



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

MAY 26, 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 6:00 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 Council Member Raver 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.

1. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(d)(1)
Names of case: *Cordero v. Hemet Police Dept. USDC Case No. ED-CV-10-1935 GHK*
Riverside Collective Association v. City of Hemet, RIC 1405691
City of Hemet v. OWC Industries, RIC 1503345
 2. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: Acting City Manager Brown
Employee organization:
Hemet Mid-Managers Association (HMMA)
Hemet Fire Fighters Association (HFFA)
 3. Threat to Public Services or Facilities
Pursuant to Government Code section 54957
Consultation with: *Acting City Manager Brown*
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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 7:06 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 Council Member Raver seconded a motion to excuse Council Member Youssef. Motion carried 4-0.

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

Invocation

Invocation was given by Diane Nockey, Hemet-San Jacinto Interfaith Council

Pledge of Allegiance

Pledge of Allegiance was led by Acting City Manager Brown

City Attorney Closed Session Report

4. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(d)(1)
Names of case: *Cordero v. Hemet Police Dept. USDC Case No. ED-CV-10-1935 GHK*
Riverside Collective Association v. City of Hemet, RIC 1405691
City of Hemet v. OWC Industries, RIC 1503345

The City Council received a briefing from and gave authority to the City Attorney. There was no additional reportable action.

5. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: Acting City Manager Brown
Employee organization:
Hemet Mid-Managers Association (HMMA)
Hemet Fire Fighters Association (HFFA)

The City Council received a briefing and gave direction to the City's Negotiating Team. There was no additional reportable action.

6. Threat to Public Services or Facilities
Pursuant to Government Code section 54957
Consultation with: *Acting City Manager Brown*

The City Council received a briefing from Acting City Manager Brown. There was no additional reportable action.

City Council Business Consent Calendar

7. **Approval of Minutes** – May 12, 2015
8. **Receive and File** – Warrant Registers
 - a. Warrant registers dated May 5, 2015 in the amount of \$3,093,752.29 and May 14, 2015 in the amount of \$928,815.94. Payroll for the period of April 27, 2015 to May 10, 2015 was \$732,306.37
9. **Receive and File** – Investment Portfolio as of April 2015
10. **Recommendation by City Manager** – Resolution of Intention to Approve an Amendment to the Contract between the Board of Administration California Public Employees' Retirement System and the City of Hemet
 - a. Adopt a resolution of Intention, initiating the amendment process through CalPERS to allow cost sharing of the Employer Contribution to CalPERS with the 'classic' CalPERS members of the Hemet Police Officer's Association and the Hemet Police Management Association. **Resolution No. 4623**

Item No. 7 was removed from the Consent Calendar. **Council Member Milne moved and Mayor Pro Tem Wright seconded a motion to approve the remaining Consent Calendar Items. Motion carried 4-0.**

Item No. 7

Council Member Milne, requested that the minutes include her opposition to the addition of the Assistant City Manager position.

Mayor Pro Tem Wright, clarified that her statement from the last meeting regarding a budget based on estimates, her intention was to compliment Ms. Hurst on providing what seems to be true estimates.

Council Member Milne moved and Mayor Pro Tem Wright seconded a motion to approve Item No. 7 as amended. Motion carried 4-0.

Communications from the Public

Bill Bair, Hemet, told the City Council about an upcoming Earthwatch environmental study being conducted in the City's 7 parks by three local scientists, Mr. Bair, Alan Freetage and Evan Longfellow. NASA will conduct a flyover on June 12th. The intent is to determine which species provides adequate shading and has survived the changing culture. The data collected will be provided to UCR to complete the study.

Jim Pangrazzi, San Jacinto, expressed concern that the recent Supreme Court decision regarding residency restrictions for sex offenders puts children at risk. Mr. Pangrazzi stated that 10% of the county's sex offenders reside in Hemet.

