



*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**

**6/14/2022  
REGULAR MEETING**

COUNCIL MEMBERS PRESENT: Council Member David Happe  
Mayor Pro Tem Colleen Wallace  
Mayor Kyle Pingree

COUNCIL MEMBERS ABSENT: Council Member Mary Hamlin  
Council Member Alberto Sanchez

OTHERS PRESENT: Doug Schulze, City Manager  
Kevin Ennis, City Attorney  
Marie Calderon, City Clerk  
Caroline Patton, Deputy City Clerk  
Art Vela, Director of Public Works  
Suzanne Cook, Finance Director\*  
Adam Rush, Community Development Director\*  
Thomas Miller, Electric Utility Director  
Matthew Hamner, Chief of Police  
Ralph Wright, Parks and Recreation Director  
Stacy Bouslog, Utility Billing & Customer Service Manager  
Carla Young, Electric Business Support Manager  
Laurie Sampson, Executive Assistant  
John Garside, Multimedia Specialist

\*Participated via Zoom.

**1. CALL TO ORDER**

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

- 1.1. Invocation – Pastor Dan Squires of Bethany Bible Church provided the invocation.
- 1.2. Pledge of Allegiance – Mayor Pingree led the Pledge of Allegiance.
- 1.3. Roll Call

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

## 2. AGENDA APPROVAL

### 2.1. Approve Agenda

#### **Motion to approve the agenda.**

Motion by Mayor Pro Tem Wallace

Seconded by Mayor 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 3-0, with 2 absences.

## 3. PRESENTATION(S)

### 3.1. ~~Banning Animal Shelter Pet of the Month~~ – *Did Not Attend*

### 3.2. Staff Recognition – Ruby Leon

Mayor Pingree presented the certificate for extraordinary bravery and commitment to excellence in customer service.

### 3.3. Police Recognitions for Extraordinary Bravery and Service

Mayor Pingree presented the certificates for extraordinary bravery displayed on May 17, 2022 during a critical incident. Those recognized included: Corporal Loera, Corporal Jauregui, Corporal Munoz, Corporal Nottingham, Detective Jimenez, Officer Sandhu, Officer Vaca, and Dispatcher Gifford.

## 4. REPORT ON CLOSED SESSION

City Attorney Ennis reported on closed session agenda items:

- 3.1 – Update provided to City Council with no final or reportable action.
- 3.2 – Direction was given to the City Manager with no final or reportable action.
- 3.3 – Continued to the next meeting of the City Council. ***Not considered.***
- 3.4 – Direction was given to the City Manager with no final or reportable action.
- 3.5 – Direction was given to the City Manager with no final or reportable action.

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

### 5.1. PUBLIC COMMENTS

**John Hagen** commented on setbacks considered for retail cannabis facilities. He said he felt Community Director Adam Rush had glossed over his concerns.

**Sheri Fynn** commented on the “Utility Party” approved in Resolution 2022-47, saying neither the staff report, nor the resolution addressed capital improvements planned for Dysart Park.

**Cindy Barrington** expressed a concern regarding the General Plan Advisory Committee, suggesting that there be more than two residents included on the ad hoc committee.

**Harry Sullivan** commented on a law relating to the Federal Aviation Administration (FAA).

**Rita Chapparosa** commented on an email she sent to Council regarding the City’s hiring policies.

**Frank Burgess** commented that he felt the Council had not acknowledged comments made.

City Council and staff followed up on several of the items mentioned by the commenters. City Attorney Kevin Ennis explained that provisions of the Brown Act prevent the Council from having a discussion regarding items or concerns not on the agenda. They can direct staff to follow-up at a later meeting, but not hold a discussion.

### 5.2. CORRESPONDENCE

None

### 5.3. APPOINTMENTS

#### 5.3.1. Downtown Advisory Committee Appointments

City Manager Schulze presented the staff report.

#### Public Comments

None

**Motion to appoints Steven Douglas to the Downtown Advisory Committee.**

Motion by Council Member Happe  
Seconded by Mayor Pro Tem Wallace

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 3-0, with 2 absences.

