



AGENDA

REGULAR MEETING OF THE BANNING CITY COUNCIL

CITY OF BANNING, CALIFORNIA

May 10 2022

5:00 p.m.

In Chambers and via Zoom

Council Chambers
99 E. Ramsey Street
Banning, CA 92220

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

This meeting is being held via Zoom so that members of the public may observe and participate in this meeting electronically. If you participate in this meeting via Zoom, you are agreeing to abide by the City's Zoom Community Standards for Public Meetings (provided in full on the last page of the agenda). Esta reunión se lleva a cabo en la Cámara y a través de Video/Teleconferencia en Zoom para que los miembros del público puedan observar y participar en esta reunión de manera electrónica. Si elige participar en esta reunión a través de Zoom, acepta cumplir con los Estándares comunitarios de Zoom para reuniones públicas de la ciudad (que se proporcionan en su totalidad en la última página de la agenda).

To observe and participate in the online video portion of the meeting through your personal computer or device, follow this link:

<https://us02web.zoom.us/j/81007280759?pwd=d0JCK0oyeGhOQk5Cek1kd3FJUmlsQT09>

Meeting ID: 810 0728 0759

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Per City Council Resolution 2016-44, matters taken up by the Council before 10 p.m. may be concluded, but no new matters shall be taken up except upon a unanimous vote of the council members present and voting. Such an 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
- 1.2. Pledge of Allegiance
- 1.3. Roll Call

2. AGENDA APPROVAL

- 2.1. Approve Agenda

3. PRESENTATION(S)

- 3.1. Proclamation – Kids to Parks Day (May 21, 2022)..... 7
- 3.2. Proclamation – National Police Week (May 15-21, 2022)..... 8
- 3.3. March & April 2022 Banning Beautification Awards..... 9

4. REPORT ON CLOSED SESSION

- 4.1. City Attorney

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

- 5.1. PUBLIC COMMENTS – Non-Agenda Items Only

*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 their time 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 Item 10). **PLEASE STATE YOUR NAME FOR THE RECORD.** ~ Se aplicará una limitación de tres (3) minutos a cada miembro del público que desee dirigirse al Alcalde y al Concejo sobre un asunto que no esté en la agenda. A ningún miembro del público se le permitirá compartir su tiempo con ningún otro miembro del público. Por lo general, cualquier artículo recibido bajo este encabezado se envía al personal para su estudio, investigación, finalización y / o acción futura del Consejo en el futuro (consulte el artículo 10). **POR FAVOR INDIQUE SU NOMBRE PARA EL REGISTRO.***

- 5.2. CORRESPONDENCE

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

- 5.3. APPOINTMENTS

- 5.3.1. Appointment of Two Parks and Recreation Commissioners to Fill Two Vacancies.....10

- 5.4. CITY COUNCIL COMMITTEE REPORTS

- 5.5. CITY MANAGER REPORT

- 5.6. CITY ATTORNEY REPORT

6. CONSENT ITEMS

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

Mayor to Open Consent Items for Public Comments
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Motion: Approve consent items 6.1 to 6.09.

Resolutions require a recorded majority vote of the total membership of the City Council/Banning Utility Authority.

- | | | |
|------|---|-----------|
| 6.1. | Approval of Minutes of the April 26, 2022 City Council Meetings..... | 12 |
| 6.2. | Second Reading of Ordinance 1582 which would Approve a Military Equipment Use Policy Pursuant to Assembly Bill 481 and Government Code §7070 et seq..... | 13 |
| 6.3. | Consideration of Resolution 2022-52, Awarding an Agreement for Fire and Intrusion Alarm Equipment, Installation, Monitoring, Maintenance and Repair Services for City Facilities to Vision Security Systems..... | 17 |
| 6.4. | Consideration of Resolution 2022-53, Approving a Professional Services Agreement with TransTrack Solutions Group for Consulting Services to Support the City of Banning's Transit Operations in the Amount of Not-to-Exceed \$75,000..... | 21 |
| 6.5. | Consideration of Resolution 2022-54, Approving Amendment No. 2 to the Contract with Acculine Consulting, LLC to the amount of \$682,000 and Extending the Date to June 30, 2024 for Continuation of Project Software Development and Field Inventory..... | 24 |
| 6.6. | Consideration of Resolution 2022-55, Approving the Execution of California Department of Transportation Program Supplemental Agreement No. 00000A022 to the existing Administering Agency-State Master Agreement including all related documents for the "Development and Preparation of the Local Roadway Safety Plan (LRSP)"..... | 26 |
| 6.7. | Consideration of Resolution 2022-56, Approving Amendment No. 1 to the Agreement with Mariposa Landscapes, Inc. for City Parks Landscape Maintenance in Fiscal Year 2022-23 for a Not-to-Exceed Amount of \$101,639..... | 29 |
| 6.8. | Consideration of Resolution 2022-04 UA, Approving the Lease of a 2023 Freightliner Diesel Vactor Truck Plus Jet Rodder from Haaker Equipment Company and Financed through Jules and Associates in the Amount of \$475,374.05 Over a Five-Year Term, or \$95,274.81 per Annum..... | 32 |
| 6.9. | Approving the Renewal of the Landscape Operation and Maintenance Contract for Landscape Maintenance District (LMD) No. 1 with Artistic Maintenance, Inc. of Lake Forest, California for Fiscal Year 2022/2023 in the Amount of \$64,104..... | 34 |

7. PUBLIC HEARING(S)

- | | | |
|---|--|-----------|
| 7.1. | Public Hearing and Consideration of Resolution 2022-51, Adopting the Banning Electric Utility Wildfire Mitigation Plan Version 2.1 | 37 |
| <i>(Staff Report: Thomas Miller, Electric Utility Director)</i> | | |

Recommendation: Staff recommends that the Banning City Council approve Resolution 2022-51 adopting required revisions to Banning Electric Utility's ("Utility") attached Wildfire Mitigation Plan ("WMP") adopted in July 2021, to address the Wildfire Safety Advisory Board's 2021 Guidance Advisory Opinion.

8. REPORTS OF OFFICERS

- 8.1. Cannabis Ad Hoc Committee Report and Discussion Regarding Increasing the Existing Cap on Cannabis Retailers and Method For Selection if Cap is Increased, Allowing Cannabis Retailers in the General Commercial Zone, Allowing Cannabis Distribution in the Business Park Zone, Allowing Cannabis Microbusinesses in the General Commercial Zone, and Allowing Shared Use Cannabis Manufacturing Facilities in the Industrial Zone.....**40**
(Staff Report: Adam Rush, Community Development Director)

Recommendation: Staff respectfully recommends: (1) The Cannabis Ad Hoc Committee ("Committee") update the entire Council on the progress made to-date; and, (2) The Council discuss and provide direction to City staff as changes or updates to the Cannabis Ordinance Amendment (Ordinance 1580).

- 8.2. Discuss the Draft Short Range Transit Plan for Fiscal Year 2022/2023 – 2024/2025.....**43**
(Staff Report: Art Vela, Director of Public Works)

Recommendation: Discuss the Draft Short Range Transit Plan (SRTP) for 2022/2023 – 2024/2025 and provide feedback to staff.

- 8.3. Consideration of Resolution 2022-50, Approving an Employment Agreement for the Position of Finance Director with Lincoln Bogard.....**46**
(Staff Report: Doug Schulze, City Manager)

Recommendation: A motion approving Resolution No. 2022-50, Approving Employment Agreement with Lincoln Bogard.

9. DISCUSSION ITEM(S)

None

10. ITEMS FOR FUTURE AGENDAS

10.1. New Items

10.2. Pending Items:

1. Permanent Homeless Solution
2. Shopping Cart Ordinance Update
3. Golf Cart/EV Ordinance (On hold)
4. Airport Advisory Commission

5. Business-Friendly Zoning (Wallace)
6. Community Garden Project (Sanchez)
7. Internship Program (Hamlin)

11. ADJOURNMENT

Next Regular Meeting – May 24, 2022 at 5:00 p.m.

Zoom Community Standards for Public Meetings

By participating in this meeting on Zoom, you are agreeing to abide by the City of Banning's Community Standards for Public Meetings. Zoom attendees that fail to adhere to these standards may be removed from the meeting room.

- Your microphone must remain on mute, and you may only unmute your microphone when/if you are recognized by the Mayor.
- Your camera must be turned off unless/until you are recognized by the Mayor.
- To indicate a desire to make Public Comment, you must use the Raise Hand function. The Mayor will not recognize those who have not used the Raise Hand function.
- Public Comment from Zoom attendees will immediately follow in person comment from members of the public in Council Chambers.
- If you fail to adhere to these community guidelines, **you may be removed** for disrupting the meeting occurring in Council Chambers. You may rejoin the meeting but may be removed for each violation of these community standards.
- The chat function will be disabled for all City Council meetings on Zoom.

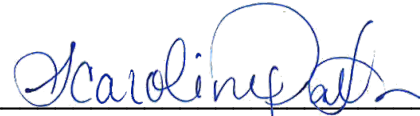
Estándares comunitarios de Zoom para Reuniones Públicas

Al participar en esta reunión en Zoom, usted acepta cumplir con los Estándares Comunitarios para Reuniones Públicas de la ciudad de Banning. Los que atienden por Zoom que no cumplan con estos estándares pueden ser retirados de la sala de reuniones.

