



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

APRIL 14, 2015

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

Roll Call

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

ABSENT: Council Member Youssef

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

Closed Session

Notice of Opportunity for Public Comment

There were no public comments presented at this time.

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

Council Member Youssef arrived at 6:44 p.m.

1. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: Acting City Manager Brown
Employee organization:
Hemet Fire Fighters Association
Hemet Mid-Managers Association
Service Employees International Union General Employees
 2. Public Employee Appointment
Pursuant to Government Code section 54962
Title: *Interim City Manager*
Interim Public Safety Director
Fire Chief
 3. Conference with Legal Counsel - Anticipated Litigation
One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)
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REGULAR SESSION

7:00 p.m.

City of Hemet City Council Chambers
450 E. Latham Avenue

Call to Order

Mayor Krupa called the meeting to order at 7:08 p.m.

Roll Call

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

ABSENT: None

OTHERS PRESENT: Acting City Manager Brown, City Attorney Vail and City Clerk McComas

Invocation

Invocation was given by Jan De Spain, Hemet-San Jacinto Interfaith Council

Pledge of Allegiance

Pledge of Allegiance was led by Council Member Milne

City Attorney Closed Session Report

4. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: Acting City Manager Brown

Employee organization:

Hemet Fire Fighters Association (HFFA)

Hemet Mid-Managers Association (HMMA)

Service Employees International Union General Employees (SEIU)

The City Council received a briefing and gave direction to the City's Agency Representative on HFFA and HMMA. The City Council received a briefing on SEIU with no direction given. There was no additional reportable action.

5. Public Employee Appointment

Pursuant to Government Code section 54962

Title: *Interim City Manager*

Interim Public Safety Director

Fire Chief

The City Council received and report there was no action necessary.

6. 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 and report there was no action necessary.

Presentation

7. Proclamation proclaiming April 2015 as Donate Life Month

Mayor Krupa, read and presented a proclamation to Brenda Beers. Mayor Krupa had the honor of placing a white rose on Donate Life's float at the Rose Parade.

Brenda Beers, thanked the City Council for their continued support to bring awareness to organ donation. Ms. Beers is very proud of saying that the City Council for her City supports their efforts. The proclamation will be displayed on the proclamation wall at the upcoming Run/Walk at Cal State Fullerton. Ms. Beers shared a couple of personal stories and encourage everyone to have the pink dot on their driver's license.

8. Proclamation recognizing the City of Hemet as a Tree City USA and proclaiming April 27, 2015 as Arbor Day

Mayor Krupa, presented the proclamation to Kris Jensen, Public Works Director.

Kris Jensen, Public Works Director, this is the 28th year as a Tree City USA. Ms. Jensen read the proclamation. 4 trees will be planted at Gibbel Park at the next Park Commission meeting.

9. Proclamation proclaiming the 2nd week of April as National Public Safety Telecommunicators Week

Mayor Krupa, presented the proclamation to Rob Webb, Acting Police Chief and Indra Jagdeo, Public Safety Dispatcher.

Rob Webb, Acting Police Chief, the City of Hemet has 13 Public Safety Dispatchers. Ms. Jagdeo was able to unplug and come receive the proclamation on behalf of the dispatchers. Chief Webb talked about the position and said these amazing employees do a superb job, they are our safety life line for both Police and Fire.

City Council Business Consent Calendar

10. **Approval of Minutes** – March 24, 2015

11. **Recommendation by Mayor Pro Tem Wright** – Planning Commission Appointment

- a. Appoint Tami Wilhelm to Seat 4 on the Planning Commission in order to fill at term expiration. The two year term will expire April 1, 2017.

12. **Receive and File** – Warrant Registers

- a. Warrant register dated March 19, 2015 in the amount of \$1,218,247.34 and April 2, 2015 in the amount of \$1,162,374.54. Payroll for the period of March 2, 2015 to March 15, 2015 was \$582,232.70 and March 16, 2015 to March 28, 2015 was \$628,484.16.

13. **Receive and File** - Regional Conservation Authority Board action to approve implementing the Western Riverside County MSHCP local development mitigation fee CPI Adjustment for Fiscal Year 2015-16

- a. Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) fee applicable to all developments in the City of Hemet effective as of July 1, 2015.

14. **Recommendation by City Attorney** – Approval of At-Will Agreement for the position of Interim City Manager
 - a. Approve the employment agreement between the City of Hemet and Gary Thornhill.