#### 5.4. CITY COUNCIL COMMITTEE REPORTS

**Mayor Pro Tem Wallace** reported on a meeting with the CalCities executive board where they discussed the water supply concerns. She said that the Riverside Conservation Authority (RCA) had a similar discussion. Ms. Wallace reported that at the Southern California Association of Governments (SCAG) meeting they discussed high speed rail and other transit solutions.

**Council Member Happe** reported that the annual Western Regional Council of Governments (WRCOG) leadership meeting will be occurring soon.

**Mayor Pingree** reported on an upcoming WRCOG conference and his attendance at a law enforcement recognition dinner.

#### 5.5. CITY MANAGER REPORT

City Manager Doug Schulze reported on the soon-to-open Ramsey Street improvements at Hathaway Street, including a new monumentation sign. He announced two new retailers coming to the City, including Boot Barn and PetSmart, which had signed lease agreements for the old Rite-Aid location in Sun Lakes Village.

City Manager Schulze provided a detailed update on the Opportunity Village project, which is home to a large, unhoused population in Banning.

#### 5.6. CITY ATTORNEY REPORT

None

### 6. CONSENT ITEMS

- 6.1. Approval of Minutes of the May 24, 2022 City Council Meetings
- 6.2. Request for Addition of Temporary Finance Director Position and Budget Adjustment
- 6.3. Consideration of an Agreement Between the City of Banning and the Banning Unified School District for Three (3) School Resource Officers (SROs)
- 6.4. Consideration of Resolution 2022-65, Approving Amendment No. 2 to Service Agreements with both J.P. Nelson & Sons Construction Inc. and DeGuire Weed Abatement Inc. for Weed Abatement Services
- 6.5. Consideration of Resolution 2022-67, Authorizing an Agreement with Cybertek for Computer Network Infrastructure Upgrade for a Not-to-Exceed

- Amount of \$575,521 and an Annual Maintenance Cost of \$36,000 per Year for Five Years
- 6.6. Consideration of Resolution 2022-68, Awarding a Professional Services Agreement for the Design of Ramsey Street and Omar Street Intersection Improvements, to Albert A. Webb Associates, Inc. of Riverside, CA in the Amount of \$39,698 and Approving a 10% Contingency for a Total Budget of \$43,667.80
  - 6.7. Consideration of Resolution 2022-69, Calling for the Holding of a General Municipal Election to be held on Tuesday, November 8, 2022 for the Election of Members of the City Council by Districts 4 and 5 as Required by the Provisions of the Laws of State of California Relating to General Law Cities and the Banning Municipal Code
  - 6.8. Consideration of City Council Resolution 2022-72 and Utility Authority Resolution 2022-05 UA, Approving a Professional Services Agreement for Geographic Information System (GIS) Maintenance and Hosting Services with Nobel Systems, Inc. of Redlands, CA in the Amount of \$534,000 for a Five-Year Period
  - 6.9. Consideration of Resolution 2022-73, Approving the Third Amendment to the Street Sweeping Services Agreement with Sweeping Corp of America (SCA) in the Amount of \$122,716 for Fiscal Year 2022/2023
  - 6.10. Authorize the City Manager to Sign the Notice of Completion for Project No. 2020-06, "Runway and Taxiway Improvements at Banning Municipal Airport" as Complete and Direct the City Clerk to Record the Notice of Completion
  - 6.11. Accept Various Improvements within the Atwell Specific Plan Development and Authorize the 90% Bond Exoneration for Various Improvement Bonds
  - 6.12. Consideration of Resolution 2022-74, Approving a Surplus Lands Act Declaration for a Portion of the Banning Municipal Airport Property (Consisting of APNs 532 140-003 & 532-150-004)
  - 6.13. Consideration of Resolution 2022-75, Approving a Surplus Lands Act Declaration for City-Owned Property located on Westward Ave (Consisting of APNs 532-180-036 and 037)
  - ~~6.14. Consideration of Resolution 2022-80, Approving a Surplus Lands Act Declaration for City-Owned Property located at 33 South San Geronio Avenue (APN 540-204-009)~~
  - 6.15. Consideration of Resolution 2022-81, Approving the Memorandum of Understanding between the City of Banning and the City of Beaumont for a Joint Free Fare Transit Promotion
  - 6.16. Consideration of Resolution 2022-83, Authorizing Staff to Execute the Grading, Erosion, and Sediment Control Agreements for Atwell Phase 2A Interim Rough Grading (Tract Map 37389 PA2A-1) and Atwell PA50A/Detention Basin/Foothill West Zone Reservoir Site
  - 6.17. Approve an Agreement with Good Guard Security to Provide Unarmed Guard Services for Project 2022-03 "Bryant Street Homeless Shelter" in the Amount of \$244,944.00 for 12 Months
  - 6.18. Approve an Agreement with National Restroom Trailers to Provide a 5 Station, 23' Shower Restroom Laundry Trailer with 750 Gallon Waste Tank for \$79,967.50

