



AGENDA

REGULAR MEETING OF THE HEMET CITY COUNCIL

August 9, 2011

3:00 p.m.

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.

Call to Order

Roll Call

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

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.

1. Conference with Real Property Negotiators
Pursuant to Government Code section 54956.8
Property: APN: 456-050-013 and 456-050-022
Agency negotiator: City Manager Nakamura
Negotiating parties: Stetson Crossing Partners, LLC
Under negotiation: Disposition, Price and Terms
2. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: City Manager Nakamura
Employee Organizations:
 - Service Employees International Union (SEIU) General Employees
 - Hemet Mid-Managers Association
 - Hemet Fire Fighters Association

3. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(a)
Names of cases: MSK v. City of Hemet
Toungel v. City of Hemet & Eastern Municipal Water District
 4. Conference with Legal Counsel - Anticipated Litigation
1 matter 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

Roll Call

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

Invocation

Pledge of Allegiance

City Attorney Closed Session Report

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Presentation

9. Oath of Office and Pinning of Police Chief Dave Brown
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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

10. **Approval of Minutes** - June 21, 2011
11. **Approval of Minutes** - June 28, 2011
12. **Receive and file** - Warrant Registers
 - a. Warrant registers dated July 6, 2011 and July 14, 2011. Payroll for the period of June 27, 2011 to July 10, 2011 was \$669,375.16 and July 11, 2011 to July 24, 2011 was \$683,491.90.
13. **Receive and file** - Investment Portfolio as of May 2011
14. **Recommendation by Community Investment Director** - HOME Grant Application
 - a. Adopt a resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the Home Investment Partnerships Program; and
 - b. If selected, authorize the execution of a standard agreement, an amendments thereto, and of any related documents necessary to participate in the Home Investment Partnership Program.
(Resolution Bill No. 11-085)

15. **Recommendation by Public Works** - Bond Reduction, Tract Map 29129-6 Jeffrey MDM Partners VI, LLC - South side of Esplanade Avenue, east of Warren Road
 - a. Authorize the City Clerk to reduce the Faithful Performance Bond from the amount of \$521,866.31 to \$208,800.00 with the Labor and Materials Bond in the amount of \$521,866.31 to be reduced to \$208,800.00 to reflect the work already completed.

 16. **Recommendation by Public Works** - Award of Bid; Devonshire Avenue and State Street Traffic Signal, CIP No. 5521 - Supplemental Appropriation
 - a. Approve the contract award with E.B.S. Engineering for construction of the Devonshire Avenue and State Street Traffic Signal Project No. 5521 in the amount of \$492,240 and reject all other bids; and
 - b. Approve a supplemental appropriation in the amount of \$492,240 to cover the construction, in Fund No. 329-5521-5500, and \$20,000 in Fund No. 329-5521-2710 to cover the geotechnical testing and surveying.

 17. **Recommendation by Public Works** - Installation of Banners Across Florida Avenue
 - a. First Baptist Church - Annual Car Show September 24, 2011
 - b. Prince of Peace Lutheran Church - 10th Observance of 9/11
 - c. Western Science Center - Science Under the Stars September 10, 2011
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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.

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.

18. **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. 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)

19. **Hemet Landscaping Maintenance District No. 51 (Salvation Army)** - Finance Director Conrad
 - a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Landscape Maintenance District No. 51, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-067)

20. **Hemet Streetlight Maintenance District No. 51 (Salvation Army)** - Finance Director Conrad
 - a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Streetlight Maintenance District No. 51, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-068)

21. **Hemet Landscaping Maintenance District No. 52 (Seven Hills)** - Finance Director Conrad
 - a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Landscape Maintenance District No. 52, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-069)

22. **Hemet Streetlight Maintenance District No. 52 (Seven Hills)** - Finance Director Conrad
 - a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Streetlight Maintenance District No. 52, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-070)

23. **Hemet Landscaping Maintenance District No. 53 (Prince of Peace)** - Finance Director Conrad
 - a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Landscape Maintenance District No. 53, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-071)

