

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

August 22, 2017  
3:30 p.m.

Banning Civic Center  
Council Chambers  
99 E. Ramsey St.

**I. CALL TO ORDER**

Roll Call – Councilmembers Andrade, Franklin, Peterson, Welch, Mayor Moyer

- 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 Government Code Section 54956.9(d)(1).  
Voeltz vs. City of Banning – Workers Comp Claim No. 13-12245 and  
Escalante vs. City of Banning – Workers Comp Claim Nos. 09-79594 and 13-  
08840
2. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT  
Public employment pursuant to Government Code Section 54957  
Title: City Attorney
3. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT  
Pursuant to Government Code Section 54957(b)  
Title: City Manager
4. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(d)(1)  
*City of Banning v. Zukaza LLC et al.* - Riverside Superior Court Case No.  
RIC1700904
5. CONFERENCE WITH LABOR NEGOTIATOR  
Labor Negotiations pursuant to Government Code Section 54957.6 Agency  
designated representative: Deputy City Manager Rochelle Clayton. Employee  
Organizations: International Brotherhood of Electrical Workers (IBEW) –  
Utility Unit, International Brotherhood of Electrical Workers (IBEW) – General  
Unit; Teamsters Local 1932 (Teamsters), Confidential Employees and  
Executive Staff.

6. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8: Property description: APN 532-130-011, located in the general vicinity of the Banning Municipal Airport. City Negotiator: Alex Diaz, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Southern California Gas Company; Under Negotiation: Price and Terms
7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8: Property description: APN 541-181-032, 541-181-033, 541-181-034, and 541-181-035, located in the general vicinity of Ramsey Street between San Gorgonio Avenue and Martin Street. City Negotiator: Alex Diaz, Interim City Manager and Ted Shove, Economic Development Manager – Negotiating Parties: Vanir Group of Companies, Inc.; Under Negotiation: Price and Terms
8. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION  
Pursuant to Government Code Section 54956.9(d)(4)  
Number of cases: One (the Flume)
9. 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.

### III. ADJOURNMENT

*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*

**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]