



AGENDA

REGULAR MEETING OF THE BANNING CITY COUNCIL

CITY OF BANNING, CALIFORNIA

October 25, 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>

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Password: 092220

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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. Banning Beautification Award for October 2022 – IHOP Restaurant.....7

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. Appoint a Replacement to the Community Development Block Grant (CDBG) Ad-Hoc Committee for Fiscal Year 2023-2024.....8

- 5.4. CITY COUNCIL COMMITTEE REPORTS

- 5.5. CITY MANAGER REPORT

- 5.6. CITY ATTORNEY REPORT

- 5.7. CITY TREASURER 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 6.8.

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

- | | | |
|------|--|----|
| 6.1. | Minutes of the October 11, 2022 City Council Meetings..... | 9 |
| 6.2. | Receive and File Cash, Investments and Reserve Report for the Month of September 2022..... | 10 |
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| 6.7. | Consideration of Resolution 2022-144, Approving Amendment No. 1 to the Professional Services Agreement with Brightly Software, Inc. to a Total Amount of \$360,270.56..... | 17 |
| 6.8. | Consideration of Resolution 2022-145, Approving a Sole-Source Professional Services Agreement with VCS Environmental to Provide Wetlands Permitting Consulting and Strategy Services to the City of Banning for a Not-to-Exceed Amount of \$189,000..... | 19 |

7. **PUBLIC HEARING(S)**

None

8. **REPORTS OF OFFICERS**

- 8.1. Consideration of Resolution 2022-142, Approving Revisions to the Comprehensive Classification and Compensation Plan as Recommended by the Classification & Compensation Study Completed by Public Sector Personnel Services; and Resolution 2022-143, Updating the Classification and Compensation Plan for the City of Banning to Reflect Said Revisions....**21**
(Staff Report: Lincoln Bogard, Finance Director)

Recommendation: Staff respectfully recommends the City Council: (1) Adopt Resolution 2022-142 approving revisions and updates to the comprehensive compensation and classification plan for the City of Banning based on recommendations from the Classification & Compensation Study completed by Public Sector Personnel Services; (2) Adopt Resolution 2022-143 approving reclassifications and additions to the classification and compensation plan; and, (3)

Authorize the City Manager or his designee to make necessary budget adjustments, appropriations and transfers to accomplish the same.

- 8.2. Update on the Development and Preparation of the Downtown Revitalization and Complete Streets Plan..... **28**
(*Staff Report: Nate Smith, Deputy Director of Public Works*)

Recommendation: Receive report on and discuss the progress made on the Downtown Revitalization and Complete Streets Plan and upcoming activities.

- 8.3. Update on the Active Transportation Plan..... **31**
(*Staff Report: Nate Smith, Deputy Director of Public Works*)

Recommendation: Receive report on and discuss the progress made on the Active Transportation Plan (ATP).

9. DISCUSSION ITEM(S)

None

10. ITEMS FOR FUTURE AGENDAS

10.1. New Items

10.2. Pending Items:

1. Affordable Housing Solutions
2. Internship Program
3. Traffic Circles/Diverging Diamonds (Happe)
4. Cannabis Regulations (Happe)
5. Cannabis Microbusiness (Wallace)
6. Grow Banning (Sanchez)
7. Rent Control (Sanchez)
8. Potential Grants to Fund Playhouse Bowl Improvements (Sanchez)

11. ADJOURNMENT

Next Regular Meeting – November 8, 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.

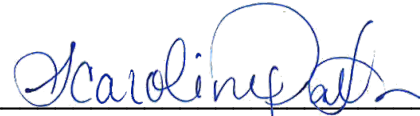
Estándares comunitarios de Zoom para Reuniones Públicas

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.

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 20th day of October 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

Beautification Award

PRESENTED TO

IHOP RESTAURANT



*This City of Banning Beautification Award recognizes
IHOP Restaurant in Banning for exemplary property
appearance. The City Council thanks you for your pride in
ownership and commitment to the Banning community.*

Presented on this 25th day of October 2022

Colleen Wallace, Mayor



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Laurie Sampson, Assistant City Manager

MEETING DATE: October 25, 2022

SUBJECT: Appoint a Replacement to the Community Development Block Grant (CDBG) Ad-Hoc Committee for Fiscal Year 2023-2024

RECOMMENDATION:

Staff recommend City Council appoint a replacement to the Community Development Block Grant (CDBG) Ad-Hoc Committee for FY 2023-2024.

BACKGROUND:

On October 11, 2022, the City Council appointed Mayor Pro Tem Sanchez and Council Member Happe to the CDBG Ad-Hoc Committee. Mayor Pro Tem Sanchez would like to resign his position on the Ad-Hoc Committee and therefore a new member needs to be appointed to fill the vacancy.

JUSTIFICATION:

Due to a conflict with his involvement with the Community Garden Project, Mayor Pro Tem Sanchez has requested to resign from the committee appointment and have Council appoint a replacement.