24. **Hemet Streetlight Maintenance District No. 53 (Prince of Peace)** - Finance Director Conrad
 - a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Streetlight Maintenance District No. 53, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-072)

25. **Hemet Landscaping Maintenance District No. 54 (Habitat for Humanity)** - Finance Director Conrad
 - a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Landscape Maintenance District No. 54, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-073)

26. **Hemet Streetlight Maintenance District No. 54 (Habitat for Humanity)** - Finance Director Conrad
- a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Streetlight Maintenance District No. 54, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-074)
27. **Community Facilities District No. 2005-1 (Public Safety Services), Annexation No. 18 (Habitat for Humanity)** - Finance Director Conrad
- a. Conduct a public hearing regarding the annexation of property; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution making finding, certifying results of an election, and adding property to Community Facilities District No. 2005-1 (Public Safety Services), Annexation No. 18 (Habitat for Humanity).
(Resolution Bill No. 11-075)
28. **Hemet Landscaping Maintenance District No. 55 (Sahara/Oasis Senior Villas)** - Finance Director Conrad
- a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Landscape Maintenance District No. 55, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-076)
29. **Hemet Streetlight Maintenance District No. 55 (Sahara/Oasis Senior Villas)** - Finance Director Conrad
- a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Streetlight Maintenance District No. 55, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-077)
30. **Hemet Landscaping Maintenance District No. 56 (Horseshoe Estates)** - Finance Director Conrad
- a. Conduct a public hearing regarding the Engineer's Report; and
 - b. Count the ballots and announce the results of the vote; and
 - c. Adopt a resolution approving the Engineer's Report ordering the formation of Hemet Landscape Maintenance District No. 56, and the levy and collection of assessments within such District for fiscal year 2011/2012.
(Resolution Bill No. 11-078)

Discussion/Action Items

31. **Authorization to Approve Amendments to the City's Classification Manual through Adding Classifications, Adjusting Salary Ranges, and Modifying Job Classifications and Descriptions, to be effective August 9, 2011, in order to continue with the Implementation of the City-Wide Restructuring** - City Manager Nakamura
- a. Authorize staff to amend the City's classification manual by adding classifications, adjusting salary ranges, and modifying job classifications/descriptions as recommended. Amending the City's classification manual is a requirement in implementing the citywide restructuring that was approved as part of the FY 2011-12 Adopted Budget.
32. **Authorization for the City Attorney and the City Manager to begin Contract Negotiations for award of Refuse Franchising Agreement to recommended proposer.**
- a. Declare CR&R to be the successful proposer; and
 - b. Authorize the City Manager and City Attorney to begin negotiations with CR&R on a Franchise Agreement for residential and commercial solid waste, recyclable materials and organics collection services within the City on terms consistent with CR&R's proposal for a 20 year term and the City's RFP requirements; and
 - c. Approve Phase 4 of the Scope of Services with R3 to provide negotiation support services to the City Manager and City Attorney in the contract negotiations with CR&R.
- OR**
- d. Reject all proposal to the RFP; and
 - e. Authorize the City Manager and Deputy Director of Public Works to prepare an assessment of the City's Refuse Services and a recommendation as to how to best comply with all State and Federal requirements and a proposed structure for any necessary rate increases.
33. **Ordinance Allowing for Self-Hauling of Solid Waste** - City Attorney Vail
- a. Introduce, read by title only and waive further reading of 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)
34. **Interim Urgency Ordinance Regulating Conversion of Large Retail Commercial Buildings to Non-Retail Uses** - Development Director Elliano
- a. Adopt an Interim Urgency Ordinance adopting restrictions on and procedures for the conversion of large retail commercial buildings to non-retail uses.
(Ordinance Bill No. 11-087)
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City Council Reports

35. 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
4. Redistricting

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. Request from City of Victorville
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Continued Closed Session

City Attorney Continued Closed Session Report

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.

Adjournment

Adjourn to Tuesday, September 13, 2011 at 7:00 p.m. for considerations of items placed on that agenda. The next regular meeting will be held September 27, 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.