



# AGENDA

## REGULAR MEETING OF THE HEMET CITY COUNCIL

### September 13, 2011

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**5:00 p.m.**

[www.cityofhemet.org](http://www.cityofhemet.org)

**City of Hemet Council Chambers**

**450 E. Latham Avenue**

Please silence all cell phones

\*Notice: Members of the Public attending shall comply with the adopted Rules of Decorum in Resolution No. 4148. A copy of the Rules of Decorum are available from the City Clerk.

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### Call to Order

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### Roll Call

ROLL CALL: Council Members Foreman, Krupa and Smith, Vice Mayor Youssef and Mayor Franchville

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### Presentation

1. Presentation of the State of California Golden Bear Awards
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### Work Study Session

2. MFI Recovery Centers - Andrea De Leon, Director of Business Development  
Discussion regarding this item, with possible direction to staff
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### Commission Appointments

3. **Rent Review Commission Interviews**
    - a. Park Resident Position
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### Closed Session

#### Notice of Opportunity for Public Comment

Members of the Public may comment upon any identified item on the closed session agenda. Since the Council's deliberation on these items is confidential, the City Council and City Staff will not be able to answer or address questions relating to the items other than procedural questions. At the conclusion of the closed session, the City Attorney will report any actions taken by the City Council which the Ralph M. Brown Act requires to be publicly reported.

4. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: City Manager Nakamura  
Employee Organizations:  
Hemet Mid-Managers Association  
Service Employees International Union (SEIU) General Employees  
Hemet Police Officers Association
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## **REGULAR SESSION**

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

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### **Call to Order**

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### **Roll Call**

ROLL CALL: Council Members Foreman, Krupa and Smith, Vice Mayor Youssef and Mayor Franchville

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### **Invocation**

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### **Pledge of Allegiance**

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### **City Attorney Closed Session Report**

5. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: City Manager Nakamura  
Employee Organizations:  
Hemet Mid-Managers Association  
Service Employees International Union (SEIU) General Employees  
Hemet Police Officers Association
-

## City Council Business

### Notice to the Public

The Consent Calendar contains items which are typically routine in nature and will be enacted by one motion by the Council unless an item is removed for discussion by a member of the public, staff, or Council. If you wish to discuss a Consent Calendar item please come to the microphone and state the number of the item you wish to discuss. Then wait near the lectern. When the Mayor calls your item give your last name, and address, then begin speaking. You will have three minutes at that time to address the council.

### Consent Calendar

6. **Recommendation by Council Member Foreman** - Park Commission Appointment
  - a. Appoint Joe Cagliero to Seat 2 on the Park Commission to fill an unscheduled vacancy. The term will expire April 1, 2012.
7. **Recommendation by Vice Mayor Youssef** - Traffic and Parking Commission Appointment
  - a. Appoint Donald Funkhouser to Seat 3 on the Traffic and Parking Commission. The term will expire April 1, 2013.
8. **Approval of Minutes** - July 12, 2011
9. **Approval of Minutes** - July 21, 2011
10. **Approval of Minutes** - August 9, 2011, Special Meeting
11. **Approval of Minutes** - August 9, 2011
12. **Approval of Minutes** - August 25, 2011
13. **Approval of Minutes** - September 1, 2011
14. **Receive and file** - Warrant Registers
  - a. Warrant registers dated July 28, 2011, August 3, 2011 and August 11, 2011. Payroll for the period of July 25, 2011 to August 7, 2011 was \$599, 860.54 and August 8, 2011 to August 21, 2011 was \$584,411.44.
15. **Recommendation by City Manager** - Side Letter of Agreement with Hemet Mid-Manager's Association
  - a. Approve the Side Letter of Agreement between the City of Hemet and the Hemet Mid-Managers Association (HMMA) effective September 19, 2011.

