



# MINUTES

## REGULAR MEETING OF THE HEMET CITY COUNCIL

February 9, 2016

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6:00 p.m.

City of Hemet Council Chambers  
450 E. Latham Avenue

[www.cityofhemet.org](http://www.cityofhemet.org)

*Please silence all cell phones*

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### Call to Order

Mayor Wright called the meeting to order at 6:00 p.m.

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### Roll Call

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

ABSENT: None

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### Work Study

*Discussion regarding this item, with possible direction to staff*

1. Process and Timeline to Establish a District Electoral System for the City of Hemet Elected Officials, City of Hemet Demographic and Voter Information, and Conceptual District Boundaries – Marguerite Leoni, Special Counsel and Doug Johnson, Demographer

**Marquerite Leoni**, introduced Doug Johnson of National Demographics Corporation. We are here because the City received a letter in December from a lawyer in Malibu demanding that the City Council members be elected by district and not at-large by November 2016. New California laws allow the City Council to address this issue by ordinance. Ms. Leoni explained the procedures that must be followed. The letter contained no evidence that the City is in violation. Under the Federal voting laws there is no claim, however, under the California Voting Rights Act (CVRA) the laws are different. The City Council can litigate. If the City loses, the cost to the taxpayers is high. The court will require that the plaintiff's attorney's fees are reimbursed. If the City wins the taxpayers still pay the cost of the City's attorney's fees. The cost to litigate will easily be in the hundreds of thousands of dollars. Ms. Leoni gave the City Council examples of scenarios from other cities that litigated and the cost to the taxpayers. The cities ended up electing their council members by district. In some cases, after the expensive court battle the City lost control of the districting process to the court. There is a fiscal reason for moving forward with districts. The biggest reason to move forward is control. You can set up districts after litigation, but the court will draw the boundaries and the plaintiff's will have a large say. In some cases, the court retained jurisdiction over the districts for a period of time. Largely the reasons to move forward are to avoid the costs and maintain control.

**Doug Johnson, NDC**, the district lines need to comply with the Federal Law. The CVRA doesn't care how you district just that you do. Mr. Johnson presented demographic

information to the City Council. Maps were displayed showing the following: Population Density, people per square mile; Latino % of the total Citizens of Voting Age Population; African-American % of the total Citizens of Voting Age Population; Spanish spoken at home (data averaged by census tract); Household income over \$75,000 per year (data averaged by census tract); and Percent of those age 25+ with a College Degree (data averaged by census tract). The maps and the data were discussed in length. The data reveals that the Latino voting age resident density, as well as the Spanish language spoken at home, is located downtown and that there is no concentration of African-American voting age residents. The household income and number of college graduates is lower in the downtown area and higher in the outer areas of the City, largely due to the cost for housing. Maps were displayed showing the Council Member locations and Land Use which can be used as criteria for districts. Also displayed were district maps for the Water Districts and Hemet Unified School District for reference. These districts would not work as guidelines or starting points for City Council districts. Community engagement is strongly encouraged. The City Council should engage, educate and empower the public, the "3 E's". Hopefully public comment will include definitions of neighborhoods and "communities of interest"; suggesting individual district or entire plans; and sharing opinions on plans. There are many ways to define communities. The best way to define a neighborhood remains to hear from the people who live there. Some examples of communities of interest could include: school attendance areas; housing developments; neighborhoods around parks; and horse-friendly neighborhoods. Some communities want to be unified to maximize their voice in a single election. Other (often school attendance areas and senior living communities) want to be divided so they have multiple representatives on the Council.

**Mayor Wright**, instead of significant ethnic pockets, Hemet has significant senior pockets that should be taken into consideration.

**Council Member Krupa**, asked why the districts need to be in place by November 2016.

**Ms. Leoni**, it was the demand in the letter. If you miss that date, the City will be sued.

**Council Member Krupa**, asked if it would negate the possibility of going to districts if the City can prove that there has been minority participation on the Council and that there are no significant ethnic pockets.

**Ms. Leoni**, under the CVRA the plaintiffs do not need to show that either condition exists. The Court will force the City into districts whether it will help the minority districts or not. The single goal of the CVRA is to eliminate at-large elections.

