

AGENDA

REGULAR MEETING OF THE SAN JACINTO CITY COUNCIL

MAY 15, 2008, 7:00 p.m.

2045 South San Jacinto Avenue
San Jacinto Unified School District Board Room, San Jacinto, CA 92583

1. ORGANIZATION

- 1.1 Call to Order
- 1.2 Roll Call
- 1.3 Invocation
- 1.4 Pledge of Allegiance
- 1.5 Special Presentations
 - 1.5.1 Introduction of Captain Glenn Worby, Commander Valle Vista Station / Chief of Police
 - 1.5.2 Proclamation supporting “Generations for Prevention Summit” on June 5, 2008 requested by La Vista Prevention Services

2. PUBLIC COMMENTS:

Now is the time for the public to address the Council on any subject within the jurisdiction of the City Council not listed on the agenda. A limitation of three (3) minutes shall be set for each person desiring to address the City Council.

3. CONSENT CALENDAR

The matters listed under Consent Calendar are considered routine and will be enacted by one motion by City Council Members in the form listed. There will be no separate discussion on these items prior to the motion unless members of the City Council, staff or the public requests a specified item be removed and/or discussed. If an item is pulled, it will be heard at the end of number ‘5. Staff Reports.’

- 3.1 May 1, 2008 Minutes – Regular Meeting / **Approve** / City Clerk
- 3.2 Warrants and Disbursements April 2008 / **Review and Approve** / Interim Finance Director
- 3.3 Continuation of the Proclamation of the Local State of Emergency due to high and damaging winds / **Approve** / City Attorney

- 3.4 Ordinance No. 08-04 / An ordinance regarding process of special events' procedures / **Approve** second reading and **adopt; and by further motion** read by title only:

An Ordinance of the City Council of the City of San Jacinto, California Adding Chapter 5.58 to the San Jacinto Municipal Code Relating to Special Events

- 3.5 Resolution No. ___ / A resolution initiating the annexation of territory commonly known as Carlino Construction Development Corporation APN 437-300-016 into AD 2003-1, Annexation No. 30 / **Approve and Adopt** / Special Tax Consultant and City Attorney
- 3.6 Resolution No. ___ / A resolution approving the Engineer's Report regarding annexation of territory commonly known as Carlino Construction Development Corporation APN 437-300-016 into AD 2003-1, Annexation No. 30 / **Approve and Adopt** / Special Tax Consultant and City Attorney
- 3.7 Resolution No. ___ / A resolution declaring intent to levy and collect assessments for Landscaping, Lighting and Park District (LLPD) No. 2 Annual Assessments for FY 2008-2009; Accepting the Engineer's Report and Giving Notice of and Setting the Time and Place of the Hearing on the Levy of the Proposed Assessment / **Approve and Adopt** / City Attorney & NBS – LLPD Administrator

4. PUBLIC HEARING

- 4.1 Public Hearing to consider the adoption of a Resolution of Necessity declaring that the acquisition of fee interests in portions of certain real property, specifically APNs 431-190-013; 431-190-014; 431-150-012; 431-100-038; 431-100-039; 431-110-008; 431-100-034; 431-100-026; 431-100-027; 431-100-037; 431-100-002 by eminent domain is necessary for the widening and improvements to Sanderson Avenue and related public infrastructure improvements in the City of San Jacinto
- a) Public Hearing – written or oral comments
 - b) Make all of the following findings:
 - (i) The public interest and necessity require the proposed project
 - (ii) The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury
 - (iii) The real property to be acquired is necessary for the project
 - (iv) The offers of just compensation have been made to the property owners;

- c) **Adopt** a Mitigated Negative Declaration, and its associated Mitigation, Monitoring and Report Program (contained in Resolution of Necessity)
 - d) **Adopt** a Resolution of Necessity for the City of San Jacinto, declaring acquisition of fee interests in portion of certain real property, more particularly described as APNs 431-190-013; 431-190-014; 431-150-012; 431-100-038; 431-100-039; 431-110-008; 431-100-034; 431-100-026; 431-100-027; 431-100-037; 431-100-002; by eminent domain is necessary for the widening and improvement to Sanderson Avenue, and related public infrastructure improvements in the City of San Jacinto, California
- 4.2 General Plan Amendment 8-05 and Conditional Use Permit 2-08/
Applicant: DBN West Esplanade LLC, 27032 Rocking Horse Lane,
Laguna Hills, CA 92653 / Planning Director
- a) **Adopt** a Mitigated Negative Declaration
 - b) **Approve and Adopt** Resolution No. ___ / A resolution approving the General Plan Amendment File No. 1-08 – approves an amendment to the land use element of the General Plan from Very High Density Residential (VHDR) to Community Commercial (CC) for certain real property located at the northwest corner of Esplanade Avenue and Sanderson Avenue
 - c) **Approve** Conditional Use Permit 2-08 subject to attached Conditions of Approval
- 4.3 Appeal of Planning Commission's Approval of Conditional Use Perm 6-07 and Tentative Parcel Map 35673 / Appellant: Southland Development company, 31501 Rancho Viejo Road, Suite 102, San Juan Capistrano, CA 92675 / Planning Director
- a) **Adopt** a Mitigated Negative Declaration
 - b) **Uphold** the Planning Commission's action March 27, 2008, and approve Conditional Use Permit 6-07 subject to the attached Conditions of Approval
 - c) **Uphold** the Planning Commission's action March 27, 2008, and approve Tentative Parcel Map 35673 subject to the attached Conditions of Approval
- 4.4 Resolution No. ___ / A resolution certifying the results of an election and adding property commonly known as Auto Zone Development Corporation APNs 439-111-002-1, to CFD No. 2003-1 Annexation No. 49 / **Approve and Adopt** / Special Tax Consultant and City Attorney
- 4.5 Public Hearing - Landscaping, Lighting, and Park District No. 2 (LLPD No. 2) Annexation No. 73 commonly known as Santa Fe Limited Partnership

