



The following information comprises the minutes for a 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**

**07/13/2021
REGULAR MEETING**

COUNCIL MEMBERS PRESENT: Mayor Colleen Wallace
Mayor Pro Tem David Happe
Council Member Mary Hamlin
Council Member Kyle Pingree
Council Member Alberto Sanchez

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Art Vela, Public Works Director/Acting City Manager
Serita Young, Assistant City Attorney
Marie Calderon, City Clerk
Caroline Patton, Deputy City Clerk
Jeff Horn, Police Captain
Tom Miller, Electric Utility Director
Alejandro Geronimo, City Treasurer*
Adam Rush, Community Development Director*
Suzanne Cook, Deputy Finance Director*
Laurie Sampson, Executive Assistant*

*Participated via Zoom.

1. CALL TO ORDER

Mayor Wallace called the regular meeting to order at 5:00 p.m.

1.1. Invocation

Council Member Hamlin gave the invocation.

1.2. Pledge of Allegiance

Girl Scout Cassidy West led the Pledge of Allegiance.

1.3. Roll Call – *Council Members Hamlin, Happe, Pingree, Sanchez, and Mayor Wallace*

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

2. AGENDA APPROVAL

2.1. Approve Agenda

Motion to approve the agenda.

Motion by Council Member Happe
Seconded by Council Member Pingree

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

Motion approved by a vote of 5-0.

3. PRESENTATION(S)

3.1. Proclamation honoring retiring Morongo Tribal Chairman Robert Martin

3.2. Mayor's Special Recognitions

Mayor Wallace recognized local Girl Scout Troops 64, 764, and 1686. She also honored Junior Mayors Kaylee West and JoeLene Sanchez.

3.3. Southern California Edison Presentation on Pass Area Activities

4. REPORT ON CLOSED SESSION

Assistant City Attorney Young said that for closed session item 1 there was no final or reportable action. On item 2, the Council was the final party to approve a Bypass Flow Agreement with the United States Forest Service and Banning Heights Mutual Water Company by a vote of 5-0.

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

5.1. PUBLIC COMMENTS

Inge Schuler suggested the City turn to drone enforcement of illegal fireworks prohibitions.

John Hagen shared that the fireworks non-emergency phone number was not working and was critical of the homeless next to the County Courthouse.

Police Captain Horn responded to citizen concerns, saying police removed several vehicles at this homeless site recently. He said they would go back out to assess new cars citizens have seen at the site.

Jose Aguilar said that his mobile home park abuts the homeless encampment and has been physically attacked by the people there.

Lynnea Hagen said the encampment was on private property and code enforcement should act.

5.2. CORRESPONDENCE

None

5.3. APPOINTMENTS

None

5.4. CITY COUNCIL COMMITTEE REPORTS

Council Member Pingree said the Animal Shelter was now open and reuniting pets with their families.

Council Member Happe reported on a recent Western Riverside County Council of Government (WRCOG) committee meeting and said he voted against a proposed TUMF fee increase.

Mayor Wallace reported on attending Regional Conservation Authority (RCA) and League of California Cities meetings. She shared that the city of Desert Hot Springs is booming because of marijuana cultivation and encouraged the public to donate blood.

5.5. CITY MANAGER REPORT

Acting City Manager Vela shared that the City has applied for \$2.2 million in funding to address grade separation at the Hargrove crossing.

5.6. CITY ATTORNEY REPORT

None

6. CONSENT ITEMS

- 6.1.** Minutes of the June 22, 2021 City Council Meetings
- 6.2.** Receive and File Fire Department Statistics for May 2021
- 6.3.** Resolution 2021-64, Approving Nuisance Abatement Charges be Added to the Tax Rolls of Riverside County, California.
- 6.4.** Resolution 2021-65 Rescinding Resolution 2007-123, Describing the Properties Subject to the Community Redevelopment Agency's Program to Acquire Real Property by Eminent Domain in the Merged Downtown and Midway Redevelopment Projects and Authorizing the Termination of Recorded Document # 2008-0014511.
- 6.5.** Approving the Renewal of the Landscape Maintenance Contract for Landscape Maintenance District No. 1 with Artistic Maintenance, Inc. of Lake Forest, California for Fiscal Year 2021/2022 in the Amount of \$57,684
- 6.6.** Award a Purchase Agreement to Pro-Cast Products, Inc. for the Purchase of 700 feet of K-Rail in the Amount of \$33,926.63 and reject all other bids.
- 6.7.** Authorize the City Manager to sign the Notice of Completion for Project No. 2020-07, "Citywide Street Improvements" as complete and direct the City Clerk to record the Notice of Completion.
- 6.8.** Adopt Resolution 2021-66, Authorizing the Acceptance of an Allocation of Funds in the amount of \$425,650 and Execution of a Grant Agreement with the Federal Aviation Administration (FAA) for an Airport Improvement Program Grant for Banning Municipal Airport.
- 6.9.** Adopt Resolution 2021-67, Approving a Construction Agreement for Project No. 2020-06, "Runway and Taxiway Improvements at Banning Municipal Airport" to American Road Maintenance of Tucson, Arizona in the amount of \$394,149.35 and establishing a total project budget of \$453,271.75 and rejecting all other bids and approving Amendment No. 1 to the Professional Services Agreement with IMEG Corp. for Construction Management Services in the amount of \$27,500.
- 6.10.** Resolution 2021-68, Rescinding Resolution 2020-151, and Authorizing the Purchase of One Metal-Clad Switchgear Building from Myers Power Products Inc.
- 6.11.** Adopt Resolution 2021-07 UA, Approving the First Amendment to the Professional Services Agreement with Churchwell White, LLP Extending the Term of the Agreement.
- 6.12.** Resolution 2021-69, Adopting Banning Electric Utility Wildfire Mitigation Plan dated July 2021.
- 6.13.** Ordinance 1574 approving Zone Change 21-3501 rezoning three Parcels Located West of San Gorgonio Ave. and South of Lincoln St. (APNs 540-250-061, 540-25-008, & 540-250-060) as Industrial, and Making Findings Pursuant to CEQA.

