

**AGENDA  
REGULAR MEETING  
CITY OF BANNING  
BANNING, CALIFORNIA**

January 10, 2017  
**6:00 p.m.**

Banning Civic Center  
Council Chambers  
99 E. Ramsey Street

*The following information comprises the agenda for a regular meeting of the City Council; and a scheduled meeting of the Banning Utility Authority.*

*Per City Council Resolution No. 2016-44 matters taken up by the Council before 10:00 p.m. may be concluded, but no new matters shall be taken up after 10:00 p.m. except upon a unanimous vote of the council members present and voting, but such extension shall only be valid for one hour and each hour thereafter shall require a renewed action for the meeting to continue.*

**I. CALL TO ORDER**

- Invocation – Rev. Daniel Pedraza, First Hispanic Baptist Church
- Pledge of Allegiance
- Roll Call – Councilmembers Andrade, Franklin, Peterson, Welch, Mayor Moyer

**II. REPORT ON CLOSED SESSION**

**III. ANNOUNCEMENTS/REPORTS (Upcoming Events/Other Items if any)**

- City Council Reports
- City Committee Reports
- Report by City Attorney
- Report by City Manager

**IV. PRESENTATIONS/PUBLIC COMMENTS/CORRESPONDENCE/APPOINTMENTS**

**PRESENTATIONS:**

1. Riverside County Fair & National Date festival Queen & Court (ORAL)

*The City of Banning promotes and supports a high quality of life that ensures a safe and friendly environment, fosters new opportunities and provided responsive, fair treatment to all and is the pride of its citizens.*

PUBLIC COMMENTS – *On Items Not on the Agenda*

*A five-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” his/her five minutes 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 last page. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.*

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

APPOINTMENTS

1. City Council Committee Assignments . . . . . **1**  
- Mayor Moyer

**V. CONSENT ITEMS**

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

**Motion: To approve Consent items 1 through  
Items to be pulled \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ discussion.**

*(Resolutions require a recorded majority vote of the total membership of the City Council)*

1. Approval of Minutes – Regular Meeting – 12/12/16. . . . . **3**
2. Authorize the City Manager to sign the Notice of Completion for Project No. 2015-01W, Water Main Improvements as complete and direct the City Clerk to sign the Notice of Completion . . . . . **25**

- **Open Consent Items for Public Comments**
- **Make Motion**

**VI. REPORTS OF OFFICERS**

1. Receive and File Pre-Annexation and Development Agreement Review of Banning Bench Specific Plan . . . . . **31**  
(Staff Report – Brian Guillot, Community Development Director)  
**Recommendations: Receive and file Pre-Annexation and Development Agreement review of Banning Bench Specific Plan with Loma Linda University as property owner.**
2. Discuss and Consider Adopting Resolution 2017-03, Approving the Reprogramming of Fiscal year 2015/2016 Community Development Block Grant Funds to the Community Services Facilities Renovation Project . . . . . **109**  
(Staff Report – Ted Shove, Economic Development Manager)

Recommendations: **That the City Council: 1) adopt Resolution 2017-03, Approving the reprogramming of remaining program funds from the Community Development Block Grant (CDBG) FY 2015/2016, Program No. 5BN.32-15, Lions Park ADA Improvements project to FY 2016/17, Program No. 5.BN.34-16 Community Senior Center Rehabilitation Project in the amount of \$48,284; 2) Authorize the City Manager or his designee to the reprogramming of Community Development Block Grant funds; and 3) Authorize the City Manager or his designee to take such additional, related action that may be necessary.**

- 3. Discuss and Consider Adopting Resolution 2017-05, Approving Environmental Remediation, Demolition of Existing Structure, and Construction of a Parking Lot for City-Owned Real Property Located at 128 N. San Gorgonio Avenue . . . . . 115  
(Staff Report – Ted Shove, Economic Development Manager)

Recommendations: **That the City Council: 1) adopt Resolution 2017-05, Approving environmental remediation, demolition of existing structure, and construction of a parking lot for City-owned real property located at 128 N. San Gorgonio Avenue; 2) Authorize staff to identify funding sources for the project; and 3) Program into the 2017-18 fiscal year Capital Improvement Program.**

- 4. Discuss and Consider Adopting Resolution 2017-06, Approving Fee Deferment, in the amount of \$342,234.94 for the Banning Lofts Project, CUP #13-8005. . . . . 125  
(Staff Report – Ted Shove, Economic Development Manager)

Recommendations: **That the City Council: 1) adopt Resolution 2017-06, Approving assistance, as defined by Banning Municipal Code Chapter 3.29.020(1), including deferment of development-related fees in an amount not to exceed \$324,234.94 until the project has been substantially constructed, and as a required condition to issue a Certificate of Occupancy; 2) Authorize Finding of Consistency for Assistance as defined by Banning Municipal Code Chapter 3.29.030(i-xi); and 3) Authorize assistance for a term not to exceed 30 months.**

