertised RFP 21-001 for Professional Financial Auditing Services on January 22, 2021 utilizing the City's e-bidding platform.

On February 18, 2021, The RFP closed, and the City received four (4) proposals from qualified government financial auditing firms. An evaluation committee was selected to review and score each proposal based on a set of grading criteria (qualifications, pricing, experience, professional references, and approach and methodology) established to identify the proposal which offers the best value to the City. Immediately following the evaluation of proposals, the committee held interviews for each firm to determine which candidate would be recommended for award. The results of the evaluation process concluded with each firm being ranked as follows:

Company Name	Rank
CliftonLarsonAllen LLP (CLA)	1
Davis Farr LLP	2
The Pun Group LLP	3
Rogers, Anderson, Malody & Scott, LLP	4

As a result of the RFP evaluation process, staff recommends an award to CLA in the amount of \$131,780.00 for a two-year agreement covering two fiscal year audits (fiscal year 2020-2021 and fiscal year 2021-2022), with the option to extend

Staff Report: Award Financial Auditing Services

March 23, 2021

Page 3 of 4

the agreement for up to three additional one-year terms upon satisfactory performance, with a total amount not to exceed \$337,280.00 over five (5) years.

**FISCAL IMPACT:**

The total amount for the first two-year term for Professional Financial Auditing Services with CLA is not to exceed \$131,780.00, with the option to extend the agreement for up to three additional one-year terms upon satisfactory performance, with a total amount not to exceed \$337,280.00 over five (5) years. This agreement will be funded within the operational budgets of the Finance Department, Banning Utility Authority Funds, Successor Agency and Housing Funds, Proprietary Funds (Airport, Electric and Utility Billing) as per the following chart:

Description of Service	Fund	Account	Audit Years*		Option Years		
			2020-21	2021-22	2022-23	2023-24	2024-25
City and Related Reports	General / Utility Billing Funds	001-1900-412.33-12 / 761-3100-480.33-12 40%/60%	\$ 38,875	\$ 38,875	\$ 39,700	\$ 40,500	\$ 41,300
Single Audit and Related Report (if necessary)		Any Fund using Federal Funds requiring Single Audit	\$ 4,975	\$ 4,975	\$ 5,100	\$ 5,200	\$ 5,300
Banning Utility Authority Report	Water / Wastewater Funds	660-6300-471.33-12 / 680-8000-454.33-12 50%/50%	\$ 3,970	\$ 3,970	\$ 4,000	\$ 4,100	\$ 4,200
Housing Successor	Housing Successor Agency	810-9700-490.33-12	\$ 4,055	\$ 4,055	\$ 4,100	\$ 4,200	\$ 4,300
Successor Agency	Successor Agency Admin Fund	005-1210-412.33-12	\$ 6,485	\$ 6,485	\$ 6,600	\$ 6,700	\$ 6,800
GANN Appropriation Limit	General Fund	001-1900-412.33-12	\$ 485	\$ 485	\$ 500	\$ 500	\$ 500
State Controller's Report - City	General / Utility Billing Funds	001-1900-412.33-12 / 761-3100-480.33-12 40%/60%	\$ 3,545	\$ 3,545	\$ 3,600	\$ 3,700	\$ 3,800
State Controller's Report - BUA	Water / Wastewater Funds	660-6300-471.33-12 / 680-8000-454.33-12 50%/50%	\$ 1,750	\$ 1,750	\$ 1,800	\$ 1,800	\$ 1,800
State Controller's Report - FA	Electric Utility Fund	670-7000-473.33-12	\$ 1,750	\$ 1,750	\$ 1,800	\$ 1,800	\$ 1,800
			<b>\$ 65,890</b>	<b>\$ 65,890</b>	<b>\$ 67,200</b>	<b>\$ 68,500</b>	<b>\$ 69,800</b>
*Budget Year Impacted is Year after Fiscal Year Audited			2021-22	2022-23	2023-24	2024-25	2025-26

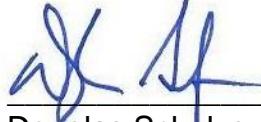
**OPTIONS:**

The City Council may choose to reject this action and provide alternative options.

**ATTACHMENTS:**

1. Request for Proposals (RFP 21-001)  
<https://banningca.gov/DocumentCenter/View/8489/Attachment-1---RFP-21-001>
2. CLA Proposal  
<https://banningca.gov/DocumentCenter/View/8490/Attachment-2---CLA-Proposal>
3. Professional Services Agreement  
<https://banningca.gov/DocumentCenter/View/8491/Attachment-3---Professional-Services-Agreement>

Approved by:



Douglas Schulze  
City Manager



**CITY OF BANNING  
BANNING UTILITY AUTHORITY  
REPORT**

**TO:** **BANNING UTILITY AUTHORITY**

**FROM:** **Douglas Schulze, City Manager**

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

**MEETING DATE:** **March 23, 2021**

**SUBJECT:** **Resolution 2021-2 UA, Awarding a Construction Agreement for Project No. 2018-01W "Water Improvement Plan - Location 2" to MCC Equipment Rentals, Inc., of Yucaipa, CA in the Amount of \$1,398,051.50 and Establishing a Total Project Budget of \$1,537,856.65 and Rejecting all Other Bids**

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**RECOMMENDATION:**

The Banning Utility Authority adopt Resolution 2021-2 UA approving the following actions:

1. Approving a Construction Agreement for Project No. 2018-01W "Water Improvement Plan - Location 2" to MCC Equipment Rentals, Inc., of Yucaipa, CA in the Amount of \$1,398,051.50 and rejecting all other bids.
2. Approving a 10% contingency in the amount of \$139,805.15 for a total project budget of \$1,537,856.65 and Rejecting all Other Bids
3. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to the Construction Agreement for Project No. 2018-01W "Water Improvement Plan-Location 2" and to approve change orders within the 10% contingency.
4. Authorizing the City Manager to execute the Construction Agreement with MCC Equipment Rentals, Inc. for Project No. 2018-01W "Water Improvement Plan-Location 2".

**BACKGROUND:**

On March 24, 2015, City Council approved Resolution 2015-04 UA, awarding a Professional Services Contract to Land Engineering Consultants, Inc. for the design services for the preparation of construction documents for the replacement of undersized and aging water infrastructure.

On January 15, 2021, the City entered into a Grant Agreement with the Department of Water Resources of the State of California to provide funding from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) to assist in the financing of this project. A copy of the Grant Agreement can be found attached hereto. The grant opportunity came through the Department of Water Resources (DWR) Proposition 1 - Round 1 IRWM Implementation Grant.

