



# MINUTES

## REGULAR MEETING OF THE HEMET CITY COUNCIL

September 25, 2012

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**3:30 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 3:31 p.m.

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### Roll Call

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

ABSENT: None

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### Work Study

Discussion regarding these items, with possible direction to staff

1. Patient Protection and Affordable Care Act (PPACA) Impact on Hemet - Mike Reilly, HUB International

**Sibyl Bogardus, HUB International**, gave the City Council a powerpoint presentation regarding Health Care Reform. The Supreme Court upheld the law except as to the Medicaid expansion. There are more challenges pending. The three-part Employer obligation starts January 1, 2014. Part 1: Employer mandate to offer group health plan coverage if over 50 full time employees (at 30 hours a week). A new measurement rule was approved for variable hour and temporary workers. Part 2: Essential plan or minimum 60% value with cost sharing. Part 3: Affordable coverage standard - employee cost no more than 9.5% of household income for employee coverage. The Employer penalties for not meeting the employer obligation is \$2,000 per full-time employee if basic not offered and \$3,000 per affected full-time employee is unaffordable. The cumulative effect will be higher employer premiums/costs. Employers must offer a plan. The maximum waiting period allowed for new hires will be 90 days. Eventually an auto enrollment rule will be in effect for employers with more than 200 employees. The 2014 Mandate includes expansion of benefits. All individuals must have health insurance or a penalty will be imposed, the penalty amount will increase greatly every year and will be monitored by the Federal Government. Employers can not favor highly compensated employees with a better benefit or easier eligibility. By 2014, all US citizens must have a basic level of health insurance. The coverage can be offered through: insurance exchange; employer pre-tax 125 plan; private market; or medicaid. Employees can opt out of employer coverage. This action will not trigger a penalty to the employer if: the employer offers a plan to full-time

employees and their dependents; and if that plan is affordable to the employee. The standard applies to employee coverage only. If the employees medical plan costs more than 9.5% of their household income a true-up will be required at the end of the year, this will be monitored by the Federal Government. Ms. Bogardus explained the Administrative changes in detail. HUB International is staying abreast of these requirements and working closely with City staff. The Department of Labor is already auditing the 2014 mandates. In 2015, Employer reporting requirements will be enforced. The reporting rules are still unclear. The risks are: penalties under federal law - statutory penalties and Cadillac tax; taxes/fees under federal law; lawsuits/agency complaints and audits triggered by participants based on non-compliance with certain provisions; and claim denials by insurance and re-insurance carriers. It is unclear what the essential benefits package will look like. The financial impact varies greatly from employer to employer, the affordability standard is the trickiest part. Inflation in the health care costs will drive the underlying health plan costs up. Choosing to not provide coverage is not a popular strategy, the penalties will increase. Employers have to determine price and cost sharing. Most employers will move away from composite rates after health care reform. Only employee coverage has to be affordable. You will want to know what comparable employers are offering. Employers can offer a basic plan with buy up options for employees. The Cadillac Tax takes effect in 2018. If your plan is too rich you will have to pay a tax on the value that is considered too rich. Currently the City's Managed Choice plan exceeds the Cadillac tax threshold. Most employers will try to avoid the 40% penalty. It is prudent to analyze your options. Evaluate self-funding & other funding options. Monitor "Exchange" product choices, both Private and Government Exchanges.

**Council Member Krupa**, asked if an employer is responsible for the premium if the employee elects to go on the "Exchange".

**Ms. Bogardus**, the employee is responsible for their premiums, they may qualify for assistance. The employee can opt back in during open enrollment or when a qualifying event allows them to. Mr. Bogardus explained the complexities of the exchanges and noted that not all of the details have been worked out. If an employee chooses not to take coverage offered to them, a waiver must be signed.

Ms. Bogardus and the City Council discussed the definition of Full Time Equivalent employees, the auto enrollment requirement and the penalties if coverage is not offered.

**Mike Reilly, HUB International**, we are keeping abreast of the requirements and keeping your staff informed. If adjustments need to be made to the plans that are currently being offered, we will let you know. The cost of health care continues to increase, the percentage per year is decreasing. To provide medical coverage to 40 million more people will cost more money.

**Mark Orme, Interim City Manager**, staff conducted an RFP for Medical Insurance Brokerage services and HUB International was the victor in that process. They are a great partner.

2. City of Hemet Christmas Parade Route and Logistics - John Janson, Community Investment Director

**Laurie Knotek, Special Events Coordinator**, the City of Hemet has sponsored and produced the community Christmas parade since the early 2000's. Previously the parade was coordinated by the Hemet-San Jacinto Jaycees. In 2011, the parade featured 10 entries with over 4,000 people in the parade and approximately 15,000 spectators. The theme for this years parade is "Celebrating 90 Years of Ramona". Since 2004, the parade has begun on Palm and Florida, heading west on Florida, turning right on Kirby and disbands at Gibbel Park. The entries line up on Palm Avenue south of Florida to Mayberry, with some entries lined up on Acacia and in the old Albertson's and Skyline facility parking lots. The current lineup arrangement has minimal impact on residential neighborhoods or businesses. Gibbel Park is host to "Christmas in the Park". This event started 20 years ago and has gained popularity over the years. Last year, the event had over 100 vendors and an estimated 5,000 attendees. During the renovation of Weston Park, the parade shifted from its previous route. The old route began at Gilbert and Florida and headed east to Santa Fe, the participants turn right on Santa Fe and disband in the residential neighborhood south of Florida Avenue. The lineup was mostly on South Gilbert between Florida and Mayberry, as well as parts of Acacia. There were more homes and businesses effected by the lineup. Disbanding the parade on Santa Fe was problematic as this area is primarily residential and created major gridlock as parade participants get picked up or make their way back to their vehicles. In addition, those attending "Christmas in the Park" needed to cross Florida Avenue. At the time, there were only 40 vendors participating the event with a estimated attendance of 1,500. The lack of parking at and around the park also poses traffic issues. Hemet Police Department, Hemet Fire Department and AMR would prefer the current route, expressing concerns with the traffic impacts near the hospital.

