

City Of Calimesa
**City Council Minutes of the Regular Meeting of
July 17, 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 AND POLICE CHIEF BURCH.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Pro Tem Davis.

COMMUNICATIONS FROM THE PUBLIC

Mike Barron, 670 W Avenue L, Calimesa spoke regarding the ham radio club and requested an item on a future council agenda for approval of a name for the radio club. He further expressed his concerns that city inspectors should provide their credentials when conducting inspections and speaking with property owners.

Chris MacLane, 1530 White Oak Court, Calimesa spoke on behalf of the ham radio club and supported Mike Barron's request for an item on a future Council agenda to discuss the possible operation under the city's name. He stated that he requested an antenna be put back up 3 weeks prior and it had not been done yet, he further stated that the tree near the antenna needs to be trimmed. He suggested information of the radio club be posted on the city's website.

Charles Hurt, Calimesa Cultural and Performing Arts Association provided an update of the recent activities and thanked Council for their support. He stated that the pancake breakfast was a success with karaoke, face painting and puppets and thanked Council Members Hyatt and Clark for cooking in the kitchen. He further stated that the Concerts on the Green has begun at the Calimesa Country Club, adding that they have purchased new sound equipment and the bands are set on a new 20x30 covered stage. He further stated that the Country Club has a new manager and expressed his appreciation for better food and service.

Kathy Houlihan, 10320 Calimesa Blvd, Calimesa expressed her appreciation to staff, the Mobile Home Rent Stabilization Board and the City Council for their efforts in the Rent Increase lawsuit, stating she was grateful for the outcome.

APPROVAL OF THE AGENDA

MOTION BY MAYOR PRO TEM DAVIS, 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's 9 and 10 be 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 June 7, 2017 special meeting.**
 - b) **CC/PC Joint action minutes of June 12, 2017 workshop.**
 - c) **City Council action minutes of June 19, 2017 regular meeting.**
 - d) **City Council action minutes of July 6, 2017 special meeting.**
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.
 - a) ***Planning Commission action minutes of April 24, 2017.***
3. APPROVAL OF WARRANT REGISTERS.
 - a. ***Check Register Report with a total of \$760,241.58 (Check Nos. 31131 to 31202)***
 - b) ***June 29, 2017 Payroll of \$27,076.42***
July 1, 2017 Council Payroll of \$1,707.75
July 13, 2017 Payroll of \$27,599.31
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 June 2017.
6. COMMUNITY FACILITIES DISTRICT NO. 2012-1 - SINGLETON HEIGHTS ANNUAL LEVY OF SPECIAL TAXES.

RECOMMENDATION: That the City Council adopt Resolution No. 2017-20, A Resolution of the City Council of the City of Calimesa Acting as the Legislative

Body of Community Facilities District No. 2012-1 (Singleton Heights), Authorizing the Annual Levy of Special Taxes for Fiscal Year 2017/18

7. COMMUNITY FACILITIES DISTRICT NO. 2013-1 - JP RANCH ANNUAL LEVY OF SPECIAL TAXES.

RECOMMENDATION: That the City Council Adopt Resolution No. 2017-21, A Resolution the City Council of the City of Calimesa Acting as the Legislative Body of Community Facilities District No. 2013-1 (JP Ranch) Authorizing the Annual Levy of Special Taxes for Fiscal Year 2017/2018

8. PUBLIC SERVICES COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL LEVY OF SPECIAL TAXES.

RECOMMENDATION: That the City Council Adopt Resolution No. 2017-22, A Resolution the City Council of the City of Calimesa Acting as the Legislative Body of Public Services Community Facilities District No. 1 Authorizing The Annual Levy of Special Taxes for Fiscal Year 2017/2016.

MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 5-0 TO APPROVE ITEM NO'S 1 – 8 OF THE CONSENT CALENDAR AS PRESENTED.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

9. WRCOG BEYOND FRAMEWORK FUND PROGRAM FUNDING AGREEMENT.

RECOMMENDATION: That the City Council approve the WRCOG Beyond Framework Fund Program Funding Agreement and authorize the Mayor to execute the agreement.

Council Member Hyatt questioned if the grant funds were as a result of the HERO program and further questioned why only \$41,000 rather than \$50,000 or more. Mayor Hewitt stated that there are different grant categories available that the Cities can apply for and that this grant is just one of them.

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 5-0 TO APPROVE STAFF RECOMMENDATION APPROVING THE WRCOG BEYOND FRAMEWORK FUND PROGRAM FUNDING AGREEMENT AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT.

10. COMMAND VEHICLE PURCHASES FOR CALIMESA FIRE DEPARTMENT AND WAIVER OF FORMAL BIDDING AND THE REQUIREMENT FOR THREE BIDS.

