

*City Of Calimesa*  
**City Council Minutes of Regular Meeting**  
March 4, 2013

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

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

**ABSENT:** NONE

**STAFF:** CITY MANAGER ANSTINE, CITY ATTORNEY ENNIS, CITY CLERK GERDES, PUBLIC WORKS DIRECTOR FRENCH, COMMUNITY DEVELOPMENT DIRECTOR GUARRACINO, ROBERT PATTERSON FIRE DEPARTMENT STAFF AND POLICE CHIEF PEEBLES.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Planning Commissioner Mike Barron

**PRESENTATIONS**

**San Gorgonio Pass Area Habitat for Humanity,** A power point presentation was provided by Barb Myers, President of the San Gorgonio Pass Area Habitat for Humanity. The presentation provided information of their history, their mission, how the program works and how the future home owners are selected. Amy Minjares, Executive Director of the Pass Area office addressed the Mayor and Council and distributed information of upcoming events and fundraising opportunities.

**COMMUNICATIONS FROM THE PUBLIC**

Charles Hurt, President of the Calimesa Cultural and Performing Arts Association spoke on behalf of the Association stating that they have been busy with the Sr. Center Dinners in partnership with Family Services Association. He announced the "Summer Concert Series, stating that the concerts will be held on Thursday's beginning July 11, 2013 and running through August 22, 2013. He further stated that he submitted a request to the City for consideration of support in the amount of \$4,000 rather than the \$2,000 given in the prior year.

John Smith, resident on East Avenue L, Calimesa spoke in regards to the Storm Drain Project and the paving of the streets, as well as the lifting of the manhole covers. He expressed his concerns of 6 manhole covers that he believed to be too high and requested that they be fixed.

Public Works Director French replied that the project had not been finalized as yet and that the contractor is still working to repair the manholes and complete the paving.

## **APPROVAL OF THE AGENDA**

Council Member Hyatt requested that a business item be added to the agenda as, the need to consider the item arose after the posting of the agenda and there is a need to hear the item at this meeting of the City Council.

**MOTION BY COUNCIL MEMBER HYATT, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 5-0 TO ADD BUSINESS ITEM NO. 12 APPOINTING A MEMBER TO THE TRAILS, OPEN SPACE AND BEAUTIFICATION COMMISSION TO THE AGENDA.**

**MOTION BY MAYOR PRO TEM HEWITT, SECONDED BY COUNCIL MEMBER HYATT, CARRIED 5-0 TO APPROVE THE AGENDA AS PRESENTED WITH THE ADDITION OF BUSINESS ITEM NO. 12.**

Mayor Davis asked if there were any items to be removed from the consent calendar for discussion. Council Member McIntire requested that Item No. 8 be removed for discussion.

## **CONSENT CALENDAR**

1. APPROVAL OF CITY COUNCIL ACTION MINUTES.
  - a. *City Council Action Minutes of the Regular Meeting of February 4, 2013.*
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.
  - a. *Community Services Commission 1/9/2013 Special Meeting Minutes*
  - b. *Library Commission 12/4/2012 Regular Meeting Minutes*
3. APPROVAL OF WARRANT REGISTERS.
  - a. *Check Register report with a total of \$418,254.59 (Check Nos. 26788 to 26879)*
  - b. *February 14, 2013 Payroll of \$32,386.37 (Ck Nos. 6186 thru 6199)  
February 28<sup>th</sup> & March 1, 2013 Payroll of \$41,672.88 (Ck Nos. 6200 thru 6223)*
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. TRAVEL EXPENSES

**RECOMMENDATION:** *That the City Council receive and file the report.*
6. NEW FUND NUMBERS

**RECOMMENDATION:** *That the City Council approve the creation of fund numbers to support the City's Community Facility District accounts.*
7. DECLARATION OF SURPLUS PROPERTY

**RECOMMENDATION:** *That the City Council adopt Resolution No. 2013-07, a Resolution of the City Council of the City of Calimesa, California declaring surplus property and providing for sale of said property.*

9. STATEMENT OF INVESTMENT POLICY

**RECOMMENDATION:** *That the City Council adopt Resolution No. 2013-08, A Resolution of the City Council of the City of Calimesa, California adopting a Statement of Investment Policy for fiscal year 2012/2013*

