



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

May 25, 2010

12:30 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 12:33 p.m.

Roll Call

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

ABSENT: Council Member Youssef

Council Member Franchville moved and Mayor McBride seconded a motion to excuse Council Member Youssef. Motion carried 4-0.

City Council Reports

1. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Foreman

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

Council Member Foreman, acknowledged the passing of Jan Wright.

4. Veteran's Outreach Center

B. Council Member Lowe

1. Southern California Association of Governments (SCAG)
2. Riverside County Habitat Conservation Agency (RCHCA)

Council Member Lowe, updated the City Council on discussions regarding the possible de-listing of the Kangaroo Rat. Senator Hollingsworth is leading this charge.

3. League of California Cities/National League of Cities
4. Riverside County Transportation Commission (RCTC)
5. Western Riverside Council of Governments (WRCOG)

The General Assembly begins June 24, 2010.

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)
 - 3. Planning Commission

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

Vice Mayor Franchville, reported on the City's Attorney sub-committee meeting. The City Attorney has done a great job staying within the budget. The City Attorney's budget for 2010-11 has not been determined.

Council Member Foreman, requested that all employees seek permission to work with the City Attorney through the City Manager.

- 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

- F. Sub-Committee Reports
 - 1. Housing Committee
 - 2. Ad-Hoc Committees:
 - a. Health and Safety Ordinance Review Committee

- G. City Manager Nakamura
 - 1. Manager's Reports
 - 2. Attorney costs to determine Housing Element requirements for surrounding cities

Brian Nakamura, City Manager, staff was requested to determine the City Attorney's cost to examine the affordable housing and transient housing issues addressed in the surrounding communities Housing Elements. At this time City staff is working on this request. Staff will be prudent in requests to utilize the City Attorney's time.

Brian Nakamura, City Manager, noted that Diamond Valley Lake was featured in AAA's "Westways" magazine.

Work Study Session

Immediately following the City Council Reports

2. Consider taking a Formal Position on Arizona Senate Bill 1070

Discussion regarding this item, with possible direction to staff

Mayor McBride, recommended that the City Council take a formal position supporting Arizona's adoption of Senate Bill 1070. The Senate Bill takes the Federal law and confirms that the State of Arizona will enforce it. In the County of Riverside illegal aliens are already turned over to ICE.

Council Member Foreman, currently the Hemet Police Department requests immigration hold and illegal aliens are turned over to Federal immigration officials. This resolution is upholding a Federal law that is not enforced.

Council Member Lowe, does not support profiling. Council Member Lowe asked the reason that the Arizona Police Chiefs and the Municipal League in Arizona did not support this bill. The State of California has better border control than the State of Arizona.

Cash Hovivian, Hemet, spoke in favor of the City Council supporting Arizona Senate Bill 1070.

Ted Wagner, Hemet, spoke in favor of the City Council supporting Arizona Senate Bill 1070. Mr. Wagner talked about an e-verification program adopted by the City of Lancaster.

Mayor McBride moved and Council Member Foreman seconded a motion to give direction to staff to prepare a resolution for City Council consideration. Motion carried 4-0.

The City Council recessed to the Housing Authority meeting at 12:56 pm.
Reconvened at 1:09 p.m.

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 1:07 p.m.

3. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code section 54956.9(a)

Name of case: Howard Tounget v. City of Hemet

4. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: City Manager Nakamura

Employee organization:

Service Employees International Union (SEIU) General Employees

Communications Workers of America (CWA) Non-Sworn Police Employees
Hemet Fire Fighters Association
Hemet Fire Management Association
Hemet Police Officers Association
Hemet Police Management Association
Administrative Personnel
At-Will Employees

REGULAR SESSION

7:00 p.m.
City of Hemet Council Chambers
450 E. Latham Avenue

Call to Order

Mayor McBride called the meeting to order at 7:00p.m

Roll Call

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

ABSENT: Council Member Youssef

Council Member Foreman moved and Vice Mayor Franchville seconded a motion to excuse Council Member Youssef. Motion carried 4-0.

