

*City Of Calimesa*  
**City Council Minutes of the Regular Meeting of**  
**October 2, 2017**

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

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

**ABSENT:** COUNCIL MEMBER MOLINA.

**MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER CLARK, CARRIED 4-0 TO EXCUSE THE ABSENCE OF COUNCIL MEMBER MOLINA.**

**STAFF:** CITY MANAGER JOHNSON, CITY ATTORNEY ENNIS, CITY CLERK GERDES, PUBLIC WORKS DIRECTOR ASKEW, CITY ENGINEER THORNTON, COMMUNITY DEVELOPMENT DIRECTOR DE MANICOR, FIRE CHIEF SMITH AND POLICE CHIEF PEMBERTON.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was led by Council Member Clark.

**COMMUNICATIONS FROM THE PUBLIC**

The following speakers expressed their concerns and oppositions to the changes being proposed by the new property owner for the Calimesa Country Club:

Jim Holden, 199 Summit View Drive #2, Calimesa  
Jerry Todd, 199 Summit View #C, Calimesa  
Betty Cocchini, 199 Summit View Drive #B  
Bruce Gray, 199 Summit View Drive #E Calimesa  
Joann Brady, 185 Summit View Drive, Calimesa

Marlene Davis, 9487 Dale Mesa, Calimesa announced that Sharondale would be holding their Annual Rummage Sale on Saturday, October 7, 2017 from 8 am to 2 pm, adding that their will also be a bake sale and BBQ Hamburgers.

**APPROVAL OF THE AGENDA**

**MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER HYATT, CARRIED 4-0-1-0(COUNCIL MEMBER MOLINA WAS ABSENT) 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.

### **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 September 18, 2017 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 \$280,030.68 (Check Nos. 31451 to 31500)***
  - b) ***September 21, 2017 Payroll of \$28,295.15***
  
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. PROFESSIONAL CONSULTING AGREEMENT WITH DAVID TURCH AND ASSOCIATES FOR LEGISLATIVE ADVOCACY SERVICES.

***RECOMMENDATION: That the City Council approve the contract with David Turch & Associates for FY 17-18 in an amount not to exceed \$20,000.***

**MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER CLARK, CARRIED 4-0-1-0(COUNCIL MEMBER MOLINA WAS ABSENT TO APPROVE THE CONSENT CALENDAR AS PRESENTED.**

### **CHIEF OF POLICE COMMENTS & REPORTS**

Police Chief Pemberton announced that the National Prescription Drug Take Back Day would be held at the Sr. Center on Saturday, October 28, 2017 from 10:00 a.m. to 2:00 p.m. He reported that calls for service were down from the prior year and that although thefts were down overall from the prior year, vehicle burglaries were up, most due to vehicles being left unlocked. He further reported an increase in DUI arrests.

### **FIRE CHIEF COMMENTS & REPORTS**

Fire Chief Smith stated he had nothing to report at this time.

## **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 Hyatt reported that he attended a meeting of the RCTC on September 25, 2017 and announced that grant monies were available and suggested a safe routes to school project that the monies could be used for. He further reported that he went on a SCE Big Creek Tour last week, adding it was a great tour and he has information available should anyone be interested.

Mayor Hewitt reported that he attended a RCA meeting where they adopted a Resolution to declare a Natural Wildlife Refuge within the MSHCP, adding that federal monies would be used. He further reported that he attended a meeting of the WRCOG where they approved \$250,000 to be spent on a feasibility study for sustainable energy, etc.

## **PUBLIC HEARINGS**

6. **PUBLIC HEARING:** ORDINANCE NO. 353 – AN ORDINANCE OF THE CITY OF CALIMESA PROHIBITING ALL COMMERCIAL CANNABIS ACTIVITY (BOTH MEDICAL AND ADULT-USE) EXCEPT FOR DELIVERIES OF MEDICAL CANNABIS, MAKING RELATED MUNICIPAL CODE AMENDMENTS, PROHIBITING OUTDOOR CULTIVATION, AND ALLOWING INDOOR CANNABIS CULTIVATION CONSISTENT WITH STATE LAW, AND MAKING ENVIRONMENTAL FINDINGS IN SUPPORT THEREOF

***RECOMMENDATION: That the City Council introduce for first reading, Ordinance No. 353, an Ordinance of the City of Calimesa prohibiting all commercial cannabis activity (both medical and adult-use) except for deliveries of medical cannabis, making related Municipal Code amendments, prohibiting outdoor cultivation, and allowing indoor cannabis cultivation consistent with State law, and making environmental findings in support thereof.***

Mayor Hewitt opened the public hearing.

