



The following information comprises the minutes for a regular meeting of the City Council, a joint meeting of the Banning City Council and Banning Utility Authority and a joint meeting of the Banning City Council and the Banning City Council sitting in its capacity as the Successor Agency Board.

**MINUTES
CITY COUNCIL**

**06/08/2021
REGULAR MEETING**

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

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Douglas Schulze, City Manager
Kevin Ennis, City Attorney
Marie Calderon, City Clerk
Caroline Patton, Deputy City Clerk
Alejandro Geronimo, City Treasurer*
Tom Miller, Electric Utility Director
Art Vela, Public Works Director/City Engineer
Adam Rush, Community Development Director
Ralph Wright, Parks & Recreation Director
Suzanne Cook, Deputy Finance Director
Cherie Johnson, Human Resources Manager
Laurie Sampson, Executive Assistant*
Jeff Horn, Police Captain
James Wurtz, Economic Development Manager*
Luis Cardenas, Senior Civil Engineer*

*Participated via Zoom.

1. CALL TO ORDER

Mayor Wallace called the regular meeting to order at 5:20 p.m.

1.1. Invocation

Reverend Bill Dunn of St. Stephens Episcopal Church led the invocation.

1.2. Pledge of Allegiance

Council Member Sanchez led the Pledge of Allegiance.

1.3. Roll Call – Council Members Hamlin, Happe, Pingree, Sanchez, and Mayor Wallace

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

2. AGENDA APPROVAL

2.1. Approve Agenda

Motion to approve the agenda.

Motion by Council Member Pingree
 Seconded by Council Member Hamlin

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

Motion approved by a vote of 5-0.

3. PRESENTATION(S)

None

4. REPORT ON CLOSED SESSION

4.1. City Attorney Ennis reported on closed session discussions that occurred during the 4:00 p.m. Special Meeting of the City Council. On Item 2.1. Anticipated litigation, staff provided a report and Council gave direction to staff, with no final or reportable action. Doug Schulze, City Manager recused himself due to owning property within proximity to the area under discussion.

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

5.1. PUBLIC COMMENTS

Ellen Carr reminded the public to complete their Proposition 218 ballot and return to the City. She commented on the need for pet owners to register their pet's microchip and keep the information updated.

Doritha Cook said she thought the City should do something about the homeless encampment on Williams Street.

Mary Ann Dureau commented on the homeless encampment on E Williams Street. She owns neighboring property and says the police do not respond to their calls for service at the site.

John Hagen said he was opposed to the Waste Management agreement.

Frank Connolly commented on a utility billing issue with the Vista Serena Homeowners' Association.

5.2. CORRESPONDENCE

None

5.3. APPOINTMENTS

None

5.4. CITY COUNCIL COMMITTEE REPORTS

Council Member Pingree said that the animal shelter was making progress towards completion and they plan to hand over the keys to ARE Rescue soon.

Council Member Happe reported on a recent Western Regional Council of Governments (WRCOG) meeting where they discussed additional Transportation Uniform Mitigation Fee (TUMF) reimbursement funding.

Mayor Wallace asked for a joint meeting with the City Council and Parks and Recreation Commission to discuss the roles of members in each body. She reported on a recent Southern California Association of Governments (SCAG) meeting where leaders discussed the census and slowing population growth in the region.

5.5. CITY MANAGER REPORT

City Manager Schulze responded to public comments, reporting on the Police Department responses to the homeless encampment to date. He reiterated that the Ramsey Street Village rebuild project is moving forward.