On February 4, 2021, Public Works and Purchasing staff advertised an Invitation for Bids (IFB No. 21-002) on the City's electronic bidding system ProcureNow. Additionally, email notifications were sent out to all vendors by ProcureNow. In response to these efforts, on March 3, 2021 the City received the following nine (9) bids:

<b><u>Companies</u></b>	<b><u>Price</u></b>
1) MCC Equipment Rentals, Inc.	\$1,398,051.50
2) Hemet Manufacturing Co dba Genesis Construction	\$1,501,444.00
3) T.E Roberts, Inc.	\$1,646,171.00
4) Weka, Inc.	\$1,774,393.00
5) Dominguez General Engineering, Inc.	\$1,819,036.00
6) El-Co Contractors, Inc.	\$2,014,741.00
7) Christensen Bros. General Eng., Inc.	\$2,177,313.40
8) Tri-Star Contracting	\$2,201,725.48
9) Downing Construction, Inc.	\$2,483,314.00

Purchasing staff has conducted reference checks on the apparent low bidder, MCC Equipment Rentals, 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, MCC Equipment Rentals, Inc. of Yucaipa, California, in the amount of \$1,398,051.50. A copy of the bid schedule for the lowest bid can be found attached hereto.

If awarded, staff anticipates the work to commence late in April 2021 and to be completed within one hundred (100) working days from the issuance of a Notice to Proceed.

The scope of work under this project includes the installation of approximately 5,400 linear feet of twelve-inch and eight-inch ductile iron pipe to replace an existing six-inch riveted steel main and four-inch steel main installed over 80 years ago. The six-inch main is located along Nicolet Street from 8<sup>th</sup> Street to 16<sup>th</sup> Street. The four-inch water mains are currently located in alleys between Nicolet Street and Cottonwood Road and George Street and Cottonwood Road. The scope also includes the relocation of water meters from the alleys to the front of the homes that they serve.

**JUSTIFICATION:**

MCC Equipment Rentals, Inc. is the lowest responsive and responsible bidder to construct Project No. 2018-01W "Water Improvement Plan-Location 2". The project will improve water distribution in this part of the City. The water department has repaired over 35 leaks in the previous 5 years on these water mains. Not only are leaks costly to repair, they are also the lead contributors to the loss of water (non-revenue water) which cost the City money to produce, treat and put into the City's water distribution system.

**FISCAL IMPACT:**

Staff recommends awarding an agreement to MCC Equipment Rentals, Inc. in the amount of \$1,398,051.50 and approving a 10% contingency in the amount of \$139,805.15 for a total "not-to-exceed" project budget of \$1,537,856.65.

The project will be funded through the State of California Department of Water Resources Integrated Regional Water Management (IRWM) Implementation Grant valued at \$1,710,907. The City will receive quarterly reimbursements from the State of California for the costs incurred during the construction phase of the project. However, the City will provide monthly payments to MCC Equipment Rentals, Inc. from Fund 660 (Account No. 660-6300-471.95-10; \$537,857 in FY20/21 and \$1,000,000 in FY21/22) while waiting for quarterly reimbursements from the State of California.

**ALTERNATIVE:**

Reject Resolution 2021-2 UA and provide direction to staff.

**ATTACHMENTS:**

1. Resolution 2021-2 UA  
<https://banningca.gov/DocumentCenter/View/8474/Attachment-1---Resolution-2021-2-UA>
2. Approved Resolution 2015-04 UA  
<https://banningca.gov/DocumentCenter/View/8475/Attachment-2---Resolution-2015-04-UA-Approved>

3. MCC Equipment Rentals, Inc. Bid Schedule  
<https://banningca.gov/DocumentCenter/View/8476/Attachment-3---MCC-Bid-Schedule>
4. IRWM Grant Agreement No. 4600013806  
<https://banningca.gov/DocumentCenter/View/8477/Attachment-4---IRWM-Grant-Agreement-City-of-Banning>

Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING BANNING UTILITY AUTHORITY REPORT

**TO:** BANNING UTILITY AUTHORITY

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** Art Vela, Public Works Director  
Luis Cardenas, Senior Civil Engineer

**MEETING DATE:** March 23, 2021

**SUBJECT:** Resolution 2021-3 UA, Awarding a Contract for Project 2021-01WW “Digesters Cleaning and Inspection” to Synagro, WWT Inc. in the Amount of \$305,627, Approving a 10% Project Contingency for a Total Project Budget of \$336,190 and Rejecting all Other Bids.

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### **RECOMMENDED ACTION:**

Approve Resolution 2021-3 UA:

1. Awarding a Contract for Project 2021-01WW “Digesters Cleaning and Inspection” to Synagro, WWT Inc. in the amount of \$305,627.
2. Approving a 10% project contingency in the amount of \$30,563 for a total project budget of \$336,190 and authorizing the City Manager or his designee to execute the agreement and any change orders within the approved contingency.
3. Rejecting all other bids for Project 2021-01WW “Digesters Cleaning and Inspection” IFB 21-004 received on March 8, 2021.

### **BACKGROUND:**

The City of Banning owns a Wastewater Treatment Plan located at 2242 East Charles Street. Part of the treatment process includes anaerobic digesters to treat the solids that are removed from the wastewater flows. Over time, rags, trash and other debris that is difficult to digest will accumulate and needs to be removed to restore digester capacity.

Every five to ten years, it is also customary to repair the coatings, both interior and exterior, to extend the useful life of the concrete structures. To prepare a comprehensive set of specifications for the re-coating effort, this project will include an inspection immediately after cleaning of each digester to document the condition of the existing coatings and the concrete structure.

On February 11, 2021 the project was advertised through the City's ProcureNow portal for the cleaning and inspection of digesters No. 2 and 3. A pre-bid walkthrough meeting was held on February 23, 2021.

On February 8, 2021 three bids were received and the detailed results are included as Attachment 2. The lowest and highest bids were deemed non-responsive by the Purchasing Department in consultation with the City Attorney's office. The overall bid results are summarized as follows:

Contractor Name	Bid Price	Notes
Olcese Construction Co., Inc.	\$227,800.00	Non-responsive bid
<b>Synagro, WWT Inc.</b>	<b>\$305,627.00</b>	<b>Lowest responsive bid</b>
Suez	\$391,836.00	Non-responsive bid

### **JUSTIFICATION:**

The City of Banning Wastewater Treatment Plant requires periodic cleaning of its digesters to maintain capacity and efficacy of the digesters. To complete this work, the City has traditionally contracted out the cleaning to specialized contractors that are experienced in this task.

In addition to cleaning, this project includes a detailed inspection of the concrete structure and the coatings, in preparation for a future re-coating project that should extend the useful life of the digesters.

Although two out of three bids had to be disqualified, the remaining responsive bid by Synagro, WWT Inc. was cost-competitive and the cleaning portion of the bid is comparable to previous digester cleaning projects awarded by the City.

### **FISCAL IMPACT:**

This project encompasses both maintenance items (Wastewater Capital Expenditures Fund 680) for the digester cleaning, and inspection services in preparation for a CIP project (Wastewater Capital Improvements Fund 683). The account funding sources are as follows:

Bid Items	Account	Amount
1, 2, 3	680-8000-454.95-12	\$176,215
4,5	683-8000-454.95-12	\$129,412
10% contingency	680-8000-454.95-12	\$30,563

Both funding sources (680 and 683) have sufficient funds to cover the costs shown above.

