

COUNCIL/BOARD MEMBERS PRESENT: Councilmember Happe  
Councilmember Wallace  
Councilmember Peterson  
Mayor Pro Tem Andrade  
Mayor Welch

OTHERS PRESENT: Douglas Schulze, City Manager  
Kevin G. Ennis, City Attorney  
Ginetta Giovinco, Deputy City Attorney (via teleconference)  
Paula Gutierrez-Baeza, Deputy City Attorney (via teleconference)  
Daryl A. Betancur, Deputy City Clerk  
Art Vela, Director of Public Works/City Engineer

**I. CALL TO ORDER**

A special meeting of the Banning City Council was called to order by Mayor Welch on August 27, 2019 at 3:25 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 – EXISTING LITIGATION**  
Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9  
Name of Case: James Arthur Algea II and Cali Emerald Care, Inc. v. City of Banning, Case No. RIC 1903009. **Status report was provided. No reportable action was taken.**
  
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9  
Name of Case: The City of Banning, et al. v. Cali Emerald Care, Inc., et al., Case No. RIC 1904157. **Status report was provided. No reportable action was taken.**



3. **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 1900654 (Banning Distribution Center Project). **Direction  
given to legal counsel.**
4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9  
Name of Case: Supporters Alliance for Environmental Responsibility  
(SAFER) v. City of Banning, et al. (Lawrence Equipment Project), Case  
No. RIC 1903059. **Report was provided. No final reportable action.**
5. **CONFERENCE WITH LABOR NEGOTIATORS**  
Pursuant to Government Code Section 54957.6  
City designated representative: Douglas Schulze, City Manager  
Unrepresented employee: Candidate for Administrative Services Director  
position. **Report was provided. No final reportable action.**
6. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Pursuant to Government Code Section 54956.8  
Properties and Owners/Negotiating Parties: 1909 E. Ramsey Street,  
APN 532-120-011 – Ramirez Family Living Trust; 1933 E. Ramsey  
Street, APN: 532-120-012 – Liang; 1679 E. Ramsey Street, APN 532-  
120-019 – Tierra Firma Enterprise, LLC; *Northeast corner of Ramsey  
Street and North Hathaway Street*, APN 532-120-020 – Frank J. Burgess  
and Lorna D. Burgess, Trustees; *Southeast corner of Ramsey Street and  
Hathaway Street*, APN 532-140-005– Frank Burgess; 1483 E. Ramsey  
St, APN 541-170-019 – Raymond Ngoc Huynh and Lucy Nguyen Huynh,  
as Trustees of the Raymond and Lucy Huynh Revocable Trust; 1573 E.  
Ramsey St, APN 541-170-021 – Jen H. Huang  
City's Negotiators: Ted Shove, Economic Development Manager  
Under Negotiation: Price and terms for acquisition of street right of way  
and temporary construction easements. **Direction given with respect  
to potential acquisition of properties.**
7. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED  
LITIGATION**  
Potential initiation of litigation pursuant to paragraph (4) of subdivision (d)  
of Section 54956.9 (seven (7) potential cases). Direction was provided.
8. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED  
LITIGATION**  
Potential initiation of litigation pursuant to paragraph (4) of subdivision (d)  
of Section 54956.9 (one case). Direction was provided.

The meeting convened to closed session at 3:00 p.m. and adjourned to open session at 5:02 p.m.

City Attorney Kevin G. Ennis reported that the City Council had met in closed session regarding the matter listed on item No. 1 of the agenda and that there was no final and reportable action.

### III. ADJOURNMENT

By consensus, the meeting adjourned at 5:02 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: or by requesting a CD or DVD at <http://www.banning.ca.us/ArchiveCenter/ViewFile/Item/2149> Banning City Hall located at 99 E. Ramsey Street.**