15. **Recommendation by Acting City Manager** – Approval of At-Will Agreement for the position of Fire Chief
 - a. Approve the employment agreement between the City of Hemet and Don Scott Brown

16. **Recommendation by Community Development** - Zoning Ordinance Amendment No. 15-001
 - a. Adopt an ordinance amending certain sections of Chapter 90 (Zoning Ordinance) of the Hemet Municipal Code to update, clarify, and improve the City's development review process. **Ordinance No. 1900**

17. **Recommendation by Community Development** - Zoning Ordinance Amendment No. 15-002
 - a. Adopt an ordinance amending certain sections of Chapter 90 (Zoning Ordinance) of the Hemet Municipal Code to update provisions related to disability, transitional and supportive housing, fair housing, and other housing-related definitions to achieve compliance with state and federal mandated housing laws. **Ordinance Bill No. 1901**

18. **Recommendation by Administrative Services** – Approval of AB 1600 Annual and Five Year Reports for the City of Hemet Fiscal Years 2008-09 through 2012-13, Annual Report for Fiscal Years 2013-14.
 - a. Adopt a resolution accepting and approving AB 1600 Annual and Five Year Reports for the City's Development Impact Fees and making findings required by Government Code section 66001(d). **Resolution No. 4618**

19. **Recommendation by Administrative Services** – Memorandum of Understanding with Service Employees International Union
 - a. Authorize the City's negotiation team to execute the Memorandum of Understanding (MOU) between the City and Service Employees International Union (SEIU) for the two-year period of July 1, 2014 through June 30, 2016.

20. **Recommendation by Police** – Purchase of Interoperable Handheld Radios for Police Department
 - a. Approve the grant-funded purchase of thirteen (13) Harris handheld radios from vendor, Hi-Desert Communications; and
 - b. Authorize the City Manager to approve the purchase requisition in the amount of \$78,303.12.

Council Member Youssef moved and Council Member Milne seconded a motion to approve the Consent Calendar as presented. Motion carried 5-0.

Item No. 13

Mayor Krupa, as a City Council we have no choice but to accept the increase. As the City's representative I voted No.

Item No. 14

Mayor Krupa, welcomed and introduced the new Interim City Manager Gary Thornhill.

Gary Thornhill, the quality of life issues are paramount to the Council and to me. I was previously the interim ACM and didn't feel like I finished what I wanted to accomplish. I'm glad to be back and ready to move full speed ahead.

Item No. 15

Mayor Krupa, welcomed Don Scott Brown as Hemet's permanent Fire Chief. The Official Swearing In will be on April 22nd at 4:30 p.m. at Fire Station 1.

Communications from the Public

Tracylynn Sharrit, Fair Housing Council of Riverside County, invited the City Council to the 2015 Housing Conference on April 30th at the Riverside Convention Center. Fair Housing has a new facility in Hemet located at 510 E. Florida Avenue that offers direct services on Tuesday's from 1:00 to 5:00 p.m.

Kathleen Marquez, Hemet, expressed concerns with graffiti located behind the Family Dollar Store on Florida between Columbia and Yale and at the Ramona Bowl.

Alan Denz, Hemet CAN, announced Hemet CAN's event to be held on Saturday May 3rd at Hemet Valley Mall. Mr. Denz also announced that Veterans can get free tickets for the opening day of Ramona.

Public Hearing

21. **Draft Community Planning and Development Program 2015-2020 Consolidated Plan, Community Development Block Grant (CDBG) 2015/16 Annual Action Plan and the Draft 2015-2020 Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan for the City of Hemet – CDBG Coordinator Callahan**

- a. Conduct a public hearing and accept public comments;
- b. Approve the documents and authorize the Acting City Manager to sign the certifications and grant application for submission on or before May 16, 2015 to the United States Department of Housing and Urban Development (HUD).

Carla Callahan, CDBG Coordinator, the drafts plans for your consideration have been available for public review and comment for the required 30 days beginning on March 16, 2015. The Annual Action Plan is a statement of the City's needs, goals and objectives for allocating funds to eligible activities recommended and approved for the 2015/16 program year. Goals that are stated in the Annual Action Plan are established in the 2015-2020 Consolidated Plan. No public comments have been received. HUD requires a public hearing and City Council adoption of the plans.

Mayor Krupa declared the Public Hearing opened at 7:41 p.m.

There were no public comments presented at this time.

Mayor Krupa declared the Public Hearing closed at 7:41 p.m.

Council Member Milne, complimented Ms. Callahan for a job well done.

