

City Of Calimesa
City Council Minutes of Regular Meeting
March 6, 2023

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, CITY ATTORNEY BARROW, CITY CLERK GERDES, FINANCE DIRECTOR REID, PLANNING MANAGER LUCIA, CITY ENGINEER THORNTON, PUBLIC WORKS ENGINEER SHAKIR, FIRE CHIEF O'CONNELL AND SHERIFF LT. OLSEN.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Sheriff Lt. Olsen.

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.

Michelle Morton, 199 Summit View Drive, Calimesa expressed concerns of issues occurring on the former golf course property. She indicated there was prostitution, drugs, trash dumping, motor cross and homeless. She added that her daughter was physically attacked and spent 17 hours in the trauma unit. She pleaded with the Council for help in getting the area cleaned up and suggested no trespassing signs be installed.

Danae Delaney, 223 Tanglewood Drive, Calimesa spoke regarding the Oak Valley Town Center Project and recited various comments made at the November 2, 2022 City Council meeting. She further recited statements made by Brooke Birtcher regarding land entitlement and their desire of engraining and entrenching themselves into the community.

City Clerk Gerdes read two (2) public comments that were received via email:

Wally Taylor, 9511 Dale Mesa Drive, Calimesa spoke in opposition of warehouse projects in the City of Calimesa and urged Council to vote against the proposals.

Malulani Beale, Summerwind Trails resident spoke in opposition of warehouse projects in Calimesa and urged Council to keep Calimesa family friendly and safe.

APPROVAL OF THE AGENDA

MOTION BY MAYOR PRO TEM HEWITT, SECONDED BY COUNCIL MEMBER MOLINA, 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. Deputy City Manager/City Clerk Gerdes requested Item No. 4 be pulled as a speaker form was submitted for the item.

CONSENT CALENDAR (Items 1 – 7)

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 21, 2023***
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.

There are no minutes ready for approval at this time.
3. APPROVAL OF WARRANT REGISTERS.
 - a) ***Check Register Report with a total of \$880,618.85 (Check Nos. 39898 to 39964)***
 - b) ***March 1, 2023 Council Payroll of \$1,683,75***
March 2, 2023 Payroll of \$102,803.46.
5. ADDITION OF A COVID-19 PREVENTION PROGRAM TO THE RISK MANAGEMENT POLICY MANUAL AMENDING RESOLUTION NO. 2018-65 AND RESCINDING RESOLUTION NO. 2020-54 IN ITS' ENTIRETY
RECOMMENDATION: That the City Council adopt Resolution No. 2023-11, A Resolution of the City Council of the City of Calimesa California adding Policy No. 1400.00 - COVID-19 Prevention Program to the Risk Management Policy Manual amending Resolution No. 2018-65 and rescinding Resolution No. 2020-54 in its entirety.
6. COOPERATIVE MAINTENANCE AGREEMENT WITH THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR STORM DRAINS WITHIN PARCEL MAP 33105
RECOMMENDATION: That the City Council approve and execute the Cooperative Maintenance Agreement with the Riverside County Flood Control and Water Conservation District.
7. NOTICE OF COMPLETION – CITY HALL EXPANSION.
RECOMMENDATION: That the City Council
 1. ***Accept the CITY HALL EXPANSION (BID #2021-03) as complete, authorize the Public Works Director to sign the Notice of Completion and direct the City Clerk to file the Notice of Completion with the County Recorder's Office and, if no claims are filed as of 35 days after recordation, release the 5% retention payment in the amount of \$21,779.00 to IE General Engineering, Inc., and***

2. **Approve Change Order #1 for IE General Engineering, Inc in the amount of \$9,576.60 for additional roofing inspection and repair to the Senior Center., and**
3. **Approve Change Order #2 for Troy Alarm in the amount of \$2,801.00 for the extension of the security alarm from the Senior Center to the City Hall Expansion.**

MOTION BY COUNCIL MEMBER CERVANTEZ, SECONDED BY COUNCIL MEMBER MANLY, CARRIED 5-0 TO APPROVE ITEM NO'S 1-3 AND 5-7 OF THE CONSENT CALENDAR AS PRESENTED.

