

*City Of Calimesa*  
**City Council Minutes of Regular Meeting**  
February 21, 2023

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

**ROLL CALL:** MAYOR DAVIS, MAYOR PRO TEM HEWITT, COUNCIL MEMBER CERVANTEZ, COUNCIL MEMBER MANLY AND COUNCIL MEMBER MOLINA.

**ABSENT:** None

**STAFF:** CITY MANAGER KOLBOW, ASSISTANT CITY ATTORNEY KEARNS, CITY CLERK GERDES, FINANCE DIRECTOR REID, PLANNING MANAGER LUCIA, CITY ENGINEER THORNTON, PUBLIC WORKS DIRECTOR MONSON, FIRE CHIEF O'CONNELL AND SHERIFF LT. OLSEN.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was led by Council Member Molina.

**COMMUNICATIONS FROM THE PUBLIC**

*Anyone wishing to address the Council on any item within the Council's jurisdiction that is not on the agenda may do so at this time. This is not a time for City Council discussion of non-agenda items. After receiving public comments, Council Members, or staff, after being recognized by the Mayor, may briefly respond to statements made by the public or questions posed by the public. In addition, Council Members may ask questions for clarification or make a referral to staff for factual information to be reported back to the Council at a later meeting.*

City Clerk Gerdes read the following six (6) public comments that were received via email:

Ed Saucerman, Summerwind Trails resident expressed his opposition to any warehouse projects in the City and the big rig traffic, poor air quality and safety issue they would bring. He expressed his concern of the lack of law enforcement in the City and the increase in crime. He requested that the Council vote NO on any future or pending warehouse projects.

John Gates, Sharondale resident, expressed his opposition to warehouse projects in the City.

Dyana Galvan, 247 Tanglewood Drive, Calimesa expressed her opposition to warehouse projects in the City, and further expressed her support of a shopping center, adding that sales tax would bring more revenue to the City for residents to shop, rather than shopping in Yucaipa, Banning or Redlands.

Richard & Juanita Gamez, 826 Hilltop Court, Calimesa expressed their opposition to the Oak Valley North Project and referenced documentation they stated had been forwarded to Governor Newsom with a detailed environmental impact report of the effect of

warehouses in communities. They concluded with a request to enact a 2-year moratorium on any decision to go forward with the Oak Valley North project.

Bill and Joan Fritz, 838 Hilltop Court, Calimesa expressed their opposition to warehouse projects in the City of Calimesa and provided links to articles regarding air quality and pollution. They recited the City's Mission and Vision statements and suggested that a different use of the land would be more beneficial to all of the residents of Calimesa and the surrounding communities.

Maria Cardenas, Calimesa resident expressed her opposition to warehouse projects in the City, adding that her home had been affected tremendously by the current construction of warehouse happening behind her home. She further expressed her desire for the Council to hear the residents' concerns.

The following six (6) were in attendance to speak during public comment:

David Zaitz, 1354 Chestnut Road, Calimesa spoke in opposition to warehouse projects in the City of Calimesa. He provided statistics from AQMD reports of 2020-2021.

Lilly Gao, 1354 Chestnut Road, Calimesa spoke her comments in her native language of Chinese, which were then translated by David Zaitz. She stated her opposition to warehouse projects in the City, adding that the Birtcher Project is too close to Sr. Housing and will not be safe for Seniors. She further stated that a project that benefits everyone is needed, such as a Costco, Home Dept or a shopping mall. She concluded that they moved to the area because it was a beautiful area to live.

Lynn Ernst, 35530 Champagne Drive, Calimesa spoke in opposition of the Oak Valley North warehouse project over the allowed 250,000 square feet, adding that traffic is already a problem

Holly Jacobs, 35521 Champagne Drive, Calimesa spoke in opposition of the Oak Valley North warehouse project, stating that it will cause extra traffic and slower emergency response times, which could result in more deaths.

Peggy Russell, 9641 Crestknoll Drive, Calimesa expressed her concurrence with the previous speakers and the opposition to the Oak Valley North warehouse project.

Danae Delaney, 223 Tanglewood Drive, Calimesa spoke in opposition to any warehouse projects in the City, stating that warehouse projects bring more crime and cancer to the community. She stated that the developers should develop in their own counties. She added that developers need to develop within the current code. She further stated that the AQMD report used for the current approved warehouse is not the most current. She urged the Council to stick to the City's Mission and Vision Statements.

## APPROVAL OF THE AGENDA

**MOTION BY COUNCIL MEMBER MANLY, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 5-0- TO APPROVE THE AGENDA AS PRESENTED.**

Mayor Davis asked if there were any items to be removed from the Consent Calendar for discussion. Council Member Molina requested that Item No. 7 be pulled.

