



MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

December 8, 2009

9:30 am www.cityofhemet.org
City of Hemet Council Chambers
450 E. Latham Avenue Please silence all cell phones

Call to Order

Vice Mayor Franchville called the meeting to order at 9:31 a.m.

Roll Call

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

ABSENT: Mayor McBride

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

City Council Reports

1. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Foreman

1. Traffic and Parking Commission

Council Member Foreman thanked staff for the Dog Park Grand Opening and the Dedication of Dave Oltman Park.

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
4. Riverside County Transportation Commission (RCTC)
5. Western Riverside Council of Governments (WRCOG)

WRCOG's Executive Committee is still split on the temporary reduction of the TUMF. WRCOG will have to determine where the additional funds will go if cities choose not to participate in the temporary reduction. The money should go back the cities zone.

6. Airport Land Use Commissions (ALUC)

Council Member Lowe requested that the City Council consider forming a sub Committee to work with Western Center to look into the possibility of fulfilling a portion of the City's previous commitment of \$1 million dollars. The Committee will meet and bring back suggestions and recommendations to the City Council for consideration.

Vice Mayor Franchville moved and Council Member Foreman seconded a motion to form a sub Committee made up of Council Members Lowe and Youssef. Motion carried 4-0.

C. Council Member Youssef

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

D. Council Member Franchville

1. Riverside Transit Agency (RTA)
2. Indian Gaming Distribution Fund

E. Council Member 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. City Manager Nakamura

1. Manager's Reports

City Manager Nakamura, thanked staff for their efforts on the successful Christmas Parade.

Council Member Lowe, thanked Gerri Engelhart, Public Works and the Police Department for their outstanding job with the parade.

City Manager Nakamura, reminded the City Council about the request for comments from the Goal Setting Session. Mr. Nakamura would like to meet with staff regarding the City Council's priorities and report back to the City Council.

The City Council recessed to the Redevelopment Agency at 9:47 a.m.

Reconvened at 11:11 a.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 11:11 a.m.

2. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code section 54956.9(a)

Name of case: Heartland/MSK Realty Venture LLC v. City of Hemet and Does 1 through 50 inclusive, RIC 535678

REGULAR SESSION

1:00 p.m.

City of Hemet Council Chambers
450 E. Latham Avenue

Call to Order

Mayor McBride called the meeting to order at 1:00 p.m.

Roll Call

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

ABSENT: None

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

Invocation

Invocation was given by Merrill Brinton, Church of Jesus Christ of Latter Day Saints.

Pledge of Allegiance

Pledge of Allegiance was led by Vice Mayor Franchville.

City Attorney Closed Session Report

3. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code section 54956.9(a)

Name of case: Heartland/MSK Realty Venture LLC v. City of Hemet and Does 1 through 50 inclusive, RIC 535678

The City Attorney reported that there was no reportable action.

Council Reorganization

4. City Clerk to Call for Nominations for the Office of Mayor

City Clerk McComas, called for nominations for the Office of Mayor.

Council Member Foreman nominated Council Member McBride and Council Member Youssef seconded the nomination. Motion carried 5-0.

5. Mayor to Call for Nominations for the Office of Vice Mayor

Mayor McBride, called for nominations for the Office of Vice Mayor.

Council Member Youssef nominated Council Member Franchville and Council Member Foreman seconded the nomination. Motion carried 5-0.

Presentation

6. Presentation to the City Council from Valley Watch
Lisa DeForst, Valley Watch, gave a plaque to Chief Dana and Chief Shobert for their continued support.
7. Proclamation for Alzheimer's Foundation of America recognizing Desert Hills Memory Care Center with the Excellence in Care Program of Distinction Status
Mayor McBride, read and presented a proclamation to Trudy Hendricks from Desert Hills Memory Care Center.
8. Proclamation for Home Instead, "Be a Santa to a Senior"
Mayor McBride, read and presented a proclamation to Jason Baker, Home Instead.