Ms. Callahan, thanked the Council Ad-Hoc Committee for their help and input. This was a citywide effort that included the Housing Element prepared by the Planning Department.

Eric Vail, City Attorney, recommended that the City Council give authority to the Interim City Manager to sign the certifications and grant application.

Council Member Milne moved and Mayor Pro Tem Wright seconded a motion approving this item and giving authority to the Interim City Manager to sign the certifications and grant application. Motion carried 5-0.

Discussion/Action Item

22. **Discussion of options for analyzing Water/Sewer System Operations** – Public Works Director Jensen and City Attorney Vail

- a. Consider undertaking an efficiency study of the water/sewer system operation and calculation of City internal service charges.
- b. Consider award of contract for to assist in water/sewer system concession agreement request for proposal, evaluation, and negotiations.
- c. Consider possible revision of water/sewer rate study based on outcome of efficiency study and/or Governor’s water conservation order.

Discussion regarding this item, with possible direction to staff

Eric Vail, City Attorney, gave the City Council a powerpoint presentation regarding water utility options. At the last City Council meeting staff presented an agreement with PERC Water Corporation based on direction from the City Council to consider and then possible develop an RFP for an operating/concessionaire agreement with another entity. The single focus of the direction was a deficit reduction strategy for the General Fund. City Council deliberations on previously proposed deficit reduction strategies have made staff step back and look at the larger picture. Mr. Vail highlighted major water/sewer considerations that the City is currently dealing with: significant water/sewer rate increase; Governor’s recent statewide conservation order; rate study did not consider whether water utility requires new personnel to function optimally; and is the City Council and staff confident that the water utility is as efficient as it could be. The City Council might want to consider at Efficiency/Utilization Study. The study would determine if there are efficiencies to be obtained or if the department is at the optimum. The study will also confirm that we have the staff necessary for the long-term water planning in an environment of degrading groundwater recourses, increasing regulation, and drought conditions. It will also determine if the size of the Water Utility is optimal to function over the longer term or if the limited customer base can support the capital and personnel costs necessary to provide safe clean water for the decades to come. It is possible that staff can work with PERC Water Corporation to retool the proposal to include this work or a new RFQ might be necessary. The City Council previously received a presentation regarding the rate study and recommended rate increase. The next consideration is to determine if it is better to proceed now with all or some part of the proposed rate increase or modify the proposed rates in response to the Governor’s Conservation Order. Measures will need to be taken to meet the 35% reduction requirement. Proceeding with the pending rate increase will preserve the City’s ability to obtain grant funds or low cost funding for capital improvements. If the City Council decides to proceed with an Efficiency/Utilization Study, the results might affect the future rate increases. The City Council can still consider moving forward with the proposed contract with PERC Water Corporation to assist in water/sewer system concession agreement request for proposal, evaluation, and negotiations. The City has limited assets that

can either be sold or turned into a revenue source, this is one of them. There are still some legal questions regarding this being a General Fund revenue source.

Council Member Milne, asked about the current cases against the Governor's Conservation Order.

Mr. Vail, I have not had a chance to review the briefs, so I have no legal opinion on the current cases. The Governor's order did require agencies to adopt tiered conservation rates that are currently under legal review.

Mayor Krupa, asked if the final report on the rate study is complete and asked for staff's opinion on need for an efficiency study.

Kris Jensen, Public Works Director, we are waiting for the valuation of the water rights that will be available the end of the week to finalize the report. The City's water/sewer department is strong the staff is trained as well as cross trained. We do realize that we struggle with staffing for the higher administrative functions such as grants and project design. We don't see a study as a threat but an opportunity to make sure that we have the right staffing and possible areas of improvement or need.

Mayor Krupa, previously the City Council agreed to move forward with rate increases for water and sewer. Mayor Krupa asked if that action should wait until the outcome of an efficiency study.

Ms. Jensen, recommended that rates still be increased since they haven't been for 8 years. The system needs to gain conservation from the rate payers. The increases are phased and can be adjusted if necessary.

The City Council and staff discussed the rate structure.

Mayor Pro Tem Wright, agrees that the rates need to be increased. In order to obtain any type of funding the State needs to know that we are financially responsible. Mayor Pro Tem Wright suggested that the City offer conservation tools and information to our residents.

Council Member Milne, suggested that the City look at all aspects of the water system.