## CONSENT CALENDAR (Items 1 – 8)

*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 a regular meeting of February 6, 2023**
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.
  - a) **Library Commission action minutes of 11/1/2022**
  - b) **Parks, Trails & Community Services Commission action minutes of 11/2/2022**
  - c) **Planning Commission action minutes of 01/23/2023**
3. APPROVAL OF WARRANT REGISTERS.
  - a) **Check Register Report with a total of \$219,989.21 (Check Nos. 39847 to 39897)**
  - b) **February 16, 2023 Payroll of \$102,928.70.**
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. COUNCIL TRAVEL EXPENSES  
***RECOMMENDATION: That the City Council move to approve the Council Travel Training and Meeting/Mileage Expenses Report through January 31, 2023.***
6. TREASURER'S REPORT FOR THE MONTH ENDED NOVEMBER 30, 2022  
***RECOMMENDATION: That the City Council receive and file the Investment Report for the month ended December 31, 2022.***
8. TRACT MAP NO. 30386-1 AND 30386-2: REDUCTION OF FAITHFUL PERFORMANCE BOND.  
***RECOMMENDATION: That the City Council***
  1. ***Accept the public improvements completed by the Developer***
  2. ***Approve reducing the Faithful Performance Bond for the Street Improvements to 10% of the total amount to retain as the Warranty Bond for a period of 1 year.***
  3. ***Approve reducing the Faithful Performance Bond for the Storm Drain Improvements to 5% of the total amount to retain as the Warranty Bond for period 1 year.***

**MOTION BY COUNCIL MEMBER CERVANTEZ, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 5-0 TO APPROVE ITEM NO'S 1-6 AND 8 OF THE CONSENT CALENDAR AS PRESENTED.**

**ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION**

7. 2ND READING OF ORDINANCE NO. 388 - AN ORDINANCE OF THE CITY OF CALIMESA, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT 2022-02, AMENDING VARIOUS SECTIONS OF THE SUBDIVISION ORDINANCE (TITLE 17 OF THE CALIMESA MUNICIPAL CODE) AND ZONING CODE (TITLE 18 OF THE CALIMESA MUNICIPAL CODE) REGARDING ACCESSORY DWELLING UNITS, JUNIOR ACCESSORY DWELLING UNITS, URBAN LOT SPLITS, AND HOUSING UNITS BUILT IN ACCORDANCE WITH SENATE BILL 9, AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTIONS 15061(B)(3) AND 15282(H), GOVERNMENT CODE SECTIONS 65852.21(J) AND 66411.7(N), AND PUBLIC RESOURCES CODE SECTION 21080.17.

***RECOMMENDATION: That the City conduct 2nd reading by title only and adopt Ordinance No. 388, An Ordinance Of The City Of Calimesa, California, Approving Zone Text Amendment 2022-02, Amending Various Sections Of The Subdivision Ordinance (Title 17 Of The Calimesa Municipal Code) And Zoning Code (Title 18 Of The Calimesa Municipal Code) Regarding Accessory Dwelling Units, Junior Accessory Dwelling Units, Urban Lot Splits, And Housing Units Built In Accordance With Senate Bill 9, And Making A Determination Of Exemption Under The California Environmental Quality Act (CEQA) Guidelines Sections 15061(B)(3) And 15282(H), Government Code Sections 65852.21(J) And 66411.7(N), And Public Resources Code Section 21080.17.***

Council Member Molina stated that this Ordinance was adopted due to Senate Bill 9 being passed and signed by the Governor, adding that the City, as well as many other Cities in the State fought to oppose the bill, however it passed anyway and now the City has to comply with the law with the adoption of the Ordinance. She expressed her opposition to the Senate Bill.

**MOTION BY COUNCIL MEMBER MOLINA, SECONDED BY COUNCIL MEMBER CERVANTEZ, CARRIED 5-0 TO APPROVE 2<sup>ND</sup> READING BY TITLE ONLY AND ADOPT ORDINANCE NO. 388, AN ORDINANCE OF THE CITY OF CALIMESA, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT 2022-02, AMENDING VARIOUS SECTIONS OF THE SUBDIVISION ORDINANCE (TITLE 17 OF THE CALIMESA MUNICIPAL CODE) AND ZONING CODE (TITLE 18 OF THE CALIMESA MUNICIPAL CODE) REGARDING ACCESSORY DWELLING UNITS, JUNIOR ACCESSORY DWELLING UNITS, URBAN LOT SPLITS, AND HOUSING UNITS BUILT IN ACCORDANCE WITH SENATE BILL 9, AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTIONS 15061(B)(3) AND 15282(H), GOVERNMENT CODE SECTIONS 65852.21(J) AND 66411.7(N), AND PUBLIC RESOURCES CODE SECTION 21080.17.**

## **CHAMBER OF COMMERCE REPORTS**

Chamber President Shay presented the Chamber report as follows: February Chamber Breakfast was a success with Lions Club as guest speaker, next breakfast will be March 14<sup>th</sup> at Kafé Royale, January Installation and awards dinner was a success, Valentine's Day Boutique was well attended. She announced that the Night at the Races event has been postponed from March to October, date to be determined. Scholarship Tea would be held on May 5<sup>th</sup> and the April Chamber Breakfast would be held at Haus Bistro with Sheriff Chad Bianco as the guest speaker. She stated that John Barilone would be distributing welcome bags February 28, 2023.