City Council Business

Consent Calendar

9. Approval of Minutes - November 10, 2009
10. Receive and File - Investment Portfolio as of August 2009
11. Receive and File - Investment Portfolio as of September 2009
12. Receive and File - Warrant Registers
 - a. Warrant registers dated November 5, 2009 and November 9, 2009. Payroll for the period of October 19, 2009 to November 1, 2009 was \$694,303.51.
13. Recommendation by City Manager - League Ballot Measure
 - a. Adopt a resolution in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 (Resolution No. 4331).
14. Recommendation by Fire Chief - 2009 Grant from Riverside County Health Agency (CHOG)
 - a. Accept the grant from the Riverside County Health Agency in the amount of \$75,000 for the period of April 1, 2009 thru March 31, 2010 to cover training and purchase of Hazardous Materials Mitigation Equipment; and
 - b. Establish a budget in the Public Safety Grant Fund #232 in the amount of \$75,000 to cover the cost of training and the purchase of hazardous materials mitigation equipment.
15. Recommendation by Fire Chief - Automatic Aid Agreement with the Idyllwild Fire Protection District
 - a. Approve the Automatic Aid Agreement with the Idyllwild Fire Protection District.

16. Recommendation by Public Works Director/City Engineer - Parks and Recreation Ordinance
 - a. Adopt an ordinance amending sections 50-1 of Chapter 50 of the Hemet Municipal Code regarding Parks and Recreation establishing rules for City dog parks and amending operating hours for City parks. (Ordinance No.1821)
17. Recommendation by Police Chief - State COPS Grant Spending Plan and Supplemental Appropriation
 - a. Accept the 2009-10 State COPS grant award to the Police Department in the amount of \$177,418; and
 - b. Approve the spending plan and authorize the Finance Department to record supplemental appropriations to the Police budget as set forth by the plan.
18. Recommendation by Interim Planning Manager - Establishment of a fee for Garage Sale Permits
 - a. Adopt a resolution setting the amount for a garage sale permit. (Resolution No. 4332)
19. Recommendation by Public Works Director/City Engineer - Traffic and Parking Commission Recommendations
 - a. Approve installation of "No Parking" signs in the East/West alleys between Via Linda and Ensenada as well as the North/South alley between Fruitvale and Las Brisas
20. Recommendation by Public Works Director/City Engineer - Park Commission Recommendations
 - a. Tree Removal Request - Privet (2) - 1140 W. Mayberry Avenue
Recommendation to deny removal; remove dead wood from trees and grind raise sidewalk.
 - b. Tree Removal Request - Oak (1) - 1104 Carrotwood Ct.
Recommendation to approve request.
 - c. Tree Removal Request - Ash (1) - 1062 Merced Way
Recommendation to deny request; remove surface roots, placement of root barrier and schedule tree for trim.
21. Recommendation by Public Works Director/City Engineer - Installation of Banner Across Florida Avenue
 - a. Western Center - Backyard Monsters Exhibit thru January 3, 2010. The banner will go up at Florida and Kirby on December 9, 2009 and down on December 21, 2009.

22. Recommendation by Public Works Director/City Engineer - Award of Bid - Stimulus Sidewalk Project, CIP No. 5546 - Supplemental Appropriation
 - a. Approve the Contract Award with Mamco, Inc. For construction of the Stimulus Sidewalk in the amount of \$124,500 and reject all other bids; and
 - b. Authorize the City Manager to enter into a construction contract with Mamco, Inc.; and
 - c. Approve a supplemental appropriation in the amount of \$152,000 to cover the construction, professional services, city staff for engineering, inspection and administrative support.

23. Recommendation by Public Works Director/City Engineer - Notice of Completion - Dog Facility at David R. Oltman Park, City Project No. 5520
 - a. Accept this project; and
 - b. instruct the City Clerk to file a Notice of Completion with the County Recorder's Office. The 10% retention and the Labor and Materials Bond will be released after the Notice of Completion is filed with and received by the County Recorder's Office. The Performance Bond will be maintained for and released after a period of one year.

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

Communications From the Public

Matt Alderman, East Florida Avenue Hemet, based on the new zoning code is unable to refinance his property. Mr. Alderman is requesting either that his property be rezoned or a waiver allowing him to rebuild if damaged more than 50%.

Mr. Alderman was directed to meet with the City Manager.

Stephanie Borders, Hemet, expressed concern with recent activities at The Wheel House.

Brian Rubin, Hemet, noted that banners have been approved for the farmers fair being held at Diamond Valley Lake and asked about banners for the Harvard Street farmers fair. Mayor McBride, told Mr. Rubin that the sponsors of the farmers fair can submit a banner applications for consideration.