- Su micrófono debe permanecer en silencio, y solo puede reactivar su micrófono cuando / si es reconocido por el alcalde.
- Su cámara debe estar apagada a menos que sea reconocido por el alcalde.
- Para indicar el deseo de hacer un Comentario Público, debe utilizar la función Levantar la mano. El alcalde no reconocerá a quienes no hayan utilizado la función Levantar la mano.
- Los comentarios públicos de lo que atienden por Zoom seguirán inmediatamente los comentarios en persona de los miembros del público en las Cámaras del Consejo.
- Si no cumple con estas pautas de la comunidad, es posible que lo destituyan por interrumpir la reunión que tiene lugar en las Cámaras del Consejo. Puede volver a unirse a la reunión, pero es posible que lo eliminen por cada violación de estos estándares de la comunidad.
- La función de chat estará deshabilitada para todas las Reuniones del Ayuntamiento en Zoom.

AFFIDAVIT • DECLARACIÓN JURADA

IT IS HEREBY CERTIFIED under the laws of the State of California that the above agenda was posted on the City's website (www.banningca.gov) as well as the Bulletin Board at Banning City Hall, located at 99 E Ramsey Street, Banning, CA 92220 by 5:00 P.M. on the 5th day of May 2022.



Caroline Patton, Deputy City Clerk
Secretario adjunto de la ciudad

PUBLIC NOTICE • NOTICIA PÚBLICA

Meeting Agendas and Notices

Interested in receiving email and/or text notifications of upcoming City Council meetings? Sign up for meeting notifications through Notify Me (<https://banningca.gov/list.aspx>). Pursuant to amended Government Code §54957.5(b), staff reports and other public records related to open session agenda items are available on the City's website (www.banningca.gov/archive).

Public Comment

Agenda Items

Any member of the public may address this meeting of the City Council on any item appearing on the agenda. A five-minute limitation shall apply to each member of the public and no member of the public shall be permitted to share their time with any other person.

Non-Agenda Items

Any member of the public may address this meeting of the 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 Council may act. A three-minute limitation shall apply to each member of the public and no member shall be permitted to share their time with any other person. No action shall be taken, nor discussion held by the 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 §54954.2 of the Government Code.

Special Assistance/Accessibility Requests

In compliance with the Americans with Disabilities Act, any member of the public may request that the agenda and agenda packet be mailed to them. If you need special assistance to participate in this meeting (such as translation services), please contact the Office of the City Clerk. Advanced notification of at least 48 hours prior to the meeting will allow the city to make arrangements to ensure your accessibility.

¿Necesita servicios de traducción para participar? Contacto Oficina del Secretario de la Ciudad.

CONTACT • CONTACTO

Office of the City Clerk • 951-922-3102 • CityClerks@banningca.gov
99 East Ramsey Street, Banning, California 92220



**CITY OF BANNING
OFFICE OF THE MAYOR**



proclamation

WHEREAS, May 21, 2022, is the twelfth Kids to Parks Day organized and launched by the National Park Trust held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks, public lands and waters; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat issues of childhood obesity, diabetes, hypertension and hypercholesterolemia; and

WHEREAS, the City of Banning continues to offer diverse outdoor programming in our parks, including a five-week soccer clinic for kids of all ages that will run in May and June; and

WHEREAS, the Banning Parks and Recreation Department will be partnering with the Gilman Ranch Hands on Saturday, May 21, 2022 at Gilman Ranch for their Annual Wild West Days.

NOW THEREFORE, the City Council of the City of Banning do hereby proclaim and designate May 21, 2022, as

Kids to Parks Day

**KIDS TO
PARKS DAY**
NATIONAL PARK TRUST

and urge all citizens to visit Banning Parks on Saturday, May 21, 2022 and throughout the year.

Dated this 10th day of May 2022.

ATTEST:

Kyle Pingree, Mayor

Caroline Patton, Deputy City Clerk



**CITY OF BANNING
OFFICE OF THE MAYOR**



proclamation

WHEREAS, more than a million law enforcement officers serve in communities across the United States, including the dedicated members of the Banning Police Department. Since the first recorded law enforcement death in 1791, nearly 24,000 law enforcement officers in the United States have made the ultimate sacrifice and have been killed in the line of duty. In 1962, President John F. Kennedy designated May 15 as Peace Officers Memorial Day and the week that it falls as National Police Week; and

WHEREAS, the City of Banning wishes to honor the service and sacrifice of law enforcement officers killed in the line of duty by participating in a candlelight vigil on Friday May 13, 2022, and by flying U.S. Flags at half-staff on May 15, 2022; and

WHEREAS, the Banning City Council formally designates May 15-21, 2022, as Police Week in Banning, California, to publicly salute the service of law enforcement officers in our community and communities across the nation.

NOW THEREFORE, the City of Banning City Council do hereby proclaim May 15-21, 2022, as

National Police Week



FURTHER, we encourage all residents to join us in this special observance.

Dated this 10th day of May 2022.

ATTEST:

Kyle Pingree, Mayor

Caroline Patton, Deputy City Clerk



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

MEETING DATE: May 10, 2022

SUBJECT: March & April 2022 Banning Beautification Awards

RECOMMENDATION:

No action required. Presentation of Banning Beautification Awards for the months of March and April 2022.

BACKGROUND:

Resolution No. 2022-17 established the Banning Beautification Program. Monthly awards are presented to selected properties/businesses and the monthly recipients will be qualified for annual awards. The award recipient for the month of March 2022 is Sizzler's Restaurant located at 1750 W. Ramsey Street. The April 2022 award recipient is Dr. Choe's Dental located at 617 W. Ramsey Street.

JUSTIFICATION:

Resolution No. 2022-17 established the Banning Beautification Award Program.

ATTACHMENT:

1. Award Certificates
<https://banningca.gov/DocumentCenter/View/10441/Banning-Beautification-Award---March-and-April-2022>

Approved by:




Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Caroline Patton, Deputy City Clerk 

MEETING DATE: May 10, 2022

SUBJECT: Appointment of Two Parks and Recreation Commissioners to Fill Two Vacancies

RECOMMENDATION:

Staff recommend that City Council make a motion to **appoint two** Parks and Recreation Commission applicants to fill two vacancies with terms ending in January 2023.

BACKGROUND:

Following two resignations from the Parks and Recreation Commission received in January 2022, the City Clerks' Office publicly noticed both vacancies in the Record Gazette. The notice was published in the January 21st and March 4th editions. Information about the vacancies and application information was also promoted on the City's website and twice on the City's Facebook page.

Additionally, staff invited the previous applicants from the 2021 recruitment (resulting in the appointment of Nicholas Parra) to reapply with their previously submitted applications. Only one of the previous applicants was interested in reapplying.

After a 107-day application period, the City Clerk's Office has received three applications. All three applicants are registered voters in the City of Banning and are qualified to serve. Applicant interviews are scheduled to occur at a Special Meeting of the City Council beginning at 4:30 p.m. on May 10, 2022. During the regular meeting, City Council may choose to appoint one or two applicants to one or both vacancies on the Parks and Recreation Commission.

ALTERNATIVES:

Following these interviews, City Council may move to appoint an applicant to fill the vacancy on the Parks and Recreation Commission. Alternately, Council could delay their appointment decision until their next Regular Meeting on May 24, 2022, reopen the recruitment, or provide staff other direction.

ATTACHMENTS:

1. Applications Memorandum
https://banningca.gov/DocumentCenter/View/10497/Att-1-PRC-Applications-Memorandum_Redacted
2. Public Notice of Vacancy – Proof of Publication
<https://banningca.gov/DocumentCenter/View/10496/Att-2-Proof-of-Publication>
3. Social Media Outreach
<https://banningca.gov/DocumentCenter/View/10495/Att-3-Social-Media-Outreach>

Approved by:

A handwritten signature in blue ink, appearing to read 'DS', is written over a horizontal line.

Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Caroline Patton, Deputy City Clerk *CP*

MEETING DATE: May 10, 2022

SUBJECT: Minutes of the April 26, 2022 City Council Meetings

RECOMMENDATION:

Approve the minutes of the April 26, 2022 City Council Meetings.

ALTERNATIVES:

1. Approve as recommended.
2. Approve with modifications.

ATTACHMENTS:

1. Minutes of the April 26, 2022 Special City Council Meeting – Closed Session
https://banningca.gov/DocumentCenter/View/10442/2022-04-26_Minutes_Special-Meeting---Closed-Session
2. Minutes of the April 26, 2022 Special City Council Meeting - Interviews
https://banningca.gov/DocumentCenter/View/10443/2022-04-26_Minutes_Special-Meeting---Interviews
3. Minutes of the April 26, 2022 Regular City Council Meeting
https://banningca.gov/DocumentCenter/View/10444/2022-04-26_Minutes_Regular-Meeting

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Matthew Hamner, Chief of Police
Jeff Horn, Police Captain

MEETING DATE: May 10, 2022

SUBJECT: Second Reading of Ordinance 1582 which would Approve a Military Equipment Use Policy Pursuant to Assembly Bill 481 and Government Code §7070 et seq.

RECOMMENDATION:

Staff recommend City Council conduct a second reading of Ordinance 1582.

BACKGROUND:

The Banning Police Department conducted a Public Hearing for the City Council on April 26, 2022, soliciting testimony from stakeholders, members of the public, and city staff. Upon closing the Public Hearing, the City Council waived further reading and introduced Ordinance 1582 for a first reading.

On September 30, 2021, California Governor Gavin Newsom signed Assembly Bill 481 (AB481), which became effective January 1, 2022. The law requires the Police Department to create a Military Equipment Use Policy which must be adopted by the City Council by May 01, 2022. Due to recent events in our nation, the public has asked state and local leaders to enact law enforcement reforms and set statewide standards for safe de-escalation techniques.