**Mark Orme, Interim City Manager**, a local writer keeps bringing up the fact that the parade needs to go back to its previous route. Staff is looking for firm direction to either continue the current route, return to the previous route or consider other options.

**Council Member Krupa**, previously I thought it should come back downtown. Now I agree that the current route is logistically better. It impacts fewer residential neighborhoods and businesses. Given the size of the parade and the "Christmas in the Park" it makes more sense. I would like to see organized activities and events in downtown. Council Member Krupa gave staff a couple of suggestions to consider.

**Mayor Youssef**, agrees with Council Member Krupa and feels that the current parade route is a benefit to the struggling mall.

**The City Council gave direction to staff to continue the existing route.**

## Closed Session

### Notice of Opportunity for Public Comment

There were no public comments presented at this time.  
The City Council recessed to Closed Session at 4:29 p.m.

3. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.8  
Agency representatives: Interim City Manager, Mark Orme; DCM/Administrative Services Director, Rita Conrad; and legal counsel.  
Employee Organizations: Hemet Fire Fighter's Association\_\_\_\_

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  4. Conference with Legal Counsel - Existing Litigation  
Pursuant to Government Code section 54956.9(a)  
Names of case: Bryan v. City of Hemet, Nelson Gould and Jonathan Montoya  
CV 11-10690 SJO  
Tounget v. City of Hemet, Eastern Municipal Water District  
RIC 1111811  
Mercury Casualty Company v. City of Hemet  
INC 084323

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  5. Threat to Public Services or Facilities  
\_\_\_\_ Pursuant to Government Code section 54957  
Consultation with: Chief Brown
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## REGULAR SESSION

**7:00 p.m.**

**Hemet Public Library  
300 E. Latham Avenue**

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### **Call to Order**

Mayor Pro Tem Foreman called the meeting to order at 7:02 p.m.

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### **Roll Call**

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

ABSENT: Mayor Youssef

**Council Member Krupa moved and Council Member Smith seconded a motion to excuse Mayor Youssef. Motion carried 4-0.**

OTHERS PRESENT: Interim City Manager Orme, City Attorney Vail and City Clerk McComas

## Invocation

Invocation was given by Rob Lindquist, Hemet-San Jacinto Interfaith Council

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## Pledge of Allegiance

Pledge of Allegiance was led by Council Member Epps

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## City Attorney Closed Session Report from September 11, 2012

6. Conference with Legal Counsel - Anticipated Litigation  
1 matter of significant exposure to litigation pursuant to Government Code section 54956.9(b)

**The City Council met with Legal Counsel. There was no additional reportable action.**

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## City Attorney Closed Session Report

7. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.8  
Agency representatives: Interim City Manager, Mark Orme; DCM/Administrative Services Director, Rita Conrad; and legal counsel.  
Employee Organizations: Hemet Fire Fighter's Association

**The City Council did not complete this discussion and will continue it to the end of the Regular Session.**

8. Conference with Legal Counsel - Existing Litigation  
Pursuant to Government Code section 54956.9(a)  
Names of case: Bryan v. City of Hemet, Nelson Gould and Jonathan Montoya  
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RIC 1111811  
Mercury Casualty Company v. City of Hemet  
INC 084323

**The City Attorney reported that there was no reportable action.**

9. Threat to Public Services or Facilities  
Pursuant to Government Code section 54957  
Consultation with: Chief Brown

**The City Attorney reported that there was no reportable action.**

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## Presentations

10. Recognize Sgt. Pust for his service as the Sergeant of Arms  
**This item was continued to a future date.**

11. Congratulate California Library Association's Award recipients: Stefan Moses, CLA President's Award and Harry Rowe, 1969-1986 California Library Hall of Fame Award

**This item was continued to a future date.**

12. "Today in America", America's Hidden Gems Video Project

**John Jansons, Community investment Director**, excited to present to you this evening a project that we have worked on for the past year. Some of the recent videos that have been produced do not paint Hemet in a good light. This project was first brought to staff late last year by then Mayor Jerry Franchville. After researching the firm then City Manager Nakamura authorized staff to proceed with production. Ms. Laurie Knotek, Special Events Coordinator and I worked on the contracts and the development of a script that would truly tell the Hemet story as a great place to live, work and play. We wanted to ensure that the final product emphasized our great location, outdoor lifestyle advantages, business opportunities and sense of community that we enjoy in this valley. The Today in America series is sold to local television affiliates for broadcast similar to an infomercial. The "Hidden Gems in America" series focuses on lifestyle, tourism and economic development promotion. Hemet was able to select up to 15 television markets nation wide. The video "Today in America" - featuring Hemet, CA was shown to the City Council.