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

Invocation

Invocation given by Nasr Tabel, Imam of the Islamic Society of Hemet

Pledge of Allegiance

Pledge of Allegiance led by Vice Mayor Franchville

City Attorney Closed Session Report

5. Conference with Legal Counsel - Existing Litigation

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Name of case: Howard Tounget v. City of Hemet

The City Attorney reported that direction was given to staff. There was no additional reportable action.

6. Conference with Labor Negotiators

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Agency designated representatives: City Manager Nakamura

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Hemet Fire Fighters Association
Hemet Fire Management Association
Hemet Police Officers Association
Hemet Police Management Association
Administrative Personnel
At-Will Employees

The City Attorney reported that direction was given to staff. There was no additional reportable action.

City Council Business

Consent Calendar

7. Approval of Minutes - May 4, 2010
8. Approval of Minutes - May 11, 2010
9. Receive and File - Warrant Register
 - a. Warrant registers dated May 3, 2010 and May 6, 2010. Payroll for the period of April 19, 2010 to May 2, 2010 was \$691,303.97.
10. Recommendation by City Manager - Supporting the California Jobs Initiative
 - a. Adopt a resolution in support of the California Jobs Initiative (Resolution No. 4344)
11. Review of Emergency Action (Public Contracts Code 22050(c))
 - a. Receive and file the report; and
 - b. Determine that there is a need to continue the Emergency Action approved by Resolution No. 4342.
12. Recommendation by Public Works Director/City Engineer - Measure 'A' Expenditure Plan - 2011-2015
 - a. Adopt the Measure A Expenditure Plan for 2011-2015; and
 - b. Authorize the submission to the Riverside County Transportation Commission
13. Recommendation by Public Works Director/City Engineer - Bond Release, 141 & 151 N. Western Avenue
 - a. Accept the improvements; and
 - b. Authorize the City Clerk to release the Faithful Performance Bond in the amount of \$34,770.00, with the Labor and Materials Bond in the amount of \$34,770.00 to be released in ninety days.

14. Recommendation by Public Works Director/City Engineer - Award of Bid: Sanderson Avenue Street Improvement - Commonwealth to Esplanade CIP No. 5449 Phase 2 - Supplemental Appropriation
 - a. Approve the contract award with Cooley Construction, inc. for construction of the Sanderson Avenue Improvements Phase 2 - Commonwealth to Esplanade in the amount of \$1,249,531 and reject all other bids; and
 - b. Authorize the City Manager to enter into a Construction Contract with Cooley Construction; and
 - c. Approve a supplemental appropriation in the amount of \$1,334,531 to cover the construction and professional services.

15. Recommendation by Public Works Director/City Engineer - Park Commission Recommendations of April 26, 2010
 1. Request to Accept Donation - Brubaker Park from Valley Beautiful Recommendation to accept the donation and install plaque.

Item Nos. 12 and 14 were removed from the Consent Calendar. Council Member Foreman moved and Council Member Lowe seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 4-0.

Item 12

Council Member Lowe, asked about the timing of the Measure A fund and when the maps will be prepared.

Mike Gow, Public Works Director/City Engineer, the Measure A funds are distributed timely. The improvement maps will be prepared project by project.

Council Member Lowe moved and Council Member Foreman seconded a motion to approve this item as presented. Motion carried 4-0.

Item 14

Mayor McBride, asked about the completion date and confirmed that this will complete the enhancements to Sanderson Avenue.

Mike Gow, Public Works Director/City Engineer, these improvements will complete Sanderson Avenue and are scheduled to be completed in late fall.

Council Member Lowe, asked if Sanderson would remain open during the construction.

Mr. Gow, one lane in each direction will remain open.

The City Council discussed the bids and the bidding process.

Mayor McBride moved and Council Member Foreman seconded a motion to approve this item as presented. Motion carried 4-0.

Communications From the Public

Connie Hall, Hemet, complimented Mayor McBride and Chief Dana on their leadership at the Public Safety Summit.

Ramon Fonseca, Hemet, spoke in opposition to the City of Hemet's support of Arizona Senate Bill 1070. Mr. Fonseca feels that the City Council should take care of business in Hemet. The Governor of Arizona is doing very well on her own.

