



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

October 9, 2012

6:30 p.m.

www.cityofhemet.org

City of Hemet Council Chambers

450 E. Latham Avenue

Please silence all cell phones

Call to Order

Mayor Youssef called the meeting to order at 6:30 p.m.

Roll Call

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

ABSENT: None

Closed Session

Notice of Opportunity for Public Comment

There were no public comments presented at this time.

The City Council recessed to Closed Session 6:31 p.m.

1. 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
 2. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(a)
Names of case: Justin Bryan, et al. v. City of Hemet, et al
US District Court Case No. CV 11-10690
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REGULAR SESSION

7:00 p.m.

City of Hemet Council Chambers

450 E. Latham Avenue

Call to Order

Mayor Youssef called the meeting to order at 7:05 p.m.

Roll Call

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

ABSENT: None

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

Invocation

Invocation was given by Jan deSpain, Hemet-San Jacinto Interfaith Council

Pledge of Allegiance

Pledge of Allegiance was led by Council Member Krupa

City Attorney Closed Session Report

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

The City Council received a briefing from the City's Labor Negotiators. There was no additional reportable action.

4. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code section 54956.9(a)

Names of case: Justin Bryan, et al. v. City of Hemet, et al

US District Court Case No. CV 11-10690

The City Attorney reported that this case was dismissed with prejudice.

Presentation

5. Recognize Sgt. Pust for his service as the Sergeant of Arms

Chief Brown, Mayor Youssef and Mayor Pro Tem Foreman, presented Sgt. Pust with a Certificate of Appreciation for his 12 months service as the Sergeant of Arms.

6. Recognize Armed Forces Banner Program Donors
Laurie Knotek, Special Events Coordinator, Mayor Youssef and Mayor Pro Tem Foreman, presented Certificates of Appreciation to the following for their donation to the City's Armed Forces Banner Program:
Burke, Williams and Sorenson
Hemet Elks Auxillary
Hemet Police Management Association
Melvin Holmes
Dee Dee Cordill
Hemet Firefighters Association
Hemet Police Officers Association
Peter Odencrans and Diana Mitchell
American Legion Post 53
Prince of Peace Lutheran Church
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City Council Business Consent Calendar

7. **Approval of Minutes** - September 25, 2012
8. **Receive and File** - Investment Portfolio as of June 2012
9. **Receive and File** - Warrant Register
a. Warrant register dated September 20, 2012. Payroll for the period of September 3, 2012 to September 16, 2012 was \$548,768.22
10. **Recommendation by Finance** - Destruction of Certain Records
a. Adopt a resolution authorizing the destruction of certain records.
Resolution No. 4525
11. **Recommendation by Engineering** - Traffic Commission recommendations
a. Red Curbs at Oltman Park
Recommendation to paint a section of the curb red.
b. Motorcycle Parking Stalls at City's Library
Recommendation to re-stripe the site for motorcycle parking and add signs.
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12. **Recommendation by Engineering** - Waterline Easement - Echo Hills Waterline Project, CIP 5580
a. Accept the Grant of Easement for waterline easement APN No. 451-140-005; and
b. Authorize the City Clerk to record it with the County Recorder.

Mayor Pro Tem Foreman moved and Council Member Smith seconded a motion to approve the Consent Calendar as presented. Motion carried 5-0.

Communications From the Public

Becki Gomez, Hemet, applauded the change in our valley over the last few weeks due to the efforts of Rebuild Hemet.

Lois Elsensohn, expressed concern with Global Agenda 21 and recommended that the City Council consider opting out of Southern California Edison's Smart Reader Program due to radiation sickness.

Mayor Youssef, confirmed that the City's name has been removed from the list of Agenda 21's participating cities.

Dustin Murray, Hemet, spoke in opposition to contracting out the City's Fire Department. 14 long term police officers have left the City of Hemet. Replacing them are new officers that are not trained or familiar with the City. The purpose of Government is to protect the public and in my opinion you are not.

Cheryl Rupe, Hemet, recommended that the Police Department write citations for vehicles parked in the way of the streetsweeper and right hand turns on red lights to help generate revenue.