Patricia Wilson, Hemet, thanked Mayor Krupa for speaking at a Memorial Day Event. Ms. Wilson expressed disappointment that the Veteran's Memorial at Gibbel Park was not open and available for people to pay their respects. Ms. Wilson went to the Memorial at 3:00 p.m. on Memorial Day and the gates were locked. There was an irate female and a sobbing male there that also wanted to pay their respects at the Veteran's Memorial. Ms. Wilson contacted someone in the Park's Department but was told the Supervisor was not available but would contact her.

Ms. Wilson was referred to the City Manager's Office.

Allison Parker, Hemet, expressed concern with SB 277 and its negative impact on the children in the school district. SB 277 requires all children to be immunized for access into public, private and home school programs. Ms. Parker explained in detail her concerns.

Mayor Krupa, urged Ms. Parker to present her concerns to the School Boards. There is not enough time for the City Council as a whole to take a position, however Mayor Krupa encourage City Council members to individually voice their opinion to the State representatives.

Discussion/Action Item

11. **Rent Review Commission Vacancies** – City Clerk McComas
 - a. Staff respectfully requests that the City Council consider appointing Mofieda "Mia" Cowan, Connie Hall and Linda Smith as the At-Large Representatives on the City's Rent Review Commission to fill the following:
 - An unscheduled vacancy with a term expiration date of March 18, 2016
 - An unscheduled vacancy with a term expiration date of March 18, 2017
 - A term expiration with a term expiration date of March 18, 2018

Sarah McComas, City Clerk, there are three current vacancies on the City's Rent Review Commission each with difference expiration dates. The vacancies require the City Council as a whole to make the appointment. Staff is requesting that the City Council appoint the three applicants to the three vacant positions.

Council Member Milne moved and Council Member Raver seconded a motion to appoint Connie Hall to a term to expire on March 18, 2018, to appoint Mia Cowan to a term to expire March 18, 2017 and Linda Smith to a term to expire March 18, 2016. Motion carried 4-0.

12. **Discussion of creating a Council Ad-Hoc Committee to explore Revenue Options** – Acting City Manager Brown
Discussion regarding this item requested by Council Member Raver, with possible direction to staff

Dave Brown, Acting City Manager, as part of the presentation of the FY 15-16 preliminary budget the City Council was presented the reality that Hemet has a very large structural deficit. Council Member Raver suggested that staff add a future agenda item to consider the formation of an ad-hoc committee to explore revenue options for the City.

Mayor Krupa opened up the discussion of the creation of an ad-hoc committee stating that there is no secret that the City is running in a deficit. Council Member Milne has no objections to an ad-hoc as long as the public and the rest of the City Council are not left in the dark.

Council Member Raver, further explained his request. Council Member Raver views the ad-hoc as an in-house effort to support the community. When Prop 13 was adopted, it took away

the City Council's ability to unilaterally solve the City's problems. By law only the residents can solve the problem if a tax is what the community wants. The residents need to look at all of the options and are encouraged to do that. I believe the role of the ad-hoc committee would be to support citizen groups wanting to engage in discussions regarding the city's financial problem. Council Member Raver does not believe the ad-hoc committee should dictate, suggest or prod the citizens in any particular direction. It is imperative that the citizens tell the elected officials which course is best for this community.

Mayor Pro Tem Wright spoke in favor of the ad-hoc as long as it is truly an exploration of options for the City and encourage community input.

Council Member Milne moved and Council Member Raver seconded a motion to create an Ad-Hoc Committee to Explore Revenue Options consisting of Council Member Raver and Mayor Krupa. Motion carried 4-0.

City Council Reports

13. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Milne

1. Riverside County Habitat Conservation Agency (RCHCA)

Council Member Milne attended the meeting and expressed her concerns with the Lake Matthew land going into the Lake Matthew Reserve In Lieu of Fee Program and their intent to partner with the Riverside-Corona Resource Conservation District. Council Member Milne talked about the increase for Vector Control.

2. Riverside Conservation Authority (RCA)
3. Disaster Planning Commission

B. Council Member Raver

1. Planning Commission

Council Member Raver attended the meeting. The Commission discussed the keeping of chickens in residential zones. The discussion was continued concerns were expressed that the recommendation is inconsistent with the City's General Plan.

