



# AGENDA

## REGULAR CITY COUNCIL MEETING OF THE BANNING CITY COUNCIL CITY OF BANNING, CALIFORNIA

January 9, 2024  
5:00 p.m.  
In Chambers

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.*

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

Performed by Pastor Nate Rodriguez of Infinite Center

#### 1.2. PLEDGE OF ALLEGIANCE

#### 1.3. ROLL CALL

### 2. AGENDA APPROVAL

#### 2.0. AGENDA APPROVAL

### 3. PRESENTATION(S)

### 4. REPORT ON CLOSED SESSION

Serita Young, City Attorney

### 5. PUBLIC COMMENTS, CORRESPONDENCE, APPOINTMENTS, AND REPORTS

#### 5.1. PUBLIC COMMENTS

#### 5.2. CORRESPONDENCE

#### 5.3. APPOINTMENTS

[City Council Committee Assignments for 2024](#)

**Recommendation:** Discuss and assign Council Members to serve on various committees to represent the City of Banning in the 2024 calendar year.

[Appoint Two City Council Members to an Ad-Hoc Committee to Review and Recommend 2024-](#)

## 2029 5 Year Consolidated Plan

**Recommendation:** Staff requests the City Council appoint a committee consisting of two members from the City Council and the Economic Development Manager, to review and recommend the 2024-2029 Public Participation Plan and HUD-CPD five-year funding priorities.

### 5.4. CITY COUNCIL COMMITTEE REPORTS

### 5.5. CITY MANAGER'S REPORT

### 5.6. CITY ATTORNEY'S REPORT

### 5.7. CITY TREASURER'S 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.*

#### 6.1 [Approval of the Meeting Minutes for the December 12, 2023 City Council Meetings](#)

**Recommendation:** Approve the minutes of the December 12, 2023 City Council Meetings.

#### 6.2 [Accounts Payable and Payroll Warrants Issued in the Month of November 30, 2023](#)

**Recommendation:** Review and ratify the warrants for period ending November 30, 2023, per California Government Code Section 37208.

#### 6.3 [Receive and File Cash, Investments and Reserve Report for the Month of November 2023](#)

**Recommendation:** That City Council receive and file Cash, Investment and Reserve Report for November 2023 on this day, January 9, 2024, in accordance with California Government Code 53646.

#### 6.4 [Receive and File Police Department Statistics for the Month of November 2023](#)

**Recommendation:** Receive and file Police Department statistics for the month of November 2023.

#### 6.5 [Receive and File Fire Protection Services Statistics for the Month of November 2023](#)

**Recommendation:** Receive and file Fire Department statistics for the month of November 2023.

#### 6.6 [Public Works Capital Improvement Project Tracking List](#)

**Recommendation:** Receive and file.

#### 6.7 [Receive and File Code Enforcement Update and Statistics for the Month of September and October 2023](#)

**Recommendation:** Receive and File.

#### 6.8 [Receive and File Contracts Approved Under the City Manager's Signature Authority and Inventory Reports](#)

**Recommendation:** Receive and file contracts approved under the City Manager's signature authority of \$25,000 or less and inventory reports.

#### 6.9 [Consideration of Resolution 2024-01 UA, Authorizing the Purchase of a 2025 Ford F-750 Regular Cab Chassis with a 2,000 Gallon Water Tank for a Total Cost of \\$180,593.96](#)

**Recommendation:** Adopt Resolution 2024-01 UA:

1. Authorizing the Purchase of a 2025 Ford F-750 Regular Cab Chassis with a 2000 Gallon Water Tank ("2025 Ford Water Truck") for a total cost of \$180,593.96.

