



# MINUTES

## REGULAR MEETING OF THE HEMET CITY COUNCIL

November 10, 2009

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9:30 am

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

City of Hemet Council Chambers

450 E. Latham Avenue

Please silence all cell phones

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### Call to Order

Mayor McBride called the meeting to order at 9:30 a.m.

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### Roll Call

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

ABSENT: None

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### City Council Reports

#### 1. CITY COUNCIL REPORTS AND COMMENTS

##### A. Council Member Foreman

##### 1. Traffic and Parking Commission

Council Member Foreman announced that the City's Dog Park Grand Opening will be held on Tuesday, December 1, 2009.

##### 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)

##### 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. 3<sup>rd</sup> LAR Bn USMC

Mayor McBride announced that November 10, 2009 is the 234<sup>th</sup> Birthday of the US Marine Corps.

- F. City Manager Nakamura
  - 1. Manager's Reports
  - 2. Finance Director Recruitment

Brian Nakamura, City Manager, the recruitment for Finance Director will close on November 30, 2009. There has been a lot of interest for this position.

- 3. Goal Setting Session

The City Council recommended that the meeting be held on a Saturday. Staff will work with the City Council to confirm a possible date.

City Manager Nakamura attended the League's regional meeting in Rancho Mirage. The proposed Pension Reform initiative was the topic of discussion.

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## Work Study Session

Immediately following the City Council Reports

- 2. "HAMMER" Project Proposal - Vice Mayor Franchville and Captain Webb  
Discussion regarding this item, with possible direction to staff

Vice Mayor Franchville, presented a proposed project to the City Council for consideration called the "Hammer". With the continuing loss of revenue for the Police Department for the past two years, staff and the City Council are trying to think outside of the box for ways to enforce the law. The City of Peoria, Illinois uses an armored vehicle called the "Armadillo" to help enforce the laws in neighborhoods. This vehicle is equipped with surveillance cameras watching for inappropriate behavior.

Rob Webb, Police Captain, explained the proposed "Hemet Armored Multiple Monitoring Enforcement Rover", the "HAMMER" project. There are potential benefits to the "HAMMER" project, such as: visibility; instant response to complaints; crime reduction; and pressure on landlords. The Police Department will be responsible for setting the policy and guidelines for deployment of the "HAMMER". There are some potential issues with the

project, such as: the camera system power; privacy issues; neighborhood backlash; landlord backlash; staffing to monitor, deploy and identify the project; funding to secure the vehicle, paint the vehicle, install additional protection, surveillance equipment and the additional cost to the departments budget for fleet maintenance. Staff will ask community groups to contribute to the project. Captain Webb showed the City Council samples of artwork for the side of the armored vehicle.

Chief Dana, confirmed that there is some community interest. A local restaurant owner would welcome the vehicle in the vicinity of his establishment, with the hope that it would deter the homeless problem that he is experiencing. The vehicle could be used as a portable camera, however, the vehicle is not indestructible. It is important that the actual costs for the project be determined. It is also important to see what public opinion will be with a vehicle of this type in the City.

Mayor McBride, there will be a specific cost to obtain and outfit. The ongoing cost to continue this program will also need to be determined. If this vehicle is used as a deterrent that will be less costly, however if this vehicle is to be used as a monitoring device that will include more cost for staff time.

Captain Webb, this vehicle will add an additional vehicle to the departments fleet maintenance internal services expenditure. Captain Webb explained that the Department's surveillance system will require an upgrade to record for longer periods of time, the current system will only record for approximately 3 hours.

Mayor McBride, asked staff to determine what program will be displaced in order to provide funding for this project.

Vice Mayor Franchville, with a 25 percent reduction in the work force and the same call volume, this would be a great tool to save staff time and money.

Captain Webb, the City of Peoria does utilize their vehicle, there are 28 employees assigned to the "Armadillo".

The City Council and staff discussed in detail the use of cameras including infra red. This vehicle would be used as a deterrent for crime, not as a tool to catch the criminal.

Council Member Foreman, concurred that this type of vehicle would work well in Gibbel Park as a deterrent. A cap needs to be placed on the cost and a funding source needs to be determined.

Council Member Lowe, concurred that the HAMMER would be an extra tool to deter criminal activity. I would like to know the cost and the staffing necessary to run this program. If there is an opportunity for grant funding, lobbying needs to start now.

Vice Mayor Franchville, this program would be a benefit to the City of Hemet.

