



## CITY OF BANNING STAFF REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** Lincoln Bogard, Administrative Services Director  
Lincoln Bogard, Administrative Services Director

**MEETING DATE:** August 27, 2024

**SUBJECT:** Consideration of Resolution 2024-142, Approving a Contract with American Legal Publishing, LLC (C01061) for a Municipal Code Update Project for a Term Ending on December 31, 2025, for Total Not-To-Exceed Amount of \$50,000 to Conduct a Holistic Review and Update of the Municipal Code to Modernize the Code Utilizing Reader Friendly Text and Format, Eliminate Outdated and Redundant Provisions, Eliminate Inconsistencies and Contradictions, Simplify Code Provisions, and to Ensure Consistency and Compliance with Current State and Federal Law

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### **RECOMMENDATION:**

Adopt Resolution 2024-142.

### **BACKGROUND:**

The City of Banning Code of Ordinances (Municipal Code) consists of 18 Titles that has been amended periodically over time. The current Municipal Code may include policies and procedures that may be better suited for adoption by the City Council via resolution rather than by codified ordinance. The goal of this project is to conduct a holistic review and update of the Municipal Code to modernize the code utilizing reader friendly text and format, eliminate outdated and redundant provisions, eliminate inconsistencies and contradictions, simplify code provisions, and to ensure consistency and compliance with current state and federal law.

As part of our evaluation process for the Municipal Code Update Project ("Project"), the City is seeking assistance from a highly qualified legal consultant or consultant team who has relevant experience updating municipal codes in the State of California for general law cities.

Since this will be the City's first comprehensive update, the City expects that the Municipal Code may require significant modifications to reflect current needs of the community. The new code should reflect best practices with respect to the content and administration of the code.

The comprehensive update needs to be user friendly for staff, property owners, and businesses by 1) removing legalese and jargon unfamiliar to the lay person, 2) improving clarity and overall functionality, and 3) reflecting regulatory best practices. It is also envisioned that the update may include tables and illustrations whenever possible to help convey concepts. Lastly, the updated code must be consistent with current case, state, and federal laws.

### **JUSTIFICATION:**

The City has not previously performed a Municipal Code Update and staff has become aware of

discrepancies between code sections. Since no review has been done, there is a possibility that some code sections have been superseded by changes in case law, state law, or federal law. Additionally, staff would like the code to be user friendly, functional, and in line with best practices.

The City issued a Request for Proposals (RFP) for Municipal Code Update Services on May 10, 2024, which received two (2) proposals, one (1) of which was disqualified due to the fact that they did not attend the mandatory pre-proposal meeting. American Legal Publishing, LLC was selected for contract award through an evaluation process.

The evaluation scores are attached to this report.

**FISCAL IMPACT:**

This contract will be funded from the adopted budget in general ledger account 705-4500-412.33-11 for Professional Services.

**ALTERNATIVES:**

Do not adopt the resolution and provide alternative direction to staff.

**BUDGETED?:**

Yes

**CONTRACT/AGREEMENT:**

Yes

**ATTACHMENTS:**

1. [Resolution 2024-142, American Legal Publishing.docx](#)
2. [C01061 PSA American Legal Publishing, LLC.docx](#)
3. [Municipal Code Update Project Request for Proposal \(RFP\)](#)
4. [Evaluation tabulation.docx](#)