



# AGENDA

## REGULAR MEETING OF THE HEMET CITY COUNCIL

March 8, 2011

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4:00 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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### Work Study Session

1. Annual Presentation by Hemet Police Activities League  
Discussion regarding this item, with possible direction to staff
  2. Mid-Year Budget Review - Finance Director Conrad  
Discussion regarding this item, with possible direction to staff
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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.

3. Conference with Legal Counsel - Anticipated Litigation  
1 matter of significant exposure to litigation pursuant to Government Code section 54956.9(b)
4. 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

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

5. Conference with Legal Counsel - Anticipated Litigation  
1 matter of significant exposure to litigation pursuant to Government Code section 54956.9(b)
  
6. 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

## Presentations

7. Recognition of the City of Hemet's Centennial Committee Staff
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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. Recommendation by Council Member Foreman - Traffic and Parking Commission Appointment
  - a. Appoint Farrah Fowler to Seat 2 on the Traffic and Parking Commission. The two year unscheduled vacancy will expire April 1, 2012.
9. Approval of Minutes - February 8, 2011
10. Receive and File - Investment Portfolio as of October 2010
11. Receive and File - Warrant Register
  - a. Warrant register dated February 24, 2011. Payroll for the period of February 7, 2011 to February 20, 2011 was \$625,162.55.
12. Recommendation by Deputy City Manager - Recognition of Hemet Employee Organizations
  - a. Recognize and certify the following labor unions are in compliance with Hemet Municipal Code Section 54-45:
    - a) Communications Workers of America, Local 9588 (CWA); and,
    - b) Service Employees International Union Local 721 (SEIU); and,
    - c) Hemet City Fire Fighters Local No. 2342 (HFA); and,
    - d) Hemet Police Management Association (HPMA); and,
    - e) Hemet Police Officers Association (HPOA); and,
  - b. Revoke recognition of Hemet Fire Management Association due to non-compliance with Hemet Municipal Code Section 54-45.

13. Recommendation by Community Development Director - Zoning Ordinance Amendment No. 11-001 Regarding Medical Marijuana Dispensaries
  - a. Adopt an ordinance adding Section 90-79 to Article III of Chapter 90 (Zoning) to the Hemet Municipal Code prohibiting the establishment and operation of medical marijuana dispensaries in the city. (Ordinance Bill No. 11-004)
  
14. Recommendation by Community Development Director - Municipal Code Amendment No. 10-002, Proposed Regulations for Containment and Retrieval of Shopping Carts
  - a. Adopt an ordinance amending Division 3 of Article 2 of Chapter 30 of the Hemet Municipal Code relating to shopping cart containment and retrieval. (Ordinance Bill No. 11-006)
  
15. Recommendation by Public Works - Stetson Avenue Bridge Replacement - Project No. 5537 - Professional Services Contract - Award of Bid
  - a. Approve a professional Services Agreement with Cozad & Fox, Inc. of Hemet, CA, in the amount of \$27,690 for the design of a new bridge at the intersection of Stetson Avenue and the Hemet Storm Channel; and
  - b. Approve an appropriation in the amount of \$27,690 in the Gas Tax Fund No. (Account #221-5537-2710) to cover the costs associated with this construction.
  
16. Recommendation by Public Works - Park Commission Recommendations of February 28, 2011
  - a. Tree Removal Request - 1485 Brentwood Way - Crape Myrtle (3)  
(Recommendation to deny removal request)
  - b. Tree Removal Request - 1445 Cabrillo Drive - Magnolia (1)  
(Recommendation to deny request; schedule tree for heavy trim)
  - c. Tree Removal Request - 865 E. Wright Street - Redwood (1)  
(Recommendation to approve contingent upon agreement of property owner to move existing chainlink fencing. Tree will not be replaced at this time)
  - \_\_\_\_\_ d. Tree Removal Request - Gibbel Park - Cottonwood (5)  
(Recommendation to approve request and replace trees)

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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.

17. Sewer System Management Plan - Public Works Department
    - a. Conduct a public hearing to take comment; and
    - b. Adopt a resolution adopting the Sewer System Management Plan in compliance with Statewide General Waste Discharge Requirements issued by the State Water Resources Control Board (SWRCB).  
(Resolution Bill No. 11-011)
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## Discussion/Action Items

18. Allocation of 2011-2012 Program Year Community Development Block Grant entitlement and reprogramming of unexpended prior year Community Development Block Grant - CDBG Coordinator Callahan
    - a. Accept and approve the Community Development Block Grant (CDBG) Application Review Committee's recommended allocation of \$570,555 to \$760,740 in expected 2011-2012 CDBG funds; and
    - b. Reprogram unexpended prior year's funds of \$77,629; and
    - c. Incorporate these recommendations into the Annual Action Plan draft.
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## City Council Reports

19. CITY COUNCIL REPORTS AND COMMENTS
  - A. Council Member Foreman
    1. Traffic and Parking Commission
    2. Park Commission
    3. Indian Gaming Distribution Fund

- B. Council Member Krupa
    - 1. Library Board
    - 2. Airport Land Use Commission (ALUC)
    - 3. Riverside County Habitat Conservation Agency (RCHCA)
    - 4. Riverside Conservation Authority (RCA)
    - 5. Ramona Bowl Association
    - 6. 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
  
  - F. Ad-Hoc Committee Reports
  
  - G. City Manager Nakamura
    - 1. Manager's Reports
    - 2. City Special Events
    - 3. Vehicle Maintenance
    - 4. Utility Billing Update
    - 5. Ad-Hoc Committee Appointments
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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 22, 2011 at 7:00 p.m. for considerations of items placed on that agenda. The next regular meeting will be held April 12, 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.*