



The following information comprises the minutes for a special and 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**

**11/10/2020
REGULAR MEETING**

COUNCIL MEMBERS PRESENT: Mayor Daniela Andrade
Council Member David Happe
Council Member Kyle Pingree
Mayor Pro Tem Colleen Wallace
Council Member Art Welch

COUNCIL MEMBERS ABSENT: None

OTHER PRESENT Douglas Schulze, City Manager
Kevin G. Ennis, City Attorney
Marie Calderon, City Clerk
Sonja De La Fuente, Deputy City Clerk
Matthew Hamner, Police Chief
Tom Miller, Electric Utility Director
Art Vela, Public Works Director/City Engineer
Adam Rush, Community Development Director
Ralph Wright, Parks & Recreation Director
Laurie Sampson, Executive Assistant

1. CALL TO ORDER REGULAR MEETING

The Mayor called to order the regular meeting of the Banning City Council at 5:07 P.M.

ITEM.1.1. Invocation

Mike Moyer from Mountain Avenue Baptist Church offered the invocation.

ITEM.1.2. Pledge of Allegiance

Council Member Welch led the Pledge of Allegiance.

ITEM.1.3. Roll Call

| COUNCIL | PRESENT | ABSENT |
|------------------|---------|--------|
| Andrade, Daniela | X | |
| Happe, David | X | |
| Pingree, Kyle | X | |
| Wallace, Colleen | X | |
| Welch, Art | X | |

2. AGENDA APPROVAL

Approve Agenda.

VOTING

Motion by: Council Member Pingree

Second by: Council Member Welch

| COUNCIL | YES | NO | ABSTAIN | ABSENT |
|------------------|-----|----|---------|--------|
| Andrade, Daniela | X | | | |
| Happe, David | X | | | |
| Pingree, Kyle | X | | | |
| Wallace, Colleen | X | | | |
| Welch, Art | X | | | |

3. PRESENTATIONS

ITEM.3.1. Mayor's Special Recognitions

The Mayor recognized community members John & Lynnea Hagen, Juanita Diaz, Juan De La Fuente and Lisa Schulze, as well as City employees Art Vela and Corporal Jauregui for making Banning a better place to live work and play.

The Mayor called up Margaret Webb (Team Mom) with Unity Ride for the Homeless and recognized several people, including Mayor Pro Tem Wallace, who made it possible to feed 500 families and work with the homeless.

ITEM.3.2. Recycling All Stars

Lily Quiroa and Doug Tani with Waste Management recognized residents Robert and Claudia Reed, and Enrique and Angeles Ramirez, residential Recycling All Stars as well as Kate Spade and Gucci America, commercial Recycling All Stars in the City of Banning.

4. REPORT ON CLOSED SESSION

The City Attorney reported that the City Council met in closed session at 4:30 P.M. today. Items discussed were as listed on the closed session agenda. Regarding Item 2.1, Conference with Legal Counsel – Anticipated Litigation, direction was given and there was no final or reportable conclusion. Regarding Item 2.2, Public Employee Performance Evaluation, the Council will reconvene closed session following the regular meeting to continue the item.

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

PUBLIC COMMENT

Inge Schuler, Banning resident, commended the City Council for not agreeing to negotiate with Pardee in reducing any money owed to the City. She also encouraged the Council to pursue funds owed to the City by AMG Sign Co.

Lynnea Hagen, Banning resident, asked about the Oyo Hotel on Ramsey Street.

Bill Hobbs, Banning resident, thanked Council Member Pingree and the other organizers of the drag races over the weekend. He expressed his support of continuing the events as a benefit to the City. Finally, he is voiced his interest in joining the Sportsman’s Club.

The Mayor closed Public Comments and thanked Inge Schuler for her service on the City’s Planning Commission.

CORRESPONDENCE

None

APPOINTMENTS

None

CITY MANAGER REPORT

City Manager Schulze explained that the Oyo Hotel is an active Code Enforcement issue. The process is slow, but it is being worked on. He also advised that City Hall would be closed on November 11th in observance of Veteran’s Day.

CITY ATTORNEY REPORT

None

CITY COUNCIL COMMITTEE REPORTS

Council Member Welch had nothing to report.

Council Member Pingree advised that he received a call regarding the Animal Shelter from a potential sponsor/donator interested in donating a large amount of money to get the shelter running. Donations they are accepting are money, fencing, toilets, sinks, two water heaters and refrigerators.

