

City Of Calimesa
City Council Minutes of Regular Meeting
June 19, 2023

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

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

ABSENT: COUNCIL MEMBER CERVANTEZ

THERE WAS COUNCIL CONSENSUS TO EXCUSE THE ABSENCE OF COUNCIL MEMBER CERVANTEZ.

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

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Sheriff Lt. Olsen.

APPROVAL OF THE AGENDA AND WAIVER OF FULL READING OF ORDINANCES

This is the time for the City Council to notify the public of any changes to the agenda; remove items from the Consent Calendar for individual consideration or rearrange the order of the agenda. City staff may also request removal of an item from the Consent Calendar for individual discussion, or notify the public that an agenda item may be taken off the agenda, postponed or continued. Waiver of full reading of ordinances does not take policy action or approve or disapprove any ordinances on the agenda, it simply means that the entire text of the ordinance will not be read.

Mayor Davis asked if there were any necessary changes to the agenda or any items to be removed from the Consent Calendar for discussion. City Manager Kolbow stated that Business Item No. 19 would be postponed to a future meeting. There were no items removed from the Consent Calendar. The agenda was approved with the removal of Business Item No. 19 by the following action:

MOTION BY COUNCIL MEMBER MOLINA, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 4-0-1-0(COUNCIL MEMBER CERVANTEZ WAS ABSENT) TO APPROVE THE AGENDA AS PRESENTED WITH THE REMOVAL OF BUSINESS ITEM NO. 19.

COMMUNICATIONS FROM THE PUBLIC

Pursuant to the Brown Act, this is the opportunity for members of the public to directly address the Council on any item within the Council's subject matter jurisdiction. Please note that this is also the time in which members of the public may address the Council on any item on the Consent Calendar. This is not the 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 spoke regarding the Oak Valley North Project and expressed is opposition to the project stating that the pollution of trucks is

detrimental to the residents health and safety and future well-being. He further stated that the project inhibits the residents rights to travel.

CONSENT CALENDAR (Items 1 – 17)

The following items on the Consent Calendar are routine and customary items and are enacted by a single motion, with the exception of items previously removed during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

1. APPROVAL OF CITY COUNCIL ACTION MINUTES.
 - a) ***City Council action minutes of the regular meeting of June 5, 2023.***
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.
 - a) ***Parks, Trails & Community Services Commission action minutes of a regular meeting of May 3, 2023.***
3. APPROVAL OF WARRANT REGISTERS.
 - a) ***Check Register Report with a total of \$1,732,474.11(Check Nos. 40435 to 40493)***
 - b) ***June 8, 2023 Payroll of \$98,054.59***
4. COUNCIL TRAVEL EXPENSES.

RECOMMENDATION: That the City Council Council move to approve the Council Travel Training and Meeting/Mileage Expenses Report through May 31, 2023.
5. TREASURER'S REPORT FOR THE MONTH ENDED MARCH 31, 2023.

RECOMMENDATION: That the City Council receive and file the Investment Report for the month ended April 30, 2023.
6. APPROVAL OF 2023 PREVENTION OF ANIMAL HOMELESSNESS AND CRUELTY GRANT.

RECOMMENDATION: That the City Council approve a grant award of \$7,500 from the 2023 Prevention of Animal Homelessness and Cruelty Grant for the restricted purpose of providing spay-neuter services and programs.
7. PROFESSIONAL CONSULTING AGREEMENT WITH DAVID TURCH AND ASSOCIATES FOR LEGISLATIVE ADVOCACY SERVICES.

RECOMMENDATION: That the City Council approve the Agreement with David Turch & Associates for FY 2023-24 in an amount not to exceed \$20,000.
8. PROFESSIONAL SERVICES AGREEMENT FOR COMMUNITY FACILITIES DISTRICTS AND LANDSCAPING AND LIGHTING DISTRICT PUBLIC FINANCE CONSULTANT SERVICES.

RECOMMENDATION: That the City Council approve the professional service agreement for community facilities districts and landscaping and lighting district public finance consultant services with Koppel and Gruber Public Finance for a three year term from July 1, 2023 through June 30, 2026, in an amount not to exceed \$100,000 for each respective fiscal year for all services provided.

9. PRELIMINARY APPROVAL OF THE ENGINEERS REPORT FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 91-1 AND ADOPTION OF A RESOLUTION SETTING THE PUBLIC HEARING FOR THE ENGINEERS REPORT FOR LANDSCAPING AND LIGHTING DISTRICT NO. 91-1 FOR FISCAL YEAR 2023/2024.