2. Authorizing the City Manager or designee to make necessary budget adjustments, appropriations, transfers, execute the necessary documents for the purchase of the 2025 Ford F-750 water truck.
- 6.10 [Consideration of Resolution 2024-02 UA, Approving an Agreement for Three Years with Cla-Val in the Amount of a \\$361,259 for the Maintenance and Repairs of the City's Cla-Val Water Valves](#)  
**Recommendation:** Staff recommends that City Council adopt Resolution 2024-02 UA, approving an agreement for three years with Cla-Val in the Amount of a \$361,259 for the maintenance and repairs of the City's Cla-Val Water Valves.
  - 6.11 [Consideration of Resolution 2024-03, Approval of the Synergy Professional Services Agreement for Energy Efficiency Programs through a Task Order with the Southern California Public Power Authority \(SCPPA\)](#)  
**Recommendation:** Adopt Resolution 2024-03:
    1. Approving the energy efficiency program professional service agreement with Synergy through Southern California Public Power Authority (SCPPA) for an amount not to exceed \$600,000 over three fiscal years and authorize the City Manager or his designee to execute all necessary agreements.
    2. Authorizing the City Manager, or their designee to make necessary budget adjustments, appropriations, and transfers related to this resolution.
  - 6.12 [Consideration of Resolution 2024-04, Adopting the Downtown Revitalization and Complete Streets Plan, Prepared by Alta Planning + Design, Inc., as a Set of Policies and Design Guidelines for the Downtown Area](#)  
**Recommendation:** Adopt Resolution 2024-04, adopting the Downtown Revitalization and Complete Streets Plan, prepared by Alta Planning + Design, Inc., as a set of policies and design guidelines for the downtown area.
  - 6.13 [Consideration of Resolution 2024-06, Approval of Itron Software-as-a-Service Product](#)  
**Recommendation:** Adopt Resolution 2024-06 approving the annual maintenance Software as a Service agreement for the Itron agreement in the not-to-exceed amount of \$39,630 per year for a total of two years.
  - 6.14 [Consideration of Resolution 2024-07, Consolidating Agreements Under Public Works Department for Fire and Intrusion Alarm Monitoring, Maintenance and Repair Services in the Amount of \\$107,100 for a 5-Year Term and Terminate Existing Duplicate Monitoring Services Agreements](#)  
**Recommendation:** Staff recommends that City Council adopt Resolution 2024-07:
    1. Award an agreement for Fire and Intrusion Alarm Monitoring, Maintenance and Repair Services for City Facilities for a 5-year period with Vision Security Systems in the amount of \$107,100 for a 5-year term and terminate existing duplicate monitoring services agreements.
    2. Authorize the City Manager or designee to make necessary budget adjustments, appropriations and transfers related to the agreement with Vision Security Systems.
    3. Authorize the City Manager or designee to execute the Agreement with Vision Security Systems as to form approved by the City Attorney Office.
  - 6.15 [Consideration of Resolution 2024-08, Approving Amendment No. 1 to the Professional Services Agreement with Engineering Resources of Southern California for an Additional \\$450,000 for Plan Check, Inspections and Related Administrative Services](#)  
**Recommendation:** Staff recommends that the City Council adopt Resolution 2024-08:
    1. Approving Amendment No. 1 to the Professional Services Agreement with Engineering Resources of Southern California (ERSC) for an additional \$450,000 for plan check,

- inspections and related administrative services.
2. Authorizing the City Manager or his designee to make necessary budget adjustments, appropriations and transfers related to the Professional Services Agreement Amendment No. 1 with ERSC.
  3. Authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with ERSC.

6.16 [Consideration of Resolution 2024-10, Approving an Order Form and Terms and Conditions with Streamlink Software, Inc., dba AmpliFund, for a Software-as-a-Service Grant Management Platform.](#)

**Recommendation:** Adopt Resolution 2024-10.

6.17 [Consideration of Resolution 2024-11, Authorizing the City Manager to Enter into Lease Agreements with Haskell Real Estate for Homeless Transitional Housing](#)

**Recommendation:** A motion to approve Resolution 2024-11, authorizing the City Manager to enter into three (3) lease agreements with Haskell Real Estate for homeless transitional housing.

## 7. **PUBLIC HEARING(S)**

7.1 [Consideration of Resolution 2024-05, Vacating Malki Road between Martin Road and Sullivan Road.](#)

**Recommendation:** Staff recommends that City Council adopt Resolution 2024-05, vacating Malki Road between Martin Road and Sullivan Road.