Connie Hall, Central County United Way, reminded the City Council that December 13, 2009 is the 24th Annual Tinsel Triathlon.

Hank Schmidt, suggested that some of the street parking be removed and Alfresco style dining be considered for Harvard Street. There is plenty of parking in the immediate area.

Public Hearings

24. Proposed Ordinance to Update Participation in the TUMF Program and Adopt a Temporary TUMF Reduction and Resolution Adopting a TUMF Schedule and Temporary TUMF Reduction - Public Works Director/City Engineer
 - a. Continue the open public hearing from November 10, 2009; and

- b. Introduce by title only and waive further reading of an ordinance amending Division 2, Sections 58-70 to 58-70.6 of Article III of Chapter 58 of the Hemet Municipal Code and superseding Ordinance No. 1757 and Ordinance No. 1768; and (Ordinance Bill No. 09-062 or Ordinance Bill No. 09-071)
- c. Adopt a resolution adopting a revised TUMF schedule and temporary TUMF reduction; (Resolution Bill No. 09-063) or
- d. Adopt a resolution adopting a revised TUMF schedule. (Resolution Bill No. 09-073)

Mike Gow, Public Works Director/City Engineer, the City Council previously directed staff to bring back an alternative version of the ordinance and resolution that would allow the City Council to adopt the Nexus with or without approving the temporary reduction. Mark Knorringa, BIA, recommended that the City Council approve the temporary reduction in fees.

Mayor McBride declared the Public Hearing closed at 1:31 p.m.

Council Member Foreman, disagrees that the temporary reduction will spur development.

Council Member Lowe, the Public Works Directors and City Manager's will be discussing the return of fees collected in January or February. Council Member Lowe recommends that the decision to approve the temporary reduction be continued until after that decision is made.

Council Member Lowe moved and Council Member Foreman seconded a motion to continue this item to February 9, 2010. Motion carried 5-0.

- 25. Specific Plan Amendment No. 09-001, Site Development Review No. 90-003, Tentative Parcel Map No. 36230 (Map 09-001) & Mitigated Negative Declaration for Florida Promenade - Interim Planning Director
 - a. Adopt a resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for Specific Plan Amendment No. 09-001, Site Development Review No. 09-003, Tentative Parcel Map No. 36230 (Map 09-001) (Resolution No. 4333); and
 - b. Introduce, read by title only and waive further reading of an ordinance approving the Florida Promenade Specific Plan Amendment No. 09-001 (Ordinance Bill No. 09-066); and
 - c. Adopt a resolution approving Site Development Review No. 09-003 for a Marriott Towneplace Suites Hotel (Resolution No. 4334); and
 - d. Adopt a resolution approving Tentative Parcel Map No. 36230 (Map No. 09-001) (Resolution No. 4335).

Deanna Elliano, Interim Planning Manager, four actions – see powerpoint

stone - architectural upgrade for this category

extended stay – concern about what that means – the majority - 95% are one to two night suites – 5% would include kitchenettes for 3 to 7 days – no longer than 30 days permitted.

Includes:

four story, 105 units, extended stay hotel

primary access off of Myer's Street – architectural renderings were presented.

conveyance map
remainder parcel from parcel map no. 35350
35.31

Lsa associates - ???

PH opened at 1:45 p.m.

Jeff Holbrook – Hemet 55 SP LLC – Mission Viejo hotel developer, architect and civil engineer is available.

jim - number of conference room

Jeff - 1 - 1,400 square foot; dividable into 4 small rooms. Winco had to conduct their interviews out of town because of the lack of a conference room.

Robin - restaurant nibbles?

Jeff - no...we are talking to Norm's; talking to Olive Garden. Grand Opening with helicopter flyover.

Jim Lyon, park manager Hemet West - south of the project – concerned about the traffic at that intersection. 1,300 residents – one more development – seniors that drive wether they should or not. Entrance and exit is at that intersection of myers and florida.

Ph closed at 1:50 p.m.

1 - Robin 09-065 2 - Jim 5-0

1 - Eric 09-066 2 - Robin 5-0 introduce

1 - Robin 09-067 2 - robert 5-0

1 - Eric 09-068 2 - Robert 5-0

read by SMc

City Departments

26. Ice Cream Truck Ordinance - Police Chief Dana

- a. Introduce and adopt an urgency ordinance amending subdivision (A) of section 78-214 of the Hemet Municipal Code, relating to ice cream trucks. (Ordinance No. 1882)

Dave Brown – old ordinance that said that have to be all white to not interfere with the warning signs. A vendor came with a great looking truck and we think that it is a benefit to the city to allow for wraps and paint jobs that don't interfere with the safety warnings.