- 5. Discuss and Consider Adopting Resolution 2017-08, Awarding a Professional Services Agreement to Holt Architecture of Rancho Mirage, CA in the amount of \$75,000 for Architectural Planning and Programming of City Facilities . . . . . 137  
(Staff Report – Art Vela, Director Public Works/City Engineer)

Recommendation: **That the City Council: 1) adopt Resolution 2017-08, Approving a Professional Services Agreement with Holt Architecture of Rancho Mirage, CA in the amount of \$75,000 for Architectural Planning and**

**Programming of City Facilities; 2) Authorize the Administrative Services Director to make necessary budget adjustments, appropriations and transfers related to the agreement; and 3) Authorizing the City Manager to execute the Professional Services agreement with Holt Architecture for Architectural Services for Improvements to Facilities.**

- 6. Discuss and Consider Adopting Resolution 2017-09, Approving a Third Amendment to the Professional Services Agreement with Charles Abbott Associates, Inc. for an amount of \$75,000 through Fiscal year 2017/2018 for Services to the Public Works Department . . . . . **187**  
(Staff Report – Art Vela, Director Public Works/City Engineer)

**Recommendation: That the City Council: 1) adopt Resolution 2017-09, Approving the Third Amendment to the Professional Services Agreement with Charles Abbott Associates, Inc. of Mission Viejo, CA in the amount of \$75,000 through Fiscal year 2017/2018 for Services to the Public Works Department, Engineering Division; 2) Authorize the City Manager or his Designee to make necessary budget adjustments, appropriations and transfers related to the agreement; and 3) Authorizing the City Manager to execute the Third Amendment to the Professional Services agreement with Charles Abbott Associates, Inc.**

**RECESS CITY COUNCIL MEETING AND CALL TO ORDER A SCHEDULE MEETING OF THE BANNING UTILITY AUTHORITY**

**BANNING UTILITY AUTHORITY**

Roll Call: Boardmembers Andrade, Franklin, Peterson, Welch, Chairman Moyer

**I. REPORTS OF OFFICERS**

- 1. Discuss and Consider Adopting Resolution 2017-01 UA, Authorizing the Submittal and Execution of a State Revolving Fund, Financial Assistance Application and Financing Agreement in the amount of \$3,596,246 for the Planning and Design of the Chromium-6 Compliance Project . . . . . **199**  
(Staff Report – Art Vela, Public Works Director/City Engineer)

**Recommendation: The Banning Utility Authority adopt Resolution 2017-01 UA, authorizing the City Manager or his designee to sign and file for a State Revolving Fund, Financial Assistance Application and related Financing agreement from the State Water Resources Control Board for the planning and design of the Chromium-6 Compliance Project.**

2. Discuss and Consider Adopting Resolution 2017-02 UA, Authorizing the City Manager to Execute a Memorandum of Understanding with the Coachella Water Agency for a Joint Grant Application for a Stannous Chloride Pilot Study for the Removal of Chromium-6 . . . . . **205**  
(Staff Report – Art Vela, Public Works Director/City Engineer)

Recommendations: **That the Banning Utility Authority adopt Resolution 2017-02 UA, Authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the Coachella Water Agency (CWA) for a joint grant application to fund a Stannous Chloride pilot study for the removal of Chromium-6 from the City’s potable water supply.**

**BANNING FINANCING AUTHORITY (BFA) - no meeting.**

**Adjourn scheduled meeting and reconvene regular City Council Meeting.**

**VII. ITEMS FOR FUTURE AGENDAS**

New items –

Pending Items – City Council

1. Annual Report by Southern California Gas Company
2. General Plan – allow for people to have gardens on their property
3. Consideration of the Annual Disaster Survival Expo as a City signature event.
4. Join other agencies to challenge the State in regard to Chromium-6 water issue.
5. Attraction of professional firms through economic development to locate in Banning.
6. Recruitment of permanent City Attorney for the City.

*(Note: Dates attached to pending items are the dates anticipated when it will be on an agenda. The item(s) will be Removed when completed).*

**VIII. ADJOURNMENT**

*Pursuant to amended Government Code Section 54957.5(b) staff reports and other public records related to open session agenda items are available at City Hall, 99 E. Ramsey St., at the office of the City Clerk during regular business hours, Monday through Friday, 8 a.m. to 5 p.m.*

**NOTICE:** Any member of the public may address this meeting of the Mayor and City Council on any item appearing on the agenda by approaching the microphone in the Council Chambers and asking to be recognized, either before the item about which the member desires to speak is called, or at any time during consideration of the item. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to “share” his/her five minutes with any other member of the public.

Any member of the public may address this meeting of the Mayor and Council on any item which does not appear on the agenda, but is of interest to the general public and is an item upon which the Mayor and Council may act. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to “share” his/her five minutes with any other member of the public. The Mayor and Council will in most instances refer items of discussion which do not appear on the agenda to staff for appropriate action or direct that the item be placed on a future agenda of the Mayor and Council. However, no other action shall be taken, nor discussion held by the Mayor and 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 Section 54954.2 of the Government Code.

**In compliance with the Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the City Clerk’s Office (951-922-3102). **Notification 48 hours prior to the meeting** will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.02-35.104 ADA Title II]