**ALTERNATIVES:**

1. Take back out to bid. This alternative will further delay the project cause additional loss in capacity of the digesters.
2. Do not move forward with the project, which is not recommended. The project will prevent overspills and/or complete failures of the digesters.

**ATTACHMENTS:**

1. Resolution 2021-3 UA  
<https://banningca.gov/DocumentCenter/View/8467/Attachment-1---Resolution-2021-3-UA>
2. Bid Results  
<https://banningca.gov/DocumentCenter/View/8468/Attachment-2---Bid-Results>
3. Contract  
<https://banningca.gov/DocumentCenter/View/8469/Attachment-3---Contract>

Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

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

**MEETING DATE:** March 23, 2021

**SUBJECT:** Resolution 2021-13, Awarding a Construction Agreement for Project No. 2020-02 "ADA Improvements Senior Center" to Horizons Construction Company International, Inc., Orange, CA in the Amount of \$127,544.00 and Establishing a Total Project Budget of \$140,298.40 and Rejecting all Other Bids.

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### **RECOMMENDATION:**

The City Council adopt Resolution 2021-13 approving the following actions:

1. Approving a Construction Agreement for Project No. 2020-02 "ADA Improvements Senior Center" to Horizons Construction Company International, Inc., Orange, CA in the amount of \$127,544.00 and establishing a total project budget of \$140,298.40 inclusive of a 10% contingency and rejecting all other bids.
2. Authorize the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to the Construction Agreement for Project No. 2020-02 "ADA Improvements Senior Center" and to approve change orders within the 10% contingency.
3. Authorize the City Manager to execute the Construction Agreement with, Horizons Construction Company International, Inc. for Project No. 2020-02 "ADA Improvements Senior Center".

**BACKGROUND:**

The City of Banning owns and operates the Community Center and Senior Center located at 789 N. San Gorgonio Avenue. The original Senior Center building was built in the 1950's and later acquired by the City in 1973. Initially, the Senior Center was a 1,529 square foot house and 400 square foot detached garage that later received a 2,500 square foot addition in 1987 and another 1,000 square feet in 1992.

On June 26, 2019, the City issued Purchase Order No.029551 to BOA Architecture for design and construction support services in the amount of \$24,640 for the preparation of the bidding documents for the Project No. 2020-02 "ADA Improvements Senior Center".

On February 12, 2021 Public Works and Purchasing Staff advertised an invitation for Bids (IFB 21-003) on the City's electronic bidding system ProcureNow. In response to these efforts, on March 11, 2021 the City received the following seven (7) bids as shown below:

<b><u>Companies</u></b>	<b><u>Price</u></b>
1) Horizons Construction Co. Int'l, Inc.	\$127,544.00
2) R Dependable Construction, Inc.	\$135,847.00
3) IVL Contractors, Inc.	\$138,786.06
4) Three Peaks, Corp.	\$141,000.00
5) Golden Gate Construction	\$183,496.00
6) Pub Construction, Inc.	\$269,900.00
7) Epsilon Engineering	\$350,006.08

Purchasing staff has conducted reference checks on the apparent low bidder, Horizons Construction Company International, 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, Horizons Construction Company International, Inc. of Orange, California, in the amount of \$127,544.00. A copy of the bid schedule for the lowest bid can be found attached hereto.

The scope of work for improvements to the Senior Center includes the replacement of two (2) exterior ADA ramps leading to the building; replacement of handrails; replacement of exterior stairway; removal and closure of one door opening; removal of the entrance door and installation of a new sliding automatic door; removal of interior double doors for better access to the multi-purpose room and kitchen; and installation of metal fence and gate for security.

**JUSTIFICATION:**

Horizons Construction Company International, Inc. is the lowest responsive and responsible bidder to construct Project No. 2020-02 "ADA Improvements Senior Center". Construction services are required to upgrade ADA (Americans with Disabilities Act) accessibility and to improve the overall functionality of the Senior Center by providing safe mobility and full access to the facility for individuals with disabilities.

**FISCAL IMPACT:**

Staff recommends awarding a Construction Agreement to Horizons Construction Company International, Inc. in the amount of \$127,544.00 and establishing a 10% contingency in the amount of \$12,754.40 for a total project budget of \$140,298.40.

The project will be funded through the Community Development Block Grant (CDBG) which is a Federal grant administered by the County of Riverside. The City will receive reimbursements from the County of Riverside for the costs incurred during the construction phase of the project. However, the City will provide payments to Horizons Construction Company International, Inc. from Account No. 110-5500-461.90-85 while waiting for reimbursements from the County of Riverside.

**ALTERNATIVE:**

Do not approve and provide alternative direction.

**ATTACHMENTS:**

1. Resolution 2021-13  
<https://banningca.gov/DocumentCenter/View/8479/Attachment-1---Resolution-2021-13>
2. Approved PO #029551  
<https://banningca.gov/DocumentCenter/View/8481/Attachment-2---Approved-PO-029551>
3. Horizons Construction Co. Int'l, Inc. Bid Schedule  
<https://banningca.gov/DocumentCenter/View/8480/Attachment-3---Horizons-Construction-CoIntl-Inc-Bid-Schedule>

March 23, 2021

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Approved by:

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

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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/City Engineer

**MEETING DATE:** March 23, 2021

**SUBJECT:** Resolution 2021-14, Approving the Execution of a Service Contract with the California Department of Transportation for Safety Improvements at the At-Grade Crossing of San Gorgonio Avenue and the Union Pacific Railroad

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### **RECOMMENDED ACTION:**

That the City Council adopt Resolution 2021-14, approving the execution of a Service Contract with the California Department of Transportation (Caltrans) for safety improvements at the at-grade crossing of San Gorgonio Avenue and the Union Pacific railroad.

### **BACKGROUND:**

Several years ago a diagnostic team was formed and lead by the California Public Utilities Commission (CPUC) Rail Crossings and Engineering Branch staff for purposes of itemizing the safety improvements to be funded under the Railroad-Highway Grade Crossing Program (RHGCP), Section 130 at the San Gorgonio Avenue and Union Pacific railroad at-grade crossing. The diagnostic team analyzed the existing at-grade crossing with respect to vehicular travel, bicycle travel, pedestrian pathways and rail traffic and determined that certain improvements, as identified in the scope of work, would improve safety and that said improvements would be fully funded by RHGCP funds.

The scope of work includes work that will be completed by the Union Pacific Railroad (UPRR) and work that will be completed by the City of Banning utilizing RHGCP funds as follows:

#### UPRR Scope of Work:

- Install 128 feet of concrete crossing surface.
- Install one CPUC Standard 9-A (flashing light signal assembly with automatic gate arm and additional flashing light signals over the roadway on a cantilevered

arm) warning device in the northwest quadrant at a minimum clearance of five feet three inches from the face of curb.