- 6.19. Approve an Agreement with So Cal West Coast Electric to Electric Services to Project 2022-03 "Bryant Street Homeless Shelter for \$81,256.00
- 6.20. Approve a Lease Agreement with Williams Scotsman Inc to Provide Office Trailers for Project 2022-03 "Bryant Street Homeless Shelter" in the Amount of \$57,735.53 for 13 Months
- 6.21. Report of Emergency Purchase of Three (3) Boerger Rotary Lobe Pumps from Rockwell Engineering and Equipment of Tustin, CA in the Amount of \$36,388.09
- 6.22. State-Mandated Water Conservation Measures and Activation of Stage 2 of the City's Water Shortage Contingency Plan

***Consent agenda item 6.14 was pulled from the agenda and continued to the next regular meeting.***

Public Comments

None

Motion by Council Member Happe  
Seconded by Mayor Pro Tem Wallace

**Motion to approve consent agenda items 6.1, 6.3, 6.5, 6.7, 6.10, 6.11, 6.12, 6.21.**

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 3-0, with 2 absences.

- 6.2. Request for Addition of Temporary Finance Director Position and Budget Adjustment

Public Comments

**Rita Chapparosa** asked if the City was paying for the Finance Director to travel to Banning for the transition.

**Motion to approve consent agenda item 6.2.**

Motion by Council Member Happe  
Seconded by Mayor Pro Tem Wallace

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 3-0, with 2 absences.

- 6.4. Consideration of Resolution 2022-65, Approving Amendment No. 2 to Service Agreements with both J.P. Nelson & Sons Construction Inc. and DeGuire Weed Abatement Inc. for Weed Abatement Services

**Motion to approve consent agenda item 6.04, approving Resolution 2022-65.**

Public Comments

None

Motion by Mayor Pro Tem Wallace  
Seconded by Council Member Happe

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 3-0, with 2 absences.

- 6.6. Consideration of Resolution 2022-68, Awarding a Professional Services Agreement for the Design of Ramsey Street and Omar Street Intersection Improvements, to Albert A. Webb Associates, Inc. of Riverside, CA in the Amount of \$39,698 and Approving a 10% Contingency for a Total Budget of \$43,667.80

**Motion to approve consent agenda item 6.06, approving Resolution 2022-68.**

Public Comments

**Lynnea Hagen** asked a clarifying question about the grant funding.

Director of Public Works Art Vela explained that the grant was for the entire project and this contract was for just the design portion of the project.

Motion by Council Member Happe  
Seconded by Mayor 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 3-0, with 2 absences.

- 6.8. Consideration of City Council Resolution 2022-72 and Utility Authority Resolution 2022-05 UA, Approving a Professional Services Agreement for Geographic Information System (GIS) Maintenance and Hosting Services with Nobel Systems, Inc. of Redlands, CA in the Amount of \$534,000 for a Five-Year Period

Public Comments

**Cindy Barrington** commented that water staff had recently informed her the new system would help customers track and reduce water consumption.

**Motion to approve consent agenda item 6.08, approving City Council Resolution 2022-72 and Utility Authority Resolution 2022-05 UA.**

Motion by Mayor Pro Tem Wallace

Seconded by Council Member Happe

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 3-0, with 2 absences.

- 6.9. Consideration of Resolution 2022-73, Approving the Third Amendment to the Street Sweeping Services Agreement with Sweeping Corp of America (SCA) in the Amount of \$122,716 for Fiscal Year 2022/2023

Public Comments

**Juanita Diaz** was disappointed the City was not creating a position and obtaining equipment to provide these services in-house.

City Manager Schulze explained that street sweeping was not a cost-effective service to bring in house.

