



#9

MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

October 27, 2009

REGULAR SESSION

7:00 pm

www.cityofhemet.org

City of Hemet Council Chambers

450 E. Latham Avenue

Please silence all cell phones

Call to Order

Mayor McBride called the meeting to order at 7:01 p.m.

Roll Call

PRESENT: Council Members Foreman, Lowe, Youssef, Vice Mayor Franchville, and Mayor McBride

ABSENT: None

Invocation

Invocation was given by Reverend Karcher, Retired First Presbyterian Church

Pledge of Allegiance

Pledge of Allegiance was led by Council Member Youssef

City Council Business

Consent Calendar

1. **Approval of Minutes** - October 13, 2009
2. **Receive and File** - Warrant Register
 - a. Warrant register dated October 8, 2009. Payroll for the period of September 21, 2009 to October 4, 2009 was \$708,912.23.
3. **Recommended by Finance Director** - Proposition 1A Securitization
 - a. Adopt a resolution approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement by and between the City of Hemet and the California Statewide Communities Development Authority and related documents with respect to the sale of the seller's proposition 1A receivable from the State and directing and authorizing certain other action in connection therewith. **(Resolution No. 4329)**

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

Communications From the Public

Howard Tounget, Hemet, suggested that the City sell the property located at Stetson and Sanderson for the appraised value.

Kristina Lindholm and Martha Baca, Royal Club Café, invited the City Council to visit their new restaurant located on Harvard Street.

Patricia Yepremian, Farmer's Market, requested support to continue the event and asked that the City Council direct the City Manager to authorize the street closure every Saturday.

City Departments

4. **Private Patrol Ordinance - Police Chief Dana**
 - a. Introduce, read by title only and waive further reading on an ordinance amending sections 18-259 and 18-260 of Chapter 18 of the Hemet Municipal Code regarding private patrols. **(Ordinance Bill No. 09-060)**

Chief Dana, the City's current ordinance adopted in 1994 states that a uniform worn by a security guard must conflict with law enforcement uniforms. The Hemet Police Department has received a number of complaints against police officers that were in fact security guards. Staff is recommending that the City's Municipal Code be amended to state that the uniforms and vehicles must not look like any law enforcement agencies and must be approved.

Council Member Lowe moved and Council Member Youssef seconded a motion to introduce, read by title only and waive further reading of Ordinance Bill No. 09-060. Motion carried 5-0.

City Clerk McComas read the ordinance title.

5. **Partnership with Helicopter Company - Fire Chief Shobert**
 - a. Direct the Fire Chief to finalize negotiations with Reach Air to operate out of Fire Station No. 4.

Chief Shobert, staff has met with two different agencies regarding a proposed helicopter facility at Fire Station No. 4. Currently, the quickest way to transport residents or employees for specialize care is by ground ambulance due to the estimated time of arrival for helicopters. Ground transport can aggravate some injuries and/or cause delays in emergency treatment. The City has received letters of intent from two helicopter companies. After careful consideration I am requesting authority to continue negotiations with Reach Air. This service is not in direct conflict with AMR, the two companies work cooperatively.

Jack Hansen, Operations Manager AMR, AMR supports this agreement. The mid-County, which this division serves, does not have a trauma center. Any assistance to move those needing services expeditiously is welcomed.

Chief Shobert, this would be a vast improvement of the valleys current transport system. This facility will not only service Hemet, but will be strategically located to serve other areas.

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

6. **Valley Health System Measure "P"** - City Manager Nakamura
 - a. Adopt a resolution encouraging voters to consider the benefits of Hospital services in the valley when voting on Measure "P".

(Resolution No. 4330)

Brian Nakamura, City Manager, this resolution identifies the possible exploration of expanded medical care options in the City of Hemet. The City has been contacted by community members interested in this opportunity. This City believes in economic development, job creation, job retention, business development and expansion throughout the community. This resolution identifies Measure P and what the voters will be asked to vote on December 15, 2009. Staff is recommending that the City Council adopt Resolution No. 4330 encouraging the voters to consider the benefits of hospital services in the valley when voting on Measure P. The medical industry also provides for research, technology and other businesses that could come to this community and this region.

