



AGENDA

REGULAR MEETING OF THE HEMET CITY COUNCIL

April 9, 2013

5:30 p.m.

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 Council's adopted Rules of Decorum in Resolution No. 4148. A copy of the Rules of Decorum are available from the City Clerk.*

Call to Order

Roll Call

ROLL CALL: Council Members Krupa, Milne and Wright, Mayor Pro Tem Smith and Mayor Youssef

Work Study

Discussion regarding these items, with possible direction to staff

1. Presentation on AP Northlake Solar Project – Christina White, SunEdison
 2. Crime and Safety Update/Action Plan – Dave Brown, Chief of Police
-

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 required to be publicly reported.

3. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(a)
Names of case: Pimentel v. City of Hemet, Case RIC 1212963
-

REGULAR SESSION

7:00 p.m.

City of Hemet City Council Chambers

450 E. Latham Avenue

Call to Order

Roll Call

ROLL CALL: Council Members Krupa, Milne and Wright, Mayor Pro Tem Smith and Mayor Youssef

Invocation

Pledge of Allegiance

City Attorney Closed Session Report

4. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(a)
Names of case: Pimentel v. City of Hemet, Case RIC 1212963
-

Presentations

5. Proclamation to the City of Hemet a "Tree City USA" proclaiming April 29, 2013 as Arbor Day
 6. Proclamation to Donate Life proclaiming April as Donate Life Month
-

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 lecture. When the Mayor calls your turn give your last name, and address, then begin speaking. You will have three minutes at that time to address the Council.

Consent Calendar

7. **Approval of Minutes** – March 12, 2013
8. **Receive and File** – Warrant Register
 - a. Warrant register dated March 21, 2013. Payroll for the period of March 4, 2013 to March 17, 2013 was \$558,157.56.
9. **Receive and File** – Investment Portfolio as of February 2013

10. **Recommendation by City Attorney** – Extension of Time to Construct Fire Station at Diamond Valley Lake
 - a. Authorize the City Manager to execute the Agreement and Notice of Extension of time to Satisfy Condition Subsequent between The Metropolitan Water District of Southern California and City of Hemet.
-

Public Hearing

The City 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 Mayor will ask for clarification of items presented, if needed. The Mayor will open the public hearing: ask for comments for 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.

11. **2013-2014 Community Development Block Grant (CDBG) Annual Action Plan** – CDBG Coordinator Callahan
 - a. Conduct a public hearing; and
 - b. Approve the proposed 2013-2014 Community Development Block Grant Annual Action Plan; and
 - c. Authorize the City Manager to sign the Application for Federal Assistance SF-424 and Non-State Government Certifications required for submission of the 2013-2014 Annual Action Plan to the United State Department of Housing and Urban Development (HUD) on or before May 16, 2013.
12. **Municipal Code Amendment No. 13-002: Extension of Time for Development Projects** – Community Development Director Elliano
 - a. Conduct a public hearing; and
 - b. Introduce, read by title only and waive further reading of an Ordinance regarding the automatic extension of Conditional Use Permits and Site Development Reviews set to expire between April 15th and December 31st of 2013 **Ordinance Bill No. 13-008**; or
 - c. Introduce, read by title only and waive further reading of an alternative Ordinance recommended by the Planning Commission allowing applicants to apply for additional extensions of time on all Conditional Use Permits and Site Development reviews set to expire between April 15, 2013 and April 15, 2014. **Ordinance Bill No. 13-010**
13. **Zoning Ordinance Amendment No. 13-003 (Homemade Food Operator Regulations)** – Community Development Director Elliano
 - a. Conduct a public hearing; and

- b. Introduce, read by title only and waive further reading of an ordinance amending Chapter 90, Article III of the Hemet Municipal Code regarding Homemade Food Operator Regulations **Ordinance Bill No. 13-003**; and
 - c. Adopt a resolution establishing a new permit fee for Homemade Food Operators **Resolution Bill No. 13-004**; and
 - d. Direct staff to file a Notice of Exemptions with the County Clerk in compliance with the California Environmental Quality Act.
-

Discussion/Action Item

14. **Support for Hemet-Ryan Air Show** – Community Investment Director Jansons
 - a. Approve the request by Riverside County Economic Development Agency that Hemet provide up to \$25,000 of in-kind services in support of the Hemet Ryan Air Show, November 2, 2013; and
 - b. Authorize the Director of Finance to include a line item in the FY 2013-14 budget to accommodate this request in Account 120-8500-2220
 15. **Tourism Program Proposal and Committee Appointment** – Community Investment Director Jansons
 - a. Presentation by staff on a new, valley-wide tourism initiative being proposed; and
 - b. Consider the appointment of a member of the City Council to serve as the City Council’s official committee representative.
-

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 our 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.

City Council Reports

16. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Krupa

1. Traffic and Parking Commission
2. Riverside Conservation Authority (RCA)
3. Ramona Bowl Association
4. Indian Gaming Distribution Fund
5. Riverside Transit Agency (RTA)

B. Council Member Milne

1. Library Board
2. League of California Cities
3. Riverside County Habitat Conservation Agency (RCHCA)
4. Riverside Transit Agency (RTA)
5. Riverside Conservation Authority (RCA)

C. Council Member Wright

1. Park Commission
2. Planning Commission
3. Indian Gaming Distribution Fund
4. Riverside County Habitat Conservation Agency (RCHCA)
5. Ramona Bowl Association

D. Mayor Pro Tem Smith

1. League of California Cities
2. Riverside County Transportation Commission (RCTC)
3. Western Riverside County of Governments (WRCOG)
4. Public Safety Update
5. National League of Cities

E. Mayor Youssef

1. Western Riverside County of Governments (WRCOG)
2. Riverside County Transportation Commission (RCTC)
3. Disaster Planning Commission

F. Ad-Hoc Committee Reports

1. Crime Stoppers Plus Ad-Hoc Committee
2. Hemet ROCS Citizens Advisory Committee (CAC)
3. CDBG Ad-Hoc Committee

G. Interim City Manager Bradley

1. Manager's Reports
2. Appointment to Regional Family and Health Task Force
3. Request for Letter in Opposition of AB5

Recess to Housing Authority 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 to Tuesday, April 23, 2013 at 7:00 p.m. for consideration of items placed on that agenda. The next regular meeting will be held May 14, 2013.

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.



#7

MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

March 12, 2013

5:30 p.m.

www.cityofhemet.org

City Council Chambers
450 E. Latham Avenue

Call to Order

Mayor Youssef called the meeting to order at 5:30 p.m.

Roll Call

PRESENT: Council Members Krupa, Milne, Wright and Mayor Youssef

ABSENT: Mayor Pro Tem Smith

Council Member Krupa moved and Council Member Milne seconded a motion to excuse Mayor Pro Tem Smith. Motion carried 4-0.

Closed Session

Notice of Opportunity for Public Comment

There were no public comments presented at this time.

The City Council recessed to Closed Session at 5:31 p.m.

1.A Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *Interim City Manager Bradley*

Employee organization: *Hemet Fire Fighters Association*

6:00 p.m.

www.cityofhemet.org

City of Hemet Council Chambers
450 E. Latham Avenue

Please silence all cell phones

Call to Order

Mayor Youssef called the meeting to order at 6:11 p.m.

Roll Call

PRESENT: Council Members Krupa, Milne, Wright, and Mayor Youssef

ABSENT: Mayor Pro Tem Smith

Council Member Milne moved and Council Member Wright seconded a motion to excuse Mayor Pro Tem Smith. Motion carried 4-0.

Work Study

Discussion regarding these items, with possible direction to staff

1. Heart Health Institute – Heart Disease Awareness and Prevention – Gino Zaporosky

Gino & Gladys Zaporosky, gave a presentation to the City Council regarding the Heart Health Institute's Nitric Oxide Therapy. The Zaporosky's are snow birds from Canada. Mr. Zaporosky told his health history that lead them to the Heart Health Institute.

2. Western Riverside Council of Governments (WRCOG) Year-End Review – Rick Bishop, Executive Director

Rick Bishop, WRCOG, gave the City Council a powerpoint presentation of WRCOG's year end review. The issues for 2012 were: growth; housing; education; water; air pollution; energy; environment; economy; and transportation. WRCOG's flexibility has resulted in a diverse array of activities, such as: TUMF; Clean Cities Coalition; Legislative networking; HERO Program; Electricity rate restructuring; I-15 Interregional Partnership with San Diego; Solid Waste and Air Quality; SCAG and AWMD coordination; Red Team; and Growth forecast. Western Riverside County Clean Cities Coalition helps jurisdictions acquire alternative fuel vehicles and infrastructure. The Coalition is recognized by the Department of Energy as one of the nation's top performers with middle school outreach programs, "Car Care for Clean Air" events, and the Annual Clean Cities Coalition Expo. WROG's sustainability framework responds to the Executive Committee/TAC workshop identified priority issues for potential future WRCOG involvement: economic development; education/higher education; environment/energy; healthcare; water/wastewater; transportation; and legislative advocacy. One of WRCOG's issues are education and higher education, WRCOG invited the Riverside County Office of Education to appoint a member for improved coordination. The "HERO Program" is a regional effort to provide financing for property owners to install energy efficient and water conservation improvements to homes/businesses. This program creates jobs, creates utility savings, saves energy and improves property values. WRCOG participates on the Riverside County Water Task Force Administration. WRCOG's Used Oil & Filter Collection Program, partners with 150+ local businesses. TUMF provides funding towards \$4.0 billion in regional arterial highway, intersection, bridge and interchange improvements. This is the largest multi-jurisdictional development fee program in the United States. Transportation Uniform Mitigation Fee has funded or partially funded \$8 million in major projects for Hemet: Sanderson Avenue, 3 improvement locations; Salt Creek Bridge; and State Street. Western Riverside Energy Leader Partnership (WRELP) is an agreement between Southern California Edison (SCE) and WRCOG to help jurisdictions retrofit municipal buildings by providing technical assistance and enhanced financial incentives. The City of Hemet has achieved 11% Municipal energy savings, over 895,000 kWh saved. WRCOG conducts an annual General Assembly, last years speaker was General Colin Powell. Western Riverside County Climate Action Plan is preparing a plan to inventory GHG emissions and establish emission reduction targets, as well as provide GHG emission reduction strategies. WRCOG will continue to seek niches that can serve their

member agency interests and continue to be the sounding board for ideas. It is important that WRCOG stays true to the mission "Respect local control...provide regional perspective". WRCOG's Political Leadership is the elected officials and the member agency's executives. Mr. Bishop thanked the City of Hemet and Mayor Pro Tem Smith for their support and participation.

Mayor Youssef, WRCOG is an efficiently ran organization. WRCOG is the envy of other Council of Government's. Western Riverside County is not done growing and will continue to face challenges. Mayor Youssef thanked Rick Bishop for the update.

3. Riverside County Transportation Commission (RCTC) Highway 79 Realignment - Cathy Bechtel, RCTC

Cathy Bechtel, Project Development Director, gave the City Council a powerpoint presentation regarding State Route 79 Realignment, between Newport Road and Gilman Springs Road. The California Environmental Quality Act (CEQA) and the National Environmental Police Act (NEPA) require agencies to prepare and circulate environmental documents to other agencies and the public before making decisions. Ms. Bechtel explained the required steps. The purpose of the State Route 79 Realignment Project is: to improve traffic flow for local and regional north-south traffic in the San Jacinto Valley; to improve operational efficiency and enhance safety conditions by maintaining route continuity and upgrading the facility; to allow regional traffic, including truck traffic, to adequately bypass local roads; and to reduce the diversion of traffic from state routes onto local roads. Ms. Bechtel explained RCTC outreach efforts. The 4 build alternatives were displayed and explained. The project complexity and cost (\$1B) could result in phased construction. Phasing would be guided by traffic benefits. Approximate Phase Limits: Phase 1 – Florida Avenue to Future Street B or Sanderson Avenue; Phase 2 – Domenigoni Parkway to Florida Avenue; Phase 3 – Future Street B or Sanderson Avenue to just south of the San Jacinto River; and Phase 4 – south of Newport Road to Domenigoni Parkway. The City of Hemet's locally preferred alternative was adopted by resolution on May 13, 2008. Concerns and comments have been received regarding the Tres Cerritos interchange proposed in Build Alternative 2B. Maps of the following were displayed: Tres Cerritos Interchange – Build Alternative 2b, Devonshire Avenue to Florida Avenue; Florida Avenue Interchange – Build Alternative 2b; Design Option 1b1; and Design Option 2b1. Public circulation of the Draft EIR/EIS is a major milestone. The public comment period ends March 25, 2013. Comments are currently being received and organized. Responses will be prepared for inclusion in the Final EIR/EIS. The Preferred Alignment will be identified at that time. Right of Way acquisition, design and construction will be contingent upon funding.

Mayor Youssef, this is the most important project of the future. RCTC has the City's full support. Hopefully the funding will be available.

Jerry Jaekels, Hemet, recommended that the project be highway through Hemet from Domenigoni north to Ramona Expressway instead of freeway going past Hemet. Mr. Jaekels also expressed concern with the proposed off ramp at Tres Cerritos.

REGULAR SESSION

7:00 p.m.

**City of Hemet City Council Chambers
450 E. Latham Avenue**

Call to Order

Mayor Youssef called the meeting to order at 7:01 p.m.

Roll Call

PRESENT: Council Members Krupa, Milne, Wright and Mayor Youssef

ABSENT: Mayor Pro Tem Smith

Council Member Wright moved and Council Member Krupa seconded a motion to excuse Mayor Pro Tem Smith. Motion carried 4-0.

OTHERS PRESENT: Interim City Manager Bradley, City Attorney Vail and City Clerk McComas

Invocation

Invocation was given by Krystyne Gray, Hemet-San Jacinto Interfaith Council

Pledge of Allegiance

Pledge of Allegiance was led by Council Member Wright

City Attorney Closed Session Report

3.A Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *Interim City Manager Bradley*

Employee organization: *Hemet Fire Fighters Association*

The City Council met with the City's Labor Negotiators. There was no reportable action.

Presentation

4. CR&R's Presentation of the "Business Recycling of the Year" Award

CR&R, presented McCrometer with an award for "Business Recycling of the Year" and thanked them for their hard work and leadership as a business recycler in the community.

5. Certificate of Achievement to Michael Suder, Special Olympics Silver Medal Winner in Field Hockey

Mayor Youssef, presented a Certificate of Achievement to Michael Suder for being awarded a Silver Medal in Floor Field Hockey at the Special Olympic Games which were held in PyeongChang, Republic of Korea, from January 29 to February 5, 2013. The City Council would like to commend one of Hemet's own for his great athletic skills. It is a great accomplishment.

Michael Suder, thanked the City Council and Team USA.

City Council Business. Consent Calendar

6. **Recommendation by Mayor Youssef** – Planning Commission Re-Appointment
 - a. Re-appoint John Gifford to Seat 3 on the Planning Commission with a term to end April 2015.

7. **Recommendation by Mayor Youssef** – Traffic and Parking Commission Re-Appointment
 - a. Re-appoint Donald Funkhouser to Seat 3 on the Traffic and Parking Commission with a term to end April 2015.

8. **Recommendation by Mayor Youssef** – Park Commission Appointment
 - a. Appoint Edd Burden to Seat 3 on the Park Commission with a term to end April 2015.

9. **Receive and File** – Warrant Registers
 - a. Warrant registers for February 21, 2013 and March 5, 2013. Payroll for the period of February 4, 2013 to February 17, 2013 was \$560,884.18.

10. **Recommendation by Engineering** – Traffic and Parking Commission Recommendations
 - a. Install “2-Hour Parking” Signs on Harvard Street, from Florida Avenue to Latham Avenue.
Recommendation to approve the request and install “2-Hour Parking” signs.

11. **Recommendation by Administrative Services Department** – Service Agreements with Time Warner Cable to provide enhanced Internet Access at City Hall & Library
 - a. Authorize the Interim City Manager to execute two service agreements with Time Warner Cable for enhanced fiber optic internet access at both City Hall and the Public Library

12. **Recommendation by Community Investment Department** – CAL-HOME Grant 2013 Application
 - a. Adopt a resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CAL-HOME Program; and if selected the execution of the standard agreement and any amendments thereto, and of any related documents necessary to participate in the CAL-HOME Program.
Resolution No. 4530

13. **Recommendation by Public Works** - Purchase of Two (2) Ford F250 Trucks
 - a. Award of bid to Gosch Ford in the amount of \$59,860.75 (Fifty Nine Thousand Eight Hundred Sixty dollars and Seventy Five cents) for the purchase of two Ford F250 trucks to be funded from 380-9000-5400; and

- b. Authorization for the Interim City Manager to execute a purchase order for the same.
14. **Recommendation by Public Works** – Park Commission Recommendations
- a. Tree Removal Request: 621 Snead Drive – Flame Tree (1)
Recommendation to deny request; schedule tree for trimming; and schedule a root prune with property owner’s agreement.
 - b. Tree Removal Request: 607 E. Acacia Avenue – Washington Fiferia (1)
Recommendation to deny request.

Item Nos. 8, 10, 12 and 13 were removed from the Consent Calendar.

Council Member Wright moved and Council Member Krupa seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 4-0.

Item No. 8

Edd Burden, introduced himself and told the City Council why he would like to volunteer as a Park Commissioner.

Mayor Youssef moved and Council Member Krupa seconded a motion to approve this item as presented. Motion carried 4-0.

Item No. 10

Council Member Wright, expressed concern with the recommendation and suggested that the 2-hour maximum be limited to 8:00 to 5:00 p.m.

Jorge Biagioni, City Engineer, confirmed that the 2-hour limit will be from 8:00 to 5:00 p.m.

Council Member Wright moved and Council Member Milne seconded a motion to approve this item as presented. Motion carried 4-0.

Item No. 12

Council Member Krupa, spoke in favor of this beneficial program. Council Member Krupa asked if the funds can be used to replace and repair some of the aging mobile homes in the valley. The City can work in partnership with Skyline Corporation.

John Jansons, Community Investment Director, the funds can be used to replace aging mobile homes. However, the cost to tear down and remove the mobile homes exceeds the funding allowances. The item before the City Council is authorization to submit the application. If awarded, the recommendation to use the funds will come back for consideration. In the meantime, staff will do more research on the feasibility of a public/private partnership.

Council Member Wright, if awarded, is it reasonable to limit the grants to a specific area so the impact can be seen.

Mr. Jansons, staff can create focus areas where the need is the greatest. The program eligibility is the entire jurisdiction, if there is a number of deteriorated mobile homes in a specific park we can focus on that area. Mr. Jansons, thanked Edna LeBron for her efforts in managing the existing program and meeting the deadline in an effort to obtain continued funding.

Council Member Krupa moved and Council Member Wright seconded a

motion to approve this item as presented. Motion carried 4-0.

Item No. 13

Council Member Krupa, asked if the vehicles are hybrids or CNG.

Kris Jensen, Public Works Director, these two specific vehicles are emergency response vehicles and need to be fueled anytime and anywhere. Staff will be considering hybrids and CNG's as vehicles such as pool cars are purchased.

Council Member Krupa moved and Council Member Milne seconded a motion to approve this item as presented. Motion carried 4-0.

Communications from the Public

Richard Giese, Hemet/San Jacinto Valley Regional Chamber of Commerce, was joined by other members and requested that they stand to show their support. Mr. Giese expressed concern with Mayor Youssef refusal to meet the Chamber Board regarding his appointment to the Regional Conservation Authority which has a vital impact on the development of businesses on the west side of the valley. The Chamber, based on written communications, feels that Mayor Youssef will only meet on topics that he agrees to. The Chamber of Commerce represents 700 businesses in this valley and feels that the basic obligation of an elected official is to receive input for their constituents.

Mayor Youssef, I agreed to meet with the Board to discuss any matter other than the RCA Board Appointment. Copies of emails were made available for the public.

John Phillips, expressed concern with the lack of attention and respect the City Council shows the speakers during the meetings. The City Council and staff promise to answer questions and that is not done. The City Council shows disrespect to the public by presenting drawn out presentations and then limiting public comment. Mr. Phillips suggested that anytime a large crowd is expected the City Council meetings should be moved to the Library.

Bob Jungbluth, Hemet, Hemet Del Sol residents will do anything to help Lori VanArsdale. The residents are proud of Hemet Police and Hemet Fire Departments. Council Member Krupa helps to protect our right to have or own City Fire and Police. I agree, even if you have to raise our taxes.

Steve Sandefer, Hemet Fire Fighters Association (HFFA), Hemet Fire Department is proud of its reputation. Being honest has been paramount to us. The Department has been dealing with this issue for 2 years. HFFA members, until March 21, 2013, offered to continue the 5% reduction for two years to match CalFire's contract period with their members.

Robert Straubinger, spoke in support of the City's Public Safety Departments. As a local dentist since 1978, Mr. Straubinger expressed concern with the slow trickle of patients leaving Hemet for safer communities. That is tax dollars leaving Hemet. Mr. Straubinger recommended that the City Council be more transparent and work with the Chamber of Commerce which represents 700 businesses.

Patty Woods, Hemet, expressed concern with the lack of respect that was shown towards senior residents at the February 26th meeting by forcing them to sit through a long presentation and not let them finish their presentations. Ms. Woods use to think that the campaign signs saying "Taking back Hemet" were false, but now realizes that it meant taking Hemet back to the County. Ms. Woods expressed concern with the

Mayor's lack of respect for the Chamber of Commerce and the business community. Ms. Wood's read a letter written by Howard Rosenthal expressing concern with the length of the February 26, 2013 City Council meeting. The letter also stated that Council Member Milne placed her hand in the face of Howard Rosenthal and addressed him as "Dude".

Bobbie Christie, Hemet, during a meeting sponsored by the City this morning, a developer explained that new businesses and new developments would provide security and funding sources. Ms. Christie suggested that the City Council support the businesses and focus on bringing in more businesses.

Denise Hargis, Hemet, moved to Hemet from Escondido in 2000 after her son was attacked by gang members. At that time, we felt safe in our neighborhood that has changed. Ms. Hargis expressed concern that the condition of the community is deterring businesses from coming here and the residents are leaving because there are not businesses. Ms. Hargis and her family have decided to relocate 1,500 miles from Hemet where a job has been offered, there is no graffiti and the homes are less expensive.

Helen Hanson, Hemet, expressed concern with the length of the February 26th City Council meeting. There were seniors that were hoping to expressed their concern that could not stay.

C.W. Cecchi, Hemet, thanked the City Manager for allowing Rita Conrad to attend the Hemet Taxpayers Association meeting. If every member in these chambers will buy a new car, that will help...that's all you have to do is shop Hemet...the sales tax will come.

Mona Groff, Hemet, most of the people in this room don't even know what is going on. There are reasons why Mayor Youssef didn't address the Chamber of Commerce. Ask Council Member Krupa or Tami Wilhelm. As a member of the CAC, the City and the staff are doing a lot and no one cares. The City of Hemet has a good City Council.

Discussion/Action Item

15. **Sixth Amendment to Stetson Crossing Purchase and Sale Agreement** – John Jansons, Community Investment Director
 - a. Authorize the Interim City Manager to execute a Sixth Amendment to the Stetson Crossing Purchase and Sale Agreement for real property commonly known as Stetson Crossing

Mayor Youssef, recused himself from the discussion due to the close proximity to his home.

John Jansons, Community Investment Director, the item before you is a request to approve the sixth Amendment to the Stetson Crossing Purchase and Sale Agreement. This project is a critical economic development project for the City of Hemet. This is a recognized obligation by the State of California through the Redevelopment Agency dissolution process. The property is shovel ready. Some of the negotiations still need to mature a bit further. In November, this Agreement was extended to get through the rainy season and the completion of the Flood Control Channel. Time is again an obstacle and we are requesting an extension. Staff is recommending the extension as requested. The Project Developer is requesting that the City Council consider amendments to the restrictions.

Mark Cooper, Stetson Partners, an anchor tenant has been identified and we are

ready to move forward with the project. Mr. Cooper requested that the City Council reconsidered the restrictions on certain uses. A request to amend the Specific Plan is forthcoming. The expressed concern is the requirement to have a restriction on the deed against a gas station. **Eric Vail, City Attorney**, the restrictions are in the Purchase and Sale Agreement and will be Deed Restrictions. From the City standpoint that is the highest authority that we can rely, however the restrictions are very difficult to repeal. If the City Council is convinced by Mr. Cooper the agreement can be amended. The Deed will not be recorded for a period of time and Mr. Cooper will be requesting an amendment of the Specific Plan.

M. Cooper, disagrees with the restriction and placing it in the Deed makes it a restriction forever.

Council Member Krupa, agrees with the restriction. The City Council has a different vision for that corner and further recommended that gas stations are hidden.

Mr. Cooper, any development has to go through the planning process and meet design guidelines. Mr. Cooper requested an opportunity to discuss this in detail with the Council Members.

Mr. Vail, the deed is not going to be filed until we are ready to close which will be several months. As the City's Legal Counsel it is recommended that these restrictions remain in place. The City is carrying paperback on this property. The need to include deed restrictions might change as the situation changes.

Council Member Milne, recommended that the language remain, this can be discussed at a later date. Council Member Milne asked if this will be the last extension requested.

Mr. Cooper, we have entered into a contract with the anchor tenant, we need until August to get the entitlement and environmental completed.

Council Member Wright, I am looking forward to seeing your plans at the Planning Commission, you have done a great job with Page Plaza.

Council Member Wright moved and Council Member Milne seconded a motion to approve this item as presented. Motion carried 3-0.

16. **Special Events Ad-Hoc Committee for Fiscal Year 2013/14** – John Jansons, Community Investment Director

- a. Appoint two Council Members to the Special Events Ad-Hoc Committee to consider fiscal year 2013/14 special events funding requests.

John Jansons, Community Investment Director, request to reactivate the Ad-Hoc Committee to consider awarding funding for special events. Previously applications were received and reviewed by the Ad-Hoc Committee. The Committee's recommendations were presented to the City Council to consider funding future Community events. Staff is seeking direction from the City Council and confirmation that funding will be considered. We do not want to seek applications if funding will not be considered.

Council Member Krupa, the process worked well. I served on the Ad-Hoc Committee with Mayor Pro Tem Foreman. The requests were ranked based on the information provided in the application. Council Member Krupa recommended that this process be used again this fiscal year and requested to be a member of the Ad-Hoc Committee.

Council Member Wright, requested to work with Council Member Krupa on the Ad-Hoc Committee.

Council Member Milne moved and Mayor Youssef seconded a motion to approve this item as presented and appoint Council Members Krupa and Wright to the Special Events Ad-Hoc Committee. Motion carried 4-0.

17. International Council of Shopping Centers Trade Show and Annual Conference (RECON) – John Jansons, Community Investment Director

- a. Appoint two representatives of the Council to attend RECON in May 2013;
- b. Approve the direct expenditures in the amount of approximately \$24,000.

