



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

July 23, 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 6:01 p.m.

Roll Call

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

ABSENT: Council Member Krupa

Mayor Pro Tem Smith moved and Council Member Wright seconded a motion to excuse Council Member Krupa. Motion carried 4-0.

Closed Session

Notice of Opportunity for Public Comment

There were no public comments presented at this time.
The City Council recessed to Closed Sessions at 6:02 p.m.

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)
2. Conference with Real Property Negotiators
Pursuant to Government Code section 54956.8
Property: Assessor's Parcel Nos. ("APN"): 443-140-001, 443-140-003, 443-140-024 and 443-140-015.
Agency negotiator: City Manager Bradley
Negotiating parties: State of California: Administrative Office of the Courts
Under negotiation: Disposition, Price and Terms

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 7:00 p.m.

Roll Call

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

ABSENT: Council Member Krupa

Mayor Pro Tem Smith moved and Council Member Wright seconded a motion to excuse Council Member Krupa. Motion carried 4-0

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

Invocation

Invocation given by Darleana McHenry, Hemet-San Jacinto Interfaith Council

Pledge of Allegiance

Pledge of Allegiance was led by Mayor Pro Tem Smith

City Attorney Closed Session Report

- 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 received an updated and gave direction to staff. There was no additional reportable action.

- Conference with Real Property Negotiators
Pursuant to Government Code section 54956.8
Property: Assessor's Parcel Nos. ("APN"): 443-140-001, 443-140-003, 443-140-024 and 443-140-015.
Agency negotiator: City Manager Bradley
Negotiating parties: State of California: Administrative Office of the Courts
Under negotiation: Disposition, Price and Terms

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

City Council Business Consent Calendar

5. **Approval of Minutes** – June 20, 2013
6. **Receive and File** – Warrant Registers
 - a. Warrant registers dated July 10, 2013 and July 11, 2013. Payroll for the period of June 24, 2013 to July 7, 2013 was \$682,085.42.
7. **Receive and File** – Investment Portfolio as of May 2013
8. **Recommendation by City Attorney** – Amendment to At-Will Employment Agreement for the position of Interim City Manager
 - a. Approve the First Amendment to the Employment Agreement between the City of Hemet and Ronald Bradley.
9. **Recommendation by City Manager** – Second Amendment to Exclusive Franchise Agreement for Comprehensive Refuse Service
 - a. Approve the Second Amendment to Exclusive Franchise Agreement for Comprehensive Refuse Service (“Second Amendment”); and
 - b. Authorize the Interim City Manager to sign the Second Amendment.
10. **Recommendation by Community Development** - Zoning Ordinance Amendment (ZOA) No. 13-005 – Big Box Retail Conversion
 - a. Adopt 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 No. 1866
11. **Recommendation by Fire Department** – Acceptance of Indian Gaming SDF Funding
 - a. Approve acceptance of the Indian Gaming SDF funding in the total amount of \$260,000.00 for the purchase of a 2000 Gallon Fire Service Tactical Water Tender.
12. **Recommendation by Engineering** – Award of Bid for the Well 4 Rehabilitation Project, CIP No. 5593
 - a. Award the contract to the lowest, responsive bidder, Legend Pump & Well Service, Inc. for the Well 4 Rehabilitation Project, CIP 5593 in the amount of \$76,536, and reject all other bids; and
 - b. Authorize the Interim City Manager to enter into a construction contract for the improvements; and
 - c. Budget has been established in Fund 571-9000-2450 to cover \$76,536.00, the total cost of construction.
13. **Recommendation by Engineering** – Change Order No. 1 – SCADA System for Wells and Reservoirs – City Project No. 5568
 - a. Authorize the City Manager to approve Change Order No. 1 to United