- Install one CPUC Standard 9-A (flashing light signal assembly with automatic gate arm and additional flashing light signals over the roadway on a cantilevered arm) warning device in the southeast quadrant at a minimum clearance of five feet three inches from the face of curb.

**City of Banning Scope of Work:**

- Install curb and gutter:
  - o In the northwest quadrant beginning ten feet from the centerline of the nearest track north approximately 100 feet to Bryant St. and around the corner return with UPRR maintenance access.
  - o In the southwest quadrant beginning ten feet from the centerline of the nearest track and extending for approximately 75 feet to existing curb with UPRR maintenance access.
  - o In the southeast quadrant beginning ten feet from centerline of the nearest track and extending approximately 35 feet to existing curb.
- Install ADA compliant concrete sidewalk:
  - o In the northwest quadrant for approximately 100 feet between the track and Bryant St.
  - o In the southwest quadrants behind the warning devices, two feet from the nearest track extending to the existing concrete sidewalks.
- Install detectable warning (tactile strips) on all sidewalk approaches.
- Install a pedestrian curb ramps at the intersection with Bryant St.
- Install signage and striping within project area.

The total project cost is estimated at \$1,121,900.

**JUSTIFICATION:**

The identified improvements will improvement safety at the at-grade crossing of San Gorgonio Avenue and the railroad.

Execution of the Service Contract between the City of Banning and Caltrans is required to acquire the authorization for reimbursement of the City's cost, up to \$80,000, for the preliminary engineering phase of the project. City staff does not expect that the preliminary engineering phase will exceed \$80,000.

**FISCAL IMPACT:**

The project costs, including the preliminary engineer phase, will be fully funded by Caltrans utilizing RHGCP funds.

**ATTACHMENTS:**

1. Resolution 2021-14  
<https://banningca.gov/DocumentCenter/View/8482/Attachment-1---Reso-2021-14>
2. Service Contract  
[https://banningca.gov/DocumentCenter/View/8483/Attachment-2-Local-AgencyBanningSanGorgonioAve\\_75288\\_Draft02022021](https://banningca.gov/DocumentCenter/View/8483/Attachment-2-Local-AgencyBanningSanGorgonioAve_75288_Draft02022021)

Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** James Wurtz, Economic Development Manager

**MEETING DATE:** March 23, 2021

**SUBJECT:** Resolution 2021-19, Authorizing the City of Banning to Enter into a 1-year Lease Agreement, Effective April 15<sup>th</sup>, 2021, with Skydive West Coast for Property Located at the Banning Municipal Airport.

### **RECOMMENDATION:**

Approve Resolution 2021-19 authorizing the City of Banning to enter into a 1-year lease agreement effective April 15<sup>th</sup>, 2021 with Skydive West Coast a California Corporation for property located at 200 S. Hathaway Street, Banning, CA. 92220 (APN-532-130-012) Commonly referred to as ("Skyline Hangar" and adjacent vacant real property) A legal description of the property is set forth in attached "**Exhibit "A"**"

### **BACKGROUND:**

The City of Banning pursuant to Resolution 2017-19 executed a 4-year lease agreement with Skydive West Coast for facilities and a landing zone at the Banning Municipal Airport located at 200 S. Hathaway Street. The effective beginning date of the lease was April 15<sup>th</sup>, 2017 with a termination date of April 15<sup>th</sup>, 2021. The financial terms were initially \$2000.00 per month with a 2% increase effective each April 15<sup>th</sup>. The final monthly lease payment was \$2,122.41 per month.

### **JUSTIFICATION:**

During the past four years not only has Skydive West Coast brought numerous people from all over Southern California into the City with their unique business, but they have been prompt with all lease payments and an exemplary business and ambassador for the City of Banning often referring clients to our local restaurants and other businesses.

As further proof of their commitment to Banning, Skydive West Coast remained operational and successfully navigated through the COVID-19 Pandemic, The Banning Drag Races and even through the "Apple Fire" which started on 07/31/2020 and

required multiple local, state and federal fire agencies to restrict operations from the Banning Municipal Airport for its fire suppression operations which lasted through the end of August 2020.

**FISCAL IMPACT:**

Renewal of Skydive Westcoast's lease would bring the monthly lease payment to \$2,164.85 for April 15,2021 to April 15<sup>th</sup>, 2022 for a total of \$25,978.20 The balance of these lease payment goes directly to help fund airport operations and upkeep of airport facilities. The approval of this agreement will not only ensure Skydive West Coast's continued operation as a valuable business that brings revenue directly to the city in the form of lease payments but ancillary business & visitors from outside the community who frequently visit our hotels and restaurants.

**OPTIONS:**

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

**ATTACHMENTS:**

1. Resolution 2021-19  
<https://banningca.gov/DocumentCenter/View/8454/Att-1-Resolution-2021-19-Skydive-West-Coast-Lease>
2. "Exhibit A"  
<https://banningca.gov/DocumentCenter/View/8455/Att-2-Exhibit-A>
3. Draft Lease and Operating Agreement  
<https://banningca.gov/DocumentCenter/View/8456/Att-3-Lease-AgreementSWC2021>

Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL  
**FROM:** Douglas Schulze, City Manager  
**MEETING DATE:** March 23, 2021  
**SUBJECT:** Banning Animal Shelter Lease Agreement

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### **RECOMMENDED ACTION:**

A motion authorizing the City Manager to execute the Lease Agreement with ARE Animal Rescue, Inc. for the Banning Animal Shelter property.

### **BACKGROUND:**

The City Council previously provided direction to the City Manager to develop a program for animal control and shelter services. In addition, the City Council has authorized the City Manager to notify Riverside County Animal Control Services of the City's intent to not renew the contract for animal care services with Riverside County. The effective date of expiration of the contract with Riverside County is July 1, 2021.

Work on the animal shelter has progressed well and the facilities are on schedule to be ready for animal sheltering by July 1, 2021, if not sooner. City Human Resources staff has initiated the recruitment process for two Animal Control Officer positions and the Banning Police Department is preparing for the new positions and animal control services to be added to the Code Enforcement Division.

Finally, discussions with a qualified animal shelter operator, ARE Animal Rescue, Inc., have been ongoing for a couple months and they are excited about the opportunity to establish an animal shelter in Banning. ARE Animal Rescue, Inc. is a 501 (c) (3) organization. In addition to a lease agreement for the animal shelter property, a service agreement will also be developed to establish the expectations for animal shelter services to the City of Banning. The animal shelter service agreement will be brought to the City Council for consideration in April.

Currently, the Banning Chamber of Commerce is leasing the animal shelter property and managing the restoration project. The lease agreement with the Chamber of Commerce will be terminated upon execution of the lease agreement with ARE Animal Rescue. Project management, solicitation of donations and acceptance of donations will be conducted by ARE Animal Rescue.

**JUSTIFICATION:**

The lease agreement with a qualified 501 (c) (3) non-profit corporation is consistent with prior direction provided by the City Council. ARE Animal Rescue, Inc. has been providing animal rescue services for several years and is currently located in Hemet.

