



AGENDA

REGULAR MEETING OF THE HEMET CITY COUNCIL

November 9, 2010

Closed Session

6:00 p.m.

City of Hemet Council Chambers
450 E. Latham Avenue

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 Real Property Negotiators
Pursuant to Government Code section 54956.8
Property: APN: 448-140-012 and adjacent Right-of-Way, located on Florida Avenue,
west of Cawston
Agency negotiator: City Manager Nakamura
Negotiating parties: Hemet 63, LLC
Under negotiation: Disposition, Price and Terms
 2. Conference with Real Property Negotiators
Pursuant to Government Code section 54956.8
Property: APN: 456-050-013 and 456-050-022
Agency negotiator: City Manager Nakamura
Negotiating parties: Stetson Crossing, LLC
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

Call to Order

Roll Call

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

Invocation

Pledge of Allegiance

City Attorney Closed Session Report

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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 26, 2010
6. Receive and File - Warrant Register
 - a. Warrant register dated October 21, 2010. Payroll for the period of October 4, 2010 to October 17, 2010 was \$173,970.04.
7. Recommendation by City Manager - Memorandum of Understanding with the Hemet Fire Fighters
 - a. Approve the Memorandum of Understanding between the City of Hemet and the Hemet Fire Fighters Local No. 2342.
8. Recommendation by City Engineer - Comprehensive Release and Compromise of Claims Agreement Stoney Mountain Ranch - Tract 29129 - SE corner of Warren Road and Esplanade Avenue
 - a. Approve a Comprehensive Release and Compromise of Claims Agreement; and
 - b. Authorize the City Manager to sign the agreement.
9. Recommendation by Finance Director - CSAC-EIA Resolution of Delegation of Authority
 - a. Adopt a resolution authorizing the Finance Director and Deputy City Manager to act in all matters relating to the City of Hemet and SCAC-EIA, except as to actions that must be approved by the City Council of the City of Hemet. (Resolution Bill No. 10-056)
10. Recommendation by City Clerk - Destruction of Certain Records
 - a. Adopt a resolution authorizing the destruction of certain records. (Resolution Bill No. 10-054)
11. Recommendation by Police Chief - Replenish Reward Fund for Narcotics/Crime Informants
 - a. Authorize the Finance Director to record a supplemental appropriation in the amount of \$3000 to the Asset Seizure Fund, Professional Services Account 231-3151-2710 to replenish a reward fund for narcotics informants.
12. Recommendation by Police Chief - Police Department Asset Forfeiture Budget-Supplemental Appropriation
 - a. Authorize the Finance Director to record a supplemental appropriation in the amount of \$75,000.00 to the Police Department's Asset Forfeiture Fund 231-3150 for the purchase of unbudgeted equipment, training and supplies for the Gang Task Force, Crime Suppression and Special Operations Units.

13. Recommendation by City Engineer - Bond Release - Tract Map 33075 - Autumn Ridge II (KB Home) - Northwest corner of Sanderson Avenue and Fruitvale Avenue
 - a. Authorize the City Clerk to release the Monument Bond in the amount of \$12,000.00.
 14. Recommendation by City Engineer - Bond Release - Tract Map 30560 - Autumn Ridge (KB Home) - Northwest corner of Sanderson Avenue and Fruitvale Avenue
 - a. Authorize the City Clerk to release the Monument Bond in the amount of \$36,000.00.
 15. Recommendation by City Engineer - Installation of Banners Across Florida Avenue
 - a. Hemet Model Masters - Toys for Kids Drive
 - b. First Baptist Church - Christmas Celebration
 - c. Hemet Farmer's Market
 - d. Hemet Youth Baseball Sign ups
 - e. Valley Quilter's Show
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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.

16. Development Agreement Amendment 10-001 - Stetson Crossing Development Agreement 08-002 -
 - a. Conduct a public hearing; and
 - b. Introduce, read by title only and waive further reading of an ordinance adopting the first amendment to the Development Agreement No. 08-002 (Stetson Crossing Development) between the City of Hemet and Stetson Crossing Partners, LLC. (Ordinance Bill No. 10-051)

 17. Extension of Interim Urgency Moratorium on Tobacco Stores and Hookah Lounges - Community Development Director Elliano
 - a. Conduct the public hearing; and
 - b. Adopt an interim Urgency Ordinance extending the Urgency Moratorium on Tobacco Sales and Hookah Lounges for an additional ten (10) months and fifteen (15) days, pending the completion of the comprehensive amendment to the City's General Plan and Zoning Ordinances. (Ordinance Bill No. 10-053)
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Discussion/Action Items

18. Waiver to Underground Utilities - Salvation Army Building - CUP 07-027 - Southeast corner of Acacia Avenue and Palm Avenue - City Engineer Biagioni
 - a. Discuss Section 92-172, Utility Lines, of the Hemet Municipal Code, to waive the removal of five (5) power poles and undergrounding of aerial lines.

19. Amended and Restated Purchase and Sale Agreement and Assignment and Assumption Agreement for Stetson Crossing - Redevelopment and Economic Development Manager Jansons
 - a. Approve the Amended and Restated Purchase and Sale Agreement by and between the City of Hemet and Stetson Crossing LLC; and
 - b. Approve an Assignment and Assumption Agreement by and between City of Hemet, the Hemet Redevelopment Agency and Stetson Crossing LLC, to fund public improvements associated with the Stetson Avenue flood control channel to facility future widening of Stetson Avenue.

20. Memorandum of Understanding between the City of Hemet and the Western Science Center and request for Second Disbursement of Funds - City Manager Nakamura
 - a. Approve a second disbursement of funds from Park Development Impact Fees in the amount of \$150,000 as requested in the October 15, 2010 Western Science Center letter, which reduces the City of Hemet's total remaining obligation to \$700,000; or
 - b. Exercise its rights under Section 1.3.3 of the original MOU and defer all or part of the City's contribution to another year.

 21. Last, Best and Final Offer as to the Communications Workers of America, Local 9588 - City Manager Nakamura
 - a. Implement the terms of the City's Last, Best and Final Offer ("LBF Offer") as to the Communications Workers of America, Local 9588 through October 31, 2011; and
 - b. Decline the opportunity to re-refer the negotiation of a successor agreement to the City Manager for mediation.

 22. Finalize Fiscal Year 2010-11 Budget - Finance Director Conrad
 - a. Authorize the Director of Finance to incorporate \$2,147,600 in estimated savings from employee concessions into the final FY 2010-11 Budget; and
 - b. Implement the following items from the Tier II list of potential budget balancing measures to eliminate the General Fund deficit:
 - Transfer \$300,000 from the Workers Compensation Fund's excess balance to the General Fund
 - Transfer \$21,400 from the Medical/Dental Fund's excess balance to the General Fund.
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City Council Reports

23. CITY COUNCIL REPORTS AND COMMENTS
 - A. Council Member Foreman
 1. Traffic and Parking Commission
 2. Library Board
 3. Park Commission
 4. Veteran's Day Celebration

 - 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. 3rd LAR Bn USMC

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

 - G. City Manager Nakamura
 - 1. Manager's Reports
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Recess to Redevelopment Agency Meeting

Continued Closed Session

City Attorney Continued Closed Session Report

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.

Adjournment

Adjourn in honor of Celestino Bernal to Tuesday, December 14, 2010 at 7:00 p.m. for considerations of items placed on that agenda. The next regular meeting will be held January 11, 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.