



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

December 9, 2014

7:00 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 7:02 p.m.

Roll Call

PRESENT: Council Members Krupa, Wright, Youssef and Mayor Smith

ABSENT: Mayor Pro tem Milne

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

Invocation

Invocation was given by Marie James, Hemet-San Jacinto Interfaith Council

Pledge of Allegiance

Pledge of Allegiance was led by Council Member Youssef

Approve of Minutes

1. November 18, 2014

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

Certification of Election

2. **Certification of Election Results** - City Clerk McComas

a. Adopt a resolution reciting the fact of the Consolidated General Election held on November 4, 2014, declaring the results.

Resolution No. 4609

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

Presentation

3. Presentations to Mayor Smith

Council Member Youssef, presented Mayor Smith with a crystal gavel for his service as Mayor. I've known you for 14 years and it has been a pleasure to know you and work with you. Whether your decisions were popular or not, you have done a great job. At your first meeting the City Council discussed the possibility of bankruptcy in closed session. Council Member Youssef presented Mayor Smith with a City of Hemet Street Sign saying "Larry Smith Hwy", this is a reminder of your work with RCTC and WRCOG and your efforts on Highway 79 realignment.

Arnold San Miguel, SCAG, presented Mayor Smith with a Proclamation for his commitment to SCAG.

The City Council recessed briefly at 7:12 p.m.

Reconvened at 7:16 p.m.

Oath of Office

4. City Clerk will administer the Oath of Office to the newly elected Council Members Linda Krupa and K. Paul Raver

City Clerk McComas administered the Oath of Office to newly elected Council Members.

The City Council recessed briefly at 7:19 p.m.

Call to Order

Council Member Youssef called the meeting to order at 7:25 p.m.

Roll Call

PRESENT: Council Members Krupa, Raver, Wright and Youssef

ABSENT: Council Member Milne

Council Member Krupa moved and Council Member Raver seconded a motion to excuse Council Member Milne. Motion carried 4-0.

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

Council Reorganization

5. City Clerk to Call for Nominations for the Office of Mayor

City Clerk McComas called for nominations for the Office of Mayor.

Council Member Wright moved and Council Member Youssef seconded a motion to nominate Council Member Krupa for the Office of Mayor. Motion carried 4-0.

6. Mayor to Call for Nominations for the Office of Mayor Pro Tem

Mayor Krupa, called for nominations for the Office of Mayor Pro Tem.

Council Member Youssef moved and Council Member Raver seconded a motion to nominate Council Member Wright for the Office of Mayor Pro Tem. Motion carried 4-0.

The City Council recessed briefly at 7:28 p.m.

Council Member Youssef left at 7:28 p.m.

Reconvened at 7:35 p.m.

Presentation

7. Recognition of Janine Reitenbach and Rick Hoffman's 25 Years of volunteerism in support of the Hemet Christmas Parade

Mayor Krupa, presented Janine Reitenbach and Rick Hoffman with plaques recognizing their volunteerism announcing for the Christmas parade for over 20 years.

Rick Hoffman, encouraged the City of Hemet to continue to support the Christmas Parade, it takes staff and public works to continue to make it a success.

Mayor Pro Tem Wright, as a judge for many years, sharing the stage with these two who are devoted to the community was a pleasure.

City Council Business Consent Calendar

8. **Receive and File** – Investment Portfolio as of September 2014
9. **Receive and File** – Warrant Registers
- a. Warrant registers dated November 13, 2014 in the amount of \$1,376,717.17 and November 6, 2014 in the amount of \$1,827,625.81. Payroll for the period of October 27, 2014 to November 9, 2014 was \$621,655.33 and November 10, 2014 to November 23, 2014 was \$571,964.97.
10. **Recommendation by City Manager** – Ratification of Appointment of Interim Fire Chief
- a. Ratify the City Manager's appointment of Scott Brown as Interim Fire Chief effective December 3, 2014.
11. **Recommendation by City Clerk** – Destruction of Certain Records
- a. Adopt a resolution authorizing the destruction of certain fire and finance department records. **Resolution No. 4610**
12. **Recommendation by Finance** – Request to Increase Appropriation for Workers Compensation Insurance
- a. Authorize the Deputy City Manager/Administrative Services Director to record a supplemental appropriation from available fund balance in the amount of \$119,723 in the Worker's Compensation Fund (Fund 681) for payment of additional premium for fiscal year 2013/14.