**Mayor Wright**, asked if it would change anything if the voters signed a petition opposing districts. Mayor Wright expressed concern with being accused of gerrymandering with the districts are formed around council members location.

**Ms. Leoni**, a voter initiated petition would not change anything. The Council can also be accused of pushing a council member out of office if the lines are drawn to include two members in one district. Ms. Leoni gave the City Council a powerpoint presentation regarding the legal & policy criteria governing the establishment of the electoral districts. Ms. Leoni presented a basic overview of the process with a goal of being in place by the November 2016 elections. Today is the work shop regarding the creation of electoral district, criteria for districting and tentative calendar, the related steps and instructions. On March 1, 2016, initial draft plans will be made public. In March and April 2016 (dates to be determined) the City Council will conduct three public hearings as required in Election Code Section 10010. In late April or early May 2016 (dates to be determined) the City Council will introduce an ordinance adopting electoral districts, and consider adoption of the ordinance in April 2016 with a

effective date of 30 days after adoption. The nomination period for the November 2016 election will begin on July 18, 2016. The districts will be adopted and in place to be used for the November 2016 City Council election. No council member's term must be cut short per Government Code section 34878 and Election Code section 21606(a), but when his or her term ends, an incumbent can only run for the new district in which he or she reside. Ms. Leoni explained the legal considerations when drawing the lines. Overriding criterion is population equality (Election Code section 21601). Unlike congressional districts, local electoral districts do not require perfect equality, some deviation is acceptable to serve valid governmental interests. Total deviation of less than 10% is presumptively constitutional. Total City population per the 2010 Census is 78,657 persons. Ideal District population, 5 districts, would be 15,731 persons per district. Redistricting would be required every 5 years beginning in 2021. Section 2 of the federal Voting Rights Act prohibits electoral systems (including district plans), which dilute minority voting rights by denying minorities an equal opportunity to nominate and elect candidates of their choice. In the districting context, only requires creation of majority-minority districts. California Voting Rights Act is silent with respect to the shape of electoral districts, so long as they are used. Ms. Leoni explained the terms and presented visual examples of "Cracking" and "Packing". The Fourteenth Amendment prohibits using race as the "predominant" criterion in drawing districts and the subordination of other considerations. Bizarrely shaped electoral districts can be evidence that racial considerations are predominate. But bizarre shape is not required for racial considerations to "predominate". An example of bizarrely shape electoral district that would be considered racial Gerrymandering was displayed. The Fourteenth Amendment does not, however, prohibit all consideration of race in redistricting. The focus should be on communities of interest. Additional permissible criteria per Election Code section 21601 is: topography; geography; cohesiveness, contiguity, compactness and integrity of territory; and communities of interest. Other criteria approved by courts: preventing head-to-head contests between incumbents, to the extent reasonable possible; respecting the boundaries of political subdivisions (e.g., school attendance areas, special district boundaries, county boundaries, etc.); use of whole census geography; and other non-discriminatory, evenly applied criteria (e.g. location of public facilities, planned development, allocation of commercial areas). Mr. Johnson will prepare a couple of different maps based on the information presented and the information that the City Council has shared such at the senior communities. At that time, the City Council and the public can critic and make recommendations for boundary lines.

**Eric Vail, City Attorney,** Mr. Jonhson and Ms. Leoni are also working for the City of Wildomar who received the same letter. Wildomar is a little ahead of us in the process. They already have their conceptual maps on the website and will begin the public hearing process shortly. That will give you an idea of the process and a general idea of the information. The more information you know the better. The comment regarding the senior communities was great and exactly what they need. At the public hearings, the map will be on the screen and Mr. Johnson will have the ability to manipulate them at the meeting based on comments received. Mr. Vail recommended that at the first public hearing the City Council consider adoption of a resolution of intention to consider adoption an ordinance for districting.

The City Council recessed briefly at 7:01 p.m. to the Regular Session.

