



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

October 14, 2014

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 Smith called the meeting to order at 6:01 p.m.

Roll Call

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

ABSENT: Council Member Youssef, excused

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

Closed Session

Eric Vail, City Attorney, requested that an urgency item that arose subsequent to the preparation of the agenda be added to Closed Session Item No. 2, HPOA v. City of Hemet.

Council Member Wright moved and Council Member Krupa seconded a motion to add the Urgency item. Motion carried 4-0.

Notice of Opportunity for Public Comment

There were no public comments presented at this time.

The City Council recessed to Closed Session at 6:01 p.m.

1. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: City Manager Hill

Employee organization:

Service Employees International Union General Employees

2. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code section 54956.9(d)(1)

Name of cases: Hemet Firefighters Association, et al. v. City of Hemet, et al.

RSC Case No. RIC 1400175

and

HPOA v. City of Hemet

3. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)
-

REGULAR SESSION

7:00 p.m.
City of Hemet City Council Chambers
450 E. Latham Avenue

Call to Order

Mayor Smith called the meeting to order at 7:02 p.m.

Roll Call

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

ABSENT: Council Member Youssef

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

OTHERS PRESENT: City Manager Hill, 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 Mayor Smith

City Attorney Closed Session Report

4. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: City Manager Hill
Employee organization:

Service Employees International Union General Employees

The City Council discussed this item and gave direction. There was no additional reportable action.

5. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(d)(1)
Name of case: Hemet Firefighters Association, et al. v. City of Hemet, et al.
RSC Case No. RIC 1400175
and
HPOA v. City of Hemet

The City Council discussed this item and gave direction. There was no additional reportable action.

6. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)

The City Council discussed this item and gave direction. There was no additional reportable action.

Presentation

7. Proclamation recognizing Gosch Auto Group's 50 years of dedicated service to our Community

Mayor Smith, a couple of weeks ago the Gosch family celebrated 50 years of service in our Valley. Mayor Smith read and presented a proclamation to Eric Gosch that told the history of Gosch Auto Group.

City Council Business Consent Calendar

8. **Receive and File** – Investment Portfolio as of June 2014
9. **Receive and File** – Warrant Registers
- a. Warrant registers dated October 2, 2014 in the amount of \$1,611,062.67 and October 6, 2014 in the amount of \$4,475,626.96. Payroll for the period of September 1, 2014 to September 14, 2014 was \$589,942.66 and September 15, 2014 to September 28, 2014 was \$677,191.80.
10. **Recommendation by Engineering** – Award of Bid for the Citywide Pavement Rehabilitation Project – FY 2014 - CIP No. 5589
- a. Award the contract to the lowest, responsive bidder, R.J. Noble Company for the FY 2014 – Citywide Pavement Rehabilitation Project CIP 5589 in the amount of \$2,076,636 and reject all other bids; and
- b. Authorize the City Manager to enter into a construction contract for the improvements; and
- c. Establish budget in the amount of \$2,076,636 in Measure A Fund No 222-5589-5500 for the cost of construction, \$50,000 in Measure A Fund No. 222-5589-2710 for geotechnical testing and surveying and \$160,000 in Measure A Fund 222-5551, various accounts, for salaries and benefits being the cost of design engineering, construction management, administration, construction engineering and inspection. Total cost of the project is estimated to be \$2,286,636.
11. **Recommendation by Finance** – Third Amendment to Settlement Agreement
- a. Adopt a resolution approving the Third Amendment to Settlement Agreement with the County of Riverside and providing other matters relating thereto.
Resolution No. 4600

12. **Recommendation by Information Technology** – Police Department Toughbook Laptop Refresh
 - a. Approve the purchase of 51 new Toughbook Laptop computers from Insight Public Sector and authorize the City Manager to approve purchase orders in support of this purchase.
13. **Recommendation by Information Technology** – Police Department Multi-Band Portable Radios
 - a. Approve the purchase of 25 new Harris Unity portable radios from Hi-Desert Communications and authorize the City Manager to approve purchase orders in support of this purchase.