Daniel Specht, Hemet, a Hemet resident is willing to donate the land, maintain the facility and cover the liability for a skatepark. All that is needed is the funding to build the facility. Daniel's Mom noted that there is grant money available. These kids travel all over the Inland Empire to various skateparks.

Mayor Pro Tem Foreman, recommended that Mr. Specht meet with the City Manager.

Christopher Walker, Hemet, presented Mayor Youssef with a simulated AAA card for his wife.

Brishen Kruse, Hemet, spoke in support of the Police and Fire Departments.

Howard Tounget, Hemet, expressed concern with political signs being placed on private and public property without permission. Mr. Tounget expressed concern with credit charges and cell phone calls to other states by City Council Members. Mr. Tounget asked the City Council what they are going to do about John Petty's house on Carmalita. An award was given to Sgt. Pust for 12 months of service as a Sergeant of Arms, yet Colin McNie was never recognized for his 25 years of service with the City.

Diana Eleyseten, Hemet, assisted an elderly woman that fell off the curb on Stetson Avenue in a electric chair trying to maneuver around a pole surrounded by tumbleweeds. Ms. Eleyseten requested that the City's crews clear the tumbleweeds from the sidewalk.

Mayor Youssef, requested that Public Works follow-up with Ms. Eleyseten.

Joy Ward, Hemet, requested that the City Council hold MWD to their promises for a recreational facility at Diamond Valley Lake.

Discussion/Action Items

13. **Recommendation by Community Investment** - City Council Appointment of Director to the Hemet Community Land Trust
- a. Appoint a new "City Director" to the Hemet Community Land Trust to fill the vacancy created by the resignation of Mr. Jerry Franchville.

John Jansons, Community Investment Director, requested that the City Council replace the vacancy on the Board of the Hemet Community Land Trust created by the resignation of Jerry Franchville.

Council Member Smith nominated Council Member Krupa and Mayor Pro Tem Foreman seconded the nomination. Motion carried 5-0.

14. **Hemet Restoring Or Community Strategy (ROCS) Advisory Committee Recommendations** - Interim City Manager Orme

- a. Authorize the Hemet ROCS Citizen Advisory Committee (CAC) to be extended an additional seven (7) months through May 2013, due to the continued need for the committee to review and make recommendations on the remaining nine Ordinances, in order to complete the initial Hemet ROCS Ordinance program of work; and
- b. Disband the Hemet ROCS Executive Advisory Committee (EAC), due to the Committee fulfilling its obligation and meeting the City Council's intent.

Mark Orme, Interim City Manager, this is an opportunity to look back and reflect on what we have accomplished. Hemet ROCS has come to the six month period, staff said that it would report back to the City Council at this time. The Citizen's Advisory Committee (CAC) has done a wonderful job. Staff is recommending that the CAC be continued for an additional seven months to work through the remaining nine ordinances. Staff is recommending at this time that the Executive Advisory Committee (EAC) disband at this time since they have completed their scope of work. The City Council should be applauded for putting together a well thought out program that worked. This group of people made this program work. Staff is also recommending at this time that the City Council consider adding an additional member to the CAC from the mobile home park community, making this an 18 member Committee. Mr. Orme thanked the staff for their efforts.

Mayor Youssef, the EAC did a great job. Mayor Youssef thanked the CAC for their dedication and concurred with the additional time for the committee.

Council Member Krupa, recommended approval of the additional committee member to represent the mobile home park community. The current member is from Sierra Dawn, a mobile home subdivision.

Council Member Epps moved and Council Member Smith seconded a motion to approve Item No. 14.a. Motion carried 5-0.

Council Member Smith moved and Council Member Epps seconded a motion to approve Item No. 14.b. Motion carried 5-0.

The City Council gave direction to staff to add the additional member to the CAC.

15. **Reimbursement Agreement by and between City of Hemet and Valley-Wide Recreation and Park District** - Community Development Director Elliano
 - a. Approve the Reimbursement Agreement for the construction of a restroom and concession building at the Diamond Valley Lake Community Park in concept; and
 - b. Authorize the City Manager to finalize and execute the Reimbursement Agreement with Valley-Wide Recreation and Park District.

