



# AGENDA

## REGULAR MEETING OF THE HEMET CITY COUNCIL

March 23, 2010

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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 Foreman, Lowe, Youssef, Vice Mayor Franchville, and Mayor McBride

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### City Council Reports

#### 1. 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
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)
3. Planning Commission

##### 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

F. SubCommittee Reports

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

G. City Manager Nakamura

1. Manager's Reports
  2. Veteran's Facility Update
  3. Memorial Day Celebration Update
  4. City Council Goal Setting Session
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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 - Existing Litigation  
Pursuant to Government Code section 54956.9(a)  
Names of case: Ronald and Valerie Eitzen vs. Bryan Anderson; City of Hemet
  3. Conference with Legal Counsel - Anticipated Litigation  
1 matter of significant exposure to litigation pursuant to Government Code section 54956.9(b)
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## REGULAR SESSION

7:00 p.m.

City of Hemet Council Chambers

## Call to Order

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### Roll Call

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

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### Invocation

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### Pledge of Allegiance

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## City Attorney Closed Session Report

4. Conference with Legal Counsel - Existing Litigation  
Pursuant to Government Code section 54956.9(a)  
Names of case: Ronald and Valerie Eitzen vs. Bryan Anderson; City of Hemet
  5. Conference with Legal Counsel - Anticipated Litigation  
1 matter of significant exposure to litigation pursuant to Government Code section 54956.9(b)
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## Presentation

6. Proclamation declaring March 27, 2010 "First's People's Day"
  7. Presentation to the "Killer Bees", Girls Soccer Championship Team
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## 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. Park Commission Re-Appointment - Council Member Foreman
  - a. Re-appoint Frank Souther to Seat 2 on the Park Commission. The two year term will expire April 1, 2012.
9. Park Commission Re-Appointment - Council Member Lowe
  - a. Re-appoint Jan Wright to Seat 1 on the Park Commission. The two year term will expire April 1, 2012.
10. Traffic and Parking Commission Re-Appointment - Council Member Foreman
  - a. Re-appoint Linda Krupa to Seat 2 on the Park Commission. The two year term will expire April 1, 2012.
11. Traffic and Parking Commission Re-Appointment - Council Member Lowe
  - a. Re-appoint Dave Oltman to Seat 1 on the Traffic and Parking Commission. The two year term will expire April 1, 2012.
12. Planning Commission Appointment - Council Member Lowe
  - a. Appoint Sharon Deuber to Seat 1 on the Planning Commission. The two year term will expire April 1, 2012.
13. Planning Commission Appointment - Council Member Foreman
  - a. Appoint David Rogers to Seat 2 on the Planning Commission in order to fill a term expiration. The two year term will expire April 1, 2012.
14. Approval of Minutes - March 9, 2010
15. Receive and File - Warrant Register
  - a. Warrant register dated March 2, 2010 and March 11, 2010. Payroll for the period of February 22, 2010 to March 7, 2010 was \$691,197.73.
16. Receive and File - Investment Portfolio as of January 2010
17. Recommendation by Interim Assistant City Manager - Letter to California Housing Finance Agency Regarding Refinancing Village Meadows Apartments
  - a. Authorize the Mayor to sign the letter.
18. Recommendation by Public Works Director/City Engineer - Well No. 2 Redrill and Equipment Replacement (Gilbert/Kimball)
  - a. Award the bid to South West Pump and Drilling for the redrilling and equipping of Well No. 2 in the amount of \$688,041 to approve a supplemental appropriation in Water Fund No. 571-9000-5400 in the amount of \$112,000.

19. Recommendation by Public Works Director/City Engineer - Stimulus Sidewalk Project CIP No. 5546 - Change Order No. 1, Extension of Improvements along Devonshire Avenue East of Yale Street
    - a. Approve Change Order No. 1 in the amount of \$63,000 to construct additional street widening, curb, gutter and sidewalk; and
    - b. Approve a supplemental appropriation in the total amount of \$68,000 to cover the construction costs, geotechnical engineering and surveying.
  
  20. Recommendation by Public Works Director/City Engineer - Acceptance of Right-of-Way for the Devonshire Extension between Meyers Street and Old Warren Road - City Project No. 5540
    - a. Accept the right-of-way for the Devonshire extension from Paul Garrett; and
    - b. Instruct the City Clerk to forward legal documents for recordation at the County of Riverside Recorder's Office.
  
  21. Recommendation by Public Works Director/City Engineer - Award of Bid; Traffic Signal and Improvements at Kirby Street and Devonshire Avenue; CIP No. 5525 - Supplemental Appropriation
    - a. Approve the contract award with PTM General Engineering Services, Inc. for construction of a new traffic signal system and improvements at Kirby Street and Devonshire Avenue in the amount of \$435,035 and reject all other bids; and
    - b. Approve a supplemental appropriation in Fund No. 329-5525-5500, in the amount of \$435,035 to cover the construction and another supplemental appropriation in Fund No. 329-5525-2710, in the amount of \$28,500 for Professional Services which includes final civil engineering design services, geotechnical engineering, surveying services and new tree planting; and
    - c. Approve Amendment No. 2 to James W. Unland & Associates for final civil engineering services in the amount of \$8,500, which is included in the above supplemental appropriation 329-5525-2710.
  
  22. Recommendation by Public Works Director/City Engineer - Park Commission Recommendations of February 22, 2010
    - a. Tree Removal Request - Ash (1) - 550 E. Wright St.  
Recommendation to approve request and not replace.
  
  23. Recommendation by Public Works Director/City Engineer - Installation of Banner Across Florida Avenue
    - a. Metropolitan Water District, Global Water & Technology Forum - scheduled for May 20, 2010. The banner will go up at Florida and Kirby on May 10, 2010 and down on May 24, 2010.
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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.

24. Zoning Ordinance Amendment (ZOA) No. 10-001 (Senior Housing Conversion Ordinance) - Community Development Director Elliano
  - a. Introduce, read by title only and waive further reading of an ordinance adopting Article XVII entitled "Conversions of Senior Housing to Non-Senior Housing". (Ordinance Bill No. 10-008)
  
25. Zoning Ordinance Amendment (ZOA) No. 09-004 and Water Efficient Landscape Guidelines - Community Development Director Elliano
  - a. Introduce, read by title only and waive further reading on an ordinance amending article XLVIII Chapter 90 of the Hemet Municipal Code pertaining to Water Efficient Landscaping (Ordinance Bill No. 10-006); and
  - b. Adopt a resolution adopting guidelines for the implementation of the City of Hemet Water Efficient Landscape Ordinance. (Resolution Bill No. 10-007)

26. Mitigated Negative Declaration for the West Devonshire Avenue Extension Project - Community Development Director Elliano
- a. Adopt a resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the construction of West Devonshire Avenue from Appaloosa Drive to old Warren Road. (Resolution Bill No. 10-009)
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## City Departments

27. Third Amendment to the Agreement for Consultant Services with AECOM for Preparation of the Comprehensive General Plan Update and Environmental Impact Report - Community Development Director Elliano
- a. Approve the Third Amendment to the Consultant Services Agreement with AECOM in the amount of \$111,370; and
  - b. Appropriate the funds from the Comprehensive General Plan Update Fund (Account #241-1750-2710).
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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, April 13, 2010 at 9:30 a.m. for considerations of items placed on that agenda. The next regular meeting will be held April 27, 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.*