

City Of Calimesa
City Council Minutes of Regular Meeting
May 6, 2013

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, ASSISTANT CITY MANAGER VONKLUG, PUBLIC WORKS DIRECTOR FRENCH, COMMUNITY DEVELOPMENT DIRECTOR GUARRACINO, FIRE CAPTAIN CADUEX AND POLICE LT ORTIZ.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Paul Zanowic Calimesa Chamber of Commerce, Executive Director.

PRESENTATIONS

Proclamation – May is Mental Health Month – Mark Miller, Desert Regional Mental Health Board Chair
Mayor Davis read and presented a proclamation to Mark Miller of the Desert Regional Mental Health Board proclaiming May as Mental Health Month in Calimesa.

COMMUNICATIONS FROM THE PUBLIC

Steve Fogus, 1080 California Street, Calimesa spoke in regards to a notice to abate weeds that he received, stating that Code Enforcement is out of control in the amount of notices given to property owners in Calimesa.

Donna Lotz, Chairperson of the Community Services Commission, spoke on behalf of the Commission requesting that the City Council direct the City Manager to perform a financial audit of all agreements between the City of Calimesa and Family Services Association regarding senior programs, services and fundraising activities provided at the Norton Younglove Multipurpose Senior Center.

MOTION BY COUNCILMEMBER ZANOWIC, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 5-0 TO DIRECT STAFF TO PLACE THE ITEM ON THE NEXT CITY COUNCIL MEETING FOR DISCUSSION AND CONSIDERATION.

APPROVAL OF THE AGENDA

MOTION BY COUNCIL MEMBER HYATT, 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. City Manager Anstine requested that Item No. 9 be pulled for discussion.

CONSENT CALENDAR

1. APPROVAL OF CITY COUNCIL ACTION MINUTES.
 - a. *City Council Action Minutes of the Regular Meeting of April 15, 2013.*
 - b. *Joint Council/Calimesa Successor Agency Special Meeting of April 18, 2013.*
2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.
 - a. *There are no minutes ready for approval at this time.*
3. APPROVAL OF WARRANT REGISTERS.
 - a. *Check Register report with a total of \$226,521.63 (Check Nos. 27004 to 27047)*
 - b. *April 25, 2013 Payroll of \$41,696.80 (Ck Nos. 6276 thru 6294)*
May 1, 2013 Payroll of \$1,614.75 (Ck Nos. 6295 thru 6299)
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 REPORT.

RECOMMENDATION: *That the City Council move to approve the travel expenses report.*
6. APPROVAL OF RESOLUTION NO. 2013-13, APPOINTING A CITY TREASURER.

RECOMMENDATION: *That the City Council adopt Resolution No. 2013-13, a Resolution of the City Council of the City of Calimesa, California, appointing Darlene Gerdes as City Treasurer and rescinding Resolution No. 2011-37 in its entirety.*
7. APPROVAL AND ADOPTION OF RESOLUTION NO. 2013-16 APPOINTING A REPRESENTATIVE TO THE PARSAC BOARD OF DIRECTORS
RECOMMENDATION: *That the City Council adopt Resolution No. 2013-16, A Resolution of the City Council of the City of Calimesa, California to appoint a representative to the Public Agency Risk Sharing Authority of California [PARSAC] Board of Directors and rescinding Resolution No. 2013-12 in its entirety.*
8. APPROVAL OF ENGAGEMENT LETTER FOR ANNUAL AUDITS WITH BADAWI & ASSOCIATES
RECOMMENDATION: *That the City Council Authorize the City Manager accept the attached engagement letter with Badawi & Associates for completion of an independent financial audit of the City of Calimesa finances, including its Successor Agency, for Fiscal Year 2012-2013.*

MOTION BY COUNCIL MEMBER ZANOWIC, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 5-0 TO APPROVE ITEMS 1 – 8 OF THE CONSENT CALENDAR AS PRESENTED.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

9. AWARD OF CONTRACT FOR A HOUSING CONDITIONS SURVEY AND A HOUSEHOLD INCOME SURVEY.

RECOMMENDATION: That the City Council direct staff to enter into an agreement with Pacific Municipal Consultants (PMC) to provide a Housing Conditions Survey and a Household Income Survey.