Council Member Raver, supports an audit of the department. Council Member Raver expressed concern about the condition of the State's water table and the availability of water. Council Member Raver suggested that the City Council direct the Interim City Manager to review this in its entirety. Council Member Raver suggested that a consultant look at the merits of selling the water allocated to us that we don't use. EMWD and LHMWD have both expressed interest in buying our water. An efficiency study will help us manage the department.

Council Member Youssef, feels that the study would not be relevant unless the City has something to compare the study to such as an offer from another agency.

Council Member Raver moved that the City Council approve Item No. 22.A. The Motion failed due to lack of a second.

Mayor Pro Tem Wright moved and Council Member Raver seconded a motion to approve Item Nos. 22.A and 22.C.

Council Member Raver, expressed concern with 22.C the rates have already been considered.

Staff explained the Proposition 218 noticing process.

Council Member Raver, recommended that this item be continued to April 28th giving Mr. Thornhill time to review and bring back the correct wording.

Council Member Raver withdrew his second of the previous motion.

Mr. Vail, suggested that the City Council direct staff to bring back recommendations based on the City Council's discussion. Mr. Vail asked the City Council if the intent is still to transfer money to the General Fund as a deficit reduction strategy.

Mayor Krupa, recommended that the intent be efficiency.

The City Council gave direction to staff to review the options and bring back recommendations based on the City Council's expressed concerns.

City Council Reports

23. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Milne

1. Riverside County Habitat Conservation Agency (RCHCA)
2. Riverside Conservation Authority (RCA)
3. Disaster Planning Commission

Council Member Milne had an opportunity to discuss the water issue. The Governor's orders were discussed. The hope is that the Federal Government will reduce their requirement to complete the Northern California infrastructure.

B. Council Member Raver

1. Planning Commission
2. Traffic and Parking Commission
3. Riverside Transit Agency (RTA)
4. Riverside County Transportation Commission (RCTC)
5. Watermaster Board

C. Council Member Youssef

D. Mayor Pro Tem Wright

1. Park Commission
2. Riverside County Habitat Conservation Agency (RCHCA)
3. Ramona Bowl Association
4. League of California Cities
5. Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Wright attended the Executive Committee Meeting. Streetlight Program is moving forward. TUMF has generated \$620,000,000.00, since 2003. 13,500 Hero projects have been completed. Ken Young, Superintendent Riverside County School District, gave a presentation on the county wide campaign to encourage students to complete their college applications. He also talked about proposed banner program for college students being considered by cities.

Attended conference on April 10th where the liveliest discussion was regarding synthetic turf and whether or not it is safe. EMWD was opposed to the proposed legislation because of the language. The studies that have been completed have not found any real problems with the turf.

Mayor Pro Tem Wright welcomed Tami Wilhelm to the Planning Commission.

E. Mayor Krupa

1. Riverside Conservation Authority (RCA)
2. Ramona Bowl Association

April 18th Opening Day and First Nighter's Party at the Hemet Stock Farm.

3. Riverside Transit Agency (RTA)
4. Watermaster Board
5. Library Board
6. League of California Cities

The League's Community Services Policy Committee met on April 10th. The League is opposing a number of the proposed bills. Executive meeting was April 13th a group of local regional bills will be coming back to the City Council to consider support of including the support of Ontario Airport

7. Riverside County Transportation Commission (RCTC)

The Board did approve the EIR for Mid-County Parkway so that will go to the State for consideration.

8. Western Riverside Council of Governments (WRCOG)

F. Ad-Hoc Committee Reports

1. West Hemet MSHCP Ad-Hoc Committee
2. Regent Development Agreement Ad-Hoc Committee
3. Diamond Valley Lake Recreation Ad-Hoc Committee

Council Member Youssef, the first meeting is scheduled for June 1st.

4. Public Safety Ballot Measure Ad-Hoc Committee

Council Member Raver, the Ad-Hoc Committee received an initial draft for a ballot measure that would require a majority vote of the public for outsourcing public safety services.

G. Acting City Manager Brown

1. Manager's Reports

David Brown, Acting City Manager, gave a State of the City report from his three week experience. I have been exposed to things I didn't know existed. Your executive team is awesome. Mr. Brown was impressed by the issues the City Council Members deal with on a volunteer basis. Thanked Rob Webb for stepping up as the Acting Police Chief.

Mayor Krupa, thanked both Dave Brown and Rob Webb for the assistance during the last three weeks. Dave has done an outstanding job. The City does have the best team of Department Head's.

Future Agenda Items

Chickens

Adjournment

Adjourned at 8:46 p.m. to Tuesday, April 28, 2015 at 7:00 p.m.