

City Of Calimesa
City Council Minutes of the Regular Meeting of
March 20, 2017

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

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

ABSENT: None

STAFF: CITY MANAGER JOHNSON, CITY ATTORNEY ENNIS, CITY CLERK GERDES, INTERIM PUBLIC WORKS DIRECTOR MONSON, COMMUNITY DEVELOPMENT DIRECTOR GARDNER, CITY ENGINEER THORNTON AND POLICE LT. BELLI.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Council Member Hyatt.

PRESENTATIONS

COP Swearing in Ceremony – *Ken Littleton, COP Vice-Commander*

COP Vice-Commander Littleton introduced new COP member Jan Cook and administered to her the Oath of office.

COMMUNICATIONS FROM THE PUBLIC

George Forget, Jr., 943 Calimesa Blvd., Calimesa spoke regarding a new BBQ business coming to the property across the street from him and questioned whether he had the proper permits from AQMD for the smoke, the health department and city business license.

Community Development Director Gardner stated that the prospective business owner had come to the city and those permits are in process.

APPROVAL OF THE AGENDA

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

Mayor Hewitt asked if there were any items to be removed from the Consent Calendar for discussion. Council Member Hyatt requested that Item No. 5 be pulled for discussion.

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 March 6, 2017 regular meeting.**
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.
 - a) **Planning Commission action minutes of November 28, 2016**
 - b) **Planning Commission action minutes of February 27, 2017**
3. APPROVAL OF WARRANT REGISTERS.
 - a. **Check Register Report with a total of \$249,823.05 (Check Nos. 30860 to 30897)**
 - b) **March 1, 2017 Council Payroll of \$1,707.75**
March 9, 2017 Payroll of \$23,825.14
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.
6. ACKNOWLEDGMENT OF RECEIPT BY THE CITY OF A LETTER OF ACCEPTANCE FROM THE SOUTHERN CALIFORNIA GAS COMPANY REGARDING THE GRANT OF A PIPELINE FRANCHISE TO THE CITY.

RECOMMENDATION: That the City Council acknowledge receipt of the Letter of Acceptance from Southern California Gas Company by which the Gas Company accepts the City's Pipeline Franchise and agrees to comply with its terms and conditions.
7. APPROVE AN AGREEMENT FOR LEAD-BASED PAINT AND ASBESTOS TESTING AND CONSULTING SERVICES TO LEAD TECH ENVIRONMENTAL
RECOMMENDATION: That the City Council approve an agreement with Lead Tech Environmental to provide Lead-Based Paint and Asbestos Testing & Consulting Services for the City's Community Development Block Grant(CDBG) and HOME Programs.
8. JP RANCH LIMITED PARTNERSHIP BY JP RANCH CORPORATION – WAYNE SIMMONS, PRESIDENT – AUTHORIZATION TO RELEASE BONDS FOR TRACTS 30386 AND 26925.

RECOMMENDATION: That the City Council authorize the City Manager to release the two (2) surety bonds for Tract 30386 and 26925.

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY MAYOR PRO TEM DAVIS, CARRIED 5-0 TO APPROVE ITEMS 1-4 AND 6-8 OF THE CONSENT CALENDAR AS PRESENTED.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

5. TRAVEL EXPENSES.

RECOMMENDATION: That the City Council receive and file the travel expenses report for February 2017.

Council Member Hyatt requested the item be pulled for discussion and spoke regarding the travel monies for the two newly elected members, adding that the first year of election a member uses quite a bit of travel monies to attend new member trainings, etc. He suggested the option of other council members giving some of their travel monies to the newly elected members. Council Member Hyatt stated that he would like to give \$200 to Council Member Clark and \$200 to Council Member Molina from his allocated travel monies.

There was Council consensus to support Council Member Hyatt's transfer of \$200.00 each to Council Members Clark and Molina.

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCIL MEMBER CLARK, CARRIED 5-0 TO APPROVE ITEMS 5 OF THE CONSENT CALENDAR AS PRESENTED.