7.2 [Consideration of Resolution 2024-12, Making a Determination that a Negative Declaration was Adopted for the Project and no Subsequent Environmental Document Shall Be Prepared, Approval of General Plan Amendment \(GPA\) 23-2502, and Approval of the 6th Cycle RHINA Housing Element Update](#)

**Recommendation:** Adopt Resolution 2024-12, making findings that the Project is consistent with a previously adopted Negative Declaration and pursuant to Section 15162 of the California Environmental Quality Act, no further action is required; and approve General Plan Amendment 23-2502, readopting the 6th Cycle Housing Element Update for the 2021-2029 planning period.

7.3 [Consideration of Resolution 2024-14, Approval of Cost of Services Study and the Proposed Amendment to the City of Banning City-wide Master User Fee Schedule for the following City Departments and Fee Groups: Fire](#)

**Recommendation:** 1. Waive full reading and introduce, as read by title only, Ordinance 1599, An Ordinance of the City of Banning, California, Amending Table B (Public Safety Services) of Section 3.36.080 (Schedule of Fees and Service Charges) of Chapter 3.36 (Fee and Service Charge Revenue/Cost Comparison) of Title 3 (Revenue and Finance) of the Banning Municipal Code to Add References to Fees and Charges for Fire Inspections of Existing Businesses and Operational Fire Permits, and Making a Determination of Exemption from the California Environmental Quality Act, and

2. Adopt Resolution 2024-14 approving the Proposed Amendments to the Master User Fee Schedule to Establish Fees and Charges for the Annual Fire Inspections, Operational Permits, Fire Safety Permit Inspections, and Plan Check Review Services.

## 8. **REPORT(S) OF OFFICERS**

8.1 [Consideration of Resolution 2024-01 and Resolution 2024-02, Calling a Special Election and Presenting Other Viable Options to Fill the District 4 Vacancy on the City Council](#)

**Recommendation:** Discuss and decide how to fill the City Council District 4 Vacancy by

either appointment or special election and, if by appointment, provide direction to staff concerning a process for filling the vacancy by appointment, or if by special election, adopt either Resolution 2024-01 (November 5, 2024 Election Date) or Resolution 2024-02 (May 7, 2024 All Mail-In Ballot Election Date).

8.2 [Consideration and Introduction of Ordinance 1597, An Ordinance of the City of Banning, California, Establishing Regulations Governing the Possession of Catalytic Converters, and Amending Title 9 of the Banning Municipal Code.](#)

**Recommendation:** A motion waiving full reading and introducing, as read by title only, Ordinance 1597, establishing regulations governing the possession of catalytic converters, and amending Title 9 of the Banning Municipal Code.

8.3 [Consideration of Resolution 2024-09, Approving a Three \(3\) Year Master Services Agreement with IGM Technology Corp. for Software Services Platform Modules \(SaaS\): IGM Gravity Budgeting, Reporting, Transparency, Business Intelligence, Annual Comprehensive Financial Report, Popular Annual Financial Report, Monthly/Quarterly Reporting, ADA Compliance, and Pension and Other Post Employment Benefits Disclosures with a Not-To-Exceed Amount of \\$170,558 After a \\$30,000 Discount](#)

**Recommendation:** Adopt Resolution 2024-09:

1. Approving a Three (3) year Master Services Agreement with IGM Technology Corp. for Software Services Platform Modules (SaaS): IGM Gravity Budgeting, Reporting, Transparency, Business Intelligence, Annual Comprehensive Financial Report, Popular Annual Financial Report, Monthly/Quarterly Reporting, ADA Compliance, and Pension and Other Post Employment Benefits Disclosures with a Not-To-Exceed Amount of \$170,558 After a \$30,000 Discount.
2. Authorizing the City Manager to sign the agreement, make non-substantive changes to contract language.
3. Authorizing the City Clerk certify the adoption of this resolution and cause a certified resolution to be filed in the book of original resolutions.

8.4 [Consideration of Payment to GHJ Advisors for an Additional \\$53,000 for Phase 2 and Newly Requested Phase 3 Forensic Investigation Services into the Electric Enterprise for a Total Not-to-Exceed Amount of \\$153,000](#)

**Recommendation:** Approve by Minute Order the payment to GHJ Advisors an additional \$53,000 for additional Phase 2 and newly requested Phase 3 Forensic Investigation services into the Electric Enterprise for a total not-to-exceed amount of \$153,000.

