



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

July 9, 2013

6:00 p.m.

**City of Hemet Council Chambers
450 E. Latham Avenue**

www.cityofhemet.org

Please silence all cell phones

Call to Order

Mayor Youssef called the meeting to order at 6:03 p.m.

Roll Call

PRESENT: Council Members Krupa, Milne and Wright, Mayor Pro Tem Smith
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 at 6:03 pm.

1. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: *Interim City Manager Bradley*
Employee organization:
Service Employees International Union (SEIU) General Employees
Hemet Fire Fighters Association
Hemet Police Officers Association (HPOA)
-

REGULAR SESSION

7:00 p.m.

**City of Hemet City Council Chambers
450 E. Latham Avenue**

Call to Order

Mayor Youssef called the meeting to order at 7:19 p.m.

Roll Call

PRESENT: Council Members Krupa, Milne and Wright, Mayor Pro Tem Smith and Mayor Youssef

ABSENT: None

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

Invocation

Invocation was given by Krystyne Gray, Hemet-San Jacinto Interfaith Council

Pledge of Allegiance

Pledge of Allegiance was led by Council Member Milne

City Attorney Closed Session Report

2. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *Interim City Manager Bradley*

Employee organization:

Service Employees International Union (SEIU) General Employees

Hemet Fire Fighters Association

Hemet Police Officers Association (HPOA)

The City Council gave direction to the City's Labor Negotiator. There was no additional reportable action.

Presentation

3. Moment of Silence for Fallen Fire Fighters

Mayor Youssef, requested a Moment of Silence for the 19 Fallen Fire Fighters and a special remembrance of the two local Fire Fighters, Christopher MacKenzie and William Warneke.

Brian Nestande, 42nd State Assemblyman, taking time to allow the community to gather and honor our two heroes. The news was devastating. This City has lost more than its fair share of heroes in the line of duty. Hemet has always been a close knit Community. The State Assembly adjourned their July 3, 2013 meeting in their honor. Thank you for honoring their memory

Mayor Youssef, I personally know members of the Warneke family. Their strength and reliance on God is great.

Mayor Pro Tem Smith, thanked Assemblymen Nestande for taking the time to be here. My son attended school with one of the young men.

Council Member Krupa, my condolences to the families. This is a close knit Community. I was honored to attend the memorial in Prescott, AZ over the weekend. The outpouring from that community was overwhelming. This Valley has lost a lot of young men in the line of duty either the service or public safety.

Council Member Wright, thanked Assemblymen Nestande for coming. This community has a number of heroes, either the ones that leave to protect their community or stay here to serve.

Council Member Milne, thanked Assemblymen Nestande for recognizing the Valley's heroes. The City Council recessed briefly at 7:30 p.m.
Reconvened at 7:34 p.m.

Mayor Youssef, requested that staff obtain the necessary permission to place the City flags at half staff.

City Council Business Consent Calendar

4. **Approval of Minutes** – June 11, 2013
5. **Receive and File** – Warrant Register
 - a. Warrant register dated June 27, 2013. Payroll for the period of May 27, 2013 to June 9, 2013 was \$578,752.72 and June 10, 2013 to June 23, 2013 was \$568,825.89.
6. **Recommendation by Engineering** – Installation of Banners across Florida Avenue
 - a. Valley-Wide Recreation & Park District – Docent Recruitment
 - b. United Methodist Church – Summer Concert, July 26, 2013
 - c. Ramona Bowl – Zorro Play, August 10th, 17th & 24th
 - d. Ramona Bowl – Summer Concerts, July 11th, 18th, & 25th and August 1st
7. **Recommendation by Community Development** - Municipal Code Amendment 13-004 pertaining to the Issuance of Administrative Citations
 - a. Adopt an ordinance regarding amendments to the Hemet Municipal Code in an effort to refine the procedures related to the imposition, enforcement, collection, and appeal of administrative citations, fines and penalties.
Ordinance No. 1864
8. **Recommendation by Community Development** - Municipal Code Amendment 13-005 pertaining to the Declaration and Abatement of Public Nuisance Conditions
 - a. Adopt an ordinance amending Chapter 30 of the Hemet Municipal Code regarding public nuisances and the associated regulations that will promote the maintenance of real property and enhance the appearance, habitability, occupancy, use and safety of all structures and premises within the City
Ordinance No. 1865

Item No. 4 was removed from the Consent Calendar. **Council Member Krupa moved and Council Member Milne seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 5-0.**

Item No. 4

Mayor Pro Tem Smith, recused himself since he was not present for the June 11, 2013 meeting.

