



City of Calimesa
Special Meeting of the City Council

AGENDA

Monday, January 25, 2021 – 6:00 p.m.

Norton Younglove Multipurpose Senior Center
908 Park Avenue, Calimesa, CA 92320

Pursuant to the State of California Executive Order N-29-20, regarding the COVID-19 pandemic, the Calimesa City Council and Staff will be conducting this meeting in the Norton Younglove Senior Center **MAINTAINING APPROPRIATE SOCIAL DISTANCING WITH MANDATORY MASKS.**

Pursuant to the most recent orders of the Governor, members of the public may only participate in this meeting by viewing the meeting on **Facebook Live**, beginning at 6:00 p.m. at <https://www.facebook.com/cityof.calimesa>.

Submission of Public Comments: Public comment will be accepted via email. Please send comments via email to the Calimesa City Clerk at dgerdes@cityofcalimesa.net. Identify public comment or the specific agenda item you wish to comment on in your email's subject line. You may submit comments on any agenda item. Emailed comments must be submitted by **5:30 p.m. on Monday, January 25, 2021** and will be read into the record by the City Clerk. Electronic comments on agenda items may only be submitted via email and comments via text and social media (Facebook, Twitter, etc.) will not be accepted.

William Davis, Mayor ♦ Linda Molina, Mayor Pro Tem
Jeff Cervantez, Council Member ♦ Wendy Hewitt Council Member ♦ Vacant, Council Member
Bonnie Johnson, City Manager ♦ Amy Greyson, City Attorney

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office, (909) 795-9801. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service. Any public writings distributed by the City to at least a majority of the Council Members regarding any item on this regular meeting agenda will be made available at the public counter at City Hall located at 908 Park Avenue, Calimesa, CA 92320

ANNOUNCEMENT REGARDING SPEAKER SLIPS

Anyone wishing to address the City Council either during "Communications from the Public" or on any item on the agenda should fill out a **blue speaker slip** and give that slip to the City Clerk **prior to the item being heard**. Please write the number of the agenda item or the subject of your presentation on the slip. **Please observe a time limit of three (3) minutes when giving your presentation.** When called upon, please step forward to the microphone, state your name for the record, whom you represent and any statement you wish to make. **Please be advised that you may not defer your three (3) minutes to another speaker.**

CALL TO ORDER

ROLL CALL: MAYOR DAVIS, MAYOR PRO TEM MOLINA, COUNCIL MEMBER CERVANTEZ AND COUNCIL MEMBER HEWITT.

STAFF: CITY MANAGER JOHNSON, CITY ATTORNEY GREYSON, CITY CLERK GERDES, PLANNING MANAGER LUCIA, INTERIM PUBLIC WORKS DIRECTOR MONSON, CITY ENGINEER THORNTON, FIRE CHIEF JOHNSON AND SHERIFF CAPTAIN SALAS.

PLEDGE OF ALLEGIANCE

COMMUNICATIONS FROM THE PUBLIC

Anyone wishing to address the Council on any item within the Council's jurisdiction that is not on the agenda may do so at this time. This is not a time for City Council discussion of non-agenda items. After receiving public comments, Council Members or staff, after being recognized by the Mayor, may briefly respond to statements made by the public or questions posed by the public. In addition, Council Members may ask questions for clarification or make a referral to staff for factual information to be reported back to the Council at a later meeting.

APPROVAL OF THE AGENDA

RECOMMENDATION: Move to approve the agenda

Motion _____ Second _____ Vote _____

BUSINESS ITEMS

1. ADOPTION OF RESOLUTION NO. 2021-04, MAKING AN APPOINTMENT TO THE FILL THE VACANCY ON THE CITY COUNCIL ARISING FROM THE RESIGNATION OF CITY COUNCIL MEMBER LARRY SMITH. [Page 3](#)

RECOMMENDATION: That the City Council adopt Resolution No. 2021-04, A Resolution of the City Council of the City of Calimesa, California appointing _____ (name to be inserted at the meeting) to fill the vacancy on the City Council arising from the resignation of Council Member Larry Smith.

City Clerk will administer the Oath of Office to the Newly appointed City Council Member.

COUNCIL MEMBERS' COMMENTS & REPORTS

This is the time for additional general comments, announcements, reports on meetings attended at public expense as required by AB 1234, requests of staff, and other issues of concern to Council Members may be presented briefly at this time. The Council may not legally take action on any item presented at this time other than to direct staff to investigate a complaint or place an item on a future agenda unless (1) by a majority vote, the Council determines that an emergency situation exists, as defined by Government Code § 54956.5 or (2) by a four-fifths vote, the Council determines that there is a need for immediate action and the need for action arose subsequent to the agenda being posted as required by Government Code § 54954.2(b).

ADJOURNMENT

Adjourn to the Regular Meeting of the City Council on Monday, February 1, 2021 at 6:00 p.m.



CITY COUNCIL MEETING AGENDA REPORT AGENDA ITEM NO. 1

SUBJECT: ADOPTION OF RESOLUTION NO. 2021-04, MAKING AN APPOINTMENT TO THE FILL THE VACANCY ON THE CITY COUNCIL ARISING FROM THE RESIGNATION OF CITY COUNCIL MEMBER LARRY SMITH

MEETING DATE: January 25, 2021

PREPARED BY: Darlene Gerdes, Deputy City Manager/City Clerk

RECOMMENDATION: That the City Council adopt Resolution No. 2021-04, A Resolution of the City Council of the City of Calimesa, California appointing _____ (name to be inserted at the meeting) to fill the vacancy on the City Council arising from the resignation of Council Member Larry Smith.