John Jansons, Community Investment Director, the requests is to approve funding for marketing materials and costs associated with the City's outreach program. The City of Hemet partner's with Riverside County's Economic Development Agency. Riverside's EDA is able to pay for a larger booth at a great location on the main floor. The City can either partner to display their materials or get a 10x10 area in EDA's pavilion at a fraction of the cost to have our own. Staff is seeking authorization to budget \$24,000 for the trade show including attendance and marketing material.

Mayor Youssef, asked for the price difference between having our own booth and participating with EDA.

John Jansons, it would cost approximately \$15,000 to have an independent booth which would not be located on the main floor. The City would also need the structure, equipment and furniture. The County's pavilion has semi-private furnished conference rooms. Staff is also recommending that two Council Members attend to meet with the Real Estate Investors, Developers and Retailers.

Council Member Krupa, confirmed that the Development representatives want to know that the City is sincere and appreciate the Council Members meeting with them. Council Member Krupa asked to attend on behalf of the City Council.

Mayor Youssef, Mayor Pro Tem Smith also asked to attend on behalf of the City Council.

Council Member Wright moved and Council Member Milne second a motion to approve this item as presented and appointment Council Member Krupa and Mayor Pro Tem Smith as the City Council representatives at ICSC. Motion carried 4-0.

18. Municipal Code Amendment 13-001 pertaining to Social Hosts and Loud and Unruly Gatherings – Deanna Elliano, Community Development Director

- a. Introduce, read by title only and waive further reading of an ordinance establishing Article V of Chapter 46 of the Hemet Municipal Code regarding the regulation of Social Hosts and Loud and Unruly Gatherings; and
- b. Direct staff to file a Notice of Exemption in compliance with the California Environmental Quality Act. **Ordinance Bill No. 13-006**

Deanna Elliano, Community Development Director, the item before you is a Municipal Code Amendment the 11th Hemet ROCS Ordinances. The Social Host Ordinance was suggested by Hemet Community Action Network for the overall health and well being of the kids in the valley hopefully reducing the exposure of drugs and alcohol to children. This is a companion ordinance to the alcohol beverage sales ordinance. There are two types of violations, host provisions making it a violation to

host or knowingly serve minor alcohol without willingness to correct. Parents who willingly provide alcohol to their own children in the home is not a violation. The ordinance does not apply to businesses that are regulated by ABC. The second type of violation is holding a loud and unruly gathering. The gathering can be as small as two people acting in an unruly manner and become a nuisance. This ordinance allows the Officer to issue an Administrative Citation instead of arrest given them more flexibility. The Ordinance allows for restitution of the Public Safety costs incurred for the response. These Ordinances are trying to make property owners responsible for action on their property. Staff is recommending that the City Council introduce, read by title only and waive further reading of the Ordinance.

Mayor Youssef, thanked Ms. Elliano and Hemet CAN for their efforts.

Council Member Milne, as a parent I appreciate this Ordinance. Council Member Milne thanked the Hemet ROCS Committee.

Council Member Krupa, thanked Ms. Elliano and her staff. These Ordinances are necessary. Council Member Krupa thanked the Hemet ROCS Committee.

Michael Ramirez, Hemet CAN, this is a great Ordinance and great strategy to help reduce the exposure for children. There is a lot of research that supports the effect of these Ordinances.

Council Member Krupa moved and Council Member Milne seconded a motion to Introduce Ordinance Bill No. 13-006, read by title only and waive further reading and direct staff to file the Notice of Exemption. Motion carried 4-0.

The Ordinance was read by title only.

City Council Reports

19. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Krupa

1. Traffic and Parking Commission
2. Riverside Conservation Authority (RCA)
3. Ramona Bowl Association
4. Indian Gaming Distribution Fund
5. Riverside Transit Agency (RTA)

B. Council Member Milne

1. Library Board
2. League of California Cities
3. Riverside County Habitat Conservation Agency (RCHCA)
4. Riverside Transit Agency (RTA)
5. Riverside Conservation Authority (RCA)

C. Council Member Wright

1. Park Commission
2. Planning Commission
3. Indian Gaming Distribution Fund
4. Riverside County Habitat Conservation Agency (RCHCA)
5. Ramona Bowl Association

- D. Mayor Pro Tem Smith
 - 1. League of California Cities
 - 2. Riverside County Transportation Commission (RCTC)
 - 3. Western Riverside County of Governments (WRCOG)
 - 4. Public Safety Update
 - 5. National League of Cities

- E. Mayor Youssef
 - 1. Western Riverside County of Governments (WRCOG)
 - 2. Riverside County Transportation Commission (RCTC)
 - 3. Disaster Planning Commission

- F. Ad-Hoc Committee Reports
 - 1. Crime Stoppers Plus Ad-Hoc Committee
 - 2. Hemet ROCS Citizens Advisory Committee (CAC)
 - 3. CDBG Ad-Hoc Committee

- G. Interim City Manager Bradley
 - 1. Manager's Reports
 - 2. Letter in Support of SB 337, Request to Relinquish Portions of Highway 74

Ron Bradley, Interim City Manager, recommended that the City Council approve and sign a Letter in Support of SB 337.

The City Council approved and signed the letter.

Ron Bradley, Interim City Manager, recognized Mark Orme for his 13 years of service with the City of Hemet. Mr. Orme will be leaving the organization to join the former City Manager Brian Nakamura in Chico, CA.

Mayor Youssef, reminisced on early memories of working with Mr. Orme on budget cuts. Mayor Youssef admired his faith in God and will miss his friendship. This will be a great opportunity for you and your family. Chico is gaining a great Assistant City Manager.

Council Member Wright, I appreciate Mr. Orme's integrity, who you are and what you stand for. I wish you and your family nothing but the best.

Council Member Krupa, I have always appreciated that Mr. Orme returned your phone call whether or not you liked the answer. Mr. Orme cares for this community. This is a good move for you in your development toward your next goal. No one is indispensable, but you are close to it.

Council Member Milne, appreciated the frank conversation with Mr. Orme. As much as we want you to stay, we understand that we have to go where God tells you to go. Hemet's loss is Chico's gain.

Mark Orme, Assistant City Manager, it has been an absolute pleasure and an honor to be a part of this community for a number of years. The Community members have pride and I am who I am because of this Community. I have had the opportunity to work with a number of wonderful people. The City of Hemet has an amazing staff. The City's Department Directors work diligently, nights and weekends to get the job done. Thanked the City Council for allowing him to serve this community on a daily

basis. Mr. Orme recommended that Mr. Bradley realize the value of his team. This community is awesome. I'm going to miss the people and the relationships over the last couple of years.

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

Adjourned at 8:56 pm to Tuesday, March 26, 2013 at 7:00 p.m. for consideration of items placed on that agenda. The next regular meeting will be held April 9, 2013.

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.



Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Rita Conrad, Deputy City Manager/Administrative Services;
Ron Bradley, Interim City Manager *RSB*

DATE: April 9, 2013

RE: Warrant Register

The City of Hemet's warrant register dated March 21, 2013 is currently posted on the City's website in the Finance Department section, under *Financial Information*. Payroll for the period of March 4, 2013 to March 17, 2013 was \$558,157.56.

CLAIMS VOUCHER APPROVAL

"I, Rita Conrad, Deputy City Manager/Administrative Services, do hereby certify that to the best of my knowledge and ability, that the warrant register posted on the city's website is a true and correct list of warrants for bills submitted to the City of Hemet, and the payroll register through the dates listed above, and that there will be sufficient monies in the respective funds for their payment."

Respectfully submitted,

A handwritten signature in blue ink that reads "Rita Conrad". The signature is written in a cursive, flowing style.

Rita Conrad
Deputy City Manager/Administrative Services

RC: mh

CITY OF HEMET
VOUCHER/WARRANT REGISTER
FOR ALL PERIODS

CLAIMS VOUCHER APPROVAL

I, RITA CONRAD, DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND ABILITY, THAT THE WR POSTED ON THE CITY WEBSITE IS A TRUE AND CORRECT LIST OF WARRANTS FOR BILLS SUBMITTED TO THE CITY OF HEMET THROUGH THE DATES LISTED ABOVE, AND THAT THERE WILL BE SUFFICIENT MONIES IN THE RESPECTIVE FUNDS FOR THEIR PAYMENT.

RITA CONRAD
DEPUTY CITY MANAGER/ADMINISTRATIVE SERVICES

*Staff Report*

TO: Honorable Mayor and members of the City Council
FROM: Judith L. Oltman, City Treasurer
DATE: April 9, 2013
RE: Investment Portfolio as of February 2013

RECOMMENDED ACTION:

Receive and file.

ANALYSIS:

The summary statement of activity and balances of the Treasurer's Investment Portfolio for the month of February 2013 is forwarded herewith for your review. On 2/26/13 our two Rabo Bank CDs #s 3120 and 3121 for \$100,000 each, matured and were rolled over to a money market account # 5011 for \$200,000 at Laif interest rate. On 2/28/13 we purchased FNMA # 2255 5yr/1yr call for \$500,000 at 1.15%.

I hereby certify that this report accurately reflects all City of Hemet pooled investments and is in conformity with the investment policy of the City of Hemet and that a copy hereof is on file in the office of the City Clerk. Our third party custodial bank, Bank of New York Mellon, has provided us with the monthly market values.

It is further certified that there is sufficient liquidity to meet the next six months' estimated day-to-day operational expenses.

Respectfully Submitted,


Judith L. Oltman
City Treasurer



attachment

CITY OF HEMET, CALIFORNIA
Monthly Report of Investment Activities

FEBRUARY 2013

INVESTMENT CLASSIFICATIONS	MONTHLY ACTIVITY	CONSOLIDATED BALANCE
PORTFOLIO AS OF January 2013	69,505,690.82	
CERTIFICATES OF DEPOSIT		
Placed this month		
Matured this month	-200,000.00	
Balance		6,648,000.00
LOCAL AGENCY INVESTMENT FUND: City of Hemet		
Deposits		
Withdrawals		
Balance		35,088,498.99
LOCAL AGENCY INVESTMENT FUND: City of Hemet		
Deposits		
Withdrawals		
Balance		1,873.55
BANK OF NEW YORK MELLON Custodial Acct.		
Deposits	11,118.24	
Withdrawals	-511,118.24	
Balance		420,378.98
RABO BANK: Money Market Account		
Deposits	200,000.00	
Withdrawals		
Balance		200,000.00
CITIBANK: Money Market Account		
Deposits	3,014,552.06	
Adjustment	-0.40	
Withdrawals	-500,000.00	
Balance		10,217,893.82
CITIBANK: Money Market Account 3		
Deposits	601,435.28	
Withdrawals		
Balance		9,405,032.42
MUNICIPAL BONDS		
Deposits		
Withdrawals		
Balance		3,140,000.00
GOVERNMENT AGENCIES		
2229 2.125% FNMA 7/22/16		500,000.00
2238 1.2% FNMA 3/8/17		500,000.00
2239 1.0% FNMA 3/13/17		500,000.00
2240 1.10% FNMA 3/20/17		500,000.00
2241 1.0% FNMA 3/21/17		500,000.00
2242 1.25% FFCB 3/8/17		500,000.00
2243 1.3% FFCB 3/20/17		500,000.00
2248 1.14% FFCB 5/15/17		500,000.00
2249 1.20% FNMA 5/16/17		500,000.00
2250 1.15% FHLB 5/30/17		500,000.00
2251 1.05% FNMA 6/27/17		500,000.00
2252 1.0% FNMA 8/21/17		500,000.00
2253 1.0% FNMA 11/29/17		500,000.00
2254 1.05% FHLB 1/17/18		500,000.00
2255 1.15% FNMA 2/28/18	500,000.00	500,000.00
PORTFOLIO BALANCE AS OF FEBRUARY 2013	72,621,677.76	72,621,677.76

INTEREST EARNINGS	12-13 FISCAL YEAR-TO-DATE	
EARNINGS BALANCE AS OF Feb. 1, 2013		221,734.94
CERTIFICATES OF DEPOSIT INT.	10,191.50	
OTHER GOVERNMENT SECURITIES	2,500.00	
CITIBANK MONEY MARKET ACCOUNT	1,954.67	
CITIBANK MONEY MARKET ACCOUNT 3	1,035.28	
BANK OF NY MONEY MARKET ACCT.	11.84	
MISC. PROPERTY TAX INT.		
LOCAL AGENCY INVESTMENT FUNDS		
City of Hemet Interest		
City of Hemet Interest		
MONTHLY EARNINGS TOTAL	15,693.29	15,693.29
MEMO ONLY:		
MERCHANT BANK CHG.	-3,228.03	
LIBRARY CREDIT CARD FEES	-93.47	
ARMORED CAR	-361.58	
ASSET SEIZURE FUNDS	-13.66	
Charges as of: Feb. 1, 2013	-18,509.71	
YTD CHARGES	-22,206.45	
12-13 YEAR-TO-DATE INTEREST EARNINGS		237,428.23

CITY OF HEMET
Received Interest
Sorted by Issuer
Received February 1, 2013 - February 28, 2013

Issuer	CUSIP	Investment #	Security Type	Par Value	Current Rate			Interest		Variance
						Date Due	Date Received	Amount Due	Amount Received	
AMERICAN EXPRESS CENTURIAN	SYS3138	3138	BCD	248,000.00	1.150	02/25/2013	02/26/2013	1,426.00	1,437.72	11.72
								Subtotal	1,426.00	
BANK OF HEMET	SYS3128	3128	BCD	247,000.00	1.600	02/06/2013	02/07/2013	335.65	335.65	-
								Subtotal	335.65	
BANK OF THE WEST	SYS3144	3144	BCD	249,000.00	1.750	02/12/2013	02/13/2013	370.09	370.09	-
								Subtotal	370.09	
BANK OF HEMET	SYS3129	3129	BCD	247,000.00	1.600	02/06/2013	02/05/2013	335.65	335.65	-
								Subtotal	335.65	
BREMER BANK GRAND FORKS, MN	106895AY1	3161	NC2	249,000.00	1.200	02/22/2013	02/25/2013	257.30	253.78	-3.52
								Subtotal	257.30	
BREMER BANK OF MOORHEAD ND	10700QBC7	3160	NC2	249,000.00	1.200	02/22/2013	02/25/2013	257.30	253.78	-3.52
								Subtotal	257.30	
CIT BANK	SYS3136	3136	BCD	247,000.00	1.800	02/24/2013	02/26/2013	2,223.00	2,241.27	18.27
								Subtotal	2,223.00	
COMMUNITY COMMERCE BANK	SYS3122	3122	BCD	99,000.00	2.200	02/20/2013	02/05/2013	187.55	187.55	-
								Subtotal	187.55	
COMMUNITY COMMERCE BANK	SYS3123	3123	BCD	99,000.00	2.200	02/20/2013	02/05/2013	187.55	187.55	-
								Subtotal	187.55	
COMENITY CAPITAL BANK	20033AAG13	3168	NC2	249,000.00	1.050	02/25/2013	02/26/2013	225.14	222.05	-3.09
								Subtotal	225.14	
DISCOVER BANK	SYS3134	3134	BCD	248,000.00	1.050	02/24/2013	02/26/2013	1,302.00	1,312.70	10.70
								Subtotal	1,302.00	

Portfolio COFH
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CITY OF HEMET
Received Interest
Received February 1, 2013 - February 28, 2013

Issuer	CUSIP	Investment #	Security Type	Par Value	Current Rate	Date Due	Date Received	Interest		Variance
								Amount Due	Amount Received	
FEDERAL NTL MORTGAGE ASSOC.	3135G0NF6	2252	FAC	500,000.00	1.000	02/21/2013	02/25/2013	2,500.00	2,500.00	-
							Subtotal	2,500.00	2,500.00	
G.E. Capital Financial, Inc.	36160WVR7	3132	BCD	247,000.00	1.850	02/12/2013	02/13/2013	2,284.75	2,303.53	18.78
							Subtotal	2,284.75	2,303.53	
GEORGIA BANK AND TRUST	373128DS3	3167	NC2	249,000.00	1.000	01/17/2013	02/20/2013	214.42	211.48	-2.94
	373128DS3	3167	NC2	249,000.00	1.000	02/17/2013	02/20/2013	214.42	211.48	-2.94
							Subtotal	428.84	422.96	
RABOBANK	SYS3120	3120	BCD	0.00	1.900	02/26/2013	02/28/2013	161.37	163.61	2.24
							Subtotal	161.37	163.61	
RABOBANK	SYS3121	3121	BCD	0.00	1.900	02/26/2013	02/28/2013	161.37	163.61	2.24
							Subtotal	161.37	163.61	
Total								12,643.56	12,691.50	
Total Cash Overpayment								63.95		
Total Cash Shortfall								-16.01		

CITY OF HEMET
Received Interest
Received February 1, 2013 - February 28, 2013

Issuer	CUSIP	Investment #	Security Type	Par Value	Current Rate	Interest	
						Date Received	Amount Received
Cash Accounts							
BANK OF NEW YORK	SYS5009	5009	PA1	920,378.98		02/01/2013	11.84
						Subtotal	11.84
Citibank	SYS5001	5001	PA1	10,214,787.62	0.450	02/28/2013	1,954.67
						Subtotal	1,954.67
CITIBANK3	SYS5004	5004	PA1	9,403,997.14	0.450	02/28/2013	1,035.28
						Subtotal	1,035.28
						Total	3,001.79

CITY OF HEMET
Portfolio Management
Portfolio Summary
February 28, 2013

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Certificates of Deposit - Bank	3,169,000.00	3,231,001.80	3,169,000.00	4.32	1,382	704	1.582	1.604
Managed Pool Accounts	35,090,371.02	35,090,371.02	35,090,371.02	47.79	1	1	0.345	0.350
Passbook/Checking Accounts	20,043,305.22	20,043,305.22	20,043,305.22	27.30	1	1	0.435	0.441
Local Government Bonds	3,140,000.00	3,282,604.40	3,144,877.86	4.28	1,641	843	4.367	4.427
Federal Agency Issues - Coupon	8,500,000.00	8,518,945.00	8,500,000.00	11.58	1,826	1,497	1.231	1.248
Negotiable CDs	3,479,000.00	3,526,808.59	3,479,000.00	4.74	1,643	1,419	1.186	1.202
	73,421,676.24	73,693,036.03	73,426,554.10	100.00%	420	308	0.738	0.748
Investments								
Cash and Accrued Interest								
Accrued Interest at Purchase		6,270.83	6,270.83					
Subtotal		6,270.83	6,270.83					
Total Cash and Investments	73,421,676.24	73,699,306.86	73,432,824.93		420	308	0.738	0.748
Total Earnings								
	February 28 Month Ending	Fiscal Year To Date						
Current Year	43,437.58	328,193.33						
Average Daily Balance	72,989,016.82							
Effective Rate of Return	0.78%							

JUDITH L. OLTMAN, TREASURER

Reporting period 02/01/2013-02/28/2013

Run Date: 04/01/2013 - 16:03

Portfolio COFH
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PM (PRF_PM1) SymRept 6.41.202b
Report Ver. 5.00

CITY OF HEMET
Portfolio Management
Portfolio Details - Investments
February 28, 2013

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	Moody's	YTM 365	Days to Maturity	Maturity Date
Certificates of Deposit - Bank												
SYS3124	3124	Ally Bank		07/30/2010	247,000.00	259,053.30	247,000.00	2.450		2.450	881	07/30/2015
SYS3138	3138	AMERICAN EXPRESS CENTURIAN		08/25/2011	248,000.00	250,614.12	248,000.00	1.150		1.150	542	08/25/2014
06740KEX1	3146	BARCLAYS BANK DE		12/07/2011	247,000.00	258,537.30	247,000.00	1.900		1.900	1,377	12/07/2016
SYS3130	3130	BMW BANK OF NORTH AMERICA, UT		10/22/2010	248,000.00	252,627.38	248,000.00	1.550		1.550	600	10/22/2014
SYS3128	3128	BANK OF HEMET		09/06/2010	247,000.00	247,000.00	247,000.00	1.600		1.600	189	09/06/2013
SYS3144	3144	BANK OF THE WEST		10/12/2011	249,000.00	259,111.62	249,000.00	1.750		1.750	1,321	10/12/2016
SYS3129	3129	BANK OF HEMET		09/06/2010	247,000.00	247,000.00	247,000.00	1.600		1.600	189	09/06/2013
SYS3136	3136	CIT BANK		08/24/2011	247,000.00	257,363.80	247,000.00	1.800		1.800	1,272	08/24/2016
SYS3122	3122	COMMUNITY COMMERCE BANK		06/20/2010	99,000.00	99,000.00	99,000.00	2.200		2.231	111	06/20/2013
SYS3123	3123	COMMUNITY COMMERCE BANK		06/20/2010	99,000.00	99,000.00	99,000.00	2.200		2.231	111	06/20/2013
SYS3142	3142	COMPASS BANK		09/14/2011	248,000.00	248,000.00	248,000.00	0.850		0.850	199	09/16/2013
SYS3134	3134	DISCOVER BANK		08/24/2011	248,000.00	248,000.00	248,000.00	1.050		1.050	542	08/25/2014
36160WVR7	3132	G.E. Capital Financial, Inc.		08/12/2011	247,000.00	257,694.28	247,000.00	1.850		1.850	1,260	08/12/2016
SYS3140	3140	GOLDMAN SACHS		08/31/2011	248,000.00	248,000.00	248,000.00	1.200		1.200	550	09/02/2014
Subtotal and Average			3,347,571.43		3,169,000.00	3,231,001.80	3,169,000.00			1.604	704	
Managed Pool Accounts												
SYS1001	1001	LOCAL AGENCY INVESTMENT FUND			35,088,498.99	35,088,498.99	35,088,498.99	0.350		0.350	1	
SYS1002	1002	LOCAL AGENCY INVEST. FUND			1,872.03	1,872.03	1,872.03	0.350		0.350	1	
Subtotal and Average			35,090,371.02		35,090,371.02	35,090,371.02	35,090,371.02			0.350	1	
Passbook/Checking Accounts												
SYS5009	5009	BANK OF NEW YORK			420,378.98	420,378.98	420,378.98			0.000	1	
SYS5001	5001	Citibank			10,217,893.82	10,217,893.82	10,217,893.82	0.450		0.450	1	
SYS5003	5003	CITIBANK			0.00	0.00	0.00	3.050		3.050	1	
SYS5004	5004	CITIBANK3			9,405,032.42	9,405,032.42	9,405,032.42	0.450		0.450	1	
SYS5002	5002	UNION BANK OF CALIFORNIA		07/01/2012	0.00	0.00	0.00	0.012		0.012	1	
Subtotal and Average			19,909,228.83		20,043,305.22	20,043,305.22	20,043,305.22			0.441	1	
Local Government Bonds												
423542KL2	5006	HEMET UNIFIED SCHOOL DISTRICT		07/22/2010	2,000,000.00	2,102,480.00	1,990,556.49	5.375		5.609	852	07/01/2015
509896AC0	5007	Lake Hemet Municipal Water Dis		10/07/2010	140,000.00	140,834.40	140,600.56	3.000		2.153	193	09/10/2013
533020DC4	5008	CITY OF LINCOLN		11/03/2011	1,000,000.00	1,039,290.00	1,013,720.81	3.000		2.423	915	09/02/2015
Subtotal and Average			3,144,988.40		3,140,000.00	3,282,604.40	3,144,877.86			4.427	843	

Portfolio COFH
AP

CITY OF HEMET
Portfolio Management
Portfolio Details - Investments
February 28, 2013

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	Moody's	YTM 365	Days to Maturity	Maturity Date
Federal Agency Issues - Coupon												
3133EAGH5	2242	FEDERAL FARM CREDIT BANKS		03/08/2012	500,000.00	500,115.00	500,000.00	1.250		1.250	1,468	03/08/2017
3133EAHZ4	2243	FEDERAL FARM CREDIT BANKS		03/20/2012	500,000.00	499,535.00	500,000.00	1.300		1.300	1,480	03/20/2017
3133EAQN1	2248	FEDERAL FARM CREDIT BANKS		05/15/2012	500,000.00	500,980.00	500,000.00	1.140		1.140	1,536	05/15/2017
313379FN4	2250	FEDERAL HOME LOAN BANK		05/30/2012	500,000.00	500,055.00	500,000.00	1.150		1.150	1,551	05/30/2017
313381MV4	2254	FEDERAL HOME LOAN BANK		01/17/2013	500,000.00	500,045.00	500,000.00	1.050		1.050	1,783	01/17/2018
3136FMTY0	2209	FEDERAL NTL MORTGAGE ASSOC.		05/28/2010	500,000.00	500,665.00	500,000.00	2.000		2.000	818	05/28/2015
3136FRB44	2229	FEDERAL NTL MORTGAGE ASSOC.		07/22/2011	500,000.00	503,300.00	500,000.00	2.125		2.125	1,239	07/22/2016
3136FTKM0	2236	FEDERAL NTL MORTGAGE ASSOC.		11/23/2011	500,000.00	500,425.00	500,000.00	1.500		1.500	1,363	11/23/2016
3135G0HM8	2238	FEDERAL NTL MORTGAGE ASSOC.		03/08/2012	500,000.00	500,060.00	500,000.00	1.200		1.200	1,468	03/08/2017
3136FTZ77	2239	FEDERAL NTL MORTGAGE ASSOC.		03/13/2012	500,000.00	500,135.00	500,000.00	1.000		1.000	1,473	03/13/2017
3136FT2K4	2240	FEDERAL NTL MORTGAGE ASSOC.		03/20/2012	500,000.00	500,205.00	500,000.00	1.100		1.100	1,480	03/20/2017
3136FT2C2	2241	FEDERAL NTL MORTGAGE ASSOC.		03/21/2012	500,000.00	500,100.00	500,000.00	1.000		1.000	1,481	03/21/2017
3136G0GA3	2249	FEDERAL NTL MORTGAGE ASSOC.		05/16/2012	500,000.00	505,505.00	500,000.00	1.200		1.200	1,537	05/16/2017
3136G0NY3	2251	FEDERAL NTL MORTGAGE ASSOC.		06/27/2012	500,000.00	504,195.00	500,000.00	1.050		1.050	1,579	06/27/2017
3135G0NF6	2252	FEDERAL NTL MORTGAGE ASSOC.		08/21/2012	500,000.00	501,550.00	500,000.00	1.000		1.000	1,634	08/21/2017
3136G04U2	2253	FEDERAL NTL MORTGAGE ASSOC.		11/29/2012	500,000.00	501,185.00	500,000.00	1.000		1.000	1,734	11/29/2017
3135G0UN1	2255	FEDERAL NTL MORTGAGE ASSOC.		02/28/2013	500,000.00	500,890.00	500,000.00	1.150		1.146	1,825	02/28/2018
Subtotal and Average			8,017,857.14		8,500,000.00	8,518,945.00	8,500,000.00			1.248	1,497	
Negotiable CDs												
856284-E3-4	3147	BANK OF INDIA NEW YORK		04/27/2012	248,000.00	261,029.99	248,000.00	2.000		2.000	1,518	04/27/2017
106895AY1	3161	BREMER BANK GRAND FORKS, MN		06/22/2012	249,000.00	253,583.17	249,000.00	1.200		1.217	1,574	06/22/2017
10700QBC7	3160	BREMER BANK OF MOORHEAD ND		06/22/2012	249,000.00	253,583.17	249,000.00	1.200		1.217	1,574	06/22/2017
107003AK1	3162	BREMER BANK NA		06/28/2012	249,000.00	253,600.35	249,000.00	1.200		1.217	1,580	06/28/2017
17037TDV6	3169	CHOICE FINANCIAL GROUP		11/20/2012	248,000.00	249,497.75	248,000.00	1.000		1.000	1,725	11/20/2017
20033AAG13	3168	COMENITY CAPITAL BANK		10/25/2012	249,000.00	251,292.69	249,000.00	1.050		1.065	1,699	10/25/2017
29976DNY2	3166	EVERBANK		10/15/2012	248,000.00	248,000.00	248,000.00	1.000		1.000	1,690	10/16/2017
373128DS3	3167	GEORGIA BANK AND TRUST		10/17/2012	249,000.00	250,708.71	249,000.00	1.000		1.014	1,691	10/17/2017
36159CRZ1	3126	GE Money Bank		07/30/2010	247,000.00	258,752.73	247,000.00	2.400		2.400	881	07/30/2015
48124JSB5	3171	JP MORGAN CHASE BANK		01/28/2013	248,000.00	248,000.00	248,000.00	0.850		0.850	1,794	01/28/2018
7865803L2	3164	SAFRA NATIONAL BANK		09/27/2012	249,000.00	249,000.00	249,000.00	0.800		0.800	941	09/28/2015
795450NR2	3163	SALLIE MAE		07/25/2012	248,000.00	248,000.00	248,000.00	1.200		1.200	878	07/27/2015
84603M2W5	3165	SOVEREIGN BANK		10/03/2012	249,000.00	250,294.13	249,000.00	0.750		0.750	581	10/03/2014
909557CL2	3170	United Bankers' Bank		11/29/2012	249,000.00	251,465.90	249,000.00	1.100		1.115	1,734	11/29/2017
Subtotal and Average			3,479,000.00		3,479,000.00	3,526,808.59	3,479,000.00			1.202	1,419	