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## **Closed Session**

### **Notice of Opportunity for Public Comment**

There were no public comments presented  
Continued to the end of the Regular Session

2. **Conference with Labor Negotiators**

Pursuant to Government Code section 54957.6

Agency designated representatives: *City Manager Meyerhoff*

Employee organization:

*Service Employees International Union (SEIU) General Employees  
Hemet Non-Sworn Police Employees Association*

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## **REGULAR SESSION**

**7:00 p.m.**

**City of Hemet City Council Chambers**

**450 E. Latham Avenue**

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### **Call to Order**

Mayor Wright called the meeting to order at 7:06 p.m.

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### **Roll Call**

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

ABSENT: None

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

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### **Invocation**

Invocation was given by Michael Madrigal, Hemet-San Jacinto Interfaith Counsel

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### **Pledge of Allegiance**

Pledge of Allegiance was led by Council Member Milne

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## **City Attorney Closed Session Report**

3. **Conference with Labor Negotiators**

Pursuant to Government Code section 54957.6

Agency designated representatives: *City Manager Meyerhoff*

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## **City Council Business Consent Calendar**

4. **Approval of Minutes** – January 26, 2016
5. **Receive and File** – Warrant Registers
  - a. Warrant registers dated January 7, 2016 in the amount of \$637,040.68 and January 11, 2016 in the amount of \$4,112,619.14. Payroll for the period of January 4, 2016 to January 17, 2016 was \$597,941.72.
6. **Recommendation by Community Development** - Zone Change No. 15-003
  - a. Adopt an ordinance approving Zone Change No. 15-003 to change the zoning classification from R-A (Residential Agricultural) to R-1-7.2 (Single Family Residential 7,200 sq. ft. min.) located at 354 North Palm Avenue  
**Ordinance No. 1913**
7. **Recommendation by Fire** - Repealing Sections 26-3 and 26-4 of the Hemet Municipal Code pertaining to the City's Disaster Planning Commission
  - a. Adopt an ordinance repealing Sections 26-3 and Section 26-4 of the Hemet Municipal Code, which deal with the City's Disaster Planning Commission  
**Ordinance No. 1914**
8. **Recommendation by Finance** – Amendment to the Fiscal Year 2015-16 Budget
  - a. Adopt a resolution amending the Fiscal Year 2015-16 Budget.  
**Resolution No. 4655**
9. **Recommendation by Finance** – Subordination Request Relating to Proposed Refunding Bond Issue for Desert Communities Redevelopment Project Area
  - a. Adopt a resolution and authorize the City Manager to sign the acknowledgement form approving the subordination request relating to the proposed refunding bond issue for the Desert Communities Redevelopment Project Area of the Successor Agency to the Redevelopment Agency for the County of Riverside.  
**Resolution No. 4656**
10. **Recommendation by Finance** – Subordination Request Relating to Proposed Refunding Bond Issue for Mid-County Redevelopment Project Area
  - a. Adopt a resolution and authorize the City Manager to sign the acknowledgement form approving the subordination request relating to the proposed refunding bond issue for the Mid-County Redevelopment Project Area of the Successor Agency to the Redevelopment Agency for the County of Riverside.  
**Resolution No. 4657**
11. **Recommendation by Engineering** – Supplemental Appropriation – Whittier Avenue Storm Drain
  - a. Authorize the Deputy City Manager/Administrative Services Director to establish budget in the amount of \$81,855 plus a 10% contingency of \$8,186 for a total expenditure in the amount of \$90,041 in Fund No. 222-5618-5500; and

- b. Authorize the City Manager to execute an amendment to the Cooperative Agreement with Riverside County Flood Control and Water Conservation District to include the additional \$90,041 for street repaving.
12. **Recommendation by Fire** – Purchase of 3 Holmatro Safety Tools with CDBG funding
- a. Approve the purchase of three (3) Holmatro Safety Tools in the amount of \$91,762.99; and
  - b. Authorize the City Manager to approve the purchase requisition in the amount of \$91,762.99.

Item Nos. 6, 8, 9 and 10 were removed from the Consent Calendar. **Council Member Youssef moved and Council Member Krupa seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 5-0.**

Item No. 6

**Council Member Milne**, asked for a brief explanation for the public.

**Deanna Elliano, Community Development Director**, the proposed zone change will allow Habitat for Humanity to build two homes on the property. The zoning is consistent with the surrounding neighborhood.

