

City Of Calimesa
City Council Minutes of Regular Meeting
April 3, 2023

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

ROLL CALL: MAYOR DAVIS, MAYOR PRO TEM HEWITT, COUNCIL MEMBER CERVANTEZ, COUNCIL MEMBER MANLYAND COUNCIL MEMBER MOLINA.

ABSENT: NONE.

STAFF: CITY MANAGER KOLBOW, CITY ATTORNEY BARROW, CITY CLERK GERDES, FINANCE DIRECTOR REID, CITY ENGINEER THORNTON, PUBLIC WORKS ENGINEER SHAKIR, FIRE CHIEF O'CONNELL AND SHERIFF CAPTAIN SALAS.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Council Member Cervantez.

PRESENTATIONS

Proclamation – DMV/Donate Life California Month April 2023 – Katryn Mantz One Legacy

Mayor Davis presented a proclamation to One Legacy Representative Katryn Mantz for DMV Donate Life California Month April 2023. Katryn shared a story of her sons' death and the donation of his organs that saved the lives of several others.

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.

James Wright, 10320 Calimesa Blvd., Calimesa provided written correspondence to Council that addressed opposition to the Oak Valley North Warehouse Project and the significant negative health impacts and risks and dangers associated with future warehouse day and night operations. He stated that his focus is on the residents and their health and personal safety.

John Gates, 9633 Rosedale, Calimesa spoke in opposition to warehouse projects in the City, stating that the Council overturned the 250,000 warehouse size cap. He further stated that the developers take advantage of the Council and the Calimesa residents, adding that they have the right to develop their property, but that the development project should support the majority of Calimesa residents. He urged the Council to deny the

Birtcher North Project.

Marlene Davis, 9487 Dale Mesa Drive, Calimesa provided documents to the Council that included a brief history and summary of the Sharondale Mesa Senior Community, as well as 2023 newspaper article stating the plans by Assembly Majority Leader Eloise Gomez Reyes to reintroduce a Warehouse Buffer Bill. She further spoke in opposition to warehouses, adding that the Stearns Property is not the place for a warehouse project. She expressed her concerns of air quality and truck traffic.

Danae Delaney, 223 Tanglewood Drive, Calimesa provided documents to the Council that included information about the Mesa Verde Project and the proposed warehouses. She expressed her opposition to the project. She provided copies of the drawings of the Birtcher Oak Valley Commerce Center Freeway Monument/Pylon Sign expressing her disapproval of the sign. She further expressed her opinion that Mayor Davis was profiting from city-approved development projects and submitted a document that contained information regarding the Cunningham Davis Corporation. She ended her comments speaking about the 2024 Council Member election.

City Clerk Gerdes read 1 public comment that was received via email from Ron Roy, who expressed his opinion that the City of Calimesa is the only city in the pass area that does not allow public comments via telephone or virtual conferencing. He stated that Beaumont and Banning both allow telephone public comment "call-ins" and Banning also allows comments on Zoom. He requested that the Council update the public participation at City Council meetings to reflect 2023 communication technology and allow for public comments by both telephone and zoom and to do so by the April 17, 2023 City Council meeting.

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. There were no items removed for discussion.

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 March 20, 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 \$ (Check Nos. 40052 to 400)*
- b) *March 30, 2023 Payroll of \$.*

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. ACCEPTANCE AND EXPENDITURE OF 2022 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FUNDING ALLOCATION - AWARD FOR EMERGENCY/FIRE DEPARTMENT OPERATIONS – FUEL CELL AND ACCESSORIES.

RECOMMENDATION: That the City Council adopt Resolution 2023-14, A Resolution of the City of Calimesa, Accepting the FY22 Emergency Management Performance Grant Program (EMPG) award through the California Office of Emergency Services (CalOES) not to exceed the total amount of \$6,979.00; designating the City Manager as the authorized official to execute EMPG Program agreements on behalf of the City; authorizing the City Manager to sign the California Governor’s Office of Emergency Services Subaward Face Sheet and other related forms; and amending the Fiscal Year 2022-23 Budget to include acceptance of EMPG grant Funds.

6. TRACT MAP NO. 32702 AND 32702-5: REDUCTION OF FAITHFUL PERFORMANCE BOND.

RECOMMENDATION: That the City Council:

- *Accept the public improvements completed by the Developer.*
- *Authorize Staff to reduce the Street Improvement Faithful Performance Bonds to 10% of the total amount to be retained as the Warranty Bonds for a period of 1 year.*
- *Authorize Staff to release the Payment Bonds.*

7. AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR PROFESSIONAL AUDITING SERVICES WITH ROGERS, ANDERSON, MALODY, & SCOTT, LLP.

RECOMMENDATION: That the City Council award a professional services agreement for professional auditing services to Rogers, Anderson, Malody & Scott, LLP for fiscal years ending June 30, 2023, 2024, and 2025 with 2 one-year option periods

8. ASSIGNMENT AND ASSUMPTION OF IMPROVEMENT AND CREDIT AGREEMENT FOR THE TRANSPORTATION UNIFORM MITIGATION FEE

PROGRAM.