Mayor Youssef moved and Council Member Milne seconded a motion to approve this item as presented. Motion carried 4-0.

Successor Agency Consent Calendar

9. **Recommendation by Community Investment** – Authorization for Contract Amendment with RSG Inc., for Successor Agency Professional Services
 - a. Authorize the Interim City Manager to execute a contract amendment with RSG, Inc. to authorize additional spending beyond the Interim City Manager’s spending authority for work required to be undertaken by the Successor Agency to the dissolved Hemet Redevelopment Agency pursuant to AB 1X 26 in the amount of \$25,000.

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

Public Hearing

10. **Zoning Ordinance Amendment (ZOA) No. 13-005 – Big Box Retail Conversion** – Community Development Director Elliano
 - a. Conduct a public hearing; and
 - b. Introduce, read by title only and waive further reading on an ordinance modifying Chapter 90, amending Article XXVI of the Hemet Municipal Code, requiring a Conditional Use Permit and adding regulations for the conversion of large retail commercial buildings to other uses; **Ordinance Bill No. 13-027** and
 - c. Direct staff to file a Notice of Exemption with the County Clerk in compliance with the California Environmental Quality Act.

Deanna Elliano, Community Development Director, this ordinance will replace the Urgency Ordinance that expires in August. This ordinance defines the retail commercial space that can not revert to office space on Florida Avenue or in a tax corridor. The ordinance does not prohibit it, it establishes a process. There were comments received regarding this ordinance. The Planning Commission recommends approval.

Mayor Pro Tem Smith, asked staff if there is flexibility in the square footage stated in the Ordinance.

Ms. Elliano, only if the City Council changes the ordinance. If not 30,000 is the minimum square footage building that would be required to go through a process to consider conversion. This square footage does cover the larger big box spaces that exist.

Council Member Wright, requested an example of a 30,000 square foot vacant building in Hemet.

Ms. Elliano, as an example Home Depot is 60,000 square foot. Stater Bros and Von’s are approximately 45,000 square feet. The Dollar General on Stetson is 23,000 square feet.

Mayor Youssef, this ordinance was requested when the County of Riverside wanted to convert the former 60,000 square foot Albertson’s to office space.

Mayor Youssef declared the Public Hearing opened at 7:42 p.m.

There were no public comments presented at this time.

Mayor Youssef declared the Public Hearing closed at 7:43 p.m.

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

The Ordinance was read by title only.

11. **Engineer's Reports and levy and collection of assessments for the existing Hemet Streetlight and Landscape Maintenance Districts for Fiscal Year 2013-2014** – Deputy City Manager/Administrative Services Director
 - a. Conduct a public hearing; and
 - b. Adopt a resolution ordering the levy and collection of assessment for the existing Streetlight Maintenance District for fiscal year 2013-2-14 **Resolution No. 4547**; and
 - c. Adopt a resolution amending and/or approving the annual Engineer's Report for the existing Streetlight Maintenance District **Resolution No. 4548**; and
 - d. Adopt a resolution ordering the levy and collection of assessment for the existing Landscape Maintenance District for fiscal year 2013-2-14 **Resolution No. 4549**; and
 - e. Adopt a resolution amending and/or approving the annual Engineer's Report for the existing Landscape Maintenance District. **Resolution No. 4550.**

Rita Conrad, Deputy City Manager/Administrative Services Director, these resolutions will order the levy and collection of assessments for the existing Streetlight and Landscape Maintenance Districts as well as approve the Engineers Report. Staff recommends that the City Council conduct a public hearing and consider adoption of the resolutions.