RECOMMENDATION: *That the City Council Adopt Resolution No. 2023-30, A Resolution of the City Council of the City of Calimesa to Initiate Proceedings, Preliminary Approval, and set the Public Hearing for the Engineer's Report for Landscaping and Lighting District No. 91-1 for fiscal Year 2023/2024.*

10. THIRD AMENDMENT TO THE AGREEMENT FOR ENTERPRISE CLOUD GEOGRAPHIC INFORMATION SYSTEMS SERVICES BETWEEN THE CITY OF CALIMESA AND NOBEL SYSTEMS, INC.

RECOMMENDATION: *That the City Council approve the Third Amendment to the Agreement between the City of Calimesa and Nobel Systems, Inc. to provide Enterprise Cloud Geographic Information Systems Services.*

11. APPROVAL OF A COST-OF-LIVING ADJUSTMENT AND AN INCREASE IN THE CAFETERIA PLAN BENEFIT ALLOTMENT FOR MISCELLANEOUS CITY EMPLOYEES AND FIRE DEPARTMENT EMPLOYEES AND ADOPTION OF REVISED SALARY SCHEDULES.

RECOMMENDATION: *That the City Council adopt Resolution No. 2023-31 A Resolution of the City Council of the City of Calimesa, California Approving a Cost-of-Living Adjustment (COLA) and an increase in the Cafeteria Plan benefit allotment for Miscellaneous City Employees and Fire Department Employees and Adopting Revised Salary Schedules.*

12. APPROVAL OF JOB DESCRIPTIONS OF SR. ACCOUNTANT AND PLANNING TECHNICIAN POSITIONS AS APPROVED IN THE FISCAL YEAR 2023-2024 BUDGET.

RECOMMENDATION: *That the City Council adopt Resolution No. 2023-32, a Resolution of the City Council of the City of Calimesa, California adopting the job descriptions of Accountant, Sr. Accountant and Planning Technician.*

13. FINAL TRACT MAP NO. 32702-4: REDUCTION OF FAITHFUL PERFORMANCE BOND.

RECOMMENDATION: *That the City Council accept the public improvements completed by the Developer and approve reducing the Faithful Performance Bond for the Improvements to 10% of the total amount to retain as the Warranty Bond for a period of 1 year.*

14. FINAL TRACT MAP 37739 – SUMMERWIND COMMONS PHASE 1.

RECOMMENDATION: *That the City Council:*

- a) *Adopt Resolution 2023-33, approving Final Map 37739.*
- b) *Authorize the City Clerk to sign the statement on the map that acknowledges*

- the City Council's approval.*
- c) *Authorize the Mayor and City Clerk to execute a Subdivision Improvement Agreement and accept sureties.*
 - d) *Authorize City Staff to execute the Declaration of Covenants, Conditions and Restrictions and Grant of Easements.*
15. SECOND AMENDMENT TO AGREEMENT FOR 6TH CYCLE HOUSING ELEMENT UPDATE CONSULTING SERVICES BETWEEN THE CITY OF CALIMESA AND KIMLEY-HORN AND ASSOCIATES, INC (“CONSULTANT”).
- RECOMMENDATION: That the City Council approve the Second Amendment for 6th Cycle Housing Element update consulting services between the City of Calimesa and Kimley-Horn Associates, Inc. and authorize the Mayor to execute the Agreement.***
16. FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES (ON-CALL PLANNING) WITH MICHAEL BAKER INTERNATIONAL, INC.
- RECOMMENDATION: That the City Council approve Amendment No. 1 to the Agreement for professional consulting services (on-call planning) between the City of Calimesa and Michael Baker International, Inc. (“MBI”).***
17. AGREEMENT FOR ON-CALL ENVIRONMENTAL CONSULTING SERVICES BETWEEN THE CITY OF CALIMESA AND RINCON CONSULTANTS, INC (“RINCON” OR “CONSULTANT”).
- RECOMMENDATION: That the City Council approve the Agreement for On-Call Environmental Consulting services between the City of Calimesa and Rincon Consultants, Inc. and authorize the Mayor to execute the Agreement.***

MOTION BY COUNCIL MEMBER MANLY, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 4-0-1-0(COUNCIL MEMBER CERVANTEZ WAS ABSENT) TO APPROVE THE CONSENT CALENDAR AS PRESENTED.

