



# MINUTES

## REGULAR MEETING OF THE HEMET CITY COUNCIL

June 26, 2012

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6:00 p.m.

[www.cityofhemet.org](http://www.cityofhemet.org)

City of Hemet Council Chambers

450 E. Latham Avenue

Please silence all cell phones

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### Call to Order

Mayor Youssef called the meeting to order at 6:04 p.m.

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### Roll Call

PRESENT: Council Members Franchville, Krupa and Smith, Mayor Pro Tem Foreman and Mayor Youssef

ABSENT: None

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### Closed Session

#### Notice of Opportunity for Public Comment

**Howard Tounget, Hemet**, asked if Burke, Williams and Sorenson representing EMWD and the City of Hemet is a conflict of interest.

**Eric Vail, City Attorney**, noted that one of the listed suits does create conflict of interest. The conflict can be resolved by a written waiver by both parties. This is the reason that the suit is listed to allow for a discussion regarding the potential conflict in closed session. The other suit is a friendly stipulated judgment that does not create a conflict of interest. The City Council recessed to Closed Session at 6:07 p.m.

#### 1. 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

Hemet Fire Fighters Association

Hemet Police Officers Association

Hemet Mid-Managers Association

#### 2. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code section 54956.9(a)

Names of case: Eastern Municipal Water District v. City of Hemet et al,

Riverside Superior Court Case No. RIC1207274

Eastern Municipal Water District v. City of Hemet

Riverside Superior Court Case No. RIC1206531

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# REGULAR SESSION

7:00 p.m.

City of Hemet Council Chambers  
450 E. Latham Avenue

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## Call to Order

Mayor Youssef called the meeting to order at 7:03 p.m.

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## Roll Call

PRESENT: Council Members Franchville, Krupa and Smith, Mayor Pro Tem  
Foreman and Mayor Youssef

ABSENT: None

OTHERS PRESENT: City Manager Nakamura, City Attorney Vail and City Clerk McComas

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## Invocation

Invocation was given by Marsha Walker, Hemet-San Jacinto Interfaith Council

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## Pledge of Allegiance

Pledge of Allegiance was led by Council Member Franchville

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## City Attorney Closed Session Report

3. 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

Hemet Fire Fighters Association

Hemet Police Officers Association

Hemet Mid-Managers Association

**The City Council received a status update from its labor negotiator and gave direction regarding meet and confer obligations potentially required by the Budget. There was no additional reportable action.**

4. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code section 54956.9(a)

Names of case: Eastern Municipal Water District v. City of Hemet et al,  
Riverside Superior Court Case No. RIC1207274

Eastern Municipal Water District v. City of Hemet

Riverside Superior Court Case No. RIC1206531

**The City Attorney gave the City Council a status report on the two listed litigation matters. City Attorney Vail discussed the potential conflict of interest issue regarding EMWD. The City Council waived the conflict per State Bar rules. There was no additional reportable action.**

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## **Presentation**

5. Recognize members of the Hemet Police Explorer Post-910 for their participation in the "2012 Ex-Con Las Vegas, Explorer Competition"

**Chief Brown and Officer Klinzing**, explained the program and the Ex-Con Explorer Competition.

**Mayor Youssef**, presented Certificates of Achievement to the members of the Hemet Police Explorer Post-910.

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## **City Council Business Consent Calendar**

6. **Approval of Minutes** - June 12, 2012
7. **Receive and File** - Investment Portfolio as of January 2012
8. **Receive and File** - Warrant Register
- a. Warrant registers dated May 31, 2012 and June 7, 2012. Payroll for the period of May 14, 2012 to May 27, 2012 was \$566,814.93 and May 28, 2012 to June 10, 2012 was \$563,139,36.
9. **Recommendation by Assistant City Manager** - Amending Library Rules of Conduct
- a. Adopt an ordinance amending Ordinance No. 1794, adding section 42-1.5 to the Hemet Municipal Code, relating to the purpose of the Library, and amending Section 42-3 of the Hemet Municipal Code, modifying the Library Rules of Conduct. **Ordinance No. 1853**
10. **Recommendation by Administrative Services** - Fiscal Year 2012/13 Special Tax in Community Facilities District No. 1999-1 (Heartland Project)
- a. Adopt a resolution authorizing the levy of a special tax in Community Facilities District 1999-1 (Heartland Project) **Resolution No. 4508**

11. **Recommendation by Administrative Services** - Initiate proceedings for the Annual Levy of Assessments for Existing Streetlight Maintenance District for Fiscal Year 2012-2013
  - a. Adopt a resolution initiating proceedings and ordering the Report of the Engineer in connection with the annual levy of assessments for the existing citywide streetlight maintenance districts and the levy and collection of assessments within such districts for fiscal year 2012-2013. **Resolution No. 4509;** and
  - b. Designate Willdan Financial Services as the Engineer for the purpose of these proceedings.
  