RECOMMENDATION: That the City Council Adopt Resolution No. 2017-25, a Resolution of the City of Calimesa amending the 2017-18 adopted budget to include the purchase of command vehicles and related lighting packages necessary for the establishment of the new Calimesa Fire Department and waiving

formal bidding and minimum bid requirements in connection with these purchases as provided by the City's Municipal Code.

Council Member Hyatt questioned whether used vehicles were considered and why two vehicles were necessary. Consultant Jock Johnson stated that there are very few used command vehicles available and usually they have high mileage on them. He stated that the command vehicles would be purchased with a factory installed pre-wired radio and light system. He further stated that the vehicles would be used by the Fire Chief and Deputy Chief and for Fire Marshall services.

MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER HYATT, CARRIED 5-0 TO APPROVE STAFF RECOMMENDATION ADOPTING RESOLUTION NO. 2017-25, A RESOLUTION OF THE CITY OF CALIMESA AMENDING THE 2017-18 ADOPTED BUDGET TO INCLUDE THE PURCHASE OF COMMAND VEHICLES AND RELATED LIGHTING PACKAGES NECESSARY FOR THE ESTABLISHMENT OF THE NEW CALIMESA FIRE DEPARTMENT AND WAIVING FORMAL BIDDING AND MINIMUM BID REQUIREMENTS IN CONNECTION WITH THESE PURCHASES AS PROVIDED BY THE CITY'S MUNICIPAL CODE.

CHAMBER OF COMMERCE REPORT

Chamber President Lotz reported that 36 welcome bags were distributed, "Night at the Races" event will be held on July 22, 2017 at the Plantation on the Lakes, adding that many great prizes have been donated. She further reported that final corrections have been made to the new city map and will be ready to publish soon. She announced that the next Christmas Parade meeting would be held on July 18, 2017. She thanked the police and fire for the extra patrols on the 4th of July and requested that everyone "like" the chamber page on Facebook.

CHIEF OF POLICE COMMENTS & REPORTS

Police Chief Burch reported a successful and safe 4th of July with no fires or injuries, adding that there were 2 calls for service and no tickets or citations for illegal fireworks were issued.

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 League of California Cities Riverside Division Dinner and Meeting in LaQuinta.

Council Member Molina reported that she attended 3 RTA committee meetings, the

SCAG demographic workshop and the League of California Cities Riverside Division Dinner Meeting in LaQuinta.

Council Member Hyatt reported that he attended the SCAG meeting, RCTC meeting and the League of California Cities Riverside Division Dinner Meeting in LaQuinta, adding it was a great meeting and Diane Harkey of the Board of Equalization was the speaker.

Mayor Hewitt reported that he attended the WRCOG meeting where they approved the TUMF Nexus Study and announced that the City of Beaumont is back as a member of the WRCOG, RCA was cancelled. He further reported that he attended the League of California Cities Riverside Division Dinner Meeting in LaQuinta.

PUBLIC HEARINGS

11. PUBLIC HEARING: SPECIAL ASSESSMENTS OF DELINQUENT REFUSE FEES.

RECOMMENDATION: That the City Council:

- 1. Open the Public Hearing and take public testimony of the proposed special assessments of delinquent refuse fees; and***
- 2. Adopt Resolution 2017-23 A Resolution of the City Council of the City of Calimesa, California, confirming the report of charges to be placed as special assessments for delinquent refuse fees.***

Mayor Hewitt opened the Public Hearing.

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

Daniel Westrick, 160 Myrtlewood Drive, Calimesa spoke in opposition to the charges due on his rental property, stating that the tenants are responsible for the charges pursuant to their rental agreement.

Deputy City Manager/City Clerk Gerdes replied that the Calimesa Municipal Code states the delinquent trash amounts are the responsibility of the property owner and requires that the assessment be placed on the property as a lien if not paid.

Mayor Hewitt closed the Public Hearing.

After Council discussion, the following action was taken:

MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER HYATT, CARRIED 5-0 TO ADOPT RESOLUTION NO. 2017-23, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA, CALIFORNIA CONFIRMING THE REPORT OF CHARGES TO BE PLACED AS SPECIAL ASSESSMENTS FOR DELINQUENT REFUSE FEES.

12. **PUBLIC HEARING:** APPROVAL OF THE FINAL ANNUAL ENGINEERS REPORT FOR THE CITY OF CALIMESA CITYWIDE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 91-1

RECOMMENDATION: *That the City Council:*

1. *Open the public hearing and take public testimony and*
2. *Adopt Resolution No. 2017-24, Resolution of the City Council of the City of Calimesa to Approve the Final Engineer's Report for Landscaping and Lighting Maintenance District No. 91-1 for fiscal Year 2017/2018.*

Mayor Hewitt opened the Public Hearing.

City Engineer Thornton presented the agenda report.

There was no public comment

Mayor Hewitt closed the Public Hearing.

