

*City Of Calimesa*  
**City Council Minutes of Regular Meeting**  
June 3, 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 ATTORNEY ENNIS, CITY CLERK GERDES, CITY ENGINEER THORNTON AND POLICE CHIEF PEEBLES.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Diane Stuart.

**COMMUNICATIONS FROM THE PUBLIC**

Diane Stuart, 37885 Marondi, Calimesa stated that she owns a piece of property that she is trying to rent to a new business owner that has been working with the City to obtain a City business license. She added that the business owner is running into some problems with the City staff in regards to the approval of his business and she requested that Council and staff work with the new business owner to find a remedy to the problem.

Kevin Roark and Kyle Roark, 10085 Beaumont Ave, Cherry Valley, spoke in regards to an Automotive Repair Shop business that they are trying to open in Calimesa and have run into some issues with the approval from City staff.

Council directed staff to contact Ms. Stuart and both Mr. Roark's to work through the issues in regards to the opening of the business. Community Development Director Guarracino left the meeting and met with Ms Stuart and both Mr. Roark's following their departure from the Council Chambers.

Michael Jimenez, 541 Avenue K, Calimesa spoke regarding an auto accident that occurred, where a vehicle did not stop at the end of Park Avenue and drove into his home, which is located at the end of Park Avenue and Avenue K. He stated that the accident created about \$50,000 in damages to his home. He requested that the City look into placing a stop sign at the end of Park Avenue and Avenue K.

**APPROVAL OF THE AGENDA**

City Attorney Ennis informed Council that it was necessary to add an item to the agenda, as it came to the attention of staff after the posting of the agenda and that it was necessary to be heard prior to the next regular meeting of the City Council. He suggested that the item be added as Business Item No. 13.

**MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCIL MEMBER ZANOWIC, CARRIED 4-0-1(MAYOR PRO TEM HEWITT ABSTAINED) TO APPROVE THE AGENDA AS PRESENTED WITH THE ADDITION OF BUSINESS ITEM NO. 13.**

Mayor Davis asked if there were any items to be removed from the consent calendar for discussion. City Clerk Gerdes requested that Item No. 1 be pulled for discussion.

### **CONSENT CALENDAR**

2. RECEIVE AND FILE CITY COMMISSION & BOARD MINUTES.  
*Planning Commission Minutes of 12/10/2012 Regular Meeting*
3. APPROVAL OF WARRANT REGISTERS.  
*May 23, 2013 Payroll of \$41,287.16 (Ck Nos. 6314 thru 6332)*
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. RECEIVE AND FILE PUBLIC SAFETY REPORTS.  
*RECOMMENDATION: That the City Council move to accept the Citizen Patrol Volunteer Unit Hours for April 2013.*
7. ADOPTION OF A RESOLUTION OF THE CITY OF CALIMESA SUPPORTING THE RE-DESIGNATION OF RIVERSIDE COUNTY AS A RECYCLING MARKET DEVELOPMENT ZONE DUE TO AN INCREASE IN BOUNDARIES AND ADOPTION OF INITIAL STUDY AND NEGATIVE DECLARATION  
*RECOMMENDATION: That the City Council approve Resolution No. 2013-17, a Resolution of the City Council of the City of Calimesa, California supporting the re-designation of Riverside County as a recycling market development zone due to an increase in boundaries and adoption of initial study and negative declaration.*

**MOTION BY COUNCIL MEMBER ZANOWIC, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 5-0 TO APPROVE ITEM NO'S 2 – 7 OF THE CONSENT CALENDAR AS PRESENTED.**

### **CONSENT ITEMS REMOVED FOR DISCUSSION**

1. APPROVAL OF CITY COUNCIL ACTION MINUTES.
  - a. *City Council Action Minutes of the Regular Meeting of May 20, 2013.*

City Clerk Gerdes requested Item No. 1 be pulled as an amendment was

necessary on page 3 under Business Item No. 7. The language was amended as follows:

Geri Longfellow, 10961 Desert Lawn Drive, Calimesa spoke in support of requesting an audit of the Family Services Association Funds, stating that she previously served as a member of the Sr. Advisory Committee and volunteered at the Sr. Center following her retirement. She expressed her concerns of the lack of documented accountability for the Senior Center from Family Services Association.

**MOTION BY MAYOR PRO TEM HEWITT, SECONDED BY COUNCIL MEMBER ZANOWIC, CARRIED 5-0 TO APPROVE ITEM NO.1 AS AMENDED.**

### **CHIEF OF POLICE COMMENTS & REPORTS**

Police Chief Peebles reported that the department held another Shred-thon on June 1<sup>st</sup>, adding that it was very successful and that they serviced 50 vehicles in the first hour and 20 minutes. He stated that Council Member McIntire had inquired at the last meeting about an incident that occurred on Douglas Street and that he would look into the matter. He reported that he did not find anything specific that occurred on Douglas Street on the dates and times that were mentioned by Council Member McIntire.