The City Council directed staff to pursue the project, bringing back an actual budget and funding source with a recommendation from the City Manager.

The City Council recessed to the Redevelopment Agency meeting at 10:05 a.m.  
Reconvened at 10:09 a.m.

## Closed Session

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

There were no public comments presented.  
Recessed to Closed Session at 10:09 a.m.

3. Conference with Legal Counsel - Existing Litigation  
Pursuant to Government Code section 54956.9(a)  
Names of case: Myrna Kasick v. City of Hemet; and  
Tounget v. City of Hemet
  
  4. Conference with Legal Counsel - Anticipated Litigation  
1 matter of Significant exposure to litigation pursuant to Government Code section  
54956.9(b)
  
  5. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: City Manager Nakamura  
Employee organizations:
    - 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
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## REGULAR SESSION

1:00 p.m.  
City of Hemet Council Chambers  
450 E. Latham Avenue

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### Call to Order

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

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### Roll Call

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

ABSENT: None

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

## Invocation

The Invocation was given by Council Member Lowe.

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## Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Foreman.

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## City Attorney Closed Session Report

6. Conference with Legal Counsel - Existing Litigation  
Pursuant to Government Code section 54956.9(a)  
Names of case: Myrna Kasick v. City of Hemet; and  
Toungt v. City of Hemet

The City Attorney reported that there was no reportable action.

7. Conference with Legal Counsel - Anticipated Litigation  
1 matter of Significant exposure to litigation pursuant to Government Code section  
54956.9(b)

The City Attorney reported that there was no reportable action.

8. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: City Manager Nakamura  
Employee organizations:

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

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

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## City Council Business Consent Calendar

9. Approval of Minutes - October 27, 2009

10. Receive and File - Warrant Register
  - a. Warrant Register dated October 22, 2009. Payroll for the period of October 5, 2009 to October 18, 2009 was \$688,762.27.
11. Recommendation by Police Chief - Private Patrol Ordinance
  - a. Adopt an ordinance amending sections 18-259 and 18-260 of Chapter 18 of the Hemet Municipal Code regarding private patrols.  
(Ordinance No. 1890)
12. Recommendation by Deputy City Manager - Memorandum of Understanding with Hemet Communications Workers of America, Local 9588
  - a. Authorize the City Manager to execute the Side Letter of Agreement between the City of Hemet and the Communications Workers of America, Local 9588 (CWA), for the period of November 1, 2009 through October 31, 2010.
13. Recommendation by Public Works Director/City Engineer - Installation of Banners Across Florida Avenue
  - a. Valley Wide Farmers Market at Diamond Valley Community Park - Farmers Market being held on Thursdays. The banner will go p at Florida and Harvard on November 16, 2009 and down on November 30, 2009 and up again on January 18, 2010 and down n January 25, 2010.
  - b. Hemet Youth Baseball Signups - Signups being held on January 10<sup>th</sup>, 17<sup>th</sup> and 24<sup>th</sup>. The banner will go up at Florida and Kirby on December 28, 2009 and down on January 11, 2010 and up again at Florida and Harvard on January 11, 2010 and down on January 18, 2010.
14. Recommendation by Interim Finance Director - Establishment of a new Accounting Fund for the Neighborhood Stabilization Program (NSP) Grant
  - a. Authorize the establishment of a new accounting fund, to be named the NSP Grant Fund, #247, with estimated revenues and expenses for Fiscal Year 2009-10 of \$2,888,473, and further authorize the Finance Director to create the necessary departments and accounts within the fund.
15. Recommendation by Public Works Director/City Engineer - Traffic and Parking Commission Recommendations
  - a. Approve Installation of School Zone Signage on Girard north of Florida
  - b. Approve Removal of Left Turn Only Sign on Santa Fe at Date Street
  - c. Approve Renaming of a Portion of Commonwealth to "Titan Trail"
  - d. Approve Installation of School Zone Signage at Harmony Elementary School

16. Recommendation by Fire Chief - Staffing for Adequate Fire and Emergency Services (SAFER) Grants
  - a. Authorize the Fire Chief to apply for funding for fire suppression personnel. The application process for SAFER funding opens on November 16, 2009 and Hemet Fire is requesting permission to apply for these much needed monies.

Item No. 14 was removed from the Consent Calendar.

Vice Mayor Franchville moved and Mayor McBride seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 5-0.

