



# **AGENDA**

## **REGULAR MEETING OF THE HEMET CITY COUNCIL**

November 8, 2011

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**6:00 p.m.**

[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, Krupa and Smith, Vice Mayor Youssef and Mayor Franchville

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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.

1. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: City Manager Nakamura  
Employee Organizations:  
Communications Workers of America (CWA) Non-Sworn Police Employees  
Hemet Fire Fighters Association
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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 Foreman, Krupa and Smith, Vice Mayor Youssef and Mayor Franchville

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## **Invocation**

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## **Pledge of Allegiance**

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### **City Attorney Closed Session Report from November 5, 2011**

2. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: City Manager Nakamura  
Employee Organizations:  
Hemet Fire Fighters Association
  3. Public Employee Performance Evaluation  
Pursuant to Government Code section 54957  
Title: City Manager
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### **City Attorney Closed Session Report**

4. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: City Manager Nakamura  
Employee Organizations:  
Communications Workers of America (CWA) Non-Sworn Police Employees  
Hemet Fire Fighters Association
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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

5. **Approval of Minutes** - October 11, 2011
6. **Receive and file** - Warrant Register
  - a. Warrant register dated October 20, 2011. Payroll for the period of October 3, 2011 to October 16, 2011 was \$622,240.28.
7. **Receive and file** - Investment Portfolio as of August 2011
8. **Recommendation by Deputy City Manager** - Resolution for the City of Hemet Confidential Personnel
  - a. Adopt a resolution relating to conditions of employment for the City's Confidential Personnel. **(Resolution Bill NO. 11-101)**
9. **Recommendation by Public Works** - Notice of Completion - Citywide ADA Access Ramps Project, City Project No. 5550
  - a. Accept this project; and
  - b. Instruct the City Clerk's Office 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.
10. **Recommendation by Public Works** - Award of Bid for the Purchase of One 2012 CNG Freightliner Patch Truck from Los Angeles Freightliner - Supplemental Appropriation
  - a. Approve award of bid to Los Angeles Freightliner in the amount of \$252,181 for the purchase of a 2012 CNG Freightliner Patch Truck to be funded from existing budgets in the Streets (Gas Tax) Equipment Replacement Fund 380-4200-5400; and
  - b. Authorize the Finance Director to record a supplemental appropriation in Equipment Replacement Fund 380-4200-5400 in the amount of \$22,181; and
  - c. Declare Unit No. 4248 (1991 Chevy Patch Truck) as surplus and authorize its sale at auction.

11. **Recommendation by Public Works** - Park Commission Recommendations of October 31, 2011
- a. Tree removal request: 760 E. Wright Street, Ash (2)  
Approve request to remove two trees and not replace.
  - b. Tree removal request: 624 Palos Drive, Camphor (2)  
Recommendation to deny request, schedule tree for trim and grind raised sidewalk.
  - c. Tree removal request: 890 Costo Street, Ash (1)  
Recommendation to remove tree, repair sidewalk and fill in well. City staff will assess the feasibility of an alternate location for replacement tree.
  - d. Tree removal request: 1001 Shellie Lane, Magnolia (1)  
Recommendation to remove tree, repair raised sidewalk and fill in well with gray rock. City staff will assess the feasibility of an alternate location for replacement tree.
  - e. Tree removal request: 448 S. Palm Avenue, Ash (1)  
Recommendation to remove tree and not replace at this site. City staff will assess the feasibility of an alternate location for replacement tree.
  - f. Tree removal request: 1791 W. Acacia, Liquidambar (1)  
Recommendation to remove tree and replace at an alternate location.
  - g. Tree removal request: 2500 W. Florida Avenue/Gibbel Park  
Recommendation to remove request and replace with a Deodar Cedar.
  - h. Tree removal request: E. Florida Avenue between S. State and S. Buena Vista, Various Palms (11)  
Recommendation to remove 11 trees and replace.
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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.

