



AGENDA

SPECIAL CITY COUNCIL MEETING (CLOSED SESSION) OF THE BANNING CITY COUNCIL

CITY OF BANNING, CALIFORNIA

February 13, 2024
3:00 p.m.
In Chambers

Council Chambers
99 E. Ramsey Street
Banning, CA 92220

The following information comprises the agenda for the regular meeting of the Banning City Council, a joint meeting of the City Council and Banning Utility Authority, and the Banning City Council sitting in its capacity as the Banning Successor Agency Board.

Per City Council Resolution 2016-44, matters taken up by the Council before 10 p.m. may be concluded, but no new matters shall be taken up except upon a unanimous vote of the council members present and voting. Such an extension shall only be valid for one hour and each hour thereafter shall require a renewed action for the meeting to continue.

1. CALL TO ORDER

2. PUBLIC COMMENTS - Agenda Items Only

3. CLOSED SESSION

3.1 CONFERENCE WITH LABOR NEGOTIATORS

Recommendation: Pursuant to Government Code Section 54957.6

Agency Designated Representatives: Doug Schulze, City Manager; Art Vela, Director of Public Works; Lincoln Bogard, Finance Director; Nicole Jews, Human Resources Manager; Shelline Bennett of Liebert Cassidy Whitmore (City Counsel)

Employee Organization: International Brotherhood of Electrical Workers (IBEW) General Unit; International Brotherhood of Electrical Workers (IBEW) Utility Unit; Teamsters

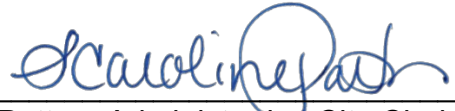
3.2 CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION

Recommendation: Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 potential case

4. ADJOURNMENT

AFFIDAVIT • DECLARACIÓN JURADA

IT IS HEREBY CERTIFIED under the laws of the State of California that the above agenda was posted on the City's website (www.banningca.gov) as well as the Bulletin Board at Banning City Hall, located at 99 E Ramsey Street, Banning, CA 92220, at least 72 hours in advance of the meeting.



Caroline Patton, Administrative City Clerk
Secretario adjunto de la ciudad

PUBLIC NOTICE • NOTICIA PÚBLICA

Meeting Agendas and Notices

Interested in receiving email and/or text notifications of upcoming City Council meetings? Sign up for meeting notifications through the City's website. Pursuant to amended Government Code §54957.5(b), staff reports and other public records related to open session agenda items are available on the City's website (www.banningca.gov/).

Public Comment

Agenda Items

Any member of the public may address this meeting of the City Council on any item appearing on the agenda. A five-minute limitation shall apply to each member of the public and no member of the public shall be permitted to share their time with any other person.

Non-Agenda Items

Any member of the public may address this meeting of the Council on any item which does not appear on the regular meeting agenda but is of interest to the general public and is an item upon which the Council may act. A three-minute limitation shall apply to each member of the public and no member shall be permitted to share their time with any other person. No action shall be taken, nor discussion held by the 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 §54954.2 of the Government Code.

Special Assistance/Accessibility Requests

In compliance with the Americans with Disabilities Act, any member of the public may request that the agenda and agenda packet be mailed to them. If you need special assistance to participate in this meeting (such as translation services), please contact the City Clerk's Office. Advanced notification of at least 48 hours prior to the meeting will allow the city to make arrangements to ensure your accessibility.

¿Necesita servicios de traducción para participar? Contacto Oficina del Secretario de la Ciudad.

CONTACT • CONTACTO

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99 East Ramsey Street, Banning, California 92220



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL
FROM: Douglas Schulze, City Manager
PREPARED BY: Lincoln Bogard, Administrative Services Director
MEETING DATE: February 13, 2024
SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS

RECOMMENDATION:

Pursuant to Government Code Section 54957.6

Agency Designated Representatives: Doug Schulze, City Manager; Art Vela, Director of Public Works; Lincoln Bogard, Finance Director; Nicole Jews, Human Resources Manager; Shelline Bennett of Liebert Cassidy Whitmore (City Counsel)

Employee Organization: International Brotherhood of Electrical Workers (IBEW) General Unit; International Brotherhood of Electrical Workers (IBEW) Utility Unit; Teamsters

BACKGROUND:

Provide Council with union counterproposals for consideration.

JUSTIFICATION:

All of these unions have a tentative agreement, but the original negotiations contained a clause for a reopener for IRS Section 125 cafeteria plan benefits and leave buyouts due to legal concerns regarding compliance issues.

FISCAL IMPACT:

To be discussed during closed session.

ALTERNATIVES:

1. Agree to union proposals.
2. Provide staff direction to provide unions a counterproposal.
3. Provide staff direction to provide unions a counterproposal as a last, best, and final.



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Lincoln Bogard, Administrative Services Director

MEETING DATE: February 13, 2024

SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION

RECOMMENDATION:

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 potential case

BACKGROUND:

Presentation of results of Phase 3 Forensic Investigation of the Electric Department.

JUSTIFICATION:

Council requested additional Phase 3 investigative work upon prior presentation of Phase 2 results.

FISCAL IMPACT:

No additional fiscal impact expected beyond the current budget of \$153,000.

ALTERNATIVES:

1. Provide staff with authorization to have GHJ Advisors present results during open City Council session on February 27, 2024.
2. Provide alternative direction to staff.