APN 439-070-022-3 / City Attorney

- a) Resolution No. ___ / A Resolution initiating proceedings for the Annexation of property into LLPD No 2 – Annexation No. 73 / **Approve and Adopt**
- b) Resolution No. ___ / A Resolution approving the Engineer's Report for Annexation No. 73 into LLPD No. 2 / **Approve and Adopt**
- c) Resolution No. ___ / A Resolution declaring intention to annex property into LLPD No. 2 – Annexation No. 73 / **Approve and Adopt**
- d) Public Hearing / At the conclusion of the public hearing if the City determines that a majority protest does not exist, by motion approve the certification of the election results for adding certain property into LLPD No 2 known as Annexation No. 73 / **Approve and Adopt**
Resolution No. ___ / A Resolution ordering annexation of territory into LLPD No. 2 and levying assessments

4.6 Public Hearing - Landscaping, Lighting, and Park District No. 2 (LLPD No. 2) Annexation No. 75 commonly known as San Jacinto Unified School District APNs 435-261-006 and 435-261-010 / City Attorney

- a) Resolution No. ___ / A Resolution initiating proceedings for the Annexation of property into LLPD No 2 – Annexation No. 75 / **Approve and Adopt**
- b) Resolution No. ___ / A Resolution approving the Engineer's Report for Annexation No. 75 into LLPD No. 2 / **Approve and Adopt**
- c) Resolution No. ___ / A Resolution declaring intention to annex property into LLPD No. 2 – Annexation No. 75 / **Approve and Adopt**
- d) Public Hearing / At the conclusion of the public hearing if the City determines that a majority protest does not exist, by motion approve the certification of the election results for adding certain property into LLPD No 2 known as Annexation No. 75 / **Approve and Adopt**
Resolution No. ___ / A Resolution ordering annexation of territory into LLPD No. 2 and levying assessments

5. STAFF REPORTS

At the end of the scheduled City Department items, anyone wishing to discuss a consent calendar item should come forward upon invitation of the Mayor; state their name, address, and the consent calendar item number pulled. Speakers should limit comments to three (3) minutes.

- 5.1 Southern California Association of Governments Update for City Council / Arnold San Miguel, Member Relations Officer
- 5.2 Soboba Road SB 621 Pavement Repair Project / **Award Contract** / City Engineer

- 5.3 Ordinance No. 08-10 / An ordinance amending Chapter 8.08 of the San Jacinto Municipal Code / **Approve** introduction and first reading **and by further motion** read by title only:

An Ordinance of the City Council of the City of San Jacinto, California, Amending Chapter 8.08 of the San Jacinto Municipal Code Relating to Alarm Systems

- 5.4 **Adjourn** July 17, 2008 to August 7, 2008 and August 21, 2008 to September 4, 2008 and **Reschedule** the starting time of the June 19, 2008, Regular City Council Meeting / **Approve** / City Manager
- 5.5 Loan with County of Riverside Repayment / **Approve and appropriate** \$750,000 from Measure A Reserved Fund Balance to repay the loan received from Riverside County in 2003 to Valley Health Systems / Interim Finance Director
- 5.6 Fiscal Year 2008-2009 Budget Presentation / **Discuss and direct** staff / City Manager

6. **MAYOR / COUNCIL MEMBER REPORTS / DISCUSSIONS**

- 6.1 Agency and Subcommittee Agendas / Receive and File / City Clerk

7. **CLOSED SESSION**

- 7.1 **CONFERENCE WITH LABOR NEGOTIATORS**
Agency designated representatives: City Manager and City Attorney
Employee Organizations: SEIU and Management/Confidential
Agency designated representative: City Attorney
Unrepresented employee: City Manager
Agency designated representative City Attorney
- 7.2 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: one (1) case – claim by SAS Development LLC dated December 14, 2007

- 7.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Sanderson Widening):
Property: 805 N. Sanderson Avenue, San Jacinto, CA (APN: 431-100-002)
Agency Negotiator: City Attorney
Negotiating Parties: R&K Osborne Trust, Robert and Kelley Osborne Trustees
Under Negotiation: Price and Terms of Payment

8. ADJOURNMENT

If you challenge any action of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council (c/o the City Clerk) at, or prior to, the public hearing.

CHALLENGE TO LAND USE DECISIONS: Any person seeking to challenge a decision regarding land use made by the City Council as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that action 90 days following the date on which the decision of the City Council becomes final as provided in Code of Civil Procedure Section 1094.6. Please refer to Code of Civil Procedure Section 1094.6 to determine how to calculate when a decision becomes final.

It is the intention of the City of San Jacinto to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact City Hall at (951) 537-6358, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

I, Dorothy L. Chouinard, City Clerk of the City of San Jacinto, do hereby certify that I caused to be posted the foregoing agenda this 9th day of May, 2008, as required by law.

Dorothy L. Chouinard, City Clerk