



AGENDA

REGULAR MEETING OF THE HEMET CITY COUNCIL

July 13, 2010

9:30 am

www.cityofhemet.org

City of Hemet Council Chambers

450 E. Latham Avenue

Please silence all cell phones

*Notice: Members of the Public attending shall comply with the adopted Rules of Decorum in Resolution No. 4148. A copy of the Rules of Decorum are available from the City Clerk.

Call to Order

Roll Call

ROLL CALL: Council Members Foreman, Lowe, Youssef, Vice Mayor Franchville, and Mayor McBride

City Council Reports

1. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Foreman

1. Traffic and Parking Commission
2. Library Board
3. Park Commission

B. Council Member Lowe

1. Southern California Association of Governments (SCAG)
2. Riverside County Habitat Conservation Agency (RCHCA)
3. League of California Cities/National League of Cities
4. Riverside County Transportation Commission (RCTC)
5. Western Riverside Council of Governments (WRCOG)
6. Riverside Conservation Agency (RCA)
7. Airport Land Use Commissions (ALUC)

C. Council Member Youssef

1. Riverside County Habitat Conservation Agency (RCHCA)
2. Western Riverside Council of Governments (WRCOG)
3. Planning Commission

D. Vice Mayor Franchville

1. Riverside Transit Agency (RTA)
2. Indian Gaming Distribution Fund

- E. Mayor McBride
 - 1. Riverside Transit Agency (RTA)
 - 2. Riverside County Transportation Commission (RCTC)
 - 3. League of California Cities/Public Safety Policy Committee
 - 4. Airport Land Use Commissions (ALUC)
 - 5. Indian Gaming Distribution Fund
 - 6. 3rd LAR Bn USMC

 - F. Sub-Committee Reports
 - 1. Housing Committee
 - 2. Ad-Hoc Committees:
 - a. Health and Safety Ordinance Review Committee

 - G. City Manager Nakamura
 - 1. Manager's Reports
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Work Study Session
Immediately following the City Council Reports

- 2. Report on Fatalities and Traffic Collisions - Chief Dana
Discussion regarding this item, with possible direction to staff

 - 3. City Owned Tow Yard - Chief Dana
Discussion regarding this item, with possible direction to staff

 - 4. Pool Car Policy - City Manager Nakamura
Discussion regarding this item, with possible direction to staff

 - 5. Proposed "Hemet ROCS" Ordinances and Programs - Community Development Director Elliano
Discussion regarding this item, with possible direction to staff

 - 6. City Council Ad Hoc Committee Recommendations for parking of Recreational Vehicle and Trailers within Residential Areas - Community Development Director Elliano
Discussion regarding this item, with possible direction to staff

 - 7. Term Limits for Elected City Official Term - City Attorney Vail
Discussion regarding this item, with possible direction to staff

 - 8. City Council Health Insurance Benefits - City Attorney Vail
Discussion regarding this item, with possible direction to staff
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Closed Session

Notice of Opportunity for Public Comment

Members of the Public may comment upon any identified item on the closed session agenda. Since the Council's deliberation on these items is confidential, the City Council and City Staff will not be able to answer or address questions relating to the items other than procedural questions. At the conclusion of the closed session, the City Attorney will report any actions taken by the City Council which the Ralph M. Brown Act requires to be publicly reported.

9. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: City Manager Nakamura
Employee organization:
 - Service Employees International Union (SEIU) General Employees
 - Communications Workers of America (CWA) Non-Sworn Police Employees
 - Hemet Fire Fighters Association
 - Hemet Fire Management Association
 - Hemet Police Officers Association
 - Hemet Police Management Association
 - Administrative Personnel
 - At-Will Employees

 10. Conference with Real Property Negotiators
Pursuant to Government Code section 54956.8
Property: APN's: 456-050-013 & 037, northwest corner of Sanderson and Stetson Avenues
Agency negotiator: City Manager Nakamura
Negotiating parties: Stetson Crossing Partners, LLC
Under negotiation: Disposition, Price and Terms

 11. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(a)
Names of cases:
 - C.P. Construction Co., Inc. V. Devonshire Avenue Partners LLC, et al (City of Hemet); Riverside Superior Court Case No. RIC 514502
 - Gas Plus/Mr. Sudz et al v. City of Hemet et al; Riverside Superior Court Case No. RIC 466492
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REGULAR SESSION

1:00 p.m.