Council Member Youssef, expressed concern that the resolution presented is neutral. I would recommend that we adopt a resolution in support of Measure 'P'. The hospital is in terrible times and there is a need to sell the hospital to ensure quality health care for the residents.

Mayor McBride, noted that staff brought forward a non-partisan resolution, it is up to the City Council to offer support or not on a Measure. The City Council can strengthen the resolution. The sale of the hospital will be beneficial to all of us.

Council Member Foreman, the owners will be local vested residents of this valley. The sale of the hospital will increase the quality of medical care.

Council Member Lowe, without a hospital this community will suffer. Council Member Lowe concurred with the recommendation to add language in support of Measure P. The doctors are making a huge commitment and are willing to invest over \$165 million into this community.

Dr. Naka, Physicians for Healthy Hospitals, has been a practicing physician in Hemet for the last 22 years. The community needs to look into the future. 130 doctors have banded together to do what is best for this hospital. These doctors live here and raise their children here. These doctors want to acquire the health system and increase the quality of care.

Glen Holmes, Valley Health Systems Board Member speaking as a resident, as chair of the 3 member ad-hoc negotiations committee, I recommended the sale of the hospital. The hospital is insolvent , as of October 26, 2009 there was \$15 million dollars in bills and \$800,000 in the bank. Mr. Holmes gave the City Council statistics regarding the number of patients in the hospital at this time. The payment for most of these patients will

not come in for 90 days, if there is payment at all. There is concern that the hospital will not make payroll on Thursday, October 29, 2009. If the bills can not be paid, the hospital will be locked up and will lose its grandfathered status for seismic retrofitting requirements. The Board is required to act like a governing body, even though the hospital is not financially supported by a community or district tax. Mr. Holmes recommend that the City Council make the resolution of support as strong as possible.

Howard Tounget, Hemet, previously came out in opposition to Measure G. Mr. Tounget asked the City Council if they have read the paperwork and agree that this is the best solution. The negotiations are exclusively with one group of 130 doctors. Mr. Tounget made additional comments regarding the managing partner. Mr. Tounget also expressed concern regarding the hospitals practice of billing. Mr. Tounget expressed concern regarding the City's support of this measure and the promotion of the measure by the Fire Chief.

Sheila Moss, Hemet, agrees that something needs to be done for this hospital, but not sure that this is the right solution. In April, Ms. Moss presented the City Council with pages from a book entitled "Critical Condition", a book about Dr. Kali Chaudhuri. Ms. Moss gave City Manager Nakamura a copy of the pages.

Pat Searl, Hemet, thanked the City Council for recommending that the resolution be in support of Measure P. As a former chairman of Valley Health Systems Board I was the father of Measure I and Measure G. Valley Health Systems has been in bankruptcy for 18 months. Physicians for Healthy Hospitals is 130 of our local physicians that have come together to support and buy Valley Health Systems. The Board has been asking for solutions, and this one was presented. I recommend that the City Council support these local physicians 100 percent.

Howard Rosenthal, Hemet, gave the City Council some history regarding Valley Health Systems. This valley is dangerously close to not having access to health care. Hospitals are a lousy investment, they don't pay well. I recommend that you unanimously adopt a resolution that encourages the public to vote yes on Measure P. There is no tax base supporting this hospital.

Todd Foutz, Hemet, spoke in favor of Measure P. To say we are in troubling times in all industries would be an understatement. These physicians will not make money buying this hospital, but they will be able to maintain their practices in the valley. Their commitment to buy our local hospital is wonderful.

Brian Rubin, Hemet, there are major health care improvements that need to be made. Mr. Rubin spoke in opposition to Measure P as the solution. The current health care reform prohibits public payment to physician owned hospitals. This needs to be considered. The hospital might not be able to receive federal funding if this legislation passes. The facility on the 215 might also be impacted.