CALIMESA CHAMBER OF COMMERCE REPORT

Chamber President Lotz provided the Chamber report, announcing the Paint Night fundraiser to be held on April 28, 2017 at the Plantation on the Lakes at 6:00 p.m. She added that the funds raised would be used towards the Christmas Parade for banners, possible awards etc. She announced the Ramona Pageant that would be held at the Ramona Bowl in Hemet on April 22nd & 23rd, 20th & 30th and May 6th and 7th. She stated that the parade committee met on Thursday, March 16th and will continue to meet the 3rd Thursday of each month at 5 p.m.

CHIEF OF POLICE COMMENTS & REPORTS

Police Lt. Belli stated that he had nothing to report, but announced that the "Coffee with a Cop" event would be held soon and flyers would be out as soon as the details are confirmed.

Council Member Clark questioned vehicle burglaries in the Rancho Calimesa Mobile Home Park. Lt. Belli stated that he was not aware of any reports and that the residents need to call the issues in to the station so that they can be handled by the department.

Council Member Hyatt thanked CSO Ron Dortch for his assistance with a resident in The Colony Mobile Home Park.

FIRE CHIEF COMMENTS & REPORTS

Fire Chief Smith was not in attendance. No report was given.

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 the Riverside Division League of California Cities meeting.

Council Member Molina reported that she attended a RTA Travel Training Bus tour, adding that it was a very organized program and that Pass Transit has a similar program for its riders. She further reported that she attended the RTA 40th Anniversary event and the League of California Cities Riverside Division meeting.

Council Member Hyatt reported that he attended the Riverside Division League of California Cities meeting. He announced that he was re-elected by his colleagues to serve on the SCAG Board and invited anyone who would like to attend a SCAG meeting with him in Los Angeles, adding he'd be happy to have them come along and see what SCAG is all about. He further reported that he attended a RCTC meeting and a Pass Zone TUMF meeting.

Mayor Hewitt reported that he attended the Riverside Division League of California Cities meeting, a WRCOG Pass Zone meeting and a RCA Executive Committee meeting, where they voted to increase the fees by the CPI.

BUSINESS ITEMS

9. ORDINANCE NO. 349 - AN ORDINANCE OF THE CITY OF CALIMESA, CALIFORNIA, AMENDING EXISTING SECTIONS OF CHAPTER 16.05 OF THE CALIMESA MUNICIPAL CODE THAT ESTABLISHED A LOCAL DEVELOPMENT MITIGATION FEE FOR FUNDING AND PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN TO BRING THOSE SECTIONS INTO CONFORMANCE WITH UPDATED STANDARDS AND PROVISIONS

RECOMMENDATION: That the City Council introduce first reading, by title only, Ordinance No. 349, An Ordinance of the City Council of the City of Calimesa, California amending existing Sections of Chapter 16.05 of Title 16 of the Calimesa Municipal Code that established a local development mitigation fee for funding the preservation of natural ecosystems in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan to bring those sections into conformance with updated standards and provisions.

City Manager Johnson presented the agenda report.

After Council discussion, the following action was taken:

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 5-0 TO INTRODUCE FIRST READING, BY TITLE ONLY, ORDINANCE NO. 349, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIMESA, CALIFORNIA AMENDING EXISTING SECTIONS OF CHAPTER 16.05 OF TITLE 16 OF THE CALIMESA MUNICIPAL CODE THAT ESTABLISHED A LOCAL DEVELOPMENT MITIGATION FEE FOR FUNDING THE PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN TO BRING THOSE SECTIONS INTO CONFORMANCE WITH UPDATED STANDARDS AND PROVISIONS.

10. CONSIDERATION OF THE REMOVAL OF A COMMISSIONER FROM THE COMMUNITY SERVICES COMMISSION.

RECOMMENDATION: That the City Council consider Mayor Hewitt's request to remove Commissioner Miriam Fadel from the Community Services Commission.

Deputy City Manager/City Clerk Gerdes presented the agenda report.

Mayor Hewitt stated his decision to remove Miss Fadel from the Community Services Commission for lack of participation and attendance.