City of Hemet Council Chambers

450 E. Latham Avenue

Call to Order

Roll Call

ROLL CALL: Council Members Foreman, Lowe, Youssef, Vice Mayor
Franchville, and Mayor McBride

Invocation

Pledge of Allegiance

City Attorney Closed Session Report

12. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: City Manager Nakamura

Employee organization:

Service Employees International Union (SEIU) General Employees

Communications Workers of America (CWA) Non-Sworn Police Employees

Hemet Fire Fighters Association

Hemet Fire Management Association

Hemet Police Officers Association

Hemet Police Management Association

Administrative Personnel

At-Will Employees

13. Conference with Real Property Negotiators

Pursuant to Government Code section 54956.8

Property: APN's: 456-050-013 & 037, northwest corner of
Sanderson and Stetson Avenues

Agency negotiator: City Manager Nakamura

Negotiating parties: Stetson Crossing Partners, LLC

Under negotiation: Disposition, Price and Terms

14. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(a)

Names of cases:

C.P. Construction Co., Inc. V. Devonshire Avenue Partners LLC, et al (City of Hemet); Riverside Superior Court Case No. RIC 514502
Gas Plus/Mr. Sudz et al v. City of Hemet et al; Riverside Superior Court Case No. RIC 466492

City Council Business

Notice to the Public

The Consent Calendar contains items which are typically routine in nature and will be enacted by one motion by the Council unless an item is removed for discussion by a member of the public, staff, or Council. If you wish to discuss a Consent Calendar item please come to the microphone and state the number of the item you wish to discuss. Then wait near the lectern. When the Mayor calls your item give your last name, and address, then begin speaking. You will have three minutes at that time to address the council.

Consent Calendar

15. Approval of Minutes - June 16, 2010
16. Receive and File - Investment Portfolio as of March 2010
17. Receive and File - Warrant Register
 - a. Warrant Register dated June 17, 2010. Payroll for the period of May 31, 2010 to June 13, 2010 was \$739,258.95.
18. Recommendation by City Manager - Redevelopment and Economic Development Manager Employment Agreement
 - a. Authorize deletion of the Redevelopment and Economic Development Manager from the Administrative Personnel Resolution and delete the original salary schedule thereof; and
 - b. Authorize the City Manager to enter into an at will agreement with Mr. John Jansons to serve as the City's Redevelopment and Economic Development Manager, in an at-will capacity.
19. Recommendation by Deputy City Manager - Modification to the 1998 and 2008 Retiree Medical Policies
 - a. Approve the amendment to the City of Hemet Amendment to the Retiree Health Insurance Policy (2008); and
 - b. Approve the amendment to the City of Hemet Retiree Health Insurance Policy (1998).

20. Recommendation by Deputy City Manager - Fourth Amendment to the Agri-Empire Lease Agreement for 250 E. Meier Street
 - a. Authorize the City Manager to enter into the Fourth Amendment to Real Property Lease by and between the City of Hemet and Agri-Empire, Inc. To extend the lease period for one additional year, on the property at 250 E. Meier Street.
21. Recommendation by Finance Director - Levy of Special Tax in Community Facilities District No. 1999-1 (Heartland Project)
 - a. Adopt a resolution authorizing the levy of a special tax for this district for fiscal year 2010-2011. (Resolution Bill No. 10-035)
22. Recommendation by Police Chief - Review of Emergency Action (Public Contracts Code 22050)
 - a. Receive and file the report; and
 - b. Determine that there is a need to continue the Emergency Action approved by Resolution No. 4342.
23. Recommendation by Police Chief - 2010 Federal Justice Assistance Grant (JAG)
 - a. Accept the 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program-Local Solicitation in the amount of \$51,774. Upon receipt of the award, direct the Finance Department to establish an expenditure account and budget.
24. Recommendation by Public Works Director/City Engineer - Sanderson Avenue Street Improvements Commonwealth to Esplanade Avenue CIP 5449-2, Change Order No. 1 Cawston Avenue Storm Drain Improvements
 - a. Approve Change Order No. 1 Cooley Construction, Inc. in the amount of \$159,342 to construct storm drain improvements on Cawston Avenue to service HUSD retention basin pump station; and
 - b. Approve a supplemental appropriation in the amount of \$174,342 to cover the construction, surveying and geotechnical testing; and
 - c. Authorize and approve amending the Cooperative Agreement with HUSD dated November 13, 2007 to incorporate the subject work.
25. Recommendation by Public Works Director/City Engineer - Development Impact Fee Credit Agreement for Street Improvements CP 07-024 - Hemet Center for Medical Excellence, South side of Stetson Avenue, between Sanderson and Cawston
 - a. Approve the Development Impact Fee (DIF) Credit Agreement; and
 - b. Authorize the City Manager to sign the Agreement.

26. Recommendation by Public Works Director/City Engineer - Safe Routes to School (SR2S), City Project No. 5548 - Supplemental Appropriation LAE Associates, Inc.
 - a. Approve a purchase order request to LAE Associates, Inc. to process the necessary documentation for the City's Safe Routes to School Grant award through CalTrans; and
 - b. Approve a supplemental appropriation in the amount of \$7,450 in the Bridges/Streets/Traffic Facilities Fund (Account No. 329-5555-2710) to cover the costs associated with this purchase order.

27. Recommendation by Public Works Director/City Engineer - Bond Release - 2700 W. Devonshire Avenue - CUP 99-7 (Cagliari Ranch Nursery) NW corner of Devonshire Avenue and Kirby Street
 - a. Accept the improvements; and
 - b. Authorize the City Clerk to release the Faithful Performance Bond in the amount of \$30,199.00, with the Labor and Materials Bond in the amount of \$30,199.00 to be released in ninety days.