**Mr. Jansons**, acknowledged the individuals and businesses that participated. A schedule of the air time will be distributed when available. The video will be placed on the City's website for viewing.

The video was presented again.

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## Discussion

13. **Hemet ROCS Update and Presentation** - Interim City Manager Orme

**Mark Orme, Interim City Manager**, thanked those in attendance for coming. Over the past month or so, the City has been at the front of this Valley-wide tidal wave. Thank you for letting us enjoy this with you. Typically Government isn't good at listening and learning, it is our responsibility to answer the questions that you have asked. All of your questions from the last two meetings and from the Citizen's Advisory Committee (CAC) have been documented. We have consolidated similar questions or questions with similar answers. It is our goal to be as clear and thorough as possible.

**Dave Brown, Police Chief**, Community Policing is a National Program. Research has indicated for years that a properly funded Police Force and an engaged, willing and mobilized Community will make this program successful. I recently received a call from a Police Chief in a larger city and they wanted to know how we got our community so engaged. I told them that I didn't do anything, our community just came alive. Over 180 questions were compiled and staff was asked to respond to each of them. Categories: police staffing and hiring status; police force to address quality of life issues; improve our communication with you; and the request for the three law enforcement agencies to work together to solve the problems. The Department is filling vacancies, we have three brand new academy grads being sworn in soon. The Department is moving forward on re-instituting a Reserve Officer Program. The Department previously had a vibrant program.

The State changed the laws and required reserve officers to have the same training as a full fledged officer, making it hard to obtain reserve officers. We have had retired officers and residents express an interest in the program. The Department is facing staffing issues, hiring officers is difficult. There are no extra funds to put more officers on the street at this time. There is a need to find a long term reliable funding source for Officers. Hemet ROCS will help the City deal with some of the issues, such as panhandlers, shopping carts and homeless camps. The program is multi-departmental and will include Police, Code Enforcement, Building, Fire and Public Works. The City Council accepted a grant specifically for three additional officers for the ROCS program. The Department is upgrading the Public Safety Dispatch Center and soon 911 calls from cell phones will go directly to Hemet Police Dispatch with GPS capabilities.

**Joe Morris, Fire Chief,** thanked the residents and the City Council for their support of Public Safety. Chief Morris announced the Department's new education campaign "How to make the right call". Hemet Fire Department responds to over 13,000 calls per year. 10,000 of these calls are medical aid calls. Many of them are non emergency. For the safety of everyone and to make sure that our resources are available for actual emergencies, 911 should only be called when you think someone's life is in danger, if they faint or collapse. You do not need to call 911 for a ride to the Doctor's office, to pick up your prescription, for minor cuts or abrasions or when you are not getting quick enough service at the ER. Please use good judgement and make the right call.

**Chief Brown,** the Department respects the need to be transparent. If the incident happens in Hemet, we accept that responsibility and report everything. That might give the appearance that we are not doing our job. However, the community deserves to know what is happening and in a timely manner. The Department's website is up to date with periodical blasts. Please be realistic in your expectation on blasts and responses on our website and our facebook page, with our 1,300 friends. Staff responsible for manning both the website and the facebook page are very responsive, but not sitting there 24/7. Chief Brown, showed the audience how to use [www.crimereports.com](http://www.crimereports.com). The Department's information is shared with crime reports every morning at 2:00 a.m. The County of Riverside does not use the same system again giving the appearance that there is more crime within the City limits. The other agencies don't report the data as quickly. This is an outstanding tool to find out where registered sex offenders live. You asked the law enforcement agencies to work together. I worked in another county and the cooperation here is unprecedented. Hemet Police Department has and will continue to work tirelessly with RSO and we are proud to say that we have a great partnership. The successful Riverside County Gang Task Force is housed and supervised by Hemet.

**Chief Morris,** the Fire Department has a role in the Hemet ROCS Field Operation Task Force. The Department works closely with Building and Code Enforcement to make sure that all life safety issues are dealt with. The Department inspected and abated over 550 lots in the City of Hemet this year. The property owners will be billed for our services. The Weed Abatement Program only applies to vacant lots. If there is a concern on a lot with a structure, contact Code Enforcement. The Department assists Building and Code Enforcement with inspections for mobile home parks and multi-family dwellings.