Deanna Elliano, Community Development Director, the proposed Reimbursement Agreement will be funded from the Diamond Valley Lake Park Development Impact Fee (DIF) fund (Account No. 362-0670) which was established by the City Council for capital improvements at Diamond Valley Lake Park. There are sufficient funds in this account to satisfy the obligations under this agreement. By State Law these types of fees can only be used for capital facilities, not to fund employees or equipment. The proposed facility includes a 3,000 square-foot first floor with restrooms, lockers, office and concession areas. The second floor provides for additional offices or meeting space and an outside shaded viewing deck. Per the agreement, Valley-Wide will submit an invoice and supporting expenditure documentation to the City for 50% of the Reimbursement (\$130,000) at the time of building permit. The remaining 50% of the reimbursement will be payable upon substantial completion of the facility, as determined by the City's Building Official. The facility is host to a number of tournaments which generate revenue in the City of Hemet. The addition of this facility is a proper use of the DIF funds. This is a true partnership with another agency to achieve a goal for the citizens. Staff is recommending that the City Council approve the Reimbursement Agreement in concept and authorize the City Manager to execute the final agreement with Valley-Wide Recreation and Park District.

Frank Gorman, Board Member for Valley-Wide Recreation and Park District, the Board is in support of the agreement. This construction project will be an asset to the recreational facility. Mr. Gorman thanked the City Council for their consideration.

Seth Weinger, Hemet, applauded Valley-Wide and encouraged them to use local companies to do the construction. Mr. Weinger asked if language can be included in the agreement to that effect.

Mayor Pro Tem Foreman, expressed concern with the cost and the fact that Valley-Wide will make money with this facility. Council Member Foreman asked why the money was set aside specifically for Diamond Valley Lake Facility.

Ms. Elliano, the DIF is based on a study, all of the master planned facilities were taken into consideration. The Diamond Valley Lake Facility was 16% of all of these funds, it was set aside in a separate account for accounting purposes. The other funds could be used for Diamond Valley Lake Facilities also. The total cost of the restroom/concession building is estimated to be \$1.3 Million. The facility includes multiple bathrooms with lockers and changing facilities.

Council Member Krupa, asked if the facility will be LEED's certified.

Mr. Gorman, I was originally surprised by the first bid, even in today's economy, the cost is high when you are required to pay prevailing wages. This project will be a good investment, this facility is booked almost every weekend with events.

Mayor Youssef, thanked the staff and Board of Valley-Wide for their continued effort to provide recreational facilities.

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

16. Request Proposals for Fire Protection and Emergency Medical Services - Interim City Manager Orme

- a. Authority the City Manager to request proposals for Fire Protection and Emergency Medical Services from qualified government agency service providers.

Mark Orme, Interim City Manager, this is a difficult issue and one that has been hard to deal with. The emotional aspect is that we are all part of a City family. I have had the pleasure of getting to know many of the employees through my employment and as a member of the City's negotiating team. This is not an easy recommendation. This is not a recommendation to accept an RFP, but only a due diligence effort to determine what options the City has as it relates to Fire services. Unlike the State and Federal Governments, the City Council continues to balance the City's budget. Unfortunately, even with the continued dedication to cutting, reducing and right sizing to ensure we are balancing our budget, outside forces continue to impact this City's ability to gain a strong footing in order to keep our financial balance. This City is facing a \$2.5 to \$3 Million structural deficit next fiscal year. The State's Redevelopment dissolution was an immediate \$10 Million dollar hit to the City for this fiscal year alone. Annually, thereafter, another \$5 to \$7 Million will not be received. The City had to absorb \$2 Million into the General Fund after reductions were made. There is not one City our size that has been through the reductions that we've been through that can take a \$2 Million dollar hit and not have to further their City-wide effectiveness and efficiency evaluation. Mr. Orme reminded the City Council what this staff has effectively evaluated over the past five years: RFP for City Attorney Services which resulted in Burke, Williams and Sorenson prevailing and continuing as the City Attorney; Internal evaluation of contracting out for Park Maintenance again resulted in the fact that our staff was providing the service efficiently; closing down the Library was discussed, instead we reduced hours and days; RFQ for Simpson Center, the City is now out of the Community Center business, it was found that private enterprise can better facilitate those needs; the City's Refuse Division, we franchised the operations to a more effective provider and all employees were given the opportunity to transition to the new provider; RFP for the City's Insurance Broker services, HUB International the previous provider prevailed in that process; Landscaping contract went out for an RFP, now the service is being provided at a lower cost to our residents; Information Technology staff was evaluated internally, and rather than contracting out staff as reduced by 25%; the Planning Department contracts out for special projects; evaluation of outsourcing Fleet Maintenance for police vehicles was determined not to be cost effective; unfortunately the City Council even had to make the tough decision and close Fire Station 5, we work cooperatively with

