



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

September 27, 2011

6:00 p.m.

www.cityofhemet.org

City of Hemet Council Chambers
450 E. Latham Avenue

Please silence all cell phones

Call to Order

Mayor Franchville called the meeting to order at 6:02 p.m.

Roll Call

PRESENT: Council Members Krupa, Smith and Mayor Franchville

ABSENT: Council Member Foreman and Vice Mayor Youssef

Council Member Krupa moved and Council Member Smith seconded a motion to excuse Council Member Foreman and Vice Mayor Youssef. Motion carried 3-0.

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 p.m.

Vice Mayor Youssef arrived at 6:05 p.m.

1. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: City Manager Nakamura
Employee Organizations:
Hemet Mid-Managers Association
Hemet Police Officers Association
Hemet Fire Fighters Association
Communication Workers of America
 2. Conference with Legal Counsel - Anticipated Litigation
Three matters of significant exposure to litigation pursuant to Government Code section 54956.9(b)
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REGULAR SESSION

7:00 p.m.

City of Hemet Council Chambers
450 E. Latham Avenue

Call to Order

Mayor Franchville called the meeting to order at 7:06 p.m.

Roll Call

PRESENT: Council Members Krupa, Smith, Vice Mayor Youssef and Mayor Franchville

ABSENT: Council Member Foreman

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

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

Invocation

Invocation was given by Irene Barnhouse, Hemet-San Jacinto Interfaith Council

Pledge of Allegiance

Pledge of Allegiance was led by Vice Mayor Youssef

City Attorney Closed Session Report

3. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: City Manager Nakamura
Employee Organizations:
 - Hemet Mid-Managers Association
 - Hemet Police Officers Association
 - Hemet Fire Fighters Association
 - Communication Workers of America

The City Council was briefed on the status of negotiations. There was no additional reportable action.

4. Conference with Legal Counsel - Anticipated Litigation
Three matters of significant exposure to litigation pursuant to Government Code section 54956.9(b)

The City Council was briefed on three businesses operating without permits. There was no additional reportable action.

City Council Business Consent Calendar

5. **Approval of Minutes** - September 13, 2011
6. **Receive and file** - Warrant Registers
 - a. Warrant registers dated August 25, 2011 and September 6, 2011. Payroll for the period of August 22, 2011 to September 4, 2011 was \$604,624.24.
7. **Receive and file** - Investment Report as of June 2011
8. **Recommendation by City Manager** - Memorandum of Understanding with HMMA
 - a. Authorize the City's negotiating team to execute the Memorandum of Understanding between the City of Hemet and the Hemet Professional, Administrative & Supervisory employees and the Hemet Mid-Manager's Association (collectively known as the "HMMA") for the period of July 1, 2011 through June 30, 2013
9. **Recommendation by Community Development Director** - Amendment to Development Agreement No. 03-001 (Stoney Mountain Ranch) to extend the time period to complete construction of a 395 single-family residential lot subdivision (Tract 29129), south side of Esplanade, east of Warren Road
 - a. Adopt an ordinance approving the First Amendment to Development Agreement No. 03-001 (Stoney Mountain Ranch) between the City of Hemet and Jeffrey MDM Partners VII, L.L.C.
(Ordinance No. 1841)
10. **Recommendation by City Engineer** - Sewer Easement CUP 07-097 - The Salvation Army, SE corner of Acacia Avenue and Palm Avenue
 - a. Accept the Grant of Easement; and
 - b. Authorize the City Clerk to record it with the County Recorder
11. **Recommendation by City Engineer** - Acceptance of Public Improvements - Parcel Map 32131 – Horseshoe Estates (Rabobank National Assoc.) North side of Eaton Avenue, West of Palm Avenue
 - a. Accept the public improvements, built by the developer of the project in compliance with the corresponding Conditions of Approval for the subject Parcel Map.
12. **Recommendation by Public Works** - Notice of Completion - Well 2 Block Wall and Gate, City Project No. 5557
 - a. Accept the project; and

- b. Instruct the City Clerk's Office to file a Notice of Completion with the County Recorder's Office. The retention and the Labor and Materials Bond will be released after the Notice of Completion is filed and received by the County Recorder's Office. The Performance Bond will be maintained for and released after a period of one year.

Item No. 9 was removed from the Consent Calendar. **Council Member Krupa moved and Vice Mayor Youssef seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 4-0.**

Item No. 9

Council Member Smith, recused himself due to a potential conflict of interest related to campaign contributions.

Vice Mayor Youssef moved and Council Member Krupa seconded a motion to approve this item as presented. Motion carried 3-0.

Communications From the Public

Shellie Milne, Hemet Tea Party, asked the City Council if RFP's have been requested for fire and police services. Ms. Milne asked if staff has compared the all inclusive costs for both departments to other agencies. Ms. Milne asked about the increase in the City Attorney's budget and the City Manager's contract.

Brian Nakamura, City Manager, the City Manager is hired under an At-Will Employment Agreement that can be terminated by the City Council at any time. Mr. Nakamura will follow-up with the City Council on the questions presented by Ms. Milne.

Joy Ward, Hemet, made several suggestions for Harvard Street and asked the City Council to consider putting the original construction dates on the buildings. Ms. Ward asked that the City Council retain the City's history on Harvard Street.

Representative from Saddleback Mobile Home Estates, spoke in support of the Hemet Fire Department. Recommended that the City consider adding paramedics to the department.

Pastor Joyce Thomas, invited the City Council to participate in a youth program on October 29, 2011 at 1:00 p.m. supported by the New Life Christian Fellowship.