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

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.

Danae Delaney, 223 Tanglewood Drive, Calimesa questioned when a decision of the Council is an educated decision or an emotional one. She recited statements made at the 11/2/2020 and 9/6/2022 by Council and staff that could be bias and requested City Manager Kolbow listen to those meetings. She expressed her opinion that the meeting process was bias as well and not equally balanced as the residents get 3 minutes and the applicant or developer is allowed more than 3 minutes to speak as well as additional time for rebuttal. She requested an equally balanced and weighted process.

MOTION BY COUNCIL MEMBER MANLY, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 5-0 TO APPROVE STAFF RECOMMENDATION.

POLICE CHIEF COMMENTS & REPORTS

Sheriff Lt. Olsen reported 176 calls for service February 21st – March 5th. 21 traffic violations, 2 burglaries, 3 frauds and 12 alarm calls.

FIRE CHIEF COMMENTS & REPORTS

Fire Chief O'Connell reported 305 calls for service year to date, with 215 of those calls being medical aide, 2 fires and 68 public assistance calls. He announced that Calimesa Truck Company 1 has completed construction and is on display in the Midwest, 2 firefighters graduated the regional truck academy and 2 Firefighter/Paramedic Interns have just entered into their field trainings.

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 Cervantez reported that he attend an RCA meeting with a pretty light agenda, however a long Closed Session was held. He stated that the poppy bloom is

predicted to be longer this year due to the amount of rain and moisture received this year. He further stated that the members were putting together items for discussion at the stakeholders committee meeting.

Mayor Pro Tem Hewitt reported that she attended a WRCOG meeting where they discussed a strategic plan and the 2021-2022 agency audit. She announced the Annual General Assembly that would be held at Pechanga Resort/Casino on June 29, 2023.

Council Member Molina reported that she attended a RTA Executive meeting and a Board of Directors meeting, an RCTC Budget and Implementation Committee meeting, an RTA Budget and Finance Meeting and an RCTC workshop in Beaumont regarding the Highland Springs Interchange, where those in attendance could view various options of what changes could be made. She further reported a training for newly elected officials that was held March 3, 2023 and facilitated by the League of California Cities Riverside Division. She added that RCTC, RTA, WRCOG and SCAG representatives were in attendance and provided information of each of their organizations.

BUSINESS ITEMS

8. CHANGE ORDER #1 – CITYWIDE PAVEMENT REHABILITATION.

RECOMMENDATION: That the City Council:

- 1. Approve Change Order #1 in the amount of \$199,554.25 for the additional paving on Mesa Grande Drive and Buena Mesa Drive cul-de-sac; and***
- 2. Increase the construction contingency by \$19,955.43.***

City Manager Kolbow presented the agenda report.

After Council discussion the following action was taken:

THERE WAS COUNCIL CONSENSUS TO APPROVE CHANGE ORDER #1 IN THE AMOUNT OF \$199,554.25 FOR THE ADDITIONAL PAVING ON MESA GRANDE DRIVE AND BUENA MESA DRIVE CUL-DE-SAC; AND INCREASE THE CONSTRUCTION CONTINGENCY BY \$19,955.43.

9. 4TH STREET PARK EXPANSION CONCEPT DESIGN APPROVAL.

RECOMMENDATION: That the City Council approve the concept design #4 as recommended by the Planning and the Parks, Trails, and Community Services Commissions.

Public Works Engineer Shakir and Parks, Trails & Community Services Vice Chairperson Aponte presented the agenda report. The project Architect from RHA also provided comments and answered questions of the Council.