Council Member Happe commended Councilmember Pingree on his work on the animal shelter. He congratulated Mary Hamlin and Alberto Sanchez as newly elected Councilmembers. He reported that he attended the WRCOG Executive Committee Meeting via Zoom and they discussed the fact that Riverside County is in the purple tier. A large burden has been placed on small businesses. He encouraged the public to do their part to slow the spread. He advised that Riverside County has a \$10,000 grant program available for small businesses. Information can be obtained on their website. He also reported that WRCOG is looking into forming an Economic Development team. There are also local efforts to form an Economic Development partnership in the pass area.

Mayor Pro Tem Wallace reported that she attended the SCAG Policy Committee meeting where they discussed ways to obtain money to have cleaner air (especially in the Coachella Valley) to protect the ozone layer. Sun Line Transit will be fully electric by 2025. She also attended the League of California Cities General Membership Meeting where they discussed helping the cities with various issues with the Governor in Sacramento. She also commended Laura Leindecker and advised that she will be speaking at the schools via Zoom on November 17th.

Mayor Andrade reported that she did not attend any Committee meetings. However, she did meet with Riverside County Supervisor Jeff Hewitt with the local City Managers and Mayors where they discussed working together and all agree to bring the pass area more prosperity. Finally, she congratulated Alberto Sanchez and Mary Hamlin on their successful elections.

6. CONSENT ITEMS

ITEM.6.1. Minutes of the October 27, 2020 City Council Meetings

ITEM.6.2. Resolution 2020-140, Approving the City of Banning Electric Utility Power Content Label for Calendar Year 2019

ITEM.6.3. Resolution 2020-138, Approving Amendment No. 1 to the Professional Services Agreement with Transtech Engineers, Inc. to Increase the Total Compensation by \$250,000 and Extend the Term of Agreement through December 31, 2022 for Plan Check, Inspections and Related Administrative Services

- ITEM.6.4.** Amendment No. 1 to the Professional Services Agreement with R3 Consulting Group for Negotiation of the City’s Franchise Agreement for the Collection, Transportation, Recycling and Disposal of Solid Waste in the Amount of \$11,692
- ITEM.6.5.** Award a Professional Services Agreement to iParametrics for the Development of a Risk and Resilience Assessment and a Corresponding Emergency Response Plan in Compliance with the American Water Infrastructure Act in the Amount of \$41,430
- ITEM.6.6.** Resolution 2020-133, Approving and Authorizing the Application for Statewide Park Development and Community Revitalization Program Grant Funds
- ITEM.6.7.** Request for Fee Waiver of \$1,080 for LifeStream’s Use of the Community Center for Monthly Blood Drives
- ITEM.6.8.** Resolution 2020-139, Approving New Job Description and Revision to the Compensation and Classification Plan
- ITEM.6.9.** Resolution 2020-144, Authorizing the Purchase of One Metal-Clad Switchgear Building from Myers Power Products Inc.

Public Comment

None

Approve Consent Items 6.1 through 6.9.

VOTING

Motion by: Mayor Pro Tem Wallace

Second by: Council Member Welch

| COUNCIL | YES | NO | ABSTAIN | RECUSE | ABSENT |
|------------------|-----|----|---------|--------|--------|
| Andrade, Daniela | X | | | | |
| Happe, David | X | | | | |
| Pingree, Kyle | X | | | | |
| Wallace, Colleen | X | | | | |
| Welch, Art | X | | | | |

7. PUBLIC HEARINGS

None

8. REPORTS OF OFFICERS

ITEM.8.1. Resolution 2020-136, Approving Fiscal Year 2021/2022 Community Development Block Grant Program Applications

Economic Development Manager James Wurtz presented the staff report for this item.

Public Comment

None

Adopt Resolutions 2020-136, approving Fiscal Year 2021/2022 Community Development Block Grant Program Project, and authorize staff to submit applications to the Riverside County Housing, Homelessness Prevention and Workforce Solutions.

VOTING

Motion by: Council Member Welch
 Second by: Council Member Happe

| COUNCIL | YES | NO | ABSTAIN | RECUSE | ABSENT |
|------------------|-----|----|---------|--------|--------|
| Andrade, Daniela | X | | | | |
| Happe, David | X | | | | |
| Pingree, Kyle | X | | | | |
| Wallace, Colleen | X | | | | |
| Welch, Art | X | | | | |

ITEM.8.2. Resolution 2020-137, Accepting Community Development Block Grant Funds for Fiscal Year 2020/2021 in the Amount of \$349,081.90 for the Banning Police Department Explorer Program (5.BN.46-20) in the Amount of \$18,000; for the Teen Leaders Program (5.BN.47-20) in the amount of \$10,000; for the Replier Park Rehabilitation and Improvement Project (5.BN.48-20) in the amount of \$166,336; and for the Senior Center Improvements Project (5.BN.49-20) in the Amount of \$154,745.90

City Manager Doug Schulze presented the staff report for this item.

