

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

April 26, 2016  
3:00 p.m.

Banning Civic Center  
Council Chambers  
99 E. Ramsey St.

**I. CALL TO ORDER**

Roll Call – Councilmembers Franklin, Miller, Moyer, Peterson, 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 Government Code Section 54956.9 to confer with legal counsel with regard to *Cassadas, et al., v. City of Banning, et al.*, Riverside Superior Court Case No. 16003770..
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9, to confer with legal counsel with regard to *Smith v. Hanna*, Riverside Superior Court Case No. RIC 474602, Appellate Case No. EO45670.
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to paragraph (1) subdivision (d) of Government Code Section 54956.9, to confer with legal counsel with regard to *Robertson's Ready Mix, Lt., v. City of Banning and the Banning City Council, et al*, Riverside Superior Court Case Nos. RIC 1409829, RIC 1409037, RIC 1500296 and RIC 1513475.
4. CONFERENCE WITH LABOR NEGOTIATOR  
Labor Negotiations pursuant to Government Code Section 54957.6  
Agency designated representative: City Manager Michael Rock and Deputy City Manager Rochelle Clayton. Employee Organizations: International Brotherhood of Electrical Workers (IBEW) – Utility Unit, International Brotherhood of Electrical Workers (IBEW) – General Unit; and San Bernardino Public Employees Association (SBPEA).

*Our Mission as a City is to provide a safe, pleasant and prosperous  
community in which to live, work and play. We will achieve this in  
a cost effective, citizen friendly and open manner.*

5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (1 potential case).

### 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]