## 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.

12. **Specific Plan Amendment No. 06-01 (Tres Cerritos East) and Environmental Assessment No. 06-019, Northwest corner of Cawston and Devonshire Avenues** - Community Development Director Elliano
    - a. Conduct a public hearing; and
    - b. Affirm the Planning Commission's recommendation for DENIAL of SPA 06-01 and adopt a resolution (**Resolution Bill No. 11-096**);  
**OR**
    - c. APPROVE IN CONCEPT the applicant's Revised Proposal for SPA-06-01 as presented in their letter dated November 2, 2011, and direct the applicant to revise the specific plan text for formal adoption at a subsequent City Council meeting; and direct the staff and the City Attorney to prepare the required Resolution to certify the Final Environmental Impact Report and adopt the Findings and Statement of Overriding Considerations for the revised project in accordance with CEQA.
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## Discussion/Action Items

13. **Memorandum of Understanding with to the Communication Workers of America** - Deputy City Manager Orme
  - a. Authorize Staff to execute the attached Memorandum of Understanding (MOU) between the City of Hemet and Communication Workers of America AFL-CIO District 9 for the period of November 1, 2011 through October 31, 2013.
14. **Urgency Ordinance Repealing Requirement that Employers Within City Use the E-Verify Program** - City Attorney Vail
  - a. Adopt an urgency ordinance repealing portions of Ordinance No. 1836 requiring employers within the City to verify the work authorization status of new hires using the E-Verify Program. (**Ordinance Bill No. 11-099**)

15. **Resolution Directing Staff to Cease Enforcement of Contractual E-Verify Requirements** - City Attorney Vail
    - b. Adopt a resolution directing staff to cease enforcement of contractual provisions requiring that contractor to use E-Verify and to discontinue including such requirements in future contracts.  
**(Resolution Bill No. 11-100)**
  
  16. **Ordinance Restricting Location Where Sex Offenders May Be Present** - City Attorney Vail
    - a. Introduce, read by title only and waive further reading of an ordinance adding Section 46-10 to the Hemet Municipal Code relating to location restrictions for registered sex offenders. **(Ordinance Bill No. 11-102)**
  
  17. **2010 SAFER Grant** - Public Safety Director Hall
    - a. Accept the "2010 Staffing for Adequate Fire & Emergency Response (SAFER II)" grant funding for three additional firefighter positions and authorize the City Manager to execute contract documents.
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## **City Council Reports**

18. CITY COUNCIL REPORTS AND COMMENTS
  - A. Council Member Foreman
    1. Park Commission
    2. Indian Gaming Distribution Fund
  
  - B. Council Member Krupa
    1. Library Board
    2. Traffic and Parking Commission
    3. Airport Land Use Commission (ALUC)
    4. Riverside County Habitat Conservation Agency (RCHCA)
    5. Riverside Conservation Authority (RCA)
    6. Ramona Bowl Association
    7. Indian Gaming Distribution Fund
  
  - C. Council Member Smith
    1. League of California Cities
    2. Riverside County Transportation Commission (RCTC)
    3. Planning Commission

- D. Vice Mayor Youssef
    - 1. Western Riverside Council of Governments (WRCOG)
    - 2. Riverside County Transportation Commission (RCTC)
  
  - E. Mayor Franchville
    - 1. Riverside Transit Agency (RTA)
    - 2. Airport Land Use Commission (ALUC)
    - 3. League of California Cities
    - 4. Autism Task Force
  
  - F. Ad-Hoc Committee Reports
    - 1. Christmas Parade

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  - G. Town Hall Meetings
    - 1. Mountain Shadows, October 27, 2011
    - 2. Villa Del Sol, November 3, 2011
  
  - H. City Manager Nakamura
    - 1. Manager's Reports
    - 2. City Council schedule for November and December 2011
    - 3. Vice Mayor/ Mayor Pro Tem Analysis and Recommendation
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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, November 22, 2011 at 7:00 p.m. for considerations of items placed on that agenda. The next regular meeting will be held December 13, 2011.

*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.*