FISCAL IMPACT:

None

ATTACHMENTS:

None

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 *CP*

MEETING DATE: October 25, 2022

SUBJECT: Minutes of the October 11, 2022 City Council Meetings

RECOMMENDATION:

Approve the minutes of the October 11, 2022 City Council Meetings.

ALTERNATIVES:

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

ATTACHMENTS:

1. Minutes of the October 11, 2022 Special City Council Meeting
https://banningca.gov/DocumentCenter/View/11578/2022-10-11_Minutes_Special-Meeting---Closed-Session
2. Minutes of the October 12, 2022 Regular City Council Meeting
https://banningca.gov/DocumentCenter/View/11579/2022-10-11_Minutes_Regular-Meeting

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager
Alejandro Geronimo, City Treasurer

PREPARED BY: Lincoln Bogard, Finance Director
A'ja Wallace, Budget and Financial Analyst

MEETING DATE: October 25, 2022

SUBJECT: Receive and File Cash, Investments and Reserve Report for the Month of September 2022

RECOMMENDATION:

That City Council receive and file Cash, Investment and Reserve Report for **September 30, 2022** in accordance with California Government Code 53646.

CASH AND INVESTMENT SUMMARY:

Description		Prior Month	Current Month
Funds Under Control of the City			
Cash			
Cash on Hand	\$	4,055.00	\$ 4,055.00
Checking and Savings Accounts	\$	10,161,382.99	\$ 10,935,849.88
Investments			
LAIF	\$	36,895,406.87	\$ 31,895,406.87
Brokerage	\$	27,555,830.31	\$ 27,631,965.87
Total Funds Under Control of the City	\$	74,616,675.17	\$ 70,467,277.62
Funds Under Control of Fiscal Agents			
US Bank			
Restricted Bond Project Accounts	\$	11,897,972.87	\$ 11,901,424.45
Restricted Bond Accounts	\$	4,820,096.05	\$ 4,820,097.85
Union Bank & SCPPA			
Restricted Funds	\$	3,799,925.80	\$ 3,806,838.51
Total Funds Under Control of Fiscal Agents	\$	20,517,994.72	\$ 20,528,360.81
Total Funds	\$	95,134,669.89	\$ 90,995,638.43

RESTRICTED, ASSIGNED, COMMITTED AND RESERVED SUMMARY:

Description	Prior Month	Current Month
Total Funds	\$ 95,134,669.89	\$ 90,995,638.43
Restricted Funds	\$ 42,583,749.58	\$ 40,707,778.62
Assigned Funds - Specific Purpose	\$ 8,338,555.38	\$ 6,801,603.04
Committed Funds - Specific Purpose	\$ 1,500,000.00	\$ 1,500,000.00
Fund Balance Reserves	\$ 13,471,043.56	\$ 13,471,043.56
Total Restricted, Assigned, Committed and Reserve	\$ 65,893,348.52	\$ 62,480,425.22
Operating Cash - Unrestricted Reserves	\$ 29,241,321.37	\$ 28,515,213.21
Less Accounts held in Investments	\$ 27,555,830.31	\$ 27,631,965.87
Liquid Cash	\$ 1,685,491.06	\$ 883,247.34

ATTACHMENTS:

1. Cash, Investment and Reserve Report September 2022
<https://banningca.gov/DocumentCenter/View/11583/Attachment-1-Cash-Investment-and-Reserves-September-2022>
2. Investment Report
<https://banningca.gov/DocumentCenter/View/11584/Attachment-2-Investment-Report-September-2022>
3. City of Banning Broker Investment Report
<https://banningca.gov/DocumentCenter/View/11580/Attachment-3-City-of-Banning-Broker-Report>
4. LAIF / PMIA Performance Report
<https://banningca.gov/DocumentCenter/View/11581/Attachment-4-LAIF-Market-Valuation-September-2022>
5. LAIF Market Valuation Report
<https://banningca.gov/DocumentCenter/View/11582/Attachment-5-PMIA-LAIF-Performance-Report-September-2022>

Approved by:



Douglas Schulze
 City Manager



**CITY OF BANNING
STAFF REPORT**

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Laurie Sampson, Assistant City Manager
Maria Vargas, Police Assistant II

MEETING DATE: October 25, 2022

SUBJECT: Receive and File Police Department Statistics for the Month of September 2022

RECOMMENDATION:

Receive and file Police Department statistics for the month of September 2022

BACKGROUND:

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

ATTACHMENT:

1. Police Statistics for September 2022
<https://banningca.gov/DocumentCenter/View/11585/September-2022--STATS->

Approved by:

Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Todd Hopkins, CALFIRE Division Chief
Laurie Sampson, Assistant City Manager

MEETING DATE: October 25, 2022

SUBJECT: Receive and File Fire Department Statistics for the Month of September 2022

RECOMMENDATION:

Receive and file Fire Department statistics for the month of September 2022.