16. **Recommendation by Deputy City Manager** - Adoption of the Public Safety Director Job Description
  - a. Approve the job description for the Public Safety Director job classification, an At-Will position.
17. **Recommendation by Finance Director** - Budget amendment for legal service from Burke, Williams & Sorenson, LLP.
  - a. Authorize the Finance Director to amend the FY 2010-2011 final budget to reflect the actual amount of charges incurred for legal services from Burke, Williams & Sorenson, LLP.
18. **Recommendation by Finance Director** - Consultant Services Agreement with Teaman, Ramirez and Smith, Inc. for Independent Financial Audit Services
  - a. Approve the Consultant Services Agreement between Teaman, Ramirez, and Smith, Inc. (TRS) and the City of Hemet for annual independent financial audit services for the fiscal years ending June 30, 2011, 2012 and 2013 with the option of extending the agreement for an additional two years.
19. **Recommendation by Director of Engineering/City Engineer** - Approval of an "Abutter's Access Agreement" for a property located at 3890 English Drive (APN: 438-321-001)
  - a. Approval an agreement to allow additional access for the subject site.
20. **Recommendation by City Attorney** - Ordinance Allowing for Self-Hauling of Solid Waste
  - a. Adopt an ordinance creating a permitting procedure that would allow self-hauling of solid waste in lieu of utilizing the City's solid waste collection services.  
**(Ordinance Bill No. 11-086)**
21. **Recommendation by Chief of Police** - 2011 Federal Justice Assistance Grant (JAG) Automated License Plate Reader Pilot Program
  - a. Accept the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program-Local Solicitation in the amount of \$38,716.; and
  - b. Upon receipt of the award, direct the Finance Department to establish an expenditure account and budget for the Automated License Plate Reader Pilot Program.
22. **Recommendation by Chief of Police** - California State Office of Traffic Safety (OTS) Grant Acceptance
  - a. Accept the 2011/12 California State Office of Traffic Safety (OTS) Grant in the amount of \$141,868; and
  - b. Upon receipt of the award, direct the Finance Department to establish an expenditure account and budget for the grant performance period.

23. **Recommendation by City Engineer** - Award of Bid; Hospital Sewer Rehabilitation CIP NO. 5563 - Supplemental Appropriation
  - a. Approve the contract award with Hemet Manufacturing Co., Inc. dba Genesis Construction for construction of a Hospital Sewer Rehabilitation Project No. 5563 in the amount of \$45,777 and reject all other bids; and
  - b. Approve a supplemental appropriation in the amount of \$45,777 in Fund No. 254-4600-5400 to cover the construction costs and \$3,500 in Fund No. 254-4600-5400 for geotechnical testing.
  
24. **Recommendation by City Engineer** - Notice of Completion - Missing Link Sidewalk and Access Project, City Project No. 5545
  - a. Accept this project; and
  - b. Instruct the City Clerk's office to file a Notice of Completion with the County Recorder's Office. The 10% retention and the Labor and Materials Bond will be released after the Notice of Completion is filed with and received by the County Recorder's Office. The Performance Bond will be maintained for an released after a period of one year.
  
25. **Recommendation by City Engineer** - Notice of Completion - Traffic Signal and Street Improvements, City Project No. 5525 and Supplemental Appropriation for Final Quantities
  - a. Accept this project; and
  - b. Instruct the City Clerk's Office to file a Notice of Completion with the County Recorder's Office. The 10% retention and the Labor and Materials Bond will be released after the Notice of Completion is filed with and received by the County Recorder's Office. The Performance Bond will be maintained for and released after a period of one year; and
  - c. Increase the appropriation in Fund No. 329-5525-5500 \$32,467.70 to account for scope changes including traffic signal gear, pavement removal, excavation, grading and the final quantity field measurements of asphalt concrete and handicap ramps.
  
26. **Recommendation by City Engineer** - Installation of Banners Across Florida Avenue
  - a. Hemet/San Jacinto Valley Chamber of Commerce - Harvest Kick-Off, October 1, 2011
  - b. City of Hemet - Fire Department Open House, October 8, 2011
  - c. National Alliance of Mental Illness (NAMI) - NAMI Walks, October 29, 2011
  - d. Friends of Valley Wide Foundation - Autumn Elegance November 5, 2011
  - e. Valley Wide Recreation and Park District - Cowboy Christmas Festival December 7 - 10, 2011.

27. **Recommendation by Public Works** - Park Commission Recommendations
- a. Tree removal request - 1701 E. Florida Avenue - Pine (1)  
Recommendation to approve request and not replace
  - b. Tree removal request - 1417 and 1431 Cabrillo Drive - African Sumac (1)  
Recommendation to deny removal; approve to schedule light trim
  - c. Tree removal request - Southeast corner of Thornton Ave. and Fisher St. - Washington Palm (3)  
Recommendation to approve removal request and replace. w/Brian
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## **Communications From the Public**

Anyone who wishes to address the Council regarding items not on the agenda may do so at this time. As a courtesy, please complete a Request to Speak Form, found at the City Clerk's desk. Submit your completed form to the City Clerk prior to the beginning of the meeting. Presentations are limited to three minutes in consideration of others who are here for agenda items. Please come forward to the lectern when the Mayor calls upon you. When you are recognized, you may proceed with your comments.

