



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**

**03/23/2021
REGULAR MEETING**

COUNCIL MEMBERS PRESENT: Mayor Colleen Wallace
Mayor Pro Tem David Happe via Zoom
Council Member Mary Hamlin
Council Member Kyle Pingree
Council Member Alberto Sanchez

COUNCIL MEMBERS ABSENT: None

OTHER PRESENT Douglas Schulze, City Manager
Kevin G. Ennis, City Attorney
Marie Calderon, City Clerk
Tom Miller, Electric Utility Director
Art Vela, Public Works Director/City Engineer
Adam Rush, Community Development Director
Ralph Wright, Parks & Recreation Director
Jennifer Christensen, Administrative Services Director
Suzanne Cook, Deputy Finance Director
Alejandro Geronimo, City Treasurer
Jeff Horn, Police Captain
Laurie Sampson, Acting Deputy City Clerk

1. CALL TO ORDER REGULAR MEETING

The Mayor called to order the regular meeting of the Banning City Council at 5:14 PM

ITEM.1.1. Invocation

Elder Ralph Bobik, Church of Jesus Christ of Latter Day Saints

ITEM.1.2. Pledge of Allegiance

Council Member Pingree led the Pledge of Allegiance.

ITEM.1.3. Roll Call

COUNCIL	PRESENT	ABSENT
Hamlin, Mary	X	
Happe, David	X	
Pingree, Kyle	X	
Sanchez, Alberto	X (5:17 PM)	
Wallace, Colleen	X	

2. AGENDA APPROVAL

ITEM.2.1. Approve Agenda

Mayor Wallace announced the following changes to the Agenda:

- Item 1.4 should be Item 1.3
- Item 6.19 Pulled from Agenda
- Item 6.2 Correction: February 2021 Statistics
- Item 6.3 Correction: February 2021 Statistics
- Item 6.4 Correction: February 2021 Contracts
- Item 6.5 Correction: February 2021 Warrants
- Item 6.6 Correction: February 2021 Investments

VOTING

Motion by: Council Member Hamlin
Second by: Council Member Sanchez

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

Motion Approved 5-0

3. PRESENTATIONS

None

4. REPORT OF CLOSED SESSION

City Attorney Kevin Ennis reported that the City Council met in closed session and discussed two items regarding anticipated litigation and one item regarding labor negotiations. Direction was given with no final or reportable action for Items 1.1 and 1.2. Item 1.3 was continued to after the Regular City Council Meeting.

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

PUBLIC COMMENT

Ron Duncan provided a handout regarding the water crisis in the area. (Attachment 1) He also requested information on how to get the Twin Pines areas annexed to the City of Banning.

Alanda Cormier, Vista Serena resident, stated there are no accessible parking spots for the handicapped residents. Who has responsible? Art Vela responded it was recently discovered the original project had dedicated the roads to the City. When the new project is approved, part of the conditions of approval are to provide this type of parking.

Mayor Wallace closed Public Comment.

CORRESPONDENCE

None

APPOINTMENTS

None

CITY MANAGER REPORT

City Manager Doug Schulze reported on:

- Banning Connect Program, the buses have been wrapped with the new logo.
- Launched Swiftly Program, provides real time information on where the buses are and a projected time of arrival at your stop.
- Token Transit, online bus fare payment system
- Banning Animal Shelter, working with ARE Animal Rescue. Link to video presented: <https://www.youtube.com/watch?v=PsbRi4JXiZM>
- Drag Racing Update, FAA gave notice they would reject the City’s request to close the airport for future drag races. Requested additional information.

CITY ATTORNEY REPORT

None

<u>CITY COUNCIL COMMITTEE REPORTS</u>
Council Member Happe spoke about the Budget & Finance Committee Meeting. Reported news of greater shortfall than anticipated. Looking for ways to cut expenditures and add revenues.
Council Member Pingree gave an update on the Animal Shelter’s renovation progress.
Council Member Hamlin had no report.

