

In accordance with City Council Resolution 1995-21, the minutes of meetings of the City Council and the Boards, Commissions, and Committees of the City shall be prepared as Action Minutes.

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

11/12/2019
SPECIAL MEETING - CLOSED SESSION

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

COUNCIL/BOARD MEMBERS ABSENT: None

OTHERS PRESENT: Douglas Schulze, City Manager
Kevin G. Ennis, City Attorney
Sonja De La Fuente, Deputy City Clerk
Art Vela, Public Works Director/City Engineer
Tom Miller, Electric Utility Director
Ted Shove Economic Development Manager
Jason Smith, Electric Operations Manager
Brandon Robinson, Electrical Engineering Supervisor
Mike Steen, Senior Electric Service Planner

I. CALL TO ORDER

A special meeting of the Banning City Council was called to order by Mayor Welch on November 12, 2019, at 3:01 P.M. at the Banning City Council Chamber, 99 E. Ramsey Street, Banning, California.

II. CLOSED SESSION

Mayor Welch opened the closed session items for public comments. There were none. The City Attorney listed the items on the closed session Agenda as follows:

1. **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
2. **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

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)

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

5. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant Exposure to Litigation pursuant to paragraph (2) subdivision (d)
of Section 54956.9 (one case)

6. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to
Government Code Section 54956.8
Properties and Owners/Negotiating Parties: Real Property located in the
vicinity of Ramsey and Hathaway – 1909 E. Ramsey Street, 2933 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 Negotiators: Douglas Schulze, City Manager and Ted Shove,
Economic Development Manager
Under Negotiation: Price and terms for acquisition of street right of way
and temporary construction easements

7. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to
Government Code Section 54956.8
Property Description: Real Property located in the vicinity of S. 22nd Street
and W. Lincoln Street (APN 538-230-011)
City Negotiator: Ted Shove, Economic Development Manager
Negotiating Parties: Debra Hanna/Jade Real Estate
Under Negotiation: Price and Terms

8. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8
Property Description: Real Property located in the vicinity of W. Nicolet Street and N. 2nd Street (APN 540-083-002 and 540-083-003)
City Negotiator: Tom Miller, Electric Utility Director and Jason Smith, Electric Operations Manager
Negotiating Parties: Our Blessed Saint Kateri Takawitha
Under Negotiation: Price and Terms

The meeting convened to closed session at 3:06 p.m. and reconvened to open session at 3:58 p.m.

III. ADJOURNMENT

By consensus, the meeting adjourned at 3:58 p.m.

Minutes Prepared by:



Sonja De La Fuente, Deputy City Clerk

The entire discussion of this meeting may be viewed by visiting <https://banninglive.viebit.com/player.php?hash=xr7XdprXiYoN> and related documents can be found by visiting <http://www.banningca.gov/ArchiveCenter/ViewFile/Item/2193> or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.