RECOMMENDATION: That the City Council:

- 1. Approve the Assignment and Assumption Agreement between Sunny-Cal 1 Inv, LLC, ("Assignor"), Exeter Cherry Valley Land, LLC, ("Assignee"), and the City of Calimesa ("Calimesa").**
- 2. Approve the exoneration of the Sunny-Cal bond after staff has received and approved the substitute bond from Exeter.**

MOTION BY COUNCIL MEMBER MANLY, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 5-0 TO APPROVE THE CONSENT CALENDAR AS PRESENTED.

POLICE CHIEF COMMENTS & REPORTS

Captain Salas reported 214 calls for service for March 20th – April 2nd, reporting 13 traffic citations, 2 burglaries, 6 thefts, 2 vehicle thefts, 2 battery's, 1 domestic violence, 1 drug arrest and 1 sex crime.

FIRE CHIEF COMMENTS & REPORTS

Fire Chief O'Connell reported 437 calls for service year to date, with 305 of those calls being medical aid, 7 fires and 89 public assistance calls. He reported that Fire Prevention is on their 2nd round of weed abatement inspections. He provided a reminder that the State Fire Marshall Mapping public comment period closes on April 4th and encouraged residents to submit their comments, adding that the State responsibility areas are changing and that Calimesa will feel the impact.

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 Manly reported that he attended the San Geronio Pass Water Alliance meeting on March 22, 2023 where they spoke regarding the current snow pack at 200% which is above average and indicated that they are trying to capture as much water as they can. He added that the reservoirs are filling up and the costs to pump are significantly lower due to a wetter season.

Council Member Molina reported that she attended an RTA Executive meeting and Board of Directors Meeting on March 23, 2023. She further reported that the RCTC Budget and Implementation committee meeting of March 27, 2023 was cancelled.

Council Member Cervantez reported that he attended the RCA meeting on April 3, 2023 where they received legislative updates, indicating that the State budget was not looking so good and that there could be potential cuts to conservation. He further reported that the RCA was working with their lobbyists to streamline a process for acquisition of land

with funds available for conservation. He concluded his report stating that due to the increase in wet weather the poppy bloom could be extended by 4 -6 weeks.

Mayor Pro Tem Hewitt reported that she attended the WRCOG Budget & Finance Committee meeting on March 29, 2023 where they spoke regarding allocations of money to various WRCOG programs. She further reported that the Fellowship Program may be dissolved, that payouts are being made from the HERO program and the IREN program's budget is fluctuating. She further reported that she attended the WRCOG Board meeting on April 3, 2023 where they approved a Strategic Plan, discussed the awards that would be presented at the WRCOG General Assembly in June, adding that a Lifetime Achievement Award would be presented to the family of former Norco Council Member who passed recently. She further reported that the WRCOG Dues would be increasing and that the WCE has been dissolved.

BUSINESS ITEMS

9. CITY COMMISSION APPOINTMENT.

RECOMMENDATION: That Council Member Manly 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. 2023-15 providing for appointment made.

Council Member Manly announced his appointment of Scott Stamper to the Parks, Trails & Community Services Commission and the following action was taken by the Council:

MOTION BY COUNCIL MEMBER MANLY, SECONDED BY COUNCIL MEMBER, CERVANTEZ, CARRIED 5-0 TO ADOPT RESOLUTION NO. 2023-15 PROVIDING FOR THE APPOINTMENT OF SCOTT STAMPER TO THE PARKS, TRAILS & COMMUNITY SERVICES COMMISSION AND THAT THE CITY COUNCIL RATIFY THE APPOINTMENT MADE BY COUNCIL MEMBER MANLY.

Mayor Davis administered the Oath of Office to Commissioner Stamper

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 Manly reported that he attended the League of California Cities Planning Institute March 29th – 31st where he participated in forums regarding the State Budget and the impact it will have on Housing. They further spoke about California's population loss.

Council Member Molina announced that the Free Lunch Program through the Yucaipa Calimesa Joint Unified School District would be held at the 4th Street Community Park this

summer.

Mayor Pro Tem Hewitt reported that she attended a tour of the Morongo Tribe EOC where they displayed a paramedic vehicle and medical helicopter that will serve a 50 mile area, which will include Calimesa. She announced the 100th Ramona Pageant would be held the last two weekends in April and the 1st weekend in May.

Mayor Davis thanked those who attended the meeting.


CITY MANAGER COMMENTS & REPORTS

City Manager Kolbow thanked Council for their approval of Consent Item No. 7, awarding a professional services agreement for Professional Auditing Services to Rogers, Anderson, Malody & Scott, LLP, stating that its good practice is to rotate audit firms every 4 years. He announced the Earth Day event of April 22, 2023 from 8 am – Noon at Mesa View Middle School and the Land Use Workshop at 1:00 pm at the Norton Younglove Sr. Center.

ADJOURNMENT

Meeting adjourned at 6:40 p.m. to the Regular Meeting of the City Council on Monday April 17, 2023 at 6:00 p.m.

Respectfully Submitted,


Darlene Gerdes, City Clerk

MOTION BY COUNCIL MEMBER MOLINA, SECONDED BY COUNCIL MEMBER MANLY, CARRIED 5-0 TO APPROVE THE MINUTES OF APRIL 3, 2023, REGULAR MEETING AS PRESENTED.

APPROVED: April 17, 2023

