

City Of Calimesa
City Council & Successor Agency to the Calimesa Redevelopment Agency
Minutes of the Regular Meeting of
June 5, 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, PUBLIC WORKS DIRECTOR ASKEW, COMMUNITY DEVELOPMENT DIRECTOR GARDNER, CITY ENGINEER THORNTON, FIRE CHIEF SMITH AND POLICE LT. BELI.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Pro Tem Davis.

PRESENTATIONS

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

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

COMMUNICATIONS FROM THE PUBLIC

Dan Nafzgar, 1261 Augusta Court, Calimesa spoke in support of retaining Cal FIRE for Calimesa, stating that there are many things to consider with the establishment of the new fire department. He further questioned the support of mutual aid.

Tom Shalhoub spoke regarding the annual Memorial Day Ceremony and thanked the City and the City Council for their support. He further thanked Council Member Clark and Council Member Molina for their participation in the program. He stated that it was the best attended so far and the financial contributions exceeded previous years.

Rich Esquinis, 1285 Lone Star, Calimesa spoke regarding the Joint Council and Planning Commission workshop that would be held on June 12, 2017 regarding Proposition 64 – Recreational Marijuana. He submitted documents to the City Clerk that he requested be part of the workshop packet.

APPROVAL OF THE AGENDA

MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER MOLINA, 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. There were no items removed 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 May 15, 2017 regular meeting.
 - b) City Council action minutes of May 30, 2017 special meeting.
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.

There are no minutes ready for approval now.
3. APPROVAL OF WARRANT REGISTERS.
 - a. Check Register Report with a total of \$118,217.15 (Check Nos. 31065 to 31099)
 - b) May 18, 2017 Payroll of \$23,449.49
June 1, 2017 Council Payroll of \$1,707.75
June 1, 2017 Payroll of \$23,449.48
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. RESOLUTION OF INTENTION TO CERTIFY SOLID WASTE DELINQUENT ACCOUNT LIEN LIST.

RECOMMENDATION: *That the City Council adopt Resolution No. 2017-15 A Resolution providing a Notice of Intention to set the time and place for a Public Hearing on July 17, 2017 at 6:00 p.m. regarding forwarding amounts remaining unpaid on the Solid Waste Lien List to the County of Riverside for addition to the 2017-2018 property tax rolls as special assessments.*
6. ENVIRONMENTAL STUDIES FOR COUNTY LINE ROAD AND CALIMESA BOULEVARD INTERSECTION IMPROVEMENTS AUTHORIZATION TO AWARD CONTRACT.

RECOMMENDATION: *That the City Council:*

- a) **Approve a contract with ECORP Consulting, Inc. in an amount not-to-exceed \$49,535.64 for professional consulting services for Environmental Studies for County Line Road at Calimesa Boulevard Intersection Improvements.**
- b) **Authorize the City Manager to execute minor contract change orders within a ten percent contingency of the contract not-to-exceed \$4,953.56.**

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

CHIEF OF POLICE COMMENTS & REPORTS

Police Lt. Belli reported an increase in transient population, adding that the department is active in enforcement. He stated that when speaking to the transients, they are typically just passing through Calimesa. He further reported a robbery at the 7/11 on Countyline Road that occurred a couple of weeks prior and stated that the victim recanted her story and the investigation is pending.

FIRE CHIEF COMMENTS & REPORTS

Fire Chief Smith stated that he would provide a report at the next meeting.

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 Molina reported that she attended the YCJUSD Board meeting where they approved the Summer Feeding Program, the RTA Operations and Budget Committee meeting, the RTA meeting where they recognized an RTA bus driver who won an international bus rodeo award, the Memorial Day Ceremony at Desert Lawn Memorial Park, a Transportation Now meeting, the Calimesa Budget Workshop and the Yucaipa Chamber Breakfast Meeting.

Council Member Hyatt reported that he attended the SCAG meeting on June 1, 2017.

Mayor Hewitt reported that he attended the San Gorgonio Pass Water Alliance meeting and announced that the agencies would not have to pay membership fees this year. He further reported that he attended the RCA meeting and the WRCOG meeting where they discussed the TUMF Nexus Study at length.

PUBLIC HEARINGS

- 7. **PUBLIC HEARING: MEMORANDUM OF AGREEMENT FOR THE FORMATION OF A GROUNDWATER SUSTAINABILITY AGENCY FOR THE YUCAIPA SUB-BASIN NO. 8-02.07.**

RECOMMENDATION: That the City Council:

- 1. Approval of Resolution 2017-14, a Resolution of the City Council of the City of Calimesa approving a Memorandum of Agreement for the Formation of a Groundwater Sustainability Agency for the Yucaipa Sub-basin No. 8-02.07**
- 2. Approval of a Memorandum of Agreement for Reimbursement of Fees and Expenses Incurred in Forming a Groundwater Sustainability Agency for the Yucaipa Sub-basin (Sub-Basin No. 8-02.07).**

Mayor Hewitt opened the Public Hearing at 6:21 p.m.