**FISCAL IMPACT:**

Transition to in-house animal control services and non-profit operation of the animal shelter is expected to reduce animal care services costs and increase the level of service provided to the community. Annual cost savings are projected to be \$50,000 - \$75,000.

**OPTIONS:**

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

**ATTACHMENTS:**

1. Animal Shelter Lease Agreement  
<https://banningca.gov/DocumentCenter/View/8496/Animal-Shelter-Lease>

Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL STAFF REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

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

**MEETING DATE:** March 23, 2021

**SUBJECT:** Resolution 2021-12, Make a Determination of Exemption under CEQA Guidelines Section 15332 and Approve Tentative Tract Map 38057 for Condominium Purposes Allowing 32 Townhome Units and Associated Parking on 3-acres of Vacant Land Within a Previously Approved Planned Residential Development Located South of Theodore Street at Vista Serena Avenue Within the Vista Serena Townhome Complex at 1248 Vista Serena Avenue in the High Density Residential (HDR) Zoning District.

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### **RECOMMENDED ACTION:**

City Council adopt Resolution 2021-12 and take the following actions:

1. Make a determination under CEQA Guidelines that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Infill Development Projects) of the CEQA Guidelines; and
2. Approve Tentative Tract Map 38057 for Condominium purposes allowing 32 townhome units and associated parking in the High Density Residential (HDR) General Plan Designation and Zoning District subject to the recommended Conditions of Approval.

### **APPLICANT INFORMATION:**

Project Location: 1248 Vista Serena Avenue

APN Information: 534-290-005 through 534-290-010; 534-290-039 through 534-290-062; 534-291-046; 534-291-047; 534-290-135; and 534-290-136.

Project Applicant: Tahiti Partners Properties, Corp.  
3711 Long Beach Boulevard, Suite 925  
Long Beach, CA 90807

Property Owner: Vista Serena Opportunity Fund, LLC  
1248 Vista Serena  
Banning, CA 92220

**REQUEST:**

The applicant, Tahiti Partners Properties is requesting approval of Tentative Tract Map (TTM) 38057 for Condominium purposes to provide for 32 townhome units and related parking within a previously approved Planned Residential Development (Vista Serena) on a total of 3 acres. The proposed project is located within the High Density Residential (HDR) Zoning District.

**BACKGROUND:**

The Vista Serena Planned Residential Development was originally approved on November 1, 1972, by the City Planning Commission under Conditional Use Permit 72-4, granting approval for the construction of 134 condominium units and related parking with an association recreation center, including tennis courts, swimming pool and Jacuzzi. The associated Tract Map 4414 for 138 lots was recorded on July 13, 1973. The project was partially completed with 96 units and partial streets due to the original developer's inability to complete the project. In 1975, a potential developer approached the City to complete the project and the City Council revisited the agreements that were in place with the original developer. With the desire to complete the project, the City Council approved new agreements to further the completion of improvements with an alternate developer. The cul-de-sac at the tennis courts was vacated during this time.

The applicant proposes to construct 32 townhomes and related parking within the complex. The vacant lots have remained undeveloped for many years. Several developers have approached the City with the desire to complete the project. The applicant has been engaged with completing this project and has completed design work compatible with the existing 1970's development. The intent is to blend with the complex and create a smooth visual transition from the original units to the newer units. The project totals approximately 3-acres of vacant land and lots located within the Vista Serena Complex.

At the Planning Commission meeting of May 6, 2020, the Planning Commission approved Resolution 2020-08 approving Design Review 19-7008 for the construction of 32 Townhome Units and related parking. The current code requires 2.20 parking spaces for each two-bedroom unit, which is more than originally planned. With this new parking requirement, existing Townhome Unit lots needed to be adjusted to accommodate the new parking garages and visitor spaces. To make these adjustments Staff required the applicant to submit a Tentative Tract Map for Condominium purposes. On December 3,

2020, Tahiti Partners Properties, Corp., applied for Tentative Tract Map 38057 for Condominium purposes.

At the Planning Commission meeting of February 3, 2021, the applicant, Mr. Geoffrey Payne identified many conditions of approval that he was not in agreement with. At the conclusion of Mr. Payne's comments, the Planning Commission recommended and approved a continuance of the item to the next meeting.

At the Planning Commission meeting of March 3, 2021, the Commission recommended City Council approval of the project.

**DESCRIPTION:**

**Surrounding Land Use**

The project is surrounded by occupied and developed single family lots to the north and east. The property is developed with single family residences and vacant land along Hermosa Street. To the south, across Gilman Street, is a single-family residential neighborhood. There are two large parcels, that are under a single ownership, located to the west. The adjacent parcel is vacant, and the adjoining parcel is developed with a single-family residence. The nature of the surrounding uses, including Zoning and General Plan land use designations, are delineated for Planning Commission consideration in the following table.

**Land Use Summary Table**

	<b>Existing Land Use</b>	<b>Zoning Designation</b>	<b>General Plan Designation</b>
<b>Subject Site</b>	Vacant Land/ Lots	High Density Residential (HDR)	HDR
<b>North</b>	Single Family Dwellings	Low Density Residential (LDR)	LDR
<b>South</b>	Single Family Dwellings	Low Density Residential (LDR)	LDR
<b>East</b>	Vacant / Single Family Dwellings	High Density Residential / Affordable Housing Overlay (HDR20/ AHO)	HDR20/AHO
<b>West</b>	Vacant	Low Density Residential (LDR)	LDR

**ANALYSIS:**

**Zoning**

The site is located within the Vista Serena Complex on the south side of Theodore Street, west of Hermosa Street at the intersection of Vista Serena Avenue within the High Density Residential (HDR) Zoning District; wherein current land use designation allows 11-18 dwelling units per acre. When the Planned Residential Development was originally approved, the property was zoned as *One-Family Dwellings* (R-1); which is the same zoning classification applied to the surrounding community. The Planned Residential Development was approved by the Banning Planning Commission, under Conditional Use Permit 72-4, on November 1, 1972, and Tract Map 4414 for the project was approved by the City Council on May 10, 1973.

**Tentative Tract Map**

The Planning Commission is designated as the "advisory agency" referred to in the Subdivision Map Act and is charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions; and, is authorized to recommend the approval, conditional approval, or disapproval of tentative maps for subdivisions prepared and filed according with the Code and the Subdivision Map Act; to recommend the kinds, nature and extent of the improvements required to be installed in subdivisions; and to report to the City Council the action taken on tentative maps for subdivisions.

**Site Design and Access**

The site was presently partially developed in the 1970's with 96 units, recreational amenities and some streets and alleys. The main entrance is through a gate on Vista Serena Avenue and there is a loop street through the complex and alleys leading to parking areas and carports. An emergency access gate is located on alley at the south side of the complex. The site is relatively flat-lying ground with a southwesterly slope. The ground surface appears to consist of exposed soil with seasonal grasses and weeds no trees.