12. **Recommendation by Administrative Services** - Existing Streetlight Maintenance Districts for Fiscal Year 2012-2013
  - a. Adopt a resolution declaring its intention for the levy and collection of assessments, preliminarily approving the engineer's report, and appointing a time and place for hearing protests for the existing Streetlight Maintenance Districts for Fiscal Year 2012-2013. **Resolution No. 4510**
  
13. **Recommendation by Administrative Services** - Initiate proceedings for the Annual Levy of Assessments for Existing Landscape Maintenance District for Fiscal Year 2012-2013
  - a. Adopt a resolution initiating proceedings and ordering the Report of the Engineer in connection with the annual levy of assessments for the existing citywide landscape maintenance districts and the levy and collection of assessments within such districts for fiscal year 2012-2013. **Resolution No. 4511;** and
  - b. Designate Willdan Financial Services as the Engineer for the purpose of these proceedings.
  
14. **Recommendation by Administrative Services** - Existing Landscape Maintenance Districts for Fiscal Year 2012-2013
  - a. Adopt a resolution declaring its intention for the levy and collection of assessments, preliminarily approving the engineer's report, and appointing a time and place for hearing protests for the existing Landscape Maintenance Districts for Fiscal Year 2012-2013. **Resolution No. 4512**

Item Nos. 11, 12, 13 and 14 were removed from the Consent Calendar. **Council Member Franchville moved and Council Member Smith seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 5-0.**

Item Nos. 11, 12, 13 and 14

**Brian Rubin, Hemet**, thanked staff for their assistance. The allocation method has been revised to a formula that seems to be fairer. As a result in the budget reductions, all districts costs have been reduced on average by 35%.

**Council Member Krupa moved and Council Member Franchville seconded a motion to approve Item Nos. 11, 12, 13 and 14 as presented. Motion carried 5-0.**

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### **Communications From the Public**

**Janice Whittle, Hemet,** expressed concern with the increase in crime on Cindy Lane. The people causing the concerns are entering from the west gate of Gibbel Park. Ms. Whittle requested that the City Council consider closing the west gate at night.

Ms. Whittle's contact information was given to the City Manager for follow-up.

**Joan Jeffers, Hemet,** explained a number of recent situations that occurred on Cindy Lane. The crime has increased greatly over the last couple of months.

Ms. Jeffer's contact information was given to the City Manager and the Police Chief for follow-up.

**Howard Tounget, Hemet,** expressed concern with an un-permitted event held at Valley Wide. Mr. Tounget expressed concern with the vehicles and debris located near the 400 block of Harvard St. Mr. Tounget also expressed concern and displayed pictures of the Potato Shed and property that was not cleaned up until the Press Enterprise did an article on it.

**Len Souza, Director of Seven Hills Public Safety and Neighborhood Watch,** expressed concern with the lack of follow-up from the Police Department. Mr. Souza described recent crimes that have taken place in the Seven Hills area and the follow-up from the Police Department. One resident's vehicle has been in impound for 5 weeks to conduct a fingerprint check.

**Chief Brown,** the City Council has previously recognized our employees for their outstanding work with fingerprints. The City's only Crime Scene Technician had to undergo an unexpected surgery. This vehicle was impounded on June 19<sup>th</sup> and due to the serious nature of the crime has not been released. Getting fingerprints through our system and then through CalID in Riverside can take up to 10 weeks. However, I am concerned with the lack of response or feed back and will look into the details of the incidents. Burglary is on the rise and the Police Department is truly concerned about these specific crimes.

**Mark Alan, Hemet,** expressed concern with the people entering Cindy Lane from the west side of Gibbel Park. Mr. Alan recommended that the City Council consider installing an unscalable gate that can be locked at night.

**Candy Milner, Property Manager of Vista Gardens,** expressed concern with the response from the Police Department. Ms. Milner explained specific incidents.

Ms. Milner was told to contact Capt. Webb or Chief Brown regarding her concerns.

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### **Discussion/Action Items**

15. **Cooperative Agreement by and between City of Hemet and Riverside County Flood Control District** - Community Investment Director Jansons
  - a. Authorize the Mayor to execute the Cooperative Agreement by and between the City of Hemet and Riverside County Flood Control District for construction of Line D Storm Water facility to advance new commercial development and the improvement and widening of Stetson Avenue; and

- b. Authorize the City Manager or his designee to execute any and all documents necessary to perfect the Cooperative Agreement and to make any non-substantive changes necessary to complete the Cooperative Agreement in substantially the same form as presented.