Portfolio COFH

AP

**CITY OF HEMET
Portfolio Management
Portfolio Details - Investments
February 28, 2013**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	Moody's	YTM 365	Days to Maturity
Total and Average			72,989,016.82		73,421,676.24	73,693,036.03	73,426,554.10			0.748	308

**CITY OF HEMET
Portfolio Management
Portfolio Details - Cash
February 28, 2013**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	Moody's	YTM 365	Days to Maturity
Average Balance			0.00	Accrued Interest at Purchase		6,270.83	6,270.83				0
Subtotal						6,270.83	6,270.83				
Total Cash and Investmentss			72,989,016.82		73,421,676.24	73,699,306.86	73,432,824.93			0.748	308

Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 443-7997

www.treasurer.ca.gov/pmia
-laif
April 01, 2013

TREASURER
445 EAST FLORIDA AVENUE
HEMET, CA 92543-4209

PMIA Average Monthly Yields

Account Number:
65-33-006

Tran Type Definitions

February 2013 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	1,873.55
Total Withdrawal:	0.00	Ending Balance:	1,873.55

Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001
CITY OF HEMET

www.treasurer.ca.gov/pmia
-laif
April 01, 2013

CITY TREASURER
445 EAST FLORIDA AVENUE
HEMET, CA 92543-4209

PMIA Average Monthly Yields

Account Number:
98-33-362

Tran Type Definitions

February 2013 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	35,088,498.99
Total Withdrawal:	0.00	Ending Balance:	35,088,498.99

HEMET REDEVELOPMENT AGENCY
Cash W/Fiscal Agent: US BANK and LAIF
1999 TAX ALLOCATION BONDS/RDA

Date	Activity	98510810 496-1502 Interest Fund	98510811 Principal Fund	98510812 Sinking Fund	98510813 496-1503 Reserve Fund	98510814 Redemption Fund	98510815 390-1502 Cost of Issuance	RDA 390-1503 Acquisition Fund	TOTAL All Accounts
7/31/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Payment								0.00
	BALANCE	0.00	0.00	0.00	607,178.60	0.00	0.00	0.00	607,178.60
8/31/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Payment								0.00
	BALANCE	0.00	0.00	0.00	607,178.60	0.00	0.00	0.00	607,178.60
9/30/2012	Interest								0.00
	Interfund transfer	2,029.30			(2,029.30)				0.00
	Debt Service from City of Hemet	453,716.95							453,716.95
	Debt Service Payment	(455,746.25)							(455,746.25)
	BALANCE	0.00	0.00	0.00	605,149.30	0.00	0.00	(0.00)	605,149.30
10/31/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Payment								0.00
	BALANCE	0.00	0.00	0.00	605,149.30	0.00	0.00	(0.00)	605,149.30
11/30/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Payment								0.00
	BALANCE	0.00	0.00	0.00	605,149.30	0.00	0.00	(0.00)	605,149.30
12/31/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Payment								0.00
	BALANCE	0.00	0.00	0.00	605,149.30	0.00	0.00	(0.00)	605,149.30
1/31/2013	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Payment								0.00
	BALANCE	0.00	0.00	0.00	605,149.30	0.00	0.00	(0.00)	605,149.30
2/28/2013	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Payment								0.00
	BALANCE	0.00	0.00	0.00	605,149.30	0.00	0.00	(0.00)	605,149.30
	First American Treas Oblig CL D Corp Tr		605,149.30						
	Money Market/RDA								
			<u>605,149.30</u>						

HEMET REDEVELOPMENT AGENCY
Cash W/Fiscal Agent: US BANK and LAIF
2002 TAX ALLOCATION BONDS/RDA

Date	Activity	98510818	98510819		98510816	98510815	98510817	RDA	TOTAL
		496-1504 Interest Fund	Principal Fund	Sinking Fund	496-1506 Reserve Fund	Redemption Fund	389-1502 Cost of Issuance	389-1503 Acquisition Fund	
7/31/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Pmt								0.00
	BALANCE	0.00	0.00	0.00	477,068.90	0.00	(0.00)	0.00	477,068.90
8/31/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Pmt								0.00
	BALANCE	0.00	0.00	0.00	477,068.90	0.00	(0.00)	0.00	477,068.90
9/30/2012	Interest								0.00
	Interfund transfer	1,594.45			(1,594.45)				0.00
	Debt Service from City of Hemet	296,180.56							296,180.56
	Debt Service Pmt	(297,775.01)							(297,775.01)
	BALANCE	0.00	0.00	0.00	475,474.45	0.00	(0.00)	0.00	475,474.45
10/31/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Pmt								0.00
	BALANCE	0.00	0.00	0.00	475,474.45	0.00	(0.00)	0.00	475,474.45
11/30/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Pmt								0.00
	BALANCE	0.00	0.00	0.00	475,474.45	0.00	(0.00)	0.00	475,474.45
12/31/2012	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Pmt								0.00
	BALANCE	0.00	0.00	0.00	475,474.45	0.00	(0.00)	0.00	475,474.45
1/31/2013	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Pmt								0.00
	BALANCE	0.00	0.00	0.00	475,474.45	0.00	(0.00)	0.00	475,474.45
2/28/2013	Interest								0.00
	Interfund transfer								0.00
	Debt Service from City of Hemet								0.00
	Debt Service Pmt								0.00
	BALANCE	0.00	0.00	0.00	475,474.45	0.00	(0.00)	0.00	475,474.45

First American Treas Oblig CL D Corp Tr	475,474.45
LAIF/RDA	0.00
	<u>475,474.45</u>

CITY OF HEMET
Cash W/Fiscal Agent: US BANK
2006 Refunding Bonds Series Heartland Project

Date	Activity	103852000 788-1508 Bond	103852001 788-1508 Prepayment	103852002 Special	103852003 788-1510 Escrow	103852004 788-1502 Cost of	103852005 788-1506 Reserve	TOTAL	
7/31/2012	Interest							0.00	
	Transfer funds							0.00	
	City of Hemet							0.00	
	Debt Service							0.00	
	Khov prepay (31 lots)							0.00	
	Trust fees							0.00	
	BALANCE	0.00	730,252.54	2,299,800.82	10,736.85	5,402,114.04	0.00	466,136.25	8,909,040.50
8/31/2012	Interest							0.00	
	Transfer funds							0.00	
	City of Hemet							0.00	
	Debt Service							0.00	
	Khov prepay (31 lots)							0.00	
	Trust fees							0.00	
	BALANCE	0.00	730,252.54	2,299,800.82	10,736.85	5,402,114.04	0.00	466,136.25	8,909,040.50
9/30/2012	Interest							0.00	
	Transfer funds				(5,402,114.04)			(5,402,114.04)	
	City of Hemet							0.00	
	Debt Service	(660,923.75)						(660,923.75)	
	Khov prepay (31 lots)							0.00	
	Trust fees							0.00	
	BALANCE	0.00	69,328.79	2,299,800.82	10,736.85	0.00	0.00	466,136.25	2,846,002.71
10/31/2012	Interest							0.00	
	Transfer funds							0.00	
	City of Hemet							0.00	
	Debt Service							0.00	
	Khov prepay (31 lots)							0.00	
	Trust fees							0.00	
	BALANCE	0.00	69,328.79	2,299,800.82	10,736.85	0.00	0.00	466,136.25	2,846,002.71
11/30/2012	Interest							0.00	
	Transfer funds							0.00	
	City of Hemet							0.00	
	Debt Service							0.00	
	Khov prepay (31 lots)							0.00	
	Trust fees							0.00	
	BALANCE	0.00	69,328.79	2,299,800.82	10,736.85	0.00	0.00	466,136.25	2,846,002.71
12/31/2012	Interest							0.00	
	Transfer funds							0.00	
	City of Hemet							0.00	
	Debt Service							0.00	
	Khov prepay (31 lots)							0.00	
	Trust fees							0.00	
	BALANCE	0.00	69,328.79	2,299,800.82	10,736.85	0.00	0.00	466,136.25	2,846,002.71
1/31/2013	Interest							0.00	
	Transfer funds							0.00	
	City of Hemet		181,839.98					181,839.98	
	Debt Service							0.00	
	Khov prepay (31 lots)							0.00	
	Trust fees							0.00	
	BALANCE	0.00	69,328.79	2,481,640.80	10,736.85	0.00	0.00	466,136.25	3,027,842.69
2/28/2013	Interest							0.00	
	Transfer funds	198,317.46	(198,317.46)					0.00	
	City of Hemet							0.00	
	Debt Service							0.00	
	Khov prepay (31 lots)							0.00	
	Trust fees							0.00	
	BALANCE	0.00	267,646.25	2,283,323.34	10,736.85	0.00	0.00	466,136.25	3,027,842.69
	First American Treasury Oblig		0.00						
	US Treasury Notes, various		3,027,842.69						not carried on COH books
	Misc Assets		1.00						
			<u>3,027,843.69</u>						
	Cash held by FA, net of Escrow acct		3,027,842.69						



Staff Report

TO: Honorable Mayor and Members of the City Council
FROM: Eric S. Vail, City Attorney
DATE: April 9, 2013
RE: Extension of Time to Construct Fire Station at Diamond Valley Lake

RECOMMENDATION:

That the City Council authorize the Interim City Manager to execute the attached "Agreement and Notice of Extension of Time to Satisfy Condition Subsequent."

BACKGROUND:

By a grant deed dated April 11, 2006, and recorded on May 5, 2006, Metropolitan Water District ("MWD") gave the City certain real property on Domenigoni Parkway near Diamond Valley Lake (APN 454-270-029) for the purpose of providing fire protection to MWD's remaining property and to the surrounding area in general. The grant was made "upon the express condition that [the City] shall construct, maintain, and operate a fire station upon the real property." MWD reserved for itself the power to terminate the grant and revert the ownership of the property to itself if the City failed to construct and operate the fire station within two years of the grant.

State law provides that a power of termination reserved in a grant deed must be exercised within five years of the grantee's breach of the condition. (Civil Code Section 885.050). This means that under the present conditions MWD has until April 11, 2013 to commence and action to exercise its power of termination.

ANALYSIS:

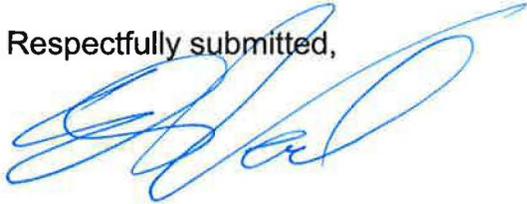
The proposed Agreement and Notice of Extension of Time to Satisfy Condition Subsequent would extend the time the City has to construct and operate a fire station on the subject site to April 30, 2018. If the City does not construct and operate a fire station on the subject site by that date, MWD may commence an action to exercise its power of termination thereafter.

If the City Council does not approve this Agreement, MWD may file an action to exercise its power of termination immediately and take ownership of the property back from the City.

FISCAL IMPACT:

None.

Respectfully submitted,



Eric S. Vail, City Attorney

Attachments:

Agreement and Notice of Extension of Time to Satisfy Condition Subsequent Grant Deed

Recorded at the Request of
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

When Recorded Mail to
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
Post Office Box 54153
Los Angeles, CA 90054
Attention: Manager, Real Property Development

DOCUMENTARY TRANSFER TAX \$ None
(Exempt--Section 11922, California
Revenue and Taxation Code)

AGREEMENT AND NOTICE OF EXTENSION OF TIME
TO SATISFY CONDITION SUBSEQUENT

Diamond Valley Lake
MWD Parcel No. 144-1-153B

APN 454-270-035-4

By Grant Deed recorded May 5, 2006, as Instrument No. 2006-0327041 of the Official Records of County of Riverside, THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, a public corporation ("Grantor"), granted to CITY OF HEMET, a municipal corporation, certain real property to be used solely for constructing, maintaining, and operating a fire station to provide fire protection to Grantor's remaining property and the surrounding area.

The Grant Deed reserved to Grantor a power of termination in the event that Grantee failed to construct and operate the fire station within two years. That condition subsequent to the conveyance has not been satisfied. Grantor and Grantee desire to extend the time in which Grantee must act to satisfy the condition subsequent to the conveyance.

In consideration of Grantor's forbearance from exercising its power of termination at this time, Grantor and Grantee hereby agree that the time in which Grantee has to satisfy the

Agreement re Power of Termination
MWD Parcel No. 144-1-153B
Assessor's Parcel No. 454-270-035-4

-2-

condition subsequent set forth in the Grant Deed recorded May 5, 2006, as Instrument No. 2006-0327041 of the Official Records of County of Riverside, is extended through and including April 30, 2018. Grantee expressly agrees that this Agreement and Notice constitutes a preservation of Grantor's power of termination for the period specified herein pursuant to Civil Code Section 885.030.

Dated: _____

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Jeffrey Kightlinger
General Manager

By _____

John C. Clairday
Manager, Real Property Development
and Management

Dated: _____

CITY OF HEMET

By:

Ronald ~~B~~ Bradley
City Manager

Recorded at the Request of
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

When Recorded Mail to
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Post Office Box 54153
Los Angeles, CA 90054
Attention: Right of Way and Title Engineering

DOCUMENTARY TRANSFER TAX \$ None
(Exempt--Section 11922, California
Revenue and Taxation Code)

DOC # 2006-0327041

05/05/2006 08:00A Fee:NC

Page 1 of 6

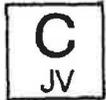
Recorded in Official Records
County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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A	R	L				COPY	LONG	REFUND	NCHG	EXAM



GRANT DEED

Diamond Valley Lake
MWD Parcel No. 144-1-153B
APN 454-270-029

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, a public
corporation ("Grantor"),

hereby grants to

CITY OF HEMET, a municipal corporation ("Grantee"),

that certain real property located in County of Riverside, State of California, as more particularly
described in Exhibit "A" and shown on Exhibit "B", attached hereto, solely for the public
purpose of providing fire protection to Grantor's remainder property and the surrounding area,
and upon the express condition that Grantee shall construct, maintain, and operate a fire station
upon the real property; and

RESERVING to Grantor a power of termination to revert title and ownership of the real property
to Grantor in the event that Grantee fails within two years from this conveyance to construct and
operate a fire station on the real property, or in the event that Grantee thereafter fails to continue
to maintain and operate a fire station on the real property.

/
/
/
/

Grant Deed
MWD Parcel No. 144-1-153B

-2-

Dated: 4/11/06

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Jeffrey Kightlinger
General Manager

By Jill T. Wicke
Jill T. Wicke
Manager, Real Property Development
and Management

Authorized by MWD Administrative Code 8230

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Los Angeles

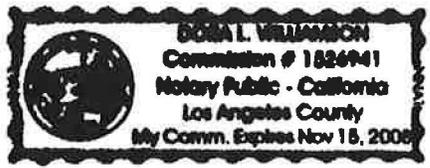
On 4-11-2006 before me, Dora L. Williamson, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Jill T. Wicke
Name(s) of Signer(s)

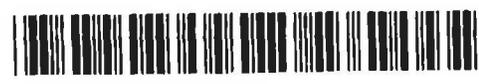
personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Dora L. Williamson
Signature of Notary Public



PMF:j:\propmngt\WA4659_City of Hemet Grant Deed for Fire Station





LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

<http://riverside.asrcrkrec.com>

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: Laura L. Williamson

Commission #: 1526941

Place of Execution: Los Angeles County

Date Commission Expires: Nov 15, 2009

Date: 5/4/06

Signature: Alicia Oliviera-Panicez

Print Name: Alicia Oliviera-Panicez



EXHIBIT A

144-1-153B
Grant Deed
MWD to
City of Hemet

That portion of the northwest quarter of Section 28, T 5 S, R 1 W, in the City of Hemet, County of Riverside, State of California, per the Sectionalized Survey of Tract XVI of the Partition of the Rancho San Jacinto Viejo, as described in a Decree of the Superior Court of San Diego County, dated November 22, 1882, and as shown on Map of said Partition made under said Decree, recorded December 8, 1882, in Book 43, Page 161 of Deeds, Records of San Diego County, described as follows:

COMMENCING at the northwesterly terminus of "Course 20", having a bearing and distance of S 65°48'28" E 700.00 feet, as shown on Sheet 5 of 32 Sheets, of Record of Survey filed in Book 109, Pages 28 through 59, inclusive, of Record of Surveys in the Office of the County Recorder of Riverside County; thence along said "Course 20", S 65°48'28" E 664.98 feet; thence leaving said "Course 20", at a right angle, N 24°11'32" E 130.10 feet; thence N 37°41'43" E 127.43 feet to the northeasterly right of way line of Domenigoni Parkway, as conveyed to the City of Hemet by Grant Deed recorded October 3, 1996 as Instrument No. 380846, Official Records of said Riverside County; thence along said northeasterly right of way line N 65°48'28" W 20.57 feet to the POINT OF BEGINNING; thence leaving said northeasterly right of way line N 37°41'43" E 131.09 feet; thence N 30°50'06" E 156.58 feet; thence N 65°48'28" W 331.79 feet; thence S 24° 11' 32" W 273.00 feet to said northeasterly right of way line; thence along said northeasterly right of way line S 65° 48' 28" E 108.90 feet; thence S 24°11'32" W 10.00 feet; thence S 65° 48' 28" E 174.16 feet to the point of beginning.

Containing 2.000 acres, more or less.

All as shown on EXHIBIT B attached hereto and made a part hereof.

END OF DESCRIPTION

PREPARED UNDER MY SUPERVISION

Paul M. Ogilvie
Paul M. Ogilvie P.L.S. 6439

3-7-2006
Date



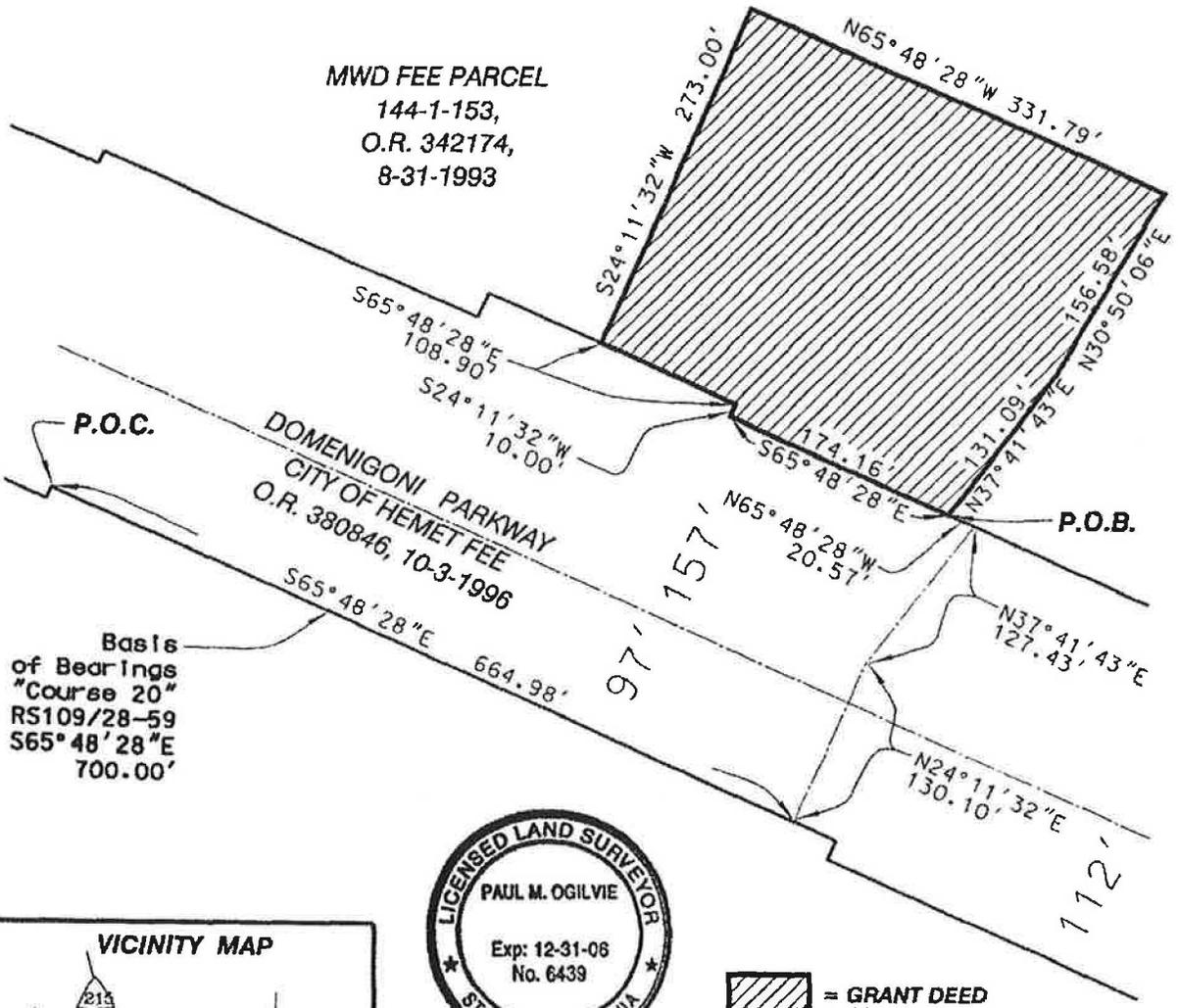
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3/7/2006 8:10 AM



**THIS EXHIBIT IS
TO BE ATTACHED
TO THE LEGAL
DESCRIPTION**

EXHIBIT B

**NW¼ OF SECTION 28, T 5 S, R 1 W,
RANCHO SAN JACINTO VIEJO, CITY OF HEMET,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



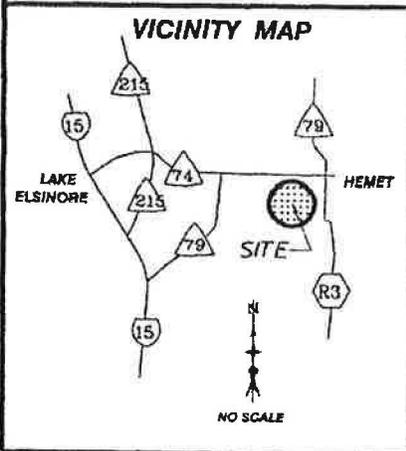
Basis
of Bearings
"Course 20"
RS109/28-59
S65°48'28"E
700.00'

MWD FEE PARCEL
144-1-153,
O.R. 342174,
8-31-1993

DOMENIGONI PARKWAY
CITY OF HEMET FEE
O.R. 380846, 10-3-1996



 = GRANT DEED
144-1-153B
AREA = 2.000 ACRES



**PREPARED UNDER
MY SUPERVISION**

Paul M. Ogilvie
PAUL M. OGILVIE P.L.S. 6439
3-7-2006
DATE

**THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA**
DIAMOND VALLEY LAKE

GRANT DEED
MWD
TO
CITY OF HEMET
144-1-153B





CITY OF HEMET

CERTIFICATE OF ACCEPTANCE
GRANT DEED

This is to certify that the interest in real property conveyed by the Grant Deed, dated April 11, 2006, from THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, a public corporation, to the CITY OF HEMET, a municipal corporation, is hereby accepted by the undersigned Deputy City Clerk on behalf of the City of Hemet pursuant to authority by approval by the City Council at their meeting on April 25, 2006, and the grantee consents to the recordation thereof by its duly authorized officer.

Dated: April 25, 2006

CITY OF HEMET

By: Sarah McComas
Sarah McComas
Deputy City Clerk





Staff Report

TO: Honorable Mayor and City Council

FROM: Ronald E. Bradley, Interim City Manager

DATE: April 9, 2013

SUBJECT: Proposed 2013-2014 Community Development Block Grant (CDBG) Annual Action Plan

RECOMMENDATION:

- 1) That the Mayor conduct the public hearing of the proposed 2013-2014 Community Development Block Grant (CDBG) Annual Action Plan,
- 2) That the City Council approve the proposed 2013-2014 Community Development Block Grant (CDBG) Annual Action Plan, and
- 3) That the City Council authorizes the City Manager to sign the Application for Federal Assistance SF-424 and Non-State Government Certifications required for submission of the 2013-2014 Annual Action Plan to the United States Department of Housing and Urban Development (HUD) on or before May 16, 2013.

BACKGROUND:

The City of Hemet (City) is an entitlement city of the CDBG program and as such, receives annual grants on a formula basis from U.S. Department of Housing and Urban Development (HUD). The purpose of CDBG is to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services, with maximum feasible priority given to activities which benefit low and moderate income persons. The City is responsible for developing its own programs and funding priorities within CDBG and HUD requirements, as well as monitoring sub-recipients of the funds awarded under this grant.

