

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

2/12/2019
SPECIAL MEETING

COUNCIL MEMBERS PRESENT: Council Member Happe
Council Member Peterson
Council Member Wallace
Mayor Pro tem Andrade
Mayor Welch

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Douglas Schulze, City Manager
Rochelle Clayton, Deputy City Manager
Kevin Ennis, City Attorney
Daryl Betancur, Deputy City Clerk
Tom Miller, Electric Utility Director
Heidi Meraz, Community Services Director
Maryann Marks, Interim Community Development Director
Art Vela, Public Works Director
Ted Shove, Economic Development Manager

1. **CALL TO ORDER**

A special meeting of the Banning City Council was called to order by Mayor Welch on February 12, 2019, at 3:38 p.m. at the Banning Civic Center Council Chamber, 99 E. Ramsey Street, Banning, California.

Mayor Welch opened the closed session items for public comments. Seeing none, the City Council adjourned to closed session at 3:40 p.m.

City Attorney Kevin Ennis read the closed session items into the record.

2. **CLOSED SESSION**

2.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to paragraph (1) of subdivision (d) of Section 54956.9) Name of cases: Sierra Club v. City of Banning, Case RIC 1900544 and Golden State Environmental Justice Alliance v. City of Banning Case RIC 1900654. **No reportable action.**

2.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Potential initiation of litigation pursuant to paragraph (4) of subdivision (d)

of Government Code Section 54956.9). **Direction given to City Manager and City Attorney.**

- 2.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9. **No reportable action.**
- 2.4 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to paragraph (1) of subdivision (d) of Section 54956.9) Name of case: City of Banning and People of the State of California v. Supreme Cannabis Club, Tony Macias, and Maria Dolores Macias, Case RIC 1821127. **Status report was provided.**
- 2.5 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8): Property description: APN: 532-120-001, -002, -004, -005, -008 through -012, -019 & -020 located in the general vicinity of Ramsey Street and Hargrave Street. City Negotiator: Douglas Schulze, City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Fountain of Life Temple Church of God in Christ, Inc., Frank J. Burgess and Lorna Burgess, Burgess Family Trust, Frank J. Burgess, Humberto and Eulogia Ramirez, Family Trust, James Burgess Fall and Betty Lmai, Family Trust, Jen H. Huang, Krystal P. Cruz, Louis S. Lopez Trust, Raymond Ngoc and Lucy Nguyen Huynh Revocable Trust, the Shan Liang, Terra Firma Enterprises, LLC.; Under Negotiation: Price and Terms. **Direction given to Mr. Schulze and Mr. Shove. No final action.**
- 2.6 CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8: Property description: APNs: 543-090-008, located in the general vicinity of Hathaway Street and Westward Avenue. City Negotiator: Douglas Schulze, City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Douglas D & Adelheid F Finnie; Under Negotiation: Price and Terms. **Direction given to Mr. Schulze and Mr. Shove. No final action.**
- 2.7. CONFERENCE WITH LABOR NEGOTIATORS- Pursuant to Government Code Section 54957.6
Agency Designated Representative: Doug Schulze, City Manager
Unrepresented employee: Community Development Director Candidate.
No reportable action.
- 2.8 CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8: Property description: APN: 541-181-032, 541-181-033, 541-181-034, and 541-181-035, located in the general vicinity of Ramsey Street between San Gorgonio Avenue and Martin Street. City Negotiator: Douglas Schulze, City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Mark Development, Inc.;

Under Negotiation: Price and Terms. **Direction given to Mr. Schulze and Mr. Shove.**

The Meeting convened to closed session at 3:40 p.m. and reconvened to open session at 4:30 p.m.

3. **ADJOURNMENT**

By consensus, the meeting adjourned at 4:30 p.m.

Minutes Prepared by:



Daryl Betancur, Deputy City Clerk