BACKGROUND:

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

FISCAL IMPACT:

None

ATTACHMENT:

1. Fire Statistics for September 2022
<https://banningca.gov/DocumentCenter/View/11586/Banning-September-2022-Fire-Report>

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: October 25, 2022

SUBJECT: Public Works Capital Improvement Project Tracking List

RECOMMENDATION:

This is informational only; receive and file report.

BACKGROUND:

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

FISCAL IMPACT:

None

ATTACHMENT:

1. CIP Project List
<https://banningca.gov/DocumentCenter/View/11587/Attach-1-CIP-Update-October-2022>

Approved by:

Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Laurie Sampson, Assistant City Manager

MEETING DATE: October 25, 2022

SUBJECT: Consideration of Resolution 2022-141, Accepting Community Development Block Grant (CDBG) Funds for Fiscal Year 2022/2023 in a Total Amount of \$194,818 for Teens Continue to Lead (5.BN.57-22) in the Amount of \$10,000; the Sylvan Park Improvement Project II (5.BN.58-22) in the Amount of \$80,000; and the Lions Park Project II (5.BN.59-22) in the Amount of \$104,818

RECOMMENDATION:

Staff recommends the City Council adopt Resolution 2022-141 and authorize staff to execute and submit the Supplemental Agreement to the Riverside County Housing, Homelessness Prevention and Workforce Solutions.

BACKGROUND:

The submittal of the project applications for CDBG 2022/2023 program funding was approved by City Council on November 9, 2021, under Resolution 2021-92. The execution of the 2022/2023 CDBG Supplemental Agreement is required for the City to obtain and utilize the CDBG funds.

JUSTIFICATION:

On an annual basis, the City of Banning has participated in the federally funded CDBG program. On November 9, 2021, the City Council adopted Resolution 2021-92 approving the project applications submittal to the Riverside County Housing, Homelessness Prevention and Workforce Solutions for consideration.

To utilize Fiscal Year 2022/2023 CDBG program funds, the City is required to execute a Supplemental Agreement attached hereto by reference. The CDBG FY 2022/2023 funding will be allocated to the Teens Continue to Lead (5.BN.57-22) in the amount of \$10,000; the Sylvan Park Improvement Project II (5.BN.58-22) in the amount of \$80,000; and the Lions Park Project II(5.BN.59-22) in the amount of \$104,818.

FISCAL IMPACT:

By approving the CDBG Supplemental Agreement, Fiscal Year 2022/2023, the City anticipates receiving \$10,000 for the Teens Continue to Lead, \$80,000 for the Sylvan Park Improvement Project II and \$104,818 for the Lions Park Project II. Acceptance of these funds are restricted exclusively for these projects.

ALTERNATIVES:

1. Approve Resolution 2022-141 as recommended.
2. Approve Resolution 2022-141 with amendments.
3. Do not approve and provide alternative direction.

ATTACHMENTS:

1. Resolution 2022-141
<https://banningca.gov/DocumentCenter/View/11590/Att-1-Resolution-2022-141-CDBG-Supplemental-Agreement>
2. Resolution 2021-92
<https://banningca.gov/DocumentCenter/View/11588/Att-2-CC-Resolution-No-2021-092>
3. CDBG Supplemental Agreements for FY 2022/2023
<https://banningca.gov/DocumentCenter/View/11589/Att-3-CDBG-Supplemental-Agreement-FY-2022-2023>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam Rush, Community Development Director

MEETING DATE: October 25, 2022

SUBJECT: Consideration of Resolution 2022-144, Approving Amendment No. 1 to the Professional Services Agreement with Brightly Software, Inc. to a Total Amount of \$360,270.56

RECOMMENDATION:

Staff recommend the approval of Resolution 2022-144:

1. Authorizing the City Manager or designee to increase the Contract Sum by \$5,794 with Brightly Software, Inc. for consulting services to support the City's permit streamlining and management software.
2. Authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to Amendment No. 1 to the Agreement with Brightly Software, Inc.
3. Authorizing the City Manager or designee to execute Amendment No. 1, to the Professional Services Agreement with Brightly Software, Inc. in an amount not to exceed \$360,270.56.

BACKGROUND:

The City's Community Development Department has previously contracted with Dude Solutions, Inc. to provide the City's permit software. Recently, Dude Solutions acquired several new companies that operate internationally and rebranded as Brightly Software, Inc. The change in company name and extension of the contract term and amount require the City to enter into a new professional services agreement for long-term use of the SMARTGov software.

The City Council has previously authorized \$354,476.56, of which \$138,564.21 has been expended on the configuration and testing of the software with existing City IT infrastructure. City staff is requesting an additional \$5,794 to provide training for new and additional staff in order to facilitate the software going "live".

JUSTIFICATION:

Since the original agreement, City staff has grown and changed, necessitating the onboarding of new users to the system.