13. **Recommendation by Finance** - Comprehensive Fee Schedule
 - a. Adopt an ordinance amending Sections 2-379 and 2-380 of the Hemet Municipal Code regarding user fees **Ordinance Bill No. 14-066**
14. **Recommendation by Finance** – Amendment of Certain User Fees
 - a. Adopt a resolution to amend certain fees for service adopted by Resolution No. 4603. **Resolution Bill No. 14-081**
15. **Recommendation by Community Development** - Zoning Ordinance Amendment No. 14-005 (Congregate Care Facilities)
 - a. Adopt an ordinance approving ZOA 14-005, a City-initiated action amending Chapter 90 (Zoning) of the Hemet Municipal Code to update and expand the definitions to certain types of congregate living facilities, and to establish their use in the Multiple Family Residential Commercial, Downtown, and Institutional Zones. **Ordinance No. 1892**
16. **Recommendation by Police** – FY14/15 State COPS Allocation Expenditure Plan
 - a. Accept the 2014-2015 State COPS award of \$128,764; and
 - b. Approve the proposed expenditure plan for the \$128,764 in State COPS funding for 2014-2015; and
 - c. Upon award of the allocation, authorize increase in revenues of \$128,764 and increase in appropriation in the amount of \$128,764 to accounts to be assigned by Finance based on the approved expenditure plan.
17. **Recommendation by Police** – 2014 State Homeland Security Program (SHSP) Grant for purchase of Interoperable Handheld Radios
 - a. Accept the 2014 State Homeland Security Program Grant in the amount of \$79,444; and
 - b. Authorize the finance department to establish an expenditure account and budget in the amount of \$79,444.
18. **Recommendation by Engineering** – Dedication of Right-Of-Way – Realignment of Warren Road, north of Mustang Way, Rancho Diamante Investments, LLC (Strata/Benchmark Pacific)
 - a. Accept the Grant Deed, for right-of-way purposes; and
 - b. Authorize the City Clerk to record it with the County of Riverside Recorder’s Office.
19. **Recommendation by Fire** – FY 2014 Emergency Management Performance Grant (EMPG) Award
 - a. Accept the grant approved by the California Office of Emergency Services (CalOES) for the Riverside County’s FY14 Emergency Management Performance Grant Program in the amount of \$22,103; and
 - b. Approve expenditure of funds to purchase supplies and equipment, and to fund the current Emergency Services Coordinator (50% of the salary) to support the Hemet Fire Department Emergency Services program; and
 - c. Adopt a resolution designating an authorized agent under the FY14 Emergency Management Performance Grant Program (EMPG). **Resolution No. 4611**

20. **Recommendation by Community Investment** – Contract with North Star Destination Strategies for City Branding Campaign
 - a. Authorize the City Manager to execute a contract with North Star Destination Strategies, Inc. to develop a branding strategic plan and a new “brand” for the City of Hemet, and
 - b. Appropriate \$70,000 from the General Fund uncommitted fund balance into the Economic Development Department, FY14-15 budget account #120-8500-2710.

21. **Recommendation by Community Investment** – Second Amendment to Lease of Real Property located at 250-256 East Meier Street to Amerco Real Estate, DBA U-Haul Center of Hemet
 - a. Approve Second Amendment to Lease of Real Property located at 250-256 East Meier Street to Amerco Real Estate, DBA: U-Haul Center, Hemet, CA; and
 - b. Authorize the City Manager to execute the lease amendment.

22. **Recommendation by Information Technology** – Tyler Technologies Eden ERP Financial Software
 - a. Approve the annual support and maintenance for continued use of the Tyler Technologies Eden ERP Financial Software and authorize the City Manager to approve purchase orders in support of this purchase.

Item No. 18 was removed from the Consent Calendar by City Manager Hill.

Item Nos. 10, 13, 14, 20 and 21 were removed from the Consent Calendar. **Mayor Pro Tem Wright moved and Council Member Raver seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 3-0.**

Item No. 10

Council Member Raver, request that the City Manager begin recruiting for a full time Fire Chief.

Wally Hill, City Manager, Item No. 23 on the agenda is regarding the referendum. The City Council will have to make a choice. If the choice is to reverse the September 9th decision recruitment efforts will begin immediately. If not, an interim will remain in place pending the outcome of an election.

Council Member Raver moved and Mayor Pro Tem Wright seconded a motion to approve this item as presented. Motion carried 3-0.

Item Nos. 13 & 14

Council Member Raver, expressed concern with the fees and requested that these items be continued to January 13, 2015 allowing him additional time to review the documents.

Eric Vail, City Attorney, the City’s current fee schedule will remain in place. Depending on the outcome of Council Member Raver’s review the item will either come back as a consent calendar item or need to be re-noticed for another public hearing. The fees will not become effective until 60 days after the adoption of the ordinance.

Council Member Raver moved that the item be continued to January 13, 2015.

Council Member Raver, further expressed his concerns with fees particularly public safety fees. The documents do not indicate how these fees will be implemented.

