



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**

**11/09/2021  
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: Doug Schulze, City Manager  
Kevin Ennis, City Attorney  
Marie Calderon, City Clerk  
Caroline Patton, Deputy City Clerk  
Art Vela, Public Works Director  
Ralph Wright, Parks and Recreation Director\*  
Adam Rush, Community Development Director\*  
Matthew Hamner, Chief of Police  
Tom Miller, Electric Utility Director  
Suzanne Cook, Finance Director\*  
James Wurtz, Economic Development Manager  
A'ja Wallace, Financial Analyst\*  
Mark de Manicour, Contract Planner\*  
Laurie Sampson, Executive Assistant\*  
Alejandro Geronimo, Treasurer\*

\*Participated via Zoom.

**1. CALL TO ORDER**

Mayor Wallace called the regular meeting to order at 5:04 p.m.

- 1.1. Invocation
- 1.2. Pledge of Allegiance - Council Member Sanchez led the Pledge of Allegiance.
- 1.3. Roll Call

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 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 5-0.

**3. PRESENTATION(S)**

- 3.1. Retiring Fire Staff
- 3.2. Waste Management Recycling All Stars
- 3.3. Banning Distribution Center Update

**4. REPORT ON CLOSED SESSION**

City Attorney Ennis gave a report on closed session agenda items 3.1 and 3.2. For both items, direction was given to city negotiators regarding terms of agreement. There was no final or reportable action for either item.

Items 3.3 and 3.4 have been continued to the end of the regular meeting.

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

5.1. PUBLIC COMMENTS  
**Ingeborg Schuler** commented on the grade separation at Hargrave Street

**Pamela Shaltz** commented on installing solar panels on her home. She said the Electric Utility was bullying their customers and discouraging them from reducing their carbon footprint.

**Bill Hobbs** gave a shout out to the military veterans in the community and commented on Measure H. He said the CEO of the San Gorgonio Memorial Hospital makes more than average for that position.

5.2. CORRESPONDENCE

None

5.3. APPOINTMENTS

None

5.4. CITY COUNCIL COMMITTEE REPORTS

Council Member Happe reported on the WRCOG meeting, saying most of the items were in closed session.

Mayor Wallace reported on the mayors' meeting.

5.5. CITY MANAGER REPORT

City Manager Schulze responded to comments made during public comment, including the Hargrave Street separation and comments on the electric utility.

He reported that the Atwell Project had sold 600 homes since April 1, 2020 and gave Council an update on the city's animal control services and homeless shelter planning. The Holiday Tree Lighting event will occur on December 3, concurrent with the Chamber's Market Night event.

5.6. CITY ATTORNEY REPORT

None

**6. CONSENT ITEMS**

6.1. Approval of Minutes from the October 26, 2021 City Council Meetings

6.2. Adopt City Council Resolution No. 2021-111, A Resolution of the City Council of the City of Banning, California, Authorizing Public Meetings of All City Legislative Bodies to be Held with a Teleconference Option for Members of those Bodies and the Public Pursuant to Government Code Section 54953(e), and Making Findings and Determinations Regarding the Same

6.3. Bulky Item Community Clean-up Event Report

6.4. Update on Cost Recovery Services for First Responder (EMS/Fire) Medical Billing Fees Collected by Wittman Enterprises LLC for the City of Banning

6.5. Second Reading of Ordinance 1566 amending Title 12 of the Banning Municipal Code revising regulations pertaining Rules and Regulations in Banning Parks and finding an exemption from CEQA under Section 15061(B)(3) of the CEQA guidelines

6.6. Second Reading of Ordinance 1578 Amending Section 13.16.020, Restricting Water Use During Water Supply Emergencies, of Chapter 13.16, Water Conservation, of Title 13, Public Services, of the Banning Municipal Code, and Finding an Exemption from Review under CEQA Pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308

6.7. Second Reading of Ordinance 1579 amending Title 2 of the Banning Municipal Code revising regulations pertaining to the Parks and Recreation Commission's meeting attendance rules and finding an exemption from CEQA under section 15061 (B)(3) of the CEQA guidelines