- Engineering and Construction for additional computer equipment, software and technical services to install air conditioning and electrical equipment for the SCADA Project No. 5568, in the amount of \$74,700; and
- b. Establish a budget in the amount of \$74,700 in Fund No. 571-5568-5500 for the cost of the additional electrical equipment, software and professional services.
14. **Recommendation by Community Investment** – Additional Allocations of 2013-14 Program Year Community Development Block Grant Entitlement Funds
 - a. Accept the Ad-Hoc Committee’s recommendations for the additional \$100,594 in 2013-14 Community Development Block Grant (CDBG) funding; and
 - b. Amend the 2013-14 Annual Action Plan to include these recommendations; and
 - c. Schedule a Public Hearing on August 27, 2013 to amend the 2013-14 Annual Action Plan.
 15. **Recommendation by Public Works** – Services Agreement to Commercial Cleaning Systems for Janitorial Services
 - a. Approve award of contract to Commercial Cleaning Systems of San Diego in an amount not to exceed \$42,232 annually to provide janitorial services for City Hall, Police, Public Works Offices, Literacy Center, Gang Task Force, and Covell Building; and
 - b. Reject all other proposals; and
 - c. Authorize the City Manager to execute Services Agreement with Commercial Cleaning Systems of San Diego effective September 1, 2013, for an initial three (3) year term with two (2) one-year options to extend, as well as, exercise renewal options and approve extension amendments.
 16. **Recommendation by Administrative Services** – IT Consolidation of Cellular Voice and Data Services through Verizon Wireless
 - a. Authorize the Interim City Manager to consolidate citywide cellular services through one service provider.
 17. **Recommendation by Public Works** – Park Commission Recommendations of June 24, 2013
 - a. Tree Removal Request: 664 Palos Drive – Magnolia (1)
Recommendation to deny request; schedule tree for trim
 - b. Tree Removal Request: 1515 Cabrillo Drive – Oak (1)
Recommendation to approve request and replace
 - c. Tree Removal Request: 865 Sunflower St. – Liquid Amber (1)
Recommendation to deny; schedule tree for trim and root prune

Item No. 8 was removed from the Consent Calendar. **Mayor Pro Tem Smith moved and Council Member Milne seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 4-0.**

Item No. 8

Council Member Wright, requested an updated on the City Manager recruitment. **Ron Bradley, Interim City Manager**, the recruitment closes on July 26th. As of today 60

applications have been submitted. The applications will be reviewed by the recruiter. The top qualifying applicants will be presented to the City Council to decide which applicants are to be interviewed. Interviews will be scheduled and an offer for appointment can be considered. If the selected candidate is employed they will have to give a 60 to 90 day notice.

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

Public Hearing

18. **Zoning Ordinance Amendment 13-001 – Zoning Code Revisions for Housing Element Compliance** – Community Development Director Elliano
- a. Conduct a Public Hearing; and
 - b. Introduce, read by title only and waive further reading of an ordinance amending portions of Hemet Municipal Code Chapter 90 (Zoning) to designate zoning for Emergency Shelters and Farmworker Housing; establish supplemental development standards for Emergency Shelters; remove age restrictions in Small Lot Residential Zone and renaming and adding applicability guidelines to the Senior Housing Designation of the Code as recommended by Planning Commission Resolution No. 13-006 **Ordinance Bill No. 13-016**; and
 - c. Direct staff to file a Notice of Determination with the County Clerk in compliance with the California Environmental Quality Act.

Deanna Elliano, State law requires all cities to prepare a housing element as a part of their General Plan and have it reviewed and certified by HCD. The City received HCD certification of its Cycle 4 (2008-2013) housing element on June 28, 2012. The City of Hemet is working on its Cycle 5 (2013-2021) draft housing element which is due to the state in October 2013. As a condition of Cycle 4 certification, the City is required to make certain amendments to its zoning code regarding the provision of housing types and sites. ZOA 13-001 addresses three of the four required amendments to the Chapter 90 of the Hemet Municipal Code. The amendments pertain to the provisions of emergency shelters, farmworker housing, and the removal of age restrictions within zoning districts. These zoning requirements are imposed statewide, and many local jurisdictions are in the process of updating their zoning codes. Government Code Section 65583 (4)(A) requires that emergency shelters be permitted by right in at least one zone; additional zones may be identified where emergency shelters may be permitted with a conditional use permit. The proposed ordinance recognized the existing Valley Restart Shelter located on Menlo as being permitted by right. Any additional shelters would be permitted only by conditional use permit in the C-M zone and subject to the requirements of Division 4 to Article X. California Health and Safety Code Section 17021.6 specifies that farmworker housing of up to 36 beds must be included in the definition of agricultural use and may not be restricted by conditional use permit requirements or other zoning requirements. Federal and State laws prohibit local agencies from zoning or restricting housing on the basis of age, including senior-only housing. A developer or homeowners group may propose senior-only housing and restrict its use through its CC&R's. This does not affect existing senior housing complexes and mobile home parks. The proposed amendments encourage the preservations of senior-only communities.

