

**AGENDA
SPECIAL MEETING
BANNING CITY COUNCIL**

April 28, 2015
4:00 p.m.

Banning Civic Center
Council Chambers
99 E. Ramsey St.

I. CALL TO ORDER

- Roll Call – Council Members Miller, Moyer, Peterson, Welch, Mayor Franklin

II. CLOSED SESSION

1. Two cases of significant exposure to litigation pursuant to Government Code Section 54956.9 (d)(2).
 2. Existing Litigation pursuant to Government Code Section 54956.9 (d)(1):
 - (a) Robertson’s Ready Mix, Lt., v. City of Banning and the Banning City Council, et al. – Case Nos. RIC 1409829 and RIC 1409037.
 - (b) Duane Burk, Andrew Takata, and Leonard Purvis v. City of Banning et al; Case No. RIC 1408547.
 - (c) Andrew Takata v. City of Banning – Case No. RIC 502374
 3. Real Property Negotiations pursuant to Government Code Section 54956.8 to confer with its real property negotiator, James E. Smith, in regards to the Village at Paseo San Gorgonio (APN: 541-181-009 thru 012, 541-181-024 thru 028, 541-183-001 thru 004 and vacated rights-of-way as depicted on Tentative Parcel Map No. 36285.
 4. Labor Negotiations pursuant to the provisions of Government Code Section 54957.6. City is represented by City Attorney. Negotiations are with International Brotherhood of Electrical Workers (IBEW) – Utility Unit and General Unit; Banning Police Officers Association (BPOA), and San Bernardino Public Employees Association (SBPEA).
 5. Public Employee Appointment/Conference with Labor Negotiator (One Matter)
 - (a) Pursuant to Government Code § 54957, to continue discussing the appointment of an employee to the position of City Manager,
 - (b) Also authorized pursuant to Government Code § 54957.6 regarding labor negotiations continuing to discuss the filling of the unrepresented position of City Manager (Councilmembers Moyer and Welch as negotiators for the City).
- A. Opportunity for Public to Address Closed Session Items.
B. Convene Closed Session

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.

III. ADJOURNMENT

NOTICE: 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.

Any member of the public may address this meeting of the Mayor and Council on any item which does not appear on the agenda, but is of interest to the general public and is an item upon which the Mayor and Council may act. 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. The Mayor and Council will in most instances refer items of discussion which do not appear on the agenda to staff for appropriate action or direct that the item be placed on a future agenda of the Mayor and Council. However, no other action shall be taken, nor discussion held by the Mayor and Council on any item which does not appear on the agenda, unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of Section 54954.2 of the Government Code.

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]