The 2013-2014 Annual Action Plan (**Attachment 1**) delineates the 4th year of the 2010-2015 Consolidated Plan and serves as the budget that addresses the City's annual goals and quantifiable objectives established in the Consolidated Plan. The City of Hemet's 2013-2014 entitlement funds will be used in eligible areas such as Public Facilities and Improvements, Public Services, Housing Rehabilitation, Code Enforcement, and Planning and Program Administration.

The City Council, at its meeting of February 12, 2013 approved the recommendations for the 2013-2014 Program Year Community Development Block Grant (CDBG) allocation and reprogramming of unexpended prior year CDBG funding. These allocations were incorporated

into the proposed 2013-2014 Community Development Block Grant (CDBG) Annual Action Plan which was available for public review and comment for a period of 30 days (from March 7 through April 9, 2013) as required by HUD.

DISCUSSION:

On March 1, 2013 the President issued a sequestration order canceling approximately \$85 billion in budgetary resources, due to the failure of Congress to reach a deal on balanced deficit reduction. Based on HUD's initial analysis, it is likely that fiscal year (FY) 2013 formula program funding, including CDBG, will be 5 percent lower than it was in FY 2012. Once Congress has passed and the President has signed a full-year FY 2013 appropriation for HUD, the exact funding levels will be set. Until then the City of Hemet's Annual Action Plan funding amounts are estimated at \$663,136 a 5% reduction from the 2012-2013 funding allocation of \$698,038. Corresponding adjustments from the Ad Hoc Committee allocation recommendations approved by the full Council at the February 12, 2013 meeting include: COH Planning & Administration reduced from \$139,600 to \$132,627, COH Sidewalk Improvements 13/14 reduced from \$173,700 to \$151,039, COH Crime Free Multi Family Housing Program reduced from \$50,000 to \$47,000 and Fair Housing Council of Riverside County reduced from \$24,700 to \$22,470.

Notice of the Public Hearing is included as **Attachment 2** to this report. As of March 28, 2013 four written public comments have been received and are included as **Attachment 3** with this report. Public comments received from March 29 through April 9, 2013 will be read at the Public Hearing and copies will be provided at the meeting. Responses to all comments, as required by the Citizen Participation Plan, will be prepared, delivered to the originator and included with the City's final 2013-2014 Community Development Block Grant (CDBG) Annual Action Plan at submission to the United States Department of Housing and Urban Development (HUD) on or before May 16, 2013.

COORDINATION AND REVIEW:

The recommended action was coordinated with the Finance Department, Community Development Department, Community Investment Department, Office of the City Manager, Public Works and the City Attorney.

STRATEGIC PLAN AND COUNCIL GOALS INTEGRATION:

The recommended action supports the Council's goals of supporting and promoting a high quality of life in Hemet, investing in Hemet, and collaborating with outside agencies.

FISCAL IMPACT:

Approval of the recommended action will advance the potential receipt of CDBG funds to benefit the Hemet community. The recommended action does not require any funding from the City's General Fund.

ALTERNATIVES:

Revise or not approve the proposed 2013-2014 Community Development Block Grant (CDBG) Annual Action Plan. This alternative is not recommended.

ATTACHMENTS:

1. Proposed 2013-2014 Community Development Block Grant (CDBG) Annual Action Plan.
2. Notice of Public Hearing.
3. Written citizen comments.

Prepared By:

Approved By:

Reviewed By:

Reviewed By:



Carla Callahan
CDBG Coordinator



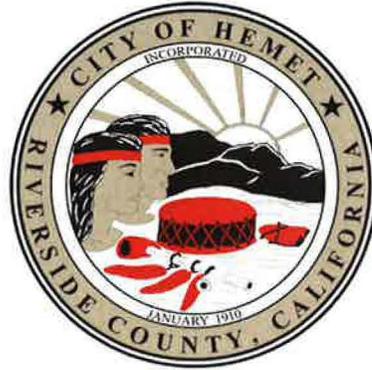
Ronald E. Bradley
Interim City Manager



Rita Conrad
Deputy City Manager



John Jansons
Community Investment



CITY OF HEMET

2013-2014 Annual Action Plan

Action Plan Narrative Responses

**Community Investment Department
JOHN JANSONS, DIRECTOR
445 E. FLORIDA AVENUE
HEMET, CALIFORNIA 92543
(951)765-2331**

The City of Hemet is dedicated to providing a superior level of responsive service to the community that results in a safe, caring attractive environment for residents, businesses and visitors.

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Public Notice
Projects



Action Plan Third Program Year

The CPMP Annual Action Plan includes the [SF 424](#) and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

Narrative Responses

GENERAL

Executive Summary

The Community Development Block Grant (CDBG) Program is administered by the Department of Housing and Urban Development (HUD) and is authorized by Title I of the Housing and Community Development Act of 1974, as amended. The CDBG program is one of the longest continuously run programs at HUD, providing communities with resources through annual grants on a formula basis to address a wide range of unique community development needs. The purpose of the CDBG Program is to enhance and maintain viable urban communities through the provision of decent housing, a suitable living environment, and the expansion of economic opportunities principally for low- and moderate- income persons.

The Annual Action Plan must provide a concise summary of the actions, projects, and programs that will take place during the program year to address the priority needs and specific objectives and the linkage between the use of federal resources and the specific objectives developed to address priority needs identified in the 5-Year Consolidated Plan. Hemet demonstrates this by listing the projects and activities that support each specific goal and objective. The Plan must convey the needs and resources that together will address goals and objectives through citizen participation, thereby addressing decent housing, creating a suitable living environment, and expanding economic opportunity and that the resources used will address the needs for persons, particularly those of extremely low, low and moderate income.

The City of Hemet's 2013-2014 Annual Action Plan delineates the 4th year of the City's 2010-2015 Consolidated Plan. The content of Hemet's 2013-2014 Annual Action Plan will describe available resources for federal and non-federal programs including State, local and private resources. This document will also serve as the budget and basis for assessment of performance that addresses the City's annual goals and quantifiable objectives established in Hemet's Five-Year Consolidated Plan 2010-2015. The Plan will list housing rehabilitation activities, public support service providers, and other resources expected to be available to Hemet residents in carrying out those activities. Hemet's 2013-2014 CDBG entitlement funds will continue to be used to provide supportive services for low and moderate income persons, housing rehabilitation programs and public facilities improvements.

Since 1996, the City has successfully administered its CDBG program to provide decent housing, a suitable living environment and expanded economic opportunities to the low and moderate income persons of Hemet. The City of Hemet is dedicated to providing a superior level of responsive service to the community that result in a safe, caring attractive environment for residents, businesses and visitors.

General Questions

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.

Hemet is a historic community situated in the scenic San Jacinto Valley at the heart of Riverside County. The City's corporate limit encompasses approximately 28.3 square miles consisting of a suburban community and Diamond Valley Lake to the South. Incorporated from an agricultural town of 992 residents in 1910, Hemet has grown into a demographically diverse community of 78,053 residents as reported in the 2010 U.S. Census and currently ranks as the 7th highest in population and 4th highest in the number of housing units, of the 27 cities in Riverside County.

A concentration area is defined as a census block group with a proportion of a particular group greater than that of the countywide average for the group. A high concentration area is defined as a census block group with at least twice the County average for that particular group. Areas with concentrated minority residents may have different needs, particularly in areas where immigrants tend to live.

The CDBG program stipulates that in order for programs and activities to qualify for federal funding that certain areas usually those of high concentration must benefit persons where no less than 51 percent of the residents are low- and moderate income. The 2000 Census data designated sixteen (16) census tracts that are at least 51 percent low and moderate-income. Those areas include census tract numbers 433.04, 06, 07, 08, 09, 10, 12; 434.01, 03, 04, 05; and, 435.03, 04, 05, 07, 08.

Because the above census tracts are represented predominately by low- and moderate income persons, the areas tend to become significantly deteriorated, therefore needs for housing improvement and public services are imperative.

The City intends to dedicate 100 percent of CDBG entitlement funds to assist low- and moderate-income persons.

Table 1 - CDBG funding

Project	Objective	Amount	Percent	Outcome
Public Services	Suitable Living Environment	\$ 99,470.00	15	Availability/Accessibility
Public Facilities	Suitable Living Environment	\$151,039.00	23	Availability/Accessibility
Housing	Decent Housing	\$280,000.00	42	Sustainability
Administration	N/A	\$132,627.00	20	N/A
Total		\$663,136.00	100	

2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) during the next year and the rationale for assigning the priorities.

The basis for allocating investments geographically based on the City's approved low-income target areas provides CDBG assistance in those low- and moderate-income communities citywide. The rationale of assigning the priorities is based on the percentage of low- and

moderate-income persons within each census tract. During program year 2013, the City will allocate funds based on the highest need for a particular low- and moderate- income area. During the development of the 2013-2014 Annual Action Plan, 28 applications were received totaling over \$1.5 million in requests for CDBG funding. Each application was reviewed using a discretionary checklist that determined eligibility of each project or activity. Projects recommended for CDBG funding were selected on the basis of eligibility, consistency of needs, programs meeting the City’s priority needs and goals, coordination of supportive housing assistance, community development activities, performance measures, and compliance with applicable laws.

As the policy-making body for Hemet the City Council reviews the recommendations, receives public comment, and makes all final decisions concerning the City’s allocation of funds. The City Council and City staff encourages citizen participation through noticed public meetings and hearings as well as through a published announcement of proposed use of funds prior to the final budget determination.

Hemet expects to receive \$663,136, in Community Development Block Grant (CDBG) funds for program year 2013. The City intends to allocate 15 percent (\$99,470) for support of public service activities; 65 percent (\$431,039) for public facility and housing improvement projects; and 20 percent (\$132,627) for CDBG administration costs. In addition, the City will reprogram \$40,954.54 from the 2011-2012 program year.

The following table illustrates Hemet's expected 2013-2014 CDBG allocation for entitlement funding:

2013-2014 Community Development Block Grant Allocation	
Care-A-Van Transit, Inc.	\$10,000.00
Fair Housing Council of Riverside County, Inc.	\$22,470.00
The Community Pantry	\$10,000.00
The Hemet Police Activities League - Hemet PAL	\$10,000.00
COH Crime Free Multi Family Housing Program	\$47,000.00
Total Public Services (15%)	\$99,470.00
COH Code Enforcement - Hemet ROCS	\$180,000.00
COH Senior/Disabled Home Repair Program	\$100,000.00
COH Sidewalk Improvements 13/14	\$151,039.00
Total Housing/Public Facilities (65%)	\$431,039.00
COH Planning & Administration of CDBG (20%)	\$132,627.00
Total Allocation	\$663,136.00

3. Describe actions that will take place during the next year to address obstacles to meeting underserved needs.

One of the main obstacles to meeting underserved needs continues to be the availability of funding. The availability of funding from both Federal and State sources is a primary determinant in the ability of the local jurisdictions to address identified needs. Federal and State funding of housing and community development programs continues to be reduced and

future funding from traditional sources is debatable as lawmakers attempt to balance the Federal and State budgets. The City will continue to pursue all available sources of funding to address the needs of affordable housing. In addition the City is currently in the process of updating its ordinances to better streamline the process for requesting reasonable accommodation for disabled housing.

4. Identify the federal, state, and local resources expected to be made available to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.

The use of Federal, State and other sources of funding such as CDBG, Neighborhood Stabilization Program grants, HUD 811 Energy Efficiency and Conservation Block Grant, HUD 202 Senior Housing, State HOME Grant, Cal HFA, ESG, Housing Authority of the County of Riverside (including Section 8), Mortgage Credit Certificates, local utility conservation programs, bank financing, local agency in-kind, the City's public works and general funds continue to be of major importance for the 2013 year.

The City continues to research availability of future funding resources and use proactive approaches towards applications for other funds. This will assist the City to strategically place future activities in line with leverage resources and include City timelines and strategies.

Managing the Process

1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.

The Community Investment Department is responsible for guidance and leadership of all aspects of administration of the CDBG program. The Community Investment Department receives its policy direction from the Hemet City Council and assumes responsibility for insuring successful development and execution of all Hemet programs.

2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.

On an annual basis, Hemet prepares the Annual Action Plan which serves as an update to the 5-Year Consolidated Plan covering years 2010-2015. In order to develop the Annual Action Plan, City staff receives input from the various City departments, non-profit agencies, and community and neighborhood groups within the City of Hemet and the County of Riverside.

Once the Annual Action Plan has been drafted, a notice is published in a newspaper of general circulation to notify the public of the 30 day comment period and Public Hearing. Staff presents the draft Annual Action Plan to the Hemet City Council for a public hearing and final approval.

3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.

During the 2013 program year, the city will continue to enhance coordination between public, private housing, health, and social service agencies. The City will initiate projects and policies to maximize affordable housing opportunities for income eligible households. Hemet

coordinates with a variety of nonprofit organizations, as well as the Housing Authority of the County of Riverside, the County of Riverside Economic Development Agency and other agencies that partner with the City to revitalize low-income communities utilizing CDBG, mortgage revenue bonds, CalHome, and mortgage credit certificates.

In addition, staff maintains working partnerships with the Riverside County Employment Development Department, local financial institutions, school districts, community businesses, and public agencies. Other specific private partners include Habitat for Humanity, Fair Housing Council of Riverside County and local non-profit agencies.

To better link services to the targeted population, City staff maintains relationships with local, state and Federal agencies including, the County Department of Health and Human Services, Riverside Department of Housing and Community Development and the U.S. Department of Housing and Urban Development.

Citizen Participation

1. Provide a summary of the citizen participation process.

Hemet has long been a community that looks to and relies upon citizen involvement to set its priorities and shape its direction. In order for this process to be successful, the City of Hemet developed a detailed citizen participation plan that provides for, and encourages citizen participation emphasizing participation by persons of low- or moderate-income, particularly residents of predominantly low- and moderate-income neighborhoods, slum or blighted areas, and areas in which the City proposes to use CDBG funds.

Citizen Participation Plan

The Citizen participation Plan outlines the steps that are being taken by the City of Hemet to assure that its citizens have opportunities to contribute ideas and information on housing and community development issues to the City's Consolidated Planning process. The provisions detailed below fulfill the statutory and regulatory requirements for citizen involvement that are specified by both the U.S. Department of Housing and Urban Development's (HUD) Consolidated Plan rule and by the rules that direct HUD's Community Development Block Grant Program.

Encouragement of Citizen Involvement in Consolidated Planning

The City of Hemet kept interested parties informed about opportunities for involvement in each phase of the Annual Action Plan development process by offering opportunities to comment on all of the City's proposed Annual Action Plan submissions to HUD, any substantial amendment(s) to the Plan, and the City's annual CDBG performance report. Citizen involvement activities related to the Annual Action Plan occurred in accordance with the City's Plan Year, which runs from July 1 to June 30 and is aligned with the City's Fiscal Year.

The intent of the City's citizen participation Plan is to provide members of the community with an opportunity to not only learn about community development conditions and needs in Hemet today, but also to mirror and reinforce the vision of Hemet as it has been described in the Consolidated Plan.

During the 30-day review period of the proposed 2013-2014 Annual Action Plan, citizens are encouraged to review and to submit written comments no later than April 9, 2013, to the City of Hemet Community Investment Department.

Copies of the proposed Annual Action Plan are available for review at the Hemet City Hall, Hemet Public Library, and the Covell Building. In addition the proposed Annual Action Plan is available on the City's website.

Public Notice

The City will keep interested citizens and groups informed, on an ongoing basis, about progress throughout the Consolidated Planning process so that citizens may learn about housing and community development issues facing Hemet and may make meaningful contributions to the development of the Plan. Public notice of City Council hearings was provided to citizens at least fourteen days prior to the date of a hearing through a notice in the *Press Enterprise*. The City may also use the City's website and common areas used for advertising, for posting of notices as appropriate.

Notice of Publishing

Hemet provided adequate advance notice with enough lead time for the public to take informed action. The amount of lead time can vary, depending on the event. Specific amounts of time are given for different events later in this Citizen Participation Plan.

Access to Records

As required by law, Hemet provided the public with reasonable and timely access to information and records relating to the data or content of the Five-Year Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan. Regarding the past use of funds, the law requires reasonable public access to records about any uses of these funds during the previous five years.

Also, as required by law, Hemet provided the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds (such as Community Advisory Committee meetings, Planning Commission meetings, City Council meetings, etc.).

Anti-displacement

The plans of Hemet to minimize the extent to which low and moderate income people will have to leave their homes as a result of the use of these federal dollars (displacement) was also available at this time. This anti-displacement plan will describe how Hemet will compensate people who are actually displaced as a result of the use of these funds, specifying the type and amount of compensation.

Response to Complaints

Written complaints from the public will receive a meaningful, written reply within 15 working days of when the comment was received.

Amendments

Notice for substantial amendments was made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

1. Provide a 30 day advance notice of and availability of a proposed Substantial Amendment before there is a public hearing about it.
2. A detailed written description of the proposed Substantial Amendment will be made available to the public at no cost within two working days of a request. In addition, copies will be available at the locations indicated earlier in this Citizen Participation Plan under "*Encouragement of Citizen Involvement in Consolidated Planning.*"

3. Conduct a public hearing regarding the proposed Substantial Amendment by the Mayor and City Council. This public hearing will not take place until the public has had 30 days to review the proposed Substantial Amendment.
4. Conduct the public hearing prior to submission to HUD.
5. Provide careful consideration to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Substantial Amendment includes a section that presents all comments and explains why any comments were not accepted.

2013-2014 Annual Action Plan Citizen Participation Process

The proposed 2013-2014 Annual Action Plan is available for public review for 30 days beginning March 7, 2013 and ending April 9, 2013. The City of Hemet City Council will hold a public hearing April 9, 2013 for final approval of the Plan before submittal to HUD. The final Annual Action Plan will be submitted to HUD no later than May 16, 2013.

2. Provide a summary of citizen comments or views on the plan.

A number of citizen comments have been received and will be included as attachments. In general the comments are from representatives of non-profit agencies urging the City to allocate the full 15% allowable for public service activities to local non-profits.

3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.

In order to broaden public participation, Hemet contacted neighborhood associations, community groups, public housing resident committees, and other community groups to publicize the community meetings and the availability of the Community Needs Survey. The community meetings were also advertised at community and senior centers, public libraries, and the City's website. Public notices were published on July 4, 2009; October 25, 2009; November 17, 2009 and April 3, 2010 in the Press Enterprise, a newspaper of general circulation. The City will accommodate persons with disabilities and provide a translator for non-English speaking persons, as requested.

4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

The City will follow the Citizen Participation Plan regarding public comments.

Institutional Structure

1. Describe actions that will take place during the next year to develop institutional structure.

The development of the City of Hemet institutional structure for the 2013-2014 program year includes the participation of the following general departments, nonprofit organizations, and private developers:

The City of Hemet (CoH) Community Investment Department (CID) has the lead

responsibility for the implementation of the Consolidated Plan and administers housing and economic development activities for the City through sub-recipient agreements with nonprofit organizations, procurement contracts with vendors, and through other City departments.

Housing Division of the CID coordinates affordable housing activities in the City, and administers the City's State HOME program and Neighborhood Stabilization Program (NSP).

CoH Community Development Department consists of the Planning Division, Building & Safety Division, and Code Enforcement Division.

The Planning Division performs functions which directly affect the development and conservation of housing. This department oversees the permitting process and regulates compliance with and enforcement of zoning and building codes.

The Code Enforcement Division responds to citizen complaints and pro-actively identifies violations on public and private property. Code Enforcement activities protect the health and safety of the community and ensure the highest level of voluntary compliance.

The Building Division operates under a series of nationally recognized standard codes which are adopted by City Council ordinances, as well as under indirect mandates from state regulatory agencies in matters pertinent to energy, physically handicapped persons, places of assembly, and housing.

CoH Public Works Department is responsible for maintaining the City's public infrastructure, including the City's parks, community centers, streets, sewers, storm drains, and waterlines.

CoH Police Department is responsible for administration of crime awareness and law enforcement programs within the City, and is also an active participant in the Homeless Task Force of Hemet.

City Manager's Office is responsible for the day-to-day operations of the City, including financial commitments and program staffing.

Housing Authority of the County of Riverside provides supplemental rental assistance to income-eligible persons seeking affordable housing. One of the primary responsibilities of the Housing Authority is the administration of the HUD Section 8 Rental Assistance Program. The Housing Authority also owns and operates affordable housing projects throughout the County and cooperates with local jurisdictions in the rehabilitation and upgrade of multi-family housing units. The Housing Authority also administers or participates in several supportive service programs offered within Hemet.

Housing and Homeless Coalition of Riverside County Continuum of Care (CoC) is comprised of representatives from public and private agencies, local governments, and community residents including homeless and formerly homeless individuals that are committed to facilitating a well-coordinated Continuum of Care planning process throughout the County. The mission of the Coalition is to assess the need for homeless and affordable housing services and to develop and recommend a continuum of care plan for the County on behalf of at risk and homeless individuals and families.

The Department of Public and Social Services (DPSS) is the umbrella anti-poverty agency for the County of Riverside. The goal is self-sufficiency accompanied by moving poor families

out of poverty. DPSS interacts with people on many levels, thereby impacting their daily lives through child care, education, employment training, health and human services, homelessness, and housing.

Nonprofit Organizations

The list of agencies consulted in the development of both the 5-Year Consolidated Plan and Annual Action Plan includes many that serve the housing and related social services needs of low income Hemet residents. Initial consultation was carried out through a broad citizen participation process, in which both citizens and service providers were invited to share their views of community needs and solutions during a City Council public hearing. Additional, direct consultation followed, providing an opportunity for staff to clarify and expand on the City's understanding of community needs and funding priorities.

Nonprofit organizations play a vital role in implementing the goals and objectives stated in the Annual Action Plan. A sample of the agencies are listed below:

- Alternative to Domestic Violence
- Assistance League of Hemacinto
- California Family Life Center
- Care-A-Van Transportation
- Center Against Sexual Assault of Southwest Riverside County
- Central County United Way
- Community Pantry
- Habitat for Humanity
- T.H.E. Center, Inc. (therapeutic riding facility)
- Valley Resource Center for the Retarded, Inc. DBA EXCEED
- Valley Restart Shelter, Inc.
- Valley-Wide Counseling Services
- Valley-Wide Recreation

Private Sector

Private sector participants may include lending institutions and for-profit development entities. Lending institutions may be the source of low-cost loans for affordable housing and rehabilitation projects. Developers are the primary providers of the housing stock and are encouraged to participate in low income housing in a variety of ways. Bond financing and low-income housing tax credits are two examples of incentives used to encourage the construction of low-cost housing.

Monitoring

1. Describe actions that will take place during the next year to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

During the 2013-2014 program year, the City will continue to use monitoring as an integral management control technique and an ongoing process that assesses the quality of a participant's performance over a period of time. Monitoring provides information about program participants that is critical for making informed judgments about program effectiveness and management efficiency. It also helps in identifying instances of fraud, waste, and abuse. It is the principal means by which the Community Investment Department:

- A. ensures that programs and activities are carried out efficiently, effectively, and in compliance with applicable laws and regulations;
- B. assists program participants in improving their performance, developing or increasing capacity, and augmenting their management and technical skills; and
- C. provides technical assistance within the Hemet community.

Monitoring Standards and Procedures

It is the City of Hemet's responsibility, as a recipient of an annual CDBG to monitor the subrecipient activities and determine whether its use of CDBG funding is appropriate and meets federal regulations.

A monitoring process ensures that the City of Hemet meets its primary legal obligation to ensure that all subrecipients comply with all federal regulations governing the administrative, financial and programmatic operations, and achieve their performance objectives within schedule and budget. The following objectives provide a detailed explanation of the desired monitoring goal.

- To determine if a subrecipient is carrying out its community development program, and its individual activities, as described in the application for CDBG assistance and the Subrecipient Grant Agreement.
- To determine if a subrecipient is carrying out its activities in a timely manner, in accordance with the schedule included in the Agreement.
- To determine if a subrecipient is charging costs to the project that is eligible under applicable laws and CDBG regulations and reasonable in light of the services or products delivered.
- To determine if a subrecipient is conducting its activities with adequate control over program and financial performance, and in a way that minimizes opportunities for waste, mismanagement, fraud and abuse.
- To assess if the subrecipient has continuing capacity to carry out the approved project, as well as other grants for which it may apply.
- To identify potential problem areas and to assist the subrecipient in complying with applicable laws and regulations.
- To assist subrecipients in resolving compliance problems through discussion, negotiation, and the provision of technical assistance and training.
- To provide adequate follow-up measures to ensure that performance and compliance deficiencies are corrected by subrecipients, and not repeated.
- To comply with the federal monitoring requirements of 24 CFR 570.501(b) and 24 CFR 85.40.
- To determine if conflicts of interest exist in the operation of the CDBG program, per 24 CFR 570.611.

- To ensure that required records are maintained to demonstrate compliance with applicable regulations.

The three most important strategies for effective monitoring are:

1. On-site field visits during the program year.
2. Open communication between City of Hemet staff and the subrecipient.
3. Assisting subrecipients in creating effective and efficient record-keeping systems.

Monitoring Procedures

The City of Hemet's Community Investment Department conducts ongoing desk reviews of projects during the program year. Another component of monitoring is on-site monitoring visits of subrecipients after completion of the program year.

The information listed below is considered the basis for the development of an annual monitoring plan for staff:

1. General Information
2. Performance Evaluation Review
3. Record-Keeping System
4. Financial Management Systems
5. Non-Discrimination and Action to Further Fair Housing
6. Project Management
7. Performance Evaluation Review – Conclusion

On an annual basis, the City requires sub-recipients to execute an agreement with specific performance requirements prior to the release of CDBG funds. Hemet disburses all CDBG funds on a reimbursement basis. Invoices must be submitted for payment and include a description of the activity and invoices for which funds were used. Pursuant to the CDBG contract, progress reports are required to be submitted at least quarterly and a cumulative report at year-end. Audit reports are required at the close of the year. The City further ensures compliance with the Consolidated Plan by placing guidelines or conditions in its contracts that ensure implementation of the annual monitoring goals.

During the tenure of this Plan, the City will continue to conduct desk, telephone, and on-site monitoring of subrecipients to ensure that the administration of the agency is maintaining compliance with CDBG rules and regulations.

Lead-based Paint

1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

Hemet's five-year goal is to reduce or eliminate lead-based paint with outreach education that addresses the hazards in houses and public buildings built prior to 1978.

Childhood lead poisoning has been identified as the number one environmental health hazard facing American children. Children under 5 are the most vulnerable to the effects of lead poisoning, including lower IQ levels. Federal estimates indicate that ten to fifteen percent of all pre-schoolers have blood lead levels high enough to warrant concern for their intellectual development. While lead poisoning affects children of every socioeconomic and demographic stratum, the poor and minorities are disproportionately affected. In many urban and poor rural communities, a significant number of children suffer from over exposure to lead.