**MOTION BY MAYOR PRO TEM HEWITT, SECONDED BY COUNCIL MEMBER ZANOWIC, CARRIED 5-0 TO APPROVE ITEM NO'S 1 – 7 AND 9 OF THE CONSENT CALENDAR AS PRESENTED.**

**CONSENT ITEMS REMOVED FOR DISCUSSION**

*Council Member Zanowic recused herself for a potential conflict of interest.*

8. REQUEST TO CLOSE MYRTLEWOOD DRIVE FOR THE CALIMESA STREET FAIR EVENT TO BE HELD TWICE IN 2013, APRIL 13, 2013 AND OCTOBER 12, 2013

1. **Adopt Resolution No. 2013-05, a Resolution of the City Council of the City of Calimesa, California authorizing the closing of Myrtlewood Drive between Fifth Street and Calimesa Boulevard for the Calimesa Street Fair event to be held on April 13, 2013 and on October 12, 2013; and**
2. **Authorize the use of the City's associated traffic control devices.**

Council Member McIntire requested that Item No 8 be removed for discussion so that Council Member Zanowic could recuse herself from the meeting for this item and a separate vote be taken.

**MOTION BY COUNCIL MEMBER MCINTIRE, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 4-0 (COUNCIL MEMBER ZANOWIC RECUSED HERSELF) TO APPROVE ITEM NO. 8 OF THE CONSENT CALENDAR AS PRESENTED.**

*Council Member Zanowic rejoined the meeting.*

**CHIEF OF POLICE COMMENTS & REPORTS**

Chief Peebles reported that thefts were up in February from six in January to twelve. He added that six thefts occurred in one week from unlocked vehicles. He encouraged all to keep their vehicles locked and valuables out of sight.

**FIRE CHIEF COMMENTS & REPORTS**

Fire Department staff member Robert Patterson greeted the Council and made himself available for any questions of the report provided to the Council by Fire Chief Gregg prior to the meeting.

**MAYOR & COUNCIL MEMBER REPORTING OF COUNTY & REGIONAL MEETINGS**

Council Member McIntire commended Public Works Director Bob French for a nice job and saving the City \$50,000 on the Avenue L Storm Drain project.

Council Member Hyatt reported that he attended a meeting of the WRCOG, stating that they are receiving good reports of the "HERO Program", adding that contractors all over Southern California are involved with the program and it's becoming a statewide program. He further reported that he attended a meeting of the SCAG Goods Movement Committee stating that they are working to identify any problems that come forward in regards to the upgrades proposed to the Mexicali Border and the traffic impact it will make on the I-10.

Council Member Zanowic reported that she attended a Transportation Now meeting where they discussed the possibility of Beaumont becoming a regional bus place, adding that ridership is up on all lines. She further reported that she attended a meeting of the RTA, stating that they approved a new design for the CNG busses. She attended a meeting of the RCTC Board where they discussed the Mid-county Parkway from the I-215 to Hemet, adding that she was appointed Chair of the RCTC Budget Committee.

Mayor Davis reported that he attended the pass area Mayor & City Manager breakfast where they discussed improvements on the I-10 Corridor, such as widening in areas, and the Sunset grade separation in Banning. He announced that there would be a summit meeting in March for the pass area.

10. SCAG 2013 GENERAL ASSEMBLY ATTENDANCE AND APPOINTMENT OF VOTING DELEGATE AND ALTERNATE PARTICIPANT.

**RECOMMENDATION:** *That the City Council choose one or more members of Council to attend the SCAG General Assembly on May 2<sup>nd</sup> and 3<sup>rd</sup> 2013 in Palm Desert and appoint a voting delegate and an alternate participant to represent the City of Calimesa.*

Council Member Hyatt suggested Council Member McIntire be appointed as the voting delegate.

After Council discussion the following action was taken:

**MOTION BY MAYOR DAVIS, SECONDED BY COUNCIL MEMBER ZANOWIC, CARRIED 5-0 TO APPOINT COUNCIL MEMBER MCINTIRE AS THE VOTING DELEGATE AND COUNCIL MEMBER ZANOWIC AS THE ALTERNATE.**

11. COUNCIL CONSIDERATION OF DESIGNATING AN OFFICIAL DAY TO HOLD THE ANNUAL CALIMESA STATE OF THE CITY LUNCHEON EVENT.

**RECOMMENDATION:** *That the City Council:*

- 1. Consider the designation of an official day to hold the Annual Calimesa State of the City Luncheon Event, and if a day is determined,**
- 2. Adopt Resolution No. 2013-06, a Resolution of the City Council of the City of Calimesa, California designating an official day to hold the Annual Calimesa State of the City Luncheon Event.**

Paul Zanowic, Chamber of Commerce Executive Director expressed his concerns that the Chamber was not included in any discussions prior to the agenda report coming before the Council.