Dr. Naka, explained the proposed Senate Bill regarding cherry picking of specialty hospitals. There are over 220 physician owned hospitals. It is not likely that they will be shut down. Consumer Index shows that physician owned hospitals are preferred.

Eric Vail, City Attorney, the current resolution does not express support of Measure P. Mr. Vail suggested stronger language in the title and the text if the City Council intends to support Measure P. Mr. Vail also recommend that Measure P be included as an attachment to the resolution.

Council Member Lowe, the City Council needs to stress the importance of this facility to this valley. We don't want our doctors to leave this valley. Just to say that the City Council encourages voters to vote yes is not strong enough.

Mr. Vail, gave the City Council alternative language saying that the City Council endorses Measure P and strongly encourages voters to vote Yes on Measure P.

Vice Mayor Franchville, as a City Council Member I am preparing a letter of support for Measure P and would encourage the City Council to sign the letter.

Council Member Youssef moved and Mayor McBride seconded a motion to adopt Resolution No. 4330 as amended. Motion carried 5-0.

City Council Reports

7. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Foreman

1. Traffic and Parking Commission
2. Library Board
3. Park Commission

B. Council Member Lowe

1. Southern California Association of Governments (SCAG)
2. Riverside County Habitat Conservation Agency (RCHCA)
3. League of California Cities/National League of Cities

The State Senate approved the Securitization Loan in a special session. Highway funding was also approved with a delay. Next year will be worse financially. The California Redevelopment Agency has filed suit against the State again. It is expected that the State will go after municipalities general fund money again. The League of California Cities has filed a ballot measure with Legislative Counsel for 2010. The final language should be available in 30 to 90 days. Public Safety Unions and California State Association of Counties are lining up across the state to help. It is imperative that residents shop locally and help support local businesses. Good news for property owners, their recent property tax bill might be lower. That will mean that the City's share of the property taxes will also be reduced.

4. Riverside County Transportation Commission (RCTC)
5. Western Riverside Council of Governments (WRCOG)
6. Riverside Conservation Agency (RCA)
7. Airport Land Use Commissions (ALUC)

- C. Council Member Youssef
 - 1. Riverside County Habitat Conservation Agency (RCHCA)
 - 2. Western Riverside Council of Governments (WRCOG)

- D. Vice Mayor Franchville
 - 1. Riverside Transit Agency (RTA)
 - 2. Indian Gaming Distribution Fund

- E. Mayor McBride
 - 1. Riverside Transit Agency (RTA)
 - 2. Riverside County Transportation Commission (RCTC)
 - 3. League of California Cities/Public Safety Policy Committee
 - 4. Airport Land Use Commissions (ALUC)
 - 5. Indian Gaming Distribution Fund
 - 6. 3rd LAR Bn USMC

Mayor McBride, complimented the recent enhancement to the City's online agendas. Now staff reports are available by clicking on the agenda item.

- F. City Manager Nakamura
 - 1. Manager's Reports
 - 2. Pending Ordinance Amendments

Brian Nakamura, City Manager, provided an ordinance amendment update to the City Council that will be discussed at the November team building session.

The League of California Cities regional meeting will be held on November 9, 2009 in Rancho Mirage.

Recessed to Redevelopment Agency at 8:03 p.m.
Reconvened at 8:16 p.m.

Closed Session

Notice of Opportunity for Public Comment

There were no public comments presented.

Recessed to Closed Session at 8:16 p.m.

- 8. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representative: City Manager Nakamura
Employee organization:
Communications Workers of America (CWA) Non-Sworn Police Employees

Reconvened at 8:34 p.m.

City Attorney Closed Session Report

9. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representative: City Manager Nakamura

Employee organization:

Communications Workers of America (CWA) Non-Sworn Police Employees

**The City Attorney reported that direction was given to City's representative.
There was no additional reportable action.**

Future Agenda Items

There were no future agenda items requested at this time.

Adjournment

Adjourned at 8:36 p.m. to Tuesday, November 10, 2009 at 9:30 a.m.