FISCAL IMPACT:

The Community Development operational budget will fund the requested increase, Account No. 001-2700-442.23-33 (Contract Computer Services) by \$5,794.

<u>Year</u>	<u>Estimated Amount</u>
2022/2023	\$91,168.82 \$96,962.82
2023/2024	\$41,137.65
2024/2025	\$43,605.88

ALTERNATIVE:

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

ATTACHMENTS:

1. Resolution 2022-144 Brightly Software, Inc.
<https://banningca.gov/DocumentCenter/View/11593/1-Resolution-2022-144-Brightly>
2. Amendment No. 1 to Brightly Agreement
<https://banningca.gov/DocumentCenter/View/11594/2-Amendment-No-1-to-Brightly-Agreement>
3. Exhibit "A" To Amendment No. 1 of the Brightly Agreement
<https://banningca.gov/DocumentCenter/View/11591/3-EXHIBIT-A-to-Amendment-No-1-of-the-Brightly-Agreement>
4. Professional Services Agreement – Brightly Software, Inc. (CC00771)
<https://banningca.gov/DocumentCenter/View/11592/4-Professional-Services-Agreement---Brightly-Software-Inc-C00771>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam Rush, Community Development Director

MEETING DATE: October 25, 2022

SUBJECT: Consideration of Resolution 2022-145, Approving a Sole-Source Professional Services Agreement with VCS Environmental to Provide Wetlands Permitting Consulting and Strategy Services to the City of Banning for a Not-to-Exceed Amount of \$189,000

RECOMMENDATION:

Staff recommends the approval of Resolution 2022-145:

1. Authorizing the City Manager or designee to enter into a Sole-Source Professional Services Agreement with VCS Environmental for wetlands permitting consulting and strategy services associated with various development projects within the City.
2. Authorizing the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the Sole-Source Professional Services Agreement with VCS Environmental.
3. Authorizing the City Manager or designee to execute a Sole-Source Professional Services Agreement with VCS Environmental in an amount not to exceed \$189,000 over a three (3) year term.

BACKGROUND:

As development opportunities within the City become more competitive the availability of vacant land free of environmental constraints narrows. City staff has been approached by our development partners to assist, and in some times mediate, in negotiations concerning wetlands permitting and mitigation strategies. City staff requires the expertise and skill of a Wetlands Permitting and Biological Resource Specialist to support and advise staff along these lines of Streambed Alteration Permits and other similar activities. VCS Environmental has provided biological consulting services, related to the western Riverside MSHCP, regulatory agency permitting, mitigation banking and mitigation laws associated with California Environmental Quality Act requirements for over 20 years. VCS brings specific expertise in the negotiation in the area of CDFW, USFWS, and Army Corp of Engineers (ACOE) permitting, wetlands mitigation, and fee bank credit programs. These areas, and ability to identify the most concise and common-sense approach, can provide an expert opinion for City staff that is not found in other consulting firms.

JUSTIFICATION:

The City requires a subject-matter expert to advise staff and secondly, the City's development partners, in the most efficient and effective path through wetlands permitting negotiation. City staff does not have subject-matter experts of the skill, experience, and knowledgebase as provided by VCS Environmental.

FISCAL IMPACT:

The Community Development operational budget will fund the requested increase, Account No. 001-2800-441.33-11 (Professional Services), summarized below:

<u>Fiscal Year(s)</u>	<u>Estimated Amount</u>
2022/2023	\$63,000
2023/2024	\$63,000
2024/2025	\$63,000
Total	\$189,000

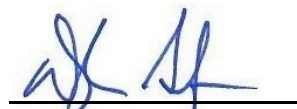
ALTERNATIVE:

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

ATTACHMENTS:

1. Resolution 2022-145
<https://banningca.gov/DocumentCenter/View/11597/1-Resolution-2022-145-VCS-Environmental>
2. Professional Services Agreement
<https://banningca.gov/DocumentCenter/View/11598/2-Professional-Services-Agreement-Template>
3. VCS Environmental Proposal
<https://banningca.gov/DocumentCenter/View/11599/3-VCS-Environmental-Proposal>
4. Draft Sole-Source Vendor Form
<https://banningca.gov/DocumentCenter/View/11600/4-Draft-Sole-Source-Vendor-Form-VCS-Environmental>
5. VCS Letter Proposal
https://banningca.gov/DocumentCenter/View/11595/5-VCS-Letter-Proposal_20220608
6. On-Call Planning Services RFP
<https://banningca.gov/DocumentCenter/View/11596/6-On-Call-Planning-Services-RFP-CC-Resolution-2020-130>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Lincoln Bogard, Finance Director
A'ja Wallace, Budget and Financial Analyst

MEETING DATE: October 25, 2022

SUBJECT: Consideration of Resolution 2022-142, Approving Revisions to the Comprehensive Classification and Compensation Plan as Recommended by the Classification & Compensation Study Completed by Public Sector Personnel Services; and Resolution 2022-143, Updating the Classification and Compensation Plan for the City of Banning to Reflect Said Revisions

RECOMMENDATION:

Staff respectfully recommends the City Council:

1. Adopt Resolution 2022-142 approving revisions and updates to the comprehensive compensation and classification plan for the City of Banning based on recommendations from the Classification & Compensation Study completed by Public Sector Personnel Services.
2. Adopt Resolution 2022-143 approving reclassifications and additions to the classification and compensation plan.
3. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers to accomplish the same.