**Council Member Krupa moved and Council Member Youssef seconded a motion to approve this item as presented. Motion carried 5-0.**

Item No. 8

**Council Member Milne**, asked for clarification for the public on the mid-year adjustments.

**Jessica Hurst, Deputy City Manager/Administrative Services Director**, the City applied for and was awarded grant funds of \$86,600 through WRCOG's Beyond Program which required an increase in budgeted revenue that will be used for the Downtown Specific Plan. The Hemet Public Library was awarded \$4,100 more grant revenue than originally budgeted. The Library has requested an appropriation of \$7,500. The total effect on the General Fund is an \$83,200 increase in revenue. Additional appropriation for the Home Program Income is requested in order to utilize existing grant program income. Additional appropriation for the CalHome Program of \$19,000 is requested in order to utilize existing grant program funding. Additional appropriation in NSP Grant of \$67,000 is requested in order to utilize existing grant program funding. Additional appropriation from Indian Gaming Grant of \$7,926 is requested in order to fully utilize the grant revenue received to date. Additional appropriation is Heartland Fund balance is requested in order to pay for administration costs of the bond. The City of Hemet pays for unemployment benefits on a pay-as-you-go basis. Due to an oversight at the time the citywide budget was adopted, an appropriation to pay these benefits was not requested. \$50,000 is being requested from fund balance to pay for unemployment benefits through the remainder of the fiscal year.

**Mayor Pro Tem Raver moved and Council Member Milne seconded a motion to approve this item as presented. Motion carried 5-0.**

Item Nos. 9 and 10

**Council Member Krupa**, requested that staff explain why Hemet would be included in the two Riverside County Redevelopment Project Areas.

**Jessica Hurst, Deputy City Manager/Administrative Services Director**, both Project Areas are within the Former County of Riverside Redevelopment Agency. The reason the City of Hemet is affected by the Desert Communities Redevelopment Project Area is because Hemet Ryan Airport falls within this project area. The Mid-County Redevelopment Project Area includes an area in North Hemet. When the City refunded the Redevelopment Bonds with the Count there was a similar subordination agreement with the Mid-County Project Area.

**Council Member Krupa moved and Council Member Milne seconded a motion to approve Item Nos. 9 and 10 as presented. Motion carried 5-0.**

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## **Communications from the Public**

**Linda Resvalaso**, invited the City Council to participate in "The Longest Walk 5" Declaring a War on Drugs on February 16, 2016.

**Stacie Olson, Project Hope**, working to help provide the homeless with dignified living and seeking transitional housing. Ms. Olson expressed concern that many of the City's ordinances discriminate against homeless. According to the ordinance the homeless can't be a number of places private or public after dusk. Ms. Olson asked where they can be?

**Julian Perez, Hemet**, expressed concern with the some sidewalks and ramps for wheelchairs. Mr. Perez also expressed concern with the lack of activities in Weston Park, this park used to be the hub of the activity in Hemet.

Weston Park will be renovated with the Hemet Downtown Specific Plan. Mr. Perez was referred to Steve Latino about the sidewalks and ramps.

**Ann Smith, Hemet**, enjoyed the discussion about the districting. Ms. Smith recommended that the City Council be mindful of cheaper housing being concentrated in one area that might form a ghetto. Ms. Smith expressed concern that a majority of the Latino population doesn't vote.

**Janae Betterton, Hemet**, expressed concern with the homeless. They need to be somewhere other than on Florida Avenue, the library or in our parks.

**Mayor Pro Tem Raver**, suggested that the City Council have a meeting to discuss the criteria in which to use to form the districts prior to the first public hearing.

**Alex Meyerhoff**, the public hearings are tentatively scheduled in March and April. The intent tonight was to explain the criteria. The maps will come back at that time allowing the public and the City Council to comment.

The City Council and staff discussed the concern. Mr. Johnson will use the criteria defined by the state and federal voting rights acts as well as the comments presented today and bring a couple of examples that can be considered and manipulated at the public hearings.