5.6. CITY ATTORNEY REPORT

None

6. CONSENT ITEMS

- 6.1.** Minutes of the May 25, 2021 City Council Meetings
- 6.2.** Resolution 2021-45, Extending the Pre-Approved Grant Writing Services Vendor List through Fiscal Year (FY) 2023
- 6.3.** Resolution 2021-46, Approving the Reprogramming of Funding Year 2020/2021 Community Development Block Grant Funds From Project 5.BN.46-20 Banning Police Department Explorer Program to Project 5.BN.48-20 Replier Park Rehabilitation and Improvement Phase II for the Amount of \$11,728.37
- 6.4.** Resolution 2021-01 HA, Approval of Subordination Agreement for a First Time Homebuyer Program Located at 510 Dorothy Anna
- 6.5.** Approving an Agreement with Altec Industries, Inc., a Sole Source Provider, for Onsite Inspections and Repair of Bucket Trucks "Not to Exceed" an Annual Aggregate of \$60,000 for Fiscal Year 2021/2022 with the Option for Annual Renewals
- 6.6.** Approving the First Amendment to the Landscape Maintenance Services Agreement for City Properties with Artistic Maintenance, Inc., of Lake Forest, California for Fiscal Year 2022 in the amount of \$60,960
- 6.7.** Approving the First Amendment to the Street Sweeping Agreement with Cannon Pacific Services, Inc., dba Pacific Sweep of San Marcos, California in the amount of \$86,680 for Fiscal Year 2021/2022 Services
- 6.8.** Accept Various Improvements within the Atwell Specific Plan Development and Authorize the 90% Bond Exoneration for Various Improvement Bonds

PUBLIC COMMENTS

None

Motion to approve consent agenda items 6.1 to 6.8.

Motion by Council Member Pingree
Seconded by Council Member Hamlin

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

Motion approved by a vote of 5-0.

7. PUBLIC HEARING(S):

- 7.1.** Resolution 2021-48, Confirming the Levy and Collection of Assessments within the City of Banning’s Landscape Maintenance District No. 1 for Fiscal Year 2021/2022

Art Vela, Public Works Director presented the staff report.

PUBLIC COMMENTS

John Hagen questioned how the rates were calculated and disagreed with the existence of the district.

Juanita Diaz said she thinks the cost should not increase over time because the City has not grown that much.

Public Works Director Vela explained the district was formed at the time the subdivisions were developed as a way to fund community landscaping for those areas. Some areas require the rate rise periodically, while other properties have flat rates that are static over time. He explained that doing this work in house (by City staff) would double costs.

Lynnea Hagen said the land was not being taken care of by contractors.

Motion to adopt Resolution 2021-48.

Motion by Council Member Happe
 Seconded by Council Member Sanchez

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

Motion approved by a vote of 4-1.

- 7.2.** Approve Resolution 2021-50, Adopting the 2020 Urban Water Management Plan (UWMP) and Resolution 2021-51, Adopting the Water Shortage Contingency Plan (WSCP)

Art Vela, Public Works Director presented the staff report. John Robinson of West & Associates Engineering, Inc. provided an overview of the UWMP and WSCP.

PUBLIC COMMENTS

John Hagen said desertscares would help preserve water. He said the City should require new developments be desert-scaped to save water.

Juanita Diaz said that an article posted on the Patch website claimed the City received bond funds it embezzled by not building a water recycling facility.

Public Works Director Vela said the City did not have a need for a Title 22 facility, did not apply for funding, and certainly did not receive any funds under Title 22 that were then embezzled. The City Attorney stated for the record the City had not received any Title 22 funding and therefore could not have embezzled it.

Motion to approve Resolution 2021-50 and 2021-51.

Motion by Council Member Happe
 Seconded by Council Member Hamlin

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

Motion approved by a vote of 5-0.

8. REPORTS OF OFFICERS:

8.1. Approve Broker of Record Designation / Employee Benefits Contract with Keenan & Associates for Fiscal Year 2021-2022

Human Resources Manager Cherie Johnson presented the staff report. She introduced Laurie Lofranco and Karyn Goodsite from Keenan & Associates to present their benefits proposal selected by the City’s employee benefits committee.

Motion to approve the broker of record designation and employee benefits contract.

Motion by Council Member Happe
 Seconded by Council Member Pingree

COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Hamlin, Mary	X				
Happe, David	X				
Pingree, Kyle	X				

Sanchez, Alberto	×
Wallace, Colleen	×

Motion approved by a vote of 5-0.