28. Recommendation by Public Works Director/City Engineer - Applications for Used Oil Payment Program through the Department of Resources Recycling and Recovery (CalRecycle)
 - a. Adopt a resolution authorizing the submittal of application(s) for the Used Oil Payment Program through the Department of Resources Recycling and Recovery (CalRecycle); and
 - b. Upon notification of the grant award, authorize the Finance Director to record estimated revenues to the used Oil Block Grant Account (Account #553-0575) and supplemental appropriations to the Refuse Collection-used Oil Block Grant Expenditure Account (553-4500-2800) in the amount of award.

29. Recommendation by Public Works Director/City Engineer - Installation of Banners Across Florida Avenue
 1. Ramona Bowl Music Association, Annual Concert Series
 2. Valley-Wide Recreation & Park District, Docent Program
 3. Hemet Elks Lodge, Bluegrass Jamboree being held August 27th to August 29th, 2010.
 4. First Baptist Church Car Show being held on September 25, 2010.
 5. Hemet Public Library Adult Literacy Services - Walk a Mile for Literacy being held on September 25, 2010.

Communications From the Public

Anyone who wishes to address the Council regarding items not on the agenda may do so at this time. As a courtesy, please complete a Request to Speak Form, found at the City Clerk's desk. Submit your completed form to the City Clerk prior to the beginning of the meeting. Presentations are limited to three minutes in consideration of others who are here for agenda items. Please come forward to the lectern when the Mayor calls upon you. When you are recognized, you may proceed with your comments.

****Notice: Members of the Public attending shall comply with the adopted Rules of Decorum in Resolution No. 4148. A copy of the Rules of Decorum are available from the City Clerk.***

State law prohibits the City Council from taking action or discussing any item not appearing on the agenda except for brief responses to statements made or questions posed by the public. In addition, they may, on their own initiative or in response to questions posed by the public, ask a question for clarification, provide a reference to staff or other resources for factual information, or request staff to report back to them at a subsequent meeting. Furthermore, a member of the City Council or the council itself may take action to direct staff to place a matter of business on a future agenda.

Public Hearings

The Council's procedure for public hearings will be as follows: The Mayor will ask the City Manager for the staff report; the City Manager will call on the appropriate staff member for the report. The City Council will ask for clarification of items presented, if needed. The Mayor will open the public hearing: ask for comments from those **IN FAVOR** of the case; ask for comments **IN OPPOSITION** to the case; and finally for rebuttal to any comments made. The Mayor will then **CLOSE THE PUBLIC HEARING**. The Mayor will ask the City Manager to respond to any questions raised by the public (the public will **not** have the opportunity to respond). The matter will then be discussed by members of the City Council prior to taking action on the item.

30. Existing Hemet Streetlight and Landscape Maintenance Districts for Fiscal Year 2010/2011
 - a. Conduct a Public Hearing regarding the Engineer's Report and the levy and collection of assessments; and
 - b. Adopt a resolution ordering the levy and collection of assessments for the existing Landscape Maintenance Districts for FY 2010/11 (Resolution Bill No. 10-027); and
 - c. Adopt a resolution amending and/or approving the annual Engineer's Report for the existing Landscape Maintenance District FY 2010/11. (Resolution Bill No. 10-028); and
 - d. Adopt a resolution ordering the levy and collection of assessments for the existing Streetlight Maintenance Districts for FY 2010/11 (Resolution Bill No. 10-029); and
 - c. Adopt a resolution amending and/or approving the annual Engineer's Report for the existing Streetlight Maintenance District FY 2010/11. (Resolution Bill No. 10-029).

31. Amendment to Development Agreement No. 03-001 (Stoney Mountain Ranch)
- a. Conduct a Public Hearing; and
 - b. Introduce, read by title only and waive further reading on an ordinance adopting the first amendment to the Development Agreement No. 03-001 (Stoney Mountain Ranch) between the City of Hemet and Jeffrey MDM Partners VII, LLC. (Ordinance Bill No. 10-016); and
 - c. Modify the time limit in the proposed agreement to allow for a five year extension of time (instead of a three year extension of time), with an expiration date of June 12, 2015.
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Discussion/Action Items

32. Recommendation by Deputy City Manager - Early Retirement Program
- a. Invoke the "Two Years Additional Service Credit" provision in the City's PERS Contract, as set out in Government Code Section 20903, and open up an early retirement window from July 28 through October 25, 2010 to eligible employees.
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Recess to Redevelopment Agency Meeting

Continued Closed Session

City Attorney Continued Closed Session Report

Future Agenda Items

If Members of Council have items for consideration at the next City Council meeting, please state the agenda item to provide direction to the City Manager.

Adjournment

Adjourn to Tuesday, July 27, 2010 at 12:30 p.m. for considerations of items placed on that agenda. The next regular meeting will be held August 10, 2010.

Staff reports and other disclosable public records related to open session agenda items are available at the City Clerk's Office or at the public counter located at 445 E. Florida Avenue during normal business hours.