Item Nos. 10, 12 and 13 were removed from the Consent Calendar. **Mayor Pro Tem Milne moved and Council Member Wright seconded a motion to approve the remaining Consent Calendar items. Motion carried 4-0.**

Item No. 10

Mayor Pro Tem Milne, asked if any local companies bid on this project.

Victor Monz, Engineer, this project is of a magnitude that only large companies bid on it.

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

Item No. 12

Wally Hill, City Manager, the wrong vendor was identified in the Staff Report. The bid attached to the staff report was from the correct vendor Insight Public Sector.

Mayor Smith, requested an explanation for the purchase of the laptops.

Chief Brown, laptop refresh program was recommended during the City's CIP and will allow the implementation of the progressive technology projects that have been approved like the GPS AVL, the Resource Management System and the Automatic License Plate readers. The field reporting systems will allow the officers more time in the field and less time in the office writing reports.

Mayor Smith, technology changes so quickly, how long will these be in service before they are outdated?

Scott Underwood, the current equipment is 10 years old. It is anticipated that these will last for a period of 5 years before they will have to be replaced.

Mayor Smith, I want the public to know that the City Council continues to upgrade and provide the Police Department with the best tools possible to help make their goals and objectives.

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

Item No. 13

Chief Brown, these are quad band interoperable radios and part of a State wide and country wide initiative to improve the ability of first responders to communicate with each other. We built a robust system that is limited to the valley. This request is for 25 radios. We have matched that request with a grant from the Department of Homeland Security that was used to purchase another 25 radios. The radios will stay with the employees in the event they are deployed from home and need to report straight to the field.

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

Approval of Minutes

14. September 23, 2014

Council Member Krupa moved and Council Member Wright seconded a motion to approve the minutes as presented. Motion carried 4-0.

Successor Agency Consent Calendar

15. **Recommendation by Finance** – Third Amendment to Settlement Agreement
- a. Adopt a resolution approving the Third Amendment to Settlement Agreement with the County of Riverside and providing other matters relating thereto.
Resolution No. 4601
16. **Issuance of Tax Allocation Refunding Bonds** –Deputy City Manager/Administrative Services Director Hurst
- a. Adopt a resolution confirming the issuance of tax allocation refunding bonds pursuant to an indenture of trust, approving preliminary and final official statements and providing other matters relating thereto.
Resolution No. 4602

Council Member Krupa moved and Mayor Smith seconded a motion to approve the Consent Calendar as presented. Motion carried 4-0.

Public Hearing

17. **Comprehensive Fee Schedule** – Deputy City Manager/Administrative Services Director Hurst
- a. Continue open public hearing from September 23, 2014 to elicit public comment; and
 - b. Introduce, read by title only and waive further reading of an ordinance amending Sections 2-379 and 2-380 of the Hemet Municipal Code regarding user fees **Ordinance Bill No. 14-066**; and
 - c. Adopt a resolution adopting new and changed City fees for service per the Comprehensive Fee Schedule **Resolution No. 4603**; and
 - d. Direct staff to amend the proposed ordinance and/or resolution, as needed.

Jessica Hurst, Deputy City Manager/Administrative Services Director, this is a continuation of the public hearing from September 23, 2014. There are a few updates to the draft ordinance that was included in the agenda. In the second whereas, the word "approved" in the first sentence should be replaced with "received". In Section 4, the effective date should read 60 days instead of 30 days. The following Planning fee types were inadvertently omitted from Exhibit A: Foreclosure Registration and re-registration; Residential rental registration and Inspection program fees; Garage sale permit; and Shopping cart impound fee.

There is also a typo on page A-6, the item listed as "CUO-minor" should be "CUP-minor". The proposed resolution has been updated to change the word "accepted" in the eighth whereas to "received". Ms. Hurst gave the City Council a powerpoint presentation on the Comprehensive Fee Schedule. The user fees are charges for direct services and limited by Proposition 218. The objective is to develop a rational basis for setting fees that enhance fairness and equity and establish a level of cost recovery and ensure compliance with State Law. An updatable and comprehensive list has been developed. The process for developing the Comprehensive Fee Schedule included a review of services provided by the Departments. How service costs are represented for existing fees and the consideration of new fees. Determining "reasonable cost" of services both indirect and direct costs. Also establishes a level of cost recovery either full or subsidized. Any portion of service not fully recovered through user fees are supplemented by the General Fund. Staff is recommending that the City Council conduct the continued public hearing. Introduce Ordinance Bill No. 14-066 as amended and adopt Resolution No. 4603 as amended.