Council Member Sanchez has no report.

Mayor Wallace reported she attended the California Mayor's Meeting, attended by Congresswoman Linda Sanchez, she mentioned the Community Project Funding Request and the Districts can apply for up to 10 projects. The American Rescue Plan will benefit small cities. Some Riverside County communities are opening and she would like to remind everyone to be very careful. She is hopeful the vaccinations will help us.

6. CONSENT ITEMS

Recommendation: Approve Consent Items 6.1 – 6.18 and 6.20

ITEM.6.1.	Minutes of the March 9, 2021 City Council Meetings
ITEM.6.2	Police Department Statistics for February 2021
ITEM.6.3.	Fire Department Statistics for February 2021
ITEM.6.4.	Contracts Approved Under the City Manager's Signature Authority for February 2021
ITEM.6.5.	Accounts Payable and Payroll Warrants Issued in the Month of February 2021
ITEM.6.6	Cash, Investments and Reserve Report for the Month of February 2021
ITEM.6.7	Public Works Capital Improvement Project Update
ITEM.6.8	Accept the Easement for APN 541-162-010 for the Maintenance of the City Owned Distribution System
ITEM.6.9	Award a Professional Services Agreement to Golden Bell Products, Inc. of Orange, CA for the Application of Insecticidal Latex Coating for Insect Control within Sanitary Sewer Manholes in the Amount of \$25,000 Per Year for up to Five Consecutive Years
ITEM.6.10	Award a Purchase Agreement to 48 Barriers for Purchase of 700 feet of K-Rail in the amount of \$33,000
ITEM.6.11	Accept Various Improvements within the Atwell Specific Plan Development and Authorize the 90% Bond Exoneration for Various Improvement Bonds
ITEM.6.12	Resolution 2021-18, Declaring, Pursuant to Government Code Section 54221, that Real Property Owned by the City Located at 447 East Ramsey. (APN: 541-150-004) and Real Property Identified as (APN 541-150-025, 541-150-026, 541-150-027, 541-150028 & 541-150-029) As Surplus Land and Not Necessary for the City's Use, finding that Such Declaration is Exempt from Environmental Review Under the California Environmental Quality Act, and Taking Related Actions.
ITEM.6.13	Approve Amendment No. 4 to the Professional Services Agreement with Stantec Consulting Services, Inc. to Extend the Contract Term to June 30, 2022 for the Design of the Reconstruction and Widening of Ramsey Street and Hathaway Street
ITEM.6.14	Award Request for Proposal (RFP 21-001) for Professional Financial Auditing Services to CliftonLarsonHall LLP (CLA) of Irvine, California, and execute a two-year Professional Services Agreement in the Amount of \$131,780 with the option to extend the agreement for up to three additional one-year terms, for a total amount not to exceed \$337,280 over five (5) years

ITEM.6.15	Resolution 2021-2 UA, Awarding a Construction Agreement for Project No. 2018-01W “Water Improvement Plan – Location 2” to MCC Equipment Rentals, Inc. of Yucaipa, CA in the Amount of \$1,398,051.50 and establishing a Total Project Budget of \$1,537,856.65 and Rejecting all Other Bids.
ITEM 6.16	Resolution 2021-3 UA, Awarding a Contract for Project 2021-01WW “Digesters Cleaning and Inspection” to Synagro, WWT Inc. in the Amount of \$305,627. Approving a 10% Project Contingency for a Total Project Budget of \$336,190 and Rejecting all Other Bids.
ITEM 6.17	Resolution 2021-13. Awarding a Construction Agreement for Project No. 2020-02 “ADA Improvements Senior Center” to Horizons Company International, Inc., Orange, CA in the Amount of \$127,544 and Establishing a Total Project Budget of \$140,298.40 and Rejecting all Other Bids
ITEM 6.18	Resolution 2021-14, Approving the Execution of a Service Contract with the California Department of Transportation for Safety Improvements at the At-Grade Crossing of San Gorgonio Avenue, and the Union Pacific Railroad
ITEM 6.19	Item Pulled from Agenda
ITEM 6.20	Banning Animal Shelter Lease Agreement with ARE Animal Rescue, Inc

Public Comment

Mayor Wallace opened Public Comment.