BACKGROUND AND DISCUSSION: At the December 21, 2020 meeting, the City Council moved to fill the current City Council Member vacancy through an appointment process and directed the City Clerk to create a City Council Appointee application form and advertise the process for persons to apply for and seek appointment to the Council.

On December 22, 2020 the City Clerk issued a Notice of Intention to fill the vacancy on the City Council by appointment. The Notice of Intention was posted in the City's three (3) legal posting places of City Hall, Calimesa Library and Calimesa Sr. Center. Further, the Notice was posted on the City's website, as well as the City's Facebook page. In addition, the Notice of Intention was published in the Yucaipa/Calimesa News Mirror in the December 25, 2020, January 1, 2021 and January 8, 2021 editions.

Qualified residents were invited to submit applications to the Office of the City Clerk by 5:30 p.m. Tuesday, January 12, 2021. A total of eight (8) applications were received and verified by the office of the City Clerk. The eight (8) applications were received from the following residents: Wynona Duvall, Howard Reeves, Jonathan Manly, Renee Kanoti, Ed Clark, Edgar Garcia, Eric Stalter and Leslie "Lea" Anderson.

At the January 19, 2021 meeting, the City Council received presentations from Wynona Duvall, Renee Kanoti, Jonathan Manly, Howard Reeves and Eric Stalter. Leslie "Lea" Anderson and Ed Clark did not attend due to illness and Edgar Garcia was not in attendance. Following each presentation, Council conducted a question and answer period with each applicant. Each applicant had an additional 2 minutes to provide their closing comments. Council scheduled a Special Meeting to complete the appointment process on Monday, January 25, 2021 at 6:00 p.m.

Deputy City Manager/City Clerk Gerdes requested that each Council Member determine their top three (3) choices and provide those to her no later than 10:00 am on Thursday, January 21, 2021. She stated that a staff report and Resolution would be created and included in the packet for the Special Meeting and would be completed by 1:00 p.m. on Thursday, January 21, 2021.

The final action of appointing one applicant to fill the vacancy must occur before February 1, 2021. Therefore, it is necessary for Council to make their final appointment at the Special Meeting called for January 25, 2021.

The City Council each submitted their top 3 applicant choices and the tally of selections are as follows:

APPLICANT NAME	CHOICES	SELECTED BY
Wynona Duvall	3	Molina, Cervantez, Hewitt
Renee Kanoti	3	Davis, Molina, Hewitt
Jonathan Manly	4	Davis, Molina, Cervantez, Hewitt
Eric Stalter	2	Davis, Cervantez
Howard Reeves	0	
Ed Clark	0	
Leslie "Lea" Anderson	0	
Edgar Garcia	0	

If Council so desires, they may ask further questions of the applicants, or ask the applicants to provide final comments regarding their desire to serve in the capacity of City Council Member. It would then be appropriate for Council to make their decision by initiating the nomination process. The first applicant nominated by a motion and a second and who receives at least 3 affirmative votes becomes the successful applicant for appointment to the vacancy.

Once appointment is made by the Council and Resolution No. 2021-04 is adopted, the City Clerk will administer the Oath of Office and conduct the swearing in of the newly appointed Council Member.

ATTACHMENTS:

Attachment A: Resolution No. 2021-04

RESOLUTION NO. 2021-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CALIMESA, CALIFORNIA, APPOINTING

TO FILL THE
VACANCY ON THE CITY COUNCIL ARISING FROM THE
RESIGNATION OF COUNCILMEMBER LARRY SMITH.**

WHEREAS, Council Member Larry Smith was elected to a new four-year term of office at the November 6, 2018 election; and

WHEREAS, Councilmember Smith resigned his Council Member position on December 3, 2020, as he was elected to the San Geronio Pass Water Agency Board on November 3, 2020; and

WHEREAS, California Government Code Section 1770(a) states that an office becomes vacant immediately upon the resignation of a duly elected and sitting Council Member; and

WHEREAS, California Government Code Section 36512(b) provides that the City Council shall, within 60-days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy; and

WHEREAS, California Government Code Section 36512(b)(2)(b) provides that because the vacancy occurred in the second half of Mr. Smith's four-year term, if the City Council appoints a person to fill the vacancy on the Council, that person will hold office until the City's next general municipal election of November 8, 2022; and

WHEREAS, at the Regular City Council Meeting held on December 21, 2020, Council established that the vacant seat would be filled by appointment; and

WHEREAS, the City Council wishes to appoint _____ to fill the vacant City Council seat for a term ending November 8, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CALIMESA:

Section1. Pursuant to Government Code Section 36512, _____ is appointed to fill the second half of the unexpired term of Larry Smith, ending November 8, 2022.

Section2. _____ shall take office effective immediately at the Special City Council Meeting on January 25, 2021 upon passage of this Resolution and serve as an appointed Councilmember for a term that expires on November 8, 2022.

PASSED, APPROVED, and ADOPTED this 25th day of January 2021.

WILLIAM DAVIS, MAYOR

ATTEST:

DARLENE GERDES, CITY CLERK