***\*Notice: Members of the Public attending shall comply with the adopted Rules of Decorum in Resolution No. 4148. A copy of the Rules of Decorum are available from the City Clerk.***

State law prohibits the City Council from taking action or discussing any item not appearing on the agenda except for brief responses to statements made or questions posed by the public. In addition, they may, on their own initiative or in response to questions posed by the public, ask a question for clarification, provide a reference to staff or other resources for factual information, or request staff to report back to them at a subsequent meeting. Furthermore, a member of the City Council or the council itself may take action to direct staff to place a matter of business on a future agenda.

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## **Public Hearings**

The Council's procedure for public hearings will be as follows: The Mayor will ask the City Manager for the staff report; the City Manager will call on the appropriate staff member for the report. The City Council will ask for clarification of items presented, if needed. The Mayor will open the public hearing: ask for comments from those **IN FAVOR** of the case; ask for comments **IN OPPOSITION** to the case; and finally for rebuttal to any comments made. The Mayor will then **CLOSE THE PUBLIC HEARING**. The Mayor will ask the City Manager to respond to any questions raised by the public (the public will **not** have the opportunity to respond). The matter will then be discussed by members of the City Council prior to taking action on the item.

28. **Amendment to Development Agreement No. 03-001 (Stoney Mountain Ranch) to extend the time period to complete construction of 395 single-family residential lot subdivision (Tract 29129), south side of Esplanade, east of Warren Road** - Community Development Director Elliano
  - a. Continued from August 9, 2011, conduct a public hearing; and
  - b. Introduce, read by title only and waive further reading of 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 Bill No. 10-016)**
  
29. **Amendments to the 2009/10 and 2011/12 Program Year Community Development Block Grant (CDBG) Annual Action Plans** - CDBG Coordinator Callahan
  - a. Conduct a public hearing; and
  - b. Approve the amendments to the 2009/10 and 2011/12 Program Year Community Development Block Grant Annual Action Plans
  
30. **Second and Final Extension of Interim Urgency Moratorium on Tobacco Stores and Hookah Lounges** - Community Development Director Elliano
  - a. Conduct a public hearing; and
  - b. Adopt an interim urgency ordinance continuing the provisions of Ordinance No. 1831 for a period of one (1) year establishing a moratorium on tobacco stores (smoke shops) and hookah lounges in the City pending completion of a comprehensive update to the City's General Plan and Zoning Ordinances.  
**(Ordinance Bill No. 11-089)**
  
31. **Extension of Interim Urgency Ordinance Regulating Conversion of Large Retail Commercial Buildings to Non-Retail Uses** - Community Development Director Elliano
  - a. Adopt an Interim Urgency Ordinance continuing the provision of Ordinance No. 1838 for a period of ten (10) months and fifteen (15) days adopting restrictions on and procedures for the conversion of large retail commercial buildings to non-retail uses. This ordinance, if adopted, will be effective until September 21, 2011.  
**(Ordinance Bill No. 11-090)**
  
32. **2010 City of Hemet Urban Water Management Plan** - Environmental Service Manager Nixon
  - a. Adopt a resolution adopting the updated 2010 City of Hemet Urban Water Management Plan, as required by the Urban Water Management Planning Act and the Water Conservation Bill of 2009  
**(Resolution Bill No. 11-091)**

## City Council Reports

### 33. 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)
6. Ramona Bowl Association
7. Indian Gaming Distribution Fund

#### C. Council Member Smith

1. League of California Cities
2. Riverside County Transportation Commission (RCTC)
3. Planning Commission

#### D. Vice Mayor Youssef

1. Western Riverside Council of Governments (WRCOG)
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
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#### G. City Manager Nakamura

1. Manager's Reports
  2. National League of Cities, Annual Business Meeting, Saturday, November 12, 2011, 2:30 to 4:30 p.m. in Phoenix, AZ, Appointment of Voting and Alternate Voting Delegates
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## **Continued Closed Session**

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### **City Attorney Continued Closed Session Report**

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#### **Future Agenda Items**

If Members of Council have items for consideration at the next City Council meeting, please state the agenda item to provide direction to the City Manager.

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#### **Adjournment**

Adjourn to Tuesday, September 27, 2011 at 7:00 p.m. for considerations of items placed on that agenda. The next regular meeting will be held October 11, 2011.

*Staff reports and other disclosable public records related to open session agenda items are available at the City Clerk's Office or at the public counter located at 445 E. Florida Avenue during normal business hours.*