### **FIRE CHIEF COMMENTS & REPORTS**

The fire department was not in attendance, no report was given.

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

Council Member Zanowic reported that she attended meetings of the RTA, the RCA and the WRCOG and further reported that she was appointed to the RCTC Quality of Life Sustainability Committee.

### **BUSINESS ITEMS**

8. ATTENDANCE AND APPOINTMENT OF THE LEAGUE OF CALIFORNIA CITIES VOTING DELEGATE REPRESENTING CALIMESA AT THE ANNUAL LEAGUE CONFERENCE

***RECOMMENDATION: That the City Council select a primary voting delegate and an alternate who will vote on League issues representing the City of Calimesa at the Annual League of California Cities Conference to be held September 18-20 in Sacramento, CA. and inform staff as to which Council members will be attending the Annual League Conference.***

***THERE WAS COUNCIL CONSENSUS TO APPOINT MAYOR PRO TEM HEWITT AS THE PRIMARY VOTING DELEGATE AND COUNCIL MEMBER MCINTIRE AS THE ALTERNATE VOTING DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES CONFERENCE TO BE HELD SEPTEMBER 18-20, 2013.***

9. MOBILE HOME RENT STABILIZATION BOARD APPOINTMENT

**RECOMMENDATION: That the City Council appoint one (1) member to the Mobile Home Rent Stabilization Board and adopt Resolution No. 2013-18 providing for the appointment made.**

City Clerk Gerdes presented the agenda report.

After Council discussion the following action was taken:

**MOTION BY COUNCIL MEMBER ZANOWIC, SECONDED BY COUNCIL MEMBER MCINTIRE, CARRIED 5-0 TO APPOINT LAKESHA HARRIS TO THE MOBILE HOME RENT STABILIZATION BOARD AS THE CITIZEN-AT-LARGE FOR A 2-YEAR TERM AND ADOPT RESOLUTION NO. 2013-18 PROVIDING FOR APPOINTMENT MADE.**

*Mayor Davis recused himself from the meeting for Item No's 10 and 11, due to a potential conflict of interest. Mayor Pro Tem Hewitt chaired the meeting for Item No's 10 and 11.*

10. COMMUNITY FACILITIES DISTRICT NO. 2012-1(SINGLETON HEIGHTS) ANNUAL LEVY OF SPECIAL TAXES

**RECOMMENDATION: That the City Council consider the adoption of Resolution No. 2013-19, a Resolution of the City Council of the City of Calimesa acting as the legislative body of the Community Facilities District No. 2012-1 (Singleton Heights), Improvement Area No. 1, authorizing the annual levy of special taxes for Fiscal Year 2013/2014**

Lyn Gruber of Koppel and Gruber Finance presented the agenda report.

After Council discussion the following action was taken:

**MOTION BY COUNCIL MEMBER ZANOWIC, SECONDED BY COUNCIL MEMBER HYATT, CARRIED 4-0 TO ADOPT RESOLUTION NO. 2013-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2012-1 (SINGLETON HEIGHTS), IMPROVEMENT AREA NO. 1, AUTHORIZING THE ANNUAL LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2013/2014.**

11. PUBLIC SERVICES COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL LEVY OF SPECIAL TAXES

**RECOMMENDATION: That the City Council consider the adoption of Resolution No. 2013-20, A Resolution of the City Council of the City of Calimesa acting as the legislative body of Public Services Community Facilities District No. 1 (law enforcement, fire, paramedic and park maintenance services) authorizing the annual levy of special taxes for Fiscal Year 2013/2014**

Lyn Gruber of Koppel and Gruber Finance presented the agenda report.

After Council discussion the following action was taken:

**MOTION BY COUNCIL MEMBER ZANOWIC, SECONDED BY COUNCIL MEMBER MCINTIRE, CARRIED 4-0 TO ADOPT RESOLUTION NO. 2013-20, A RESOLUTION**

**OF THE CITY COUNCIL OF THE CITY OF CALIMESA ACTING AS THE LEGISLATIVE BODY OF THE PUBLIC SERVICES COMMUNITY FACILITIES DISTRICT NO. 1 (LAW ENFORCEMENT, FIRE PARAMEDIC AND PARK MAINTENANCE SERVICES) AUTHORIZING THE ANNUAL LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2013/2014.**

*Mayor Davis returned to the meeting and resumed the role of Chair.*

12. FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2013-1 (JP RANCH) AND DISSOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 2006-3 (JP RANCH) IMPROVEMENT AREA 1.

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

- a. Adopt the Resolution of Intention to establish a community facilities district, designating improvement areas,; and approving the execution and delivery of a deposit and reimbursement agreement, a fee deposit and reimbursement agreement, and a depository agreement and approving the Community Facilities District goals and policies.***
- b. Adopt the Resolution of Intention to incur bonded indebtedness within said community facilities district.***

Lyn Gruber of Koppel and Gruber Finance presented the agenda report.