**Parking Requirements**

The prior approval for the project only required carports and uncovered parking spaces. The new units for the project have been conditioned to meet the existing applicable Banning Municipal Code parking standards set forth in BMC Chapter 17.28. to provide 2 garage spaces per 2-bedroom unit and 1 uncovered guest space per 5 units. The project proposes 32 two-bedroom units; therefore, 64 covered parking garage spaces and 7 uncovered are required. At the time of building plan check the project will be reviewed for compliance with applicable code requirements.

ALUC

The subject site is located within Airport Compatibility Zone E of the Banning Municipal Airport Influence Area (AIA), which requires review by the Riverside County Airport Land Use Commission (ALUC) prior to approval by the local jurisdiction. The proposed project was eligible for a staff review and has been reviewed by ALUC staff. It is determined to be consistent with the Banning Municipal Airport Land Use Compatibility Plan, subject to certain conditions, which conditions have been incorporated into the Conditions of Approval for this proposed project. Within Compatibility Zone E of the Banning Municipal Airport Land Use Compatibility Plan (ALUCP), residential density is not restricted.

Conclusion

Staff recommends approval of the subject project with the recommended Conditions of Approval as the proposed project is consistent with the requirements of the General Plan, Zoning Code, and Subdivision Map Act, while not effecting the environment.

**ENVIRONMENTAL DETERMINATION:**

California Environmental Quality Act (CEQA)

In accordance with CEQA Guidelines § 15332 (Infill Developments), which is a Class 32 categorical exemption in CEQA, Planning Division staff has determined that the project is categorically exempt from environmental review. Projects characterized as in-fill development and that meet the following conditions described below qualify under the Class 32 categorical exemption:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

Findings for the project's exemption from environmental review under CEQA are made and can be found in the attached Resolution.

**MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP) :**

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

**PUBLIC COMMUNICATION**

Proposed Tentative Tract Map 38057 was advertised in the Record Gazette newspaper on March 12, 2021 (Attachment 3). Notice was also mailed to all property owners within 300-feet of the project site and posted in two public places. As of the date of this report, staff has not received any written comments for or against the project.

**ATTACHMENTS:**

1. City Council Resolution No. 2021-12  
Exhibit A – TTM 38057  
Exhibit B – Conditions of Approval  
<https://banningca.gov/DocumentCenter/View/8457/Att-1-Resolution-2021-12>
2. Planning Commission Resolution No. 2021-02  
[https://banningca.gov/DocumentCenter/View/8461/Att-2-Resolution-2021-02\\_adopted-20210303](https://banningca.gov/DocumentCenter/View/8461/Att-2-Resolution-2021-02_adopted-20210303)
3. TTM 38057  
<https://banningca.gov/DocumentCenter/View/8458/Att-3-TTM-38057--11-24-20>
4. Public Hearing Notice  
<https://banningca.gov/DocumentCenter/View/8459/Att-4-Public-Notice>
5. Notice of Exemption  
[https://banningca.gov/DocumentCenter/View/8460/Att-5--Notice-of-Exemption-Vista-Serena\\_final\\_md-1](https://banningca.gov/DocumentCenter/View/8460/Att-5--Notice-of-Exemption-Vista-Serena_final_md-1)

Approved by:



Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** Jennifer Christensen, Administrative Services Director  
A'ja Wallace, Budget & Financial Analyst

**MEETING DATE:** March 23, 2021

**SUBJECT:** Fiscal Year 2020-21 Second Quarter Budget Update and Financial Status Report

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### **RECOMMENDED ACTION:**

That the City Council receive and file the Fiscal Year 2020-21 Second Quarter Budget Update and Financial Status Report for the quarter ending December 31, 2020

### **BACKGROUND:**

The Fiscal Year 2020-21 Budget and Financial Update for the second quarter ending December 31, 2020 provides a Mid-Year review of the City's financial position relative to the FY2020-21 adjusted budget.

### **JUSTIFICATION:**

#### **SECOND QUARTER REPORT**

In this report, projected financial results for the fiscal year-end are compared to the annual adjusted budget. The significant differences (variances) between budgeted and actuals through December 31, 2020, are discussed below.

Actual revenues and expenditures for the first six months of FY 2020-21 have been reviewed with each department to evaluate any variances from budget for the same period, in order to determine whether the variance results from timing of revenues and expenditures or is expected to persist as a result of a change in operations or economic circumstance.

## **BUDGET POLICY**

As outlined in the City Council's adopted budget policies, the adoption of the budget is not the end of the budget process. To ensure execution of the Council's adopted policies, the City will use a formal reporting and review process to monitor and evaluate progress and assist in achieving stated objectives and priorities. The City will maintain a budgetary control system to ensure compliance with the budget. The City will prepare quarterly status reports comparing actual revenues and expenditures to the budget amounts.

Finally, the City has adopted a policy of full cost recovery and utilizes a cost allocation plan where the full cost of City services both direct and indirect, shall be calculated in all cases where fees are charged and/or services contracts are negotiated to cover operating costs. This will also include services performed by one city department for another city department. In all cases, unless precluded by law, contracts, or current City Council policy, full costs shall be recovered.

## **REVENUE POLICY**

1. The City will strive to maintain a diversified revenue system to protect it from short-run fluctuations in any one revenue source.
2. State and Federal funds may be utilized, but only when the City can be assured that the total costs and requirements of accepting funds are known and judged not to adversely impact the City's General Fund.
3. The City, where allowed by law, will review all fees, licenses, permits, fines, utility user fees and other miscellaneous charges on a periodic basis taking into consideration the City's policy of full cost recovery. They will be adjusted as necessary after considering inflation, processing time, expenses to the City, and any other factors pertinent to the specific item. A regular review and implementation of index escalators will be applied wherever authorized by resolution or ordinance.
4. An administrative fee will be charged where allowed by law for administrative services, provided the fee is based on the reasonable estimated direct and indirect costs incurred.
5. All proposed projects will have a detailed capital budget specifying total costs and total revenues and shall identify the source of proposed revenues.
6. Utility fees charged to City departments shall be applied at the municipal rate.

## **GENERAL FUND SUMMARY (Also see Attachment 1)**

As of December 31, 2020, the General Fund had a projected year-end negative revenue variance of an additional \$1.1 million (should we continue at current trends) after adjusting for timing variances for various tax and other miscellaneous income payments.

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While a significant portion of the variance is due to timing of revenue expected in the second half of the fiscal year; There are several revenue variances that require ongoing monitoring and may result in the need to adjust the Mid-Year FY 2020-21 budget.