Mayor Youssef declared the Public Hearing opened at 7:46 p.m.

There were no comments presented at this time.

Mayor Youssef declared the Public Hearing closed at 7:46 p.m.

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

12. **Updating the Fine Schedule and Fees for Administrative Citations** – Community Development Director Elliano
 - a. Conduct a public hearing; and
 - b. Adopt a resolution amending the Administrative Fine Schedule for Violation of the Hemet Municipal Code. **Resolution No. 4551.**

Deanna Elliano, Community Development Director, Ordinance No. 1864 amends Chapter 1 of the Hemet Municipal Code regarding an update to the City's existing code provision for the imposition, enforcement, collection, and appeal of Administrative Citations. This resolution establishes an Administrative Fine Schedule which includes a uniform fine of \$100.00 for the first occurrence of the violation, \$200.00 for the second occurrence in a 12-month period, and \$500 for the third occurrence in a 12-month period. This resolution also establishes fees for newly authorized re-inspection fee and a late penalty and interest charges in the event of non-payment of the citations.

Mayor Youssef, asked what measures the City will take if the citations are not paid beyond a late penalty and interest.

Ms. Elliano, the City has a collection process with the Franchise Tax Board.

Eric Vail, City Attorney, the process used by the Franchise Tax Board can result in a wage assignment.

The City Council and staff discussed the need to consider a steeper fee for continued violations.

Ms. Elliano, if citations don't work we need to consider another approach like taking the violator to court. Fortunately the City does get a fair amount of voluntary compliances.

Council Member Wright, requested that there be additional follow up with the person that

files the complaint, concern has been expressed that the complaint fell on deaf ears.

Ms. Elliano, explained the follow up process.

Council Member Wright, suggested that staff consider some type of follow up system that does not require the resident to contact staff.

Mayor Youssef declared the Public Hearing opened at 8:00 p.m.

There were no public comments presented at this time.

Mayor Youssef declared the Public Hearing closed at 8:00 p.m.

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

Communications from the Public

Paul Raver, Hemet, presented a letter to the City Council regarding a recent letter sent to the City of Hemet from Attorney Christopher Nissen, representing The Public Safety Coalition, Hemet Fire Fighters Association and Chief Morris. The letter accuses Mr. Bradley of placing demands on Chief Morris. Mr. Raver again presented his proposed annual cost for Hemet Fire Department. Mr. Raver recommended that the City Council request a full report from City Manager Bradley of the demands that were presented to Chief Morris. Mr. Raver also recommended that the City Council request an explanation as to why the budget recommendations do not include re-opening Fire Station No. 5.

Flora Johnson, Hemet, expressed concern with larger agencies and their inability to act without permission from higher up. Priorities might be different. Ms. Johnson recommended that the City Council keep Hemet Fire Department.

Bob Jungbluth, Hemet, recommended that updated Animal Control information be included on City's website. Mr. Jungbluth asked the City Council about the 10 lots for sale that were previously a water basin. The realtor is marketing the property as commercially zoned.

Mr. Jungbluth was referred to Kris Jensen, Public Works Director.

Patty Woods, Hemet, expressed disappointment that the City Council's actions do not show support for Public Safety. Ms. Woods asked the City Council what they are going to do about the way Mr. Bradley treated Chief Morris. Ms. Woods requested that the City Council consider Mr. Raver's recommendations.

Ray Esmone, Hemet, requested an officer to do some traffic surveillance occasionally in his neighborhood. The 25 mph speed limit is not obeyed.

Lisa DeForest, Hemet, expressed concern with the homeless problem near her professional office located at 815 E. Latham. Ms. DeForest also expressed concern with recent change in use at 809 E. Latham Avenue. The building was formerly a professional building, now it appears that it is residential. The Police Department has had 14 calls for service since January.