Public Comment

John Hagen asked if the City was required to match funds.

The Mayor closed public comment and City Manager Schulze advised the City is not required to match funds for this grant.

Adopt Resolution 2020-137 and authorize staff to execute and submit the Supplemental Agreement to the Riverside County Housing, Homelessness Prevention and Workforce Solutions.

VOTING

Motion by: Council Member Welch
Second by: Mayor Pro Tem Wallace

| COUNCIL | YES | NO | ABSTAIN | RECUSE | ABSENT |
|------------------|-----|----|---------|--------|--------|
| Andrade, Daniela | X | | | | |
| Happe, David | X | | | | |
| Pingree, Kyle | X | | | | |
| Wallace, Colleen | X | | | | |
| Welch, Art | X | | | | |

The Mayor recessed the meeting at 6:19 P.M. and reconvened at 6:29 P.M.

9. DISCUSSION ITEMS

None

ITEM.9.1. Discuss Amendments to Cannabis Regulations

City Manager Doug Schulze presented the staff report for this item.

Mayor Andrade, Council Member Happe and Mayor Pro Tem Wallace expressed their support for amending the cannabis regulations to allow more permits.

City Manager Schulze recommended staying with the lottery list versus opening up to anyone.

There was extensive discussion among the Council and staff.

Public Comment

John Hagen spoke against reopening the ordinance for amendments.

A gentleman who aspires to open a microbusiness in Banning spoke in favor of allowing a free market.

Direct staff to amend regulations, removing the cap from the number of retail cannabis dispensaries allowed in Banning and bring back to City Council for consideration.

VOTING

Motion by: Mayor Andrade
Second by: Mayor Pro Tem Wallace

| COUNCIL | YES | NO | ABSTAIN | RECUSE | ABSENT |
|------------------|-----|----|---------|--------|--------|
| Andrade, Daniela | X | | | | |
| Happe, David | X | | | | |
| Pingree, Kyle | | X | | | |
| Wallace, Colleen | X | | | | |
| Welch, Art | | X | | | |

Direct staff to amend regulations to allow cannabis microbusinesses in Banning and bring back to City Council for consideration.

VOTING

Motion by: Mayor Pro Tem Wallace
Second by: Mayor Andrade

| COUNCIL | YES | NO | ABSTAIN | RECUSE | ABSENT |
|------------------|-----|----|---------|--------|--------|
| Andrade, Daniela | X | | | | |
| Happe, David | X | | | | |
| Pingree, Kyle | | X | | | |
| Wallace, Colleen | X | | | | |
| Welch, Art | X | | | | |

City Manager Schulze advised that staff will return to Council with a workshop to walk through what a cannabis microbusiness, what are all of the choices that need to be made and to a regular meeting to address all of the sub-decisions that need to be made with removing the cap from the number of allowed cannabis dispensaries, removing setbacks and extending zoning.

ITEM.9.2. AB 571 Local Campaign Contribution Limits

City Manager Doug Schulze presented the staff report for this item.

Public Comment

None

Follow statewide campaign contribution restriction of \$4,700 from one individual per calendar year.

VOTING

Motion by: Council Member Welch
Second by: Mayor Andrade

| COUNCIL | YES | NO | ABSTAIN | RECUSE | ABSENT |
|------------------|-----|----|---------|--------|--------|
| Andrade, Daniela | X | | | | |
| Happe, David | X | | | | |
| Pingree, Kyle | X | | | | |
| Wallace, Colleen | X | | | | |
| Welch, Art | X | | | | |

10. ITEMS FOR FUTURE AGENDAS

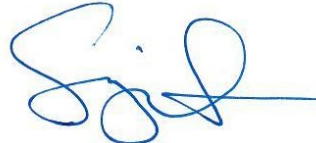
None

11. ADJOURNMENT

The Mayor adjourned the regular meeting at 7:53 P.M.

Next Meeting: Regular Meeting, Tuesday, December 8, 2020, 5:00 P.M.

Minutes Prepared by:



Sonja De La Fuente, Deputy City Clerk

The entire discussion of this meeting may be viewed here:

Part 1: <https://banninglive.viebit.com/player.php?hash=uxTAA96zMopR>

Part 2: <https://banninglive.viebit.com/player.php?hash=DXW7q9Rkb0Lq>

***or by purchasing a CD or DVD in the amount of \$7.00 each
at Banning City Hall located at 99 E. Ramsey Street.***

All related documents maybe viewed here:

<https://banningca.gov/ArchiveCenter/ViewFile/Item/2383>