AB481 identifies certain law enforcement equipment as 'military equipment' whether or not any branch of the military uses any of the law enforcement equipment listed. The legislation requires oversight from a governing body for purchase and usage of what the bill has deemed military equipment. For the Banning Police Department, the governing body is the Banning City Council.

Ordinance 1582 is being introduced to the Banning City Council in accordance with the law Assembly Bill 481. The Use Policies were uploaded to the Banning Police Department internet website on March 11, 2022 for public review and can also be found here: <http://www.banning.ca.us/614/Department-Policy-Procedures>

The purpose of this ordinance is to seek approval and support from the City Council for the continued use and deployment of specialized law enforcement equipment consistent with the Use Policies of the Banning Police Department. The City Council will find the Use Policy will safeguard the public's welfare, safety, civil rights, and civil liberties. The Use Policy included in the Ordinance establishes an on-going standard and policy for safe de-escalation and an annual military equipment report will be submitted to the City Council for annual review.

The list of identified 'military equipment' is currently deployed by law enforcement and agencies in Riverside County as well as in San Bernadino, San Diego, and Orange Counties, and throughout the State of California, as well as law enforcement organizations across the nation. AB481 lists equipment that is recognized and more appropriately identified by local, state, and federal law enforcement entities as specialized police equipment. Locally, the Association of Riverside County Chiefs of Police and Sheriff (ARCCOPS) have endorsed the list of specialized equipment which is already in use across the country.

For additional context, the Banning Police Department, over a span of many years has acquired these tools with previous Councils approval either during the annual budget process, or as individual board agenda items purchases. Specialized police equipment is used only by highly trained and experienced law enforcement professionals. The list of itemized equipment is listed below as required by AB481. The inventory list ranges from modernized tools, aerial drones, to a retired armored bank vehicle whose primary purpose is the preservation of human life when utilized in responding to critical incidents, which often involve high-risk apprehension, search and rescue, fast responses to catastrophic events, reduce liability of physical injury to public and department personnel, and allow for de-escalation tactics during high-risk encounters with armed violent suspects. The tools, equipment, and resources can function as a force-multiplier in some cases to reduce manpower hours and is ultimately a cost savings to the City.

The Banning Police Department is responsible for ensuring the highest standard of public safety, protecting, and serving members of the community, and apprehending criminal offenders. To help achieve and maintain the highest standard of public safety, law enforcement receives support from our local elected officials who are committed to funding operational needs, which includes the approval to purchase and finance necessary tools, protective gear, and specialized equipment for the purpose of helping protect and save lives and property. With the City County's partnership and approval, law enforcement can operate with the most advanced technology, equipment, and resources available with the goal to protect and serve the community with increased effectiveness, be prepared for the unexpected, and ultimately save lives with a uniform response standard by all law enforcement agencies in the County.

Although most tools, equipment, and resources listed as military equipment in AB481 are found in a military environment and may be similar in nature, the application in which the

equipment is used is significantly different for public safety and law enforcement. Below you will find lists of the specialized equipment inventory and a variety of their uses.

Banning Police Department Specialized Equipment Inventory:

Unmanned, remotely piloted powered aerial or ground vehicles

- Search and locate reported missing children or at-risk adults
- Search and Rescue Operations to locate lost or Injured hikers
- A law enforcement specific application involving Aerial DRONES are used for open terrain or large field searches as a force-multiplier to assist in high-risk apprehensions of armed or violent suspects. Aerial drones can be used as an interior search tool to locate suspects
- barricaded inside a residence or commercial structure.
- Unmanned robotics have numerous applications. Robotics are used instead of personnel in high-risk environments to increase safety for law enforcement

Assault Weapons defined under PC 30510 & PC 30515

- Inventory includes AR style rifles that function at full and semi-automatic capability (fully automatic rifles are not assigned and kept in the armory)
- Semi-automatic Benelli shotguns
- Increased accuracy and precision at long range distances
- Currently used by most law enforcement agencies across the nation

Tear Gas

- Chemical agents are deployed through various means to include hand delivery and weapon launchable, such as pepper ball.

40mm projectile launchers

- Less lethal 40mm launchers and rubber projectile munitions- Munitions are configured for high and low energy impact.
- 40mm less lethal has been effective in disarming violent suspects, armed suspects, and subjects who are suicidal with minimal injury and risk to the person, law enforcement or the public

Bean Bag Launchers

- Less lethal bean bag is utilized through a marked/orange colored easily identifiable less lethal shotgun.
- The bean bag round is a small led pellet filled munition made of high-density cloth.
- Bean bag is the predecessor to 40mm less lethal having similar benefits as other less lethal platforms

The Banning Police Department and members of the Association of Riverside County Chiefs of Police and Sheriff (ARCCOPS) have committed to working cooperatively across jurisdictional boundaries to ensure that all catastrophic events, response to critical incidents, search and rescue operations and many other multi-jurisdictional events that arise from neighboring counties are supported safely and justifiably. Any which require the use of any of the above listed specialized equipment are conducted in a fair, transparent and professional manner. Prior to a public hearing, and as required by AB481

these Use Policy has been made available on the Banning Police Department Website. Following the adoption of Ordinance 1582 the Banning Police Department will report to the City Council annually. Upon the completion of the hearing and Council approval, a copy of the policies will be sent to the Governor's Office. The full text to AB481 can be found here: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB481

IMPACT:

This specialized law enforcement equipment, which is already in use by law enforcement agencies throughout the county, helps limit high-risk encounters with armed violent suspects. This specialized equipment is needed to stop escalating violent situations from becoming a threat to the safety of responding law enforcement personnel, the public, and the involved suspect(s). The Banning Police Department routinely relies on assistance from outside agencies through cooperative mutual-aid agreements between multi-jurisdictional boundaries.

FISCAL IMPACT:

There is no fiscal impact is a result of the passage of this Ordinance.

ALTERNATIVES:

The City Council may choose to reject staff's recommendation and provide alternative direction.

ATTACHMENTS:

1. Proposed Ordinance 1582
<https://banningca.gov/DocumentCenter/View/10448/Att-1-Draft-Ordinance-1582>
2. Banning Police Department Policy 708 - Military Equipment
<https://banningca.gov/DocumentCenter/View/10449/Att-2-BPD-Policy-708---Military-Equipment>
3. AB481 Report on BPD Special Equipment
<https://banningca.gov/DocumentCenter/View/10445/Att-3-BPD-Specialized-Police-Equipment-Inventory>
4. Proof of Publication of Public Notice
<https://banningca.gov/DocumentCenter/View/10446/Att-4-Proof-of-Publication>
5. PowerPoint Presentation
<https://banningca.gov/DocumentCenter/View/10447/Att-5-Ord-1582-PowerPoint-AB481>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works
Holly Stuart, Program Manager

MEETING DATE: May 10, 2022

SUBJECT: Consideration of Resolution 2022-52, Awarding an Agreement for Fire and Intrusion Alarm Equipment, Installation, Monitoring, Maintenance and Repair Services for City Facilities to Vision Security Systems

RECOMMENDATION:

Staff Recommends that City Council adopt 2022-52:

1. Awarding an agreement for Fire and Intrusion Alarm Equipment, Installation, Monitoring, Maintenance and Repair Services for City facilities for a 3-year period with Vision Security Systems in the amount of \$63,107.
2. Authorize monitoring contract renewals for Fiscal Year 2026 and Fiscal Year 2027 based upon annual satisfactory review for alarm monitoring, maintenance and repair services.
3. Authorize the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to the agreement with Vision Security Systems.
4. Authorize the City Manager or his designee to execute the Agreement with Vision Security Systems as to form approved by the City Attorney Office.

BACKGROUND:

The City of Banning, under the Public Works Department, Building Maintenance Division, provides fire and intrusion monitoring services for City facilities. In order to determine if the City is receiving the most economical and best available services, staff prepared and released a Request for Proposals (RFP) for Fire and Intrusion Alarm Equipment, Installation, Monitoring, Maintenance and Repair Services.

The scope of work to be provided under a new contract includes the purchase and installation of new cellular alarm monitoring equipment for identified City facilities that require fire and/or intrusion alarm monitoring services, including all labor, materials, tools,

equipment, monitoring services, connection fees, maintenance and repair. Under this contract, the Contractor is required to perform all ongoing maintenance, inspections, repair, support services, and alarm monitoring services 24-hours per day, 7 days a week, throughout the term of the agreement for the sole purpose of providing safe fire and intrusion alarm services for City of Banning facilities, locations identified below.

	Facility Description	Location / Address
1.	Dysart Park	2108 Victory
2.	Banning Airport	200 S. Hathaway
3.	Fire Station – Admin	3900 W. Wilson
4.	Community Center	789 N. San Gorgonio
5.	Senior Center	769 N. San Gorgonio
6.	Senior Center – Computer Room	769 N. San Gorgonio
7.	Aquatic Center	749. N. San Gorgonio
8.	Police Department	125 E. Ramsey
9.	Police Department – Wilson Storage	5261 W. Wilson
10.	Police Department – Police Airport Evidence	200 S Hathaway
11.	Repplier Park Shelter House	749 N. San Gorgonio
12.	City Yard – Admin offices	176 E. Lincoln
13.	City Yard – Street Warehouse	176 E. Lincoln
14.	City Yard – Fleet Shop	176 E. Lincoln
15.	City Hall	99 East Ramsey
16.	Lions Park - Restroom	Charles & Hargrave
17.	Armory	Nicolet

On March 9, 2022, an RFP for these services was released through the ProcureNow purchasing system used by the City. In response, two (2) proposals were received and scored per the following:

<u>Companies</u>	<u>Score</u>
1) Vision Security Systems	78.2%
2) SSD Alarm	70.8%

A committee consisting of three (3) members was assembled to evaluate the proposals based on qualifications, pricing, experience, professional references, and value-added services. As a result of these evaluations, staff recommends an award of a 3-year agreement to the highest rated, most qualified provider, Vision Security Systems, in the amount of \$63,107. With the approval of the agreement, there is an option to renew and extend the term of the agreement for monitoring services for two (2) additional single-year periods.