Actions Proposed to Evaluate and Reduce Lead-based Paint Hazards

Although Hemet does not directly fund programs that specifically address the lead-based paint hazard, the City integrates evaluating and reducing lead-based paint hazards into existing housing rehabilitation programs.

- Owner-Occupied Home Rehabilitation Program – Hemet’s Owner-Occupied Rehabilitation Housing Loan Program provides thirty year, zero interest, deferred loans of up to \$30,000 for substantial rehabilitation to single family owner-occupied residences within the City of Hemet. Eligible improvements include but are not limited to painting, roofing, siding, landscaping, windows, doors, fencing, plumbing, electrical, cabinets, built-in appliances, heating/cooling systems, weatherization and energy conservation items. Program funds may not be utilized for refinancing purposes. There is a limit of one Program loan per eligible homeowner. Deferred loans are due and payable upon sale of the property or transfer of title. Under certain circumstances, all or a portion of the loans are repayable upon refinancing.
- Senior Minor Home Repair Program – The purpose of this program is to eliminate substandard living by providing minor repairs to roofs, water heaters, heating/air conditioning units, windows and doors; installation of hand rails, safety bars, door locks and smoke detectors; and repair of appliances necessary for the health and safety of the residents, thereby helping to preserve the homes of the community.

The following are county-wide programs intended to evaluate and reduce lead-based paint hazards:

Lead-Based Paint Hazard Control Program. The Riverside County Department of Public Health (DOPH) Office of Industrial Hygiene (OIH) administers the Lead-Based Paint Hazard Control Program throughout Riverside County. The goal of the program is to evaluate and control lead hazards in low-income housing units by inspecting, testing, and providing treatment and abatements of lead hazards. The program activities primarily include inspection and testing of housing constructed prior to 1956 in target areas, hazard control treatments and abatement, blood lead screening, temporary relocation of families, and community outreach and education. To identify potential households that may contain lead hazards, OIH conducts various community outreach activities at schools and other community events to grow awareness of the health risk of lead poisoning.

Lead Hazard Inspections for County Programs. Lead-based paint containing up to fifty percent lead was in common use and available until the mid-1970’s. In 1978, the Consumer Product Safety Commission banned the manufacture of paint for use of interior and exterior residential surfaces and furniture. It is a program goal for the County that all homes identified for rehabilitation under the County’s CDBG, HOME or RDA-funded programs be submitted for lead hazard inspection if the home was built prior to 1956 and if there exists children of age 6 or under in the home. This includes any home that is being considered for

the County of Riverside's First-Time Homebuyer Program (FTHB) if the same circumstances exist.

Childhood Lead Poisoning Prevention Program. As a further tool in the identification of the lead hazards in the home, the OIH operates California's Childhood Lead Poisoning Prevention Program (CLPPP) to test and identify children who are at high potential for lead poisoning based upon the age of the housing stock in the area and any other factors that indicate high risk for lead exposure.

Lead Hazard Reduction Compliance and Enforcement Program. In 2006, the OIH was awarded a 3 year, \$240,000 grant from the State of California for the Lead Hazard Reduction Compliance and Enforcement Program. The program's goal is to provide technical expertise in lead-based paint management. The OIH expects the program to be ongoing with additional funding during the next 5 years.

Lead Hazard Control Program. State law, as implemented by Senate Bill 460, grants authority to local health departments to require the enforcement and prosecution of persons who refuse to abate lead hazards in housing occupied by low-income families with children. The Lead Hazard Control Program is funded under this grant and implements SB 460 which allowed changes to State health and housing laws to make creating lead hazards a crime.

Fair Housing Council Lead-based Paint Awareness Hazard Program. The Fair Housing Council of Riverside County also administers a comprehensive lead-based paint awareness hazard program throughout the County. Their programs and services include outreach, education, information dissemination, training, and referrals.

Lead Safe Training and HEPA Vacuum Lending Program. OIH proposes to train Regional Occupational Program (ROP) construction students and the general public using HUD lead safe training modules. OIH also proposes to purchase 5 commercial grade HEPA vacuums which will be available to low-income residents who want to do their own interim control work. The residents would be trained through the Lead Hazard Compliance Program.

Lead Hazard Control Outreach. The OIH has Memorandum of Understanding (MOU) and Support Letters with the following agencies: the Riverside County Economic Development Agency; the Housing Authority of the County of Riverside; the Desert Alliance for Community Empowerment; the cities of Riverside, Banning and Hemet; and Community Action Partnership of Riverside County. The OIH subgrants outreach services to the Center for Community Action and Environmental Justice and Fair Housing Council of Riverside. All of these partners distribute program literature at service counters and promote Lead-based Paint Program services to their clients.

HOUSING

Specific Housing Objectives

*Please also refer to the Housing Needs Table 2A (Attachment D).

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.

The City proposes to use 2013-2014 CDBG entitlement funds to continue to promote community housing and economic development needs for the City’s low- and moderate-income persons by providing:

- Availability of Decent Housing
- Accessibility to Decent Housing
- Sustainability of Decent Housing
- Accessibility to a Suitable Living Environment
- Sustainability of a Suitable Living Environment
- Availability/Accessibility of Economic Opportunity

The activities and projects adopted by the City Council are based upon selecting activities that assist the City in meeting the following outcomes during the 2013-2014 program year:

- Improve the existing housing stock for very-low and low income households;
- Provide assistance to public agencies and nonprofit organizations providing services to very-low and low income households;
- Provide assistance for the homeless and those at risk of becoming homeless;
- Provide public facility improvements to facilitate neighborhood revitalization, such as infrastructure and public works projects;
- Improve sustainability by correcting code enforcement violations identified during inspections.

The City will utilize the following performance measurement numbering definitions:

Objective: Proposed solution to a need identified during the consolidated planning process.

Indicator: Indicators are measured in terms such as number of low and moderate income (LMI) persons with new or improved access, number of low-income households served, number of loan applications processed etc.

Outcome: Outcomes include sustainability, affordability, and availability/accessibility.

Table 3

	Availability/Accessibility	Affordability	Sustainability
Decent housing	DH-2	DH-1	DH-3
Suitable Living Environment	SL-1	SL-2	SL-3
Economic Opportunity	EO-1	EO-2	EO-3

Goal 1: Expand affordable home ownership through rehabilitation, preservation, acquisition, construction, and/or assistance for first time home buyers.

Summary of 1-Year Specific Objectives				
Affordability of Decent Housing (DH-1)				
1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes
H-1.1 Owner: Acquire and/or rehabilitate 200 single-family housing units. Install 10 handicapped ramps for seniors. Build 1 single-family housing unit for homeownership in partnership with Habitat for Humanity. Provide 5 first-time homebuyers with down payment assistance.	CDBG, NSP, MCC, Bank Financing, CalHOME, in-kind funding,	Neighborhood Stabilization Program, Owner Occupied Housing Rehabilitation, Senior Home Repair, Handicap Ramps for Senior/Disabled, Habitat for Humanity, Home Buyer Assistance, Senior Mobile Home Repair/Replacement	216 affordable units for LMI households	Provide access to affordable owner housing

For program year 2013-2014, the City will use the following programs to meet the above-mentioned housing goal and objectives:

Senior or Disabled Home Repair - \$100,000

The Senior or Disabled Home Repair program provides non-repayable grants to Hemet residents, age 62 and over or disabled, who own and occupy their homes and whose gross income does not exceed the low income limits. The purpose of this program is to eliminate substandard living by providing repairs to roofs, water heaters, heating/air conditioning units, windows, and doors; installation of handicapped ramps or lifts, hand rails, safety bars, door locks, and smoke detectors; and repair of appliances necessary for the health and safety of the residents, thereby helping to preserve the City’s housing stock; making decent housing accessible and sustainable; and providing a suitable living environment.

Neighborhood Stabilization Program

HUD created under Title III of Division B of the Housing and Economic Recovery Act of 2008, policy for the purpose of assisting in the redevelopment of abandoned and foreclosed homes under the Emergency Assistance for Redevelopment of Abandoned and Foreclosed Homes, referred as the Neighborhood Stabilization Program (NSP). NSP is a component of the Community Development Block Grant (CDBG) Program, the CDBG regulatory structure is the platform used to implement NSP, and the HOME program provides a platform for NSP affordability requirements. For the 2013-2014 program year the City’s development partners expect to acquire, rehabilitate and sell to low and moderate income families six or seven foreclosed properties with a portion of the City’s \$1,360,197 NSP3 allocation.

Home Buyer Assistance

For the 2013-2014 program year the City will provide loans of \$5,000 towards closing costs or the down payment for qualified buyers of Neighborhood Stabilization Program (NSP) homes. Although, these loans require no monthly payment, they accrue simple interest at 5% per year for five years. If the home is sold within the first five years the loan plus all accrued interest must be repaid. After five years the interest is forgiven and only the original loan amount is repaid at the time of sale or refinance. Funding for this program is NSP1 and NSP3.

Senior Mobile Home Repair/Replacement

The CalHOME competitive grant administered by the State of California Department of Housing and Community Development will allow the City of Hemet to offer assistance to individual households in the form of deferred-payment loans, payable on sale or transfer of the home, when no longer owner-occupied, or at maturity. City Housing staff will accept applications from low and moderate income senior households for rehabilitation, repair and replacement of manufactured homes within the City limits. The City of Hemet was awarded \$600,000 for disbursement from July 1, 2012 through June 30, 2015

Habitat for Humanity

Habitat for Humanity’s current project of 2 homes in a low income area on Palm Avenue began in January 2012 with the subdivision of one large lot into two lots for the purpose of constructing 2 four bedroom homes over a period of approximately two years. Two families will be selected to participate from eligible applicants, contributing 500 hours in labor and \$1,000 in escrow fees each.

Mortgage Certificate Program (MCC)

Administered by the County of Riverside, the Mortgage Certificate Program (MCC) entitles qualified home buyers to reduce the amount of their federal income tax liability by an amount equal to a portion of the interest paid during the year on a home mortgage. This tax credit allows the buyer to qualify more easily for a loan by increasing the effective income of the buyer. The Riverside County MCC Program provides for a fifteen percent (15 percent) rate which can be applied to the interest paid on the mortgage loan. The borrower can claim a tax credit equal to 15 percent of the interest paid during the year. Since the borrowers taxes are being reduced by the amount of the credit, this increases the take-home pay by the amount of the credit. The buyer takes the remaining 85 percent interest as a deduction. When underwriting the loan, a lender takes this into consideration and the borrower is able to qualify for a larger loan than would otherwise be possible.

Neighborhood Partnership Housing Services, Inc.

The Neighborhood Partnership Housing Services, Inc. (NPHS) focuses its resources on delivery of affordable loan products related to homeownership, acquisition and rehabilitation, neighborhood revitalization events, an extensive pre and post purchase education program, and leadership activities.

Goal 2: Expand Affordable Rental Housing through Rehabilitation, Preservation, Acquisition, and/or Construction

Summary of 1-Year Specific Objectives					
Availability/Accessibility of Decent Housing (DH-2)					
1-Year Objectives		Source of Funds	Programs	Assisted Number	Outcomes
DH-2.1	Rental: Acquire and/or rehabilitate 23 multi-family housing units.	in-kind funding, NSP, HCD Multifamily Housing Program	Neighborhood Stabilization Program, Nonprofit agencies	23 affordable units for LMI rental households	Improve access to affordable rental housing

Goal 3: Improve Residential Energy Efficiency

Summary of 1-Year Specific Objectives
Sustainability of Decent Housing (DH-3)

1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes
DH-3.1 Increase energy efficiency of 5 single-family housing units Increase energy efficiency in 5 multi-family housing units. Incorporate energy efficient elements in 2 single-family housing units built in partnership with Habitat for Humanity. Enforce State energy efficiency standards in new residential construction. Develop and implement building and zoning policies/standards for energy efficiency. Coordinate with local utility providers to encourage participation in conservation programs.	Energy Efficiency and Conservation Block Grant, Habitat for Humanity, Neighborhood Stabilization Program, Owner Occupied Housing Rehabilitation, Senior Home Repair, local utility conservation programs.	Neighborhood Stabilization Program, Habitat for Humanity, Nonprofit agencies	12 LMI households	Improve Sustainability

The following programs all have provisions for energy efficient elements in construction and rehabilitation of housing and will be utilized during the 2013-2014 program year:

Local Utility Conservation Programs include;

- SCE- Home Energy Survey, Energy Star Appliance Rebates, Summer Discount Plan, and Multifamily Energy Efficiency Rebate Program.
- Southern California Gas Co- Home Energy Efficiency Survey, Energy Star Appliance Rebates, financing for energy efficient upgrades, Multifamily Energy Efficiency Rebate Program, Savings by Design Analysis and financial incentives for builders.
- EMWD- Residential Water Survey, Outdoor Water Efficiency Kit, and SoCal Water\$mart rebate program.
- LHMWD- Water audit and efficient appliance and toilet rebate program.

Goal 4: Enhance Very Low, Low, and Moderately Low Income Neighborhoods

Summary of 1-Year Specific Objectives
Sustainability of Decent Housing (DH-3)

1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes
DH-3.1 Provide foreclosure counseling to 20 very low, low and moderately low income households. Preserve 40 foreclosed or abandoned properties in CDBG target areas. Assign Code Enforcement Officers to improve CDBG target	CDBG, NSP, in-kind funding	Code Enforcement, Crime Free Multi-Housing, Community Action Plan, Neighborhood Partnership Housing Services, Neighborhood Watch,	60 LMI households and 8 communities	Improve Sustainability

areas.	NSP
Present Community Acton Plan to 8 communities in CDBG target areas.	
Provide 4 presentations of the Crime Free Multi Housing Program to landlords, managers, and tenants of multi-family housing units.	

Code Enforcement - \$180,000

2013-2014 CDBG funds will continue to provide salaries and benefits for code enforcement officers to inspect for health & safety, zoning, building and municipal code violations in CDBG eligible areas (census tracts 433.04, 433.06, 433.07, 433.08, 433.09, 433.10, 433.12, 434.01, 434.03, 434.04, 434.05, 435.03, 435.04, 435.05, 435.07, 435.08). Officers will work with Housing staff to provide information and resources that may be available to the homeowner in order to correct the violations and arrest the decline of target areas within the City of Hemet. This year Code Enforcement staff will be integral in the implementation of Hemet ROCS (Restoring Our Community Strategy, launched in 2011) a high priority, comprehensive city-wide program aimed at revitalizing neighborhoods in the City of Hemet.

Crime Free Multi-Housing - \$47,000

This program began in 1997 in Hemet with forty members, including landlords, tenants, managers, and law enforcement. It is designed to teach rental property owners and managers the basics for achieving a crime-free environment in their property. The Hemet Crime Free Multi Housing Program members meet monthly to receive updates on industry laws and issues. This program also provides annual workshops to train new managers and landlords to implement the Crime Free program at their properties. With this multifaceted approach, property managers have reported a more stable tenant base, less turnover and a better relationship with police. 2013-2014 CDBG funds will provide funding for a part-time consultant to facilitate the program and material/printing costs.

Community Action Plan

The Community Action Plan program formerly known as Safe Streets Now is the 'sister' program to Crime Free Multi Housing and works to identify and hold accountable landlords who do not know how or don't care to manage their rental properties in a way that benefits the community. The Crime Free staff works with neighborhoods to bring landlords of properties with significant drug and gang activity to civil court. The ultimate goal of the Community Action Plan is to eliminate nuisance properties within the City through education and enrollment in the Crime Free Housing Program.

Neighborhood Watch

The Neighborhood Watch Program is comprised of a coalition of law enforcement, apartment owners, managers, and tenants committed to providing a safer living environment for residents in apartment complexes. The Neighborhood Watch program provides classes, apartment inspections, tenant meetings, and apartment certifications showing that complexes meet all phases of the program.

The Business Watch program is similar to a Neighborhood Watch specific to businesses. Business owners and tenants are trained on crime prevention through environmental design and how to watch over each other's buildings. Employees are trained in theft prevention and personal safety fields.

Goal 5: Provide Fair Housing and Rental Assistance Services

Summary of 1-Year Specific Objectives
Sustainability of Decent Housing (DH-3)

1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes
<p>DH-3.1 Provide Fair Housing services for 40 Hemet residents. Provide 4 meetings to educate landlords, lenders, managers, owners, realtors and tenants about housing industry rights/responsibilities. Provide rental assistance for 1036 households.</p>	<p>CDBG, Housing Authority of the County of Riverside, HUD</p>	<p>Fair Housing of Riverside County, Section 8 Housing Vouchers, Project Based Affordable Public Housing Programs</p>	<p>1036 units of service for LMI persons</p>	<p>Improve Sustainability</p>

The Fair Housing Council of Riverside County, Inc. - \$22,470

The Fair Housing Council of Riverside County is a California-based fair housing agency that provides information, education, conciliation, investigation or referral of housing discrimination complaints and enforcement regarding federal and state rights to housing free from discriminatory practices. The Fair Housing Council will network with social and community agencies throughout the City of Hemet to address resident concerns regarding housing issues, such as discrimination due to race, sex, marital status, ancestry, color national origin, familial status, religion, disability, sexual orientation, age or source of income. The Fair Housing Council also provides information on landlord and tenant rights and responsibilities under the California Civil Code. With the recent mortgage crisis, The Fair Housing Council's reach has expanded to include current issues addressing default and foreclosure activities. In addition to online information, brochures, newsletters and other publications regarding these services are available at City Hall, the Covell building, the library, and other locations within the City.

2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

During the 2013-2014 program year, Hemet may utilize a range of Federal, State, and Local resources to expand affordable housing opportunities in the city:

Community Development Block Grants

The City will allocate up to 15 percent of the annual CDBG funds for public services; 65 percent for housing related projects and capital improvements; and 20 percent for administration of the program.

Neighborhood Stabilization Program (NSP)

HUD created under Title III of Division B of the Housing and Economic Recovery Act of 2008, policy for the purpose of assisting in the redevelopment of abandoned and foreclosed homes under the Emergency Assistance for Redevelopment of Abandoned and Foreclosed Homes, referred as the Neighborhood Stabilization Program (NSP). NSP is a component of the Community Development Block Grant (CDBG) Program, the CDBG regulatory structure is the

platform used to implement NSP, and the HOME program provides a safe harbor for NSP affordability requirements.

(State) Investment Partnership Act

The majority of State HOME funds will be allocated for increasing the supply of affordable rental housing through substantial rehabilitation and new construction, and for providing homeowner assistance.

Mortgage Revenue Bonds

Tax-exempt mortgage revenue bonds can be issued by the City for housing developments that restrict a portion of their units for very low income and low income households. The basic federal requirements are that 20 percent of the units must be restricted to very low income households (50 percent of area median income), or 40 percent of the units restricted to households at 60 percent of area median income.

The funds raised as a result of the bond sales carry below market interest rates, but these favorable terms are often not sufficient to produce a feasible mixed income development. Under these conditions, developers may couple their bond applications with Low Income Housing Tax Credits to raise the equity needed for the project's affordability and feasibility. Bond-funded developments with tax credits may have a longer affordability period (55 years) than the 30-year regulatory term on a project with bonds alone.

Proposition 1C Funding

Proposition 1C authorized about \$2.85 billion in State funding for a variety of housing programs. Potential uses of Proposition 1C funds include Brownfield cleanup and infill incentives, multifamily housing programs, implementation of Transit Oriented Development (TOD), the state's Homeowner Downpayment Assistance program, supportive housing, farm worker housing, emergency housing assistance, and programs for homeless youth.

Mortgage Credit Certificates

The Mortgage Credit Certificate (MCC) program provides financial assistance to first time homebuyers for the purchase of new or existing single-family homes. The MCC provides qualified first time homebuyers with a federal income tax credit. Income tax credits reduce an individual's tax payment(s) by an amount equal to the credit. The MCC program can be used to increase homeownership. This program is administered by Riverside County.

Multifamily Housing Program

California Department of Housing and Community Development (HCD) Multifamily Housing Program (MHP) is used to assist the new construction, rehabilitation, and preservation of permanent and transitional rental housing for lower income households. Special allocations have been made for supportive housing with associated health and social services for low income renters with disabilities, or individuals or households that are moving from emergency shelters or transitional housing, or are at risk of homelessness. MHP funding can be used by local governments, for-profit and nonprofit corporations, limited equity housing cooperatives, and individuals to construct, rehabilitate, or preserve permanent and transitional rental housing.

Affordable Housing Innovation Program (AHIP)

AHIP funds the creation of pilot programs to demonstrate innovative, cost-saving approaches to creating or preserving affordable housing through grants and loans referred to as Building Equity and Growth in Neighborhoods (BEGIN). BEGIN funding includes grants to local public agencies to make deferred-payment second mortgage loans to qualified buyers of new

homes, including manufactured homes on permanent foundations, in projects with affordability enhanced by local regulatory incentives or barrier reductions. These grants are used to increase homeownership among low- and moderate income residents.

CalHome

The intent of the CalHome Program is to increase homeownership, encourage neighborhood revitalization and sustainable development, and maximize use of existing homes. Localities or nonprofits organizations that receive CalHome awards will in turn make deferred-payment or forgivable loans available to individual homeowners or homebuyers. On April 18, 2012 the City received notification that it was allocated \$600,000 for owner-occupied rehabilitation of low or very low income homeowners between July 1, 2012 and June 30, 2015.

Emergency Housing and Assistance Program (EHAP)

EHAP funding includes both operating grants and deferred loans for capital development. Grants can be used for facility operations of emergency shelters, transitional housing projects, and supported services for homeless individuals and families. Loans to local public agencies and nonprofit developers may be used for capital development activities for emergency shelters, transitional housing, and safe havens that provide shelter and supportive services for homeless individuals and families.

Predevelopment Loan Program (PDLP)

PDLP funding includes short term loans to provide capital to finance the start of low income housing projects. These loans can fund redevelopment costs of projects to construct, rehabilitate, convert, or preserve assisted housing, including manufactured housing and mobile home parks.

Workforce Housing Reward Program

This program provides financial incentives to cities and counties that issue building permits for new housing affordable to very low or low income households. Grants can be used for construction or acquisition of capital assets.

Needs of Public Housing

1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.

During the 2013-2014 program year, the City will help address the need of public housing through support of the Housing Authority of the County of Riverside (HACR). The HACR administers several public housing programs including the Resident Opportunity and Self-Sufficiency (ROSS) program. This program facilitates the successful transition of residents from public housing residency to economic independence. This initiative builds upon the efforts of the local welfare plan and other self-sufficiency efforts of the Housing Authority and targets public housing residents who are receiving welfare assistance.

The Community Service and Self-Sufficiency Requirement is intended to assist adult public housing residents in improving their own economic and social well-being and give these residents a greater stake in their communities. The program provides residents with an opportunity to give something back to their communities and facilitates upward mobility. The Family Self-Sufficiency (FSS) program assists Section 8 residents move to economic independence from all governmental assistance. The Homeownership Program (HP) assists

eligible participants in the Section 8 program that are also a part of the FSS program. Outreach efforts have also extended to the residents of the Public Housing Program.

Section 8 Housing Vouchers

The Section 8 Housing Choice Voucher Program administered by the Housing Authority of the County of Riverside assists applicants by issuing a Housing Choice Voucher once the applicant has met all eligibility requirements. The program participant can select an appropriate rental unit (house or apartment) and live where they wish. The unit that the applicant selects must meet housing quality standards; must have an appropriate number of bedrooms; and the rent must be reasonable with regard to current market rents.

Project-Based Assistance

The County of Riverside Housing Authority currently owns and manages 469 rental units within the County of Riverside that are occupied by families participating in the Affordable Public Housing Program, including two properties located within the City of Hemet, Hemet Vistas located at 225 W. Fruitvale Avenue and Village Meadows located at 700 S. Arbor Parkway. Families that participate in the Affordable Public Housing Program pay rent according to their income; approximately 30 percent of their adjusted income goes toward rent and utilities. In the Affordable Public Housing Program, the families may only select from the limited available units. The low rent charged by the Housing Authority is subsidized by the U.S. Department of Housing and Urban Development (HUD). If the family moves out of the subsidized unit, they will no longer be assisted.

Displacement of Occupants by Governmental Action

No residents occupying units owned by the Public Housing Authority (PHA) were displaced by governmental action. In the event that any resident is displaced, the PHA issues HUD Section 8 Housing Assistance payments and gives preferences to those residents that are displaced. The Housing Authority of the County of Riverside has taken the following steps to ensure consistency of the PHA Plan with the Consolidated Plan for the City of Hemet:

The PHA has based its statement of needs of families in the City of Hemet on the needs expressed in the Consolidated Plan.

- The PHA has participated in any consultation process organized and offered by the City of Hemet in the development of the Consolidated Plan.
- The PHA has consulted with the City of Hemet during the development of the PHA's Plan.
- Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. The Housing Authority of the County of Riverside will apply for vouchers to serve the needs of extremely low, very low and low-income families throughout the City.
- The preference are for those shown to be of greatest need including those that live or work or attend school in the City, elderly or disabled families with children, those rent-burdened or homeless and those at or below 30 percent of the median income and are consistent with the City and Countywide needs.

2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

The Housing Authority of the County of Riverside is not identified as a Troubled Agency.

Barriers to Affordable Housing

1. Describe the actions that will take place during the next year to remove barriers to affordable housing.

The Hemet Housing Department will continue efforts to implement new strategies and strengthen participation of its partners to expand support for affordable housing programs in the City. These programs will include housing and related support services for people transitioning out of homelessness, including implementation of the Ten-Year Plan to End Chronic Homelessness as well as services for seniors and youth.

Additionally, Hemet will take the following specific actions to remove barriers to affordable housing:

1. Streamline permitting for affordable housing developments.
2. Consider adoption of inclusionary housing ordinances.
3. Implement infill ordinances for workforce housing coupled with housing trust funds.
4. Implement quality of life streetscape improvements and commercial rehabilitation on older commercial corridors which helps to preserve affordable housing in adjacent neighborhoods.
5. Use State of California bond funds, Proposition 46 (The Housing and Emergency Shelter Fund Act of 2002) and 1C (The Housing and Emergency Shelter Fund Act of 2006), for affordable housing development.
6. Offer down payment assistance for low income homebuyers.
7. Offer financing of quality nonprofits that build affordable housing.
8. Provide incentives for transit oriented development which improves the housing supply for low- and moderate-income residents combining the benefits of housing and public transit.
9. Implement a permit processing system that seeks to reduce the overall processing time, provide "one-stop" permitting, and improve case management.

HOME/ American Dream Down payment Initiative (ADDI)

The City of Hemet is not a direct recipient of HOME or ADDI funds.

HOMELESS

Specific Homeless Prevention Elements

*Please also refer to the Homeless Needs Table 1A (Attachment D).

1. **Sources of Funds**—Identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction's plan for the investment and use of funds directed toward homelessness.