BACKGROUND:

On June 22, 2021, City Council approved \$175,000 for a Total Classification & Compensation Plan (C&C Plan). Four proposals were received and an evaluation committee of ten persons, including union representation, scored each proposal. The committee has selected Public Sector Personnel Services (PSPC).

Past City Resolutions have identified the necessity to maintain a current C&C Plan which reflects the nature of work and organizational structure, that the plan is updated to reflect both market changes and appropriate compensation for work performed. City of Banning's bargaining units have been supportive of updated C&C Plans to obtain objective salary information and job comparisons.

The City of Banning Employee Handbook speaks to the necessity of utilizing current compensation data to update the salary schedules.

Section 5, Salary Plan & Administration (Pg 26):

A. SALARY SCHEDULE EXPLANATION

(2) The personnel director shall have the responsibility for recommending changes in the salary schedule to keep the same currently in a condition to meet the needs of the City and its departments. From time to time, he may, and upon order of the City Council shall, initiate salary schedule studies of the various positions and position specifications, and related matters, and make appropriate recommendations to the City Council for amendments of the salary schedule, this Resolution, orders and regulations made pursuant thereto.

The City's last salary survey was conducted in 2016 by the same consultant firm chosen by the committee. That 2016 survey was limited in scope, is not up-to-date, and did not include all departments.

JUSTIFICATION:

Most public agencies utilize a specialized consulting firm to conduct a formal and impartial Classification & Compensation Plan (C&C Plan). A C&C Plan compares the City's compensation and job classifications against 8-12 similarly sized agencies every 5-10 years. The survey is typically conducted by a subject matter expert who captures current market data. Salary surveys are vital to maintaining an equitable and competitive compensation system. Accurate job classifications and job families are necessary to ensuring legal compliance and help promote a better work culture. Accurate market rate compensation is necessary to retain the City's talent and to recruit new talent. We believe the health and fringe benefit data is valuable for negotiation purposes.

Public Sector Personnel Services' (PSPC) project total is \$90,000, which is \$85,000 less than the approved budget. The base proposal is \$82,500 and would not be a total review of all compensable factors. The estimated timeframe of the work plan is 150 days, with a potential for 90-120 additional days to review job class specifications. The use of a professional consultant is to ensure a non-biased and objective review. HR does not have the current capacity to conduct a similar survey.

Project Objectives

The recommended plans, programs, systems, and administrative procedures will meet these ten most important criteria.

1. Internally equitable
2. Financially responsible
3. Externally competitive
4. Efficiently administered

5. Readily understood
6. Inclusive of employee input
7. Easily updated & maintained
8. Reflective of City's values
9. Legally compliant & defensible
10. Reflective of prevailing best practices

Identified in detail on the proposal, the survey will consist of:

1. Project planning with HR staff and communication with employees
2. A formal and objective job analyses
3. Review and recommendations of job families and career ladders
4. Review and update of job class specifications
5. Survey of comparable cities/agencies to include salary and benefits
6. Review of competitiveness analysis
7. Compensation plan development
8. Communication of results and implementation strategies

Following the scope of work, PSPC will provide presentation of final project reports for City council, staff and officials, assist with a development plan for the implementation of classification and compensation recommendations as well as a development and provision of process for ongoing maintenance and updates.

In addition to the recommended market stabilization to the current classification and compensation plan; the below proposed reclassifications and additions include:

Electric Utility:

Update the Manager position to market wage:

Information Technology Manager (Job Code 1405) Range T75 to Range T83

Planning:

Add a Building Permit Specialist to act as liaison to customers and City departments involved in the development process. Knowledge of applicable City, County, State and Federal statutes, rules, regulations, ordinances, codes, administrative orders and other operational guidelines and directives are needed to maintain increased operations.

Addition of a Building Permit Specialist (Job Code 3240) Range G55

Public Works:

Update the Manager positions to market wage:

Transit Manager (Job Code 3335) Range T73 to Range T83

Fleet Manager (Job Code 4410) Range T75 to Range T83

Public Works Program Manager (Job Code 4462) Range T77 to Range T83

Fiscal Services:

Reclass the Utility Financial Analyst to Customer Service Supervisor to address the supervisory needs within the department. Additionally, with the increase of new homes,

new businesses, new policies and a new software implementation, a technical position is needed to maintain the operational demand of the department.