Discussion/Action Items

13. **Transfer of 107 E. Mayberry to Hemet Community Land Trust and Demolition of Structure under Neighborhood Stabilization Program 1 - Community Investment Director**
 - a. Approve the transfer of title, and an acquisition loan for 107 E. Mayberry to the Hemet Community Land Trust; and
 - b. Authorize staff to use NSP1 funds to pay costs to date and to demolish the existing structure.

John Jansons, Community Investment Director, staff is requesting that the City assume ownership of 107 E. Mayberry, demolish the structure and transfer it to the Hemet Community Land Trust. The property was purchased to rehabilitate and resale with NSP1 funds. It has been determined that the rehabilitation of this structure is not economically feasible and demolition is recommended. NSP1 funds have been used to purchase 47 foreclosed properties throughout the City, and is successfully improving the housing stock of the City. While NSP1 funds are used to provide acquisition loans for the purchase of eligible properties, private funds are used to improve and rehabilitate each property. These private rehabilitation funds represent approximately \$809,000 in expended or committed private funding since the beginning of the program, thus further leveraging the NSP1 effort. The development partner, Vizcarra Construction and Development, encountered unforeseen problems with the condition of a recently acquired home located at 107 E. Mayberry. Under the circumstances, staff recommends that the home be demolished and the land transferred to the Hemet Community Land Trust. If approved, work will begin in 2 weeks and be completed in October. The property will be land banked for future development.

Vice Mayor Youssef, asked about the Community Land Trust Board.

Eric Vail, City Attorney, there is a quorum, however there are two vacant seats on the Board.

Council Member Krupa, expressed concern with the maintenance of the property after the demolition of the structure.

Mr. Jansons, explained that the property will be leveled with a weed barrier installed.

Council Member Smith, expressed concern with the reimbursement costs to the developer.

Mr. Jansons, these costs represent the work that has been done to date by the contractor to determine the property condition. The demolition costs have been reduced to offset the expenses. The development partners are limited in the upside potential and assisted in this type of scenario.

Brian Nakamura, City Manager, the \$9,000.00 includes the costs to determine the asbestos and lead concerns.

Adam Ellison, CivicStone, the development partner has paid for the report that determined the level of lead and asbestos and has already removed the hazardous materials. If the City chooses not to approve this action, the developer will default on the property and the difference will be made up with NSP funds, that amount will be greater.

Vice Mayor Youssef, either way there will be cost to the City. This action will eliminate one eyesore from the downtown area.

Adam Ellison, 47 properties have been purchased to date through this program, this is the first one that has had a problem. The development partners have made a profit on some, and lost on others. The Building Official also cited some very costly concerns with this property. The structural integrity has been effected by the extensive termite damage.

Mayor Franchville, the NSP1 funds have been used to rehabilitate the City and the money is continuously being used. This program is intended for buildings like this. The City is lucky to have a program to clean up blight like this. Mayor Franchville recommended that steps be taken to protect the surrounding properties and the trees from the termites.

Vice Mayor Youssef moved and Council Member Krupa seconded a motion to approve this item as presented. Motion carried 3-1. Council Member Smith voted No.

City Council Reports

14. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Foreman

1. Park Commission
2. Indian Gaming Distribution Fund

B. Council Member Krupa

1. Library Board
2. Traffic and Parking Commission
3. Airport Land Use Commission (ALUC)
4. Riverside County Habitat Conservation Agency (RCHCA)
5. Riverside Conservation Authority (RCA)

Agencies are suing US Fish and Wildlife Services over the MSHCP.

6. Ramona Bowl Association

Anasazi will continue at the Ramona Bowl through October 1, 2011.

7. Indian Gaming Distribution Fund
8. League of California Cities Annual Conference

Council Member Krupa, will prepare a report for the City Council from the League Annual Conference.

C. Council Member Smith

1. League of California Cities
 - a. Annual Conference

Council Member Smith, excellent Conference put on by the League of California Cities. The league is the lobbying wing for the 400+ California cities. Participation in the League is well invested money. Council Member Smith noted that he worked hard for the City, attended many seminars and was the voting delegate at the Business Meeting. Council Member Smith explained the resolutions that were acted upon by the members.

2. Riverside County Transportation Commission (RCTC)

Staff reported the means and methods are moving toward getting in compliance on the Maintenance of Effort.

3. Planning Commission

D. Vice Mayor Youssef

1. Western Riverside Council of Governments (WRCOG)

Council Member Krupa, a presentation was given by the Green City Coalition regarding the solar issues and the development of the program.

2. Riverside County Transportation Commission (RCTC)

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

- F. Ad-Hoc Committee Reports
 - 1. Refuse RFP Ad-Hoc Committee
 - 2. Veteran's Day Ad-Hoc Committee

G. Town Hall Meeting

Council Member Krupa, reported that the concerns expressed at the Four Season's Town Hall Meeting have been addressed by City staff and the responsible agencies.

- H. City Manager Nakamura
 - 1. Manager's Reports
 - 2. Goal Setting Session

The Goal Setting Session has been scheduled for Saturday, October 29, 2011.

Mayor Franchville will be one of 8 judges for the "Hemet's Got Talent" final, September 30, 2011. The contestants will perform to a sold out crowd at the Downtown Hemet Theater.

Deanna Elliano, Community Development Director, gave the City Council an update of the General Plan. The Draft will be provided to the City Council and made available to the public for review September 30, 2011.

Future Agenda Items

Schedule a joint meeting with the City of San Jacinto.

Adjournment

Adjourned at 7:54 p.m. to Tuesday, October 11, 2011 at 7:00 p.m.