- 6.8. Resolution 2021-113, Approving a Purchase Order with A-Z Bus Sales in the Amount of \$37,752.66, which includes a 10% contingency, for a Long Block Replacement on a Transit Bus
- 6.9. Consideration of Resolution 2021-108, Authorizing the Police Department to Apply for Federal Grants from the Federal Department of Homeland Security
- 6.10. Resolution 2021-92, Approving Fiscal Year 2022/2023 Community Development Block Grant Program Applications
- 6.11. Consideration of Resolution 2021-110, Granting Authority to Establish Subcommittees to Parks and Recreation Commission
- 6.12. Consider Authorizing the City Manager to enter into an Agreement with Zencity
- 6.13. Resolution 2021-112, Approving the Third Amendment to Contract Services Agreement C00229 with Electric Power Systems International, Inc
- 6.14. Accept the Right-of-Way Dedication for 468 E. George Street (Assessor's Parcel Number 541-070-005) from Abraham Arias for Public Road and Utilities Purposes

Public Comments

None

**Motion to approve the consent agenda items 6.1 to 6.3, 6.5 to 6.11, 6.13 to 6.14.**

Motion by Council Member Pingree  
Seconded by Council Member Happe

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.

- 6.4. Update on Cost Recovery Services for First Responder (EMS/Fire) Medical Billing Fees Collected by Wittman Enterprises LLC for the City of Banning

Public Comments

None

**Motion to approve the Agenda Item 6.4.**

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	X				
Wallace, Colleen	X				

Motion approved by a vote of 5-0.

**At 6:05 p.m., Agenda item 7.1 began in accordance with Government Code §21507.1 (d).**

- 7.1. First Public Hearing to Receive Comments and Input on the Redistricting Process for the Potential Redrawing of Election District Boundaries

City Attorney Ennis presented the staff report.

Public Comments

**Frank Connolly** said the city should consider the future developments planned for the city.

City Attorney Ennis clarified that legally you could not take that growth into account now.

*Mayor Wallace announced a recess at 6:41 p.m. The meeting was reconvened at 6:50 p.m.*

- 6.12. Consider Authorizing the City Manager to enter into an Agreement with Zencity

Public Comments

**Ron Pitts** spoke in opposition to the contract, claiming it was an attempt to let the state of Israel track the City’s residents.

There was further Council discussion about the veracity of those statements.

**Motion to approve the Agenda Item 6.12.**

Motion by Council Member Sanchez  
 Seconded by Council Member Happe

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 3-1, with 1 member abstaining.

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

- 7.2. Resolution 2021-109, recommending the City Council adopt a Negative Declaration and recommending approval of General Plan Amendment 21-2504, approving the 6th RHNA Cycle for the 2021-2029 Housing Element, to the City Council for final adoption

Community Development Director Adam Rush presented the staff report.

Public Comments

None

**Motion to approve Resolution 2021-109.**

Motion by Council Member Sanchez  
 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 4-1.

- 7.3. Adoption of Resolution 2021-93 Approving Updates to the City’s TUMF Program Fee Schedule

Community Development Director Adam Rush presented the staff report.

Public Comments

None

**Motion to approve Resolution 2021-93.**

Motion by Mayor Wallace  
 Seconded by Council Member Happe

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.

**9. REPORT OF OFFICERS**

None

**10. DISCUSSION ITEMS**

None

**11. ITEMS FOR FUTURE AGENDAS**

11.1. New Items:


11.2. Pending Items:

1. Permanent Homeless Solution
2. Shopping Cart Ordinance Update
3. Golf Cart/EV Ordinance (On hold)
4. Airport Advisory Commission
5. Retail Marijuana (Happe)
6. Business-Friendly Zoning (Wallace)

**12. ADJOURNMENT**

Mayor Wallace adjourned the meeting at 8:02 p.m.

Minutes Prepared by:

  
Caroline Patton, Deputy City Clerk

**This entire meeting may be viewed here:**

**<https://banninglive.viebit.com/index.php?folder=City+Council+Meetings>**

**All documents related to this meeting are available here:**

**<http://banning.ca.us/ArchiveCenter/ViewFile/Item/2558>**