If awarded, staff anticipates that services will commence beginning August 1, 2022 for a three-year period. Based on the bid response provided by Vision Security Systems, the initial equipment purchase and installation costs will amount to \$36,107. The annual

monitoring, repair and maintenance services portion of the agreement amounts to \$9,000 annually, or \$27,000 for the 3-year period. As a result, the total 3-year agreement for Fire and Intrusion Alarm Equipment, Installation, Monitoring, Maintenance and Repair Services for City Facilities amounts to \$63,107.

JUSTIFICATION:

Alarm monitoring services are needed to secure City facilities against criminal activities. Services are also needed for the protection of property and life from potential criminal activities or those that may result from fire.

Vision Security is the highest rated and qualified company to submit a proposal.

FISCAL IMPACT:

The total agreement for fire and intrusion alarm equipment, installation, monitoring, maintenance and repair services is for the amount of \$63,107.

An appropriation to Account 001-3200-412.90-15 (Capital Expenditures / Building Improvements) in the amount of \$36,107 is necessary to fund the purchase of the new, cellular alarm monitoring replacement equipment.

In addition, the monitoring portion of the services agreement in the amount of \$9,000 per fiscal year will be funded by the operational budgets of the Public Works, Police, Community Services and Electric Departments as summarized below:

ITEM	ACCOUNT NO.	DESCRIPTION	AMOUNT
1.	001-2200-421.23-19	Contractual Services / Alarm Services	\$1,860
2.	001-2400-422.23-19	Contractual Services / Alarm Services	\$420
3.	001-3200-412.23-19	Contractual Services / Alarm Services	\$1,500
4.	001-3600-461.23-19	Contractual Services / Alarm Services	\$840
5.	001-4000-461.23-19	Contractual Services / Alarm Services	\$840
6.	001-4010-461.23-19	Contractual Services / Alarm Services	\$420
7.	001-4050-461.23-19	Contractual Services / Alarm Services	\$840
8.	100-4900-431.23-19	Contractual Services / Alarm Services	\$285.60
9.	600-5100-435.23-19	Contractual Services / Alarm Services	\$420
10.	660-6300-471.23-19	Contractual Services / Alarm Services	\$285.60
11.	670-7000-473.23-19	Contractual Services / Alarm Services	\$868.60
12.	702-3800-480.23-19	Contractual Services / Alarm Services	\$420
		TOTAL	\$9,000

ALTERNATIVES:

Reject Resolution 2022-52 and provide alternative direction. Staff may continue with the current service provider for a limited period on a month-to-month basis while this item is re-bid.

ATTACHMENTS:

1. Resolution 2022-52
<https://banningca.gov/DocumentCenter/View/10453/Att-1-Resolution-2022-52-Alarm-Services>
2. RFP 22-009 for Alarm Services
https://banningca.gov/DocumentCenter/View/10451/Att-2-Alarm-Services_RFP-22-009
3. Draft Agreement with Vision Security Systems
https://banningca.gov/DocumentCenter/View/10452/Att-3-Draft-Agreement_C00753-VISION-SECURITY-SYSTEMS-v2

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: May 10, 2022

SUBJECT: Consideration of Resolution 2022-53, Approving a Professional Services Agreement with TransTrack Solutions Group for Consulting Services to Support the City of Banning's Transit Operations in the Amount of Not-to-Exceed \$75,000

RECOMMENDATION:

Staff recommends the approval of Resolution 2022-53:

1. Approving a Professional Services Agreement with TransTrack Solutions Group (TransTrack) for consulting services to support the City's transit operations.
2. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to the Professional Services Agreement with TransTrack.
3. Authorizing the City Manager or his designee to execute Professional Services Agreement with TransTrack.

BACKGROUND:

The City of Banning has provided public transportation service since April 1973, which expanded to two routes in September 1985. The current transit system comprises three fixed-route services and a Dial-a-Ride system that is limited to seniors (60 + years of age) and persons with disabilities. The newest of the three fixed routes, the Cabazon service, which began in July 1995, extends from Banning east to the unincorporated area of Cabazon.

The City Transit System (Banning Connect), managed by the Department of Public Works, is made up of a Transit Manager, Field Supervisor and seven Full-Time Drivers.

The Transit Manager position, which was vacated in July, 2021, has been a difficult position to fill and has remained vacant. The need for a manager to oversee the daily operations of

the transit system is important and needed to successfully manage and complete transit related projects and programs.

TransTrack

TransTrack started in 2002 as a consulting and reporting tool provider that helped transit agencies work smarter and save money by streamlining business processes. The TransTrack Manager software integrates multiple data sources to calculate cost per mile, cost per hour and cost per passenger for all transit services. The tool also helps to keep agencies compliant with the U.S. National Transit Database reporting requirements.

In 2017, TransTrack joined the Modaxo group to expand across the U.S. and benefit from broader insight into the market.

TransTrack has several Transit Managers on staff that can assist the City to temporarily fill the Transit Manager role while the City continues it's recruitment for a permanent staff member.

JUSTIFICATION:

The City's funded Transit Manager has remained vacant since July, 2021. In order to manage the daily operations, improve on the service provided to the community and successfully complete projects and programs the duties of the Transit Manager should be fulfilled. The Transit Manager tasks can be completed by utilizing the proposed Professional Services Agreement with TransTrack.

The tasks to be completed included, but not limited to:

- Implementing projects identified in the Short Range Transit Plan
- Analysis of route data to determine if changes are needed (e.g. reduction, addition, revision to routes).
- Review and implement changes to driver schedules, if needed.
- Develop an advertising program.

FISCAL IMPACT:

Staff recommends a Professional Services Agreement in the amount of, Not-to-Exceed, \$75,000. Funding is available in the Transit expenditure budget from salary savings resulting from the vacant and funded Transit Manager position. Said funding will be transferred to Account No. 610-5800-434.33-11 (Transit – Professional Services).

ALTERNATIVES:

Deny approval of Resolution 2022-53 and provide alternative direction to staff.

ATTACHMENTS:

1. Resolution 2022-53
<https://banningca.gov/DocumentCenter/View/10456/Att-1-Resolution-2022-53-TransTrack>
2. TransTrack Quote
<https://banningca.gov/DocumentCenter/View/10454/Att-2-Banning-Scoping-Proposal-3242022>
3. Draft Agreement
<https://banningca.gov/DocumentCenter/View/10455/Att-3-Consulting-Services-Agreement---TransTrack>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Tom Miller, Electric Utility Director
Carla Young, Business Support Manager

MEETING DATE: May 10, 2022

SUBJECT: Consideration of Resolution 2022-54, Approving Amendment No. 2 to the Contract with Acculine Consulting, LLC to the amount of \$682,000 and Extending the Date to June 30, 2024 for Continuation of Project Software Development and Field Inventory

RECOMMENDATION:

Staff recommends amending the Acculine Consulting, LLC ("Acculine") Contract for the mapping project to move into the Fiscal Years 2023-2024 phases of the project. Acculine has completed more than two-third of the map points. This phase is continually growing as the Tri-Point development infrastructure and connection points increase. The project is in year 3 of a 4 year project.

BACKGROUND:

On June 11, 2019, the City of Banning City Council adopted Resolution 2019-71 authorizing the electric utility director to complete a pilot mapping project including: project development, software, hardware, and contingency utilizing specific vendors. At that time specific consultants were identified to best serve the project. Acculine is the primary consultant to the completion of the project.

This phase was developed in order to capture initial and ongoing software savings and provide greater flexibility in designing workflow processes customized for Banning Electric Utility. This phase is ongoing and has continued to grow as the previously mentioned development within the City continues to grow and new assets are added.

JUSTIFICATION:

The results of the onsite design-build and discovery phases enabled Acculine Consulting for customized workflow design, development, and implementation. These savings have

been redirected to software customization and field inventorying as previously approved. To date the project is approximately 85% complete. This phase is continually growing as the Tri-Point development infrastructure and connection points increase.

FISCAL IMPACT:

Funds in the amount of \$140,000 are currently available in account 673-7000-473.95-32. The additional amount of \$100,00.00 shall be appropriated from the Electric Fund to account 673-7000-473.95-32 for the purpose of continuing the Mapping Project Budget.