After Council discussion, the following action was taken:

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY MAYOR PRO TEM DAVIS, CARRIED 5-0 TO RATIFY MAYOR HEWITT'S REMOVAL OF COMMISSIONER MIRIAM FADEL FROM THE COMMUNITY SERVICES COMMISSION.

11. ESTABLISHMENT OF EITHER A CITY COUNCIL AD HOC COMMITTEE, A CITY ADVISORY COMMITTEE, OR HOLD CITY COUNCIL WORKSHOP MEETINGS TO STUDY POTENTIAL CITY REGULATIONS OF MARIJUANA

RECOMMENDATION: That the City Council take one of the following actions:

- 1. Establish a City Council Two-Member Ad Hoc Committee to study whether the City should allow marijuana businesses to operate in the City and report its findings to the full City Council.***
- 2. Establish an Advisory Committee comprised of Council Members as well as non-Council Members to study whether the City should allow marijuana businesses to operate in the City and report its findings to the City Council.***
- 3. Conduct workshops with the full City Council to study whether the City should allow marijuana businesses to operate in the City.***

City Attorney Ennis presented the agenda report.

Mayor Hewitt and Council Member Molina expressed their favor of an ad-hoc committee. Council Member Hyatt was not opposed to an ad-hoc, but declined

his participation as an ad-hoc committee member. Council Member Clark was not opposed to an ad-hoc, but would agree to the option of workshops of the full Council as well. Mayor Pro Tem Davis expressed his opposition to an ad-hoc or advisory committee and expressed his preference of full council workshops.

After Council discussion, the following action was taken:

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY MAYOR HEWITT, CARRIED 4-1(MAYOR PRO TEM DAVIS VOTED NO) TO ESTABLISH A TWO-MEMBER AD-HOC COMMITTEE AND APPOINT COUNCIL MEMBERS CLARK AND MOLINA TO SERVE AS THE AD-HOC COMMITTEE.

There was consensus of the Council for the ad-hoc committee to bring a report to Council in 30 days.

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).

Council Member Clark reported that he attended the Sr. Center St. Patrick's Day Dinner, adding it was a great event and well attended. He stated that he had received several phone calls regarding the ice cream truck and trailer parked on Calimesa Blvd. and questioned that status.

Police Lt. Belli stated that there had been no enforcement action to date on the vehicle.

Council Member Molina reported that she attended the Memorial Service for Ray Quinto, the Christmas Parade meeting, Senator Mike Morrell's Veterans event where resident Bill Daley was recognized and the Chamber Breakfast meeting.

Council Member Hyatt reported that he attended the Sr. Center St. Patrick's Day Dinner and announced the "Fit after 50" exercise class held at the Sr. Center Wednesdays and Fridays at 10:00 am

Mayor Pro Tem Davis reported that he attended a St. Patrick's Day event at the Calimesa Country Club.

Mayor Hewitt reported that he attended the Memorial Service for Ray Quinto and then the reception held afterwards at the Plantation on the Lakes and presented the family with a proclamation honoring Mr. Quinto. He further reported that he attended Mike Morrell's Veterans event, adding it was a great event.

CITY MANAGER COMMENTS & REPORTS

None.

RECESS TO CLOSED SESSION

City Attorney Ennis announced the closed session item. Mayor Hewitt recessed the meeting to Closed session at 7:06 p.m.

CLOSED SESSION ITEMS

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9

Name of Case: AVMGH Three-Golden Palms Limited Partnership V. City of Calimesa – Superior Court Case No. RIC1600278

CLOSED SESSION ANNOUNCEMENT

A. A status report was given with no reportable action.

ADJOURNMENT

Meeting adjourned at 7:45 p.m. to the Regular Meeting of the City Council on Monday, April 3, 2017, at 6:00 p.m.

Respectfully Submitted,



Darlene Gerdes, City Clerk

MOTION BY COUNCIL MEMBER HYATT, SECOND BY MAYOR PRO TEM DAVIS, CARRIED 5-0 TO APPROVE THE MINUTES OF MARCH 20, 2017 REGULAR MEETING AS PRESENTED. APPROVED: April 3, 2017