Mayor Smith continued the open public hearing at 7:38 p.m.

There were no public comments presented at this time.

Mayor Smith declared the public hearing closed at 7:38 p.m.

Mayor Smith, asked if there have been any correspondence from people who will be impacted by the fee changes.

Ms. Hurst, the BIA submitted a public records request that was completed. No additional correspondence was received.

The City Council thanked staff.

Council Member Krupa moved and Council Member Wright seconded a motion to introduce, read by title only and waive further reading of Ordinance Bill No. 14-066 as amended and adopt Resolution No. 4603 as amended. Motion carried 4-0.

The Ordinance was read by title only.

18. **Appeal No. 14-002 for Denial of Conditional Use Permit No. 14-002 – ABC License Upgrade from a Type 20 License to Type 21 License at an existing gas station in Page Plaza at 1111 Sanderson Avenue** – Community Development Director Elliano

a. Deny the appeal and affirm the Planning Commission's denial of Conditional Use Permit No. 14-003 by adopting **Resolution No. 4604**

or

b. Conceptually grant the appeal, overturning the Planning Commission's denial of CUP 14-003, and continue the public hearing to a date certain, and direct staff and the City Attorney to return with a new Council Resolution for approval of Conditional Use Permit No. 14-003, subject to revise Findings and including appropriate Conditions of Approval and CEQA documentation.

Deanna Elliano, Community Development Director, gave the City Council a powerpoint presentation regarding Appeal No. 14-002 of the Planning Commission's denial of CUP 14-003 for 76 gas station located at Page Plaza. CUP 14-003 is a request to upgrade an existing Type 20 Off-sale ABC License for the sale of beer and wine to a Type 21 ABC License for the sale of beer, wine and distilled spirits; and to make a Finding of Public Convenience or Necessity, due to the existing "undue concentration of licenses" in the Census Tract as required by ABC. The CUP was submitted on April 8, 2014. A Planning Commission public hearing was conducted on July 15, 2014 and continued to August 5, 2014 at which time the CUP was denied. On August

