

*City Of Calimesa*  
**City Council Minutes of the Special Meeting of**  
**April 12, 2016**

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**CALL TO ORDER 4:30 p.m. by Mayor Hewitt.**

**ROLL CALL:** MAYOR HEWITT, MAYOR PRO TEM MCINTIRE, AND COUNCIL MEMBER ZANOWIC.

**ABSENT:** COUNCIL MEMBER DAVIS AND COUNCIL MEMBER HYATT

**STAFF:** CITY MANAGER JOHNSON, CITY ATTORNEY ENNIS (by telephone), CITY CLERK GERDES.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was led by Mayor Hewitt.

**COMMUNICATIONS FROM THE PUBLIC**

None.

**APPROVAL OF THE AGENDA**

**MOTION BY MAYOR PRO TEM MCINTIRE, SECONDED BY COUNCIL MEMBER ZANOWIC, CARRIED 3-0-2-0(COUNCIL MEMBERS DAVIS AND HYATT WERE ABSENT) TO APPROVE THE AGENDA AS PRESENTED.**

**RECESS TO CLOSED SESSION**

Mayor Hewitt recessed the meeting at 4:32 p.m. to the Closed Session. City Attorney Ennis announced the Closed Session Item.

**CLOSED SESSION ITEM**

**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Potential Initiation of Litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 - **Number of Cases: One (1) case**

Mayor Hewitt reconvened the meeting at 4:55 p.m.

**CLOSED SESSION ANNOUNCEMENT**

A. No reportable action

**BUSINESS ITEMS**

1. CONSIDERATION OF A TUMF CREDIT AGREEMENT WITH SUNNY-CAL 1 INV, LLC AND A SETTLEMENT AGREEMENT (INCLUDING AMENDMENT NO. 5 TO THE TOLLING AGREEMENT) WITH CV COMMUNITIES, LLC, SUNNY-CAL 1 INV, LLC AND THE CITY OF BEAUMONT REGARDING THE SUNNY-CAL PROJECT IN BEAUMONT.

**RECOMMENDATION:** That the City Council receive a status report on negotiations between the City of Calimesa, Sunny-Cal 1 INV, LLC, CV Communities, LLC and the City of Beaumont regarding a TUMF Credit Agreement and Settlement Agreement (including Amendment No. 5 to the Tolling Agreement), and based on the content of that report either: (1) continue the consideration of the item; or (2) take action to approve the TUMF Credit Agreement, Settlement Agreement or both Agreements.

City Attorney Ennis presented the agenda report.

After Council discussion the following action was taken:

**MOTION BY COUNCIL MEMBER ZANOWIC, SECONDED BY MAYOR PRO TEM MCINTIRE, CARRIED 3-0-2-0(COUNCIL MEMBERS DAVIS AND HYATT WERE ABSENT) TO APPROVE THE TUMF CREDIT AGREEMENT AND THE SETTLEMENT AGREEMENT AND AUTHORIZE THE CITY MANAGER TO MAKE MINOR CHANGES AS NECESSARY FOLLOWING REVIEW BY THE CITY OF BEAUMONT AT THEIR SPECIAL MEETING OF APRIL 13, 2016.**

### **ADJOURNMENT**

Meeting adjourned at 5:00 p.m. to the regular meeting of the City Council on Monday, April 18, 2016, at 6:00 p.m.

Respectfully Submitted,



Darlene Gerdes, City Clerk

Approved by Council:

4/18/16