The City Council and staff discussed existing emergency shelter and requirements that would be imposed on any proposed emergency shelters. Valley Restart is permitted by use unless they do any major improvements or expansion.

Ms. Elliano, explained the requirements that might be imposed for any existing senior housing complex or mobile home park to convert.

Council Member Milne, expressed concern with a specific area that has age restricted signage however the residents do not look like seniors.

Ms. Elliano, staff will look into it. The area might have been age restricted at one time or inappropriately designated. There are some Mobile Home parks that were marketed for seniors, however they never had the covenants.

Mayor Youssef declared the Public Hearing opened at 7:24 p.m.

There were no public comments presented at this time.

Mayor Youssef declared the Public Hearing closed at 7:24 p.m.

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

The Ordinance was read by title only.

19. **Zoning Ordinance Amendment 13-006 - Multiple Family Residential Zones –**

Community Development Director Elliano

- a. Conduct a Public Hearing; and
- b. Introduce, read by title only and waive further reading of an ordinance amending Hemet Municipal Code 90 (Zoning Ordinance) to satisfy State housing element law and bring the zoning ordinances into compliance with the General Plan Housing Element Programs, as recommended by Planning Commission Resolution No. 13-008 **Ordinance Bill No. 13-021**; and
- c. Direct staff to file a Notice of Determination with the County Clerk in compliance with the California Environmental Quality Act

Deanna Elliano, Community Development Director, this is the other zoning ordinance amendment necessary to satisfy compliance with the existing Housing Element. This ordinance establishes the R-4 multi-family residential zone to accommodate the General Plan High Density Residential which allows 18.1 to 30 dwelling units per acre and the Very High Density Residential designation which allows 30.1 to 45 dwelling units per acre. This Ordinance also amend the multi-family zoning district regulations and development standards to remove conditional use permit requirements in multi-family zones to allow multi-family housing by right. Staff surveyed other cities with good and updated standards and best practices. New development standards were developed and are included in this amendment. The proposed standards will encourage senior housing.

Mayor Youssef declared the Public Hearing opened at 7:29 p.m.

There were no public comments presented at this time.

Mayor Youssef declared the Public Hearing closed at 7:29 p.m.

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

The Ordinance was read by title only.

Communications from the Public

Donna Banks, Hemet, thanked Mr. Bradley and Chief Reynoso for the follow up. Ms. Bank's announced the community meeting that will be held on August 16th.

Charles Thayer, Hemet, expressed concern with the staffing levels in Police and Fire. The employees are so overworked that they don't have time to help residents. Mr. Thayer asked

why the Fire Department rolls on every ambulance call. This kind of use is hard on equipment. Mr. Thayer recommended that the City Council approve hiring more employees in the Police Department.

City Council Reports

20. 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)

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)

C. Council Member Wright

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

6. Mayor Pro Tem Smith

1. League of California Cities
2. Riverside County Transportation Commission (RCTC)
3. Western Riverside County of Governments (WRCOG)
4. Public Safety Update
5. National League of Cities

Mayor Pro Tem Smith, SCAG's website has a good extensive profile of their participating cities including the City of Hemet.

7. Mayor Youssef

- a. Western Riverside County of Governments (WRCOG)
- b. Riverside County Transportation Commission (RCTC)
- c. Disaster Planning Commission

8. Ad-Hoc Committee Reports

- a. Crime Stoppers Plus Ad-Hoc Committee
- b. West Hemet MSHCP Ad-Hoc Committee

Council Member Milne, RCA was not available for the first meeting. Everyone in attendance agrees on the plan. Currently staff is compiling all of the agencies reports that have been completed already to see if there are additional reports necessary.

9. Interim City Manager Bradley

1. Manager's Reports

Ron Bradley, Interim City Manager, Council Member Wright requested a breakdown of the approved \$900,000 line item for the EMD/Paramedic Programs. The information was provided to the City Council and available for the public.

Ron Bradley, Interim City Manager, the City will be conducting a round table to discuss the development process on Thursday, July 25, 2013. Staff will be available to answer questions and assist.

Ron Bradley, Interim City Manager, the Cooperative Agreement with the California Highway Patrol went into effect on July 22, 2013.

Recess to Housing Authority Meeting

The City Council recessed to the Housing Authority meeting at 7:45 p.m.
Reconvened at 7:51 p.m.

Future Agenda Items

Options for Weston Park

Adjournment

Adjourned at 7:54 p.m. to Tuesday, August 13, 2013 at 7:00 p.m.