Mr. Vail, Item No. 13 is the adoption of the ordinance that authorized the fees. This ordinance does not set the fee itself, just adopts the fee study including the methodology.

Council Member Raver's motion failed due to lack of second.

Mr. Vail, the ordinance must be adopted by at least 3 Members of the City Council.

Item Nos. 13 & 14 were continued to January 13, 2015.

Item No. 20

Mayor Krupa, recommended that this item be removed until the City Council is able to convene a Strategic Planning Session.

Council Member Raver moved to remove this item. Motion failed due to lack of a second.

Mayor Krupa moved and Mayor Pro Tem Wright seconded a motion to remove this item from the Consent Calendar and discuss it at the Strategic Planning Session. Motion carried 2-1. Council Member Raver voted No.

Item No. 21

Council Member Raver, asked if there have been any discussions regarding a potential lease/purchase with the tenant.

John Jansons, Community Investment Director, the property is part of the larger parcel owned by the City that includes the potato shed. If the City were to consider development or sale of the property it would do so in its entirety.

Council Member Raver moved and Mayor Pro Tem Wright seconded a motion to approve this item as presented. Motion carried 3-0.

Discussion/Action Item

23. **Consideration of validated petition regarding the Council's September 9, 2014 decision to enter into a five year Cooperative Agreement with Riverside County Fire to provide fire and emergency medical services for the City of Hemet** – City Manager Hill

- a. Reverse the September 9, 2014 decision to enter into a five year Cooperative Agreement with Riverside County Fire to provide fire and emergency medical services for the City of Hemet with a term of July 1, 2015 through June 30, 2020, and items 14b, 14c and 14d from September 9, 2014; or
- b. Submit the Council's September 9, 2014 decision to enter into a five year Cooperative Agreement to a voter referendum.

Wally Hill, City Manager, on September 9th the City Council made the decision to enter into a five-year Cooperative Agreement with Riverside County Fire to provide fire and emergency medical services as well as other related action items. Subsequent to that a referendum petition was received requesting that the item be submitted to a referendum. The Riverside County Registrar of Voters examined the petition and found it to be sufficient. The City Council now has the option of reversing the September 9, 2014 decision in its entirety or submit the issue to the voters at an election to be called. Staff believes that the earliest election would be June 6th with an estimated cost of \$67,000 to \$100,000.

Mayor Pro Tem Wright made a motion to approve Item No. 23.a.

Council Member Raver, requested that the Item be amended and distributed a letter to the City Council.

Eric Vail, City Attorney, summarized the request by Council Member Raver. The letter is requesting that direction be given to staff to prepare an ordinance to be placed on a future ballot as a Measure to require that any future attempt to outsource public safety departments would require a vote of the residents. Direction can be given to staff however the language cannot be approved at this time.

Council Member Raver made a substitute motion to approve Item 23.a and amend the item to include the requested direction to staff. Motion failed due to lack of a second.

Mayor Pro Tem Wright moved and Council Member Raver seconded a motion to approve Item 23.a. Motion carried 3-0.

Mayor Krupa, requested that staff follow-up with the County of Riverside regarding the decision.

Eric Vail, City Manager, confirmed that the County of Riverside did not approve the agreement, so no further action by the County is necessary.

Bob Jungbloth, Hemet, expressed concerns that false information presented by representatives of the County of Riverside during the previous meetings.

24. **Support for legislative action allowing body-contact uses at Diamond Valley Lake** – City Manager Hill

- a. Adopt a resolution supporting legislation permitting body-contact uses at Diamond Valley Lake. **Resolution Bill No. 14-078**

Wally Hill, City Manager, this item was placed on the agenda at the request of Council Member Youssef. The item can be continued until Council Member Youssef is present to participate in the discussion.

Lori VanArsdale, Hemet, this is a new Council, but not a new topic. There have been a number of studies done on the economic impact, the water contact issues, health and safety. I would encourage the City Council and staff to review John Husing and Mark Goldberg's previous studies. Do some homework before you take this request to MWD.

Howard Rosenthal, Hemet, expressed concerns with the request for body contact at Diamond Valley Lake. The allowance of body contact at Lake Perris has not generated additional economic revenue for Perris. There are no new hotels or new restaurants as result of that allowance. Instead you have a smelly body of water.

Tami Wilhelm, Hemet, previously on the committee and agrees that body contact might kill fish. Ms. Wilhelm feels that body contact might also mitigate the economic impact from the loss of specific plans that might have been developed on that property. Ms. Wilhelm suggested that discussions with MWD be considered. A well designed specific plan around the lake could be a revenue generator.