**Table 1** below provides detail on General Funds Revenues.

Q2 FY2020/21 SUMMARY					
	Revised Budget	Jul-Dec	% of Budget Used	Variance	
	2020/21	Q2 FY2020		Remaining Budget	
				\$	%
<b>Operating Revenues</b>	<b>18,168,847</b>	<b>5,901,482</b>	<b>32%</b>	<b>12,267,365</b>	<b>68%</b>
Taxes	10,945,056	2,900,923	27%	8,044,133	73%
Property Taxes	2,712,021	915,704	34%	1,796,317	66%
In Lieu Property Tax (VLF)	2,538,637	0	0%	2,538,637	100%
Sales Tax	3,373,038	1,113,768	33%	2,259,270	67%
Other Taxes	2,321,360	871,451	38%	1,449,909	62%
<b>Other Operating Revenues</b>	<b>7,223,791</b>	<b>3,000,559</b>	<b>42%</b>	<b>4,223,232</b>	<b>58%</b>
Building Permits Total	460,000	102,272	22%	357,728	78%
Other Permits Total	1,496,601	980,643	66%	515,958	34%
Intergovernmental Revenues	261,148	341,180	131%		131%
Charges for Services	940,130	53,589	6%	886,541	94%
Use of Money and Property	63,276	47,146	75%	16,130	25%
Fines and Forfeitures	233,389	66,231	28%	167,158	72%
Contributions	5,400	2,700	50%	2,700	50%
Miscellaneous Revenue	545,996	132,332	24%	413,664	76%
Transfers/Recoveries	3,217,851	1,274,466	40%	1,943,385	60%
<b>Operating Expenditures</b>	<b>25,334,040</b>	<b>11,126,195</b>	<b>44%</b>	<b>14,207,845</b>	<b>56%</b>
Personnel	13,621,713	7,075,996	52%	6,545,717	48%
Services and Supplies	8,359,828	2,855,062	34%	5,504,766	66%
Capital	3,352,499	1,195,137	36%	2,157,362	64%
<b>Operating Surplus/(Deficit)</b>	<b>(7,165,193)</b>	<b>(5,224,713)</b>		<b>(1,940,480)</b>	

Projected revenue shortfalls include the following:

- Miscellaneous income related to cancellations of special events. The Banning Unified School District contribution has not actualized as there was no need for an assigned officer on campus.
- Charges for services and fines related to decreased Police related fines and fees.
- Pre-stabilization medical billing fees have experienced a variance due to challenges with program implementation. In particular, city staff have been working closely with Cal Fire and a third-party billing company to address the significant shortfall in collections.
- Cannabis tax revenue has not actualized due to delay in openings of retailers.

- Building permits are underperforming compared to budgeted expectations. However, other permits are creating an offset by performing better than anticipated which currently projects a year end surplus of \$387,500 in Licensing and Permits.

The fiscal shock from the widespread pandemic has influenced revenues negatively, though the City has tried to maintain service levels. Although there may be recovery in the second part of the fiscal year, it is important to note a full cost recovery is unexpected as the transition to reinstate services and/or activities will not be set at a rate for full cost recovery. As displayed in Table 1, there is an overrun (negative variance) in operating expenditures within personnel costs by 2%. The most significant contributing factor is the negative variance in police department salary and benefits including overtime. Additionally, electric and planning are projecting slight negative variances related to salaries and benefits due to recent staff changes and lack of labor cost reductions.

It is worth noting that Banning is expecting to receive unanticipated one-time funding of approximately \$9 million, related to a \$3 million settlement with Tri-Pointe (formerly Pardee) and approximately \$6 million in Federal stimulus money from the American Recovery Plan Act. The council will be asked to set priorities for use of these one-time funds in the context of the budgeted depletion of reserves of \$4.3 million formerly dedicated to council objectives (see Table 3), the additional deficit of \$2 million projected for the current fiscal year (see Table 1) and the need to backfill \$1.2 million in Streets and Transit fund shortfalls (see discussion below in Special Revenue Funds) totaling \$7.5 million.

**Table 2** below details the projected revenue shortfalls within the General Fund.

Category	REC'd as of Q2	Budget	PROJECTED REVISED BUDGET
Cannabis	0	700,000	350,000
Building Permits	102,272	460,000	260,000
Reim for Police Services	0	327,668	150,000
Misc Fire Dept Fees	2,000	400,000	200,000
Fines & Forfeitures	66,231	233,389	150,000
<b>Total</b>	<b>170,503</b>	<b>2,121,057</b>	<b>1,110,000</b>

*\*Cannabis is projected to generate revenue in the second half of the FY*

*\*Projected revised budget may be a mid-year adjustment (\$1,011,057 revenue shortfall)*

**Police Services** is projecting a negative variance of \$738,000 by the end of the fiscal year, 7% of a total department budget at \$10.5 million, as a result of multiple factors. The most significant negative variance is attributable to overtime (\$595,000) for the department. In addition, newly mandated training has created an overrun in the training line item. In addition to expenditure overruns, the department is experiencing revenue

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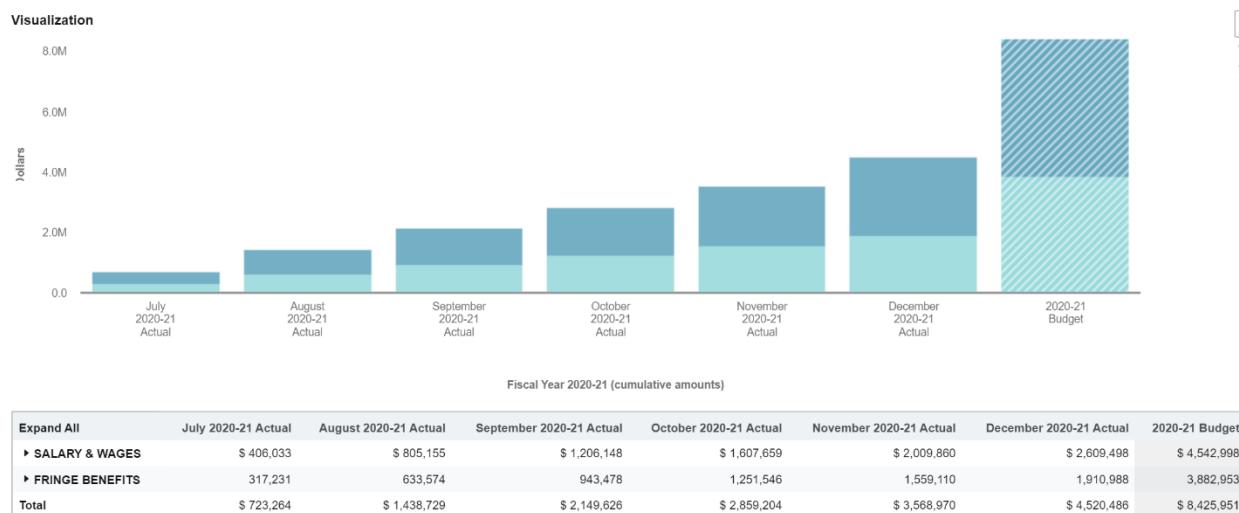
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shortfalls as they relate to funding from PACT and RAID, fees, fines, and forfeitures (see Reimbursement for Police Services in Table 2 above).