**John Jansons, Community Investment Director**, one of the requests from the public was to improve economic development and expand the tax base. The City has been doing that for many years. Economic Development includes business attraction, recruitment and retention. The Community Investment Department assist businesses in all three areas. Unfortunately, there are a number of national trends that are effecting businesses and jobs. We need to deliver the economic development message to the City Council and the Community on a regular basis to ensure that we are proactive. We know that you want certain stores. If you see stores that you love or have money to invest in the community please let us know. Promoting business and making it easier to open a business in Hemet is one way to improve economic development which we do through a number of ways. We share information and work cooperatively with the Chamber of Commerce and Riverside Economic Development Agency. The City is looking into Foreign Export opportunities. Inexpensive housing is why most residents are here. The economy has allowed predatory landlords to swoop in and purchase housing stock in Hemet. Hemet ROCS will help us target those issues related to rentals. We need businesses to locate here. Currently there are 83 vacant businesses on Florida Avenue. Many of the vacant properties are in poor quality or small and not desirable for new businesses. Most resources that were available to fund start up businesses are no longer available such as home equity loans. We are proactively marketing the City. City staff has participated for many years in outreach efforts such as trade shows and the International Conference of Shopping Centers (ICSC). Council Members have attended with staff to show businesses that we are serious. The City is re-marketing ourselves, through the web we are able to get our message out to hundreds, if not thousands. In March, we were involved in a send off for the snow birds in Golden West Village to reach out to them and thank them for their time in Hemet. The City still values their seniors. Albertsons Market, also known as SuperValue is closing many more stores in the inland area, some of our neighboring cities will be dealing with the same challenge. Crate and Barrel, located in Victoria Garden's is going out of business. Many businesses, both high end and low end, are dealing with the downturn in the economy. Mr. Orme has asked all of the Department Directors to do economic development. If you have an interest in this area feel free to meet with me.

**Deanna Elliano, Community Development Director**, City staff has been challenged to pick on thing, we accept that challenge. That is the essence of Hemet ROCS. It is not that we were not doing things, the efforts were obviously not apparent. The Field Operations Task Force is designed to have a strategic, targeted approach. A community member asked how long property can be boarded up. Hemet has experienced a tremendous amount of foreclosures with the housing crisis and the economic downturn. It is extremely hard to determine the property owner. The City immediately secures the residence to keep the damage at a minimum. We understand that this is not improving things. The codes do not allow homes to be boarded up for more than 6 months. The City tries to work with the property owner if we can find them and they are responsive. If not, citations are issued but that won't fix the problem. The City does not have the resources to immediately begin abatement processes since RDA and Low & Moderate Funds are no longer available. The City Attorney's Office is researching options and seeing how other cities are handling these issues. Recent State Legislation allows us to fine the property

owner up to \$500.00 per day. If the property has an apparent safety or building issue, staff can pursue court actions via a receivership. The City has started discussions with the Real Estate community, asking them for their partnering efforts. There is no magic answer. We have more tools to deal with absentee landlords of homes and businesses. It was suggested that a brochure be created for property owners and managers making them aware of the rules. Excellent idea. The City currently has a rental licensing fee. The CAC has been tasked with exploring a rental registration program. It was suggested that commercial property owners be held more accountable. That is the efforts of the Hemet ROCS. The Departments will conduct sweeps and pro-actively get the codes and standards out to the businesses to achieve compliance. The building at Cornell and Florida has been under construction a long time. Why does the City allow that? Under the City codes, a building permit can be extended as long as activity and inspections are occurring, this has been pushed to the limit because of financial difficulties. The City has new procedures in place and will no longer allow construction projects to linger for years. Staff is working with the property owner to preserve the Old Oak tree. Concern was expressed for the ongoing yard sales in east Hemet. The City has a garage sale ordinance that requires a permit. Let us know if you see any continued yard sales in the City.

**Kris Jensen, Public Works Director**, we have discussed at length graffiti and vandalism removal. Concern has been expressed with the reporting methods and that the voicemail is always full. We have expanded the capacity on that system. The voicemail is checked twice a day 7 days a week. You can report graffiti on the City's website and soon you will be able to report it via the smart phone app "YourGOV". Ms. Jensen explained the challenges with removing graffiti, such as private property rights and color matching. Another concern was Real Estate signs, please bring our attention to your specific concerns and we will work with the agencies. Shopping carts, we have been asked where the community can drop off carts. It is recommended that you do not remove them and allow us to pick them up, we have a comprehensive program in place that holds the retailers responsible for their carts. Public Works crews sweep the City one day a week for carts that did not get picked up by the contractor. We encourage you to use the hotline to report them. Trash, the City of Hemet is no longer permitted to take trash from residents. If there is debris in the City's right of way, please contact us.

**Jorge Biagioni, City Engineer**, the past few meetings you have expressed three concerns. First one is the crosswalk at West Valley High School. Any new traffic control devices must be backed up with a study. The study is complete and a crosswalk will be installed. The RFP's are due on October 15, 2012, staff will ask the City Council to consider an award of bid on October 23, 2012, with the work being done in November. More sidewalks on the north side of San Jacinto between Florida and Menlo was requested. The solutions are usually very easy, the constraints are heavy. That street is controlled by CalTrans. Permits need to be obtained, as well as right of way. It is possible, staff will work with CalTrans and the property owners. During the FY 2009/10, the City installed 2.3 miles of sidewalk. Since then, funding has been a challenge, CDBG funds have been used in the past. Another area where sidewalks were requested is in the County of Riverside. The last request was for more street lighting, parking lot lighting and the removal of low sodium lighting. The portions of the City without streets lights were annexed from the

County where lighting was not required when built. The challenge is funding to purchase and install new lights. In the meantime, we can look into the cost and feasibility of installing solar lights. The City of Hemet has no control over lighting on private parking, such as shopping center parking lots. It is recommended that you contact the property owners or management companies and let them know that you don't shop at their establishments because you don't feel safe. If I could I would remove low sodium lights tomorrow. We must abide by the restrictive County Ordinance that controls the light pollution for Mt. Palomar. Please let me know if I have not addressed individual concerns.