After Council discussion, the following action was taken:

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 5-0 TO ADOPT RESOLUTION NO. 2017-24, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA APPROVING THE FINAL ENGINEERS REPORT FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 91-1 FOR FISCAL YEAR 2017/2018.

13. **CONTINUED PUBLIC HEARING:** FOR APPROVAL OF NEXUS STUDY FOR DEVELOPMENT IMPACT FEES AND ADOPTION OF AMENDED DEVELOPMENT IMPACT FEES, ADOPTING A MASTER FACILITIES PLAN, ADOPTING AMENDED DEVELOPMENT IMPACT FEES, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA.

RECOMMENDATION: *That the City Council take the following actions:*

1. *That the City Council provide direction to staff regarding proposed revisions to the Master Facilities Plan and levels of Development Impact Fees, continue the public hearing on the 2016-17 Development Impact Fee Calculation and Nexus Report and the proposed 2017 Development Impact Fees to August 7, 2017 and direct staff to bring back a revised Master Facilities Plan, Nexus Report and Resolution for approval at that meeting ; or*
2. *Provide alternative direction to staff.*

Mayor Hewitt opened the Public Hearing.

City Manager Johnson presented the agenda report.

Jay Won, Mesa Verde Estates thanked Council and staff for the opportunity to be involved in the process and for looking to reduce the fees. He questioned a Senior Detached Category and the drainage fee costs should not be city-wide it should be per area.

Mike Turner, Summerwind Ranch expressed his appreciation of the time taken in working through the study and including the developers. He stated his agreement with the parks, law enforcement, fire and library categories, drainage fees are good on a unit basis, streets good with Palmer included. The bridge should be all development, not just Summerwind and Mesa Verde.

Clint Lorimore, BIA representative questioned why 2000 census numbers were used rather than 2010 census numbers, adding that 2010 would have decreased the fees by 14%. He further questioned the street and traffic fees and where the 60% came from. He requested a written response to the letter submitted by BIA.

Council discussion resulted in consensus for the following:

Park and Land Improvements - 3.0 acres/1,000 - \$6,456 Total Park Cost
Fire Protection - agree with proposed fee reduced by \$21 to \$837 per SFD
Library Space and Collection Items - agree with proposed fee \$613 per SF
Corporate Yard Facility Size/Cultural Facility - Reduced by 60% - \$3,024 total
Storm Drainage Facilities - agree with staff recommendation
Streets and Traffic Facilities - addition of Palmer Avenue, agree with bridge over Garden Air Wash. Interchange Costs - agree with Option A = 3,840 per SFD

After further Council discussion, there was Council consensus to continue the public hearing to the August 7, 2017 regular meeting and direct staff to prepare the final resolution for Council approval.

BUSINESS ITEMS

14. APPOINTMENT OF THE LEAGUE OF CALIFORNIA CITIES VOTING DELEGATE REPRESENTING CALIMESA AT THE ANNUAL LEAGUE CONFERENCE.

RECOMMENDATION: That the City Council select a primary voting delegate and an alternate who will vote on League issues representing the City of Calimesa at the Annual League of California Cities Conference to be held September 13 – September 15, 2017 in Sacramento.

Deputy City Manager/City Clerk Gerdes presented the agenda report. Council Member Clark nominated Mayor Hewitt to be the primary voting delegate.

There was Council consensus to appoint Mayor Hewitt as the primary voting delegate and Council Members Molina and Clark as the alternate voting

delegates.

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 Pancake Breakfast, stating it was a great event.

Council Member Hyatt concurred with Council Member Clark that the pancake breakfast was a great event with over 100 tickets sold. He announced that the Concerts on the Green would be "True Willie" this week. He thanked Keith Gardner for his time as Community Development Director and congratulated him on his new position at Riverside County.

City Manager Johnson also thanked Keith for his efforts on behalf of the City of Calimesa as Community Development Director, stating that he would be missed. She wished him well in his new position with Riverside County.

Mayor Hewitt reported that he attended the pancake breakfast, adding it was a great event.

CITY MANAGER COMMENTS & REPORTS

City Attorney Ennis provided a report about the Court Decision on the Rancho Calimesa Mobile Home Ranch Rent Adjustment Lawsuit, stating that the judged ruled in favor of the City.

RECESS TO CLOSED SESSION

City Attorney Ennis announced the closed session items. Mayor Hewitt recessed the meeting to Closed session at 9:07 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 provided regarding the Court's decision to rule in favor of the City.

ADJOURNMENT

Meeting adjourned at 9:26 p.m. to the Regular Meeting of the City Council on Monday August 7, 2017, at 6:00 p.m.

Respectfully Submitted,



Darlene Gerdes, City Clerk

MOTION BY COUNCIL MEMBER MOLINA, SECOND BY MAYOR PRO TEM DAVIS, CARRIED 5-0 TO APPROVE THE MINUTES OF JULY 17, 2017 REGULAR MEETING AS PRESENTED. APPROVED: August 21, 2017