Inge Schuler, Banning resident, would like to make sure a Licensed Animal Technician is on staff at the Animal Shelter. She would also like to see some changes to the agreements the City prepares. The City should include more information for the signers and the dates the agreements are signed. Also noticed some attachments are missing from agreements.

Mayor Wallace closed Public Comment.

Approve Consent Items 6.1 through 6.18 and 6.20

VOTING

Motion by: Council Member Sanchez

Second by: Council Member Pingree

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

Motion Approved 5-0

7. PUBLIC HEARINGS

ITEM 7.1 Resolution 2021-12, Make a Determination of Exemption under CEQA Guidelines Section 15332 and Approve Tentative Tract Map 38057 for Condominium Purposes Allowing 32 Townhome Units and Associated Parking on 3-acres of Vacant Land Within a Previously Approved Planned Residential Development Located South of Theodore Street at Vista Serena Avenue Within the Vista Serena Townhome Complex at 1428 Vista Serena Avenue in the High Density Residential (HDR) Zoning District

Mayor Wallace recused herself from the proceedings and Mayor Pro Tem Happe took control of the meeting.

A staff report was presented by Adam Rush, Community Development Director.

Questions were asked by the council and answered by Mr. Rush

Mayor Pro Tem Happe opened the Public Hearing for Public Comment:

Geoffrey Payne, Developer, gave some background on the project and requirements that are needed to be done.

Alandra Cormier was not sure the question of handicap parking was addressed. Mr. Payne responded he is not the Home Owner's Association but the Developer.

Frank Connelly stated he has been on the HOA for 14 years. Addressed streets and parking.

Mayor Pro Tem Happe closed Public Comment.

Approve Public Hearing Item 7.1

VOTING

Motion by: Council Member Sanchez

Second by: Council Member Pingree

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

Motion Approved 4-0-1 (Mayor Wallace recused)

8. REPORTS OF OFFICERS

ITEM 8.1 Fiscal Year 2020-21 Second Quarter Budget Update and Financial Status Report
Staff report was provided by Jennifer Christensen, Administrative Services Director.

Mayor Wallace opened Public Comment:

Frank Connelly requested information regarding the Budget & Finance Committee and when the Budget would come back to Council for approval.

Mayor Wallace closed Public Comment.

City Manager Doug Schulze reminded the report is a snapshot in time and the numbers would change before the end of the fiscal year.

Approve Item 8.1 (Receive and File)

VOTING

Motion by: Council Member Wallace
Second by: Council Member Hamlin

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

Motion Approved 5-0

ITEM 8.2 Ramsey Street Village Update
Staff Report provided by Doug Schulze, City Manager
There was some discussion between Mr. Schulze and the Council.
There was no public comment.

Approval Item 8.2 (Receive and File)

VOTING

Motion by: Council Member Pingree
Second by: Council Member Sanchez

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

Motion Approved 5-0

9. DISCUSSION ITEMS

None

10. ITEMS FOR FUTURE AGENDAS

None

11. ADJOURNMENT

Meeting adjourned to reconvene Closed Session to discuss Item 2.3. at 6:47 PM
Closed Session adjourned and Regular Meeting reconvened at 7:33 PM.
Item 2.3 Direction given, no final or reportable action.

The Mayor adjourned the regular meeting at 7:33 PM

Next Meeting: Regular Meeting, Tuesday, April 13, 2021, 5:00 P.M.