Dustin Murray, HPOA President, represents the first responders, Corporals, Officers, Detectives and Investigators. Cpl. Murray talked about the Police Department's clearance rate and its decline with the reduction and furlough of officers. The HPOA is recommending that all non-essential employees be laid off prior to any additional cuts in the HPOA.

Sally Mason, Hemet, asked for assistance with the traffic situation on Fruitvale, between Sanderson and Kirby.

Ms. Mason was referred to the Traffic and Parking Commission.

Discussion/Action Items

16. Amendment of Consolidated Plan 2010-2011

_____ Discussion regarding this item, with possible direction to staff

Council Member Lowe, recently met with County representatives regarding a letter from Supervisor Stone. There is no funding nor a plan to address the Regional Homeless issue. It is hard to justify a \$300,000 allocation to Valley Restart at this time with the City's financial situation is in dire straits. Valley Restart has done a wonderful job turning peoples lives around. Council Member Lowe talked about the number of homeless served at the shelter from outside of Hemet, including the unincorporated area that is the responsibility of the County of Riverside. Council Member Lowe also noted that when you call "211" you are referred to Valley Restart. Currently there is no funding planned from the County of Riverside for Valley Restart's construction project. Council Member Lowe recommended that the City Council give direction to staff to amend the consolidated plan and reroute the funds. Council Member Lowe recommended that the City Manager make a recommendation on projects that would be beneficial.

Eric Vail, City Attorney, the decision to amend the consolidated plan, the action plan and the strategic plan would be considered a substantial amendment. This would require that the documents go through a 30 day public input process after which the City Council will conduct a public hearing.

Vice Mayor Franchville, CDBG is a different funding source. Not allocating the funding, will not make Valley Restart go away. There are no funds allocated to Valley Restart from the County of Riverside. I have heard that Valley Restart is having financial problems and are behind on mortgage payments.

Linda Rogers, Executive Director, there is no County funding allocated for the capital improvements. Valley Restart is not in financial trouble, nor is it behind on payments. Funding from public sources does require Valley Restart to take its patrons on a first come, first served basis regardless of their previous residency.

Council Member Lowe, there are too many unanswered questions. Hemet should not be the location for the regional shelter. The residents are very concerned about the direction that the city is going.

Linda Rogers, 6 years ago when the Homeless Task Force met, it was clear then that if the businesses, the communities, the churches and the residents would take care of the shelter, the shelter would close their doors to patrons outside of our valley.

Council Member Lowe moved and Council Member Foreman seconded a motion to direct staff to amend the allocation and not enter into a contract with Valley Restart. Motion carried 4-0.

Mark Orme, Deputy City Manager, met with the Deputy Regional Manager for the Department of Veteran Affairs regarding a facility in Hemet. Staff is looking for direction from the City Council for possible space at the Simpson Center. The Veteran officials would only require an office, a desk, a couple of chairs and a reliable phone line. This office would provide Counseling and Vocational Services for the Veterans in our valley.

Council Member Foreman, this office would provide counseling and testing to help veterans move on with their life. The Temecula office has noted the large number of visitors from Hemet. There were 8,000 veterans in the Valley in the 2000 census.

Council Member Lowe, Hemet does have a large number of men and women that have served, they should not have to drive to Temecula for these services.

The City Council directed staff to move forward with this request.

Council Member Foreman, passed out a flyer on the City of Rancho Cucamonga's "Armed Forces Banner Program", honoring Rancho Cucamonga residents serving in the United States Armed Forces. Council Member Foreman recommended that staff work on a similar program.

The City Council directed staff to obtain an estimate to purchase additional banner brackets and the cost to prepare the banners.

The City Council recessed to the Housing Authority meeting at 8:00 p.m.

Reconvened at 8:01 p.m.

Future Agenda Items

Police Tow Yard

Tow Franchise Fees

Report on the number of fatalities and traffic collisions

Report on the number of members in HPOA and HPMA by rank

General Plan issues with Valley Restart

211 Update

Adjournment

Adjourned at 8:05 p.m. to Tuesday, June 8, 2010 at 9:30 a.m.