

City Of Calimesa
**City Council Minutes of the Regular Meeting of
December 5, 2016**

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

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

ABSENT: None

STAFF: CITY MANAGER JOHNSON, CITY ATTORNEY ENNIS, CITY CLERK GERDES, PUBLIC WORKS DIRECTOR FRENCH, CITY ENGINEER THORNTON, COMMUNITY DEVELOPMENT DIRECTOR GARDNER, FIRE CHIEF SMITH AND POLICE CHIEF BURCH.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Council Member Zanowic.

SPECIAL PRESENTATIONS

OUTSTANDING COMMUNITY SERVICE AWARDS

*Norton Younglove Senior Center Volunteer of the Year
Citizen on Patrol Member of the Year
Firefighter of the Year
Police Officer of the Year
Employee Service Awards*

Mayor Hewitt presented the Norton Younglove Senior Center Volunteer of the Year Award to Patti Patsch and spoke regarding her volunteer service to the City.

Mayor Hewitt presented the Citizen on Patrol Member of the Year to Ken Littleton. COP Commander Ed Clark spoke regarding Ken and his service as a member of the COP.

The Firefighter of the Year was awarded to Luke Bourgault, who could not be in attendance and therefore Fire Chief Smith accepted on his behalf and asked that the Mayor present to Mr. Bourgault at the January 2017 meeting.

Mayor Hewitt presented the Police Officer of the Year to Deputy Christopher Wheeler. Police Chief Burch spoke regarding Deputy Wheeler and his service to the City of Calimesa.

Mayor Hewitt presented an Employee Service Award to Bob French for his 25 years of service to the City. Mayor Hewitt also presented an Employee Service Award to Darlene Gerdes for her 10 years of service to the City.

City Manager Johnson presented a City Manager Award to Public Works Director French in honor of his upcoming retirement.

CITY COMMISSIONERS & CITIZEN ON PATROL RECOGNITIONS

Mayor Hewitt recognized all City Commissioners and Citizen on Patrol Members for their service to the City of Calimesa and presented certificates of appreciation to those in attendance. City Commissioners and Citizen on Patrol Members are as follows:

Current Citizen on Patrol Members:

Maruse Babb, Gladi Boecker, Jean Bules, Ken Littleton, Ed Clark, Gina Johnson
Marilyn Bailey, Robert Powell and Bruce Toloski

Current Community Services Commission:

Angela Daley, Howard Reeves, Gina Johnson, Matthew Addington and Miriam Fadel

Current Library Commission:

Beverly James, Gina Johnson, Gerald Nursement, Terri Andrews and Katy Stewart

Current Mobile Home Rent Stabilization Board:

Ed Clark, Leonard Stephenson, Steve Fogus and George Willis

Current Planning Commission:

Mike Brittingham, Charles Hurt, Jim Overturf, Larry LaRock

COMMUNICATIONS FROM THE PUBLIC

Summer Rosla, 34219 Pinehurst Drive, Yucaipa spoke on behalf of her husband who would like to open a fine cigar shop near his currently owned liquor store in the Trails End Shopping Center and requested a zone change, as the zoning currently does not allow for smoke shops.

There was Council consensus to direct staff to place the item on a future agenda for discussion.

Jesus Romero, 2629 N. Mt. View Ave., San Bernardino spoke regarding a tire shop that he would like to open on the corner of Calimesa Blvd and County Line Road. He requested a zone change, as the zoning currently does not allow for tire shops in that area.

Will Bowman, 36500 Singleton Road, Calimesa spoke in support of Mr. Romero and his request for a zone change to open a tire and brake shop.

Tom Shalhoub, spoke on behalf of the Veterans/Memorial Day Event committee and thanked Council for their participation in the Veteran's Day Event held at the Yucaipa Community Park on November 11, 2016, adding that it was a wonderful event with a great turnout in attendance.

Kathy Houlihan, Crown Village Center spoke on behalf of the business owners in the Crown Village Shopping Center in regards to the street improvements being made on Calimesa Boulevard, adding that they are in a panic about the business they may lose while the improvements are taking place and whether people will be able to get in and out of the center.

Public Works Director French stated that the driveways would be accessible at all times and people will be able to get in and out of the center as necessary.

Charles Hurt, Calimesa Cultural and Performing Arts provided an update of the Calimesa Cultural and Performing Arts events, stating they are ending their 15th season. He stated that the Thanksgiving dinner was a great success and the Christmas dinner would be held on December 16th. He thanked the Council for their support and added that the next board meeting would be held on December 6th where new boardmembers would be appointed. He further thanked Council Member Zanowic and Mayor Pro Tem McIntire for their years of service to the City.