**Eric Vail, City Attorney**, the community has asked about the ability to screen tenants and do background checks. The City's role is limited regarding this topic and can not provide legal advice to landlords or tenants. Cities have been cautioned by the California Supreme Court to focus regulations on the "uses" of property not on the "users" of the property. However, our basic understanding of this topic is yes, landlords may generally use civil and criminal background checks to screen tenants and reject applications based on arrests and convictions. But, a landlord's ability to do so is limited: landlord must first obtain the prospective tenant's permission to perform the check; landlord must fully disclose in writing the intent to perform and use the information on the prospective tenant; and landlord must not violate rights of a protected class in applying this information. A good resource for information or the definition of a protected class are tenant/landlord associations or HUD. All of the issues will be look into during our process of developing a residential registration program. It was asked if a Rental Registration Fee for absentee landlords can be adopted and used to fund Police Officers. A Program can be developed and a fee can be charged to reimburse the costs of police services utilized as part of the registration program only. A fee can not be used for general revenue purposes. The fee must be charged to all landlords regardless of their residency. A registration "fee" charged for general revenue purposes is now under the current state of the law a "tax" which can only be adopted by a vote of the people. A concern was raised regarding clean up groups and the liability on private property. We applaud you for wanting to clean up your town, but there are valid concerns. Any people cleaning up property owned by another person should seek permission from the owner otherwise you are trespassing. Also the actual clean-ups may expose people to liability for property damage or personal injuries. The preservation of private property rights and due process, the limitation of liability, and the need to protect the health, safety and welfare of the community is why there is such a detailed procedure for the City to abate public nuisances. Laguna Beach's panhandling ordinance was recommended. Hemet Municipal Code Section 53-12 already prohibits aggressive solicitation. A community group in Laguna Beach worked on an aggressive panhandling ordinance, that ordinance was never adopted. Hemet ROCS Team has the proposed ordinance and the community groups other good ideas and is currently reviewing both for integration in the Hemet ROCS Program. The City was asked to review laws and policies to see if they infringe on peoples' liberties. All laws infringe on your liberties, how much and is the infringement reasonable is the concern. The City Attorney's Office reviews all proposed ordinances for consistency with state and federal law and interpretive decisions.

**Mr. Orme**, introduced Congresswoman Mary Bono Mack and thanked her for caring enough about the community to attend the meeting.

**Rita Conrad, DCM/Administrative Services Director**, it was suggested that a business license fee be charged for rentals. The City of Hemet began requiring landlords to have a business license, approximately 5% currently do. The fees for a Business License is considered a tax because it does not pay for regulatory service. The fee can not be raised without a vote of the people. The CAC will be discussing a possible Rental Registration fee that will allow us to recover our costs to administer, but we can not make a profit to pay for other services, such as police officers. The challenge is identifying rentals. City staff is comparing property tax records to our water account records looking for discrepancies. This process has allowed us to register 480 new rentals in the last 18 months.

**Mr. Orme**, asked all the CAC members present to introduce themselves and thanked them for their time and efforts.

**Mr. Orme**, one of the requests was to have the CAC meetings more often and in the evening. Staff is currently stretched too thin to prepare for and attend more than one CAC meeting a month. The next CAC meeting will be Thursday, September 27<sup>th</sup>, 7:00 p.m. here at the Library. Some members will not be able to continue on the Committee if 7:00 p.m. is continued. It was suggested that the City be broken up into sub areas with citizen reps from each area, a Block Captain approach. The City's IT department is working on a map that will break up the City, we will be looking for representative from each area. The City does conduct Town Hall meetings, these were halted during the election season and will be starting up again soon. Please contact the City Manager's office if you are interested in scheduling a meeting. Another request was for the City and the County to coordinate clean ups. There are a number of non-profit community organizations that are spearheading these efforts as well as the new social media outlets. Staff is monitoring your efforts to try to coordinate with you. Central County United Way's annual "Make a Difference Day", old Hemet Beautiful Day is just one. The Community Christian Church organizes "The Big Serve". We are working with the Valley Chronicle to get a section in their weekly publication where we can highlight the City's Community Investment efforts. It was suggested that the City needs a definite roadmap forward. The Hemet ROCS program is a basis for the roadmap forward and will continue to be developed and expanded in response to community needs. The City's General Plan is our overriding roadmap. Social services in the Valley are the problem not the solution. This must have been a rhetorical question so I'll move on. The County of Riverside has the responsibility over these areas of government. The need to look at changing state laws and get parolees back in jail. Once again, a rhetorical question. Your vote, along with the State controls this area of governance. The County needs more jails, that's true. The courts need to better address multiple violators who just wind up back on the streets. We have been successful in obtaining bail enhancements. We can't build prisons. Another request was to form a task force of local business people who can help advise the City on marketing the ROCS program. If you want to participate join Hemet ROCS, talk to the Chamber of Commerce and bring these ideas to the CAC. The City needs one HOT Line for all Hemet ROCS calls or a phone tree. The City has asked for a vanity number. The City's IT Department is in