CHAMBER OF COMMERCE REPORTS

Tony Phillips provided a Chamber report as follows: June Chamber breakfast was well attended with Mickey Valdivia of the San Geronio Pass Water and Beaumont Cherry Valley Park and Recreation District as guest speaker. He announced the July breakfast would be held on July 11th with City Manager Will Kolbow as guest speaker. He stated that the Annual Scholarship Tea was a success, adding that they awarded 9 scholarships, 5 for \$1,000 each and 4 for \$500.00 each. He announced the Annual State of the City Event that would be held on October 7th, stating that the City and Chamber have begun the planning process. He announced the “Night at the Races” event that would be held on October 21, 2023, at Plantation on the Lakes, adding that Woody’s BBQ would be providing the meal. He further announced the “Get your Lights On” Christmas parade that would be held Saturday, December 2, 2023. He further announced 3 new members and 11 renewals with a total of 148 chamber members.

SHERIFF CAPTAIN COMMENTS & REPORTS

Lt. Olsen reported 262 calls for service June 5th – June 18th with 24 traffic violations, 18 alarm calls, 7 misdemeanor thefts, 2 felony thefts, 3 stolen vehicles, 4 fraud calls investigated and 1 residential burglary.

FIRE CHIEF COMMENTS & REPORTS

Fire Chief O'Connell reported 769 calls for service year to date, down from last year's 821 calls, with 527 of those calls being medical aid and 177 public assistance calls. He stated that during the interim improvement closures taking place at Cherry Valley Interchange, a unit has been placed on the southside of the freeway. He further stated that an increased staffing module has been put in place for the 4th of July holiday. He further stated that the weed abatement inspections continue in an effort to obtain compliance throughout the city. He announced that the final inspection of the new ladder truck was completed, and that the unit will arrive in Calimesa in the next 6-8 weeks.

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 RTA Budget and Finance meeting on June 7th, stating that bus passes were available for students attending UCR and Cal Baptist. She further reported that she attended an RCTC meeting announcing an allocation of funding to the City of Calimesa for \$5.2 million for the Calimesa Blvd. realignment project.

Mayor Pro Tem Hewitt reported that she attended a WRCOG Admin and Finance meeting on June 14, 2023, and received an update on the Clean Cities Program and announced the I-REN orientation that would be held in August. She announced the WRCOG General Assembly that would be held on Thursday, June 29, 2023, at Pechanga Resort Casino.

PUBLIC HEARINGS

18. PUBLIC HEARING – PUBLIC HEARING - ANIMAL CONTROL SERVICES

RECOMMENDATION: That the City Council open the Public Hearing and:

- 1. Approve second reading of Ordinance No. 390 by title only, An Ordinance of the City of Calimesa adopting by reference Title 6 - Animal, of the Riverside County Code as the City's Animal Control Ordinance and amending the Calimesa Municipal Code.***
- 2. Approve Agreement for Animal Control Field and Licensing Services between the City of Calimesa and the County of Riverside.***

Mayor Davis opened the Public Hearing.

City Manager Kolbow presented the agenda report.

There was no public comment.

Mayor Davis closed the Public Hearing.

After Council discussion the following action was taken:

MOTION BY COUNCIL MEMBER MOLINA, SECONDED BY COUNCIL MEMBER MANLY, CARRIED 4-0-1-0(COUNCIL MEMBER CERVANTEZ WAS ABSENT) TO APPROVE SECOND READING OF ORDINANCE NO. 390 BY TITLE ONLY, AN ORDINANCE OF THE CITY OF CALIMESA ADOPTING BY REFERENCE TITLE 6 – ANIMAL, OF THE RIVERSIDE COUNTY CODE AS THE CITY’S ANIMAL CONTROL ORDINANCE AND AMENDING THE CALIMESA MUNICIPAL CODE AND APPROVE AN AGREEMENT FOR ANIMAL CONTROL FIELD AND LICENSING SERVICES BETWEEN THE CITY OF CALIMESA AND THE COUNTY OF RIVERSIDE.

BUSINESS ITEMS

19. RESOLUTION NO. 2023-34 – A RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN REAL PROPERTY INTEREST FOR PUBLIC PURPOSES IN CONNECTION WITH THE COUNTY LINE ROAD TRANSPORTATION CORRIDOR PROJECT.