2. Traffic and Parking Commission

The Commission has heard from the Seven Hills residents regarding the concern with the speeding on Seven Hills Drive and no action was taken.

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)

E. Mayor Krupa

1. Riverside Conservation Authority (RCA)
2. Ramona Bowl Association
3. Riverside Transit Agency (RTA)
4. Watermaster Board
5. Library Board

"Books by the Bag" event will be held on June 6th upstairs at the Library. Mayor Krupa encouraged everyone to go see the mural behind the check-out desk that includes four historical faces in the grandstand. Turf removal is in full swing and soon to be replaced with low water usage landscaping.

6. League of California Cities
7. Riverside County Transportation Commission (RCTC)
8. Western Riverside Council of Governments (WRCOG)
9. International Conference of Shopping Centers (ICSC)

Mayor Krupa attended ICSC in Las Vegas along with Mayor Pro Tem Wright, John Jansons and Carole Kendrick. Mayor Krupa reported that the Council Members, staff and the City's booth were very busy. The hot topic is the property located on the northwest corner of Sanderson and Stetson. This was Mayor Krupa's 5th year attending the conference. In 2011, there were approximately 10,000 in attendance and all doom and gloom, this year there were 37,000 and the attitude was positive. Staff did an outstanding job. The business community, the developers and the brokers all speak very highly of John Jansons. Mayor Pro Tem Wright added that she wished the community could be a part of this positive experience. Mayor Pro Tem Wright concurred that John Jansons is very informative and sincere when dealing with the development community. Carole Kendrick from the Planning Department had the technical answers to the development related questions.

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
4. Public Safety Ballot Measure Ad-Hoc Committee

G. Acting City Manager Brown

1. Manager's Reports
2. Follow-up on previous Communications from the Public

Dave Brown, Acting City Manager, on occasion we received communications from the public and it's frustrating to both the City Council and staff that we can't respond. Many times there are issues that have broad interest in the community. We have made an effort at the Executive Team level to bring back reports to the City Council. I have a couple of these items to report on. A concern was brought up regarding board-ups at the last meeting so an update was provided by Community Development. The old Tri-Buick building, tenant improvements are underway for a new Shoe City to open in fall of 2015. The old Albertsons building, tenant improvements as well as exterior painting for two retail tenants with an expected October 2015 grand opening of a grocery store in one of the spaces. The old DMV office on Latham and Lyon, the Seventh Day Adventist Church has upgraded the building and it is now operational. The old Dukes Restaurant on San Jacinto, interior and exterior improvements are underway for a Hungry Bear Restaurant. The K-Mart building on South State has recently

closed escrow with the buyer looking to establish a medical office and treatment facilities. The old Red & White building at 611 W. Florida, owners have started to clean up the building and property with the intent to market for sale following code enforcement action by the City Attorney's Office. 140 N. San Jacinto St. has recently sold and at this time there are no plans or information regarding a future use. Planet Fitness is moving into the old Thrifty's building at San Jacinto and Florida. Another issue was with regard to sex offenders in the community, the City Attorney will give us an update on recent case law.

Eric Vail, City Attorney, explained the recent case called In Re Taylor. Jessica's Law is not unconstitutional and Hemet Municipal Code section 90-292 is still valid. The concern is when you take the laws and restrictions are applied they can be considered unconstitutional. The case originate when sex offenders tried to obtain housing in San Diego County and couldn't because of the restrictions and became homeless. The trial court held an appeal in 2012 and said it was unconstitutional. The California Supreme Court reviewed and issued its decision. The Supreme Court said that you have to be careful how you apply it. If challenged, we would have to generate GIS information to show where sex offender could live within the City. Staff has already looked at a map and think that if challenged the current restricts would be consider constitutional and therefore will remain on the books.

Future Agenda Items

Stetson Crossing

Update on Disaster Planning

Adjournment

The City Council meeting adjourned at 8:04 p.m. to Tuesday, June 9, 2015 at 7:00 p.m.