the process of an overhaul of our 20 year old phone system. On-line forms for Hemet ROCS enforcement, graffiti, property maintenance, shopping carts, etc. Provide opportunities for volunteers to support City efforts. This evening the City will launch two new forms: ROCS Issue Submission Form and the ROCS Volunteer Form. Concern was expressed that only 5% of the rentals actually have a business license and that the City is losing revenue. This was addressed earlier by Ms. Conrad. It was suggested that the City look for new sources of revenue and ways to combine resources to provide public safety. The City is in the process of updating all users fees. Most revenue increases require ballot measures. We are not ballot measure people, we have been approached by residents interested in pursuing a public safety measure and we'll have to see where that goes. City of Hemet Fire Department is in big trouble. The City Council should have taken the SAFER Grant. The grant would have required the City to hire more positions and find ongoing funding to retain them. Since that point Chief Morris has done amazing things to save money such as squad sharing. The Community wants the agencies to coordinate public safety. Hemet has a policing model in place that works. We need to invest in our police department and continue to support the surrounding communities. It was suggested that we hire a Grant Writer. The addition of staff is costly and includes both short term and long term liabilities for the City. If anyone has grant writing experience and would like to volunteer their services, let me know. Hemet has been very successful with grants that they have applied for. Put Housing, Parks and Code Enforcement under the supervision of the Police Department. The Police Department is too busy to take on more departments. The City had a Park Ranger that offered community outreach, that position was eliminated. There are currently 3 employees that cover all of our parks. A speaker asked that the community have compassion for those in need. The City staff is trying, but some are taking advantage of us. Hemet ROCS is designed to hit people hard that are taking advantage of this community. Graffiti and the homeless are the problem in Hemet. Hemet ROCS will help direct the homeless to the services available or home to their family. Section 8, the City has and will continue to meet with the Supervisor regarding this issue. We need to have a cooperative working relationship with the County of Riverside, we need them to help us clean up the valley. The suggestion to administer Section 8 locally would be a net loss to the City, the County can do it because of economies of scale. How can we get more Neighborhood Watch groups started? Call Sgt. Miller. It was suggested that the public talk to the shopping center owners and managers regarding responsibility for security, panhandling and shopping carts. We would encourage you to continue your proactive citizenry. The City can't do it all, it is the property owners responsibility to make their center safe for you. We might be able to assist you. The Chamber of Commerce and the businesses want to partner with the Police Department and the City. The PD does provide resources and has a business watch program. Thank you for offering, we appreciate the help. The formation of a Valley Watchmen Group was announced. You are encouraged to do what you feel is necessary. A resident talked about a parolee moving into their neighborhood and ruined it. The residents banded together and took back their own neighborhood. United Way is trying to work on a large scale Neighborhood Watch Program. Other suggestions are to continue Valley Restart's "bus ticket home program" and to pass out support cards that are provided by Kiwanis to panhandlers instead of

money. The community is asking for more clean-up days. The City does not want to be the provider of the clean-ups because of the liability issues, you can continue to do them without us as the primary support. It was suggested that the City hire high school students, we do. The Clean City Youth Program employees 8 students part time. Both Police and Fire have successful Youth Explorer Programs. Thank you for the opportunity to respond to the questions.

**Mayor Youssef arrived at 9:39 p.m.**

**Council Member Smith**, talked about the impacts of AB109. Chief Brown and I have made sure that our position is known in Sacramento. After the election, we will reach out to the newly elected. There is a regional meeting in October to see how other agencies are dealing with the impacts. Council Member Smith asked if AB109 releases can be included on the Crime Reports website.

**Chief Brown**, not at this time.

**Mayor Youssef**, the law enforcement agencies as well as the Mayor's from both cities will continue to meet to coordinate our resources.

**Chief Brown**, Supervisor Stone has challenge me to create a program to deal with these issues and has offered to help fund it.

**Mayor Youssef**, we can not have pockets of success and pockets of failure in the Valley.

The City Council recessed briefly at 9:54 p.m.

Reconvened at 10:03 p.m.

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## **City Council Business Consent Calendar**

14. **Approval of Minutes** - August 21, 2012, Special Meeting
15. **Approval of Minutes** - August 21, 2012, Joint Meeting
16. **Approval of Minutes** - September 11, 2012
17. **Receive and File** - Investment Portfolio as of May 2012
18. **Receive and File** - Library Investment Portfolio as of May 2012
19. **Receive and File** - Warrant Registers
  - a. Warrant registers dated September 5, 2012 and September 6, 2012. Payroll for the period of August 20, 2012 to September 2, 2012 was \$603,580.53.

20. **Recommendation by Interim City Manager** - Side Letter Agreement with HPOA
  - a. Approve the side Letter of Agreement with the Hemet Police Officers Association (HPOA); and
  - b. Authorize the Interim City Manager to enter into said Agreement to allow for the reinstatement of the four percent pay reduction which was instituted through collective bargaining in 2011.
  