No comments

1 - Jim 2 - Jerry 5-0

read by Smc

27. 2010 Legislative Prioritization for Federal Fund Request - Deputy City Manager Orme
 - a. Authorize staff to prepare Federal Funding Request Forms to achieve the "Hardening of Critical Public Safety Infrastructure and Facilities" for the City of Hemet.

Mark - we are looking for projects that will get some funding when taken to WA. The recommendation that came from the police department to harden the facilities I saw the need for them at all of our facilities. Other viable recommendations
fire brush engines
staffing needs of the city - highly unlikely that it would pass congress
railway upgrades

staff is recommending this as our primary goal and request for this year.

Eric - funding for a new facility – is there any money out there.

mark - the police and fire agree – but all other municipalities are saying the same thing. Staff feels that until we have the money to fund it, we need to keep that until then.

Eric - public works type things are being funded.

Robin - this should be a priority for us. We need to write support letters for the other items mentioned, in case funding sources become available. Master drainage and habitat issue on the west end – the rail line leads into the general plan discussions of tonight. We need to be ready.

Mark - staff knows that the other items are necessary...this is just the one that we would recommend pushing for funding from the legislature. We will be ready to go after other money when it becomes available.

1 - Jerry as presented 2 - Robert 5-0

The City Council recessed to the Redevelopment Agency meeting at 2:03 p.m.

Reconvened at 2:07 p.m.

Future Agenda Items

interface - computers for council for agenda at dias

highway 79

Recessed at 2:08 p.m. to the 6:00 p.m. Joint Meeting with the Planning Commission

Joint Meeting of the Hemet City Council and the Hemet Planning Commission

6:00 p.m.

City of Hemet Public Library Upstairs

300 E. Latham Avenue

www.cityofhemet.org

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.

Call to Order

Roll Call

ROLL CALL: Council Members Foreman, Franchville, Lowe, McBride and Youssef
Commissioners Jones, Mendoza and Williams, Vice Chairman Gifford and Chairman Smith

Presentation

1. Presentation from the City Council to the General Plan Advisory Committee
-

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.

Joint Work Study Session

2. General Plan Advisory Committee (GPAC) Findings and Recommendations - Interim Planning Manager Elliano
Discussion regarding this item, with possible direction to staff
 - a. Opening Remarks regarding General Plan and General Plan Advisory Committee Process - Steve Harding
 - b. Overview of the General Plan Process to date & next steps - Deanna Elliano

- c. Overview of the General Plan Advisory Committee's effort and findings - Deanna Elliano & John Gifford
 - d. Recommendations regarding the Vision Statement - Deanna Elliano
 - e. Recommendations regarding the General Plan Elements, Goals & Policies - Deanna Elliano
 - f. Recommendation regarding the Land Use Plan Map - Richard Masyczek
 - i. District Map & Sub-area Characteristics
 - ii. Summary of Sub-area land use changes
 - iii. Property owner requests (GPAC & post GPAC)
 - g. Public Comment of Land Use Request/Changes
-

Adjourn the Planning Commission

City Council Departments

- 3. Findings and Recommendations of the General Plan Advisory Committee (GPAC) - Interim Planning Manager Elliano
 - a. Direct staff to incorporate the GPAC's recommendations in the Draft General Plan Update document, including revisions to the Vision Statement, Goals & Policies, Land Use Categories, and to the text of the General Plan Elements; and
 - b. Direct staff to incorporate the GPAC's recommended revisions to the March 2009 version of the Draft Land Use Plan, as presented at the Joint City Council-Planning Commission Work Study on December 8, 2009, in order to serve as the base land use plan for preparation of the Draft Environmental Impact Report for the General Plan Update; and
 - c. Direct staff to return to the City Council in January 2010 with a proposed schedule, scope of work, and final budget to address the changes and complete the Comprehensive General Plan Update.
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Adjournment

Adjourn to Tuesday, January 12, 2010 at 9:30 a.m. for considerations of items placed on that agenda. The next regular meeting will be held January 26, 2010.

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.