Mike Barron, 670 W. Avenue L, Calimesa questioned whether the off-sight road conditions would still be in effect as approved in 2005. Tim England of Highpointe Communities explained that all the conditions will remain as originally approved.

After Council discussion the following actions were taken:

**MOTION BY MAYOR DAVIS, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 5-0 TO ADOPT RESOLUTION NO. 2013-21, RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA TO ESTABLISH CITY OF CALIMESA COMMUNITY FACILITIES DISTRICT NO. 2013-1 (JP RANCH); AND DESIGNATING IMPROVEMENT AREAS WITHIN SAID COMMUNITY FACILITIES DISTRICT; AND APPROVING THE EXECUTION AND DELIVERY OF A DEPOSIT AND REIMBURSEMENT AGREEMENT, A FEE DEPOSIT AND REIMBURSEMENT AGREEMENT, AND A DEPOSITORY AGREEMENT; AND ADOPTING GOALS AND POLICIES FOR COMMUNITY FACILITIES DISTRICTS**

**MOTION BY MAYOR DAVIS, SECONDED BY MAYOR PRO TEM HEWITT, CARRIED 5-0 TO ADOPT RESOLUTION NO. 2013-22, RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA TO INCUR BONDED INDEBTEDNESS IN THE AMOUNT NOT TO EXCEED \$3,000,000, \$5,000,000 AND \$4,000,000 WITHIN IMPROVEMENT AREA NO. 1, IMPROVEMENT AREA NO. 2 AND IMPROVEMENT AREA NO. 3, RESPECTIVELY, OF THE PROPOSED CITY OF CALIMESA COMMUNITY FACILITIES DISTRICT NO. 2013-1 (JP RANCH)**

Mayor Pro Tem Hewitt recused himself from the meeting for Item No 13, due to a potential conflict of interest.

13. OAK VALLEY PARTNERS, L.P. – APPROVE OFFER OF DEDICATION TO COMPLETE THE LOT LINE ADJUSTMENT ALONG ROBERTS ROAD BETWEEN SINGLETON ROAD AND CHERRY VALLEY BOULEVARD.

**RECOMMENDATION:** *That the City Council approve the Roberts Road Offer of Dedication and authorize the City Manager to record the instrument to create the public right-of-way, to allow the City Manager to accept the Offer of Dedication when the roadway improvements are accepted by the City and adopt Resolution No. 2013-23.*

City Engineer Thornton presented the agenda report.

After Council discussion the following action was taken:

**MOTION BY COUNCIL MEMBER HYATT, SECONDED BY COUNCIL MEMBER ZANOWIC, CARRIED 4-0 TO ADOPT RESOLUTION NO. 2013-23, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIMESA CALIFORNIA AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT CONVEYANCE TO THE CITY OF CALIMESA OF INTEREST IN REAL PROPERTY AND CONSENT TO THE RECORDATION OF SUCH INSTRUMENT AND CONSENT TO THE RECORDATION OF OFFER OF DEDICATION.**

Mayor Pro Tem Hewitt returned to the meeting.

### **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).*

Mayor Pro Tem Hewitt announced that he attended the Memorial Day Ceremony and spoke on behalf of Mayor Davis, he added that it was a great event and that the Chief of Police gave a great introduction of the Military Branches of Service.

Council Member Zanowic announced that she and Council Member Duncan of Yucaipa both attended and spoke of the "Tale of Two Cities" at the Women's Club.

Council Member McIntire announced that she attended the Hoedown sponsored by the Sr. Center, stating that it was a great event and had a great time.

Council Member Hyatt announced that members of the COP attended a 66rs Baseball game, adding that they had a great time.

Mayor Davis congratulated those who put the Memorial Day Service together, stating that Mayor Pro Tem Hewitt did a great job speaking. He stated that he would be

attending a car show in Yucaipa on Friday night and would be passing out trophies.

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

City Clerk Gerdes requested that Council provide her with dates that the ad-hoc finance committee could meet to review the draft budget and also to schedule a 2013/2014 budget workshop.

Mayor Davis announced the death of previous Calimesa City Council Member John Taylor.

### **RECESS TO CLOSED SESSION**

Mayor Pro Tem Hewitt recessed the meeting at 7:11 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:** One (1) case

### **CLOSED SESSION ANNOUNCEMENT**

A. No reportable action.

B. No reportable action.

### **ADJOURNMENT**

Meeting adjourned at 7:45 p.m. to the Regular meeting of the City Council on Monday July 1, 2013, at 6:00 p.m.

Respectfully Submitted,

  
Darlene Gerdes, City Clerk

Approved by Council:

7/1/2013