14, 2014 the applicant filed Appeal No. 14-002 and requested a public hearing with the City Council on October 14, 2014. A Zoning Map, a Land Use Map and an aerial map of the area was displayed. Site photos of the business looking northeast from Walmart parking lot and northwest from Sanderson Avenue were displayed. The existing conditions of the business are: 4,000 square foot market/carwash building; store hours are Monday thru Sunday 24 hours with alcohol sales from 6:00 a.m. to 2:00 a.m.; gas station island and pumps (76 gas); there is one manager or assistant manager on duty at all times; there are at least three employees on duty at all times; no exterior or interior modifications are proposed at this time; and it is acknowledged that the owner is a good operator. The applicant proposes the following changes: to use existing spaced dedicated for the sale of beer and wine (+/- 245 square feet); and add approximately 30 square feet of counter space behind the cash register for the display and sale of distilled spirits for a total dedicated space of +/- 275 square feet. There are three sets of findings that must be made to approve the proposed CUP: Conditional Use Permit Findings; Supplemental Findings for Alcohol Sales; and Public Convenience or Necessity Findings. As discussed in the Staff Report and in the proposed resolution affirming the Planning Commission's denial, not all of the required findings were able to be made by the Commission, resulting in the denial of the CUP. ABC sets the threshold for the number of alcoholic beverage sales licenses within a Census Tract and when PCN Findings are required. This tract has 9 general off-sale licenses (Type 20 and Type 21). A maximum of six total are permitted before being considered over-saturated. Census Tract No. 435.04, 2010 population of 7,743 has an allowable ABC concentration of Off-Sale licenses of 6. There are 9 existing Off-Sale licenses, 5 Type 20 and 4 Type 21. There are 8 other Type ABC Licenses in that tract for a total of 17 existing ABC Licenses. A map of the area showing the locations of the existing Type 20 and Type 21 Off-Sale ABC Licenses in Census Tract No. 435.04 was displayed. Responding to the Commission's request for statistics regarding Hemet Police Department calls for service in vicinity of the project, for the period of 1/1/13 through 4/28/14, there were 1,271 calls for service between 1000 S. and 1599 S. Sanderson Avenue. 72 calls were at 1111 Sanderson Avenue and 12 calls for service were related to alcohol issues. From January 1, 2014 through June 30, 2014, there were 2,449 calls for service for retail locations where alcohol is sold for off-site consumption. 691 calls for service were to Type 20 locations. There are 25 Type 20 locations in Hemet for an average of 28 calls per location. 1,758 calls for service were to Type 21 locations. There are 35 Type 21 locations in Hemet for an average of 50 calls per location. The ABC website identifies twelve (12) gasoline stations located within the City that sell alcoholic beverages. All of these have a Type 20 ABC license (beer & wine only). There are also two (2) gas stations in the County areas surrounding Hemet that also have Type 20 licenses. The Commission felt that allowing this 76 gas station to upgrade to a Type 21 General Off-Sale ABC License would set an unwanted precedent for future licensing upgrades at gas stations. The Planning Commission's decision to deny the CUP was based on the following: There is an existing overconcentration of Off-Sale alcohol licenses within the Census Tract; the proximity of existing Type 21 Off-sale consumption licenses to the proposed project is already available to serve the public; Hemet Police Department crime statistics comparing the average number of calls for service to Type 20 versus Type 21 locations indicated that calls are statistically greater at Type 21 locations; the applicant stated that the increase in total sales would be approximately two percent which did not provide an overriding benefit to the City versus the anticipated impact; and no other gas station in the City of Hemet currently sells hard liquor and spirits for off-site consumption. The two letters and associated documents outlining the reasons why the appeal should be

granted were submitted by the applicant and included in the agenda packet. The applicant believes that the information provided in the staff reports and the Police statistics were "inaccurate and misleading" and that is why the Commission denied the CUP. Staff believes the applicant had ample opportunity at two public hearings to state his case to the Commission and that the Commission weighed all of the information and made an informed and considered decision. Property owners within 1,000 feet of the project site were sent notice of the public hearings. Notice was also provided in the newspaper. Staff received one phone call from a resident on Thornton Avenue expressing opposition to the project prior to the July 15th meeting. No members of the public spoke at either Planning Commission public hearing. The Applicant has submitted a petition from customers supporting the license upgrade. The Planning Commission denied the project on August 5, 2014. Under Section 15270(a) of the California Environmental Quality Act (CEQA) Guidelines, CEQA does not apply to projects which a public agency rejects or disapproves. Should the City Council overturn the decision of the Planning Commission and approve the proposed conditional use, then staff will return with an appropriate CEQA action and an appropriate Resolution including appropriate Conditions of Approval for the project at a later date. The City Council can consider one of the following actions: A. Deny the Appeal of CUP 14-003; and adopt a resolution affirming the Planning Commission's decision; or B. Reverse the Planning Commission's decision and conceptually grant the appeal, subject to making the Required Findings, and continue the hearing to direct Staff and the City Attorney to modify the resolution and Conditions of Approval.

Council Member Wright, asked if the 1700 + calls for service include the local restaurants.

Ms. Elliano, confirmed that calls for service at restaurants was not included in that number.

Mayor Smith declared the Public Hearing opened at 7:44 p.m.

Council Member Youssef arrived at 7:46 and recused himself from this discussion due to the close proximity to his primary residence.