<u>Year</u>	<u>Estimated Amount</u>
2022/2023	\$140,000
2023/2024	\$100,000

ALTERNATIVES:

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

ATTACHMENTS:

1. Resolution 2022-54 - Amendment No. 2 to Acculine Contract
<https://banningca.gov/DocumentCenter/View/10459/Att-1-Resolution-2022-54-Acculine-Amendment-2>
2. Resolution 2019-71 - Original Project Authorization
<https://banningca.gov/DocumentCenter/View/10460/Att-2-Reso-2019-71---signed>
3. Resolution 2019-147 - Redirecting Project Funds to Acculine Consulting
<https://banningca.gov/DocumentCenter/View/10457/Att-3-Acculine-Consulting-LLC>
4. Resolution 2021-22 - Continuation of Project Software Development and Field Inventory
<https://banningca.gov/DocumentCenter/View/10458/Att-4-Amendment-No1>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: May 10, 2022

SUBJECT: Consideration of Resolution 2022-55, Approving the Execution of California Department of Transportation Program Supplemental Agreement No. 00000A022 to the existing Administering Agency-State Master Agreement including all related documents for the “Development and Preparation of the Local Roadway Safety Plan (LRSP)”

RECOMMENDATION:

Staff Recommends that the City Council adopt Resolution 2022-55:

1. Approving the execution of a Supplemental Agreement for the “Development and Preparation of the Local Roadway Safety Plan (LRSP)” with the State of California Department of Transportation (Caltrans) and authorizing the City Manager to execute any documents required to accept the LRSP grant on behalf of the City of Banning.
2. Authorizing the City Manager or his designee to execute the Supplemental Agreement No. 00000A022 and all related reports, funding requests and documents.
3. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to Supplemental Agreement No. 00000A022 and administration of the LRSP grant.

BACKGROUND:

Federal regulations require that each State have a Strategic Highway Safety Plan (SHSP). A SHSP is a statewide data-driven traffic safety plan that coordinates the efforts of a wide range of organizations to reduce traffic accident fatalities and serious injuries on all public roads. The SHSP address the “4E’s” of traffic safety: Engineering, Enforcement, Education, and Emergency Services.

Starting in 2022, HSIP (Highway Safety Improvement Program) Calls for Projects will require that an agency have an approved LRSP to be eligible to apply for federal HSIP funds. The City of Banning submitted a LRSP preparation Funding Application form to Caltrans in March of 2021 for the maximum grant amount of \$40,000 and received notification in April of 2021 that a \$40,000 LRSP grant with a required \$10,000 City match was approved. The grant is based on population, centerline miles, and lane miles within the City.

A LRSP identifies, analyzes, and prioritizes safety improvements on local roadways and is designed as a living document that can be updated to reflect changing conditions, needs, and priority. The goal is to improve transportation safety and reduce the number of accidents. Stakeholders such as WRCOG, RCTC, Banning Police and Fire Departments, Banning Unified School District and Emergency Medical Services will be involved to identify priority concerns and establish LRSP goals.

The Scope of Work includes all work necessary to develop and prepare a Caltrans acceptable LRSP for the City that will provide a blueprint for future projects with costs associated with each project.

Preparation of the City's LRSP will be accomplished through acquiring and analyzing data, identifying partners to review the data, selecting emphasis areas, developing safety strategies and countermeasures, and adopting the final plan. The LRSP will play a critical role in addressing traffic collision risks and may identify specific or unique conditions that contribute to traffic collisions within the City. The LRSP will provide the City the opportunity to proactively correct high collision or problem locations and prevent local road fatalities and injuries. The final LRSP will recommend proven countermeasures, provide a structured and realistic set of responses that implement changes over time, will integrate the "4E's" approach (Engineering, Enforcement, Education, and Emergency Services) in its' proposed solution strategies, and identify road safety partners that could sustain a long-term effort.

On March 8, 2022, staff released a Request for Proposal (RFP) Bid for the "Development and Preparation of the Local Roadway Safety Plan (LRSP)" to seven (7) consultants from the on-call engineering list. In response to these efforts, one (1) proposal was received, STC Traffic, Inc., which is a reputable qualified firm, and they were selected to perform the work.

On April 12, 2022, the City Council adopted Resolution 2022-33 accepting the allocation of Caltrans LRSP funds and awarding the Professional Services Agreement for the "Development and Preparation of the Local Roadway Safety Plan (LRSP)" to STC Traffic, Inc. in the amount of \$49,980.

Public Works Dept. staff received notification that the LRSP Program Supplemental Agreement was prepared by Caltrans and is now ready for execution. The grant funding is administered by Caltrans with whom a Master Agreement (No. 08-5214S21) was

executed with the City of Banning. Project specific Supplemental Agreements must be executed by the grantee prior to the disbursement of grant funds.

JUSTIFICATION:

The Caltrans grant funds will assist the City in developing a LRSP. This would enable Public Works Department staff to apply for Cycle 11 HSIP funding in the Fall of 2022 with the goal of receiving funds to implement the LRSP identified projects

The approval of Resolution 2022-55 is required by Caltrans and would authorize the City Manager to execute the Supplemental Agreement, shown as Attachment 2, and all project related reports and documents related to the LRSP grant.

FISCAL IMPACT:

Approval of this resolution will secure \$40,000 in LRSP grant funding to develop the LRSP, which will have a total project budget amount of \$49,980 and will be funded by Account No. 001-3000-442.33-53.

The Caltrans grant is providing eighty percent (80%) of the project's funding and the City's local match is equal to twenty percent (20%) of the project costs.

ALTERNATIVE:

The City Council may choose not to adopt Resolution No. 2022-55 at this time, which would result in the City not being eligible to receive Caltrans Grant funding for the development and preparation of the LRSP which is required for HSIP grant funding.

ATTACHMENTS:

1. Resolution 2022-55
<https://banningca.gov/DocumentCenter/View/10463/Att-1-Resolution-2022-55-Execute-LRSP-PSA-with-Caltrans>
2. Program Supplemental Agreement No. 00000A022
<https://banningca.gov/DocumentCenter/View/10464/Att-2-Caltrans-LRSP-PSA-with-Banning-4202022>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Ralph Wright, Parks and Recreation Director

MEETING DATE: May 10, 2022

SUBJECT: Consideration of Resolution 2022-56, Approving Amendment No. 1 to the Agreement with Mariposa Landscapes, Inc. for City Parks Landscape Maintenance in Fiscal Year 2022-23 for a Not-to-Exceed Amount of \$101,639

RECOMMENDATION:

City Council Adopt Resolution 2022- 56

1. Approving the extension and amendment of the Landscape Maintenance contract for City parks with Mariposa Landscapes, Inc., for fiscal year 2022/2023 for a not-to-exceed amount of \$101,638.80
2. Authorizing the City Manager or his designee to execute the Amendment No. 1 to the Landscape Maintenance Agreement (C00698) for City Parks with Mariposa Landscapes, Inc., for the renewal term of July1, 2022 through June 30, 2023.
3. Authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the agreement for Landscape Maintenance of City Parks.

BACKGROUND:

On December 29, 2020 an RFP for Parks Landscape Maintenance was released through the ProcureNow purchasing system used by the City. In response, five (5) proposals were received. A committee consisting of three (3) members was assembled to evaluate the proposals based on five categories: qualifications, pricing, experience, professional references, and approach and methodology. After each member of the panel evaluated all proposals, the proposing firms were ranked in order and the top two firms were selected for an interview. Mariposa Landscapes Inc. was the top ranked vendor after the initial proposal review and selected for an interview. After review of the proposals and subsequent interviews, Mariposa Landscapes, Inc., was unanimously selected as the chosen service provider.

On February 23, 2021, The City Council of the City of Banning awarded a contract agreement with Mariposa Landscapes, Inc., in the amount of \$96,684.00 to cover monthly service costs, with a 10% contingency to allow for additional work and irrigation repair services as needed, for a total not to exceed \$106,352.

After the Council approval, Mariposa Landscape Inc., informed the City that there was a significant error in their proposal as the total compensation amount was based on a twelve-month calendar rather than the requested fifteen-month contract term and their monthly proposal less additional work should have been \$8,057.00 per month rather than the \$6,445.60 per month that was included in their proposal. After discussions between the Purchasing Division, Mariposa agreed to move forward within the awarded total monthly contract amount of \$7,090.16. The adjusted monthly amount did not change the placement of Mariposa landscapes, Inc., as compared to the other submitted proposals and therefore the City and Mariposa Landscapes Inc., executed the Parks Landscape Maintenance Agreement (C00698)

The original agreement allows for four (4) one-year extensions if the services are provided satisfactorily as per the agreed upon scope of services. Mariposa Landscapes Inc., has exceeded the expectations with regard to their service over the length of the original contract term, noticeably improving the parks overall aesthetic look and turf management. Additionally, Mariposa Landscapes Inc., has been very responsive to questions and provided ideas for improvements over the last year.

For those reasons stated, it is staff's recommendation that the city authorize Amendment No. 1, to the Parks Landscape Maintenance contract with Mariposa Landscape Inc., for Fiscal Year 2022-23, for the term of July 1, 2022 through June 30, 2023.

Pursuant to Section 2.1 of the original agreement, the total compensation can be adjusted to reflect the annual changes in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) Riverside – San Bernardino – Ontario Area. For the period from March 2020 to March 2021, the CPI was at 8.6%. Reflecting the CPI rate of 8.6%, the monthly service rate will increase from \$7,090.16 to \$7,699.91.

JUSTIFICATION:

The Parks and Recreation Department does not have the required staff needed to perform the scope of work included in the Scope of Services and maintain the current service levels of our parks, therefore; it is necessary to retain a landscape maintenance contractor to provide these services. Mariposa Landscapes, Inc. came to the city highly as a highly respected vendor and has performed above expectations.

FISCAL IMPACT:

The total annual compensation of \$92,398.92 as well as the 10% contingency amount for additional work results in the Not to Exceed amount of \$101,638.80. The funding for

parks landscape maintenance will be fully funded within the parks operational budget account 001-3600-461.23.-29.

ALTERNATIVES:

The City Council may choose to reject this action which would result in a significant reduction in Parks landscape maintenance. The City does not have staff resources to perform the landscape maintenance included in the scope of work.