The following sources of funds may be used to address homeless issues in the City and County of Riverside for the 2013-2014 program year:

- a portion of CDBG entitlement funds.
- Federal resource funds including ESG, HOPWA, HUD Supportive Housing Program and Shelter Plus Care.
- local funds from the City of Hemet, the County of Riverside, the Riverside County Department of Health and Human Services, and the County Department of Human Assistance.
- County and State funds provided through the Mental Health Services Act.

All existing funds, public and private, will continue to be utilized for the County's current and proposed Continuum of Care programs. Any new funding will be directed to accomplish the proposed goals of the Ten-Year Plan to End Chronic Homelessness as appropriate.

2. **Homelessness**—In a narrative, describe how the action plan will address the specific objectives of the Strategic Plan and, ultimately, the priority needs identified. Please also identify potential obstacles to completing these action steps.

Objectives directed to Homelessness in the City of Hemet's 2010-2015 Consolidated Plan and Annual Action Plans are to: 1) support efforts to develop/continue the Continuum of Care System for homeless through the provision of emergency shelters, transitional housing, and permanent supportive housing services, including housing for the chronically homeless, and, 2) provide community and supportive services for low- and moderate-income persons and those with special needs, including the homeless and persons living with HIV/AIDS.

Emergency Shelter Grant (ESG) provides funding through the County of Riverside and CalWORKs. These funds provide additional assistance for emergency shelter needs for homeless persons throughout the City and County of Riverside.

The potential obstacles in completing the action steps for new projects are timing of the sources of funding, sources and availability of the funds and restrictions on uses of the funds. Other obstacles for completing the action steps are locating sites for projects and finding new funding sources for much needed additional supportive services and other funding gaps. Most service providers are operating with renewed HUD grants. Since these grants do not have a cost of living, adjustment it is particularly challenging to operate viable programs at funding levels that are often ten years old. The final obstacle is obtaining public support for the projects in the respective communities.

Goal 1: Support non-profit agencies and City-operated programs that provide assisted housing and services and/or emergency shelter to assist homeless persons/families or those at risk of becoming homeless.

Summary of 1-Year Specific Objectives

Availability/Accessibility of Suitable Living Environment (SL-1)

1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes
<p>SL-1 Provide shelter for 10 homeless or at-risk of becoming homeless persons/families. Provide emergency services for 20 homeless or at-risk of becoming homeless persons/families.</p>	<p>CDBG, in-kind funding, ESG, Housing Authority of the County of Riverside</p>	<p>HUD 202-Senior Housing, Riverside County Department of Public Social Services, and Homeless Programs, Riverside County Housing Authority programs, Valley Restart Shelter, nonprofit agencies.</p>	<p>30 persons with new access to services</p>	<p>Improve availability/accessibility</p>

Community Pantry - \$10,000

2013-2014 CDBG funds will provide emergency one time utility payments to families and individuals at risk of becoming homeless. Our primary mission is to provide emergency food and shelter to local residents in need. We assist families in low-income brackets as well as those on fixed-incomes or those who are unemployed or underemployed. Each year, we provide services to thousands of families, veterans, and homeless individuals and families in the valley and surrounding areas.

Valley Restart Shelter

The shelter's goals are to provide emergency services, shelter, food, education, job enhancement skills, counseling, case management, referrals, supportive transitional and permanent housing to help low-income individuals avoid homelessness, restart their lives and to break the cycle of homelessness. Valley Restart Shelter, Inc. utilizes a social rehabilitation model to operate as a full continuum of care.

Valley Restart operates its shelter program with an emphasis on assisting and serving homeless families. Its closed campus program supports moving its residents toward self-sufficiency in as short a time as possible with intensive case management, supportive classes, referral services, mandatory savings program as well as scheduled activities that assist with maintaining the campus. Valley Restart adheres to policies that promote a safe; drug, alcohol, and violence free environment.

GOAL 2: Support a Continuum of Care to Aid Homeless Persons/Families to Transitional and Permanent Housing

Summary of 1-Year Specific Objectives						
Availability/Accessibility of Suitable Living Environment (SL-1)						
1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes		
SL-1	Provide transitional housing and services for 10 homeless persons or persons/families at-risk of becoming homeless. Actively participate in the Riverside County Continuum of Care to effectively address homeless issues in Hemet and the San Jacinto Valley.	CDBG, in-kind funding, Housing Authority of the County of Riverside	Riverside County Department of Public Social Services and Homeless Programs, Section 8 Housing Vouchers, Affordable Public Housing, Valley Restart Shelter, nonprofit agencies	41 persons with new access to services	Improve availability/accessibility	

The City will continue to assist its homeless population and work with agencies providing emergency and transitional shelter for its homeless population and will also continue to advocate the State and County programs and other resources that assist homeless groups.

3. Chronic homelessness—The jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2015. Again, please identify barriers to achieving this.

On March 13, 2012 HUD announced that Riverside County’s two new permanent supportive housing projects were approved for funding. ABC Recovery located in Indio will provide 16 beds of Permanent Supportive Housing (PSH) for homeless and chronically homeless individuals with \$233,015 in SHP. Supportive services will include assessment of job skills, instruction and assistance in job searches, resume building, interview skills, and job retention. Riverside County Department of Mental Health (RCDMH) HHOPE permanent housing project will provide 25 units of PSH for individuals and families with mental illness including the target populations of chronic homeless and veterans. Housing will be provided in scattered site leasing locations of the participant’s choice focusing on areas with the most need for housing. Case managers will provide intensive case management. Services will be developed based on a comprehensive mental health and life skills assessment and on the individual’s recovery goals and choices.

In support of the Federal Strategic Plan to Prevent and End Homelessness, with the intention of ending veterans and chronic homelessness by 2015 and homelessness among children, families and youth by 2020, the Department of Social Services (DPSS) has established chronically homeless persons as the highest need priority. The Riverside County *10 Year Strategy to End Homelessness* has called for the development of 500 units of permanent supportive housing dedicated to chronically homeless persons over the next five years. To facilitate this goal, all new projects seeking Continuum of Care funding must be permanent supportive housing projects. Additionally new projects serving exclusively the chronic homeless population are ranked the highest in the consolidated application to HUD and therefore most likely to receive funding in the event that the application is not fully funded.

DPSS will also strengthen discharge planning with major institutions to limit the number of chronically homeless persons discharged into homelessness; increase the number of homeless street outreach teams engaging chronically homeless persons in supportive services; and increase the number of rental certificates available through the Shelter Plus

Care Program which provides housing and services to chronically homeless persons in a neighborhood of their choosing.

EDA and the ESG and CDBG recipients will continue to cooperate and collaborate with other organizations to develop and implement a comprehensive, County-wide *Uniform Discharge Coordination Policy and Practices* (DCPP). The DCPP is developed for the purpose of connecting the homeless and those persons threatened with homelessness with supported housing and community-based resources. The overall objective of the Discharge Coordination Policy and Practices is to reduce the number of persons being released and discharged into homeless shelters, unsuitable accommodations, or homelessness.

GOAL 3: Support a Continuum of Care Strategy to End Chronic Homelessness by 2015

Summary of 5-Year Specific Objectives

Availability/Accessibility of Suitable Living Environment (SL-1)

5-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes
<p>SL-1 Provide residential alcohol or other drug addiction treatment services to 1 chronically homeless person.</p> <p>Provide emergency shelter with supportive services to 1 chronically homeless person.</p>	<p>CDBG, Housing Authority of the County of Riverside, ESG, HUD 202-Senior Housing</p>	<p>Riverside County Department of Public Social Services and Homeless Programs, Valley Restart Shelter</p>	<p>2 persons with new access to services</p>	<p>Improve availability/accessibility</p>

4. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.

During the 2013-2014 program year, the City in partnership with the Department of Public Social Services (DPSS) and the Riverside County Continuum of Care will continue to focus on expanding the number of beds, units, and services available within the homeless system of care. In January 2011, the Riverside County Continuum of Care consisted of 788 emergency shelter beds, 716 transitional housing beds, 14 HPRP–Rapid Rehousing beds and 508 units of permanent supportive housing. The funding for these services comes from a combination of Federal, state, local, and private sources.

During the last 5-Year Consolidated Plan period the Department of Public Social Services coordinated a strategic planning initiative that included local government, public agencies, private agencies, homeless advocates, formerly homeless persons, and the business community to develop a ten year plan to end homelessness. This initiative culminated in the publication of the Riverside County 10 Year Strategy to End Homelessness which serves as the strategic plan for all homeless activities in the County of Riverside.

The following Five Year Plan Objectives identify the unmet needs identified in Table 1A:

Preventing New Episodes of Homelessness

- Implement a county-wide homeless prevention strategy that includes utility assistance, deposit assistance, housing search assistance, landlord/tenant mediation, and short term rental subsidies designed to prevent at least half (50 percent) of the 7,000 homeless who become homeless each year from becoming homeless during the next five years.

- Establish county-wide protocols and procedures to prevent people from being discharged from public and private institutions of care into homelessness.

Ending Chronic Homelessness

- Expand street outreach programs throughout the County to bring social services directly to homeless persons in a more "assertive" way in order to 1) decrease the number of chronically homeless persons each year by at least 10 percent; and 2) help prevent additional persons from living on the streets for one (1) year or more.
- Create 150 additional shelter beds throughout the County for individuals living on the streets and encourage participation in a case management plan to reduce the length of time a person spends in emergency shelter.
- Create at least 500 units of permanent supportive housing for chronically homeless persons county-wide.

Addressing the Needs of Homeless Families

- Create 75 additional transitional housing units consisting of 225 beds to serve families who are living on the streets and encourage participation in a case management plan.
- Develop 1,500 units of permanent affordable housing for extremely low, very low, and low-income individuals who are homeless or at imminent risk of homelessness.

Improve the Capacity of the Continuum of Care

- Engage full participation from all homeless prevention, emergency shelter, transitional housing, permanent supportive housing, and related supportive service programs in the County of Riverside's Homeless Management Information System (HMIS).
- Create a Housing Trust Fund that receives ongoing dedicated sources of public funding to support the production and preservation of affordable housing; further fund homeless prevention activities; and provide ancillary funding for additional supportive services.

Discharge Planning Policies

- Ensure that all appropriate local and State government entities that discharge persons from publicly-funded institutions or systems of care participate in the Discharge Policy Committee.

Permanent Support Housing

- Develop a "safe haven" program for chronically homeless adults that are seriously mentally ill and may have substance abuse issues.

High housing costs makes the number of persons at-risk of becoming homeless a major concern. Increased demand for affordable housing, coupled with rising rents and home prices throughout the region place extreme challenges on residents and families on the brink of homelessness.

Along with traditional entitlement programs offered through the County, the following programs are offered by the County and available to Hemet residents.

- Homelessness Prevention and Rapid Re-Housing (HPRP): the Housing Authority of the County of Riverside offers the HPRP program. This program offers a variety of short- and medium-term financial assistance to those who would otherwise become homeless, many due to a sudden economic crisis. Assistance can include short-term rental assistance (up to 3 months), medium-term rental assistance (up to 12 months), security deposits, utility deposits, utility payments, moving cost assistance, and hotel vouchers. The program also provides assistance to rapidly re-house persons who are homeless and likely to remain stably housed, whether subsidized or unsubsidized.
- Riverside County Emergency Food and Shelter Program (RCEFS): The County provides rental assistance, first-time buyer programs, and housing rehabilitation programs. Money is also available through this program to provide first month's rent for households being evicted.

5. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

On July 1, 2011 the County of Riverside Department of Public Social Services, Riverside County Department of Mental Health, Hospital Association of Southern California, Riverside County Sheriff's Department, Riverside County Department of Veterans' Services, and Community Connect of Riverside County established a cooperative agreement to establish a coordinated and collaborative discharge planning system to individuals leaving institutional care. The mission of this Agreement, effective through June 30, 2017, is to successfully reintegrate persons leaving institutional care to community based living and self-sufficiency through effective use of community services.

Emergency Shelter Grants (ESG)

The City of Hemet is not a recipient of ESG.

COMMUNITY DEVELOPMENT

Community Development

*Please also refer to the Community Development Table 2B (Attachment D).

The total amount of CDBG funds allocated for projects, programs, and delivery costs equals the amount of the anticipated grant amount plus any program income and any carryover funds. All public service, planning and administration activities are eligible if they meet a national objective, and are within the 15 percent and 20 percent funding caps. All CDBG capital improvement, housing, commercial revitalization, public service and economic development activities are expected to be completed within 12 months of receiving the grant entitlement. In the 2013-2014 program year, Hemet will allocate CDBG funds for public service, planning and administration activities, and capital improvement projects that include

housing, infrastructure and public facility improvements located in CDBG eligible areas within the city.

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.

Hemet's main objective is to provide a suitable living environment through public facilities, infrastructure, economic development, and public services. The City has also identified special-needs individuals as among those who face the greatest challenges and who should receive high priority in the expenditure of federal funds, including the elderly (especially frail elderly) and persons with disabilities.

Goal: PROVIDE IMPROVEMENT TO COMMUNITY AND PUBLIC FACILITIES.

Summary of 1-Year Specific Objectives					
Availability/Accessibility of Suitable Living Environment (EO-1)					
1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes	
SL-2	Improve 1 community public facility	CDBG, in-kind funding	City of Hemet Public Works CIP Projects, nonprofit agency capital improvement projects.	1 facility with new access to services	Improve availability/ Accessibility/ sustainability

Goal: IMPROVE EXISTING INFRASTRUCTURE INCLUDING ADA IMPROVEMENTS.

Summary of 1-Year Specific Objectives					
Availability/Accessibility of Suitable Living Environment (EO-1)					
1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes	
SL-2	Provide major street reconstruction (including street, sidewalk and gutter, curb cuts, and ADA access ramps), storm drain and sewer improvements, water capacity improvements and public utility improvements through rehabilitation in 1 designated enhancement area.	CDBG, CDBG-R , Cal Trans (SR2S), Gas Tax, Hemet Unified School District, Measure A, Prop 1-B, Southern California Edison, STP	City of Hemet Public Works CIP Projects	1 project with new access to services	Improve availability/ accessibility

Citywide Sidewalk & ADA Ramps - \$151,039

2013-2014 CDBG entitlement CDBG funds will install new sidewalks and ADA compliant access ramps to enhance pedestrian safety and improve access for school age children, the elderly and disabled citizens on Girard, San Jacinto and Thompson Streets. (Census tracts 433.09, 434.01 & 435.03).

Goal: PROVIDE SUPPORTIVE SERVICES FOR YOUTH AND AT-RISK YOUTH

Summary of 1-Year Specific Objectives					
Availability/Accessibility of Suitable Living Environment (SL-1)					
1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes	
SL-1 Provide youth activities for 100 youth. Provide health services to 20 youth. Provide anti-crime programs for 20 youth. Provide supportive services to 5 neglected/abused children and youth.	CDBG, CDBG-R, in-kind funding	Nonprofit agencies	145 persons with new access to services	Improve availability/accessibility	

Operation School Bell

The Assistance League of Hemacinto is an all volunteer, non-profit organization dedicated to serving the San Jacinto Valley. Operation School Bell is Assistance League’s major philanthropic program. Elementary school children in need of clothing are referred by their teachers to Assistance League for registration. Each child is allowed to select up to \$115 worth of clothing and shoes from Walmart in San Jacinto with the help of their parents and Assistance League members. Funded by several grants, private donations, and funds earned by the Assistance League Thrift Shop, over 1,000 children from low-income families benefit during the months of September and October.

The Hemet Police Activities League - \$10,000

2013-2014 CDBG funds will provide Valley-Wide Recreation and Park District program staff to facilitate an after-school youth program that offers a variety of recreational and educational activities for approximately 125 at-risk low to moderate income youth.

Goal: SUPPORT AND ASSIST ELDERLY AND FRAIL ELDERLY PERSONS

Summary of 1-Year Specific Objectives					
Availability/Accessibility of Suitable Living Environment (SL-1)					
1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes	
SL-1 Provide supportive services for 20 elderly and frail elderly citizens. Provide health services to 20 frail elderly. Provide anti-crime programs for 20 elderly. Provide rental assistance to 20 elderly and frail elderly residents.	CDBG, CDBG-R, community funding, Housing Authority of the County of Riverside	Nonprofit agencies, Section 8 Housing Vouchers, Affordable Public Housing	80 persons with new access to services	Improve availability/accessibility	

HUD defines the population over the age of 62 as elderly. Elderly persons present four main concerns:

1. People over 65 are usually retired and living on a fixed income.
2. Due to the higher rate of illness, health care is important.
3. Many elderly use public transit.
4. Many live alone and rent.

Frail elderly includes the population over 65 years of age who suffer from various types of disabilities. According to American Communities Survey (ACS), in 2010 6,439 of the estimated 15,681 elderly residents or 41% had some type of disability and are therefore, considered as frail.

Care-A-Van, Inc. - \$10,000

2013-2014 CDBG funds will provide specialized transportation services for approximately 650 elderly, frail elderly, and disabled persons. *(Note: the Care-A-Van program meets two goals; one serving the elderly and the other persons with disabilities.)*

Goal: PROVIDE SUPPORTIVE SERVICES FOR PERSONS WITH PHYSICAL, MENTAL AND DEVELOPMENTAL DISABILITIES AND PERSONS WITH HIV/AIDS; AND PERSONS WITH SPECIAL NEEDS

Summary of 1-Year Specific Objectives					
Availability/Accessibility of Suitable Living Environment (SL-1)					
1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes	
SL-1 Provide supportive services to 20 persons with physical, mental and developmental disabilities. Provide supportive services to 5 persons suffering with HIV/AIDS. Provide supportive services to 20 domestic violence victims. Provide supportive services to 20 persons with alcohol or other drug addiction. Provide mental health services to 20 persons.	CDBG, CDBG-R, in-kind funding, County of Riverside	Nonprofit agencies, Riverside County Department of Public Social Services and Homeless Programs	85 persons with new access to services	Improve availability/accessibility	

The Census Bureau defines disability as a long-lasting sensory, physical, mental, or emotional condition or conditions that make it difficult for a person to do functional or participatory activities such as seeing, hearing, walking, climbing stairs, learning, remembering, concentrating, dressing, bathing, going outside the home, or working at a job. Disability is a mental or physical condition that affects the functioning of a person. Physical disabilities can hinder access to conventional housing units. Moreover, physical and mental disabilities can prevent persons from earning adequate income.

Center Against Sexual Assault of Southwest Riverside County

The Center Against Sexual Assault (CASA) is a non-profit, community based agency whose mission is to prevent sexual assault through education, and to provide intervention and counseling services for the survivors of sexual assault and their extended families.

EXCEED a Division of Valley Resource Center for the Retarded

EXCEED’s mission is to provide service and advocacy, which creates choices and opportunities, for adults with disabilities to reach their maximum potential. EXCEED’s Work Activity Centers (WAC) provide vocational training for persons that wish to acquire marketable work skills and the development of appropriate work habits and attitudes. EXCEED’s Adult Developmental Centers (ADC) provide basic living skills training, which assists clients in reaching their maximum level of independence and access into the

community. (Note: the EXCEED program meets two goals; one serving persons with disabilities and the other retaining economic opportunities through job creation.)

Goal: RETAIN AND EXPAND ECONOMIC OPPORTUNITIES THROUGH JOB CREATION AND RETENTION

Summary of 1-Year Specific Objectives					
Availability/Accessibility of Suitable Living Environment (EO-1)					
1-Year Objectives	Source of Funds	Programs	Assisted Number	Outcomes	
EO-1	Provide employment training to 8 youth. Create 4 part-time temporary jobs. Create 2 full-time jobs. Create 2 low-income jobs. Install beautification mechanisms in low and moderate-income areas to increase functionality and promote safety.	CDBG, CDBG-R, NSP, Public Works Administration, Tax Allocation Bonds,	Clean City Youth, Hemet Beautiful, Programs for small business and low-income jobs	16 persons with new access to services	Improve availability/accessibility

With the elimination of redevelopment agencies by the State of California in December 2011 the City is researching alternative funding sources to stimulate business, employment, and commercial development growth in Hemet's older commercial areas. The Community Investment Department will continue to facilitate to the extent possible the following activities meant to primarily benefit low- and moderate- income persons by expanding economic opportunities through job creation and retention and to enhance beautification and promote safety in particular business areas.

Site-Specific Project and Sub-Area Planning

While timelines and funding sources are uncertain several future projects are envisioned. These include:

- Downtown/TOD/Entertainment District Specific Plan; Development of a Specific Plan for the Downtown and Combined Commercial Redevelopment Areas including the transit oriented district (TOD) envisioned for the future Metrolink station located at the railroad tracks, north of Devonshire Avenue. The planning area would be generally bounded by Acacia Avenue on the south, State Street on the West, Menlo Avenue on the North and Buena Vista Street on the east.
- Hospital/Health Services Campus Plan; Development of a site plan for the Hemet Hospital campus located at the northeast corner of Latham Avenue and Laursen Street and surrounding areas.
- Stock Farm Specific Plan; Development of a specific plan of development for a 36 acre site located at the northwest corner of Devonshire Avenue and State Street for mixed commercial and residential land uses.
- Harvard Neighborhood Preservation and Revitalization Plan; Development of a neighborhood revitalization plan for the Harvard Street neighborhood generally located south of Kimball Avenue to Central Avenue and between State and Buena Vista Streets.

- West Florida Avenue Corridor Plan; Development of a corridor design plan for West Florida Avenue from Sanderson Avenue to Gilbert Street.
- San Jacinto Street Corridor Plan; Development of a corridor design plan for San Jacinto Street from East Florida Avenue north to the City boundary at Menlo Avenue.
- Weston Park Neighborhood Preservation and Revitalization Plan; Development of a neighborhood revitalization and preservation plan for the North Weston Park Neighborhood generally located north of Latham Avenue between Franklin and Santa Fe, south of Oakland.
- Financial District Specific Plan; Development of a specific plan and design guidelines for the East Florida Avenue corridor from San Jacinto Street to Columbia Street.
- Hospital/Health Service Campus Development Plan; Conceptual development plan for the Hemet Hospital Health Service Campus located at southeast corner of Devonshire Avenue and Laursen Street.
- Hemet Mall Expansion/Restoration Project; Development of a conceptual development plan for the Hemet Mall site located on the northwest corner of W. Florida Avenue and Gilmore Street.
- Downtown/TOD/Entertainment Project; Development of conceptual development plans for the Downtown/Metrolink Station area located north of East Florida Avenue to Menlo Street between North State Street and Buena Vista Street.
- Stock Farm Implementation Project; Development of a conceptual development plan for the 36 acre Stock Farm site located on the northwest corner of Devonshire Avenue and North State Street.
- Palm Plaza Re-Use Plan; Funding for development of a conceptual plan for the re-use of the Palm Plaza project located at the southeast corner of Florida and Palm Avenues.
- Commercial Re-Use Plan; Highest and best use analysis for the property located on the southwest corner of Florida Avenue and Gilmore Street.

Public/Private Preservation, Restoration, and/or Development Projects

While timelines and funding sources are uncertain due to the economy and AB1X 26 several future public improvement and public-private partnership projects are envisioned. These include:

- Harvard Neighborhood Preservation and Revitalization Project; Public right-of-way improvements, public facilities development, lighting, landscaping, land assembly and façade improvement grants and loans generally located south of Kimball Avenue to Central Avenue and between State and Buena Vista Streets.
- Florida Avenue Corridor Implementation Project; Public right-of-way improvements, lighting, landscaping, land assembly and façade improvement grants, and loans along Florida Avenue from the westerly side of Cawston Avenue to Columbia Street.

- Manufacturing and/or Green Industry Business Attraction, Retention and Expansion Program; Funding for the establishment of a manufacturing or green industry business attraction, retention, and expansion program.
- Small Business Loan and Technical Assistance Program; Funding for the development of a Small Business Loan and Technical Assistance program.
- Weston Park Neighborhood Preservation and Revitalization Project; Public right-of-way improvements, neighborhood park development, lighting, landscaping, land assembly and façade improvement grants and loans generally located north of Latham Avenue between Franklin and Santa Fe, south of Oakland.
- San Jacinto Corridor Implementation Project; Public right-of-way improvements, land assembly, lighting, landscaping and façade improvement grants and loans from East Florida Avenue north to the City boundary at Menlo Avenue.
- Downtown Façade Improvement and Seismic Retrofit Project; Public right-of-way improvements, lighting, landscaping and façade improvement grants and loans for the commercially designated properties bounded by Acacia Street on the south, Buena Vista Street on the east, Devonshire Avenue on the north and State Street on the west.
- Financial District Implementation Project; Public right-of-way improvements, lighting, landscaping and façade improvement grants and loans along Florida Avenue from San Jacinto Street to Columbia Street.
- In-Fill Single-Family Home Acquisition and/or Rehabilitation Program; Technical assistance and possible funding for acquisition and/or rehabilitation of single family in-fill sites.
- In-Fill Multi-Family Home Acquisition and/or Rehabilitation Program; Technical assistance and possible funding for acquisition or rehabilitation of multi-family in-fill sites.
- Home Buyer Assistance Program; Continuation of a loan pool for low and moderate income home buyers through the NSP 1 and 3 grants.
- In-Fill Lot Acquisition Program; Residentially zoned properties primarily located in the Downtown, Combined Commercial, Weston Park, and Farmers Fair Redevelopment Project Areas.
- Senior Housing New Construction Program; Technical assistance and possible funding assistance for new senior housing projects.
- Multi-Family New Construction Program; Technical assistance and possible funding assistance for new multi-family projects.
- Mobile Home Park Acquisition and/or Rehabilitation Program; Technical assistance and possible funding for acquisition, and/or rehabilitation of dilapidated mobile home parks and/or individual mobile homes.
- Single-Family and Multi-Family Residential Rehabilitation Program; Technical assistance and possible funding for restoration of residentially designated properties.

Public Infrastructure Projects

While timelines and funding sources are uncertain due to the economy and AB1X 26 several future public improvement projects are envisioned. These include:

- Traffic Circulation—Devonshire Improvements (San Jacinto to State Streets); Construction of Devonshire Avenue Thompson Avenue to Santa Fe Street.
- Intersection, Signal Improvements, Lane Widening and Drainage Channel Improvements (Sanderson/Stetson Improvements); Funding and construction of improvements for the widening of the Sanderson and Stetson Avenues intersection.
- Salt Creek Bridge and Overcrossing Improvements (Cawston Avenue); Funding and construction of the Cawston Avenue Bridge over Salt Creek channel.
- Street Realignment and Bridge Improvements (Stetson Avenue and Warren Road); Funding and construction of the realignment of Stetson Avenue along the Hemet Channel forming a new intersection with Warren Road.
- Infrastructure Improvements; Installation of water, sewer and drainage improvements to facilitate the development of industrially designated properties on Warren Road from Stetson Avenue to Domenigoni Parkway.
- Street Widening (State Street from Florida to Acacia Avenues); Funding and construction of the widening of South State Street.
- Street Improvements (S. Juanita and S. Camalita); Funding and construction of street sidewalk improvements inclusive of street lights, street trees, tree-grates, benches and handicap ramps for South Juanita and South Camalita Streets from East Florida Avenue to Kimball Avenue.
- Demolition of Potato Shed and Beverage Distribution Center; Funding for the demolition of the former Agri-Empire potato packing shed located east of North State Street, north of Devonshire and the former beverage distribution center located on west side of Buena Vista Avenue north of Devonshire Avenue.
- Miscellaneous Public Improvement Projects to Include; Funding for development of a traffic signal interconnect system for the Florida Avenue corridor.