Robert Zakar, San Diego, applicant and nephew of the owner. Mr. Zakar has been involved with this business since its conception in 2006. The information presented by staff to the Planning Commission wasn't available to me at the time including the crime statistics. Mr. Zakar also feels that the information presented to the Planning Commission and again today is incorrect and misleading. My hope is to point out the errors and help you make the necessary findings to approve the CUP. Mr. Zakar disagrees that approval of the upgrade will set precedence since the State of California and the County of Riverside allow gas stations to have Type 21 Licenses. We are good business operators that are part of the community, we provide a safe environment and partner with local law enforcement. Regarding the concentration ABC just looks at the number of licenses. We are requesting to upgrade our current license from a Type 20 to a Type 21. Therefore, the number of licenses in that area will not change. Regarding the calls for service, over 500 were for the Walmart store alone which has a Type 21 license by right due to the size of the establishment. Mr. Zakar expressed concern with the Crime Statistics presented. The breakdown by license type clearly shows that the largest number of calls for service for Type 21 licenses are to the big box chain stores. The least number of calls are for the locally owned small convenience stores with Type 21 licenses at an average of 15 calls per year. A majority of the calls for service are not alcohol related. Mr. Zakar disagrees with the Police Department's correlation between the alcohol sales and the crime rates. We are here to be part of this community, if we thought this would be detrimental to anyone, our staff or our customers, we wouldn't be here asking you for this. Mr. Zakar addressed the findings used to deny the CUP. Section 11 speaks about

Public Health Safety and Welfare. In Mr. Zakar's opinion if the Planning Commission had the true crime statistics and correct information they would agree that Public Health and Safety will not be affected. A petition with over 400 signatures from customers that are in support was submitted. There are families and residents here to speak in support of the upgrade. Mr. Zakar noted that Finding #5 states that Walgreen's has a Type 21 Off-sale License. This is not correct Walgreen's only has a Type 20 License. The only nearby Type 21 license location is Walmart which is far from convenient. Mr. Zakar has an issue with Finding #7 and does not feel that it should matter whether the establishment will make additional money or not. Based on the true facts I'm sure the City Council can find the findings to approve the CUP. Approval of this upgrade will empower the City of Hemet to place conditions on this license.

Mayor Pro Tem Milne, asked Mr. Zakar why they did not originally apply for a Type 21 license.

Mr. Zakar, our business partner at the time did not want to spend the additional money.

Yuridia Munshowr, Hemet, spoke in favor of the upgrade. Ms. Munshowr currently shops at Walmart and feels that this would be more convenient.

Sulem Jimenez, Hemet, spoke in favor of the upgrade. I shop there already and this would be more convenient.

Miguel Bedolla, Hemet, spoke in favor of the upgrade. The station is close to my house and they provide good customer service.

Refugio Becerra, Hemet, spoke in favor of the upgrade. The location is convenient and good customer service.

Maria Casian, San Jacinto, spoke in favor of the upgrade.

Adam Tostado, San Jacinto, I stop there on the way home from work in Temecula to get gas and maybe a beer. It would be convenient if they sold liquor also. The facility is well lite and has a number of employees working all of the time. Mr. Tostado has personally witnessed the Manager deal with a shoplifter.

Brian Agha, San Jacinto, I am one of the managers and have worked there since they opened in 2006. The facility is well lite and well managed. The customers signed the petition without hesitation.

Mark Kassab, San Diego, the owner of this location and 6 others. We have 120 employees and their families that I have to worry about. I have had Type 20 and Type 21 Licenses for 35 years and never once had a violation. We are a good operator. I have a proclamation from the City of San Diego to 35 years of service. I sit on the area Planning Commission and the school site council. I am an active part of my community and partner with local law enforcement. This license upgrade will bring in more revenue and more jobs for the local economy.

Joy Ward, Hemet, spoke positively about the operation of the 76 gas station.

Mayor Smith declared the Public Hearing closed at 8:22 p.m.

Council Member Krupa, asked for clarification on Walgreens license type.

Ms. Elliano, the applicant is correct, it was previously noted that Walgreen's had a Type 21. However, staff has confirmed with ABC that Walgreens has a Type 20. There are still 9 Licenses in the Census Tract, 5 Type 21's and 4 Type 20's.

Council Member Krupa, expressed concern with the number of calls for services. Council Member Krupa asked for a response to the applicants concern that the crime statistics are misleading.