ATTACHMENTS:

1. Resolution 2022-56
<https://banningca.gov/DocumentCenter/View/10468/Att-1-Resolution-2022-56-Mariposa-Landscapes-Amendment-No-1>
2. Scope of Work
<https://banningca.gov/DocumentCenter/View/10469/Att-2-Scope-of-Work-from-RFP-20-035>
3. Draft Amendment No. 1 to Agreement
<https://banningca.gov/DocumentCenter/View/10465/Att-3-Draft-Amendment-1>
4. Mariposa Landscapes Inc., Original Proposal
<https://banningca.gov/DocumentCenter/View/10466/Att-4-Mariposa-Landscape-Inc--Proposal>
5. Amendment No. 1
<https://banningca.gov/DocumentCenter/View/10467/Att-5-Mariposa-Landscapes-Original-Agreement>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works/City Engineer
Perry Gerdes, Water / Wastewater Superintendent

MEETING DATE: May 10, 2022

SUBJECT: Consideration of Resolution 2022-04 UA, Approving the Lease of a 2023 Freightliner Diesel Vactor Truck Plus Jet Rodder from Haaker Equipment Company and Financed through Jules and Associates in the Amount of \$475,374.05 Over a Five-Year Term, or \$95,274.81 per Annum

RECOMMENDATION:

Staff Recommends that the Banning Utility Authority approve Resolution 2022-04 UA:

1. Approving the lease of a new 2023 Freightliner Diesel Vactor Truck plus Jet Rodder from Haaker Equipment Company and financed through Jules and Associates in the total amount of \$95,274.81 per year for a five-year term.
2. Authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the lease and to sign documents related to the lease of the vactor truck.

BACKGROUND:

The Wastewater Division currently has a fleet consisting of several work trucks, large pieces of equipment and miscellaneous equipment. As part of its fleet, the Wastewater Division operates two vactor trucks: a 1996 Ford and a 2007 International. The vactor trucks are utilized for cleaning (jetting and vacuuming) sewer collections system to eliminate blockages and reduce the risk of sewer system overflows.

Vendor Selection Process

As a registered member, staff solicited a quote for a vactor truck through Sourcewell, which offers cooperative purchasing options. As a result, it was identified that a 2023 Freightliner Diesel Vactor Truck Plus Jet Rodder from Haaker Equipment Company is available through Sourcewell contract #101221-VTR and financing is available through Jules and Associates. This opportunity provides for a lease with a five-year term with an option to purchase the equipment for \$1.00 at the end of the term.

JUSTIFICATION:

Provisions of Purchasing Policy B-30 identifies that cooperative bids prepared by and processed through local, state or federal government agencies, may be utilized by the City. City Council approval is required for such arrangements where purchases exceed \$25,000.

One of the two vactor trucks that is currently in use is beyond it's useful life and has become unreliable and costly to maintain. The second vactor truck is also nearing the end of it's useful life. The new vactor truck will replace the 1996 Ford vactor truck, while the second unit will remain in service as a backup.

The vactors are an essential tool utilized to maintain the City's sewer collection system in good working order to avoid sewer system overflows that can create health and safety issues and damage private property.

FISCAL IMPACT:

The lease price of the 2023 Freightliner Diesel Vactor Truck Plus Jet Rodder is quoted at \$95,274.81 per year for a five-year term, for total cost of \$476,374.05. The annual lease price includes an initial down payment of \$100,000, which is currently budgeted in Account No. 660-6300-471.90-56. Additionally, a \$10,601 Sourcewell discount is provided on the unit price. Lease payments will be budgeted annually in future budgets. At the end of the individual Vactor lease term (i.e. 5 years) the City will have the option to purchase the vehicle for \$1.00.

ALTERNATIVES:

Do not approve Resolution 2022-04UA and provide alternative direction. Not replacing the older vactor truck may result in delays in implementing the City's sewer collection system maintenance program.

ATTACHMENTS:

1. Resolution 2022-04UA
<https://banningca.gov/DocumentCenter/View/10474/Att-1-Resolution-2022-04UA-Vactor-Truck>
2. Quote from Haaker Equipment Company for the lease of 2023 Freightliner Diesel Vactor Truck Plus Jet Rodder
<https://banningca.gov/DocumentCenter/View/10472/Att-2-Diesel-SW-4-19-2022>
3. Quote from Jules and Associates for the lease of Diesel Vactor 2112 Plus Jet Rodder
<https://banningca.gov/DocumentCenter/View/10473/Att-3-Vactor-Proposal>

Approved by:


Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: May 10, 2022

SUBJECT: Approving the Renewal of the Landscape Operation and Maintenance Contract for Landscape Maintenance District (LMD) No. 1 with Artistic Maintenance, Inc. of Lake Forest, California for Fiscal Year 2022/2023 in the Amount of \$64,104

RECOMMENDATION:

Staff recommends that City Council approve the following:

1. Amendment No. 3 to the Contract Agreement with Artistic Maintenance, Inc. of Lake Forest, California for an amount “not to exceed” \$64,104 and to extend the term of the Agreement through June 30, 2023 for the Operation and Maintenance of Landscape Maintenance District (LMD) No. 1.
2. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to Contract Agreement Amendment No. 3 with Artistic Maintenance, Inc.
3. Authorizing the City Manager or his designee to execute Amendment No. 3 to the Contract Agreement with Artistic Maintenance, Inc. for Fiscal Year 2022/2023.

BACKGROUND:

LMD No. 1 in the City of Banning was established through the adoption of Resolution No. 1990-59 on August 14, 1990 (9 tracts), with another, Tract No. 22913 being annexed into the District in 1992. There are currently ten (10) Zones and 1,015 assessment units. An additional five tracts and three tentative tracts were annexed (Annexation No. 1) into LMD No. 1 when the City Council approved Resolution No. 2005-36 on May 10, 2005.

LMD No. 1 currently consists of sixteen (16) accepted tracts in ten (10) Zones: Tract Nos. 21882, 22810, 22811, 22913, 23446 (including the median on Highland Home Road), 23598, 28252, 29721, 30186, 30222 (including Richard Sanchez Park), 30793, 31833, 31834, 31835, 32109, and 30906.

The purpose of LMD No. 1 is for the maintenance and servicing of landscape medians and parkways, perimeter strips and backup walls, landscaped hillsides with high visibility, side slopes adjacent to sidewalks, retention basins, and the irrigation of the above facilities all of which are part of residential development projects. LMD No. 1, by special benefit assessments, provides funding for the servicing and maintenance of designated landscape areas within the City of Banning. A map displaying LMD No. 1, the boundaries of each tract and associated Zone is attached herewith as Attachment 3.

A Request for Proposals (RFP No. 19-031) for the Operation and Maintenance of LMD No. 1 was prepared and advertised in April of 2019. On June 11, 2019, the City Council approved Resolution No. 2019-69, awarding the contract for the Operation and Maintenance of LMD No. 1 to Artistic Maintenance, Inc. The scope of work includes providing all the labor, tools, materials, and equipment necessary to provide landscape maintenance services of LMD No.1. This includes performing seasonal maintenance and inspection, checking the operation of all irrigation systems, and identifying required repairs and, if necessary, the labor for replacing trees, flowers or shrubs within landscaped areas that are maintained under the contract

As originally approved, the Contract Agreement was for a term of twelve (12) months (\$5,262.50/month; \$63,150.00/year) with the possibility of an option to renew for up to four (4) single additional years (for a total of five (5) single years) upon a satisfactory yearly review of the previously provided services. If approved, extensions to the Contract Agreement will terminate no later than June 30, 2024. Each of the past two fiscal years the City Council has approved Amendments for an additional one-year term as the work has been satisfactory and is cost effective. If approved, Amendment No. 3, shown as Attachment 1, will extend the current Contract through June 30, 2023. The Cost Proposal for FY 2022/23, included as Attachment 4, is for \$4,092.00/month; \$49,104.00/year.

Last fiscal year, due to the continued revenue shortfall and the lack of funding for replacement projects, it was recommended that the Scope of Work for Artistic Maintenance be reduced in order to reduce maintenance costs, as shown in Attachment 2. Public Works Dept. staff met with Artistic Maintenance and determined which services and locations could logically be reduced. For example, the mowing schedule was reduced from weekly to less often during the slow growth season and the shrubs and ground cover can be maintained every six weeks instead of weekly. Trash pickup is tied into the mowing schedule.

This reduction in the Scope of Work, very few miscellaneous repairs and water conservation efforts have saved approximately \$45,000 this current FY 2021/22, as part of the effort to reduce LMD No. 1 expenditures. It is anticipated cost savings will continue in FY 2022/23 due to improved irrigation through repairs, water savings and the removal of turf areas planned for next fiscal year.

Attachment 5 identifies funding reserve balances in each Zone. Many of the zones do not have sufficient reserves to cover the projected expenses; therefore, further reduction in maintenance services is imminent to reduce costs.

JUSTIFICATION:

The Public Works Department does not have the required field staff needed to maintain the LMD No. 1 landscape areas; therefore, it is necessary to retain a landscape maintenance contractor to provide these services.

FISCAL IMPACT:

Fund No. 111 (Landscape Maintenance Assessment District No.1) will be utilized to fund this contract for Fiscal Year 2022/2023 in the amount of “not to exceed” \$64,104. Account No. 111-4900-432-23.29 (Landscape Maintenance) in the amount of \$49,104 will fund the monthly operation and maintenance portion of the Agreement and Account No. 111-4900-432-30.01 (Repair/Maintenance-Grounds/Fields) in the amount of \$15,000 will be used to fund miscellaneous “as-needed” expenses related to irrigation repairs and landscaping replacement. The completion of miscellaneous repairs and replanting will be dependent of funding available in each individual zone.