**Mayor Youssef**, recused himself due to the close proximity to his primary residence.

**Mayor Youssef was excused at 7:45 p.m.**

**John Jansons, Community Investment Director**, in November 2010 the City Council approved a DispositiAguston and Development Agreement for the Stetson Crossing project, one significant component of this Project includes the improvement of the Riverside County Flood control District flood control channel that runs along the southern edge of he property to be developed. Staff and the Developer, working with RCFCFCD have obtained the necessary construction permits. Staff is requesting that the City Council approve this agreement and authorize the City Manager to sign the necessary documents.

The Developer is on track to begin construction in 30 to 45 days. This agreement does need approval by the Riverside County Board of Supervisors, staff will attend the meeting to help facilitate the approval of the agreement.

The City Council and staff discussed the construction timing and the requirements by Fish and Game.

**Mr. Jansons**, the Developer is working with the City to obtain the necessary permits and has a contractor hired.

**Council Member Smith moved and Council Member Krupa seconded a motion to approve this item as presented. Motion carried 4-0.**

16. **Flood Channel Cooperative Agreement by and between the City of Hemet and Stetson Crossing Partners, LLC** - Community Investment Director Jansons

- a. Authorize the City Manager and the City Engineer to execute the Flood Channel Cooperative Agreement be and between the City of Hemet and Stetson Crossing Partners, LLC governing responsibilities for construction of Line D Storm Water facility; and
- b. Authorize the City Manager or his designee to execute any and all documents necessary to perfect the Flood Channel Cooperative Agreement and to make any non-substantive changes necessary to complete the Cooperative Agreement in substantially the same form as presented.

Mayor Youssef was recused due to the close proximity to his primary residence.

**John Jansons, Community Investment Director**, this is an Assignment Agreement that transfers the responsibilities of the project to the development partner, Mark Cooper. These documents were prepared by the City Attorney's Office. This project has been approved as a recognized Redevelopment Agency obligation.

**Council Member Smith moved and Council Member Franchville seconded a motion to approve this item as presented. Motion carried 4-0.**

17. **Fiscal Year 2012-13 Budget Balancing Proposal** - City Manager Nakamura
- a. Approve the budget deficit reduction strategies as outlined in this report; and
  - b. Adopt a resolution adopting the Budget for the City of Hemet and approving appropriations for the Fiscal Year Commencing July 1, 2012 and ending June 30, 2013. **Resolution No. 4507**

**Brian Nakamura, City Manager**, this item was previously acted upon during the June 25, 2012 Special City Council meeting. Staff is requesting that this Item be removed.

## **City Council Reports**

18. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Franchville

1. Riverside Transit Agency (RTA)
2. Airport Land Use Commission (ALUC)
3. League of California Cities
4. Autism Task Force

B. Council Member Krupa

1. Library Board

**Council Member Krupa**, the Library received a \$10,000 Emergency Grant to continue the Adult Literacy program. The Library's Summer Reading Program is in full swing.

2. Traffic and Parking Commission
4. Riverside County Habitat Conservation Agency (RCHCA)
5. Riverside Conservation Authority (RCA)
6. Ramona Bowl Association

**Council Member Krupa**, the Ramona Bowl Summer Youth Theater Program will perform the Pirates of Penzance beginning July 2, 2012.

7. Indian Gaming Distribution Fund
8. Hemet ROCS Citizens Advisory Committee (CAC)

C. Council Member Smith

1. League of California Cities
2. Riverside County Transportation Commission (RCTC)

**Council Member Smith**, the City of Hemet is on the list for \$4 Million in Measure A money this year which will be used to improve our streets.

3. Planning Commission
4. Public Safety Update
5. National League of Cities
6. Hemet ROCS Citizens Advisory Committee (CAC)

D. Mayor Pro Tem Foreman

1. Park Commission
2. Indian Gaming Distribution Fund

- E. Mayor Youssef
  - 1. Western Riverside Council of Governments (WRCOG)
  - 2. Riverside County Transportation Commission (RCTC)

- F. Ad-Hoc Committee Reports
  - 1. Hemet ROCS Executive Advisory Committee
  - 2. Veteran's Day Committee

- G. Town Hall Meetings

- H. City Manager Nakamura
  - 1. Manager's Reports

**The City Council confirmed the cancellation of the July 24, 2012 and the August 28, 2012 Regular City Council Meetings.**

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### **Future Agenda Items**

There were no future agenda items requested at this time.

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### **Adjournment**

Adjourned at 8:05 p.m. to Tuesday, July 10, 2012 at 7:00 p.m.