



# AGENDA

## REGULAR MEETING OF THE HEMET CITY COUNCIL

February 26, 2008

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12:30 pm

[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 Lowe, McBride, VanArsdale, Vice Mayor Christie, and Mayor Searl

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### City Council Reports

1. CITY COUNCIL REPORTS AND COMMENTS

A. 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. Hemet-San Jacinto Economic Development Corporation (HSJEDC)
6. Western Riverside Council of Governments (WRCOG)
7. Public Works Committee
8. Riverside Conservation Agency (RCA)
9. Airport Land Use Commissions (ALUC)

B. Council Member McBride

1. Public Safety Committee
2. Riverside Transit Agency (RTA)
3. Riverside County Transportation Commission (RCTC)
4. League of California Cities/Public Safety Policy Committee

C. Council Member VanArsdale

1. Tourism
2. District Export Council

3. Southern California Association of Governments (SCAG)
4. Joint Water Agency Ad Hoc Committee Update
5. Senior Housing
6. Kid Zone Museum
7. Hemet-San Jacinto Economic Development Corporation (HSJEDC)
8. Ramona Pageant Association
9. League of California Cities
10. Simpson Center
11. Library Board

D. Vice Mayor Christie

1. Traffic and Parking Commission
2. Park Commission
3. Planning Commission

E. Mayor Searl

1. Indian Gaming Distribution Fund
  2. Joint Water Agency Ad Hoc Committee Update
  3. 2 + 2 Committee
  4. Western Riverside Council of Governments (WRCOG)
  5. Ramona Pageant
  6. Riverside County Transportation Commission (RCTC)
  7. Riverside Transit Agency (RTA)
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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.

2. Conference with Legal Counsel - Anticipated Litigation  
1 matter(s) of Significant exposure to litigation pursuant to Government Code section 54956.9(b)
3. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: John Davidson, City Manager  
Employee organization: Administrative Personnel

4. Conference with Real Property Negotiators  
Pursuant to Government Code Section 54956.8  
Property: 831 Devonshire Avenue APN: 443-163-001  
Agency Negotiator: John Davidson, City Manager  
Negotiating parties: Hemet Unified School District  
Under negotiation: Disposition, Price and Terms
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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 Lowe, McBride, VanArsdale, Vice Mayor  
Christie, and Mayor Searl

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### Invocation

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### Pledge of Allegiance

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## City Attorney Closed Session Report

5. Conference with Legal Counsel - Anticipated Litigation  
1 matter(s) of Significant exposure to litigation pursuant to Government Code section 54956.9(b)
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Pursuant to Government Code section 54957.6  
Agency designated representatives: John Davidson, City Manager  
Employee organization: Administrative Personnel
7. Conference with Real Property Negotiators  
Pursuant to Government Code Section 54956.8  
Property: 831 Devonshire Avenue APN: 443-163-001  
Agency Negotiator: John Davidson, City Manager  
Negotiating parties: Hemet Unified School District  
Under negotiation: Disposition, Price and Terms

## 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

8. Minutes for February 4, 2008  
(Staff recommends approval/Deputy City Clerk McComas)
9. Minutes for February 5, 2008  
(Staff recommends approval/Deputy City Clerk McComas)
10. Minutes for February 12, 2008  
\_\_\_\_\_ (Staff recommends approval/Deputy City Clerk McComas)
11. Approve the appointment of Ms. Deborah Kelly-Snow to Seat 4 on the Simpson Center Advisory Commission, with a term to end December 2008  
(Mayor Searl recommends approval)
12. Investment Portfolio as of January 2008  
(Receive and file/City Treasurer Oltman)
13. Warrant Registers dated February 4, 2008 and February 15, 2008. Payroll for the period of January 28, 2008 to February 10, 2008 was \$842,061.31  
(Receive and file/Finance Director Nomura)
14. Approval of and introduction of an Ordinance Regulating State Video Franchisees within the City of Hemet  
(Staff recommends adoption of Ordinance Bill No. 08-007, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, REDESIGNATING SECTIONS 22-1 THROUGH 22-19 OF CHAPTER 22 OF THE HEMET MUNICIPAL CODE AS ARTICLE 1 "LOCAL CABLE FRANCHISES" AND ADDING NEW ARTICLE II "STATE VIDEO SERVICES" CONSISTING OF NEW SECTIONS 22-30 THROUGH 22-34 TO CHAPTER 22 OF THE HEMET MUNICIPAL CODE ESTABLISHING FRANCHISE FEES, PEG FEES, AND CUSTOMER SERVICE PENALTIES FOR STATE VIDEO FRANCHISE HOLDERS PROVIDING VIDEO SERVICE WITHIN THE CITY OF HEMET"/Deputy City Manager Orme)