Public Comments

None



**Motion to approve consent agenda item 6.9, approving Resolution 2022-73.**

Motion by Council Member Happe  
Seconded by Mayor Pingree

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

Motion failed by a vote of 2-1, with 2 absences.

**Motion to reconsider consent agenda item 6.9.**

Motion by Mayor Pro Tem Wallace  
Seconded by Mayor 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 with a vote of 3-0, with 2 absences.

**Motion to approve consent agenda item 6.9, approving Resolution 2022-73.**

Motion by Mayor Pingree  
Seconded by Mayor Pro Tem Wallace

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

Motion approved with a vote of 3-0, with 2 absences.

- 6.13. Consideration of Resolution 2022-75, Approving a Surplus Lands Act Declaration for City-Owned Property located on Westward Ave (Consisting of APNs 532-180-036 and 037)

Public Comments

**John Hagen** asked about the location of the property relative to the proposed I-10 bypass project.

**Motion to approve consent agenda item 6.13, approving Resolution 2022-75.**

Motion by Council Member Happe  
Seconded by Mayor 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 3-0, with 2 absences.

- 6.15. Consideration of Resolution 2022-81, Approving the Memorandum of Understanding between the City of Banning and the City of Beaumont for a Joint Free Fare Transit Promotion

Public Comments

None

**Motion to approve consent agenda item 6.15, approving Resolution 2022-81.**

Motion by Mayor Pro Tem Wallace  
Seconded by Council Member Happe

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 3-0, with 2 absences.

- 6.16. Consideration of Resolution 2022-83, Authorizing Staff to Execute the Grading, Erosion, and Sediment Control Agreements for Atwell Phase 2A Interim Rough Grading (Tract Map 37389 PA2A-1) and Atwell PA50A/Detention Basin/Foothill West Zone Reservoir Site

Public Comments

None

**Motion to approve consent agenda item 6.16, approving Resolution 2022-83.**

Motion by Council Member Happe

Seconded by Mayor Pro Tem Wallace

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 3-0, with 2 absences.

- 6.17 Approve an Agreement with Good Guard Security to Provide Unarmed Guard Services for Project 2022-03 “Bryant Street Homeless Shelter” in the Amount of \$244,944.00 for 12 Months

Public Comments**Frank Connolly** said the price of the contract was ridiculous.**John Hagen** concurred that the City was spending too much money on the homeless shelter projects and questioned the continued funding.**Sherri Flynn** asked for additional details related to funding and said she disagreed with the contract amount. She questioned the role of “Faith in Action,” a local non-profit and said that providing housing would not help the homeless address their issues.**Lynnea Hagen** asked about the City’s liability for the homeless at the site, particularly given the recent car accident.**Cindy Barrington** asked about how the security guards would be protecting themselves while being unarmed.

City Manager Schulze said the contract went through a formal procurement process and the cost was comparable to other providers. He clarified the contract was for 24-hour security at the site, including a team of people to protect the site at all hours. He clarified that the grant and insurance monies used to fund this contract is restricted to use at the homeless shelter site.

Mayor Pingree added that these projects at the homeless shelter site were an exit strategy to help address the ongoing homeless crisis in the City.

**Motion to approve consent agenda item 6.17, approving an agreement with Good Guard Security.**

Motion by Mayor Pingree

Seconded by Council Member Happe

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 3-0, with 2 absences.

- 6.18. Approve an Agreement with National Restroom Trailers to Provide a 5 Station, 23' Shower Restroom Laundry Trailer with 750 Gallon Waste Tank for \$79,967.50

Public Comments

**John Hagen** asked if it was a purchase or a lease.

**Sherri Flynn** again asked for additional funding details.

**Lilly Aguilera** said she was concerned about how the City was looking and asked if a facility would be a more cost effective way to address the homeless issues.

City Manager Schulze clarified several points in response to public comments:

- The restroom trailer is a proposed purchase, not a lease;
- The City Council has received detailed accounting, including thorough presentations at numerous City Council meetings related to grant funding for the project and the insurance monies received after the fire;
- Grant funding is tax-payer dollars that other cities would receive if not the City of Banning.

**Motion to approve consent agenda item 6.18, approving the agreement with National Restroom Trailers.**

Motion by Council Member Happe

Seconded by Mayor 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 3-0, with 2 absences.