Linda Molina, 566 Ronda Court, Calimesa spoke regarding a "pre-parade" event hosted by the Chamber of Commerce, where the Fire and Sheriff's departments along with Santa Claus would be driving through various Mobile Home Parks and providing some enjoyment to those "shut-ins" who may not be able to attend the parade on the 17th.

APPROVAL OF THE AGENDA

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCIL MEMBER ZANOWIC, 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 Item No. 6 be removed from the Consent Calendar 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. ***November 21, 2016 Regular City Council Meeting Action Minutes.***

2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.
 - a) *Planning Commission Action Minutes of Special Meeting of 9/12/2016.*

3. APPROVAL OF WARRANT REGISTERS.
 - a. *Check Register Report with a total of \$ (Check Nos. 30572 to 30597)*
 - b) *December 1, 2016 Payroll of \$27,582.54*
December 1, 2016 Council Payroll of \$1,707.75

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. SPECIAL TAX ANNUAL ACCOUNTABILITY REPORTS FOR PUBLIC SERVICES COMMUNITY FACILITIES DISTRICT NO. 1, COMMUNITY FACILITIES DISTRICT NO 2012-1(SINGLETON HEIGHTS) AND COMMUNITY FACILITIES DISTRICT NO. 2013-1(HIGHPOINTE).

RECOMMENDATION: *That the City receive and file Special Tax Accountability Reports for Fiscal Year 2015-16.*

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCIL MEMBER ZANOWIC, CARRIED 5-0 TO APPROVE ITEM NO'S 1-5 OF THE CONSENT CALENDAR AS PRESENTED.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

6. ANNUAL REPORT AND FIVE-YEAR REPORT REGARDING DEVELOPMENT IMPACT FEES

RECOMMENDATION: *That the City Council receive and file this Annual Report regarding Developer Impact Fees (DIF).*

Council Member Hyatt requested clarification of the administrative fee on Exhibit 6A. After Council discussion the following action was taken:

MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCILMEMBER DAVIS, CARRIED 5-0 TO APPROVE STAFF RECOMMENDATION OF CONSENT ITEM NO 6 AS PRESENTED.

CHIEF OF POLICE COMMENTS & REPORTS

Police Chief Burch reported an overall decrease in November from October with a total of 527 calls for service with a 4.7-minute response time.

FIRE CHIEF COMMENTS & REPORTS

Fire Chief Smith reported 108 calls for service in November with a 5-minute response time, Engine 21 went into Yucaipa 128 times.

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 spoke regarding an open house held on December 3, 2016 from 8 – noon at the new water storage facility on Singleton Road. He questioned whether anyone from the City was invited to attend, as he had not received an invitation and found out about after the event took place. He further requested a future agenda item to discuss the current water issues.

Council Member Zanolovic reported that she attended the COP Christmas party, stating that it was a good event and was glad to attend. She further reported that she attended Bob's retirement party, adding it was a great event

Mayor Pro Tem McIntire reported that she attended the annual Family Services Association Volunteer Appreciation event in Riverside on December 2, 2016, adding that the event was well attended and Calimesa was well represented. She further reported that she attended an RTA meeting and a Transportation Now meeting. She announced that she was appointed vice president of Transportation Now for the next year.

Mayor Hewitt reported that he attended a RCA meeting where they approved fee credits for the MSHCP program. He further reported that he was appointed to the RCA Executive Committee. He further reported that he attended a WRCOG meeting where they discussed the TUMF program, adding that the nexus study committee would be having their 3rd meeting soon.

BUSINESS ITEMS

7. AGREEMENTS WITH KOPPEL & GRUBER FINANCE FOR CONSULTING SERVICES RELATED TO COMMUNITY FACILITIES DISTRICTS (CFD's)

RECOMMENDATION: That the City Council provide direction to staff after discussion on this item.

City Manager Johnson presented the agenda report and introduced Lyn Gruber of Koppel and Gruber Finance who was available to answer any questions of the Council.

There was no action needed or taken on this item.

8. MYRTLEWOOD MEDIAN BEAUTIFICATION

RECOMMENDATION: *That the City Council review the options provided and provide direction to staff as appropriate.*

City Manager Johnson presented the agenda report and Public Works Director French provided an explanation of the beautification options available for the Myrtlewood median.

After Council discussion there was consensus to direct staff to bring two proposals back to a future meeting for the cost of grass and watering, as well as a decomposed granite option.