Community Facilities

While timelines and funding sources are uncertain due to the economy and AB1X 26 several future community facility projects are envisioned. These include:

- Planning and development of the new Hemet Superior Courthouse in Downtown Hemet and court supporting public and private development.
- Replace Aging Downtown Fire Station; Funding for the relocation or replacement of Fire Station #1 located at 220 N. Juanita Street.

2. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

The overall basis for assigning priorities to the above goals, objectives, and programs were based on the results of the Citizen Needs Survey and the extent of need identified by other City departments and agencies within the City. The programs and activities that the City of Hemet intends to expend funds on all add potential benefits to the City. Specific long-term and short-term needs and objectives are listed in the Project Needs Table of the City's Annual Action Plan.

Antipoverty Strategy

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.

In the 2013-2014 program year, the City of Hemet will continue its efforts to reduce the number of families and individuals living in poverty. The City will focus primarily on supporting programs that raise household incomes and stabilize housing situations. The City will utilize CDBG to support the continuation and implementation of affordable housing that help homeless person's make the transition to permanent housing and independent living. Hemet will use resources from state, federal and private sources to provide a number of community-based and direct services aimed directly or indirectly, at decreasing the poverty level. These programs include: job enrichment, development, and placement through education and economic development; food pantry programs, and programs designed to prevent and alleviate the devastating impact of domestic violence, which often plunge women and their children into poverty.

In addition to the City's commitment to develop and preserve affordable housing and the efforts of the Housing Authority of the County of Riverside, Hemet directs City tax dollars and new resources from state, federal and private sources to provide a number of direct services that help homeless families and individuals find and retain transitional and permanent housing and prevent eviction by stabilizing individuals and families in existing housing through the efforts of the Valley Restart Shelter.

The City of Hemet works closely with the Housing Authority of the County of Riverside to maximize the impact of these programs on poverty levels. Taking into consideration the factors over which our jurisdiction has control, the City believes that this strategy will significantly improve the lives of low-income working families, elderly on fixed incomes, immigrants, victims of domestic violence, single mothers moving off public assistance and others who struggle with poverty in our City.

Projects that indirectly affect poverty include those that upgrade the community and provide affordable housing. CDBG, HOME, and ESG funds are often used as matching funds for other grants that reduce the number of poverty level families. Other essential elements of the City's anti-poverty strategy include:

- Housing Rehabilitation programs;
- Affordable Housing programs for renters, seniors, and the disabled;
- Emergency, Transitional and permanent housing programs;

- Homeless and non-homeless support services;
- Anti-crime programs;
- Section 8 rental assistance, and
- Job creation and retention programs.

NON-HOMELESS SPECIAL NEEDS HOUSING

Non-homeless Special Needs (91.220 (c) and (e))

*Please also refer to the Non-homeless Special Needs Table 1B (Attachment D).

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan.

The City of Hemet is located in the heart of Riverside County. Both Riverside County and San Bernardino County make up the "Inland Empire" MSA. Riverside County has 24 incorporated cities (from the 2000 Census) – at least three cities have incorporated recently; San Bernardino County has 24 incorporated cities (also from the 2000 Census).

Since the foreclosure crisis became newsworthy in the summer of 2007, this MSA at one point was the fourth most impacted foreclosure area in the country. City staff has been tracking foreclosures for all jurisdictions in the Inland Empire since July 2007.

The City of Hemet will prioritize the use of the NSP funds by first prioritizing the acquisition of foreclosed units in neighborhoods with the highest concentration of subprime mortgage loans and neighborhoods at the highest risk of additional foreclosures.

The NSP Substantial Amendment (draft) to the City's 2008-2009 Annual Action Plan for the City of Hemet was posted and made available for public comment on November 5, 2008 on the City's web site at www.cityofhemet.org. No significant comments were received.

2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

The City is utilizing its NSP funds to purchase vacant and abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values in neighboring homes.

Housing Opportunities for People with AIDS

*Please also refer to the HOPWA Table.

Although Hemet is not a recipient of HOPWA funds the City will assist and support the Housing Authority of the County of Riverside when and if funds are available for the Housing Opportunities for Persons with AIDS (HOPWA) Program.

Other Narrative

Float-Funded Activities

- The City does not retain float-funded activities.

Rollover Funds

- The City will not roll-over CDBG funded activities from previous years. Any activity balances will be reprogrammed for other eligible projects or activities.

Program income

- The City does not expect to receive CDBG program income during the 2013-2014 program year.

Surplus from Urban Renewal Settlements

- The City has no surplus from Urban Renewal Settlements.

Grant Funds Returned to the Line of Credit

- The City does not anticipate returning grant funds to their line of credit.

Urgent Need Activities

- The City does not anticipate having to address any urgent need activities.

Affirmative Marketing

The City will continue to effectively promote affirmative marketing by maintaining the following approved affirmative marketing requirements and procedures that include:

- Use of the Equal Housing Opportunity logo when advertising the availability of State HOME funds.
- Methods for informing the public, owners, and potential tenants about federal fair housing laws and the City's affirmative marketing policy.
- Requirements and practices each rental owner must adhere to in order to carry out the City's affirmative marketing procedures and requirements, as stated in any written agreement between the City and a participating owner.
- Procedures to be used by rental property owners to inform and solicit applications from persons in the housing market areas that are not likely to apply for housing without special outreach.
- Records will be kept describing actions taken by the City and by owners to affirmatively market units and records to assess the results of these actions.

Section 3

Section 3 requires that employment and other economic development opportunities are generated by certain HUD financial assistance will to the greatest extent feasible, and consist with easing Federal, State, an local laws and regulations, be directed to low-and very low-income persons, particularly those who are recipients of government assistance for housing, and to building contractors that provide economic opportunity to low and very low-income persons.

For all federally funded contracts, the City has set forms that are included in all bid packages. These forms consist of; a listing of federal equal employment opportunity/affirmative action requirements, requirements contracting with small and minority firms, women's business enterprise and labor surplus area, a certification regarding performance of previous contracts or subcontracts subject of the equal opportunity clause, the filing of required reports, and a certification regarding non-segregated facilities.

- Methods of informing the public, owners, and potential tenants about Fair Housing Laws will include the use of the Fair Housing logo and/or slogan.
- As part of project agreements, owners will be required to follow policies and procedures of the City's affirmative marketing program.
- The City will contact community organizations, churches, special interest groups, and social service agencies when soliciting to persons in the housing market that are not likely to participate without special outreach efforts.
- Records will be maintained documenting the affirmative marketing efforts of the City.
- Section 3 requires that employment and other economic development opportunities that are generated by certain HUD financial assistance shall, to the greatest extent feasible, consistent with Federal, State, and local laws and regulations, be directed to low and very low-income persons, particularly those who are recipients of government assistance for housing, and to building contractors that provide economic opportunity to low and very low-income persons within a very low and low-income community.

Analysis of Impediments to Fair Housing Choice and Recommendations

The City continues to work towards the goals of fair housing and equal opportunity for all citizens by addressing the identified impediments in the 2009 Analysis of Impediments to Fair Housing Choice.

Recommendations

The AI identifies common problems and barriers to fair housing in Hemet. This section builds upon the previous analysis, outlines conclusions, and provides recommendations for the City to address impediments to the fair housing identified earlier. These recommendations will serve as the basis for the City to develop an action plan to eliminate identified impediments. The recommendations listed below are directed to the City, and other service agencies that assist Hemet residents.

1. The City will review and revise their zoning ordinance to remove any provisions, language, and requirements that may be discriminatory on the basis of disability

regarding sober living and other group homes of that nature in the City of Hemet. During this review and revision process, the City will suspend the current zoning provisions regarding Sober Living Homes and other Group Homes of that nature to avoid any possible violation of the Fair Housing Amendments Act. The City will work in conjunction with The Fair Housing Council of Riverside County, Inc. to provide fair housing technical assistance as needed or requested.

Timeline: Complete

The City amended its code to repeal Section 90-75 and replace it with revised provisions that address the concerns of the disabled community that have been brought to the City's attention. On April 19, 2012, the City published a notice in the Press Enterprise of the holding of a public hearing before the Planning Commission at which the amendment to the City's zoning ordinances would be considered. Review of the concepts within the draft ordinance was also provided to the City's Citizen Advisory Committee for Hemet ROCS at their meeting of April 24, 2012. Drafts of the ordinance were sent to the City's Fair Housing consultant and representatives of the United States Department of Housing and Urban Development for their review and comment. To date, staff has not received any public comments. At their meeting of May 1, 2012 the City of Hemet Planning Commission recommended Zoning Ordinance Amendment (ZOA) No. 12-002 Boarding Houses, Group Homes and Reasonable Accommodation to replace the offending ordinance. The ordinance was approved by the City Council at their May 22, 2012 meeting and took effect June 22, 2012.

2. The City will review and revise the additional requirements of the zoning ordinance and remove the requirements and provisions that may be discriminatory on the basis of disability regarding sober living and other group homes of that nature in the City of Hemet. During the review and revision process, the city will suspend the current zoning provisions regarding the Sober Living Homes and other Group Homes of that nature to avoid any possible violation of the Fair Housing Amendments Act. The Fair Housing Council of Riverside County, Inc. will work in conjunction with the City to provide any fair housing technical assistance as needed or requested.

Timeline: Complete

The new ordinance (see Impediment 1) maintains zoning requirements by preserving the quality and character of residential neighborhoods and also provides zoning provisions in accordance with the Federal Fair Housing Act (42 U.S.C. Section 3601, et seq.), the California Community Care Facilities Act (Health & Safety Code Section 1500, et seq.) and the California Fair Housing and Employment Act (Government Code Section 12900, et seq.), which benefit disabled persons by permitting disabled persons to live in residential care facilities and other Group Homes in such a manner to avoid clustering and over concentration.

3. The City will review and revise the zoning ordinance regarding the SR-3 Senior Housing Zone and remove any provisions or requirements that would constitute discrimination in housing based on familial status. During the review and revision process, the city will suspend the current zoning provisions regarding the Senior Housing Zone to avoid any possible violation of the Fair Housing Amendments Act. Inland Fair Housing and Mediation Board (IFHMB) will work in conjunction with the City to provide any fair housing technical assistance as needed or requested.

Timeline: No action necessary, this ordinance was repealed October 10, 2006

4. The Fair Housing Council of Riverside County, Inc. will conduct fair housing workshops focusing on the disabled and specifically, issues of reasonable accommodations and modifications. These workshops will be conducted in Hemet and throughout the region.

Timeline: Workshops to be conducted July 1, 2013 through June 30, 2014

5. The Fair Housing Council of Riverside County, Inc. will continue to conduct fair housing workshops regarding all aspects of housing discrimination and specifically, issues regarding race and familial status to address prior impediments identified in the 2003 and 2009 AI.

Timeline: Workshops to be conducted July 1, 2014 through June 30, 2014

6. The City will work with The Fair Housing Council of Riverside County, Inc. in an effort to expand community participation including greater outreach efforts regarding fair housing workshops to renters and property managers/owners to make them aware that these workshops are available at no charge. Undertaking initiatives to educate potential renters and landlords is paramount to reducing discrimination complaints and increasing awareness of fair housing rights and responsibilities throughout Hemet and the region.

Timeline: Ongoing

7. The Fair Housing Council of Riverside County, Inc. will continue to work with the Apartment Association Greater Inland Empire (AAGIE) to encourage the participation of apartment owners and property managers in the Association's residential management training courses. The Fair Housing Council will continue to provide fair housing technical assistance to real estate professionals with fair housing questions or concerns in Hemet and the region, through the Inland Valleys Association of Realtors (IVAR).

Timeline: Ongoing

8. The City will continue to expand homeownership opportunities to low and moderate income households by actively promoting their first time homebuyer program and will work to expand their program by pursuing additional available funding sources for homebuyer assistance such as the Neighborhood Stabilization Program (NSP). The City will also continue its Emergency Grant Program to assist seniors and disabled homeowners with emergency repairs. The City will also provide outreach efforts such as advertisements and/or workshops in order to inform eligible residents particularly lower income minority households, about the availability of these programs in both English and Spanish.

The City will continue to provide incentives to owners or developers of multi-family housing to set aside units that are affordable to low and moderate-income residents as well as to provide features and amenities for families with children and the disabled.

Timeline: Ongoing

9. To encourage homeownership for all residents, particularly Hispanics and Blacks, the City will encourage lending institutions in the area to ensure that their staff works with the applicants in educating them about the home loan application process. The City will coordinate with The Fair Housing Council of Riverside County, Inc. in advertising HUD approved home buying educational classes available to the public and address the City's Neighborhood Stabilization Program (NSP) opportunities.

Timeline: Ongoing

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CITY OF HEMET NOTICE OF PUBLIC HEARING for the proposed 2013/2014 Community Development Block Grant (CDBG) ANNUAL ACTION PLAN

Pursuant to 24 CFR Part 91.105(e)(i), NOTICE IS HEREBY GIVEN that the Hemet City Council will hold a **public hearing** to consider any comments or views of affected citizens, public agencies, and other interested parties on the proposed 2013/2014 CDBG Annual Action Plan. The public hearing is scheduled for **April 9, 2013 at 7:00 p.m.** in the Council Chambers located at 450 E. Latham, Hemet, California, to formally receive public comments.

SUMMARY of the 2013/2014 CDBG ANNUAL ACTION PLAN

The Annual Action Plan details the strategies and programs that the City will undertake during the program year of July 1, 2013 through June 30, 2014 in the anticipated expenditure of \$698,038 in CDBG entitlement funds for the 2013/2014 fiscal year and \$40,954.54 in reprogrammed funds from the 2011/12 fiscal year. The expenditures are anticipated to occur in eligible program areas such as Housing; Public Facilities Improvements; Public Services; Rehabilitation; Code Enforcement; and Planning and Program Administration.

PUBLIC COMMENTS

NOTICE IS HEREBY GIVEN that the publication of this notice is the beginning of the **30 day public review period** required under 24 CFR Part 91.105 and meets the requirements stated in the City of Hemet Citizen Participation Plan. It is anticipated that this document will receive City Council approval at their regular meeting of April 9, 2013 and be forwarded to the U.S. Department of Housing and Urban Development (HUD) on or about May 15, 2013 for final review and approval. Copies of the 2013/2014 CDBG Annual Action Plan Draft are available for public review and written comment **Thursday, March 7th through Tuesday, April 9th, 2013** at the following locations:

Hemet Public Library
305 E. Devonshire Ave.
Hemet, California 92543

Covell Building
510 E. Florida Ave.
Hemet, California 92543

Hemet City Hall
445 E. Florida Ave.
Hemet, California 92543

Interested citizens may examine the report and provide written comments to be received by 5pm on Tuesday, April 9th, 2013. Comments should be sent to the attention of Carla Callahan, CDBG Coordinator at the following address:

CITY OF HEMET
510 East Florida Avenue
Hemet, California 92543



5 - Runner Ups
4 Pre-race Pit Passes
4 Grandstand seats to
the Auto Club 400
Sunday March 24, 2013



GRAND

4 Pit Rooftop Suite tickets for R
parking, 4 Victory Lane Celebra
Enter online

Name _____

Address _____

Daytime Phone _____

Are you a Press-Enterprise Subscriber?

Go online to <http://m.pe.com/mascar2> or mail to Sales, P.O. Box 111, Riverside, CA 92502-0111, 2013. Winners will receive tickets via US mail if

OFFICIAL RULES: Minimum age of 18 required. Final postmark required. Winners will be notified by mail starting on March 15, 2013. Prizes returned to The Press-Enterprise prior to the race. No purchase necessary. Immediate families are ineligible. Judges' decisions are final. F



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ATTACHMENT 3

March 15, 2013

To: Carla Callahan, CDBG Coordinator
From: Dr. Marvin Nottingham, VRS Board Vice President
Re: CDBG funds for Valley Restart Shelter, Inc.

Valley Restart Shelter (VRS), Inc. is a non-profit organized by Valley church members in 1989. It has been in continuous operation 24-7 since that time because those church leaders knew that care for the homeless was more than they, as individual churches, could reasonably accommodate.

The City receives funds from a Federal department called Housing and Urban Development (HUD). These funds are labeled Community Development Block Grants (CDBG). The City Council has discretion in how these funds are allocated and, in the past, grants have been allocated to several non-profits including VRS.

This year, the Council has again made decisions concerning how CDBG funds will be used. Recipients have been announced for three local nonprofits, but, incredibly, VRS is not included. This treatise was designed to influence the City in a process of re-evaluation of its original decision so that VRS is awarded a reasonable amount of CDBG funds, which, at minimum, should be at no less than \$10,000.

During interactions with community groups and the City Council of Hemet several years ago it was agreed that the population of VRS would be limited to 35. As of now, VRS can serve five single males, five single females and up to eight families with children. Clients may stay in the shelter for periods up to three months. They must have a valid California I.D. and not be on parole, on Megan's Laws, have a bench warrant or a history of violence charges. They must also be alcohol and drug free.

In reviewing how VRS helps people in need, a trend is apparent. Keeping people FROM the streets as opposed to taking people OFF the streets is an essential part of the VRS mission. Providing temporary shelter to families as they are moved out of a foreclosed home or after having been given a three-day Pay or Quit notice prevents children from being displaced more times than necessary. All school-aged children attend school in the San Jacinto Unified School District. VRS is proactive in assisting with resources that prevent homelessness altogether.

Currently there are two disabled veterans at Valley Restart. One is 68 years old and the other is a family man with children. VRS personnel have connected them to veteran outreach workers who are diligently working to make sure they are receiving the benefits to which they are entitled.

At present, there are seventeen children among five two parent families and one single mother and one single dad in the shelter. In addition, there are four single women and one single man in the dorms. Three residents have recently found jobs. All school-aged children are in school in the San Jacinto Unified School District.

VRS personnel provide counseling, interface with other organizations and provide encouragement and assistance in finding employment and housing outside the shelter. Eighty percent of any client income is saved by the shelter to be released to clients when they check out.

VRS is staffed by an Executive Director and at present by four part-time employees. All but one of the four is paid in the minimum \$8.00 per hour range. It is further blessed by up to 20 volunteers without whom, the shelter would close.

VRS is governed by a Board of Directors that at present involves twelve volunteers from the community. It is supported by various financial sources including grants available from federal state, county agencies and from private organizations that support facilities for the homeless. It is supported by individual donors, more than fifty community churches and by several community-based fund raisers each year. One group organized by board members is called "The Desperados." That is because VRS is desperate. Desperados pledge to give \$100.00 per month for the support of VRS operations. One board member is a quadruple desperado, i.e., \$400 per month and one is a triple desperado. Generally, desperados prefer to remain anonymous and new recruits are welcome.

VRS is housed in a set of barracks built in the 1940s to accommodate Braceros who came to work in valley agriculture. Later, the facility was acquired by a YMCA group and a swimming pool was built which is now a liability. In short, the facilities at VRS are in constant need of repair and are a continuing financial concern.

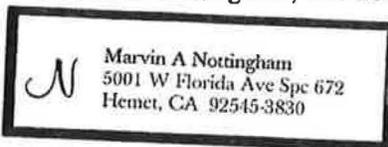
In the fiscal year from July 2011 to July 2012, VRS served more than 500 people nearly 20,000 meals with the help of churches and local businesses. VRS also provided more than 10,000 emergency shelter bed nights for 205 people, that is families with children, and single men and women. Of those, 95% moved on to a higher level of housing and self-sufficiency. Eighty two percent of these clients were from the San Jacinto Valley, mostly from Hemet.

In addition to shelter and meals, VRS offers other types of assistance. The Bus Ticket Home Program allows a person to be placed with a friend or family in another city, county or state that is willing to help a person get out of the homeless situation. Rental/mortgage assistance is provided when funds are available. Last year, VRS was able to assist three households with rent and 83 households were provided with emergency food boxes and diapers. In conclusion, because it provides for a state mandate for care of the homeless, (SB-2), the value of VRS to the City of Hemet is undeniable. City Council support via CDBG funds is also, we hope undeniable.

Respectfully submitted,



Marvin A. Nottingham, VRS Board Vice President



Carla Callahan - April 9, 2013 Hemet City Council meeting RE CDBG action plan

From: nancy urtado <nancyurtado2006@yahoo.com>
To: Carla Callahan <CCallahan@cityofhemet.org>
Date: 3/21/2013 10:14 PM
Subject: April 9, 2013 Hemet City Council meeting RE CDBG action plan
CC: Mary Lucas <lucasmmary8@gmail.com>, Lynn Throckmorton <throckhemet@earthl...>
Attachments: Pg1-Assistance League.pdf; Pg2-Assistance League.pdf

Carla,

I will be unable to attend the City Council meeting scheduled for April 9, 2013, but as a Hemet citizen and as a member of the Assistance League, would like to have the following comments inserted into the record regarding the CDBG action plan.

As the Operation School Bell Co-Chair for the Assistance League of Hemacinto I would like to call it to the attention of the City Council that we have been providing services to the citizens of Hemet since our inception in 1976. Our organization has applied for and received grants in support of the Operation School Bell program for many years from the city. We have no paid staff and own our building, therefore, one-hundred percent of the grant funding received has gone towards clothing the disadvantaged children living within the city limits of Hemet. It is a much needed service that has grown from a program of serving 33 children during our first year in 1976 to serving 1200+ children each year, as of 2012. Please see the attached pamphlet for a description of the Operation School Bell program and of our organization's other programs.

In the future 15% of the Community Development Block Grant funding should continue to be used in support of non-profit organizations in our community. Although not all of the organizations that apply can be funded, each of them offers much needed services to the citizens of our community, from the young to the old. Each year, the need for these services grows. The funds should not be discontinued.

Respectfully submitted,

Nancy Urtado

*Nancy Urtado
Grants, Co-Chair
Operation School Bell, Co-Chair
Assistance League of Hemacinto
180 N. Girard Street
Hemet, CA 92545
(951) 652-8307 Chapter House
(951) 926-9577 Home
E-mail: nancyurtado2006@yahoo.com*

4352 Gaylord Ave
Hemet, Ca 92542
March 21, 2013

Carla Callahan
CDBG Coordinator
510 E. Florida
Hemet, CA 92543

Dear Ms Callahan,

I am writing in support of Valley Restart, located in Hemet receiving a larger Block Grant than proposed by the City of Hemet.

I have lived in the San Jacinto Valley for 12 years and have been impressed by the services offered and supported by Valley Restart. The prior community where I lived offered no such services. There is no place in the U.S. today that doesn't need help with some residents who are down on their luck. I know; I was in that situation once myself.

There are so many wonderful things it does, including referrals to other resources and organizations, who then help them. Jobless and homeless are helped. Health needs are addressed. Children will go to school and have a safe place to play and live.

The City should be proud to sponsor and support funding for this valuable program, not finding excuses to deny the needs.

Sincerely,
Carol Paulagan

Dear Carla,

3/23/13

I urge you to support additional funding for the Valley Restart Center. I understand 15% of the available funds can be used to provide services for the homeless. I know that the program is operating with minimal financial support & many volunteers. Valley Restart could provide better broader services with more money. The program is well run with a dedicated staff and board. This area would be safer & more appealing if the homeless families

and individuals had more job & housing & counseling & health services & relocation when needed. The Valley Restart offers immediate & tangible services & networking which enable the homeless to survive & thrive and find hope & much needed & welcome support. How would this community look without Valley Restart? How much better this community ^{would} function with improved & expanded services from Valley Restart. This is an eminently worthwhile place for community funds. Please do the right thing. Sincerely,
Paula Orloff

#12



Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Ronald E. Bradley, Interim City Manager *REB*
Deanna Elliano, Community Development Director *DE*

DATE: April 9, 2013

RE: **MUNICIPAL CODE AMENDMENT NO.13-002: EXTENSIONS OF TIME FOR DEVELOPMENT PROJECTS** – A request for City Council adoption of an Urgency Ordinance to extend the life of certain land use approvals set to expire

RECOMMENDED ACTION:

That the City Council EITHER,

1. Adopt the proposed **Ordinance Bill No. 13-008**, regarding the automatic extension of Conditional Use Permits and Site Development Reviews set to expire between April 15th and December 31st of 2013, OR
2. Adopt the **Alternative Ordinance Bill No. 13-010** as recommended by the Planning Commission, allowing applicants to apply for additional extensions of time on all Conditional Use Permits and Site Development reviews set to expire between April 15, 2013 and April 15, 2014.

BACKGROUND

The proposed ordinance was initiated at the request of several property owners and developers who have project approvals (i.e. Conditional Use Permits and Site Development Reviews), that are due to expire before the end of this year. Typically, these land use approvals expire two years after the original approval date, unless construction has commenced on the site, or an Extension of Time has been granted by the Planning Commission. The city's code allows for a maximum extension of up to three years. In order to grant an Extension of Time for these applications, the project proponent must submit an application and fees, including additional copies of the project plans and materials; public hearing noticing package and be scheduled for a public hearing before the Planning Commission.

Staff has identified at least 12 commercial and residential projects that have received prior approvals and would otherwise expire in the next few months without the extensions granted under this ordinance. Several of the developers of commercial projects previously approved as Conditional Use Permits have indicated to staff a slow improvement in the retail market and an increased availability in financing or investment capital, and anticipate moving forward within the next several months. The proposed ordinance and automatic extension of time will allow them to continue to market already entitled property as the economy improves. Some of the property owners or project representatives have submitted letters in support of the ordinance, included as Attachment No. 3.

In some cases, these projects have exhausted all of the time extensions allowed under the zoning code,

Automatic Extensions of Time

and would essentially have to re-apply with a new project application and fees, submit new plans and materials, and complete the public hearing process before the Planning Commission. In addition to the costs to the applicant for processing a re-submittal or time extension application, there is considerable staff time involved in preparing the projects and staff reports for the public hearing and Planning Commission review. A similar ordinance granting a 2-year automatic extension of time was approved by the City Council in 2009 (Ordinance 1815).