AMR to continue to provide services to the residents in that area. Currently, staff is evaluating outsourcing the Police alarm billing. Staff has also evaluated the current uniform provider and will be bringing a recommendation to the City Council that will achieve a dramatic cost savings to the City. All of these things, plus the very difficult decisions to reduce staff by over 25% in order to meet the budgetary constraints that this economy has dealt the City. The City Council has requested that we look into and evaluate any of the operations that might be done more prudently. The public deserves to know that they are getting the best service possible for the best price possible. As a community member I would expect that of my elected officials. This does not mean that our Firefighter's are not doing their job. Given the fiscal situation that the city finds itself in, we have to see what the numbers are and what else is out there. This City Council has the fiduciary responsibility to balance the City's budget. Nobody would like to be put in this situation. If we do not, we will be criticized for not looking at all of the options.

Robert Galleta, Hemet, City staff should have held this meeting at the Library for our comfort and safety. I have ran into people shopping out of town, because they don't feel safe shopping here.

Paul Raver, Hemet, distributed a copy of his presentation to the City Council. This City Council has done an incredible job balancing the budget. The RFP incorrectly uses the improper staffing levels. It is the Department's current staffing level due to the budget, but it is inadequate. Mr. Raver expressed concern with considering contracting with the State of California given their financial situation. CalFire has called on the Hemet Fire Department for assistance 51 times in the last year, Hemet Fire Department has called on CalFire for assistance in the same time period 15 times. Cities incorporate to have local control of land use and services. The residents want and deserve responsive police and available fire services. The City Council's allegiance is to the people who put them in office.

Darrell Woods, spoke in opposition to an RFP for fire services. Mr. Woods is a Firefighter in a city in the San Diego area and expressed concern that CalFire will not offer you the same level of care as your current Fire Department. The State of California is broke, why would you consider contracting with them.

Roy Tofson, Hemet, retired Fire Captain of 28 years. After the passing of Proposition 13, the agency I worked for contracted with CDF. Six years later they ran our engines into the ground and cut staffing.

Howard Tounget, Hemet, recommended that the wasteful spending be stopped. The City needs to be loyal to their employees.

Seth Weinger, if the City Council contracts out Police and Fire there is no reason to remain incorporated.

Mayor Youssef, this is a tough decision. This City Council has discussed bankruptcy, because we weren't sure if we could pay the bills. This City Council has made some tough decisions along the way. Thanks to the concessions of our employees and the tough decisions from staff we are still incorporated. Today we are here because we don't know all of our options. The City of Norco recently contracted with CalFire and they are saving \$1.5 million per year. 87% of the Fire Departments calls are for medical related services

and 80% of the time they are waived off by AMR. This has been tough, we have already made some tough cuts. At the end of the day this City needs to survive. Andy Hall and Chief Morris went to fight for Emergency Medical Dispatch services, hoping to save the City money, the Fire Department's Union President argued against them. The City is facing another \$3 Million dollar structural deficit again next year. There is no telling what more the State will take next year. We can't live off of one time funds or grants that doesn't work.

Mayor Pro Tem Foreman, expressed appreciation for Hemet Fire Department. The City has to save money. The Fire Department was given the opportunity to cut costs. We currently employ paramedics that can't work as paramedics because the City does not have the proper licensing. A former Fire Chief made a terrible decision to eliminate the Department's Command staff. I don't believe that CDF will do a very good job, this is an opportunity for our Department to prove that. The only other option is a citizen initiated ballot measure to support Fire and Police.