21. **Recommendation by Public Works** - Amendments to the City of Hemet Stormwater Management and Discharge Controls Ordinance
  - a. Adopt an ordinance amending Chapter 14, Article X of the Hemet Municipal Code regarding stormwater management and discharge controls to comply with certain stormwater permit requirements. **Ordinance No. 1856**
  
22. **Recommendation by Community Development** - Zoning Ordinance Amendment No. 12-004 (Tobacco Stores, Smoking Lounges and Head Shops)
  - a. Adopt an ordinance amending Chapter 90, Article III of the Hemet Municipal Code regarding the establishment of tobacco stores and prohibiting smoking lounges and head shops. **Ordinance No. 1857**
  
23. **Recommendation by Community Investment** - Successor Agency Administration
  - a. Adopt a resolution organizing and designating the performance of certain administrative duties of the Successor Agency to the Redevelopment Agency of the City of Hemet, and authorizing the City Clerk to file a Statement of Organization with the California Secretary of State and the Riverside County Clerk's Office. **Resolution No. 4524**
  
24. **Recommendation by Engineering** - Well 17, City Project No. 5567
  - a. Reject all bids received on August 30, 2012 for Well 17, City Project No. 5567; and
  - b. Authorize the Interim City Manager to direct staff to re-bid the project for the improvements.

Item Nos. 20 and 24 were removed from the Consent Calendar. **Council Member Krupa moved and Council Member Smith seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 5-0.**

Item No. 20

**Mayor Pro Tem Foreman**, the City Council looked at the concerns the Police Department had with retention and worked out with Finance the ability to give our Officers back the 4% they gave up last year.

**Mayor Pro Tem Foreman moved and Council Member Smith seconded a motion to approve this item as presented. Motion carried 5-0.**

Item No. 24

**Dennis Stockton, Cora Constructors, Inc.**, expressed concern as the 2<sup>nd</sup> lowest bidder that staff is recommending to reject all bids. Mr. Stockton recommended that the City Council consider awarding the bid to Cora Constructors, Inc.

**Jorge Biagioni, City Engineer**, after the lowest bidder was non-responsive, staff decided that it was best to re-bid the project.

**Eric Vail, City Attorney**, I reviewed the bid responses with the Procurement Manager. There were two different competing claims between the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> lowest bidders. With these inconsistencies, the desire to change our original bid specs and the fact that we are not pressed for time, the decision to start again was determined. The Contract Code gives us the right to reject all bids. The bid will be re-crafted to meet the City's needs.

**Curtis McCallum, Southwest Pump and Drilling**, there are four qualified well drilling contractors that bid. It is common for us to sub-contract our work, we understand that we included two bids for sub-contractors. This should not penalize the next lowest bidder. Our company successfully drilled a well for the City last year. Mr. McCallum recommended that the City Council reconsider awarding the bid to Cora Constructors, Inc.

**Mayor Youssef**, confirmed that all parties will have the opportunity to re-bid.

**Mayor Youssef moved and Council Member Smith seconded a motion to approve this item as presented. Motion carried 5-0.**

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### **Communications From the Public**

**Joseph Whitesides, Hemet**, updated the City Council on recent actions from Code Enforcement. Mr. Whitesides expressed concern with retaliation from the landlord. Mr. Whitesides can't pay the current rent and it is being raised 6%. The mailbox is broken and the landlord won't repair it. The mail can not be delivered until it is fixed.

**Mayor Youssef referred Mr. Whitesides to Chief Brown.**

**Mary Quintero, Hemet**, expressed concern with the conditions and the infestation of bugs at the Hemet Garden's Apartments.

**Mayor Youssef referred Ms. Quintero to John Janson, Community Investment Director.**

**Christopher Walker, Hemet**, recommended that the City Council develop a plan with new ideas and solution for the blighted property at 215 S. Carmalita St. Mr. Walker recommended that the City tear down the house.

**Brishen Kruse, Hemet**, expressed concern with the job that Valley Wide does removing graffiti. Mr. Kruse expressed concern with political signs using the slogan "Take Back Hemet" and recommended that they adopt their own slogan.

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### **Discussion/Action Items**

25. **Building Permit and Development Impact Fee Waiver or Reductions for Jasmine Gardens Senior Apartments Project (CUP-11-004)** - Interim City Manager Orme

- a. Deny a request made by Denley Investment and Management Company for a reduction or waiver of Building Permit and/or Development Impact Fees for Jasmine Gardens Senior Apartments project.

**This item was continued to a future Council Meeting.**

**26. CarteGraph Systems, Inc. Software Upgrades and Training Services - Public Works Director Jensen**

- a. Approve, in concept, a multi-year/multi-phased project to enhance existing CarteGraph Systems, Inc. work order system functionality in the Public Works Department through expansion of the asset management modules and implementation of the YourGOV mobile features for future use by both the public and city staff; and
- b. Authorize the Interim City Manager to negotiate and execute, within the City's purchasing procedures, applicable contracts and/or purchasing orders (in a total amount not to exceed \$264,910) related to acquisition and implementation of required software, licensing option commitment through FY 15/16 and training for Phase 1 of the project. Fiscal Year 12/13 costs will be not to exceed \$103,285; and
- c. Authorize the Finance Department to approve supplemental appropriations in FY 12/13 in the total amount of \$48,000 as follows: Storm Drain Fund No. 254-4650-2710 in the amount of \$13,930; Streets (Gas Tax) Fund No. 221-4200-2400 in the amount of \$10,850; and Equipment Maintenance Equipment Replacement Fund No. 380-4550-2400 in the amount of \$12,505.