- 6.19. Approve an Agreement with So Cal West Coast Electric to Electric Services to Project 2022-03 "Bryant Street Homeless Shelter for \$81,256.00

Public Comments

None

**Motion to approve consent agenda item 6.19, approving an agreement with So Cal West Coast Electric.**

Motion by Mayor Pro Tem Wallace  
Seconded by Council Member Happe

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 3-0, with 2 absences.

- 6.20. Approve a Lease Agreement with Williams Scotsman Inc to Provide Office Trailers for Project 2022-03 "Bryant Street Homeless Shelter" in the Amount of \$57,735.53 for 13 Months

Public Comments

**Sherri Flynn** commented that she should not have to look at previous meetings to find the funding information and requested additional details. She said that Council Member Hamlin was in charge of "Faith in Action" and should have recused herself from any vote on this project.

City Manager Schulze corrected that the president of "Faith in Action" was named Carol Albaugh. Mayor Pingree said Ms. Flynn could make a public records request to have the past Council materials pulled for her.

**John Hagen** asked if this was a purchase or a lease.

City Manager Schulze explained staff had analyzed both options and determined leasing was the most cost-effective route.

**Motion to approve consent agenda item 6.20, approving a lease agreement with Williams Scotsman, Inc.**

Motion by Mayor Pro Tem Wallace  
Seconded by Mayor 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 3-0, with 2 absences.

6.22. State-Mandated Water Conservation Measures and Activation of Stage 2 of the City's Water Shortage Contingency Plan

Public Comments

**John Hagen** asked if the state would offer a rebate for pulling out lawns since watering them two days a week will kill them anyway.

**Motion to receive and file consent agenda item no. 6.22.**

Motion by Mayor Pro Tem Wallace  
Seconded by Mayor 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 3-0, with 2 absences.

*Mayor Pingree announced a recess at 8:09 p.m. The meeting was resumed at 8.18 p.m.*

**Motion to continue agenda items 8.1 and 9.1 to the next regular meeting of the City Council.**

Public Comments

**Rita Chapparosa** commented on hiring policies and maintaining fairness among employees.

**Frank Connolly** said by continuing agenda item 8.1. the Council would be putting off the decision until within three days of the deadline.

## 7. PUBLIC HEARING(S)

- 7.1. Consideration of Resolution 2022-66, Confirming the Levy and Collection of Assessments within the City of Banning's Landscape Maintenance District No. 1 for Fiscal Year 2022/2023

Director of Public Works, Art Vela, presented the staff report.

### Public Comments

**Lynnea Hagen** commented that she suggested implementing zeroscape in previous years.

### **Motion to approve Resolution 2022-66.**

Motion by Council Member Happe  
Seconded by Mayor Pro Tem Wallace

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 3-0, with 2 absences.

## 8. REPORTS OF OFFICERS

- ~~8.1. Recommended Adoption of Biennial Budget Proposal for Fiscal Years 2023 and 2024~~

*Continued to the next Regular Meeting of the City Council.*

- 8.2. Consideration of Resolution 2022-82, Designation of Community Garden on City-Owned Parcel located on South 22nd Street Between West Lincoln Street and the Railroad Property (APN 538-230-011)

City Manager Doug Schulze presented the staff report.

### Public Comment

**Lynnea Hagen** asked about water conservation.

**John Hagen** commented on owning his own garden and now he has no water.

### **Motion to approve Resolution 2022-82.**

Motion by Council Member Happe  
Seconded by Mayor Pro Tem Wallace

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

Motion approved by a vote of 3-0, with 2 absences.

- 8.3. Consideration of Resolution 2022-84, Approving a Development Impact Fee (DIF) Credit Implementation Agreement with Highway 243 Industrial Center, LLC in Connection with the Highway 243 Industrial Center Project at the Northeast Corner of Lincoln Street and Eighth Street

Director of Public Works, Art Vela, presented the staff report.

Public Comments

None

**Motion to approve Resolution 2022-84.**

Motion by Mayor Pro Tem Wallace  
Seconded by Mayor Pingree

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

Motion approved by a vote of 3-0, with 2 absences.