9. AN INTERIM ORDINANCE OF THE CITY OF CALIMESA PROHIBITING ALL COMMERCIAL NON-MEDICAL MARIJUANA ACTIVITY IN THE CITY, PROHIBITING OUTDOOR MARIJUANA CULTIVATION ON PRIVATE RESIDENCES, AND DECLARING THE URGENCY THEREOF AND IMMEDIATE EFFECTIVENESS OF THIS INTERIM ORDINANCE PURSUANT TO GOVERNMENT CODE SECTIONS 65858, 36934 AND 36937

RECOMMENDATION: *That the City Council adopt Interim Urgency Ordinance 346-U; an interim ordinance of the City of Calimesa adopting a 45-day moratorium on the issuance of any approvals for commercial non-medical marijuana activity in all zone districts in the City, prohibiting the issuance of all business licenses and building permits and other land use entitlements for the same and prohibiting all outdoor marijuana cultivation on private residences for said 45-day period, and declaring the urgency thereof and immediate effectiveness of this Interim Ordinance pursuant to Government Code Sections 65858, 36934 and 36937.*

City Attorney Ennis presented the agenda report.

After Council discussion the following action was taken:

MOTION BY MAYOR PRO TEM MCINTIRE, SECONDED BY COUNCIL MEMBER ZANOWIC, CARRIED 5-0 TO ADOPT INTERIM URGENCY ORDINANCE NO. 346-U AN INTERIM ORDINANCE OF THE CITY OF CALIMESA ADOPTING A 45-DAY MORATORIUM ON THE ISSUANCE OF ANY APPROVALS FOR COMMERCIAL NON-MEDICAL MARIJUANA ACTIVITY IN ALL ZONE DISTRICTS IN THE CITY, PROHIBITING THE ISSUANCE OF ALL BUSINESS LICENSES AND BUILDING PERMITS AND OTHER LAND USE ENTITLEMENTS FOR THE SAME AND PROHIBITING ALL OUTDOOR MARIJUANA CULTIVATION ON PRIVATE RESIDENCES FOR SAID 45-DAY PERIOD, AND DECLARING THE *urgency thereof and immediate effectiveness of this Interim Ordinance pursuant to Government Code Sections 65858, 36934 and 36937.*

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 Hyatt reported that he attended the retirement party for Bob, the COP Holiday Party and the Family Services Association Volunteer Appreciation event. He stated that if anyone planned on riding the trolley in the Yucaipa Christmas parade on Saturday the 10th, meet at the Sr. Center at 10:00 am. He further stated that the trolley would be in the Calimesa Christmas Parade on the 17th and would be loading the trolley by 5:00 p.m.

Council Member Davis thanked the award recipients and Commissions and COP for their service and attendance at the meeting.

Mayor Pro Tem McIntire announced the Sr. Center Christmas Dinner that would be held on December 16th. She further announced that Rita's Hallmark would be holding her holiday open house on December 17, 2016 from 10:00 am – 3:00 pm.

Mayor Hewitt announced the "Get your lights on Calimesa" hosted by The Andrews Group, adding that this is for Calimesa residents only to decorate their homes and nominate themselves or neighbors for the contest. He further announced that he attended Bob's retirement party and the COP Holiday Party. He further announced that he attended a Birthday Party for a Calimesa resident Bertha Wells, who turned 100 years old and presented her with a proclamation from the City.

CITY MANAGER COMMENTS & REPORTS

City Manager Johnson stated that she was putting a list together of those Council and staff who would be riding in the trolley in the Christmas Parade on the 17th.

RECESS TO CLOSED SESSION

City Attorney Ennis announced the Closed Session Item. Mayor Hewitt recessed the meeting to Closed session at 7:42 p.m.

CLOSED SESSION ITEMS

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 - **Number of Cases: One (1) case**

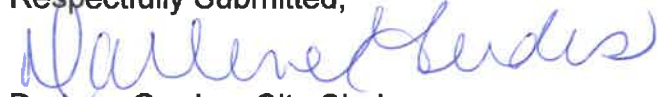
CLOSED SESSION ANNOUNCEMENT

A. Direction was given to the City Attorney with no reportable action.

ADJOURNMENT

Meeting adjourned at 7:55 p.m. to the Special Meeting of the City Council on Thursday, December 8, 2016, at 6:00 p.m.

Respectfully Submitted,



Darlene Gerdes, City Clerk

MOTION BY MAYOR PRO TEM DAVIS, SECOND BY COUNCIL MEMBER HYATT, CARRIED 3-0-0-2(COUNCIL MEMBERS CLARK AND MOLINA ABSTAINED) TO APPROVE THE MINUTES OF DECEMBER 5, 2016 REGULAR MEETING AS PRESENTED. APPROVED: December 19, 2016.