**Kris Jensen, Public Works Director**, gave the City Council a powerpoint presentation regarding the Proposal Summary for CarteGraph Work Management system. This is a major program upgrade that will be utilized by all 10 Public Works Divisions. Currently we have a basic stand alone tracking and reporting system that requires manual data entry and duplication of efforts. A needs assessment was performed recommending an integrated reporting program that includes: asset management; GIS integration; citizen involvement; and real time field data entry. The proposed project is a multi-phased and multi-year undertaking. The scope of services provided in Phase I of this project are: an initial purchase of one unlimited user site license in FY 2012/13 for a cost of \$50,000 and commitment to license renewal at a fixed rate through FY 2015/16 at \$50,000 annually; 268 hours of training to administrative, field and mid-management staff. Extensive training will be provided to in-house administrative staff support to allow them to provide day to day system maintenance and additional training assistance to mid-managers and crew leaders; implementation and training on use of STORMview module which will provide specific asset management tools for well sites, basins and reaches/ditches. This module will simplify and unify required environmental reporting and program tracking. Transition the equipment maintenance division from a stand alone maintenance program to Fleet for WORKdirector. This will allow actual vehicle costs and other information to be incorporated into work orders when crews designate equipment used at job sites, as well as expand reporting capabilities not available through canned reports from the existing program; and transition from the use of Sign Track (stand alone system) to SIGNview allowing signage

throughout the City to be treated as assets, replacements and reflectivity requirements to be tracked in place, and eventually mapped through GIS integration. Future phases may include additional training and development for further expansion of division work, mobile and asset management, as well as possible incorporation of full spectrum of compliance program module implementations. Installation of the software and licensing upgrades will be managed through the IT department. Training and implementation will occur through a combination of onsite visits by CarteGraph staff, and online "live" training sessions with City staff. The vendor has offered licensing options for Phase 1. Option 1: is a site license for system use rather than paying for individual user licenses. This will allow an unlimited number of users for all current modules. This will require a \$50,000 initiation fee due immediately and an annual renewal fee of \$50,000 + tax of \$3,875 per year for FY's 2013/14, 2014/15 and 2015/16. Option 2: individual user licenses. The initial purchase price of \$5,150 per license and an annual renewal fee of approximately \$1,600 per license. Ms. Jensen discussed the user expectation and recommended approval of Option 1.

**Mayor Youssef**, asked about the impact to the City's General Fund.

**Ms. Jensen**, at this time there is no impact to the City's General Fund.

**Mayor Youssef**, asked for an estimated go live date for YourGOV.

**Ms. Jensen**, end of June 2013 would be our goal for go live with YourGOV.

**Council Member Smith**, expressed concerns and asked if this item could be considered at a future date.

**Ms. Jensen**, there is a deadline to consider Licensing Option 1.

**Council Member Smith**, expressed concern with the number of user licenses and the longevity of the CarteGraph.

**Ms. Jensen**, explained the positions that would need user licenses. The City has already made a significant investment with CarteGraph. They are a nation wide company that has been providing this service for a long time.

**Mayor Pro Tem Foreman moved and Council Member Epps seconded a motion to approve this item and License User Option 1. Motion carried 4-1. Council Member Smith voted No.**

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## City Council Reports

### 27. CITY COUNCIL REPORTS AND COMMENTS

#### A. Council Member Epps

#### B. Council Member Krupa

##### 1. Library Board

The Literacy Program will continue this year and maybe beyond thanks to State Grant Funding and fundraising efforts by the Library Foundation.

##### 2. Traffic and Parking Commission

##### 4. Riverside County Habitat Conservation Agency (RCHCA)

##### 5. Riverside Conservation Authority (RCA)

**Council Member Krupa**, expressed concern with the minor amendment to the MSHCP being proposed by RCA. The amendment is not minor at all. It is recommended that staff look into the proposed amendment and prepare a response.

6. Ramona Bowl Association

**Council Member Krupa**, announced the concert that will be held at the Ramon Bowl on Saturday, September 29<sup>th</sup>.

7. Indian Gaming Distribution Fund
8. Hemet ROCS Citizens Advisory Committee (CAC)
9. Riverside Transit Agency (RTA)
10. League of California Cities

C. Council Member Smith

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

Next Citizen's Advisory Committee (CAC) meeting will be held on September 27<sup>th</sup>.

2. Veteran's Day Committee

G. Town Hall Meetings

H. Interim City Manager Orme

1. Manager's Reports
2. Economic Development
3. Hemet ROCS
4. Make a Difference Day, October 27, 2012

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The City Council recessed to the Housing Authority Meeting at 11:08 a.m.  
Reconvened at 11:09 p.m.

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The City Council recessed to Closed Session at 11:09 p.m.

### **Continued Closed Session**

3. Conference with Labor Negotiators

Pursuant to Government Code section 54957.8

Agency representatives: Interim City Manager, Mark Orme; DCM/Administrative Services Director, Rita Conrad; and legal counsel.

Employee Organizations: Hemet Fire Fighter's Association

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Reconvened at 11:50 p.m.

### **City Attorney Continued Closed Session Report**

7. Conference with Labor Negotiators

Pursuant to Government Code section 54957.8

Agency representatives: Interim City Manager, Mark Orme; DCM/Administrative Services Director, Rita Conrad; and legal counsel.

Employee Organizations: Hemet Fire Fighter's Association

**The City Attorney reported that there was no reportable action.**

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### **Future Agenda Items**

There were no future agenda items requested at this time.

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### **Adjournment**

Adjourned at 8:47 p.m. to Tuesday, October 9, 2012 at 7:00 p.m.