



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

**MINUTES
CITY COUNCIL**

**04/13/2021
REGULAR MEETING**

COUNCIL MEMBERS PRESENT:

Mayor Colleen Wallace
Mayor Pro Tem David Happe via Zoom
Council Member Mary Hamlin
Council Member Kyle Pingree
Council Member Alberto Sanchez

COUNCIL MEMBERS ABSENT: None

OTHER PRESENT

Douglas Schulze, City Manager
Serita Young, Assistant City Attorney
Marie Calderon, City Clerk
Caroline Patton, Deputy City Clerk
Alejandro Geronimo, City Treasurer
Tom Miller, Electric Utility Director
Art Vela, Public Works Director/City Engineer
Adam Rush, Community Development Director
Ralph Wright, Parks & Recreation Director
Jennifer Christensen, Administrative Services Director
Suzanne Cook, Deputy Finance Director
Alejandro Geronimo, City Treasurer
Jeff Horn, Police Captain
Laurie Sampson, Executive Assistant

1. CALL TO ORDER REGULAR MEETING

The Mayor called to order the regular meeting of the Banning City Council at 5:00 PM.

ITEM 1.1. Invocation

Elder Eric Biggers, Mission Church of God in Christ

ITEM 1.2. Pledge of Allegiance

Council Member Sanchez led the Pledge of Allegiance.

ITEM 1.3. Roll Call

COUNCIL MEMBER	PRESENT	ABSENT
Hamlin, Mary	X	
Happe, David	X	
Pingree, Kyle	X	
Sanchez, Alberto	X	
Wallace, Colleen	X	

2. AGENDA APPROVAL**ITEM 2.1. Approve Agenda**

Mayor Wallace announced the following proposed changes to the Agenda:

- Item 9.1 regarding Federal Funding added.

Add Item 9.1 to the meeting agenda.

VOTING

Motion by: Council Member Pingree

Second by: Council Member Sanchez

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion Approved 5-0

Approve Agenda**VOTING**

Motion by: Council Member Pingree

Second by: Council Member Sanchez

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				
Sanchez, Alberto	X				
Wallace, Colleen	X				

Motion Approved 5-0

3. PRESENTATIONS

- 3.1 Proclamation- National Telecommunications Week
- 3.2 Proclamation- Donate Life
- 3.3 Proclamation- Earthquake Preparedness Month
- 3.4 Proclamation- Mike Steen, Retiring City Employee

4. REPORT OF CLOSED SESSION

Moved to Item 12.

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

PUBLIC COMMENT

John Hagen commented on the homeless encampment on Williams Street.

Mayor Wallace closed Public Comment.

CORRESPONDENCE

None

APPOINTMENTS

None

CITY MANAGER REPORT

City Manager Doug Schulze reported on:

- COVID-19 update regarding Riverside County being in the orange tier.
- Federal relief funding coming to the City will require staff to propose uses for the funding to Council.
- Homeless encampment present on Williams Street is known to the City. Staff are working with the property owner to ensure the site is secured from future encroachment before taking action to remove trespassers.

CITY ATTORNEY REPORT

None

CITY COUNCIL COMMITTEE REPORTS

Council Member Happe spoke about the Western Riverside Council of Governments (WRCOG) meeting where federal funding was discussed. He added that federal relief loans may come with liens on property attached, which he does not think is clearly communicated when the loan is executed.

Council Member Pingree gave an update on the Animal Shelter's renovation progress, including new flooring at the site.

Council Member Hamlin had no report.

Council Member Sanchez had no report.

Mayor Wallace reported on meetings of the Regional Conservation Authority (RCA), Southern California Association of Governments (SCAG), and WRCOG. She highlighted reports on the wildfire danger and drought in California, as well as her efforts to get help to smaller communities impacted by the pandemic.

6. CONSENT ITEMS

Recommendation: Approve Consent Items 6.1 through 6.11.

- ITEM 6.1.** Minutes of the March 23, 2021 City Council Meeting
- ITEM 6.2** Resolution 2021-15, Amending the Contract for Professional Tree Trimming Services with Utility Tree Service, Inc., to Include One Additional Year and Increasing the Spend for an Additional \$150,000.
- ITEM 6.3.** Resolution 2021-16, Approving the Second Amendment to Contract Services Agreement C00229 with Electric Power Systems International, Inc.
- ITEM 6.5.** Resolution 2021-23, Authorizing the Acceptance of an Allocation of Funds and Execution of an Airport Coronavirus Relief Grant Agreement with the Federal Aviation Administration
- ITEM 6.6** Resolution 2021-24, Approving the City of Banning Electric Utility Power Source Disclosure Annual Report and Power Content Label for Calendar Year 2019
- ITEM 6.7** Resolution 2021-25, Authorizing the City of Banning to Accept a Grant in the Amount of \$50,000.00 (EDA Award # ED21SEA3030002) from the U.S. Department of Commerce Economic Development Agency for the Completion of a Comprehensive Economic Development Strategy (CEDS) and Approval of the Attached Specific Award Conditions (Exhibit A)
- ITEM 6.8** Award Professional Service Agreement to The Kosmont Companies of Manhattan Beach, CA, as Consultant Vendor for 2021-2026 Comprehensive Economic Development Strategy Per Competitive Bid # 20-022
- ITEM 6.9** Resolution 2021-26 Approving Temporary Use Permit # 21-8102 and Lease Agreement between Hot Line Construction Inc. a California Corporation and the City of Banning for Rental of Approximately 340'x 240' (81,600 square feet) at 150 E. Ramsey St.
- ITEM 6.10** Approve Amendment No. 1 to the Professional Services Agreement with MGT of America Consulting, LLC. (MGT) to add additional scope of services, extend the Agreement to June 11, 2024, and increase the compensation by \$68,100.00 for the Enterprise Fund and Internal Service Fund Cost Allocation Study
- ITEM 6.11** Fiscal Year 2019-20 Comprehensive Annual Financial Report (CAFR) for City of Banning, and Audited Financial Statements for Banning Utility Authority and Banning Housing Authority

Public Comment

Mayor Wallace opened Public Comment.

