

COUNCIL/BOARD MEMBERS PRESENT: Councilmember Happe  
Councilmember Wallace  
Mayor Pro Tem Andrade (via  
teleconference)  
Mayor Welch

COUNCIL MEMBERS ABSENT: Councilmember Peterson

OTHERS PRESENT: Douglas Schulze, City Manager  
Kevin G. Ennis, City Attorney  
Ginetta Giovinco, Deputy City Attorney (via teleconference)  
Daryl A. Betancur, Deputy City Clerk  
Art Vela, Director of Public Works/City Engineer  
Adam Rush, Community Development Director  
Tom Miller, Electric Utility Director

## I. CALL TO ORDER

A special meeting of the Banning City Council was called to order by Mayor Welch on July 9, 2019 at 3:21 p.m. at the Banning Civic Council Chambers, 99 E. Ramsey Street, Banning, California.

## II. CLOSED SESSION

Mayor Welch opened the closed session items for public comments.

There were no public comments.

1. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 (one case). **Approved settlement Agreement on a 3-1 vote, with Mayor Pro Tem Andrade voting no.**
2. **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 and Golden State Environmental Justice Alliance v. City of Banning, Case No. RIC 19000654 (Banning Distribution Center). **Status report was provided. No final conclusive results.**

3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Pursuant to Subdivision (a) of Government Code Section 54956.9)  
Name of Case: Sustainers Alliance for Environmental Responsibility  
(SAFER) v. City of Banning, et al. (Lawrence Equipment Warehouse  
Project)  
Case No. RIC 1903059. **Status report was provided. No reportable  
action.**

The meeting convened to closed session at 3:21 p.m. and reconvened to open session at 4:02 p.m.

### III. ADJOURNMENT

By consensus, the meeting adjourned at 4:02 p.m.

Minutes Prepared by:



---

Daryl Betancur, Deputy City Clerk

**The entire discussion of this meeting and related documents can be found by visiting the following website: <http://www.banning.ca.us/ArchiveCenter/ViewFile/Item/2135> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.**