Minutes Prepared by:



Laurie Sampson, Acting Deputy City Clerk

The entire discussion of this meeting may be viewed here:

<https://banninglive.viebit.com/player.php?hash=IBKX8nvGT6eA>

***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:

<http://www.ci.banning.ca.us/ArchiveCenter/ViewFile/Item/2443>

ATTACHMENT 1

Duncan Public Comment Handout

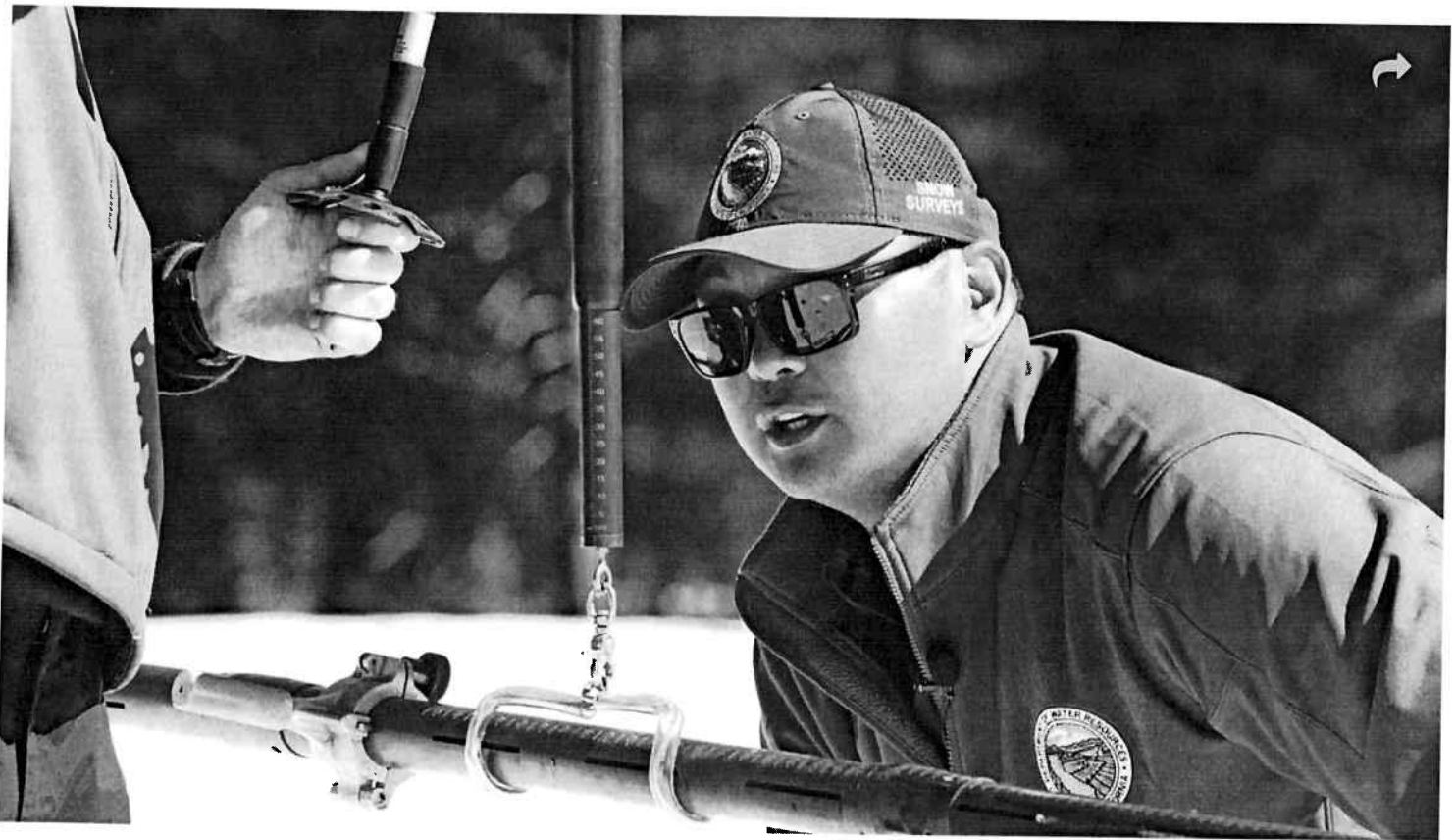
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3/23/2021

WATER & DROUGHT

California, get ready for water cutbacks. Cities, farms receive grim warning about supply

BY DALE KASLER

MARCH 23, 2021 01:19 PM, UPDATED 1 HOUR 4 MINUTES AGO



Department of Water Resources official conduct a snow survey in early March 2021. State and federal officials issued bleak warnings March 23, 2021 about California's summer water supplies.