## **POLICE CHIEF COMMENTS & REPORTS**

Sheriff Lt. Olsen reported 285 calls for service February 6<sup>th</sup> – February 20<sup>th</sup>. 29 traffic violations, 8 burglaries, 1 fraud and 3 stolen vehicles with a total of 4 vehicles recovered.

## **FIRE CHIEF COMMENTS & REPORTS**

Fire Chief O'Connell reported 258 calls for service year to date, with 182 of those calls being medical aide, 2 fires and 58 public assistance calls. He announced that the 1<sup>st</sup> round of weed abatement inspections have commenced and provided information regarding the City's Hazard Reduction Subscription Program available to property owners.

## **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 an RCTC meeting where they discussed the mid-year budget.

## **BUSINESS ITEMS**

### 9. CITY COMMISSION APPOINTMENT.

***RECOMMENDATION: That Mayor Pro Tem Hewitt appoint one member to the Parks, Trails & Community Services Commission and that the City Council ratify the appointment by a majority vote and adopt Resolution No. 2023-10 providing for appointment made.***

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

**MOTION BY MAYOR PRO TEM HEWITT, SECONDED BY COUNCIL MEMBER MANLY, CARRIED 5-0 TO APPOINT JENNIFER TAYLOR TO THE PARKS, TRAILS & COMMUNITY SERVICES COMMISSION AND ADOPT RESOLUITON NO. 2023-10 PROVIDING FOR APPOINTMENT MADE.**

Mayor Davis administered the Oath of Office to Jennifer Taylor.

## **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 Molina reported that she attended the Coffee with a Cop event, adding that it was very successful. She announced a Riverside Division Cal Cities training that would be held on March 3<sup>rd</sup> and a Riverside Division meeting that would be held on March 13, 2023. She further reported that she attended the Chamber Breakfast meeting and spoke as the president of the Lions Club. She stated that the Lions Club placed the American flags out for President's Day Holiday. She further announced that she would like to attend a League of California Cities event in Sacramento on April 12<sup>th</sup> – 14<sup>th</sup>, but that she did not have the appropriate funds in her travel budget and questioned whether surplus travel funds would be available.

***There was Council consensus to distribute surplus travel funds amongst the Council to provide for additional travel and training opportunities.***

Mayor Pro Tem Hewitt announced that Yucaipa Valley Water District would be holding a community meeting on March 8<sup>th</sup> and 9<sup>th</sup> regarding to discuss their integrated infrastructure approach to water resource management and how they are working to build a sustainable Yucaipa Valley. She reported that she enjoyed and was honored to be selected as a judge for a public speaking contest hosted by the Lions Club.

Council Member Cervantez thanked the public for their attendance and expressing their point of view.

Mayor Davis expressed his appreciation of the public's attendance and expressing their concerns to the Council.

## **CITY MANAGER COMMENTS & REPORTS**

City Manager Kolbow provided an update on the So Cal Gas outage, reporting that the staging area has been taken down and that the outage was a maintenance related activity that resulted in a drop in pressure. He stated that safety checks for the affected customers are still in progress. He further announced the future scheduling of a land use joint workshop with the City Council and the Planning Commission to provide education of the City's development process explaining the roles of staff, Council and the Commission.

## **RECESS TO CLOSED SESSION**

Assistant City Attorney Kearns announced the Closed Session Item and Mayor Davis recessed the meeting to Closed Session at 6:48 p.m.

**CLOSED SESSION ITEMS**

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

Pursuant to Subsection (a) of Government Code Section 54956.9

**Name of Case:** City of Calimesa v Estate of Troyce Lee Gayle – Riverside Superior Court Case No. CVRI2205005

**CLOSED SESSION ANNOUNCEMENT**

A. No Reportable Action

**ADJOURNMENT**

Meeting adjourned at 7:00 p.m. to the Regular Meeting of the City Council on Monday March 6, 2023 at 6:00 p.m.

Respectfully Submitted,



Darlene Gerdes, City Clerk

MOTION BY COUNCIL MEMBER CERVANTEZ, SECONDED BY COUNCIL MEMBER MANLY, CARRIED 5-0 TO APPROVE THE MINUTES OF February 21, 2023, REGULAR MEETING AS PRESENTED.

APPROVED: March 6, 2023

