



*In accordance with City Council Resolution 1995-21, the minutes of meetings of the City Council and the Boards, Commissions, and Committees of the City shall be prepared as Action Minutes.*

MINUTES  
CITY COUNCIL  
BANNING, CALIFORNIA

02/11/2020  
SPECIAL MEETING - CLOSED SESSION

COUNCIL MEMBERS PRESENT:

Mayor Andrade  
Mayor Pro Tem Wallace  
Councilmember Happe  
Councilmember Welch

COUNCIL MEMBERS ABSENT:

None

OTHERS PRESENT:

Douglas Schulze, City Manager  
Kevin G. Ennis, City Attorney  
Sonja De La Fuente, Deputy City Clerk  
Art Vela, Public Works Director  
Kerry Trost, PERMA

## **I. CALL TO ORDER**

A special meeting of the Banning City Council was called to order by Mayor Andrade on February 11, 2020, at 4:00 P.M. at the Banning City Council Chamber, 99 E. Ramsey Street, Banning, California.

## **II. CLOSED SESSION**

The Mayor opened the closed session items for public comments. There were none.

The City Attorney listed the items on the closed session Agenda as follows:

### **1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 (One Case).

### **2. CONFERENCE WITH LEGAL COUNCIL - ANTICIPATED LITIGATION**

Potential initiation of litigation pursuant to Paragraph (4) of subdivision (d) of Government Code Section 54956.9 (One Case)

3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8  
Properties: 150 E. Ramsey Street  
City Negotiator: Douglas Schulze, City Manager  
Negotiating Parties: Brandon Sudweeks, Sudweeks Development and Investment Company  
Under Negotiation: Price and terms for potential sale of City property to Sudweeks Development Company
4. **CONFERENCE WITH LABOR NEGOTIATORS**  
Pursuant to Government Code Section 54957.6  
City designated representatives: Mayor Andrade and City Attorney Ennis  
Unrepresented employee: City Manager
5. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
Pursuant to Paragraph (1) of subdivision (d) of Government Code 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  
for acquisition of street right of way and temporary construction easements

The meeting convened to closed session at 4:02 p.m., recessed at 5:08 p.m., reconvened to closed session at 6:52 p.m. and reconvened to open session at 7:20 p.m.

City Attorney Ennis reported the following:

1. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 (One Case). **Direction was provided to legal counsel. No final and reportable action.**
2. **CONFERENCE WITH LEGAL COUNCIL - ANTICIPATED LITIGATION**  
Potential initiation of litigation pursuant to Paragraph (4) of subdivision (d) of Government Code Section 54956.9 (One Case). **Direction was provided to staff. No final and reportable action.**
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8  
Properties: 150 E. Ramsey Street  
City Negotiator: Douglas Schulze, City Manager  
Negotiating Parties: Brandon Sudweeks, Sudweeks Development and Investment Company  
Under Negotiation: Price and terms for potential sale of City property to Sudweeks Development Company. **Continued to March 11, 2020.**

**4. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

City designated representatives: Mayor Andrade and City Attorney Ennis

Unrepresented employee: City Manager. **Completed.**

**5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Paragraph (1) of subdivision (d) of Government Code 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

for acquisition of street right of way and temporary construction easements.

**Settlement Agreement has been satisfied.**

**II. ADJOURNMENT**

By consensus, the meeting adjourned at 7:22 p.m.

Minutes Prepared by:



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Sonja De La Fuente, Deputy City Clerk

*The entire discussion of this meeting may be viewed by visiting <https://banninglive.viebit.com/player.php?hash=UHOhfdqVTT8h> and <https://banninglive.viebit.com/player.php?hash=zPuUeoCOEHgz>. Related documents may be found by visiting <https://banninglive.viebit.com/player.php?hash=UHOhfdqVTT8h> or by purchasing a CD or DVD at Banning City Hall in the amount of \$7.00, located at 99 E. Ramsey Street.*