BY DWR | [DAVID CARACCIO](#)

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possibility of parched lawns and fallowed farm fields is growing.

State and federal officials issued remarkably bleak warnings Tuesday about California's summer water supplies, telling farmers and others to gear up for potential shortages.

The Department of Water Resources, in a rare turnabout, actually lowered its forecast of the deliveries it expects to make to the cities and farms that belong to the State Water Project. In its new forecast, the agency said its customers can expect just 5% of contracted supplies. In December the expected allocation was set at 10%.

TOP ARTICLES

Natomas Unified to expand in-person learning schedules following new distancing guidelines

The U.S. Bureau of Reclamation, which supplies water mainly to farmers through the Central Valley Project, said that due to worsening hydrological conditions, the 5% water allocation promised to its customers south of the Sacramento-San

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GOVERNOR — the announcements served notice that California is almost certainly heading into one. The Department of Water Resources said it filed a revised “drought contingency plan” with the Department of Fish and Wildlife regarding potential impacts on endangered species as water supplies grow tighter.

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Rain and snow have been well below average, and the state’s network of reservoirs are holding less water than usual. The U.S. Drought Monitor, a weekly snapshot created by the federal government, shows that drought conditions have enveloped 91% of California’s landmass; more than a third of the state is in “extreme” or “exceptional” drought.

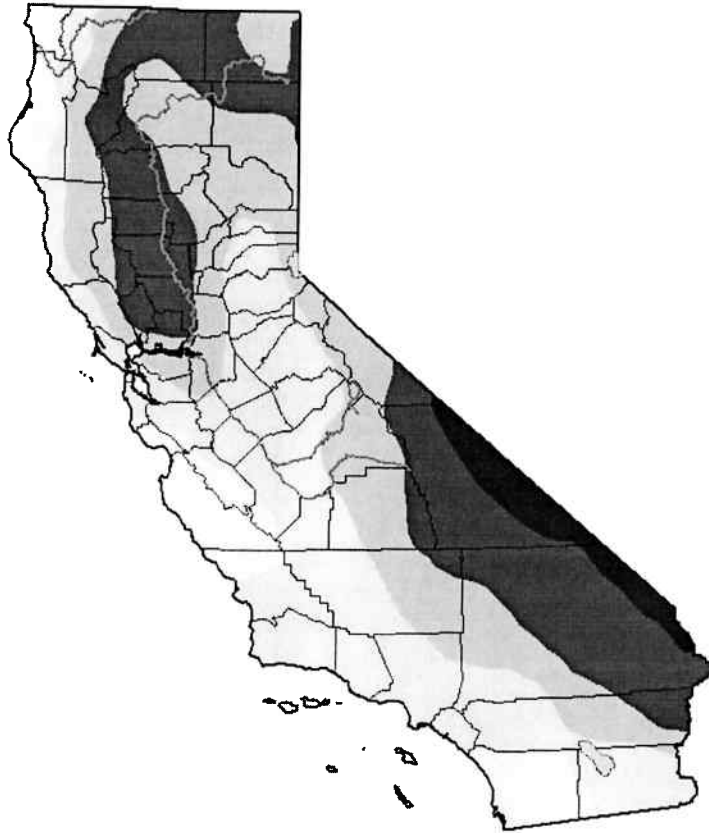
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California

(Released Thursday, Mar. 18, 2021)

Valid 8 a.m. EDT



Intensity:

-  None
-  D0 Abnormally Dry
-  D1 Moderate Drought
-  D2 Severe Drought
-  D3 Extreme Drought
-  D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Brad Pugh
CPC/NOAA



droughtmonitor.unl.edu

NATIONAL DROUGHT MITIGATION CENTER/UNIVERSITY OF NEBRASKA LINCOLN

“We are now facing the reality that it will be a second dry year for California and that is having a significant impact on our water supply,” Department of Water Resources Director Karla Nemeth said in a prepared statement. “The Department of Water Resources is working with our federal and state partners to plan for the impacts of limited water supplies this summer for agriculture as well as urban and rural water users. We encourage everyone to look for ways to use water efficiently in their everyday lives.”

Meanwhile, the State Water Resources Control Board announced late Monday that it had mailed early warning notices to 40,000 farmers, municipal officials and

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practical actions you can take to increase drought resilience, such as increasing water conservation measures, reducing irrigated acreage, managing herd size, using innovative irrigation and monitoring technologies, or diversifying your water supply portfolio,” the letter read in part.

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Water shortages would ripple through urban areas as well, including the 19 million Southern Californians who depend on the State Water Project for roughly a quarter of their annual supply.

“The state’s deteriorating water supply conditions reinforce the need to maintain the lower water use we have seen among Southern Californians since the last drought,” Jeff Kightlinger, general manager of the Metropolitan Water District of Southern California, said in a prepared statement.

During the last drought, considered among the worst in recorded history, farmers idled millions of acres of land while most urban Californians were ordered to limit their lawn watering. Former Gov. Jerry Brown declared an end to that drought in spring 2017, following one of the wettest winters ever.

This year California is enduring its second consecutive dry winter. The Sierra Nevada snowpack — whose spring melt is ordinarily crucial to replenishing the state’s major rivers and reservoirs — is 37% thinner than normal for this time of

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handful of light storms in recent weeks hasn't helped much. Sacramento, for instance, has received just 1.29 inches of rain this month; the average is 3.02 inches. For the most part, rain and snow stop falling around April 1.

The meager water projections are especially troubling in California's \$50 billion-a-year agricultural industry, which supplies 100% of the nation's processing tomatoes, 88% of its strawberries and 57% of its peaches — to name a few commodities that rely largely on the state's farmers.

U.S. Agriculture Secretary Tom Vilsack, in a letter to Gov. Gavin Newsom, recently declared 50 counties as natural disaster areas due to drought, making farmers eligible for emergency loans and other assistance. Farmers in neighboring counties also are eligible, Vilsack said, meaning farmers in all 58 counties can receive the aid.

The San Joaquin Valley, the heart of California agriculture, is especially on edge. Valley farmers rely on Central Valley Project deliveries that are pumped through the Delta — the fragile estuary whose declining fish populations mean that pumping operations often get scaled back.

In a dry year, the Delta bottleneck can make a bad year even worse, and now the Bureau of Reclamation has put its 5% allocation on hold to south-of-Delta customers.

"We're bracing for some hard times," said Joe Del Bosque, a prominent melon and almond grower in western Fresno and Merced counties.

If water allocations don't improve, "it's going to be very dire," he said. "It reverberates through the whole Valley." Del Bosque said he's worried about having enough water to plant the organic cantaloupes and other melons he sells to Safeway, Whole Foods and other grocers.

"Also it's important to keep our people working," Del Bosque said.

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Joaquin Valley

FEBRUARY 25, 2021 2:55 PM

WATER-AND-DROUGHT

Red alert sounding on California drought, as Valley gets grim news about water supply

FEBRUARY 23, 2021 2:20 PM

biologists. They were sidelined

FEBRUARY 13, 2021 2:45 AM

ENVIRONMENT

Botulism could decimate California wild ducks again. How hunters are trying to save them