- 8.4. Consideration of Resolution 2022-70, Awarding a Professional Services Agreement to Alta Planning + Design, Inc. for the Development and Preparation of the Downtown Revitalization and Complete Streets Plan in the Amount of \$296,915

Director of Public Works, Art Vela, presented the staff report.

Public Comments

None

**Motion to approve Resolution 2022-70.**



Motion by Mayor Pro Tem Wallace  
Seconded by Mayor 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 3-0, with 2 absences.

- 8.5. Consideration of Resolution 2022-71, Approving the Memorandum of Understanding between the Banning Police Officers' Association and the City of Banning

City Manager Schulze presented the staff report.

Public Comments

None

**Motion to approve Resolution 2022-71.**

Motion by Happe  
Seconded by

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 3-0, with 2 absences.

**9. DISCUSSION ITEM(S)**

- 9.1. ~~Discuss and Consider Existing Topics listed as Items for Future Agendas~~

*Continued to the next Regular Meeting of the City Council.*

**10. ITEMS FOR FUTURE AGENDAS**

- 10.1. New Items
- + Cannabis setbacks for retail (Wallace)
  - + Traffic (Happe)

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**

Mayor Pingree adjourned the meeting at 9:07 p.m.

Minutes Prepared by:

  
Caroline Patton, Deputy City Clerk

**This entire meeting may be viewed here:**

<https://banninglive.viebit.com/index.php?folder=City+Council+Meetings>

**All documents related to this meeting are available here:**

<http://banning.ca.us/Archive.aspx?ADID=2659>

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**ATTACHMENTS:**

- Exhibit A – Agenda Item 5.5. City Manager’s Report Presentation
- Exhibit B – Agenda Item 6.1. Public Comment
- Exhibit C – Agenda Item 6.8. Modified Funding Structure Handout
- Exhibit D – Agenda Item 7.1. LMD No. 1 Public Hearing Presentation
- Exhibit E – Agenda Item 8.2. Public Comment

## Exhibit A - Agenda Item 5.5

### CITY MANAGER'S REPORT

June 14, 2022



1

### RAMSEY - HATHAWAY IMPROVEMENTS

- Improved safety
- Pedestrian improvements
- Street Lighting
- New Entrance Sign
- Landscaped Median
- Final pavement lift next week
- Pavement markings week of June 27
- Ribbon Cutting Planned last week of June



2

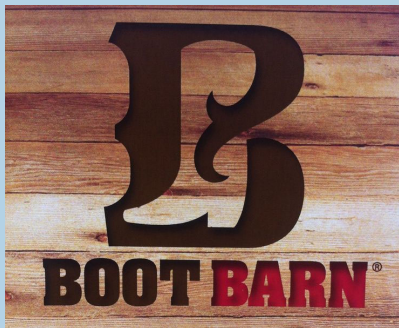
### STREET VENDORS – FOOD TRUCKS

- Complaints from local restaurants
- County Health Permit
- City Business License
- State Law Requires City's to Allow Street Vendors
- Food Truck Regulations Could Be Reviewed
- Code Enforcement Conducting After-hours Inspections



3

### NEW RETAIL BUSINESSES



4

## OPPORTUNITY VILLAGE SHELTER

- Perimeter Fencing Installed
- Water lines installed
- Electric services installation next step
- Pallet Shelters, office & security trailers by end of June
- Restroom/Shower/Laundry Trailers
- Security Services
- Wrap Around Services



5

## CROWD-SOURCED POEM FROM THOSE IN LOCAL GOVERNMENT ABOUT THE COMMUNITIES WE ASPIRE TO HAVE

*We long for civility.*

We long for a city where people focus more on what we have accomplished, with pride and amazement, and focus less on what remains to be done, with frustration and criticism.

Where people come together to meet real challenges with resolve and good humor, and a willingness to work collaboratively.

Where finding a reasonable compromise is considered a win.

Where we can disagree, without being disagreeable, and people are civil, respectful, and supportive, even in the face of disagreement.

Where broad generalities and stereotypes are not raised over differences of opinion.

Where there is an appetite for increased listening to others, and where opinions are allowed to evolve and change.

Where we worry more about the common good than a single agenda.

We long for a city where residents take the time to go past the headlines, learn about the issues, and ask questions.

Where civility and common courtesy prevail, and dialogue builds us up without breaking us down.