City Manager Anstine requested that the item be pulled for discussion and informed Council that there were some questions raised by the State in regards to this CDBG Grant Award and the numbers required to qualify. He stated that the City could possibly be required to pay the grant monies back to the State if the City proceeds.

After discussion, there was Council consensus to continue the item to the May 20, 2013 meeting to allow staff additional time to review the necessary information.

CHIEF OF POLICE COMMENTS & REPORTS

Lt. Pete Ortiz reported a decrease for April in the crime statistics, adding that the department is working hard to keep the City safe.

FIRE CHIEF COMMENTS & REPORTS

Carey Cadaux, Fire Captain made himself available for questions of the April report previously submitted to Council by Fire Chief Gregg. He stated that the station assisted with the Summit Fire in Banning as well as the fire on Highway 243.

MAYOR & COUNCIL MEMBER REPORTING OF COUNTY & REGIONAL MEETINGS

Council Member Hyatt reported that he attended the SCAG Annual Conference in Palm Desert on May 2nd and 3rd, 2013, adding that Lt. Governor Gaven Newsom, Congressman Raul Ruiz and Home developer Randall Lewis were the speakers. He further reported that he attended a meeting of the RCA and the WRCOG.

Council Member McIntire reported that she attended the SCAG Annual Conference in Palm Desert on May 2nd and 3rd, 2013.

Mayor Pro Tem Hewitt reported that he attended a meeting of the RTA for Council Member Zanowic, stating that an RTA bus driver was presented with a commendation for identifying and reporting a robbery suspect who rode on his bus route.

Council Member Zanowic reported that she attended the annual RCA Conference in Temecula, an RCA executive committee budget meeting as Supervisor Ashely's alternate, an RTA meeting, Transportation Now meeting, an RCA meeting and a meeting of the WRCOG. She further reported that the WRCOG had a booth at the Street Fair and thanked them for their support. She further reported that she attended a Waste Management subcommittee meeting and the League of California Cities legislative action days in Sacramento.

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 McIntire announced that she attended the Smiles for Seniors Umbrella Awards, stating that it was a great event.

Council Member Hyatt stated that he also attended the Smiles for Seniors Umbrella Awards and thanked Council Member McIntire for her nominating him for an Umbrella Award. He announced that the Friends of the Library and the Calimesa Library Commission would be holding a Pancake Breakfast Fundraiser on June 29, 2013 at the Senior Center. He further announced that he attended the Yucaipa State of the City event, stating that they were running behind and had to leave before it was over, due to another scheduled meeting. He announced that the City of Yucaipa would be holding their annual Iris Festival event on May 17th & 18th. He announced that the garden club held their annual sale and made approximately \$1,600.

Mayor Davis cautioned everyone to watch out for the snakes, adding that there is a great population this year.

CITY MANAGER COMMENTS & REPORTS

City Manager Anstine spoke regarding the purchasing of City shirts by the Commissioners and questioned whether the Council would like staff to bring back a policy in regards to the purchasing and wearing of shirts containing the City logo.

There was Council consensus to not require a policy and allow the Commissioners to purchase shirts with the City Logo and include the name of the commission they represent.

RECESS TO CLOSED SESSION

Mayor Davis recessed the meeting at 6:49 p.m. to Closed Session. City Attorney Ennis announced the Closed Session Items. He further announced that a final decision was made that local governments have the availability to ban or regulate marijuana dispensaries in their local jurisdictions, adding that staff will proceed accordingly.

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 – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Name of Case: City and County of San Francisco v. Rehab Financial Corporation, et al.

Case No. CIV-506113.

CLOSED SESSION ANNOUNCEMENT

A. No reportable action.

B. A settlement agreement with Rehab Financial Corporation was approved by a 5-0 vote of the Council.

ADJOURNMENT

Meeting adjourned at 7:15 p.m. to the Regular meeting of the City Council on Monday May 20, 2013, at 6:00 p.m.

Respectfully Submitted,



Darlene Gerdes, City Clerk

Approved by Council:

5/20/2013