City Attorney Ennis announced that he would abstain as Legal Counsel for Recommendation No. 1.

City Manager Johnson presented the agenda report and provided a power point presentation.

There was no public comment.

Mayor Hewitt closed the Public Hearing at 6:37 p.m.

After Council discussion, the following action was taken:

MOTION BY COUNCIL MEMBER MOLINA, SECONDED BY MAYOR PRO TEM DAVIS, CARRIED 5-0 TO APPROVE RESOLUTION NO. 2017-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA, APPROVING A MEMORANDUM OF AGREEMENT FOR THE FORMATION OF A GROUNDWATER SUSTAINABILITY AGENCY FOR THE YUCAIPA SUB-BASIN NO. 8-02.07 AND APPROVE A MEMORANDUM OF AGREEMENT FOR REIMBURSEMENT OF FEES AND EXPENSES INCURRED IN FORMING A GROUNDWATER SUSTAINABILITY AGENCY FOR THE YUCAIPA SUB-BASIN (SUB-BASIN NO. 8-02-07).

BUSINESS ITEMS

8. COUNCIL CONSIDERATION OF A REQUEST BY THE CALIMESA CHAMBER OF COMMERCE TO HOLD THE ANNUAL CALIMESA STATE OF THE CITY LUNCHEON AT TUQWET CANYON GOLF CLUB.

RECOMMENDATION: That the City Council consider the request of the Calimesa Chamber of Commerce regarding the location of the Annual State of the City Event and provide direction to staff as appropriate.

City Manager Johnson presented the agenda report.

Kathy Houlihan, 10320 Calimesa Blvd., Calimesa spoke in support of the Chamber continuing to host the Annual State of the City Event and holding the event at Tuqwet Canyon Golf Club.

Council Member Hyatt provided a copy of an email he received from the Calimesa Country Club that included a potential quote for holding an event at the Calimesa Country Club.

Donna Lotz, Chamber Board President spoke in support of holding the event at Tuqwet Canyon Gold Club and stated that the Chamber does use the Calimesa County Club for events, but that the room size is not quite large enough to handle the State of the City event. She added that Tuqwet Country Club is large enough and better promotes the City. She added that Tuqwet Country Club is also a member of the Calimesa Chamber of Commerce.

After Council discussion, the following action was taken:

MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER CLARK, CARRIED 5-0 TO AUTHORIZE THE CALIMESA CHAMBER OF COMMERCE TO HOLD THE ANNUAL STATE OF THE CITY EVENT AT TUQWET CANYON GOLF CLUB.

CONVENE JOINT CITY COUNCIL AND SUCCESSOR AGENCY TO THE CALIMESA REDEVELOPMENT AGENCY MEETING

The Joint meeting of the City Council and Calimesa Successor Agency was called to order at 6:56 p.m. All members of the agency were in attendance.

City Attorney Ennis recused himself from the meeting for Joint Meeting Item No. 1.

JOINT CC-CSA CONSENT CALENDAR

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

JM1. **AMENDED AND RESTATED AGREEMENT FOR LEGAL SERVICES**
RECOMMENDATION: That the City Council and Successor Agency Board of Directors approve the Amended and Restated Agreement for Legal Services with Richards, Watson and Gershon.

After Council discussion, the following action was taken:

MOTION BY COUNCIL/AGENCY MEMBER HYATT, SECONDED BY COUNCIL/AGENCY MEMBER MOLINA, CARRIED 5-0 TO APPROVE THE AMENDED AND RESTATED AGREEMENT FOR LEGAL SERVICES WITH RICHARDS, WATSON AND GERSHON WITH AMENDED LANGUAGE TO 5B OF THE AGREEMENT TO READ AS FOLLOWS: B. Council Approval of Adjustment in Rates by Change in CPI. Commencing July 1, 2019, and annually thereafter, the hourly rates set forth on Exhibit A, shall be reviewed with respect to the percentage change in the Consumer Price Index (All Urban Consumers; Los Angeles-Riverside-Orange County). The calculation shall be made using the month of April over the month of April in the prior year. Upon such review, any annual adjustment shall require approval by the City Council.

City Attorney Ennis returned to the meeting.

Council Member Hyatt announced that he was not feeling well and left the meeting at 7:09 p.m.

JOINT CC-CSA BUSINESS ITEMS

JM2. JOINT MEETING FOR ADOPTION OF THE BUDGET FOR FISCAL YEAR 2016-2017 FOR THE CITY OF CALIMESA AND THE CALIMESA SUCCESSOR AGENCY.