Where we can leave the past behind us and grasp the opportunities that await us.

Where we no longer assume the worst in others, that secret agendas disappear, and that honesty and civility are not considered slanderous and outdated.

We long for that city.

6

City Clerk Copy



Federal Aviation  
Administration

[Home](#)

faa.gov/bil/airport-infrastructure

#### Bipartisan Infrastructure Law - Airport Infrastructure



**\$15B**

The Bipartisan Infrastructure Law provides \$15 billion for airport-related projects as defined under the existing Airport Improvement Grant and Passenger Facility Charge criteria. The money can be invested in runways, taxiways, safety and sustainability projects, as well as terminal, airport-transit connections and roadway projects.

The Bipartisan Infrastructure Law has given us a once-in-a-generation opportunity to build safer and more sustainable airports that connect individuals to jobs and communities to the world. With this new funding, urban, regional and rural airports across the country now can get to work on projects that have waited for years, modernizing their infrastructure and building a better America.

- U.S. Transportation Secretary Pete Buttigieg

#### First-Year Airport Infrastructure Grant Funding Amounts

For FY22, \$2.89 billion has been made available to U.S. airports around the nation. This map shows the airports selected and the allocated funds for each.

Banning \$159,000.00



## Exhibit C - Agenda Item 6.8

### CONSENT ITEM No. 6.8

Funding revisions to the Resolution 2022-05AU and 2022-72 for the GIS Nobel Contract:

Item	Cost	Accounts	First Year	Breakdown
Lump Sum	\$100,800	001-2800-441.23-07	<b>\$2,000</b>	\$2,000
		100-4900-431.30-15	<b>\$2,000</b>	\$2,000
		670-7000-473.30-17	<del>\$10,000</del>	<del>\$7,000</del>
			<u>\$0</u>	<u>\$0</u>
		660-6300-471.30-17	<del>\$30,000</del>	<del>\$22,500</del>
			<u>\$32,500</u>	<u>\$24,250</u>
		680-8000-454.30-17	<del>\$30,000</del>	<del>\$22,500</del>
			<u>\$32,500</u>	<u>\$24,250</u>
		660-6300-471.33-11	<del>\$28,400</del>	<del>\$22,400</del>
			<u>\$30,900</u>	<u>\$24,150</u>
		680-8000-454.33-11	<del>\$28,400</del>	<del>\$22,400</del>
			<u>\$30,900</u>	<u>\$24,150</u>
<b>Total</b>	<b>\$100,800</b>	<b>Total</b>	<b>\$130,800</b>	<b>\$100,800</b>

The changes reflect that the Electric Department no longer uses Nobel and is no longer funding these services.

## Exhibit D - Agenda Item 7.1

# RESOLUTION 2022-66 CONFIRMING THE LEVY AND COLLECTION OF ASSESSEMENTS WITHIN THE CITY OF BANNING'S LMD NO. 1 FOR FISCAL YEAR 2022/2023



1

## PREVIOUS ACTIONS

On April 12, 2022 City Council adopted Resolution 2022-31, approving the Engineer's Report

- The engineer's report included assessments consistent with the results of the Proposition 218 hearing held on December 8, 2020.
- Assessments remain the same as in previous years, except for a CPI increase of 5% applied to certain tracts, which previously approved an annual CPI adjustment.

