

City Of Calimesa
**City Council Minutes of the Regular Meeting of
January 22, 2019**

CALL TO ORDER 6:00 p.m. by Mayor Davis.

ROLL CALL: MAYOR DAVIS, MAYOR PRO TEM MOLINA, COUNCIL MEMBER CLARK, COUNCIL MEMBER HYATT AND COUNCIL MEMBER SMITH.

ABSENT: NONE

STAFF: CITY MANAGER JOHNSON, ASSISTANT CITY ATTORNEY KEARNS, CITY CLERK GERDES, PUBLIC WORKS DIRECTOR ASKEW, CITY ENGINEER THORNTON, PLANNING MANAGER LUCIA, FIRE CHIEF JOHNSON, AND POLICE CHIEF BELLI.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Council Member Smith.

PRESENTATIONS

Police Chief Recognition to Captain Joe Pemberton – Mayor Davis

Mayor Davis presented a plaque to Police Chief Joe Pemberton for his years of service to Calimesa and wished him well in his new position. Chief Pemberton introduced Captain Joe Belli as the new Chief for the Cabazon station and the City of Calimesa.

SGPWA Imported Water Rates– Joe Zoba, Yucaipa Valley Water Dist. General Manager

Joe Zoba, Yucaipa Valley Water District General Manager, spoke regarding a proposed State Water Project Rate Increase by the San Gorgonio Pass Water Agency. He stated that the proposed rate increase will affect Yucaipa Valley Water District drinking water customers in Riverside County and the City of Calimesa. He further stated that he would be holding a Community Meeting on Thursday, January 24, 2019 at 6:00 p.m. at the Norton Younglove Sr. Center.

COMMUNICATIONS FROM THE PUBLIC

Leonard Stephenson, San Gorgonio Pass Water Agency Board Member spoke regarding the imported water rates and Yucaipa Valley Water Districts purchase of water for its customers. He stated that San Gorgonio Pass Water Agency proposed that a capacity fee be imposed on the developers, but that it was rejected by the retailers.

Ron Duncan, San Gorgonio Pass Water Agency Board President expressed the agency's concerns with an increase in water rates to the residents, adding that a capacity fee to the builders would take the burden off the residents. He stated that there had not been an increase in rates in 10 years.

APPROVAL OF THE AGENDA

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY MAYOR PRO TEM MOLINA, CARRIED 5-0 TO APPROVE THE AGENDA AS PRESENTED.

CONSENT CALENDAR

The following Consent Calendar items are expected to be routine and non-controversial. Council will act upon them at one time without discussion. Any Council Member or staff member may request removal of an item from the Consent Calendar for discussion.

1. APPROVAL OF CITY COUNCIL ACTION MINUTES.
 - a) ***City Council action minutes of December 17, 2018 regular meeting.***
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.
 - a) ***There are no minutes ready for approval at this time.***
3. APPROVAL OF WARRANT REGISTERS.
 - a. ***Check Register Report with a total of \$453,682.00 (Check Nos. 33156 to 33271)***
 - b. ***December 27, 2018 Payroll of \$54,299.58***
January 1, 2019 Council Payroll of \$1,676.25
January 10, 2019 Payroll of \$61,703.81
4. WAIVE FULL READING OF ANY PROPOSED ORDINANCES ON THE AGENDA.
This permits reading the title only in lieu of reciting the entire text of the Ordinances. This does not take policy action on the Ordinances or approve or disapprove any Ordinances on the agenda.
5. TRAVEL EXPENSES
RECOMMENDATION: That the City Council move to approve the Travel Expenses Report for December 2018.
6. PARTICIPATION IN A LEAGUE OF CALIFORNIA CITIES POLICY COMMITTEE
RECOMMENDATION: That the City Council Receive and File information regarding Mayor Pro Tem Molina's participation in a League of California Cities Policy Committee.
7. NOTICE OF COMPLETION – CREEKSIDE PARK EXERCISE EQUIPMENT IMPROVEMENTS PROJECT.
RECOMMENDATION: That the City Council:
 1. ***Accept Creekside Park Exercise Equipment Improvement Project as complete, authorize the Public Works Director to sign the Notice of Completion and***

direct the City Clerk to file the Notice of Completion with the County Recorder's Office and, if no claims are filed 35 days after recordation, notify the surety company to exonerate the Faithful Performance, and Material and Labor Bonds.

2. Authorize the City Manager to release the 5% retention payment in the amount of \$2,219.11 to Joshua Contracting Company, 35 days after recordation of the Notice of Completion by the County Recorder's Office contingent upon no claims being filed on the project.

8. RECEIVE AND FILE THE 2017-18 ANNUAL AUDITED FINANCIAL STATEMENTS AND RELATED REPORTS

RECOMMENDATION: That the City Council Receive and File the 2017-18 Annual Audit Report and Financial Statements, the Report on Internal Controls, the Appropriations Limit Report for 2019, and the Auditor's Communication with Those Charged with Governance (SAS 114) Report.