8.5 [Consideration of Resolution 2024-15, Issuing a Waiver of Development Review Fees, requested by Habitat for Humanity, for a Tentative Parcel Merger/Lot Line Adjustment \(TPM/LLA\) on three parcels located at the southwest corner of 8th Street and Wilson St., in the City of Banning, CA](#)

**Recommendation:** Adopt Resolution 2024-15, authorizing a waiver of fees in an amount not to exceed \$9,000 for Habitat-for-Humanity of the San Gorgonio Pass, associated with the processing of a Tentative Parcel Merger/Lot Line Adjustment (TPM/LLA) on three parcels located at the southwest corner of 8th Street and Wilson St., in the City of Banning, CA (APNs: 540-033-045; -046; 047).

8.6 [Consideration of Modifying the City of Banning's Public Hearing Notice Requirements for Development Applications](#)

**Recommendation:** Discuss and Consider Modifications to the City of Banning's Public Hearing Notice Requirements for Development Applications, as specified by Chapter 17.68, and Provide Direction to the Community Development Director.

8.7 [Consideration and Introduction of Ordinance 1598, Adding a New Chapter 1.32 to Title 1 of the Banning Municipal Code and Amending Other Sections of the Banning Municipal Code to](#)

Create and Implement a Comprehensive Cost Recovery Program for All Nuisance Abatement Actions, and Making a Determination of Exemption under CEQA

**Recommendation:** Waive full reading and introduce, as read by title only, Ordinance 1598. An Ordinance of the City of Banning, California, Adding a New Chapter 1.32 to Title 1 of the Banning Municipal Code and Amending Other Sections of the Banning Municipal Code to Create and Implement a Comprehensive Cost Recovery Program for All Nuisance Abatement Actions.

**9. DISCUSSION ITEM(S)**

9.1 Discussion of Policy to Prohibit Use of Personal Cell Phones on Dais During Meetings.

**Recommendation:** A motion directing the City Manager to prepare a policy prohibiting the use of personal cell phones on the dais during public meetings.

9.2 Animal Shelter and Animal Control Services

**Recommendation:** Direct City Manager to provide A.R.E. Animal Rescue with termination notice to be effective June 30, 2024.

9.3 Discuss Adding a City of Banning Identifier to the San Gorgonio Avenue Overpass

**Recommendation:** Discuss adding a City of Banning identifier to the San Gorgonio Avenue Overpass and provide direction to staff.

**10. ITEM(S) FOR FUTURE AGENDAS**

**10.1. NEW ITEMS**

**10.2. EXISTING ITEMS**

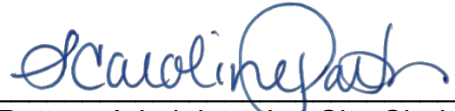
1. Grow Banning (Sanchez)
2. Potential Grants to Fund Playhouse Bowl Improvements (Sanchez)
3. Food Desert Zoning Overlay (Minjares)
4. Beautification of San Gorgonio Overpass Funding (Gonzales)
5. Scope and Duties of the Budget and Finance Committee (Wallace)
6. Neighborhood Groups/Identities (Minjares)
7. Update on Community Garden (Flynn)
8. Public Notification Policy for Development Projects (Flynn)
9. Donation Policy (Flynn)
10. Zencity Contract (Flynn)
11. Comments Section on Agenda for Council Members (Flynn)
12. Cannabis Ordinance/Moratorium (Flynn)
13. Use of Personal Cell Phones on Dais (Flynn)
14. Zoom Options for Public Meetings (Flynn)

**11. ADJOURNMENT**

Next Regular Meeting – February 13, 2024

**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](http://www.banningca.gov)) as well as the Bulletin Board at Banning City Hall, located at 99 E Ramsey Street, Banning, CA 92220, at least 72 hours in advance of the meeting.



Caroline Patton, Administrative 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 the City's website. 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/](http://www.banningca.gov/)).

### **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 City Clerk's Office. 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**

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