Chief Brown, deferred the question to Sgt. Robb Gibbs. The Police Department does not take a position, just provide the information and support staff recommendation.

Sgt. Gibbs, based on my experience I have seen crime rates increase with businesses that sell alcohol. I can't distinguish between Type 20 and Type 21.

Council Member Krupa, asked if the calls are to the establishment or in the vicinity.

Sgt. Gibbs, both, the call can be an on-site incident, or a traffic or pedestrian stop near the business.

Mayor Smith, difficult to quantify these calls, however, you made the statement that when there this alcohol involved there are more calls. This is a concern in our community. There is a concern with concentration among our residents as well as the Police Department.

Council Member Wright, asked if there is a problem with vagrancy in the area.

Sgt. Gibbs, not in the field as a watch commander, the calls for service in that area encompasses almost everything imaginable. It is not specific to the applicants address but in the vicinity, the statistics speak for themselves.

Council Member Wright, recognizes that the center has had its difficulties and concerned that this will just bring additional problems to the center.

Mayor Pro Tem Milne, expressed concern with the liquor stored behind the counter and the potential threat to the employees.

Sgt. Gibbs, that question is very hypothetical. There are no other gas stations in Hemet set up in that manner.

Council Member Wright, recently a gas station on Lyon was denied a Type 20 license. Council Member Wright asked for clarification.

Ms. Elliano, that establishment was asking for a new license to sell beer and wine.

Mr. Zakar, spirits are usually consumed in multiple sittings, taken home and mixed with something, unlike beer. Mr. Zakar again disagrees that the approval of this upgrade would set precedence the City Council still has to find the findings. City Council can deny the next request. Less than 10% of the calls for service are alcohol related. Mr. Zakar addressed Mayor Pro Tem Milne's concern with the liquor being stored behind the counter and noted that this has not been a problem that he has encountered. The Police Department cannot differentiate between an establishment with a Type 20 versus a Type 21 License. The recently denied ABC License at Valero was a new license that would have increased the concentration. This is an upgrade that would not increase the concentration in our Census Tract. Concern was expressed that at some point it might become a liquor store, you have the ability to limit our space and control that. You can require that its primary use is a gas station and a mini market.

Mayor Smith, as a business man I understand that you want to make more money. I disagree that a Type 21 to the only gas station would not set precedence. This community is concerned about the saturation and concentration of ABC Licenses and that is the problem. We have been asked to restrict them when possible. You do have a well ran establishment. I do expect larger establishments to have a great demand for calls.

Council Member Krupa, I was impressed with your presentation and I do understand your entrepreneur spirit. Council Member Krupa acknowledged the letters of support for the family's community involvement and wished more people did the same thing. I disagree that liquor are just another commodity. The community has asked the City Council to look into alcohol and tobacco sales because it is detrimental to our youth. Council Member Krupa expressed concern with setting precedence and the oversaturation.

Mayor Pro Tem Milne, believes in free market principles. However, as a mother of six convenience and ease is a problem. Expressed concern for the employees with liquor stored behind the counter.

Council Member Krupa moved and Mayor Pro Tem Milne seconded a motion to adopt Resolution No. 4604 as amended affirming the Planning Commission's denial of CUP No. 14-002. Motion carried 4-0.

The City Council recessed briefly at 8:43 p.m.
Reconvened at 8:47 p.m.

Discussion/Action Item

19. **Repealing portions of the Hemet Municipal Code related to Duties of the Park Commission and Traffic and Parking Commission** – City Manager Hill
- a. Introduce, read by title only and waive further reading of an ordinance repealing Division 4 of Article IV of Chapter 2 (Park Commission) and Article II of Chapter 78 (Traffic and Parking Commission) of the Hemet Municipal Code, and vesting the duties of those commissions in the Public Works Director and City Engineer, respectively. **Ordinance Bill No. 14-062**