2

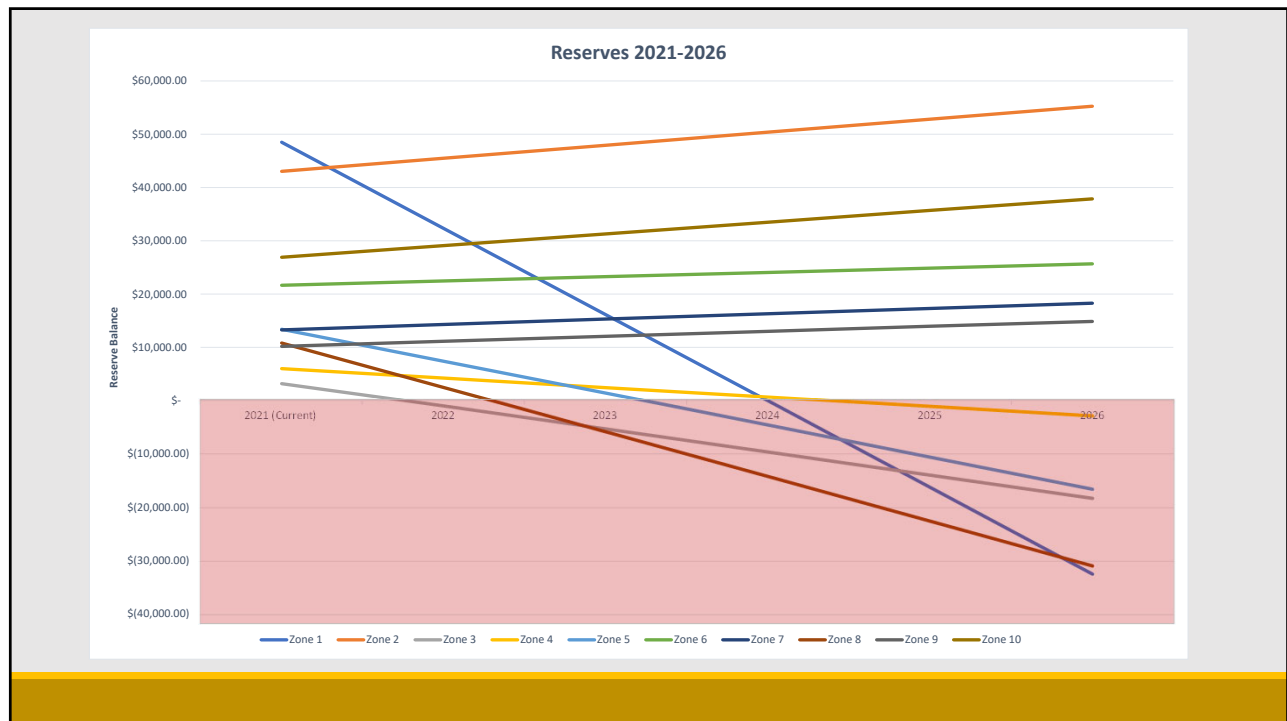


## Resolution 2022-66

Confirms the levy and collection of assessments within the different zones of LMD No. 1

Authorizes the City Clerk to file the diagram and assessments with the Riverside County Assessors/County Clerk – Recorder's Office.

3



4

# SUMMARY

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Assessments remain the same as in previous years.

5.00% CPI increase applied to Tracts: 28252, 30793, 31833, 31834, 31835 and 30906.

Projected revenues in most zones are not sufficient to cover expenditures.

AML0

Cash balances in most zones are not sufficient to cover projected 2021/2022 shortfall.

Cost saving measures:

- Working with contractor to revise the scope of work in order to reduce costs.
- Reduction in watering schedules/times to reduce utility costs.
- Identification of low-cost projects to reduce water use (e.g. installation of rain sensors, elimination of sprinklers, drip systems, etc.). Project budgets are limited to existing cash balances.
- Funding options

AML1

5

# QUESTIONS?

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6

## **Exhibit E - Agenda Item 8.2. Public Comment**

From: Chris McCallum



We live in a time of unprecedented challenges which at times seem so daunting, complex and interconnected that it is easy to feel helpless and lose hope. Some of the defining issues we currently face are good health, alleviating food and financial insecurity, and creating a more resilient, cohesive and productive community. Growing some of our own food in a "Community Garden" could be a simple yet effective way of taking power over our health and well-being while at the same time working for the greater good.

Community: A unified body of individuals with common interests.

Project Definition: Build a Community Garden

Objectives:

1. Grow a source of food to help Non-Profits in the area provide food security to less fortunate community members.
2. Bring Senior Citizens and Local Youth together in an atmosphere of education teaching the basics of gardening.
3. Develop a retail operation with a store and gift shop with product provided by the garden and local artists & crafters.
4. Encourage I-10 travelers to stop in Banning to Eat, Shop and Stay in our Restaurants, Stores and Hotels.
5. Educating our community and them the giving skills they need to be more self-reliant and more independent from food sources that depend on pesticides to grow, thus giving them a healthier choice.

Development:

Site – 22<sup>nd</sup> St. South of I-10

Funding:

City

Grants  
Local Business

City Branding:

"The Best Pit Stop in Southern California"