



# AGENDA

## REGULAR MEETING OF THE HEMET CITY COUNCIL

May 10, 2011

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5:30 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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### 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 Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: City Manager Nakamura  
Employee Organizations:
    - Hemet Police Officers Association
    - Hemet Police Management Association
    - Administrative Personnel
    - At-Will Employees
  2. Conference with Legal Counsel - Existing Litigation  
Pursuant to Government Code section 54956.9(a)  
Names of cases:
    - Mercury Casualty Co. V. City of Hemet; RIC 084323
    - Hemet v. Wellness 951 Collective et al.; RIC 1104002
    - Hemet v. Green Re-Leaf Collective et al.; RIC 1104867
    - Hemet v. All About You Collective et al.; RIC 1105241
    - Hemet v. Premier Patient Collective et al.; RIC 1107765
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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

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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

5. Recommendation by Mayor Franchville - Park Commission Appointment
  - a. Appoint Jeff Slepki to Seat 4 on the Park Commission to fill a term expiration. The term will expire April 2013.
6. Recommendation by Vice Mayor Youssef - Park Commission Appointment
  - a. Appoint Joyce Thibodeaux to Seat 3 on the Park Commission to fill a term expiration. The term will expire April 2013.
7. Recommendation by Council Member Smith - Park Commission Re-appointment
  - a. Appoint Kenneth Gengler to Seat 5 on the Park Commission to fill a term expiration. The term will expire April 2013.
8. Approval of Minutes - April 12, 2011
9. Receive and File - Warrant Register
  - a. Warrant register dated April 21, 2011. Payroll for the period of April 4, 2011 to April 17, 2011 was \$601,522.63.
10. Receive and File - Investment Portfolio as of January 2011
11. Recommendation by City Attorney - Ordinance Requiring Employers Within City to Use E-verify Program
  - a. Adopt an ordinance adding Article XIV (Lawful Hiring Compliance) to Chapter 19 (Businesses) of the Hemet Municipal Code, to require businesses within the City to verify that all new hires are lawfully allowed to work in the United States (Ordinance Bill No. 11-017)
12. Recommendation by Public Works - Award of Bid to Genesis Construction Company for the Installation of Block Wall and Gate at Well Site 2-A - CIP No. 5557
  - a. Approve award of contract to Genesis Construction of Hemet, California, in the amount of \$61,400 for the construction of a block wall and installation of wrought iron gates at Well 2-A. Funding for this project is available in Water Fund 571-9000-5400 through savings realized from the original project to drill and equip Well 2-A.

13. Recommendation by Public Works - Amendment to Contract - Cawston Avenue Street Rehabilitation Latham Avenue Street Rehabilitation - City Project No. 5560
    - a. Approve amending the contract for All American Asphalt, Inc. in the amount of \$85,000 to add the project of resurfacing Latham Avenue from Kirby Street to 625 feet west of Kirby Street into Gibbel Park; and
    - b. Approve a supplemental appropriation in the amount of \$50,000 in the 221-5560-5500 fund for the contract amendment and a supplemental appropriation in the amount of \$2,500 in the 329-5560-2710 to cover the professional services of geotechnical inspection and surveying services.
  
  14. Recommendation by Housing Manager - Withdraw from the Riverside-San Bernardino Housing Finance Agency
    - a. Adopt a resolution withdrawing from and terminating the Joint Exercise of Power Agreement of Riverside-San Bernardino Housing Finance Agency (Resolution Bill No. 11-018)
  
  15. Recommendation by Community Development Director - Request from the Spirit of Joy Community Church to defer landscaping and sidewalk improvements on Sanderson Avenue
    - a. Authorize the preparation of a Deferral Agreement with the Spirit of Joy Community Church to defer the public landscaping and sidewalk improvements on Sanderson Avenue for a period not to exceed five years; and
    - b. Authorize that execution of the agreement satisfies Condition 102 of CUP 07-006, thereby allowing the Church to obtain a permanent Certificate of Occupancy for the structure, provided that all other municipal code requirements have been met.
  
  16. Recommendation by Building Official - Architectural and Engineering Services for the Reconstruction of the Police Evidence Building
    - a. Approve the Consultant Services Agreement for Herron & Rumansoff Architects for architectural and engineering services in the amount of \$58,200.
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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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## Discussion/Action Items

17. SB 444 Mobile Home Park Conversion Bill - City Manager Nakamura
    - a. Take formal action as the City Council to support SB 444; or
    - b. Decline to take official action as the City Council to support of SB 444; or
    - c. Agree that City Council members may offer their individual support or opposition to SB 444 through personal correspondence.
  
  18. Request to allow auto-related uses to continue at 101 W. Florida Avenue (Tri-Buick property) in the D-1 (Downtown Zone) for a period not to exceed 5 years - Community Development Director
    - a. Consider the request and if approved in concept, direct the staff and the City Attorney to prepare an Amortization Agreement to be recorded on the property, with all costs for the agreement to be borne by the applicant.
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## City Council Reports

19. CITY COUNCIL REPORTS AND COMMENTS
  - A. Council Member Foreman
    1. Traffic and Parking Commission
    2. Park Commission
    3. Indian Gaming Distribution Fund
  
  - B. Council Member Krupa
    1. Library Board
    2. Airport Land Use Commission (ALUC)
    3. Riverside County Habitat Conservation Agency (RCHCA)
    4. Riverside Conservation Authority (RCA)
    5. Ramona Bowl Association
    6. 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. 4<sup>th</sup> of July Ad-Hoc Committee
    - 2. Refuse RFP Ad-Hoc Committee
  
  - G. City Manager Nakamura
    - 1. Manager's Reports
    - 2. Follow up from April 26, 2011 Communications from the Public
    - 3. Code Enforcement Volunteers
    - 4. Town Hall Meetings
    - 5. Formation of a HUSD Ad-Hoc Committee
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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, May 24, 2011 at 7:00 p.m. for considerations of items placed on that agenda. The next regular meeting will be held June 14, 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.*