Council Member Smith, this is not easy for any of us, these are difficult times. We don't even know that CalFire can do the job, we won't know until we request and receive the proposals. 21 of the 28 cities in Riverside County contract with CalFire. Council Members from contracting cities believe that it was the responsible thing to do. We owe this to our residents. If Hemet Fire Department can do it more efficiently, then they will prevail.

Council Member Epps, I have had the opportunity to work with Hemet Fire Department in my career. Since I have been in this capacity it has been impressive to see the community participation. Your participation is influential and it does have an impact. This decision comes down to funding. I'm not convinced that contracting out is the way to go, but we have to look at all of the options. Every meeting the residents talk about needing more police officers, if this will help fund police we need to consider it.

Council Member Krupa, expressed concern that proprietary coverage is not included in the RFP language. Contracting out eliminates the local control. This is not the only Department where contracting out has been considered. The other situations have been contracting with private entities. Council Member Krupa expressed concern with contracting with the State of California. I do feel that Hemet Fire Department is superior, however, there is a very high cost to maintaining them even at their low staffing levels.

Council Member Smith moved and Mayor Youssef seconded a motion to approve this item as presented. Motion carried 3-2. Council Member Krupa and Mayor Pro Tem Foreman voted No.

Mr. Orme, the RFP's are due November 26, 2012. The language was written to allow for proposals from other government entities and to allow our Firefighters an opportunity to provide options.

Mayor Pro Tem Foreman, encourage the Fire Department staff to come back with solutions.

City Council Reports

17. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Epps

B. Council Member Krupa

1. Library Board
2. Traffic and Parking Commission
4. Riverside County Habitat Conservation Agency (RCHCA)

Council Member Krupa, the requested minor amendment would have eliminated one of the two options for property owners to have control over their property. The City's letter opposing the amendment was appreciated. The vote was 18-0 to rescind the proposed amendment.

5. Riverside Conservation Authority (RCA)
6. Ramona Bowl Association

Council Member Krupa, the Rock Indian Reunion will be held on October 21st at the Ramona Bowl. The theme of the 2012 Christmas Parade will be "Celebrating 90 Years of Ramona". Francesco Sorianollo, a former Alessandro, will be the Grand Marshall.

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

Council Member Krupa, RTA has received a number of grants for new buses. Most of their fleet will be changed out over the next several years.

10. League of California Cities

Council Member Krupa, attended an awards ceremony for the successful "Oldlympics" event.

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)

Council Member Smith, reported that on October 11, 2012, he and Police Chief Brown will meet with the Regional Task Force regarding AB109.

D. Mayor Pro Tem Foreman

1. Park Commission
2. Indian Gaming Distribution Fund

E. Agenda Mayor Youssef

1. Western Riverside Council of Governments (WRCOG)

Mayor Youssef, WRCOG's Hero Program has been so successful the program is expanding. Residents can apply online for a low interest loan paid through their property taxes for solar. WRCOG just completed their draft for Sustainable Planning, a roadmap and plan for transportation in the region. This plan includes the TUMF program. The recent expansion of Sanderson is part of that the TUMF program.

2. Riverside County Transportation Commission (RCTC)

F. Ad-Hoc Committee Reports

1. Hemet ROCS Executive Advisory Committee

Mayor Youssef, thanked the members of the EAC for their participation. This Committee has been disbanded.

2. Veteran's Day Committee

Mayor Pro Tem Foreman, confirmed that the City Council is not opposed to leaving the Armed Forces Banner's up along with the Holiday decorations, there is enough room.

G. Town Hall Meetings

H. Interim City Manager Orme

1. Manager's Reports
 2. Economic Development
 3. Hemet ROCS
 4. City Council Meeting Schedule for November and December
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Future Agenda Items

There were no future agenda items requested at this time.

Adjournment

Adjourned at 9:24 p.m. to Tuesday, October 23, 2012 at 7:00 p.m.