9. AGREEMENT FOR PROVIDING ON-CALL PROFESSIONAL REAL ESTATE APPRAISAL SERVICES.

RECOMMENDATION: That the City Council approve authorizing the City Manager to enter into an Agreement for On-Call Professional Real Estate Appraisal Services between the City of Calimesa and Riggs & Riggs, Inc.

MOTION BY COUNCIL MEMBER HYATT SECONDED BY MAYOR PRO TEM MOLINA CARRIED 5-0 TO APPROVE THE CONSENT CALENDAR AS PRESENTED.

CHAMBER OF COMMERCE REPORTS

Wynona, Chamber President reported the following:

Event planning meetings were held for Site tours at Liberty Village – Home for Veterans, CR&R and Ronald McDonald House. Meet and Greets at Woodie's Barbeque and Calimesa Event Center and Training Sessions for finance, time management, understanding the new tax laws and project management. President Duvall met with Council Member Smith for guidance to increase chamber membership and Franchise & Corporate Businesses. Site visits were done at Dollar Tree and Legend 8 Chinese Restaurant. Breakfast meeting was held on January 8, 2019 with Liberty Village as the speaker. A Chamber Board meeting was held on January 9, 2019 and the Chamber Installation Dinner was held on January 10, 2019. Upcoming events were announced as follows: Veterans Expo, January 26, 2019 and Nite at the Derby Fundraiser, March 30, 2019.

POLICE CHIEF COMMENTS & REPORTS

Police Chief Belli announced that the Sheriff's Department, on behalf of the City, will be working with the County DPSS to conduct the PIT Homeless Count for Calimesa on January 29, 2019. He further announced the new State law passed allowing for all cannabis deliveries.

FIRE CHIEF COMMENTS & REPORTS

Chief Johnson reported 80 calls for service and 17 mutual/auto aid since January 1, 2019. He further reported 2018-year end calls for service at 1,785. He announced that staff would be completing the ISO survey within the month. He introduced Pastor Shawn Lind from Sanctuary Church who also serves as the Department Chaplain. Pastor Lind spoke regarding the Christmas Toy Drive held jointly between the Fire Department and Sanctuary Church. He stated that they were able to provide toys and infant clothing for 15 Calimesa families. He further stated that it was wonderful to be a part of the project.

MAYOR & COUNCIL MEMBER REPORTING OF COUNTY & REGIONAL MEETINGS

This is the time for comments, announcements and/or reports on meetings attended at public expense as required by AB 1234.

Council Member Clark reported that he attended a RCA meeting, the Riverside Division LOCC Meeting and the Calimesa Chamber Installation Dinner.

Council Member Smith reported that he attended the Lennar Model Homes Grand Opening, adding that they had great things to say about our Building and Planning Departments. He further reported that he attended the Swearing in Ceremony of the new County Sheriff, Chad Bianco, the Chamber Installation Dinner, the Riverside Division LOCC Meeting and the RCTC Women in Transportation Award Ceremony. He further reported that he participated in a tour of the CR&R Anerobic Digester Plant.

Council Member Hyatt reported that he attended the Riverside Division LOCC Meeting, WRCOG Board Meeting and the Calimesa Chamber Installation Dinner.

Mayor Pro Tem Molina reported that she attended the RTA meeting, Transportation Now and Budget and Finance meeting, Riverside Division LOCC meeting, Calimesa Chamber Installation Dinner and that she would be flying to Sacramento to attend a LOCC Transportation Committee meeting. She further reported that she worked with the Lyons Club in putting out the flags for the Martin Luther King Holiday.

PUBLIC HEARINGS

10. **PUBLIC HEARING:** ADOPT RESOLUTION 2019-01 DECLARING THE VACATION OF A PORTION OF A PUBLIC UTILITY EASEMENT LOCATED ON PARCEL 9 OF FINAL PARCEL MAP NO. 33105 (SUMMERWIND RANCH SPECIFIC PLAN)

RECOMMENDATION: That the City Council adopt Resolution 2019-01, a Resolution of the City Council of the City of Calimesa, California, Declaring the Vacation of a Portion of a Public Utility Easement Located on Parcel 9 of Final Parcel Map No. 33105.

Mayor Davis opened the Public Hearing

Public Works Director Askew presented the agenda report.

There was no public comment.

Mayor Davis closed the Public Hearing.

After Council discussion the following action was taken:

MOTION BY MAYOR PRO TEM MOLINA, SECONDED BY COUNCIL MEMBER CLARK, CARRIED 5-0 TO ADOPT RESOLUTION NO. 2019-01, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA, CALIFORNIA, DECLARING THE VACATION OF A PORTION OF A PUBLIC UTILITY EASEMENT LOCATED ON PARCEL 9 OF THE FINAL PARCEL MAP NO. 33105.