Frank Connelly asked staff if the total not-to-exceed amount of the contract for professional tree trimming (Item 6.2) had been increased by two percent as stated in the verbiage of the agreement.

Electric Utility Director Miller responded saying that the trimming rates have increased by two percent, but the total not-to-exceed amount is capped at \$150,000 and therefore has not been increased.

Mayor Wallace closed Public Comment.

Approve Consent Items 6.1 through 6.3 and 6.5 through 6.11.

VOTING

Motion by: Council Member Sanchez
Second by: Council Member Pingree

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	×				
Happe, David	×				
Pingree, Kyle	×				
Sanchez, Alberto	×				
Wallace, Colleen	×				

Motion Approved 5-0

ITEM 6.4 Resolution 2021-21, Declaring the Intention to Levy and Collect Assessments for Fiscal Year 2021/2022, Approving the Engineer's Report and Setting the Date for the Public Hearing for Landscape Maintenance District No. 1

Public Comment

Mayor Wallace opened Public Comment.

John Hagen suggested the City is paying too much for landscape maintenance and should reduce costs to the Landscape Maintenance District #1 (LMD) through installing desert landscape.

Public Works Director Vela explained that this resolution was part of an annual authorization for the LMD to collect and levy taxes. The maintenance contract at issue will be bid through a competitive process and awarded to the lowest bidder. The LMD does not have funding to complete the capital improvements Mr. Hagen suggested.

Mayor Wallace closed Public Comment.

Approve Consent Item 6.4.

VOTING

Motion by: Council Member Sanchez
Second by: Council Member Happe

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	×				
Happe, David	×				
Pingree, Kyle	×				
Sanchez, Alberto	×				
Wallace, Colleen	×				

Motion Approved 5-0

7. PUBLIC HEARINGS

None

8. REPORTS OF OFFICERS

ITEM 8.1. Animal Care and Shelter Services Agreement

The staff report was provided by Doug Schulze, City Manager.

Mayor Wallace opened Public Comment.

Frank Connelly raised several issues with the contract, including: (1) the 10-year term; (2) holding period for animals; (3) local availability of reduced cost clinics for spay & neuter, vaccinations, and microchipping services; and (4) licensing program and associated fees.

John Hagen raised similar concerns, relate to microchipping and the Animal Action League, which currently provides low-cost events to spay/neuter, vaccinate and microchip local pets.

Representatives from the ARE Animal Rescue responded that the 10-year term is necessary to qualify for capital grants to improve the shelter facility. They explained that their philosophy is to reunite pets with their people and that the holding period is almost certainly longer than the 3-day minimum outlined in the contract.

Mayor Wallace closed Public Comment.

There was discussion regarding the details of the licensing program and staff suggested bringing this item back before Council at their next meeting once staff have more information on the licensing program to provide to Council.

ITEM 8.2 Resolution 2021-20, Approving an Agreement with Pyro Spectaculars, Inc., for Production of the Fourth of July Aerial Fireworks Display.
The staff report was provided by Ralph Wright, Parks and Recreation Director.

Mayor Wallace opened Public Comment.

Inge Schuler said that she hopes a fireworks show will reduce the amount of fireworks in the City's neighborhoods, especially in the weeks before and after the holiday.

Mayor Wallace closed Public Comment.

The Council discussed the potential to use the funds for other parks improvements instead and staff said that was possible. Council provided staff direction to try to renegotiate the contract for a smaller show at a lower price should that be an option. If not, Council agreed to authorize a contract with a not-to-exceed amount of \$27,000.

Approve Resolution 2021-20 approving an agreement with Pyro Spectaculars, Inc. for Production of the Fourth of July Aerial Fireworks Display, and direct staff to negotiate a contract with a not-to-exceed amount of \$27,000.

VOTING

Motion by: Council Member Sanchez
Second by: Council Member Happe

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	×				
Happe, David	×				
Pingree, Kyle	×				
Sanchez, Alberto	×				
Wallace, Colleen	×				

Motion Approved 5-0

9. DISCUSSION ITEMS

None

10. ITEMS FOR FUTURE AGENDAS

1. Permanent Homeless Solution
2. Shopping Cart Ordinance Update

11. ADJOURNMENT

Meeting adjourned at 6:57 PM to convene a Closed Session to discuss Item 11.1. Conference with Legal Counsel regarding existing litigation.

Closed Session adjourned and Regular Meeting reconvened at 7:40 PM. Item 11.1 update provided to Council, with no final or reportable action.

The Mayor adjourned the regular meeting at 7:41 PM.

Next Meeting: *Regular Meeting, Tuesday, April 27, 2021, 5:00 P.M.*

Minutes Prepared by:



Caroline Patton, Deputy City Clerk

The entire discussion of this meeting may be viewed here:

<https://banninglive.viebit.com/player.php?hash=weSf6Z38u4xo>.

A CD or DVD may be purchased for \$7.00 each at Banning City Hall, located at 99 E. Ramsey Street, Banning, CA 92220.

All documents related to this meeting are available here:

<https://banningca.gov/Archive.aspx?ADID=2453>