Utility Financial Analyst (Job Coode 1315) Range T64 to Customer Service Supervisor (Job Code 1312) Range T79

Reclass the Budget and Financial Analyst to Finance Manager to address the increases of economic growth within the organization and the need for a position with analytical and management skills to oversee the finance team, budgetary process, ERP implementation and communicate effectively with a wide range of audiences.

Budget and Financial Analyst (Job Code 1145) Range T76 to Finance Manager (Job Code 1120) Range T83

Update the Manager position to Market Wage:

Purchasing Manager (Job Code 1160) Range T77 to Range T83

Police Services:

Reclass the Police Assistant I to Property and Evidence Specialist. An employee of the police department that deals specifically with property and evidence is required to classify, package, store, and retrieve all items used in a crime, found property, and property for safe keeping. This level of complexity requires a specialist. While this person can be cross trained in the records section, the Evidence Specialist is required to produce the property and handle all the incoming items while also making sure the items that are no longer needed are dispositioned out or there won't be enough room to store everything.

Police Assistant 1 (Job Code 2152) Range G44 to Property and Evidence Specialist (Job Code 2120) Range G63

Reclass Police Sergeant to Police Lieutenant. The department is currently authorized six (6) sergeant positions. The department is requesting one of the sergeant positions be reclassified as a police lieutenant. Having three (3) police lieutenants will increase the overall supervision of the department. The Banning Police Department previously had a Deputy Chief and three Lieutenant positions that had been reduced to a Captain and two Lieutenants in recent years.

Police Sergeant (Job Code 2030A) Range P78 to Police Lieutenant (Job Code 2025) Range P87

Reclass the Police Chief's Executive Assistant. The level of pay is not commensurate with the duties performed or the rate of pay with the same position in neighboring cities. For comparison, Desert Hot Springs current salary range for the Chief's Executive Assistant is between \$75,000 and \$99,000, from the Transparent California website for 2019, the following executive assistant total pay:

Beaumont Police Department	\$94,556
Palm Springs Police Department	\$95,113
Indio Police Department	\$89,922
Cathedral City Police Department	\$104,117

Police Executive Assistant (Job Code 1605) Range G57 to Executive
 Assistant/Support Services Manager (Job Code 2041) Range P70

FISCAL IMPACT:

City of Banning Estimated Fiscal Impact of FY 2022 Salary Plan Full-Time, Non-Safety Job
 Classes

	All Data	Drop Hi & Lo
Number of Employees	140	140
Total Base Payroll	\$10,480,798	\$10,480,798
Number of Employees Below Minimum	10	10
As % of total employees	7.14%	7.14%
Total \$ below Minimum	\$45,685	\$40,116
As % of total payroll	0.44%	0.38%
Average amount below Minimum	\$4,569	\$4,012
Number of Employees Below Near Step	109	113
As % of total employees	77.86%	80.71%
Total \$ below Near Step	\$177,403	\$193,028
As % of total payroll	1.69%	1.84%
Average amount below Near Step	\$1,628	\$1,708
Number of Employees On Step (No Increase)	21	17
As % of total employees	15.00%	12.14%
TOTAL Implementation Cost	\$223,088	\$233,144
As % of total Base Payroll	2.13%	2.22%
Number of Employees Above Maximum	0	0
As % of total employees	0.00%	0.00%
Total \$ over Maximum	\$0	\$1 r/o error
As % of total payroll	0.00%	0.00%
Average amount above Maximum	\$0	\$0

*Estimates are Base payroll only and do not include cost of benefits.
 Based on salaries as of March 2022.*

***Extracted from PSPC report**

City of Banning Reclassification and Addition Summary by Fund

Summary By Fund		
Fund	Annual Fiscal Impact	Net Fiscal Impact- Balance of Fiscal Year
001 - General	379,439	252,959
100	247	165
610	8,964	5,976
660	1,974	1,316
680	1,480	987
690	4,935	3,290
702	10,154	6,769
703	11,108	7,405
761	20,311	13,541
	438,612	292,408

City of Banning Reclassification and Addition Summary by Department

Summary By Department		
Department	Annual Fiscal Impact	Net Fiscal Impact- Balance of Fiscal Year
Finance	134,804	89,869
Engineering	493	329
Building Maintenance	740	493
Purchasing	9,869	6,579
Police	126,277	84,185
Planning	107,256	71,504
Streets	247	165
Transit	8,964	5,976
Water	1,974	1,316
Wastewater	1,480	987
Refuse	4,935	3,290
Fleet	10,154	6,769
IT	11,108	7,405
Utility Billing	20,311	13,541
	438,612	292,408

ALTERNATIVES:

1. Adopt Resolution 2022-142 revisions and updates to the comprehensive compensation and classification Plan.
2. Adopt Resolution 2022-143 reclassifications and additions to the classification and compensation plan.
3. Adopt Resolutions 2022-142 and No. 2022-143 with modifications
4. Do not approve and adopt resolutions and provide alternative direction to staff.