RECOMMENDATION:

- 1. That the City Council adopt Resolution 2017-16, a Resolution of the City Council of the City of Calimesa, California, establishing the Fiscal Year 2017-18 Appropriation Limit; and**
- 2. That the City Council adopt Resolution 2017-17, a Resolution of the City Council of the City of Calimesa, California, adopting the Calimesa FY 2017-18 General Fund Operating Budget, Special Fund Budget, Capital Improvement Program and Cost Allocation Plan; and Amending the FY 2016-17 Budget document; and**
- 3. That the Calimesa Successor Agency adopt CSA Resolution 2017-01, a Resolution of the Board of Directors of the Successor Agency to the Calimesa Redevelopment Agency Adopting the Proposed Calimesa Successor Agency Budget for Fiscal Year 2017-18.**

City Manager Johnson presented the agenda report.

After Council/Agency discussion the following three (3) actions were taken:

MOTION BY MAYOR HEWITT, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 4-0(COUNCIL MEMBER HYATT WAS ABSENT) TO ADOPT RESOLUTION NO. 2017-16, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA CALIFORNIA, ESTABLISHING THE FISCAL YEAR 2017-18 APPROPRIATION LIMIT

MOTION BY MAYOR HEWITT, SECONDED BY MAYOR PRO TEM DAVIS, CARRIED 4-0(COUNCIL MEMBER HYATT WAS ABSENT) TO ADOPT RESOLUTION NO. 2017-17, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA, CALIFORNIA, ADOPTING THE CALIMESA FY 2017-18 GENERAL FUND OPERATING BUDGET, SPECIAL FUND BUDGET, CAPITAL IMPROVEMENT PROGRAM AND COST ALLOCATION PLAN; AND AMENDING THE FY 2016-17 BUDGET DOCUMENT.

MOTION BY AGENCY VICE-CHAIR HEWITT, SECONDED BY AGENCY MEMBER MOLINA, CARRIED 4-0(AGENCY MEMBER HYATT WAS ABSENT) TO ADOPT CSA

RESOLUTION NO. 2017-01, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE CALIMESA REDEVELOPMENT AGENCY ADOPTING THE PROPOSED CALIMESA SUCCESSOR AGENCY BUDGET FOR FISCAL YEAR 2017-18.

ADJOURN THE SUCCESSOR AGENCY TO THE CALIMESA REDEVELOPMENT AGENCY AND RECONVENE CITY COUNCIL

The Successor Agency to the Calimesa Redevelopment Agency was adjourned and the City Council reconvened at 7:17 p.m.

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 Memorial Day Ceremony and thanked the Yucaipa and Calimesa Citizen on Patrol's for their work, adding that the event was great and all worked well together. He further reported that the Calimesa Citizen on Patrol assisted with traffic control for the Mesa View Middle School 8th grade graduation.

Council Member Molina reported that at the Transportation Now meeting a presentation was given by "Butterfly Transportation" who have an agreement with the Auto Club and who provide special transportation services for rides such as from hospitals to rehabilitation, etc. She stated that she would like them to come and make a presentation to the City Council at a future meeting.

Mayor Pro Tem Davis reminded all that it's graduation time and that there are a lot of parties, etc. and stated that its important that the graduates understand they shouldn't drink and drive.

Mayor Hewitt reported that he attended the Memorial Day Ceremony, adding that it was a great event and that Council Member Molina and Yucaipa Council Member Bobby Duncan both presented great speeches. He stated that the event was dedicated to Ray Quinto and a presentation was made to Ray's son who also spoke in honor of his father.

CITY MANAGER COMMENTS & REPORTS

City Manager Johnson introduced Lori Askew as the new Public Works Director, adding that she comes to the City with a great deal of public works and engineering experience and that she is pleased to have the position filled and have Lori on board.

RECESS TO CLOSED SESSION

City Attorney Ennis announced the closed session items. Mayor Hewitt recessed the meeting to Closed session at 7:27 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

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: City Manager

CLOSED SESSION ANNOUNCEMENT

- A. No reportable action.
- B. No reportable action.

ADJOURNMENT

Meeting adjourned at 7:55 p.m. to the Special Meeting of the City Council on Wednesday, June 7, 2017, at 6:00 p.m.

Respectfully Submitted,



Darlene Gerdes, City Clerk

<p>MOTION BY MAYOR PRO TEM DAVIS, SECOND BY COUNCIL MEMBER MOLINA, CARRIED 5-0 TO APPROVE THE MINUTES OF JUNE 5, 2017 REGULAR MEETING AS PRESENTED. APPROVED: June 19, 2017</p>
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