

**AGENDA**  
**SPECIAL CITY COUNCIL MEETING**  
**CITY OF BANNING**  
**BANNING, CALIFORNIA**

November 12, 2019  
**3:00 p.m.**

Banning Civic Center  
Council Chamber  
99 E. Ramsey Street

**I. CALL TO ORDER**

Roll Call – Council Members Andrade, Happe, Peterson, Wallace, and Mayor Welch

- A. Opportunity for Public to address closed session items.
- B. Convene closed session.

**II. CLOSED SESSION**

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9

Name of Case: The City of Banning, et al. v. Cali Emerald Care, Inc., et al., Case No. RIC 1904157

**2. 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

**3. 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 (Banning Distribution Center Project)

**4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9

Name of Case: Supporters Alliance for Environmental Responsibility (SAFER) v. City of Banning, et al. (Lawrence Equipment Project), Case No. RIC 1903059

**5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant Exposure to Litigation pursuant to paragraph (2) subdivision (d) of Section 54956.9 (one case)

6. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8

**Properties and Owners/Negotiating Parties:** Real Property located in the vicinity of Ramsey and Hathaway – 1909 E. Ramsey Street, 2933 E. Ramsey Street, APN 532-120-011 – Ramirez Family Living Trust; 1933 E. Ramsey Street, APN: 532-120-012 – Liang; 1679 E. Ramsey Street, APN 532-120-019 – Tierra Firma Enterprise, LLC; Northeast corner of Ramsey Street and North Hathaway Street, APN 532-120-020 – Frank J. Burgess and Lorna D. Burgess, Trustees; Southeast corner of Ramsey Street and Hathaway Street, APN 532-140-005 – Frank Burgess; 1483 E. Ramsey St, APN 541- 170-019 – Raymond Ngoc Huynh and Lucy Nguyen Huynh, as Trustees of the Raymond and Lucy Huynh Revocable Trust; 1573 E. Ramsey St, APN 541-170-021 – Jen H. Huang

**City Negotiators:** Douglas Schulze, City Manager and Ted Shove, Economic Development Manager

**Under Negotiation:** Price and terms for acquisition of street right of way and temporary construction easements

7. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8

**Property Description:** Real Property located in the vicinity of S. 22<sup>nd</sup> Street and W. Lincoln Street (APN 538-230-011)

**City Negotiator:** Ted Shove, Economic Development Manager

**Negotiating Parties:** Debra Hanna/Jade Real Estate

**Under Negotiation:** Price and Terms

8. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8

**Property Description:** Real Property located in the vicinity of W. Nicolet Street and N. 2<sup>nd</sup> Street (APN 540-083-002 and 540-083-003)

**City Negotiator:** Tom Miller, Electric Utility Director and Jason Smith, Electric Operations Manager

**Negotiating Parties:** Our Blessed Saint Kateri Takawitha

**Under Negotiation:** Price and Terms

### **III. ADJOURNMENT**

**NOTICE:** Pursuant to Government Code § 54954.3(a), the only public comment that will be permitted during this Special Meeting is that pertaining to items appearing on this special meeting agenda. Any member of the public may address this meeting of the Mayor and Council on any item appearing on the agenda by approaching the microphone in the Council Chambers and asking to be recognized, either before the item about which the member desires to speak is called, or at any time during consideration of the item. A five-minute limitation shall apply to each member of the public, unless such time is extended by the Mayor. No member of the public shall be permitted to "share" his/her five minutes with any other member of the public.

**In compliance with the Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the City Clerk's Office (951) 922-3102. **Notification 48 hours prior to the meeting** will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.02-35.104 ADA Title II]

*The City of Banning promotes and supports a high quality of life that ensures a safe and friendly environment, fosters new opportunities and provides responsive, fair treatment to all and is the pride of its citizens*