Maricela Marroquin, Senior Attorney from Richards, Watson and Gershon presented the agenda report with a power point presentation.

Marlene Davis, 9487 Dale Mesa, Calimesa spoke in opposition to the legalization of cannabis, stating that it is ruining the Country and that she didn't understand why the State of California would legalize the use of cannabis.

Rebekah Jaensch spoke in support of medical cannabis, stating that it has many benefits to those who have cancer and other diseases, adding that those who use medical marijuana don't usually do other drugs.

Mayor Hewitt Closed the public hearing.

Council Member Hyatt questioned whether the City should require a permit from those who choose to grow the six plants as allowed by the State. Mayor Pro Tem Davis suggested that rather than changing the ordinance as written at this time, it could be amended at a later date to add permit requirements.

After Council discussion the following action was taken:

**MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER CLARK, CARRIED 4-0-1-0(COUNCIL MEMBER MOLINA WAS ABSENT) TO APPROVE 1<sup>ST</sup> READING BY TITLE ONLY ORDINANCE NO. 353, AN ORDINANCE OF THE CITY OF CALIMESA PROHIBITING ALL COMMERCIAL CANNABIS ACTIVITY (BOTH MEDICAL AND ADULT-USE) EXCEPT FOR DELIVERIES OF MEDICAL CANNABIS, MAKING RELATED MUNICIPAL CODE AMENDMENTS, PROHIBITING OUTDOOR CULTIVATION, AND ALLOWING INDOOR CANNABIS CULTIVATION CONSISTENT WITH STATE LAW AND MAKING ENVIRONMENTAL FINDINGS IN SUPPORT THEREOF.**

### **BUSINESS ITEMS**

7. A COOPERATIVE AGREEMENT TO PROVIDE FIRE DEPARTMENT DISPATCH AND COMMUNICATION SERVICES FOR THE CITY OF CALIMESA  
***RECOMMENDATION: That the City Council approve a Cooperative Agreement to provide Fire Department Dispatch and Communication Services for the City of Calimesa.***

City Manager Johnson presented the agenda report.

After Council discussion the following action was taken:

**MOTION BY MAYOR PRO TEM DAVIS, SECONDED BY COUNCIL MEMBER CLARK, CARRIED 4-0-1-0(COUNCIL MEMBER MOLINA WAS ABSENT) TO APPROVE A COOPERATIVE AGREEMENT TO PROVIDE FIRE DEPARTMENT DISPATCH AND COMMUNICATION SERVICES FOR THE CITY OF CALIMESA.**

### **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 announced that he spoke with a resident who expressed their concerns about the golf course and the fire hazard that exists and questioned whether no trespassing signs and fences should be placed at the entrance.

City Attorney suggested that staff reach out to the property owner regarding a plan to

address the conditions and fire dangers. Mayor Hewitt suggested that this item come back to a future agenda.

Council Member Hyatt announced that he attended the Calimesa Country Club Community meeting and heard the concerns of the neighbors, he stated that he did not know what effect the changes would have on the annual "Concerts on the Greens"

Mayor Hewitt thanked the Chamber of Commerce and city staff for their work on the Annual State of the City event, adding it was a great time.

### **CITY MANAGER COMMENTS & REPORTS**

City Manager Johnson announced that Public Works Director Askew would provide an update on the Groundwater Sustainability Meeting. Public Works Director Askew reported that officers were elected and rules of procedures were discussed and that the committee would be creating a GWS plan and would be meeting again on October 19, 2017.

### **ADJOURNMENT**

Meeting adjourned at 7:33 p.m. to the Regular Meeting of the City Council on Monday October 16, 2017, at 6:00 p.m.

Respectfully Submitted,



Darlene Gerdes, City Clerk

**MOTION BY COUNCIL MEMBER CLARK, SECOND BY COUNCIL MEMBER HYATT, CARRIED 4-0-1-0(COUNCIL MEMBER MOLINA WAS ABSENT) TO APPROVE THE MINUTES OF OCTOBER 2, 2017 REGULAR MEETING AS PRESENTED. APPROVED: October 16, 2017**