Kathy Houlihan, Chamber of Commerce Board Member expressed her concerns of the City taking over the planning of the event.

City Clerk Gerdes explained that the item was placed on the agenda for discussion of the selection of a date only, adding that it would still be a Chamber event and the Chamber would continue to plan the event. She further explained that in April 2012 the City Council directed staff to bring a discussion to a future meeting in regards to the possibility of adopting a Resolution setting a date certain for the Calimesa State of the City, in an effort to simplify the process.

After Council discussion Mayor Davis requested that the item be continued to the next meeting so that staff could meet with the Chamber and establish dates for consideration.

***Item No. 12 added to the agenda by a 5-0 vote of the Council is as follows:***

**12. CITY COMMISSION APPOINTMENT**

***RECOMMENDATION: That Council Member Hyatt appoint one member to the Trails, Open Space and Beautification Commission and that city Council ratify the appointment by a majority vote and adopt Resolution No. 2013-09 providing for appointment made.***

After Council discussion the following action was taken:

**MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCIL MEMBER MCINTIRE, CARRIED 5-0 TO APPOINT CINDY JACOBSEN TO THE TRAILS, OPEN SPACE AND BEAUTIFICATION COMMISSION AND ADOPT RESOLUTION NO. 2013-09 PROVIDING FOR THE APPOINTMENT MADE.**

**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 Hewitt spoke in regards to the Avenue L Storm Drain Project, stating that it looks great. He announced that the Mesa Grande Lady Cardinals basketball team is the 5A Division Winners. He further announced that he attended the Calimesa Chamber Installation dinner.

Council Member Zanowic announced that she attended the Banning 100<sup>th</sup> Anniversary "kick-off" celebration, adding that they would be having a year-long celebration. She further announced that she attended the cakealicious grand opening and the Chamber Installation Dinner. She announced that she attended the City of Yucaipa City Council meeting where they approved a design contract with Al Webb & Associates for the County Line Road improvements.

Council Member Hyatt announced that he attended the Chamber Installation Dinner and commended Mayor Davis on a job well done. He further announced he attended the Sr.

Center Valentine Dinner and expressed his appreciation to the Calimesa Cultural and Performing Arts for their work on the dinners. He announced the Friends of the Library Book and Bake Sale that would be held on Saturday, March 9, 2013 at the Sr. Center.

Council Member McIntire announced that she attended the Sr. Center Valentines Dinner, stating that she had a good time. She further announced the Sr. Center St. Patrick's Day dinner that would be held on Friday, March 15, 2013 at a cost of \$10.00 per ticket.

Mayor Davis announced that he attended the Mesa View Middle School "Run with the Mustangs" 5K run event, adding that there were over 500 runners. He stated it was a good turnout and a well run function. He announced that he attended the Chamber Installation Dinner and commended the Chamber for a job well done.

### **CITY MANAGER COMMENTS & REPORTS**

City Manager Anstine announced that he attended a meeting in Banning with the newly elected Congressman Ruiz, adding that he would be meeting next week with the Congressman's field representative. He announced that he also attended the Chamber Installation Dinner and commended the Chamber on a job well done.

### **RECESS TO CLOSED SESSION**

Mayor Davis recessed the meeting at 7:26 p.m. to Closed Session. City Attorney Ennis announced the Closed Session Items.

#### **A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9 (c) Potential Initiation of Litigation,  
**Number of Cases:** One (1) case

#### **B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9 (c) Potential Initiation of Litigation,  
**Number of Cases:** Three (3) cases

#### **C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9 (c) Potential Initiation of Litigation  
**Number of Cases:** One (1) case

### **CLOSED SESSION ANNOUNCEMENT**

- A. Direction was given to the City Attorney, with no reportable action
- B. A settlement agreement was reached for the school road from all three contractors.
- C. No reportable action

### **ADJOURNMENT**

Meeting adjourned at 8:00 p.m. to the Regular meeting of the City Council on Monday March 18, 2013, at 6:00 p.m.

Respectfully Submitted,  
  
Darlene Gerdes, City Clerk

Approved by Council:  