Mayor Youssef, recommended that staff consider using the Hemet ROCS Enforcement Team to help with this situation. Mayor Youssef asked staff to look into the appropriate use for this property.

Nicole Tamez, Hemet, asked the City Council to lower the flag at Gibbel Park. The Community will line Florida Avenue from Kirby east between 3:00 and 4:00 p.m. on Wednesday, July 10, 2013 to receive the remains of Christopher MacKenzie.

Donna Banks, Hemet, the residents are happy to hear that the City Council approved the budget including a paramedic program. The residents would like to know when this will be implemented. Ms. Banks asked the City will be requesting an RFP for Ambulance Service.

City Council Reports

13. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Krupa

1. Traffic and Parking Commission
2. Riverside Conservation Authority (RCA)
3. Ramona Bowl Association
4. Indian Gaming Distribution Fund
5. Riverside Transit Agency (RTA)

Council Member Krupa, RTA approved their FY 13/14 budget. The budget included a reduction in transit fair for Military and Public safety.

Council Member Krupa, attended a meeting about the Bay Delta Conservation Plan. The anticipated cost to move the water from Northern California via tunnels is \$13 to \$15 Billion. Northern California is opposed to the plan. Southern California cities need to get organized and get up to speed on the plan.

B. Council Member Milne

1. Library Board
2. League of California Cities
3. Riverside County Habitat Conservation Agency (RCHCA)
4. Riverside Transit Agency (RTA)
5. Riverside Conservation Authority (RCA)

Council Member Milne, the Independence Day Parade and events were a lot of fun. The fireworks were great.

C. Council Member Wright

1. Park Commission
2. Planning Commission
1. Indian Gaming Distribution Fund
2. Riverside County Habitat Conservation Agency (RCHCA)
3. Ramona Bowl Association

Council Member Wright, San Jacinto did a great job, the 4th of July parade and events were great.

D. Mayor Pro Tem Smith

1. League of California Cities

Mayor Pro Tem Smith, Lewis Homes Corporation announced that they will be hiring 50 employees. Residential building is increasing for most regions.

2. Riverside County Transportation Commission (RCTC)

Mayor Pro Tem Smith, the 91 Freeway expansion might be held up due to "The Buy American Program". The program requires that a large % of materials be purchased from America.

Council Member Wright, the concern is that there are some products that we no longer manufactured. It is my understanding that the contractors have to at least show that the tried

to buy the product in the U.S.

3. Western Riverside County of Governments (WRCOG)
4. Public Safety Update
5. National League of Cities

Mayor Pro Tem Smith, complimented staff on their effort in the 4th of July parade. There were 80 entries. The City of Hemet needs to continue its support of these events.

E. Mayor Youssef

1. Western Riverside County of Governments (WRCOG)
2. Riverside County Transportation Commission (RCTC)
3. Disaster Planning Commission

F. Ad-Hoc Committee Reports

1. Crime Stoppers Plus Ad-Hoc Committee
2. West End Advisory Ad-Hoc Committee

G. Interim City Manager Bradley

1. Manager's Reports
2. Award of Grant to Police Department from Soboba Band of Luiseno Indians

Ron Bradley, the Police Department received \$176,511 to mitigate issues between the City and the casino, specifically roadways and traffic. The grant was used to purchase two vehicles used for enforcement equipped with automated license plate readers and 9 hand held radios.

3. Award of Grant from RCTC for Sidewalk Improvements
4. School Resource Officer Agreement with Hemet Unified School District

Ron Bradley, HUSD approved funding for 4 full-time SRO's. This is a partnership we continue to develop and strengthen.

5. Hemet Valley Mall Police Sub-Station
6. San Jacinto's 4th of July Parade

Future Agenda Items

The City Council gave direction to staff to contact CalTrans regarding the weeds in the median east of Columbia on Florida Avenue.

Report showing a detailed accounting of the Paramedic/EMD line item.

Adjournment

Adjourned at 8:54 p.m. to Tuesday, July 23, 2013 at 7:00 p.m.