ALTERNATIVES:

Reject staff recommendation and provide additional direction. The Public Works Department currently does not have sufficient staff to maintain the LMD No. 1 landscape areas in house.

ATTACHMENTS:

1. Proposed Draft Amendment No.3
<https://banningca.gov/DocumentCenter/View/10478/Att-1-DraftAmendment-No-3-Artistic-Maintenance>
2. Original Scope of Work, revised in 2021
<https://banningca.gov/DocumentCenter/View/10475/Att-2-Original-RFP-and-Scope-of-Services-revised-2021>
3. LMD No. 1 Map for FY 2022/23
<https://banningca.gov/DocumentCenter/View/10476/Att-3-LMD-No1-Map>
4. Cost Proposal for FY 2022/23
<https://banningca.gov/DocumentCenter/View/10477/Att-4-FY-22-23-Cost-Proposal-for-LMD-No-1>
5. Zone Reserve Balances
<https://banningca.gov/DocumentCenter/View/10479/Att-5-Zone-Funding>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

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

MEETING DATE: May 10, 2022

SUBJECT: Public Hearing and Consideration of Resolution 2022-51,
Adopting the Banning Electric Utility Wildfire Mitigation Plan
Version 2.1

RECOMMENDATION:

Staff recommends that the Banning City Council approve Resolution 2022-051 adopting required revisions to Banning Electric Utility's ("Utility") attached Wildfire Mitigation Plan ("WMP") adopted in July 2021, to address the Wildfire Safety Advisory Board's 2021 Guidance Advisory Opinion.

BACKGROUND:

In 2018, the California Public Utilities Commission (CPUC) completed the development of the statewide Fire Threat Map that designates areas of the state at an elevated risk of electric line-ignited wildfires. This updated map incorporated historical fire data, fire-behavior modeling, and assessments of fuel, weather modeling, and a host of other factors. The map development and approval process involved detailed review by the relevant utility staff and local fire officials, a peer review process, and ultimate approval by a team of technical experts led by CAL Fire.

The CPUC's Fire Threat Map includes three Tiers/Levels of fire threat risk. Tier 1 consists of areas that have the lowest hazards and risks. Tier 2 consists of areas where there is an *elevated risk* for destructive electric line-ignited wildfires. Finally, Tier 3 consists of areas where there is an *extreme risk* for destructive electric line-ignited wildfires.

In 2018, Governor Brown signed SB 901 (stats. 2018), which addressed a wide range of issues relating to wildfire prevention, response, and recovery. SB 901 substantially revised the Public Utilities Code Section 8387, eliminating the prior process established by SB 1028 and instead mandated all POU's (regardless of size or wildfire risk) develop a wildfire mitigation plan. SB 901 requires that POU's present their WMP at an appropriately noticed public meeting and receive public comment every year. The POU

must also verify that the wildfire mitigation plan complies with all applicable rules, regulations, and standards.

Another Senate Bill, SB 1054, requires that all POUs must submit their wildfire prevention and mitigation plans updates to the California Wildfire Safety Advisory Board (WSAB) in July of each year. WSAB will then review the POU plans and will provide comments and advisory opinions on the content and sufficiency of the plan. The members of the board must be selected from industry experts, academics, and people with labor and workforce safety experience. At least three members must be experienced in the safe operation, design, and engineering of electrical infrastructure.

Pursuant to the revised Section 8387, the Utility prepared the required Wildfire Mitigation Plan and completed a third-party evaluation of the plan which concluded that the plan met all the required criteria as provided in Section 8387. The independent evaluation along with the Utility's initial draft of the WMP were approved by City Council in June 2020. The WMP and independent evaluation were submitted to WSAB in July 2020 as required. The Utility will coordinate with the CAL Fire to review the WMP yearly to verify the plan's consistency with Banning's Local Hazard Mitigation Plan.

The Utility had subsequently submitted for approval the 2021 version of the WMP as required by Senate Bills 901 and 1054 in July 2021. The plan was adopted by Banning City Council in July 2021 and is included with this report as Attachment 2.

JUSTIFICATION:

In February of 2022, WASB drafted the document known as the "Guidance Advisory Opinion for the 2022 Wildfire Mitigation Plans of Electric Publicly Owned Utilities ("POU") and Rural Electrical Cooperatives ("Co-op")." This document was submitted to all California POUs and Co-ops based on WSAB's evaluation of each utility's WMPs from 2020 and 2021. The purpose of this document was to provide an advisory opinion of what the WSAB believed should be included in the 2022 and future versions of each utility's WMP. The guidance opinions and requests for information given to City of Banning Electric Utility by WSAB are included herewith as Attachment 3.

One of the major requests within the Guidance Advisory Opinion was for the Utility to provide information on the adoption and public comment process that was followed for WMP approval:

"The Board encourages Banning to provide a short paragraph in future WMPs that describes the adoption and public comment processes Banning followed for the WMP being submitted, including resolutions if applicable, along with information about budget processes for any potential or expected mitigation expenses."

For most municipalities, this process is usually carried out through a Public Hearing at a City Council general meeting. Therefore, the Utility will complete this process for the WMP previously submitted and approved by City Council on July 13, 2021 and continue with the 2022 WMP and all other future updates. It is of the Utility's opinion that following

through with WSAB's request for completing the Informational Response, red-line version of WMP changes and annual third-party Independent Evaluation were optional, however the Utility will agree to provide these three documents each year beginning with the 2022 WMP update although not required.

FISCAL IMPACT:

There are no fiscal impacts to updating and resubmitting the Utility's Wildfire Mitigation Plan. The costs of implementation are unknown and dependent upon the degree of fire mitigation efforts needed to protect residents and property throughout the service territory.

ATTACHMENTS:

1. Resolution 2022-51
<https://banningca.gov/DocumentCenter/View/10482/Att-1-Resolution-2022-51---BEU-WMP-2021>
2. Banning Electric Utility Wildfire Mitigation Plan Version 2.1
<https://banningca.gov/DocumentCenter/View/10483/Att-2-BEU-Wildfire-Mitigation-Plan>
3. Guidance Advisory Opinion
<https://banningca.gov/DocumentCenter/View/10480/Att-3-WSAB-2022-Guidance-Advisory-Opinion---BEU>
4. Banning Electric Utility Wildfire Mitigation Plan Version 1.2 and Independent Evaluation dated June 23, 2020
https://banningca.gov/DocumentCenter/View/10481/Att-4-BEU_WMP-12_with-IE

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam B. Rush, Community Development Director
Maricela E. Marroquin, Assistant City Attorney

MEETING DATE: May 10, 2022

SUBJECT: Cannabis Ad Hoc Committee Report and Discussion Regarding Increasing the Existing Cap on Cannabis Retailers and Method For Selection if Cap is Increased, Allowing Cannabis Retailers in the General Commercial Zone, Allowing Cannabis Distribution in the Business Park Zone, Allowing Cannabis Microbusinesses in the General Commercial Zone, and Allowing Shared Use Cannabis Manufacturing Facilities in the Industrial Zone

RECOMMENDATION:

Staff respectfully recommends:

1. The Cannabis Ad Hoc Committee ("Committee") update the entire Council on the progress made to-date.
2. The Council discuss and provide direction to City staff as changes or updates to the Cannabis Ordinance Amendment (Ordinance 1580).

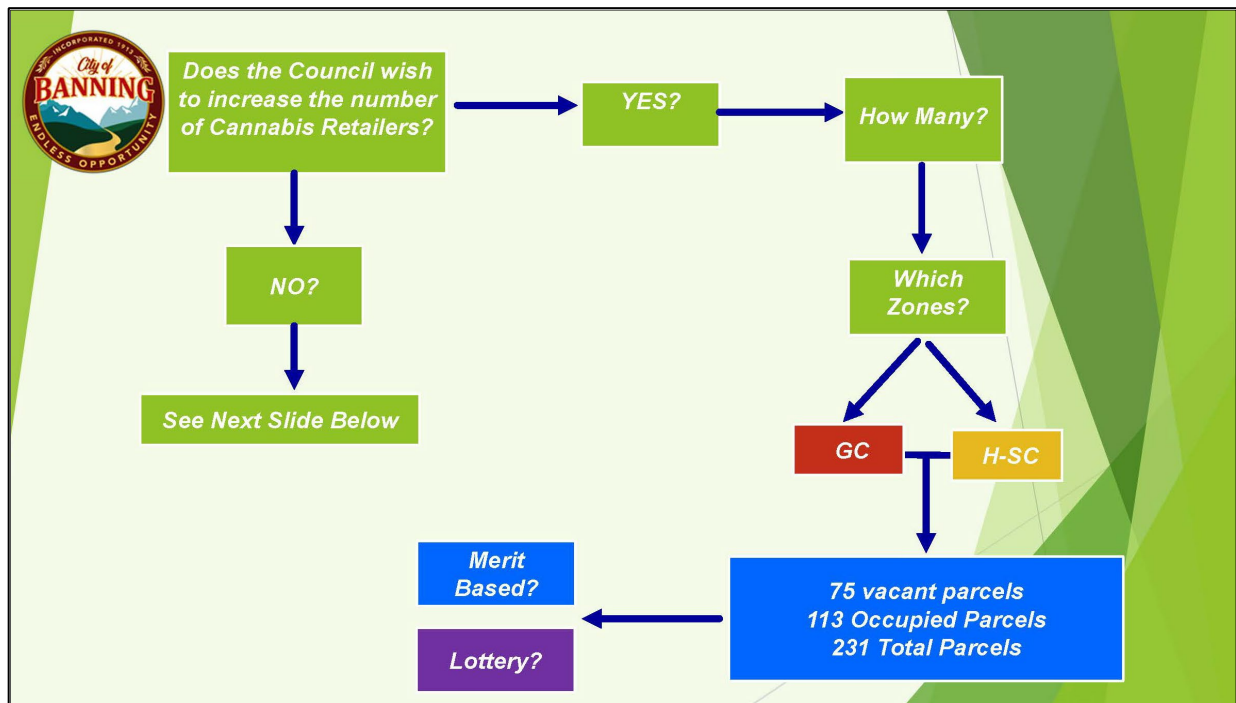
BACKGROUND:

During the February 22, 2022, meeting, the Council appointed an Ad Committee to review and report back on possible changes to the City's Cannabis Program. Council Members Happe and Sanchez were selected and as of this writing, have held four Ad Hoc Committee meetings, with an additional meeting scheduled prior to this Council meeting.