15. Approval of Library Rules of Conduct for the Hemet Public Library  
(Staff and the Library Board of Trustees recommend adoption of Ordinance Bill No. 08-008, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ADDING SECTION 42-3 TO THE HEMET MUNICIPAL CODE, ESTABLISHING RULES OF CONDUCT FOR CITY-OWNED LIBRARIES."/Library Director Disher)
16. Authorize te City Clerk to reduce the Faithful Performance Bond from the amount of \$4,183,260.00 to \$1,464,140.00, with the Labor and Materials Bond, in the amount of \$4,138,260.00 to be reduced to \$1,464,140.00 to reflect the work already completed, Tract Map No. 32529, SunCal Companies, NE Corner of State Street and Newport Road  
(Staff recommends authorization/Public Works Director-City Engineer Gow)
17. Approve the proposed streets to be submitted for funding by Proposition 1B  
(Staff recommends approval/Public Works Director-City Engineer Gow)
18. Approve Change Order No. 2 to the 2006 Street Rehabilitation City Project No. 5500, to resurface and widen portions of an additional 10 street segments. The work will be performed within the existing budget established at the award date and no additional budget will be required  
(Staff recommends approval/Public Works Director-City Engineer Gow)
19. Approve the purchase of a Surplus Modular from Hemet Unified School District for \$1.00 to be used at the Police Department's Range Facility  
(Staff recommends approval/Police Chief Dana)
20. Authorize the Finance Director to record a Supplemental Appropriation in the amount of \$52,000 to the Law Enforcement Facilities Fund, Police Department Machinery & Equipment Account (#331-3100-5400) for the purchase of a Police Vehicle and the relocation of a donated Modular Building  
(Staff recommends authorization/Police Chief Dana)
21. Adopt a Resolution approving Speed Limits on Various Streets in the City  
(Staff and the Traffic and Parking Commission recommend adoption of Resolution Bill No. 08-011/Public Works Director-City Engineer Gow)
22. Approve an Amendment to Resolution No. 2760 creating a method for collecting Capital Facility Fees (Development Impact Fees)  
(Staff recommends adoption of Resolution Bill No. 08-012, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, AMENDING RESOLUTION 2760 ESTABLISHING CAPITAL FACILITY FEES FOR ALL DEVELOPMENT WITHIN THE CITY OF HEMET"/Assistant City Manager Baker)

23. Approve the Installation of the following banners:  
# Hemet Public Library Adult Literacy Services has designated September as Literacy Awareness Month with "Walk-A-Mile for Literacy" being held on September 20, 2008. The banner will go up on Florida Avenue at Harvard Street on September 1, 2008 and come down on September 15, 2008.  
# First Baptist Church will be doing a car show on Saturday, September 27, 2008. The banner will go up at Florida Avenue at Harvard Street on September 15, 2008 and come down on September 29, 2008.  
(Staff recommends approval/Public Works Director-City Engineer Gow)
24. Park Commission Recommendations  
Item 1: Tree Removal Request - Camphor (1) - 2287 Daisy Way  
(Recommendation to deny request; approve root prune, barrier installation and repair of approximately 50 feet of damaged sidewalk)  
Item 2: Tree Removal Request - Sycamore (10) - Gibbel Park along Devonshire  
(Recommendation to approve Southern California Edison's request to remove tree, SCE agrees to cover the cost of the removal and purchase of ten (10) 24 in box replacement trees, to be planted by City crews)  
Item 3: Tree Removal Request - Liquidambar (2) - 2949 Silver Oak Way  
(Recommendation to approve request for the largest of the two trees only; deny removal of second tree; schedule remaining tree for trim)  
(Staff recommends approval of Park Commission recommendations/Public Works Director-City Engineer Gow)
25. Approve a Consultant Services Agreement with Cerrell Associates, Inc.; and Approve an additional appropriation in the amount of \$61,000 to account 571-9000-2710 to fund this services agreement  
(Staff recommends approval of this agreement/Assistant City Manager, Baker)
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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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## Public Hearings

The Council's procedure for public hearings will be as follows: The Mayor will ask the City Manager for the staff report; the City Manager will call on the appropriate staff member for the report. The City Council will ask for clarification of items presented, if needed. The Mayor will open the public hearing: ask for comments from those IN FAVOR of the case; ask for comments IN OPPOSITION to the case; and finally for rebuttal to any comments made. The Mayor will then CLOSE THE PUBLIC HEARING. The Mayor will ask the City Manager to respond to any questions raised by the public (the public will not have the opportunity to respond). The matter will then be discussed by members of the City Council prior to taking action on the item.