Mayor Wallace announced a short recess at 6:56 p.m. The regular meeting reconvened at 7:04 p.m.

- 8.2. Approving Amendment No. 1 to the Agreement (C00657) for Billing and Cost Recovery Services for First Responder (EMS/Fire) Medical Billing Fees by and Between City of Banning and Wittman Enterprises LLC

Deputy Finance Director Suzanne Cook provided the staff report.

PUBLIC COMMENTS

Frank Connolly said he did not think the City should be going after money from residents being transported in ambulances.

Ellen Carr had questions about how the contract worked and thought the City was charging patients.

City Manager Schulze clarified that the City is attempting to recoup unpaid ambulance bills by finding the patient’s insurance providers and billing them.

Motion to approve amendment 1 to the agreement with Wittman Enterprises, LLC.

Motion by Council Member Sanchez
Seconded by Council Member Hamlin

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

Motion approved by a vote of 4-1.

- 8.3. Award Architectural Services

City Manager Schulze asked that this item be tabled until the next meeting.

- 8.4. Emergency Services Contract with Riverside County EMD

City Manager Schulze presented the staff report.

Motion to approve the emergency services contract with Riverside County Emergency Management Department (EMD).

Motion by Mayor Wallace
Seconded by Council Member Pingree

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

Motion approved by a vote of 5-0.

8.5. Receive and File Bulky Item Community Clean-Up Event Update

PUBLIC COMMENTS

Ellen Carr said she cannot use this program because of the difficulty of hauling items to the dump.

8.6. Resolution 2021-42 Approving Agreement Pursuant to Government Code Section 66462.5 between Rancho San Gorgonio, LLC and the City of Banning for Acquisition of Certain Real Property Interests in Connection with Off-Site Improvements

Public Works Director Vela provided the staff report.

Ellen Carr said she did not like the words eminent domain and disagrees with the City taking any property. She said the developer was having the City do their dirty work.

Lynnea Hagen said she thought consideration was continued to the next meeting to allow the property owners to attend the meeting.

Council Member Pingree confirmed the property owners were invited and chose not to attend the meeting.

John Hagen said he did not think it was explained to the landowners that if they did not negotiate it would go to eminent domain.

City staff confirmed they met with the landowners and chose not to attend the meeting. They did understand what was occurring as far as the process moving forward.

Juanita Diaz said they could route the traffic through to Wesley Street but that may impact school. She said sometimes it is not fair, but that this may be the best option.

Motion to approve Resolution 2021-42.

Motion by Council Member Happe
Seconded by Council Member Sanchez

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

Motion approved by a vote of 4-1.

9. ITEMS FOR FUTURE AGENDAS

9.1. New Items:

1. Joint Workshop Meeting with Parks and Recreation Commission

9.2. Pending Items:

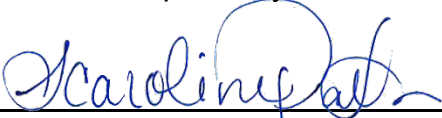
1. Permanent Homeless Solution
2. Shopping Cart Ordinance Update
3. Scholarship/Internship Program
4. Golf Cart/EV Ordinance
5. Census/Redistricting
6. Cannabis Microbusiness/More dispensaries
7. Revenue Generation Ideas

10. ADJOURNMENT

Mayor Wallace adjourned the meeting at 8:38 p.m.

Next Meeting – June 22, 2021 at 5:00 p.m.

Minutes Prepared by:


 Caroline Patton, Deputy City Clerk

This entire meeting may be viewed here:
<https://banninglive.viebit.com/player.php?hash=BPPDIAUptscq>
A CD or DVD may be purchased for \$7.00 each at Banning City Hall,
located at 99 E. Ramsey Street, Banning, CA 92220.

All documents related to this meeting are available here:
<http://banning.ca.us/ArchiveCenter/ViewFile/Item/2486>