Wally Hill, City Manager, this item proposes to repeal portions of the Hemet Municipal Code relating to duties of the Park Commission and the Traffic & Parking Commission. The intent was to consider streamlining the commissions by combining duties. An Ad-hoc Committee of Mayor Smith and Mayor Pro Tem Milne met with staff to discuss options for consolidating the duties. It was determined that combining the duties would place an extra burden on the Planning Commission. The duties and powers of the two commissions could be transferred to the respective staff and be handled in a more efficient manner. This would relieve staff and remove the stipend from the budget. This is not meant to diminish the important of citizen input. We want to use our volunteers as productively as possible. Due to our lack of funding for new parks and the fact that we do not offer recreation the Parks Commission has been looking at tree removal requests and park use permits, not very meaningful. Traffic & Parking Commission has the same problem a mediocre list of items to discuss. Many of the items that are placed on their agenda are based on standards and traffic warrant studies that are more engineering type of decisions. The City does have some discretion to deviate but that increases the City's liability.

Mayor Smith, asked what process the public would use to air their concerns if these commission are eliminated.

Mr. Hill, staff will make the decision. The requestor can always express their concern at the Council meetings. There is a formal appeal process that would come before the City Council.

Mayor Pro Tem Milne, there have been a number of cancelled meetings. Most of the decisions made are based on laws and/or standards that are recommended by staff. Staff is very accessible to the public. Currently simple requests have to wait until the next scheduled meeting. If these Commissions become necessary in the future they can be reconsidered.

Council Member Krupa, agrees with the efficiency and that staff should make the decisions that staff can. We need to reconsider the scope of work for these commissions. We need to be looking for grant money for parks and have the Park Commission design them. There are a lot of emotions and public testimony when the Traffic and Parking Commission hears citizen's requests for stop signs and traffic studies do not warrant it. I don't think that the Commissioner's serve on these Boards for the stipend.

Council Member Youssef, a number of meetings have been cancelled because there are no items. At this time there is no funding available for projects. If staff can complete these request more efficiently that is what we need do. The Commissions can always be reinstated at a later date.

Council Member Krupa, the Traffic & Parking Commission have only met twice this year. Suspending the Commissions might be a better recommendation than eliminating them. There are other things that we should consider directing these commissions to do. The City needs a Tree Program and a Park Program.

Council Member Wright, concurs that we need to look at what the commissions are doing and reorganize their priority. There are a lot of things that we are not doing for parks and traffic. There are grants available the City of Perris recently received \$4 million dollars for parks. I am not in favor of eliminating the Commissions.

Mayor Pro Tem Milne, the goal was to gain efficiency. Suspending or reorganizing the Commissions might be a better term at this time. We need to take some of the workload off staff. It would be nice if the private sector offered to help out, maybe with grant writing.

CW Cecchi, Traffic and Parking Commissioner, the commission only meets when there are items for the agenda. Mr. Cecchi gave a sample of some concerns that might come before the City Council, such as requests for speed bumps, stop signs and school crossings and concern over the inability to turn left on Florida Avenue or walk across the street in the time allotted at crosswalks.

Council Member Youssef, asked if the Commissions can meet on an as needed basis instead of have a regular meeting schedule.

Eric Vail, City Attorney, the Municipal Code does have a provision that sets up regular meetings. An ordinance can be prepared that will allow for meetings to be called only when necessary.

The City Council directed staff to bring back an ordinance for consideration that would allow the Commissions to meet only as needed. Consider a change in the scope of work allowing the respective staff to approve certain items.

Communications from the Public

Scott Michael Moore, Hemet, expressed concern with the way things are going in Hemet. The homeless cannot get online to look for a place to live with the Library being closed on Monday and Tuesday. The buses don't have numbers on them and the bus waits are too long to the elderly.

Melissa Diaz-Hernandez, Hemet, expressed concern with taxpayer's money being spent on a letter with misinformation regarding contracting with CalFire. Other cities are reporting that they are raising taxes to keep up with the increased cost to provide public safety. How do you propose we keep up with increasing costs that are out of our control? Council Members are elected to represent their constituents.

Joy Ward, Hemet, expressed concern with the money spent to send out the letter regarding contracting with CalFire. Ms. Ward expressed concern that an Assistant was hired to help Mr. Hill. Ms. Ward disagrees that a comparative analysis was conducted in her opinion minds were made up two years ago to contract with CalFire. Ms. Ward also disagrees that the letter is factual and expressed concern with a number of statements that were made.