26. Accept Comments regarding the 2008-2009 Program Year (34<sup>th</sup>) Community Development Block Grant (CDBG) entitlement budget and reprogramming of unexpended 2006-2007 Program Year funds; Approve the budget recommendations of the City Council CDBG Committee in the amount of \$695,652 entitlement and \$235,777 reprogramming as presented in the attached schedule  
(Staff recommends conducting the public hearing to accept comments/Finance Director Nomura)
  
27. Approve General Plan Amendment No. 05-01 to change the zoning on a 45 acre site located on the east side of Sanderson Avenue, approximately 1,450 feet south of Acacia Avenue by establishing the proposed Sanderson Square Specific Plan No. 05-03 and changing the General Plan land use designation from industrial to commercial with approval of an Environmental Impact Report  
(Continued open public hearing from January 8, 2008; staff recommends conducting the public hearing;  
Adopt Resolution Bill No. 07-087, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA TO NOT CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2006101071), NOT APPROVE ENVIRONMENTAL FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND NOT ADOPT A MITIGATION MONITORING PROGRAM PREPARED FOR THE SANDERSON SQUARE GENERAL PLAN AMENDMENT (GPA) NO. 05-01 AND SPECIFIC PLAN (SP) 05-03";

and

Adopt Resolution Bil No. 07-089, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA DENYING GENERAL PLAN AMENDMENT NO. 05-01 AMENDING THE LAND USE DESIGNATION FOR A 27.45 ACRE SITE LOCATED ON THE EAST SIDE OF SANDERSON AVENUE APPROXIMATELY 1,450 FEET SOUTH OF ACACIA AVENUE FROM INDUSTRIAL TO COMMERCIAL (APN'S: 456-030-011, 012, 013 AND 014)";

and

Adopt Resolution Bill No. 07-090, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA DENYING THE SANDERSON SQUARE SPECIFIC PLAN NO. 05-03 FOR A 45+ ACRE SITE LOCATED ON THE EAST SIDE OF SANDERSON AVENUE APPROXIMATELY 1,450 FEET SOUTH OF ACACIA AVENUE (APN'S: 456-030-011, 012, 013 AND 014)";

OR

(Staff recommends conducting the public hearing;

Adopt Resolution Bill No. 07-091, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA TO CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2006101071), APPROVE ENVIRONMENTAL FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPT A MITIGATION MONITORING PROGRAM PREPARED FOR THE SANDERSON SQUARE GENERAL PLAN AMENDMENT (GPA) NO. 05-01 AND SPECIFIC PLAN (SP) NO. 05-03";

and

Adopt Resolution Bill No. 07-092, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA TO OVERRULE THE FINDINGS OF THE RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION THAT LAND USE APPLICATIONS GPA NO. 05-01 AND SP NO. 05-03 ARE INCONSISTENT WITH THE HEMET RYAN AIRPORT COMPREHENSIVE AIRPORT LAND USE PLAN";

and

Adopt Resolution Bill No. 07-093, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT NO. 05-01 AMENDING THE LAND USE DESIGNATION FOR 27.45 ACRE SITE LOCATED ON THE EAST SIDE OF SANDERSON AVENUE APPROXIMATELY 1,450 FEET SOUTH OF ACACIA AVENUE FROM INDUSTRIAL TO COMMERCIAL (APN'S: 456-030-011, 012, 013 AND 014)";

and

Introduce Ordinance Bill No. 07-094, read by title only and waive further reading, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA APPROVING THE SANDERSON SQUARE SPECIFIC PLAN NO. 05-03 FOR A 45+ ACRE SITE LOCATED ON THE EAST SIDE OF SANDERSON AVENUE APPROXIMATELY 1,450 FEET SOUTH OF ACACIA AVENUE (APN'S: 456-030-011, 012, 013 AND 014)";

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## City Departments

28. City of Hemet's 2007 Audit Reports, Comprehensive Annual Financial Report (CAFR) and the Single Audit Report on Federal Awards and Management Letter  
(Receive and file/Finance Director Nomura)
29. Authorize the reduction of estimated revenues and recording of supplemental appropriations as outlined on the attached schedule to reflect mid-year revised budget projections to funds of the City of Hemet as recommended by the City Manager; and Authorize the City Manager to evaluate all vacant positions and limit ongoing hiring to a strict case-by-case basis with only rare hiring of positions that may impact overall operations of the City; and Request staff to review department budgets with the City Manager to work towards reducing current budget expenditures with the goal to minimize, to the extent possible, the projected deficit for Fiscal Year 07/08  
(Staff recommends authorization and request/Finance Director Nomura)
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Recess to Redevelopment Agency Meeting

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Recess to Housing Authority Meeting

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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, March 11, 2008 at 9:30 a.m. for considerations of items placed on that agenda. The next regular meeting will be held March 25, 2008.