ATTACHMENTS:

1. Resolution 2022-142 Comprehensive Classification and Compensation Plan
<https://banningca.gov/DocumentCenter/View/11603/Attachment-1--Resolution-2022-142>
2. Resolution 2022-143 Reclassifications and Additions
<https://banningca.gov/DocumentCenter/View/11604/Attachment-2--Resolution-2022-143>
3. 2022 Total Compensation Survey for the City of Banning-September 2022
<https://banningca.gov/DocumentCenter/View/11605/Attachment-3--2022-Total-Compensation-Survey-for-the-City-of-Banning---Sep-2022>

4. Cost By Employee Data (PSPC)
<https://banningca.gov/DocumentCenter/View/11606/Attachment-4--Cost-by-Employee-Data>
5. Cost By Employee- Hi and Lo Dropped (PSPC)
<https://banningca.gov/DocumentCenter/View/11601/Attachment-5--Cost-by-Employee---Hi-and-Lo-dropped>
6. Illustrative Fiscal Impact (PSPC)
<https://banningca.gov/DocumentCenter/View/11602/Attachment-6--Illustrative-Fical-Impact>

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 REPORT OF OFFICERS

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Nate Smith, Deputy Director of Public Works/City Engineer
Ann Marie Loconte, Associate Civil Engineer

MEETING DATE: October 25, 2022

SUBJECT: Update on the Development and Preparation of the Downtown Revitalization and Complete Streets Plan

RECOMMENDATION:

Receive report and discuss the progress made on the Downtown Revitalization and Complete Streets Plan and upcoming activities.

BACKGROUND:

Downtown Revitalization and Complete Streets Plan

On June 22, 2021, the City of Banning was awarded a \$297,461 Sustainable Communities Grant (SB-1 Grant) from California Department of Transportation (Caltrans) to retain the services of an experienced and qualified transportation planning and engineering consultant to develop the Downtown Revitalization and Complete Streets Plan. This planning document will focus on the revitalization of the downtown area of Banning along with a Complete Streets Plan in the ½ mile project corridor on Ramsey Street, and bounded by: Hays Street, Livingston Street, Martin Street (east limit) and 8th Street (west limit), as shown in Attachment 1.

On August 24, 2021, the City Council adopted Resolution No. 2021-78, authorizing the City Manager to enter into an Agreement with Caltrans for the SB-1 Grant for the Downtown Revitalization and Complete Streets Plan ("Plan"). Local match funds in the amount of \$38,539 are required and will be paid through Engineering Division staff time to manage, review, and approve the project. Alta Planning + Design, Inc. was awarded the consultant contract through the approval of Resolution No. 2022-70 on June 14, 2022. It is anticipated that the work will be completed by the end of 2023.

Complete Streets

Complete streets are for everyone. Complete Streets is an approach to planning, designing, building, operating, and maintaining streets that enable safe access for all people who use them, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities. The project scope includes considering the following factors:

- Roadway reconfiguration/traffic circulation change (reduction of traffic lanes, reduction of parking, etc.)
- Traffic signal improvements (accessible signals and pushbuttons, transit signal priority, queue jump signal, signal coordination, elimination of permissive left turns, pedestrian “all green” phases, protected bicycle phases and other signal timing/phasing by modal priority, etc.)
- Shared streets (vehicle access restriction, raised street with pavers, bollards, etc.)
- Intersection improvements (signal phasing, signs and markings, vehicle turn movement restrictions)
- Streetscape improvements (street lighting, landscape planting, public art, bicycle parking corrals, district and store signage, gateway signage, wayfinding (navigation) signage, etc.)
- Transit- only lanes (red pavement markings, signal modifications, etc.)
- Bus stop improvements (ADA access improvements, longer bus stops, transit shelters, trash cans, bicycle parking, wayfinding signage)
- Pedestrian crossing improvements (crosswalk markings, flashing beacons, signals, curb “bulbouts”)
- Parking zones (flexible, based on time of day, parking zones, hybrid paid commercial yellow loading zones, disabled blue parking zones, passenger white loading zones for private vehicles/ride-hailing, taxis, etc.)
- E-Commerce zones for deliveries, perhaps flexible timing
- Micromobility facilities (dedicated scooter parking, etc.)
- Traffic calming (speed bumps and or tables, raised intersections, sidewalk “bulbouts”)
- Storm water management and greening elements should be incorporated

Revitalization Plan

This complementary task to the Complete Street Plan will look at the existing assets in the downtown corridor, and in coordination with project stakeholders and local property and business owners, develop a framework for downtown that may include the following topics:

- Zoning Recommendations
- Signage Programs
- Economic Data
- Alley reuse/activation
- Event space

Stakeholder Participation

To create a successful Plan, the project team will make meaningful connections with community members to ensure the Plan will be relevant and impactful in their daily lives. The consultant prepared a Community Engagement Action Plan which was approved and implemented in order to provide outreach activities that will include public participation and participation from key stakeholders to ensure the Plan’s concepts reflect the community’s needs and wishes. The outreach activities will engage local and regional

representatives, provide a presentation covering the project background, goals, scope, preliminary and draft concepts, and the final Plan (as the project progresses) and obtain feedback. Four (4) community outreach meetings are anticipated with the first Community Engagement Day scheduled for October 27, 2022, a public workshop meeting at Banning City Hall.