After Council discussion the following action was taken:

MOTION BY COUNCIL MEMBER CERVANTEZ, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 5-0 TO APPROVE THE CONCEPT DESIGN #4 AS RECOMMENDED BY THE PLANNING AND PARKS, TRAILS & COMMUNITY SERVICES COMMISSIONS.

10. RESOLUTION NO. 2023-12 MAKING FINDINGS IN SUPPORT OF A WAIVER OF PUBLIC BIDDING REQUIREMENTS AND RATIFY THE ISSUANCE OF A CONTRACT FOR EMERGENCY REPAIRS AT THE FIRE STATION AND FINDING THAT THE REPAIRS ARE EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS AN EMERGENCY PROJECT.

RECOMMENDATION: That the City Council:

- 1. Adopt Resolution No. 2023-12, A Resolution of the City Council of the City of Calimesa Confirming that the Public Interest and Necessity Demand the Immediate Expenditure of Public Funds to Safeguard the City's Fire Station Rear Parking Lot from Failure Due to the Recent Storm Events and Waiving Formal Notice and Competitive Bidding Requirements, and Finding that the Repairs are Exempt from Review Under the California Environmental Quality Act as an Emergency Repair; and**
- 2. Ratify the issuance of a contract to Roadway Engineering and Construction Corp. for emergency repairs in the amount of \$72,010.00, and authorize the City Manager to sign the contract on behalf of the City.**

City Manager Kolbow presented the agenda report and read the title of the Resolution for the record.

After Council discussion the following action was taken:

MOTION BY COUNCIL MEMBER MANLY, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 5-0 TO ADOPT RESOLUTION NO. 2023-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA: DECLARING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE IMMEDIATE EXPENDITURE OF PUBLIC FUNDS TO SAFEGUARD THE CITY'S FIRE STATION REAR PARKING LOT FROM FAILURE DUE TO RECENT EXTRAORDINARY STORM EVENTS AND WAIVING FORMAL NOTICE AND COMPETITIVE BIDDING REQUIREMENTS; DELEGATING TO THE CITY MANAGER THE AUTHORITY TO ORDER ANY ACTION SPECIFIED IN PUBLIC CONTRACT CODE SECTION 22050(A)(1) AND TO EXPEND FUNDS WITHOUT COMPLYING WITH STATE COMPETITIVE BIDDING REQUIREMENTS, IN RELATION TO EMERGENCIES, INCLUDING THE ABOVE-MENTIONED EMERGENCY; AND FINDING THAT THE REPAIRS ARE EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS AN EMERGENCY REPAIR, AND RATIFY THE ISSUANCE OF A CONTRACT TO ROADWAY ENGINEERING AND CONSTRUCTION CORP. FOR EMERGENCY REPAIRS IN THE AMOUNT OF \$72,010.00, AND AUTHORIZE THE CITY MANAGER TO SIGN THE CONTRACT ON BEHALF OF THE CITY.

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 announced a Lions Club Speech Contest for High School students competing for \$10,000 scholarship, adding that there were 4 local students with one moving on in the competition. She thanked City Manager Kolbow, Planning Director Lucia and Bonnie Johnson for participating as judges. She further announced she attended with the Fire Department the Dr. Seuss Day at Calimesa Elementary School, adding that they read to the children during the event.

Mayor Davis stated he was sorry to hear what is happening at the old golf course, adding that he would be reaching out to the property owner regarding what has been reported.


CITY MANAGER COMMENTS & REPORTS

None.

ADJOURNMENT

Meeting adjourned at 6:50 p.m. to the Regular Meeting of the City Council on Monday March 20, 2023 at 6:00 p.m.

Respectfully Submitted,


Darlene Gerdes, City Clerk

MOTION BY COUNCIL MEMBER CERVANTEZ, SECONDED BY COUNCIL MEMBER MANLY, CARRIED 4-0(COUNCIL MEMBER MOLINA WAS ABSENT) TO APPROVE THE MINUTES OF MARCH 6, 2023, REGULAR MEETING AS PRESENTED.

APPROVED: March 20, 2023