BUSINESS ITEMS

11. AN ORDINANCE OF THE CITY OF CALIMESA, CALIFORNIA, AMENDING CHAPTER 18.105 OF THE CALIMESA MUNICIPAL CODE TO UPDATE PARTICIPATION IN THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM TO INCLUDE A PROCESS FOR WRCOG CALCULATION AND COLLECTION OF FEES UNDER THE PROGRAM

RECOMMENDATION: That the City Council conduct first reading by title only of Ordinance No. 362, an Ordinance of the City of Calimesa, California, Amending Chapter 18.105 of the Calimesa Municipal Code to Update Participation in the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program to Include a Process for WRCOG Calculation and Collection of Fees Under the Program.

City Manager Johnson presented the agenda report.

After Council discussion the following action was taken:

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY MAYOR PRO TEM MOLINA, CARRIED 5-0 TO CONDUCT FIRST READING BY TITLE ONLY OF ORDINANCE NO. 362, AN ORDINANCE OF THE CITY OF CALIMESA, CALIFORNIA, AMENDING CHAPTER 18.105 OF THE CALIMESA MUNICIPAL CODE TO UPDATE PARTICIPATION IN THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM TO INCLUDE A PROCESS FOR WRCOG CALCULATION AND COLLECTION OF FEES UNDER THE PROGRAM.

12. ACCEPT BIDS AND AWARD CONTRACT FOR AVENUE L SLURRY SEAL PROJECT

RECOMMENDATION: That the City Council:

- 1. That City Council accept the bids received and approve a contract with Pavement Coatings Co. in the amount of \$82,080.00 for the Avenue L Slurry Seal Project.***
- 2. Authorize the City Manager to execute minor contract change orders within a***

ten percent contingency of the contract in the amount of \$8,208.00.

Public Works Director Askew presented the agenda report.

After Council discussion the following action was taken:

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY MAYOR PRO TEM MOLINA, CARRIED 5-0 TO ACCEPT THE BIDS RECEIVED AND APPROVE A CONTRACT WITH PAVEMENT COATINGS, CO. IN THE AMOUNT OF \$82,080.00 FOR THE AVENUE L SLURRY SEAL PROJECT AND AUTHORIZE THE CITY MANAGER TO EXECUTE MINOR CONTRACT CHANGE ORDERS WITHIN A TEN PERCENT CONTENGENCY OF THE CONTRACT IN THE AMOUNT OF \$8,208.00.

13. AMENDING THE MEASURE A CAPITAL IMPROVEMENT PROGRAM FOR FY 2018/19 – FY 2022/23, AND AMENDING THE CITY'S FY 2018/19 BUDGET TO INCORPORATE THOSE CHANGES

RECOMMENDATION: That the City Council Adopt Resolution No. 2019-02 amending the Measure A five-year Capital Improvement Program and amending the City's FY 2018/19 Budget to incorporate those changes.

Planning Manager Lucia presented the agenda report.

Public Works Director Askew presented the agenda report.

After Council discussion the following action was taken:

MOTION BY MAYOR PRO TEM MOLINA, SECONDED BY COUNCIL MEMBER CLARK, CARRIED 5-0 TO ADOPT RESOLUTION NO 2019-02, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA, CALIFORNIA AMENDING THE MEASURE A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM AND AMENDING THE CITY'S FY 2018/19 BUDGET TO INCORPORATE THOSE CHANGES.

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).

Mayor Pro Tem Molina reported that she attended Supervisor Hewitt's swearing in and the Ethics Training taught by the City Attorney's office.

Council Member Smith distributed a flyer regarding the RCTC State Route 60 Truck Lanes Project, adding that the project was approved at the recent RCTC meeting. He spoke of the possibility of RCTC coming to a Council meeting to provide an update on the project and its effect on the City of Calimesa and the I-10 corridor.

CITY MANAGER REPORTS

City Manager Johnson reported that Charles Abbott and Associates made a change in Code Enforcement Officers, adding that the new Code Enforcement Officer is Holly Malzahn. She further reported that with the growth in development, etc. there is a need to have the Building and Safety Department extend their hours, adding that they would be open from 7:30 am to Noon.

RECESS TO CLOSED SESSION

Assistant City Attorney Kearns announced the closed session items and Mayor Davis recessed the meeting to Closed session at 7:36 p.m.

CLOSED SESSION ITEMS

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to paragraph (1) of subdivision (d) of Section 54956.9 –

Name of Case: Alliance for Constitutional Sex Offense Laws, Inc v. City of Calimesa, Case No. RIC 1819994

CLOSED SESSION ANNOUNCEMENT

A. An update was provided with no reportable action.

ADJOURNMENT

Meeting adjourned at 8:12 p.m. to the Regular Meeting of the City Council on Monday, February 4, 2019, at 6:00 p.m.

Respectfully Submitted,



Darlene Gerdes
City Clerk

MOTION BY MAYOR PRO TEM MOLINA, SECOND BY COUNCIL MEMBER CLARK, CARRIED 5-0 TO APPROVE THE MINUTES OF JANUARY 22, 2019 REGULAR MEETING AS PRESENTED.

APPROVED: February 4, 2019