MARCH 12, 2021 5:00 AM

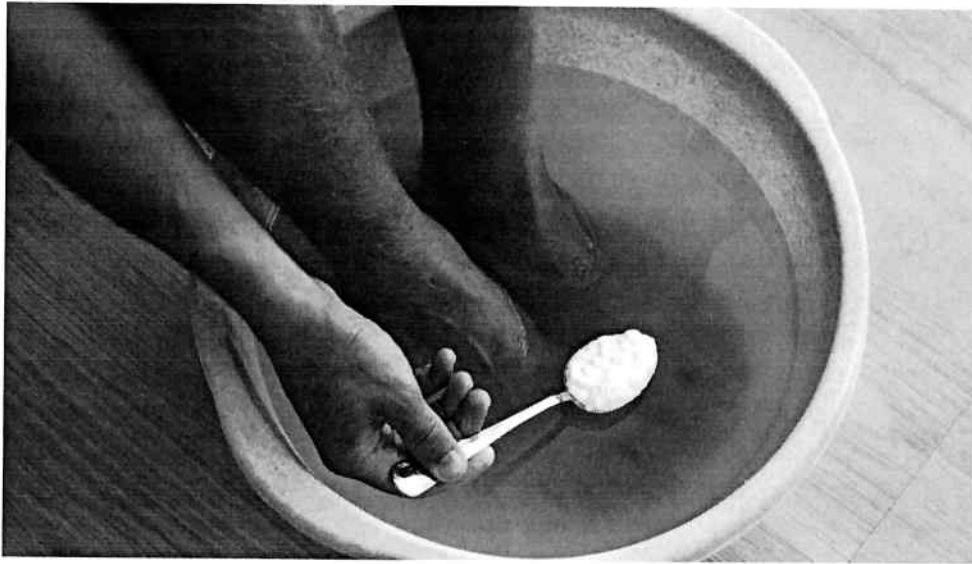


Sean de Guzman, chief of snow surveys for the California Department of Water Resources, checks the weight of the snowpack in February. State and federal officials issued remarkably bleak warnings Tuesday about California's summer water supplies, telling farmers and others to gear up for potential shortages.
RICH PEDRONCELLI AP

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Dale Kasler covers climate change, the environment, economics and the convoluted world of California water. He also covers major enterprise stories for McClatchy's Western newspapers. He joined The Bee in 1996 from the Des Moines Register and graduated from Northwestern University.



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COMMENTS

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WATER & DROUGHT

Red alert sounding on California drought, as Valley gets grim news about water supply

BY DALE KASLER AND RYAN SABALOW

FEBRUARY 23, 2021 02:20 PM,

Expect delays: The biggest freeway reconstruction in Sacramento history is about to begin

UPDATED 5 HOURS 49 MINUTES AGO

49ers full mock draft and 53-man roster projection after first wave of free agency

UPDATED MARCH 22, 2021 09:13 AM

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wounds at Fair Oaks home,
Sacramento sheriff's officials say**

UPDATED 1 HOUR 56 MINUTES AGO

**Retired nurse handcuffed while
recording Sacramento neighbor's
arrest settles lawsuit**

UPDATED MARCH 22, 2021 01:20 PM

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ENVIRONMENT

**🔒 Newsom promised to end
California's water wars. Now that
Trump is gone, can he do it?**

UPDATED FEBRUARY 09, 2021 02:09 PM

WATER & DROUGHT

**Snowfall in much of the Sierra
remains sparse. Is California in
another drought?**

UPDATED DECEMBER 30, 2020 03:25 PM

WEATHER NEWS

**Rain, snow coming this weekend as
Northern California wrestles with
drought-like weather**

UPDATED DECEMBER 11, 2020 04:09 PM

CALIFORNIA

**Coho salmon mysteriously died in
droves. A chemical in car tires may
be to blame**

UPDATED DECEMBER 05, 2020 11:37 AM

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Plans controlled by Warren Buffett. The plan: tear them down

UPDATED NOVEMBER 18, 2020 09:42 AM

NORTHERN CALIFORNIA: Why Gov. Newsom wants them torn down

UPDATED JULY 30, 2020 07:58 AM

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