**Mayor Pro Tem Raver**, asked if the council members locations are to be a consideration or not.

**The City Council directed the consultant to come back with draft maps based on their recommended criteria.**

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## **City Council Reports**

13. CITY COUNCIL REPORTS AND COMMENTS
  - A. Council Member Krupa
    1. Riverside Conservation Authority (RCA)

2. Ramona Bowl Association
3. Riverside Transit Agency (RTA)
4. Watermaster Board
5. Library Board
6. League of California Cities
7. Riverside County Transportation Commission (RCTC)

Two major issues discussed at the annual off-site retreat were the future of transportation in Riverside County and the Riverside County Strategic Assessment. The State has cut \$800,000,000 out of the STIP Program. Congress has re-authorized the 5-Year Transportation plan.

8. Western Riverside Council of Governments (WRCOG)

Council Member Krupa attended the Ribbon Cutting for PDH Salon.

Council Member Krupa attended a Hemet CAN presentation at HUSD. Efforts of both the City Council and the High School PLUS Program's the City of Hemet's grade from the American Lung Association has been raised from a "D" to a "B".

Council Member Krupa represented Hemet CAN in Washington DC speaking about prescription drug abuse. Council Member Krupa had the opportunity to speak with Congressman Ruiz regarding funding for Highway 79.

B. Council Member Milne

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

Council Member Milne attended the MSJC Gala.

C. Council Member Youssef

1. Planning Commission

D. Mayor Pro Tem Raver

1. Traffic and Parking Commission
2. Riverside Transit Agency (RTA)

Mayor Pro Tem Raver attended the meeting. A proposal to enhance the transportation in and out of UCR was presented.

3. Riverside County Transportation Commission (RCTC)

Mayor Pro Tem Raver attended the meeting. SCAG presented their transportation plan to the committee. The City of Moreno Valley expressed concern that RCTC has not completed projects in their area saying that the plan is inconsistent with the original policy and proposal. Mayor Pro Tem Raver requested that Highway 79 be moved up on the priority list, concurred by Council Member Ruiz from San Jacinto.

4. Watermaster Board

E. Mayor 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 Wright heard a number of presentations on the transportation plan and at every cost make a plea to have Highway 79 moved up on the priority list.

F. Ad-Hoc Committee Reports

1. Diamond Valley Lake Recreation Ad-Hoc Committee (January 27, 2015)

Next meeting, February 29, 2016

2. Ad-Hoc Committee to Explore Revenue Options (May 26, 2015)

Report from this Committee will be presented on February 23, 2016

3. Grant Ad-Hoc Committee (June 23, 2015)

Next meeting, February 18, 2016

4. CDBG Ad-Hoc Committee (December 8, 2015)

Recommendations will be presented to the City Council on February 23, 2016.

G. City Manager Meyerhoff

1. Manager's Reports

Mr. Meyerhoff and staff met with the new Transportation Director for WRCOG and staff regarding the City's priorities. Mr. Meyerhoff and staff also met with Valley-Wide regarding graffiti.

2. Staff Spotlight

Mr. Meyerhoff, Wayne Vaughn of Vaughn Construction complimented Steve Latino, Deanna Elliano and Carole Kendrick, saying that staff is easy to work with and we appreciate that.

**The City Council gave direction to staff to include the compliments on the City's website.**

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The City Council recessed to Closed Session at 7:58 p.m.

### **Continued Closed Session**

2. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *City Manager Meyerhoff*

Employee organization:

*Service Employees International Union (SEIU) General Employees*

*Hemet Non-Sworn Police Employees Association*

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Reconvened at 8:06 p.m.

### **City Attorney Continued Closed Session Report**

3. Conference with Labor Negotiators

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**The City Attorney reported that there was no reportable action.**

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## **Future Agenda Items**

**Mayor Wright**, requested formation of an ad-hoc committee to develop a strategy for the homeless concerns.

**The City Council approved the formation of the Homeless Ad-Hoc Committee and the appointment of Council Member Krupa and Mayor Wright to the committee.**

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## **Adjournment**

Adjourned at 8:08 p.m. to Tuesday, February 23, 2016 at 7:00 p.m.