The purpose of project stakeholders' meetings is to inform key stakeholders of the goals of the project, and keep them informed on the project progress, while also allowing the stakeholders to provide input on the Plan and concepts. Up to six (6) project stakeholder meetings will occur, the first is scheduled with the Downtown Business Owner's Committee for October 27th. Additional outreach activities include several pop-up events, one in collaboration with the Banning Unified School District on October 27th, a project website, survey, and social media posts. Stakeholder survey responses and feedback from stakeholders and the community will be collected and addressed throughout the project.

ALTERNATIVE:

No City Council action is required as this is a project update.

ATTACHMENT:

1. Project Location Map

<https://banningca.gov/DocumentCenter/View/11607/Attach-1-Project-Location-Map>

Approved by:



Douglas Schulze
City Manager



CITY OF BANNING REPORT OF OFFICERS

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Nate Smith, Deputy Director of Public Works/City Engineer
Ann Marie Loconte, Associate Civil Engineer

MEETING DATE: October 25, 2022

SUBJECT: Update on the Active Transportation Plan

RECOMMENDATION:

Receive report and discuss the progress made on the Active Transportation Plan (ATP).

BACKGROUND:

Active Transportation Plan

On July 7, 2022, the Southern California Association of Governors (SCAG) approved the award of a consultant contract to a consulting firm, KTUA of San Diego, California, to develop one comprehensive Active Transportation Plan (ATP) for the City of Banning. The consultant will develop a comprehensive Active Transportation Plan (ATP or "Plan") for the City of Banning by spring of 2024.

In 2019, the City of Banning embarked on a project to add bike lanes throughout the City, and during this project, enhancements were provided to address missing improvements. However, a comprehensive ATP is needed to guide active transportation decisions affecting local streets and roads, sidewalks, ADA compliance, school routes and business corridors and improve transportation infrastructure for pedestrians and bicyclists.

Scope of Work

A comprehensive citywide Plan incorporating Active Transportation will be developed. While the planning effort will be comprehensive and evaluate bike/pedestrian and other non-motorized infrastructure citywide, there are specific focus areas of concern. These include: school routes, crash hot spots along business corridors, and the eastern portion of town that lacks infrastructure to support walking and biking.

The Consultant will identify and create maps for proposed pedestrian and bicycle facilities and non-infrastructure programs based on community, stakeholder, and stakeholder advisory committee feedback. The planning process will identify improvements for active transportation, safe routes to schools, ADA compliance, business corridors and potential

trail connection points including regional pedestrian, Class I, II, and III bicycle routes and public transit links.

Through stakeholder workshops and evaluation of current conditions, the assessment phase of planning will result in a better understanding of where critical barriers to mobility and infrastructure gaps exist. All residents of Banning will be encouraged to attend community meetings. The Plan will include a practical implementation strategy with preliminary design plans, budgets, and schedules for up to twelve (12) priority projects. The consultant will prepare draft and final Plans for City Council adoption.

Stakeholder Participation

The consultant will prepare a Community Engagement Plan in order to provide outreach activities that will include public participation and participation from key stakeholders to ensure the Plan's concepts reflect the community's needs and wishes. The outreach activities will engage local and regional representatives, provide a presentation covering the project background, goals, scope, preliminary and draft concepts, and the final Plan, as the project progresses, and obtain feedback. Three (3) community outreach meetings are anticipated with the first Community Engagement Day scheduled for October 27, 2022, a Public workshop meeting at Banning City Hall.

The purpose of project stakeholders' meetings is to inform key stakeholders of the goals of the project, and keep them informed on the project progress, while also allowing the stakeholders to provide input on the Plan and concepts. Up to nine (9) project stakeholders' meetings will occur. Additional outreach activities, including three (3) community events, such as one upcoming at three schools in collaboration with the Banning Unified School District on October 27, 2022, a project website, survey, and social media posts are included.

Stakeholder survey responses and feedback from stakeholders and the community will be collected and addressed throughout the project.

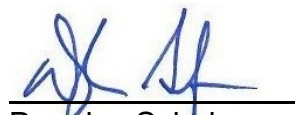
JUSTIFICATION:

The Active Transportation Plan will improve future safety and connectivity in Banning and provide a blueprint for up to twelve (12) projects with cost estimates and grant opportunities included.

ALTERNATIVE:

No City Council action is required as this is a project update.

Approved by:



Douglas Schulze
City Manager