The Committee has met with a broad spectrum of individuals, firms, and businesses connected to varying degrees with the City's Cannabis Program. These constituents include representatives from the City's three Cannabis Retailers, professional consultants who assist and support Cities with programming, monitoring, and auditing Cannabis businesses, and entrepreneurs that desire to develop new Cannabis Retail Dispensaries in the City, pending adoption of an authorizing ordinance. In brief, the Committee

meetings have been fruitful, and the information gathered will be useful in formulating amendments to the existing Code.

The Committee was established to research all aspects of the Retail Cannabis market. After the Committee's oral report, a few – but critical – decisions are requested from the entire Council.



JUSTIFICATION:

The Committee members shall provide their updates to the entire Council and then discuss the following provisions, while providing direction to staff:

- 1) Increase in number of Cannabis Retail Permits.
- 2) Expand the Zoning Capacity to authorize additional Cannabis Retailers.
- 3) Add the authorization for Microbusinesses to be allowed where traditional Retail permits are also authorized.
- 4) Discuss possible selection methods associated with a possible increase in Cannabis Retailers.
- 5) Direct City staff to return with updates and amendments to the Cannabis Program at a future Council date.

FISCAL IMPACT:

The cost of staff time needed to prepare this report is negligible.

ALTERNATIVES:

1. Continue and request additional information from staff.
2. Continue and schedule to allow public input, if applicable

ATTACHMENTS:

1. City of Corona Cannabis Regulation Program Attachments
<https://banningca.gov/DocumentCenter/View/10487/Att-1-Corona-Cannabis-Regulation-Program>
2. City of Lake Elsinore Cannabis Regulation Program Attachments
<https://banningca.gov/DocumentCenter/View/10485/Att-2-Lake-Elsinore-Cannabis-Regulation-Program>
3. City of San Jacinto Cannabis Regulation Program Attachments
<https://banningca.gov/DocumentCenter/View/10486/Att-3-San-Jacinto-Cannabis-Regulation-Program>

Approved by:

A handwritten signature in blue ink, appearing to read 'DS', is written over a horizontal line.

Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Art Vela, Director of Public Works

MEETING DATE: May 10, 2022

SUBJECT: Discuss the Draft Short Range Transit Plan for Fiscal Year 2022/2023 – 2024/2025

RECOMMENDATION:

Discuss the Draft Short Range Transit Plan (SRTP) for 2022/2023 – 2024/2025 and provide feedback to staff.

BACKGROUND:

The Riverside County Transportation Commission (RCTC) is responsible by statute for developing and approving a SRTP for Riverside County (PUC 130303). The SRTP is intended to serve three purposes:

- Identify the transit operation services and capital improvements required to meet the transit needs of Riverside County over a three-year period and the proposed sources of funding to carry out the plan.
- Serve as a management tool for the operators to guide their activities over the next year.
- Provide justification for operating and capital assistance funds.

RCTC is tasked with allocating two primary funding sources to transit agencies: Local Transportation Fund (LTF) and State Transit Assistance (STA). RCTC also allocates State of Good Repair (SGR) funds.

Local Transportation Fund (LTF)

LTF is derived from a quarter-cent of the statewide general sales tax and is returned to the source from which it was generated. The three areas of apportionment within Riverside County are the Western County, Coachella Valley, and Palo Verde Valley. LTF revenues received from the California Department of Tax and Fee Administration are allocated by RCTC for program administration, regional and local transportation planning, bicycle and pedestrian facilities projects, and transit services. LTF provides a dependable revenue stream for Riverside County public transportation operations.

State Transit Assistance (STA)

STA is derived from the statewide sales tax on diesel fuel. STA is allocated by the state to Riverside County based on population and as a percentage of transit fare revenue. STA revenues received from the State Controller are allocated by RCTC for capital projects related to Riverside County's public transit operators.

State of Good Repair (SGR)

The Road Repair and Accountability Act of 2017, Senate Bill (SB) 1 (Chapter 5, Statutes of 2017), signed by the Governor on April 28, 2017, includes a program that will provide additional revenues for transit infrastructure repair and service improvements. This investment in public transit will be referred to as the SGR Program. This program receives funding of approximately \$105 million annually. SGR funds are to be made available for eligible transit maintenance, rehabilitation and capital projects.

Every year the City of Banning is required to prepare a SRTP and submit it to RCTC to receive LTF and STA funds. The City's SRTP identifies its operational and capital funding needs to continue to provide transit service to the community.

JUSTIFICATION:

The purpose of this item is to present to the City Council and the public the proposed FY 2022/2023 – 2024/2025 SRTP and to receive any feedback on the draft. Of note, staff would like to highlight a recommendation to increase the fixed bus fares. No change is proposed to the City's Dial-a-Ride services or fares.

Staff will present a final draft of the SRTP for approval and submittal to RCTC at the May 24, 2022 meeting.

FISCAL IMPACT:

As proposed in the draft SRTP, the City will request the following funds:

Operations

LTF: \$1,866,500

STA: \$15,000

SGR: \$24,903

Total: \$1,906,403

Capital

STA: \$2,580,000

Table 4 and the Capital Justification Tables, attached to this staff report, provided additional details of the funding breakdown.

As an obligation of receiving the LTF funds, the City is obligated to provide a 10% farebox recovery match. Based on FY 2021/2022 projections, staff estimates that FY 2022/2023

farebox revenue will be approximately \$60,489, less than the expected 10% of LTF (\$186,500).

ATTACHMENTS:

1. Draft Short Range Transit Plan
<https://banningca.gov/DocumentCenter/View/10491/Attach-1-Banning-SRTP-V20-5311>
2. Table 4
<https://banningca.gov/DocumentCenter/View/10488/Attach-2-Table-4>
3. Capital Justification Tables
<https://banningca.gov/DocumentCenter/View/10489/Attach-3-Capital-Justification-Tables>
4. Proposed Fare Increase
<https://banningca.gov/DocumentCenter/View/10490/Attach-4-Proposed-Fares>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

MEETING DATE: May 10, 2022

SUBJECT: Consideration of Resolution 2022-50, Approving an Employment Agreement for the Position of Finance Director with Lincoln Bogard

RECOMMENDATION:

A motion approving Resolution No. 2022-50, Approving Employment Agreement with Lincoln Bogard.

BACKGROUND:

Finance Director Suzanne Cook has provided notice of her intention to retire from the City of Banning effective June 30, 2022. In early 2022, a nation-wide recruitment was initiated to fill the Finance Director position. Interviews were conducted on April 21, 2022 following a series of written questionnaires, video recorded interviews and verification of employment and education.

The finalists appeared before a department managers' panel and department directors' panel as well as one-on-one interviews with the City Manager. Following the interviews, a debriefing was conducted and Mr. Lincoln Bogard was selected as the top choice for the Finance Director position.

Mr. Bogard is a Licensed Certified Public Accountant, Licensed Certified Fraud Examiner and holds a Master of Science in Accountancy from Daniels College of Business, University of Denver. He currently serves as the Finance Director – City Treasurer for the City of American Canyon, CA.

The Employment Agreement is consistent with the compensation and benefits established by Resolution No. 2019-41, Establishing maximum compensation and benefits for department directors.

JUSTIFICATION:

The Finance Director position is critical to successful operations of the City of Banning. Mr. Bogard is highly qualified and has experience necessary to successfully perform the duties of the position.

FISCAL IMPACT:

The 2021/2022 budget includes funding for the Finance Director position.

<u>Year</u>	<u>Estimated Amount</u>
2021/2022	\$245,150
2022/2023	\$251,240
2023/2024	\$257,000
2024/2025	\$262,500
2025/2026	\$265,250

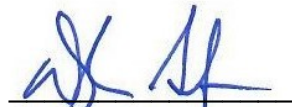
ALTERNATIVES:

1. Approve Resolution No. 2022-50 as recommended.
2. Approve Resolution No. 2022-50 with modifications.
3. No not approve Resolution No. 2022-50.

ATTACHMENTS:

1. Resolution 2022-50
<https://banningca.gov/DocumentCenter/View/10494/Att-1-Resolution-2022-50-Approving-Employment-Agreement-with-Lincoln-Bogard>
2. Employment Agreement
<https://banningca.gov/DocumentCenter/View/10492/Att-2-Employment-Agreement---Lincoln-Bogard>
3. Finance Director Job Description
<https://banningca.gov/DocumentCenter/View/10493/Att-3-Finance-Director-Job-Description>

Approved by:



Douglas Schulze
City Manager