Council Member Happe pulled consent agenda items 6.4 and 6.10.

PUBLIC COMMENTS

Inge Schuler said that she disagreed with the weed abatement resolution.

John Hagen said he disagreed with the Landscape Maintenance District (LMD) item.

Lynnea Hagen disagreed with the LMD item as well.

Motion to approve consent agenda items 6.1 to 6.3, 6.5 to 6.9, and 6.11 to 6.13.

Motion by Council Member Pingree
Seconded by Council Member Happe

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

Motion approved by a vote of 5-0.

6.4. Resolution 2021-65 Rescinding Resolution 2007-123, Describing the Properties Subject to the Community Redevelopment Agency's Program to Acquire Real Property by Eminent Domain in the Merged Downtown and Midway Redevelopment Projects and Authorizing the Termination of Recorded Document # 2008-0014511.

Motion by Mayor Wallace
Seconded by Council Member Pingree

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

Motion approved by a vote of 5-0.

6.10. Resolution 2021-68, Rescinding Resolution 2020-151, and Authorizing the Purchase of One Metal-Clad Switchgear Building from Myers Power Products Inc.

Motion by Council Member Happe
Seconded by Council Member Pingree

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

Motion approved by a vote of 5-0.

7. PUBLIC HEARING(S):

7.1. First Reading of Ordinance 1575 amending Titles 5 and 15 of the Banning Municipal Code revising regulations pertaining to the permitting, operation, and maintenance of alarm systems within the City of Banning and providing for fees and penalties for false alarms and violations.

Jeff Horn, Police Captain presented the staff report.

PUBLIC COMMENTS

John Hagen disagreed with the proposed program.

Frank Connolly weighed in on how many false alarms a property should be allowed and expressed concern about wind setting off alarms.

Harry Sullivan said alarm company representatives should work with the City to develop the program.

Lynnea Hagen asked if police let homeowners know they have a false alarm.

Robert Ybarra also weighed in, saying he has had false alarms.

Captain Horn and Assistant City Attorney Young explained the ordinance and the proposed program.

Motion to direct staff to bring back another proposal with more details and an associated fee schedule.

Motion by Council Member Pingree

Seconded by Council Member Hamlin

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

Motion approved by a vote of 5-0.

8. DISCUSSION ITEM(S)

8.1. Discuss the City's Draft Golf Cart and Low Speed Vehicles/Neighborhood Electric Vehicles Transportation Plan and Ordinance and Consideration for a Speed Reduction Report.

Art Vela, Public Works Director/Acting City Manager provided the staff report.

PUBLIC COMMENT

Harry Sullivan asked if the City was prohibiting street-legal vehicles from operating on the streets of Banning.

Staff explained the proposed ordinance would set the rules by which those vehicles would operate in the City, as is required by the vehicle code.

Motion to direct staff to move forward developing the ordinance and completing a speed study on Sun Lakes Boulevard.

Motion by Council Member Pingree
Seconded by Council Member Hamlin

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

Motion approved by a vote of 5-0.

9. ITEMS FOR FUTURE AGENDAS

9.1. New Items:

None

9.2. Pending Items:

1. Permanent Homeless Solution
2. Shopping Cart Ordinance Update
3. Scholarship/Internship Program
4. Golf Cart/EV Ordinance
5. Census/Redistricting
6. Cannabis Microbusiness/More dispensaries

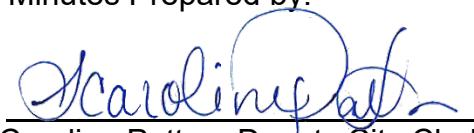
7. Revenue Generation Ideas
8. Reconsideration of Resolution 2017-44
9. Airport Advisory Commission

10. ADJOURNMENT

Mayor Wallace adjourned the meeting at 7:43 p.m.

Next Meeting – August 24, 2021 at 5:00 p.m.

Minutes Prepared by:



Caroline Patton, Deputy City Clerk

This entire meeting may be viewed here:

<https://banninglive.viebit.com/player.php?hash=ju6ZzCzMmCQI>

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:

<http://banning.ca.us/ArchiveCenter/ViewFile/Item/2501>