

COUNCIL/BOARD MEMBERS PRESENT: Councilmember Happe  
Councilmember Peterson  
Councilmember Wallace  
Mayor Pro Tem Andrade  
Mayor Welch

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Douglas Schulze, City Manager  
Kevin G. Ennis, City Attorney  
Jennifer Petrusis, Deputy City Attorney (via teleconference)  
Ginetta Giovinco, Deputy City Attorney (via teleconference)  
Tom Miller, Electric Utility Director  
Daryl A. Betancur, Deputy City Clerk

**I. CALL TO ORDER**

A special meeting of the Banning City Council was called to order by Mayor Welch on May 28, 2019 at 3:00 p.m. at the Banning Civic Council Chambers, 99 E. Ramsey Street, Banning, California.

**II. CLOSED SESSION**

Mayor Welch opened the closed session items for public comments.

There were no public comments.

**1. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

City Designated Representatives: Douglas Schulze, City Manager, Kevin G. Ennis, City Attorney

Employee Organization: Banning Police Officer Association (BPOA). **Staff report was provided. No final or reportable action.**

**2. 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. Go Green Calming Solution, et al., Case No. RIC 1806731. **Status report was provided. No final or reportable action.**

3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
(Pursuant to paragraph (1) of subdivision (d) of Section 54956.9)  
Name of case: James Arthur Algea II and Cali Emerald Care, Inc. v. City of Banning, Case No. RIC 1903009. **Report provided stating TRO was denied by the Court.**
4. **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 No. RIC 1900544  
Golden State Environmental Justice Alliance v. City of Banning; Case No. RIC 1900654. **Status report was provided. No final or reportable action.**
5. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9)  
One potential case: facts and circumstances reported by Councilmember Wallace that may result in litigation and in which the City could become a party. **Report was presented. No final or reportable action.**

The meeting convened to closed session at 3:00 p.m. and reconvened to open session at 4:00 p.m.

### **III. ADJOURNMENT**

By consensus, the meeting adjourned at 4:00 p.m.

Minutes Prepared by:



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Daryl Betancur, Deputy City Clerk

**The entire discussion of this meeting and related documents can be found by visiting the following website: <https://banningca.gov/ArchiveCenter/ViewFile/Item/2083> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.**