#### Item No. 14

Council Member Foreman, asked if expenditures from this fund will be approved by the City Council.

Tom Kanarr, Interim Finance Director, confirmed that this is only the establishment of the fund, all future expenditures will require City Council approval.

Council Member Lowe moved and Council Member Foreman seconded a motion to approve this item as presented. Motion carried 5-0.

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## Communications From the Public

There were no communications from the public.

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## Public Hearings

17. 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. Conduct the public hearing; 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)
  - c. Adopt a resolution adopting a TUMF schedule and temporary TUMF reduction. (Resolution Bill No. 09-063)

Mike Gow, Public Works Director/City Engineer, the proposed ordinance will adopt the updates to the nexus and the costs associated with it. The ordinance and resolution will also approve a temporary 50 percent reduction in the fee for a period of one year with the hope to stimulate development through the network area. The adoption of the ordinance and resolution will follow suit with WRCOG and all other participating cities in the network.

Council Member Youssef, asked if there has been a impact from the reduced fees.

Mr. Gow, the only agency that has reduced the fees so far is the County of Riverside the impact has not been determined.

Vice Mayor Franchville, asked if the reduction in fees are required to participate in the program.

Mr. Gow, the City can still participate in the TUMF program. If the City does not adopt the temporary reduction in fees, it will reduce the City's ability to be competitive with surrounding areas.

Council Member Lowe, WRCOG's overall goal is to stimulate housing in the region. RCTC is in support of this temporary reduction, the chance that this will stimulate development outweighs the loss of revenue. The reduction will only be for a period of one year and will be reviewed throughout the year. Three of the participating cities have not approved the reduction.

Mayor McBride, the cost associated with development is down. The fees can be raised when the economy returns.

Eric Vail, City Attorney, the fees are determined when the building permit is pulled. The City Council expressed doubt that the reduction will increase development and concern that there is no way to measure the effectiveness.

Mayor McBride declared the Public Hearing opened at 1:15 p.m.

Tommy Thompson, BIA Director of Governmental Affairs, this does impact your city. The membership of the BIA has asked the Association to try to get fees reduced. The unemployment in Riverside County is 15 percent. The median home price is \$150,000 with an approximate fee load of \$40,000 per dwelling unit. The fees are too high for the current market value. The reduction in the fees will encourage developers to begin building again.

Mayor McBride declared the Public Hearing closed at 1:27 p.m.

Council Member Foreman, recommended that this item be continued giving the City Council more time for consider their decision.

Eric Vail, City Attorney, the ordinance approves and updates the Nexus study and the 10 percent reduction based on the Nexus study. The resolution reduces the fee by an additional 50 percent on top of the 10 percent reduction for a period of one year.

Council Member Lowe, the City is required to approve the updated Nexus study to participate in the TUMF program.

Mr. Vail, the temporary 50 percent reduction is another issue. If the City Council does not approve the temporary reduction, the wording in the ordinance will have to be corrected. The City Council directed staff to continue the public hearing and bring back documents that allow the City Council to approve the Nexus with or without the temporary reduction in the fees.

Mayor McBride declared the Public Hearing re-opened at 1:34 p.m.

The City Council agreed to continue the open Public Hearing until December 8, 2009.

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## City Departments

18. Parks and Recreation Ordinance - Public Works Director/City Engineer
  - a. Introduce, read by title only and waive further reading of 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 Bill No. 09-064)

Mike Gow, Public Works Director/City Engineer, this ordinance will establish rules for City dog parks and amend operating hours for City parks.

Council Member Youssef, asked what department would be responsible for the enforcement of the park rules.

Mr. Gow, with the elimination of the Park Ranger, all enforcement will be a directed by a complaint. Random confirmation that all dogs are licensed will be conducted.

Vice Mayor Franchville moved and Council Member Foreman seconded a motion to introduce, read by title only and waive further reading of Ordinance Bill No. 09-064. Motion carried 5-0.

The Ordinance title was read by City Clerk McComas.

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The City Council recessed to the Redevelopment Agency meeting at 1:38 p.m.

Reconvened at 1:50 p.m.

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Council Member Foreman, reminded the City Council about the Veteran's Day Celebration, Wednesday, November 11, 2009 at 9:00 a.m.

## Future Agenda Items

There were no future agenda items requested at this time.

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## Adjournment

Adjourned at 1:52 p.m. to Tuesday, December 8, 2009 at 9:30 a.m.