Frank Taylor, Palm Desert, requested a study session at a later date to present a conceptual program for a small "Unmanned Aerial System" (UAS), previously called drones. No funding is request. Mr. Taylor is a retired Captain from the Sheriff's Department. His

current company, Community Safety Consulting Group is volunteering their time educating the public, the media and the stakeholders on the concept of UAS's.

Andy Anderson, Hemet-San Jacinto Chamber of Commerce, invited the City Council to attend the Annual Harvest Festival to be held on Saturday, October 25th from 9:00 to 4:00 p.m. on Harvard Street.

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

Council Member Krupa attended the Lord Mayor's Presentation at the Ramona Bowl inviting the Ramona Bowl Band to participate in London's 2016 New Year's Parade.

4. Indian Gaming Distribution Fund
5. Riverside Transit Agency (RTA)
6. Watermaster Board

Quarterly TNow meeting was held last week at Mt. San Jacinto College, input was received on bus times, connections and schedules for students.

ICSC held in San Diego on October 1st and 2nd was a great productive show.

Council Member Krupa attended the Village's grand re-opening, attended Student of the Month and participated in the Fun-Tathlon at Valley-Wide's Oldlympics.

Council Member Krupa won a red and blue ribbon for ceramics that she entered in San Jacinto's Ag Festival

B. Council Member Wright

1. Park Commission
2. Planning Commission

Council Member Wright continued discussions regarding a CUP to allow music and dancing a local establishment.

3. Indian Gaming Distribution Fund
4. Riverside County Habitat Conservation Agency (RCHCA)
5. Ramona Bowl Association

Council Member Wright attended the Lord Mayor's reception.

Council Member Wright attended the Hemet Fire Department's Open House and the Hemet Museum Rededication.

Council Member Wright attended the Boy Scouts of America event honoring the Jones Family.

Council Member Wright won a blue ribbon for her painting at San Jacinto's Ag Festival.

Council Member Wright invited the City Council to attend "T.H.E. Center's" annual fundraisers on October 16th and 17th.

Council Member Wright announced that San Jacinto Council Member Mark Bartel has challenge Council Member Youssef to a basketball game during a Mt. San Jacinto's basketball game.

- C. Council Member Youssef
 - 1. Western Riverside County of Governments (WRCOG)
 - 2. Riverside County Transportation Commission (RCTC)

Council Member Youssef announced the early arrival of his son, Logan James Youssef.

- D. Mayor Pro Tem Milne
 - 1. Library Board

Mayor Pro Tem Milne announced that \$1,200 was made at Saturday book sale.

- 2. League of California Cities
- 3. Riverside County Habitat Conservation Agency (RCHCA)
- 4. Riverside Transit Agency (RTA)
- 5. Riverside Conservation Authority (RCA)
- 6. Disaster Planning Commission

Mayor Pro Tem Milne attended the WRCOG meeting. The legislation slated for the next five years was depressing.

Mayor Pro Tem Milne attended ICSC, there was tons of traffic and John Jansons did a great job.

- E. Mayor Smith

- 1. League of California Cities
- 2. Riverside County Transportation Commission (RCTC)
- 3. Western Riverside County of Governments (WRCOG)

Mayor Smith attended a ribbon cutting at Horizon Solar Power

- 4. Public Safety Update
- 5. Hemet Community Activities

Mayor Smith attended Motel 6's grand re-opening.

Chief Brown, Motel 6 gave the Police Department a \$2,000 to be used to show appreciation for the Officer's hard work and dedication.

- F. Ad-Hoc Committee Reports

- 1. Crime Stoppers Plus Ad-Hoc Committee
- 2. West Hemet MSHCP Ad-Hoc Committee
- 3. Regent Development Agreement Ad-Hoc Committee

- G. City Manager Hill

- 1. Manager's Reports
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Future Agenda Items

Workstudy the Unmanned Aerial Systems

Adjournment

Adjourned at 9:38 p.m. to Tuesday, October 28, 2014 at 7:00 p.m.