Mayor Pro Tem Wright, recommended that discussions with Metropolitan Water District be conducted regarding this request prior to moving forward.

Council Member Raver, would also like to see full development of the area around the lake. Council Member Raver concurred that discussions with MWD should occur prior to moving forward.

Mayor Krupa, agreed that discussions with MWD should be considered. Mayor Krupa also recommended that previous studies be reviewed prior to moving forward.

Mayor Pro Tem Wright moved and Council Member Raver seconded a motion to remove this item. Motion carried 3-0.

Joy Ward, Hemet, I've lived here 25 years and MWD promised me a swimming lake, I would like to know where it is?

The City Council recessed to the Housing Authority Meeting at 8:19 p.m.
Reconvened at 8:20 p.m.

Communications from the Public

Bob Jungbloth, Hemet, explained a situation that happened at a Hemet Unified School District Bond Council meeting that was held after the September 9th City Council meeting and again expressed his concerns with the representatives from Riverside County Fire.

Melissa Diaz-Hernandez, Hemet, disagreed with the comments said by Council Member Youssef about Larry Smith. Ms. Diaz-Hernandez feels that Larry Smith undervalued the employees of the City and underestimated the citizens of Hemet. The City is lucky to have Chief Dave Brown and the City Council needs to back up his department and employees. The Fire Department did more than fight to maintain local control their fight brought the city back to life. The residents need the City Council to commit to moving this City toward being the best version of itself.

Nicole Tamez, Hemet, requested that the City consider painting a red curb along California Avenue. Employee parking for Horizon Solar impedes the vision for safe turns. Ms. Tamez also asked the City to contact CalTrans regarding the light at Florida and California, hoping that the completion of that light will help with the traffic concerns on California Avenue.

Mayor Krupa, asked staff to follow-up with Ms. Tamez.

Anthony Poe, Salvation Army, thanked Mayor Pro Tem Wright for helping them serve over 450 Thanksgiving meals. Lt. Poe requested permission for Salvation Army to be a warming center.

Eric Vail, City Attorney, last year the City Council approved a warming center with specific terms. The City Council can direct staff to bring this back as an action item on January 13, 2015 or if the weather might require a warming center prior to that date the City Council can add this as an urgency item to the agenda.

Mayor Pro Tem Wright moved and Council Member Raver seconded a motion to add an urgency item to the agenda. Motion carried 3-0.

Mayor Krupa moved and Mayor Pro Tem Wright seconded a motion to approve the Salvation Army as a warming center with the same conditions as last year. Motion carried 3-0.

City Council Reports

25. CITY COUNCIL REPORTS AND COMMENTS

A. Mayor Krupa

1. Traffic and Parking Commission

The Commission discussed speed surveys that will come before the City Council at a subsequent meeting.

2. Riverside Conservation Authority (RCA)

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

Mayor Krupa attended the Chief's Luncheon at the San Bernardino Sheriff's Academy. Chief Brown spoke on Ethics. Hemet's three new officer's Marshall, Perez and Datil will graduate on Thursday, December 11th.

B. 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

Mayor Pro Tem Wright attended the joint Chamber of Commerce mixer.

Mayor Pro Tem Wright assisted the Salvation Army on Thanksgiving.

Mayor Pro Tem Wright participated in and complimented the successful Christmas Parade.

C. Council Member Youssef

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

D. 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)
6. Disaster Planning Commission

E. Council Member Raver

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
2. Schedule a Federal Legislative Update – David Turch and Associates

Wally Hill, David Turch and Associates would like to give the City Council a Legislative update.

The City Council gave direction to staff to schedule the update in January.

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 8:38 p.m.

26. 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
Hemet Fire Fighters Association*

27. 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*

28. Conference with Legal Counsel - Anticipated Litigation

One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)

Reconvened at 9:56 p.m.

City Attorney Closed Session Report

29. 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
Hemet Fire Fighters Association*

The City Council received an update from the negotiating team regarding SEIU. The City Council received an update on the HFFA and gave direction to re-open negotiations for a successor MOU and recognized that its resolution of impasse adopted on September 9th is no longer valid since the City Council rescinded its vote to contract with CalFire. There were no additional reportable actions.

30. 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*

The City Council received an update and brief from the City Attorney. There were no additional reportable actions.

31. Conference with Legal Counsel - Anticipated Litigation

One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)

The City Council received an update from the City Attorney. There was no additional reportable action.

Future Agenda Items

Workstudy regarding a ballot measure requiring a majority vote to outsource public safety departments.

External funding for the projects

Town Hall meetings

Budget workstudy sessions

Strategic Planning

Adjournment

Adjourned at 10:08 p.m. to Tuesday, January 13, 2015 at 7:00 p.m.