RECOMMENDATION: That the City Council:

1. ***Open and conduct a hearing on the adoption of the proposed Resolution of Necessity, receive from City Staff the evidence stated and referred to in this Agenda Report (“Report”), take testimony from any person wishing to be heard on issues A, B, C, and D below, and consider all evidence to determine whether to adopt the proposed Resolution of Necessity.***
2. ***If the City Council finds, based on the evidence contained and referred to in this Report, the testimony and comments submitted to the City Council, that the evidence warrants the necessary findings with respect to the proposed Resolution of Necessity, then City Staff recommends that the City Council, in the exercise of its discretion, adopt, by a 4/5ths vote of the entire City Council, Resolution No. 2023-34, A Resolution of the City Council of the City of Calimesa, California, declaring certain real property interest necessary for public purposes and authorizing the acquisition thereof in connection with the County Line Road Transportation Corridor Project (Permanent Road Easement On APN 410-030-041).***
3. ***Authorize the City Attorney’s office to file eminent domain proceedings to acquire the real property interest described below, which consists of a permanent road easement (“Subject Property Interest”) in the parcel described below:***

301 W. County Line Road, APN 410-030-041 (7-Eleven Parcel)

- ***An approximate 1,060 square foot permanent road easement for public street, highways and related purposes, and all uses necessary or convenient thereto of the real property located at 301 W. County Line Road, Calimesa, and identified as Riverside County Tax Assessor’s Parcel Number 410-030-041 (referred to as “7-Eleven Parcel”). The property is owned by 7-Eleven, Inc., a Texas corporation.***

The Subject Property Interest, comprised of the above-described permanent roadway easement and reciprocal access easement, are described more particularly in the respective Resolution of Necessity. The Resolution of Necessity with Exhibits are attached hereto and incorporated herein by this reference.

4. *If the City Council adopts the proposed Resolution of Necessity, authorize the City Attorney's Office to file and prosecute eminent domain proceedings for the acquisition of the Subject Property Interest by eminent domain.*
5. *Authorize the City Manager to execute all necessary documents.*

ITEM NO. 19 WAS PULLED FROM THE AGENDA AND POSTPONED TO A FUTURE MEETING. NO DISCUSSION OCCURRED; NO ACTION WAS TAKEN.

20. ESTABLISHMENT OF AN AD-HOC COMMITTEE TO REVIEW SHERIFF SERVICES AS CONTRACTED WITH RIVERSIDE COUNTY.

RECOMMENDATION: *That the City Council form a Sheriff Services Ad-Hoc Committee to work with staff to review Sheriff services as contracted with Riverside County.*

MOTION BY MAYOR DAVIS, SECONDED BY COUNCIL MEMBER MOLINA, CARRIED 4-0-1-0(COUNCIL MEMBER CERVANTEZ WAS ABSENT) TO APPOINT MAYOR PRO TEM HEWITT AND COUNCIL MEMBER MANLY TO SERVE AS THE MEMBERS OF A SHERIFF SERVICES AD-HOC COMMITTEE.

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 expressed his appreciation to be selected to serve on the Sheriff Services Ad-Hoc Committee, stating his desire to review current services and be able to make recommendations to Council.

Council Member Molina reported that she attended the Flag Day Ceremony at the Yucaipa Elks Lodge, stating that it was a very emotional presentation. She further reported that she attended the Chamber Breakfast and placed flags with the Lions Club for Flag Day. She further reported that she attended the SCE Wildfire Workshop and brought information back to the City that could be posted on the website and social media.

Mayor Pro Tem Hewitt reminded all of fire season, urging all to be careful and keep their eyes open.

Mayor Davis wished all a Happy 4th of July holiday, urged all to be careful and to keep an eye out for snakes, as they are out in full force.

CITY MANAGER COMMENTS & REPORTS

None.

RECESS TO CLOSED SESSION

City Attorney Barrow announced the Closed Session Item and Mayor Davis recessed the meeting to Closed Session at 6:32 p.m.

CLOSED SESSION ITEMS

A. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

City Negotiator: Will Kolbow City Manager

Unrepresented Employees: All City Employees excluding City Manager

CLOSED SESSION ANNOUNCEMENT

A. No reportable action

ADJOURNMENT

Meeting adjourned at 7:42 p.m. to the Regular Meeting of the City Council on Monday July 17, 2023 at 6:00 p.m.

Respectfully Submitted,

Darlene Gerdes, City Clerk

MOTION BY COUNCIL MEMBER CERVANTEZ, SECONDED BY COUNCIL MEMBER MANLY, CARRIED 4-0-1-0(MPT HEWITT WAS ABSENT) TO APPROVE THE MINUTES OF JUNE 19, 2023, REGULAR MEETING AS PRESENTED.