## Police 5 Years



## Police Services Salary/Benefits



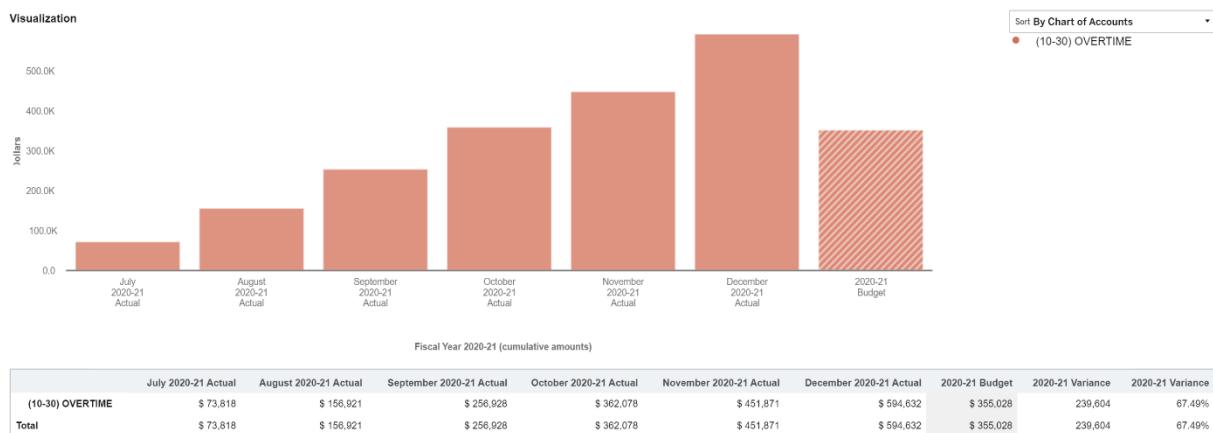
\*Blue color displays Salaries and turquoise color displays Benefits.

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## Police Services Overtime



## USE OF RESERVES/FUND BALANCE TO OFFSET BUDGETED EXPENDITURES

**Table 3** details the budgeted reserves for use by Department/Division.

RESERVE BUDGETED FOR USE	
<b>001 GENERAL</b>	<b>3,300,773</b>
<b>1300 HR</b>	<b>40,481</b>
<b>2200 POLICE</b>	<b>88,098</b>
<b>3200 BUILDING MAINT.</b>	<b>417,894</b>
<b>3600 PARKS</b>	<b>487,340</b>
<b>4000 RECREATION</b>	<b>10,200</b>
<b>TOTAL</b>	<b>4,344,786</b>

It should be noted that the original adopted budget projected key assumptions of use of fund balance for the general fund operating budget in the amount of \$4.3 million dollars (Table 3) with a few key assumptions made in June 2020:

- Reduction of Sales Tax
- Reduction of Transient Occupancy Tax (TOT)
- Labor Concessions
- Projected Increases in Cannabis Tax Revenue
- Projected Increases in Pre-Stabilization Medical Billing Fees.

As noted above in Table 2, staff analysis indicates that some of the projected decreases in TOT and sales tax revenue associated with Cabazon are demonstrating early signs of slow recovery at the mid-year point. Labor costs, however, are at 52% of budget at the end of

the second quarter. Labor costs for Police are at 54% of budget at the end of the second quarter. Currently, the recovery period for the economy remains uncertain.

### **SPECIAL REVENUE AND OTHER FUNDS**

**Streets/Roads** as of December 31, 2020 has a negative cash balance in the amount of \$779,929.74 that the General Fund may need to backfill in the form of an adjustment at mid-year.

**Transit** as of December 31, 2020 has a negative cash balance in the amount of \$405,445.24 that the General Fund may need to backfill in the form of an adjustment at year-end.

**Water** has a discrepancy regarding electric charges (rate) to the Water Department that may be a rate adjustment at Mid-Year (Per Revenue policy 6). Municipal rates should be charged for City Facilities and Operations including water and wastewater facilities, similar to other cities with public electric and water utilities.

### **NEXT STEPS**

The Executive team in addition to departmental staff will continue to monitor during this economic uncertainty and report to council on a quarterly basis in order to adjust revenue projections and authorized expenditures. When considering both the revenue shortfalls and negative expenditures variances, the city is at risk of ending the current fiscal year with an additional deficit that will negatively impact the following year's available resources.

Staff will return to council with requested mid-year revisions for the city council's discussion and possible action.

### **FISCAL IMPACT:**

Impacts are stated above in this staff report.

### **OPTIONS:**

1. Receive and file; no action required.

### **ATTACHMENTS:**

1. General Fund/Discretionary Revenue, Expenditures by Department and Fund Type for Second Quarter

<https://banningca.gov/DocumentCenter/View/8493/Attachment-1-General-Funds-Discretionary-Revenues-Expenditures-by-Department-and-Fund-Type>

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Approved by:



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Douglas Schulze  
City Manager



## CITY OF BANNING CITY COUNCIL REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**MEETING DATE:** March 23, 2020

**SUBJECT:** Ramsey Street Village Update

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### **RECOMMENDED ACTION:**

Receive and file.

### **BACKGROUND:**

Insurance payment has been received in an amount of \$185,600 for losses from the fire at Ramsey Street Village. Total losses amount to \$194,600 so coverage will provide funding for purchasing new Pallet Shelters, electric service repairs, and repairs to the perimeter fencing that was damaged during the fire.

Plans for re-establishing Ramsey Street Village include funding of a Site Coordinator and a security contractor. A grant application for funding these operating costs was submitted to Riverside County in January, but an announcement on grant awards has not yet been released. As an alternative to grant funds, City staff is researching existing housing funds to determine if the funds could be used for homeless sheltering programs.

The Ramsey Street Village site has been cleaned up and debris from the fire has been removed. Prior to erection of Pallet Shelters, a hard surface (asphalt) is planned, which will help to level and secure the shelters and reduce the amount of dust and mud. The mobile restroom/shower/laundry trailer has been received and is in storage but will be moved onto the property prior to the Pallet Shelter installation.

Occupants of Ramsey Street Village will be required to actively pursue employment and engage with Riverside County case workers to ensure efforts are being made to transition to more permanent housing. Occupants will be limited to a maximum stay of ninety (90) days at Ramsey Street Village, which will require each occupant to pursue transitional housing with a sense of urgency.

The Site Coordinator will be responsible for occupant intake, coordination with case workers, overall supervision of Ramsey Street Village, and coordination with service providers to provide meals, AA/NA meetings, religious services, and volunteer opportunities for Village occupants who are not employed on a full-time basis. New rules for Ramsey Street Village will not permit occupants to stay at the Village during daytime

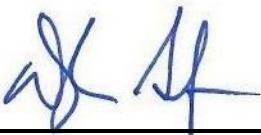
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hours unless they work nights. The re-established Village will be operated as a short-term shelter with strictly enforced rules to allow homeless individuals with a desire to become self-sufficient to receive support, tools, and assistance. Homeless individuals who do not take steps to become self-sufficient will be removed from the Village and eventually the Banning community.

Approved by:



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Douglas Schulze  
City Manager