In response to the dramatic downturn in the housing market and the economy, and its resulting affect on the extensive amount of approved projects that have either slowed or stopped construction, the California State Legislature has previously granted a automatic extensions of time for all subdivision maps approved in the State. Additional State legislation is currently being considered that may grant further extensions for these approvals. Frequently, a subdivision map also has a companion Conditional Use Permit or Site Development Review approval for the project. In order to avoid a situation where the map approval is extended, but the CUP or SDR is subject to an additional public hearing in order to grant the extension, the proposed ordinance would automatically allow these extensions to be in better alignment

PROPOSED ORDINANCE AND ALTERNATIVE ORDINANCE

The proposed Ordinance Bill No. 13-008 (Attachment 1) would automatically grant an extension of time for a two year period for all of the approved CUPs and SDRs that would expire between April 15, 2013 and December 31, 2013. In the event the ordinance is not adopted, individual applications for Extensions of Time would be required to be filed and processed in the standard manner. However, there would also be a few of the applications that would no longer be eligible to apply for any extension, as noted previously.

In reviewing the case logs of several of the project approvals that would be subject to the ordinance, the approvals are for commercial, office, senior housing or infill residential projects and are consistent with the new 2030 General Plan, and all existing zoning and development standards. Any new state legislation or city ordinances regarding Building, Fire, or Health and Safety Codes would still apply to the developments at the time of plan check and building permit, per the provisions of the proposed ordinance.

At the Planning Commission hearing of March 19, 2013, the Commission expressed concerns regarding the "automatic" extension process allowed under the proposed Ordinance Bill No. 13-008, and felt that the applicant should apply for an extension of time so that the Planning Commission could review each application independently on its own merits and its ability to proceed forward, before granting an extension. However, the Commission did recognize that certain projects would no longer be eligible to apply for another extension under the existing codes, and recommended an alternative ordinance that would allow any CUP or SDR due to expire over the next year - between April 15, 2013 and April 15, 2014 - to apply for up to a two-year extension, regardless of how many prior extensions had previously been granted. The Planning Commission voted unanimously to recommend to the City Council the adoption of the alternative ordinance, which has been prepared and included for the Council's consideration as Ordinance Bill No. 13-010, (Attachment 2).

Staff recommends approval of the proposed ordinance as a reasonable and appropriate response to the nationwide economic conditions affecting the current viability of already approved projects in the City of Hemet. The proposed automatic extension of two years will allow applicants the opportunity to address the current financial challenges, without having to expend additional time and money on filing applications for individual extensions.

ENVIRONMENTAL DETERMINATION

The City has analyzed this proposed project and has determined that it is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This Ordinance is enacted for the immediate preservation of the public peace, health and safety by extending the life of certain project approvals that have already undergone CEQA review. There have been no changes in the development standards or environmental conditions since these projects were approved that would warrant reconsideration of the environmental effects of the proposed projects. Therefore, it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment, and therefore the adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

PUBLIC NOTICE AND COMMENT

A Notice of Public Hearing was published in the Press Enterprise newspaper on March 8, 2013 and March 28, 2013 for the required 10-day notice for public hearings before the Planning Commission and City Council, respectively. The Agenda was posted at City Hall and on the City's website at www.CityofHemet.org, a minimum of 72 hours in advance of the public hearing.

To date, staff has received two letters regarding support for the proposed extension of time ordinance, as shown in Attachment No. 3. All of the applicants are citing the poor economic climate and the lack of market demand as the inability to secure financing and move forward with the projects at this time. Two of the project proponents, Don Bender and Don McCoy, spoke in favor of the originally proposed ordinance at the Planning Commission meeting. Staff has also received a phone call from Tommy Thompson, representing the BIA, in support of the original ordinance (Attachment No. 1).

FISCAL IMPACT

Adoption of either the proposed or alternative ordinance will have no direct fiscal effect. Although the proposed ordinance will temporarily alleviate the need for the property owner to process an application for an Extension of Time and pay the related application fees, these fees only cover the cost of the staff time to prepare the staff report and notice the public hearing. The indirect fiscal benefit of the ordinance will be to enable these projects to be in a position to move forward more quickly to pull permits, once the economic conditions improve. The alternative ordinance allows for applicants to proceed through the normal Extension of Time application process, and pay the associated application fees to cover staff time.

Respectfully submitted,



Deanna Elliano
Community Development Director

ATTACHMENTS

- 1) Proposed Ordinance Bill No. 13-008
- 2) Alternative Ordinance Bill No. 13-010, recommended by the Planning Commission
- 3) Letters from project proponents supporting the proposed Ordinance

Attachment No. 1

City Council
Ordinance Bill No. 13-008
For
Automatic Extensions of Time
(MCA 13-002)



**CITY OF HEMET
Hemet, California**

ORDINANCE BILL NO. 13-008

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF HEMET, CALIFORNIA, AUTOMATICALLY
EXTENDING THE LIFE OF EXISTING CONDITIONAL USE
PERMITS AND SITE DEVELOPMENT REVIEW
APPROVALS SET TO EXPIRE BETWEEN APRIL 15, 2013
AND DECEMBER 31, 2013.**

WHEREAS, the severe decline in the real estate and development markets, has resulted in a high volume of requests for extensions and unfavorable conditions for the commencement of approved projects; and,

WHEREAS, if extensions are not granted to developers whose project approvals are set to expire, those developers will be forced to start the process over once the market recovers, which will result in the unnecessary consumption of even further staff time and resources; and,

WHEREAS, the City Council previously approved Ordinance No. 1815, which extended the life of all Conditional Use Permits, Administrative Use Permits, Site Development Review approvals, Zoning Adjustments and Planning Director Review approvals issued by the City that were set to expire between April 1, 2009 and December 31, 2009, for a period of twenty-four months from their then-current expiration date; and,

WHEREAS, Government Code section 36937 authorizes ordinances to take effect immediately if they are for the immediate preservation of the public peace, health

1 or safety, contain a declaration of the facts constituting the urgency, and are passed by
2 a four-fifths vote of the city council.

3 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET DOES**
4 **HEREBY ORDAIN AS FOLLOWS:**

5 **SECTION 1: EXTENSION OF CERTAIN LAND USE APPROVALS.** All Conditional
6 Use Permits (HMC 90-42 et seq. and HMC 90-1531 et seq.) and Site Development
7 Review approvals (HMC 90-1451) issued by the City of Hemet that are set to expire
8 between April 15, 2013 and December 31, 2013 are hereby extended for a period of
9 twenty-four (24) months from their current expiration dates. This ordinance granting an
10 automatic extension does not exempt any project from having to comply with state and
11 local building, fire, and health and safety codes in effect at the time of the building
12 permit issuance.

13
14 **SECTION 2: DECLARATION OF FACTS CONSTITUTING URGENCY.** The City has
15 received and processed numerous applications for extensions of land use approvals
16 since the economic downturn in 2008. Due to the length of this current recession, some
17 developers have had to request more than one extension for individual projects, and in
18 some cases may not be eligible for any further extensions of time under the City's
19 current ordinances. It is anticipated that the City will continue to receive applications for
20 extensions until the economy fully recovers. Reviewing and processing these requests
21 for time extensions consumes valuable staff time that could be used for more pressing
22 matters. By adopting this urgency ordinance, the City will free up valuable staff time
23 and ensure that developers whose project approvals are set to expire between April 15,
24 2013 and December 31, 2013 will not have to start the process all over again by
25 applying for a new project approval once the market recovers. The process of applying
26 for a new land use approval can be costly and time consuming, and places further

1 burdens on staff time and resources. Therefore, the City Council finds that this
2 ordinance is necessary for the immediate preservation of the public peace, health, and
3 safety, and declares that it shall take effect immediately upon its adoption as an urgency
4 ordinance.

5 **SECTION 3: CEQA.** The City has analyzed this proposed project and has determined
6 that it is exempt from the California Environmental Quality Act ("CEQA") under Section
7 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects
8 that have the potential for causing a significant effect on the environment. Where, as
9 here, it can be seen with certainty that there is no possibility that the activity in question
10 may have a significant effect on the environment, the activity is not subject to CEQA.
11 This ordinance is enacted for the immediate preservation of the public peace, health
12 and safety by extending the life of certain project approvals that have already
13 undergone CEQA review. There have been no changes to development standards of
14 environmental conditions since these projects were approved that would warrant
15 reconsideration of the environmental effects of the proposed projects. Therefore, it can
16 be seen with certainty that there is no possibility that this ordinance may have a
17 significant adverse effect on the environment, and therefore the adoption of this
18 ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA
19 Guidelines.

20
21 **SECTION 4: SEVERABILITY.**

22 If any section, subsection, subdivision, sentence, clause, phrase, or portion of
23 this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of
24 any court of competent jurisdiction, such decision shall not affect the validity of the
25 remaining portions of this Ordinance. The City Council hereby declares that it would
26 have adopted this Ordinance, and each section, subsection, subdivision, sentence,
27

1 clause, phrase, or portion thereof, irrespective of the fact that any one or more sections,
2 subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared
3 invalid or unconstitutional.

4 **SECTION 5: EFFECTIVE DATE.**

5 This Ordinance shall take effect immediately after its passage by the City Council
6 of the City of Hemet.

7 **SECTION 6: PUBLICATION.**

8 The City Clerk is authorized and directed to cause this Ordinance to be published
9 within fifteen (15) days after its passage in a newspaper of general circulation and
10 circulated within the City in accordance with Government Code Section 36933(a) or, to
11 cause this Ordinance to be published in the manner required by law using the
12 alternative summary and posting procedure authorized under Government Code
13 Section 39633(c).

14 **PASSED, APPROVED AND ADOPTED** this __ day of _____, 2013.

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Robert Youssef, Mayor

ATTEST:

APPROVED AS TO FORM:

Sarah McComas, City Clerk

Eric S. Vail, City Attorney

1 State of California)
County of Riverside)
2 City of Hemet)

3 I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the
4 foregoing Urgency Ordinance was passed, approved and adopted on the __ day of
5 _____, 2013, by the following vote:

7 **AYES:**

8 **NOES:**

9 **ABSTAIN:**

10 **ABSENT:**

12 _____
Sarah McComas, City Clerk

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Attachment No. 2

City Council
Ordinance Bill No. 13-010

Planning Commission
Alternative Ordinance
For MCA 13-002



**CITY OF HEMET
Hemet, California**

ORDINANCE BILL NO. 13-010

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF HEMET, CALIFORNIA, ALLOWING FOR
ADDITIONAL EXTENSIONS OF TIME FOR EXISTING
CONDITIONAL USE PERMITS AND SITE DEVELOPMENT
REVIEW APPROVALS SET TO EXPIRE BETWEEN APRIL
15, 2013 AND APRIL 15, 2014.**

WHEREAS, the severe decline in the real estate and development markets, has resulted in a high volume of requests for extensions and unfavorable conditions for the commencement of approved projects; and,

WHEREAS, if extensions are not granted to developers whose project approvals are set to expire, those developers will be forced to start the process over once the market recovers, which will result in the unnecessary consumption of even further staff time and resources; and,

WHEREAS, the City Council previously approved Ordinance No. 1815, which extended the life of all Conditional Use Permits, Administrative Use Permits, Site Development Review approvals, Zoning Adjustments and Planning Director Review approvals issued by the City that were set to expire between April 1, 2009 and December 31, 2009, for a period of twenty-four months from their then-current expiration date; and,

WHEREAS, Government Code section 36937 authorizes ordinances to take effect immediately if they are for the immediate preservation of the public peace, health

**CITY OF HEMET ORDINANCE BILL NO. 13-010
EXTENSIONS OF TIME FOR LAND USE APPROVALS**

1 or safety, contain a declaration of the facts constituting the urgency, and are passed by
2 a four-fifths vote of the city council.

3 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET DOES**
4 **HEREBY ORDAIN AS FOLLOWS:**

5 **SECTION 1: EXTENSION OF CERTAIN LAND USE APPROVALS.** The holder of any
6 Conditional Use Permit (HMC 90-42 et seq. and HMC 90-1531 et seq.) and Site
7 Development Review approval (HMC 90-1451) issued by the City of Hemet that are set
8 to expire between April 15, 2013 and April 15, 2014 may apply for up to a 24-month
9 extension of such Conditional Use Permit and/or Site Development Review Approval by
10 submitting a written application to the Community Development Director on forms
11 approved by the Director. The filing of an Extension of Time under this section shall be
12 allowed in addition to any other extensions granted previously or currently available
13 under the City's zoning code procedures. The filing of a completed extension application
14 under this section shall immediately stay the expiration of the Conditional Use Permit or
15 Site Development Review Approval that are the subject of the application. Applications
16 submitted under this section shall be subject to review and approval by the Planning
17 Commission. This ordinance does not exempt any project from having to comply with
18 state and local building, fire, and health and safety codes in effect at the time of the
19 building permit issuance.

20
21 **SECTION 2: DECLARATION OF FACTS CONSTITUTING URGENCY.** The City has
22 received and processed numerous applications for extensions of land use approvals
23 since the economic downturn in 2008. Due to the length of this current recession, some
24 developers have had to request more than one extension for individual projects, and in
25 some cases may not be eligible for any further extensions of time under the City's
26 current ordinances. It is anticipated that the City will continue to receive applications for

1 extensions until the economy fully recovers. Reviewing and processing these requests
2 for time extensions consumes valuable staff time that could be used for more pressing
3 matters. By adopting this urgency ordinance, the City will free up valuable staff time
4 and ensure that developers whose project approvals are set to expire between April 15,
5 2013 and April 15, 2014 will not have to start the process all over again by applying for
6 a new project approval once the market recovers. The process of applying for a new
7 land use approval can be costly and time consuming, and places further burdens on
8 staff time and resources. Therefore, the City Council finds that this ordinance is
9 necessary for the immediate preservation of the public peace, health, and safety, and
10 declares that it shall take effect immediately upon its adoption as an urgency ordinance.

11 **SECTION 3: CEQA.** The City has analyzed this proposed project and has determined
12 that it is exempt from the California Environmental Quality Act ("CEQA") under Section
13 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects
14 that have the potential for causing a significant effect on the environment. Where, as
15 here, it can be seen with certainty that there is no possibility that the activity in question
16 may have a significant effect on the environment, the activity is not subject to CEQA.
17 This ordinance is enacted for the immediate preservation of the public peace, health
18 and safety by extending the life of certain project approvals that have already
19 undergone CEQA review. There have been no changes to development standards of
20 environmental conditions since these projects were approved that would warrant
21 reconsideration of the environmental effects of the proposed projects. Therefore, it can
22 be seen with certainty that there is no possibility that this ordinance may have a
23 significant adverse effect on the environment, and therefore the adoption of this
24 ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA
25 Guidelines.
26

1 **SECTION 4: SEVERABILITY.**

2 If any section, subsection, subdivision, sentence, clause, phrase, or portion of
3 this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of
4 any court of competent jurisdiction, such decision shall not affect the validity of the
5 remaining portions of this Ordinance. The City Council hereby declares that it would
6 have adopted this Ordinance, and each section, subsection, subdivision, sentence,
7 clause, phrase, or portion thereof, irrespective of the fact that any one or more sections,
8 subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared
9 invalid or unconstitutional.

10 **SECTION 5: EFFECTIVE DATE.**

11 This Ordinance shall take effect immediately after its passage by the City Council
12 of the City of Hemet.

13 **SECTION 6: PUBLICATION.**

14 The City Clerk is authorized and directed to cause this Ordinance to be published
15 within fifteen (15) days after its passage in a newspaper of general circulation and
16 circulated within the City in accordance with Government Code Section 36933(a) or, to
17 cause this Ordinance to be published in the manner required by law using the
18 alternative summary and posting procedure authorized under Government Code
19 Section 39633(c).

20 **PASSED, APPROVED AND ADOPTED** this ___ day of _____, 2013.

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Robert Youssef, Mayor

ATTEST:

APPROVED AS TO FORM:

Sarah McComas, City Clerk

Eric S. Vail, City Attorney

1 State of California)
County of Riverside)
2 City of Hemet)

3 I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the
4 foregoing Urgency Ordinance was passed, approved and adopted on the ___ day of
5 _____, 2013, by the following vote:
6

7 **AYES:**

8 **NOES:**

9 **ABSTAIN:**

10 **ABSENT:**

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12 _____
Sarah McComas, City Clerk

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Attachment No. 3

Letters from
Property Owners
And Developers

SAN ANTONIO
W I N E R Y

RECEIVED

MAR 19 2013

PLANNING DEPT

March 15, 2013

ATTN: Planning Department
City of Hemet
445 E. Florida Ave
Hemet, CA 92544

**RE: Cawston Plaza, Conditional Use Permit No. 07-026
Time Extension Resolution No. 10-007**

Dear Planning Department:

My family and I are requesting a two (2) year extension for the above-identified project. Cawston Plaza is a multi-tenant complex located at the intersection of Florida Avenue and Cawston Avenue.

We have been negotiating with wonderful tenants the last 12 months, including a bank and a restaurant. Unfortunately, both parties would prefer to negotiate this project in 2014 due to the market conditions and the weak economy. Additionally, as you may know, most banks will not lend for new construction unless you have signed leases in place.

Our family feels that the mix required in this complex would need to include national as well as local tenants. The local tenants have been our biggest issue and reaching out to those who are looking for expansion within the Hemet market, in conjunction with the space currently available for lease along Florida Avenue.

Not to mention, that even if we were to begin the construction documentation process the first of April, we would most likely not break ground until the first of January 2014. As you know, time is needed for CDs, plan check, tenant review, bidding, contractor mobilization, and governmental clearances, including Cal-Trans. All of this extends beyond the November 2013 date of the current extension.

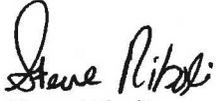
We respectfully request additional time on our existing approved conditional use application. Many years and countless meetings and expenses were necessary to reach the project that we have on paper today. I look forward to speaking at the meeting April 9th hearing in order to explain our position to the members of the City Council.

I can be reached at any time at steve.riboli@sanantoniowinery.com or at my direct line (323) 330-8724.

SAN ANTONIO

W I N E R Y

Respectfully submitted,



Steve Riboli

Vice President

San Antonio Winery/S.R. Partners, LLC

RIBOLI FAMILY VINEYARD • SANTO STEFANO • ALIENTO DEL SOL
MADDALENA VINEYARD • SAN SIMEON • SAN ANTONIO • LA QUINTA • KINDERWOOD

DON McCOY CORPORATION

April 2, 2013

City of Hemet
City Council
445 E. Florida Avenue
Hemet, CA 92543

Re: Hemet Auto Mall Property
Subject: Automatic 2 Year Extension of Time for Conditional Use Permits

City Council Members:

A brief history of how John Peterson became involved in the Hemet Auto Mall project. John bought the property on the advice of his father-in-law Chappie Creech who owned a bar in town by the name of Chappies. There was 80 acres for sale and John put the down payment down and asked for a long escrow while he put some partners together and closed the deal. Later Mr. Gosch bought 60 acres and started the Hemet Auto Mall. John kept 15 acres and has owned it for 45 years. About 10 years ago Don McCoy & John Peterson became partners to develop the remaining property. As you can see, we are long time property owners in the City of Hemet and strive to see future development occur that will benefit the City and community.

We were very anxious to have an Auto Mall development and hired James W. Unland & Associates to help us through the approval process. We needed to import dirt and obtained a grading permit in October 2005. Enclosed are a few pictures which show the recompaction of existing soil and importing enough dirt to achieve proper drainage. During that same period we started on the design of our Auto Mall development. The project was scrutinized at over half a dozen public meetings. Here is a list of the meetings with the Planning Commission and the City Council for the project:

11/14/07 Planning Commission Work Study
06/03/08 Planning Commission Meeting
07/01/08 Planning Commission Meeting
09/02/08 Planning Commission Meeting

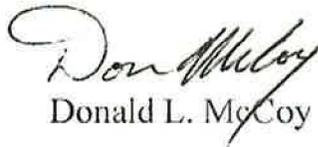
Grading Contractors
Phone (949) 492-0063 Lic. A 703480 Fax (949) 459-9188
P.O. BOX 4020 ■ DANA POINT ■ CALIFORNIA 92629-9020

DON McCOY CORPORATION

09/16/08 Planning Commission Meeting
11/12/08 City Council Meeting
11/25/08 City Council Meeting

We were very pleased to receive City Council approval of the project. We have spent close to \$500,000 on consultants, civil engineers, soils engineers, architects, grading of the site, permits and fees. Unfortunately, we have spent all this time and effort to take part in one of the great economy down turns in our memory. Timing is everything and we believe the economy is starting to recover. We are asking for the Hemet City Council to support the automatic two year extension that is before you. We feel that a two year extension will provide us with adequate time to complete our project. Thank you for your consideration.

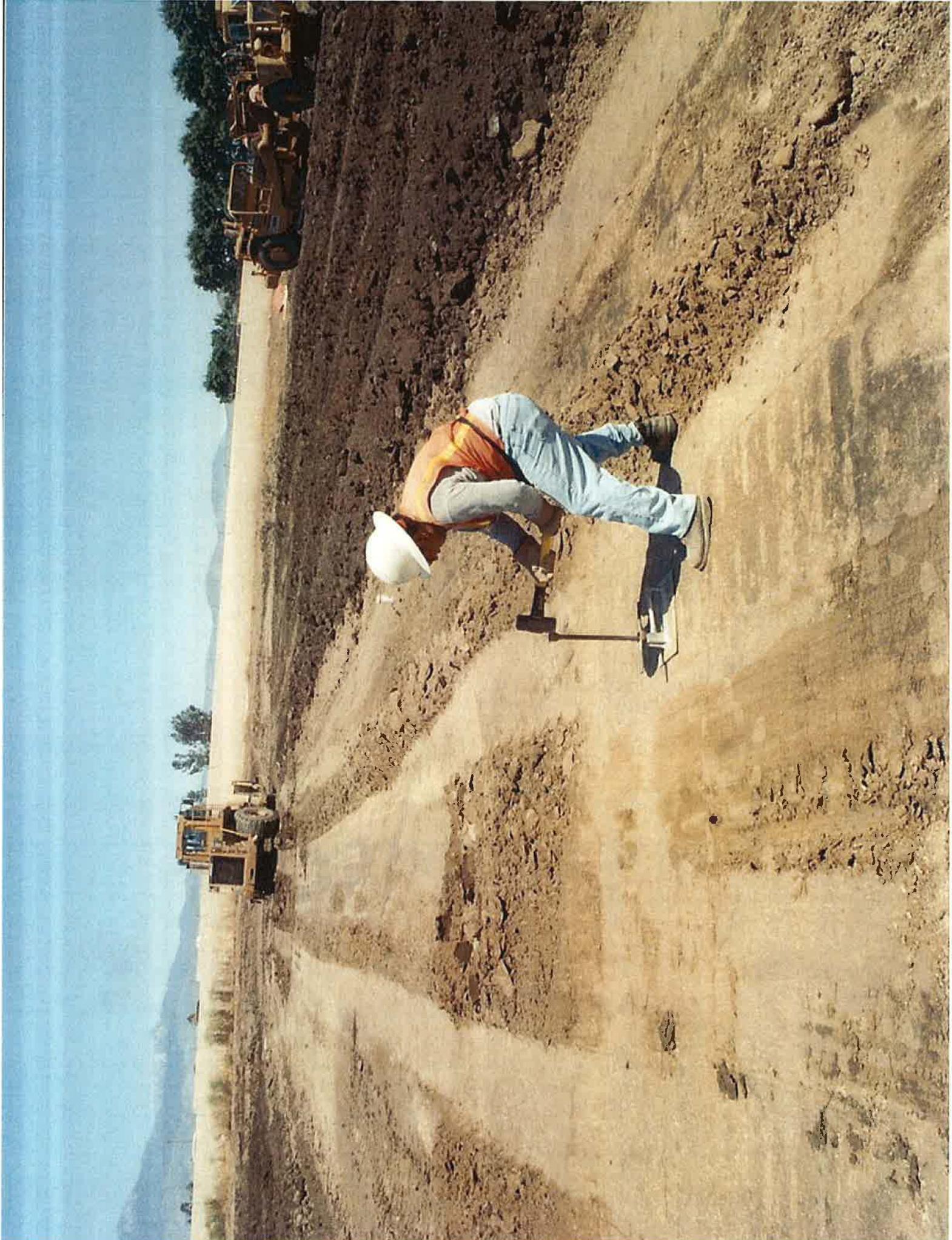
Yours truly,


Donald L. McCoy

Attachments: Grading Photographs











Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Ronald Bradley, Interim City Manager *RJB*
Deanna Elliano, Community Development Director *DE*

DATE: April 9, 2013

RE: **ZONING ORDINANCE AMENDMENT NO. 13-003 (Homemade Food Operator Regulations)**

A request for City Council review and approval of Zoning Ordinance Amendment No. 13-003 adding a new Section 90-100 regulating Homemade Food Operators pursuant to Assembly Bill 1616, and a request to establish a new permit fee for Homemade Food Operator Permits.

RECOMMENDED ACTION:

The Planning Commission recommends that the City Council:

1. Introduce and read by title only, and waive further reading of **Ordinance Bill No. 13-003** amending Chapter 90, Article III of the Hemet Municipal Code regarding Homemade Food Operator Regulations; and,
2. Adopt **City Council Resolution Bill No.13-004**, establishing a new permit fee for Homemade Food Operators; and
3. Direct staff to file a Notice of Exemption with the County Clerk in compliance with the California Environmental Quality Act.

BACKGROUND:

State Assembly Bill 1616 (AB 1616), "The California Homemade Food Act," was introduced to the legislature by Assemblyman Mike Gatto (D-Los Angeles) on February 8, 2012 and signed into law by Governor Brown on September 21, 2012. The law became effective on January 1, 2013. The goal of Assembly Bill 1616 (AB 1616) is to remove impediments for start-up, home-based food businesses and allow them to establish a client base without having to invest thousands of dollars into a traditional brick and mortar business and equipment. The second purpose is to place Health Department regulations and requirements on Homemade Food Operators who engage in the sale of homemade food products to protect the public from unsafe food handling practices.

A "cottage food" or "homemade food" operation, per AB1616, is a food preparation business operated out of a person's residence that does not have more than one employee (excluding family members), prepares only non-perishable foods, and has specified limits on the dollar value of annual gross sales. Food preparation and packaging takes place in the home kitchen and the appearance and activity of the residence must still be in accordance with that of a single-family home.

AB 1616 is a State mandated local program that expressly states that a city or county shall not prohibit “cottage food” or “homemade food” operations in any residential dwelling. Under AB 1616, cities have the choice to allow Homemade Food Operators “by right”, or may require a non-discretionary permit which exercises local zoning controls subject only to the following criteria:

1. Spacing and Concentration;
2. Traffic Control;
3. Parking; and
4. Noise Control.

The City’s role is limited to the enforcement of our zoning standards for these operations as noted on Page 3 of this report and in Section 90-100(i) of the proposed ordinance (Attachment No. 1.) The actual oversight and enforcement of the food handling and health and safety considerations of the homemade food operator is the responsibility of the Riverside County Health Department. The County recently adopted Ordinance No. 916 setting forth the Health Department’s operational standards for these cottage food operators. The County ordinance is included Attachment No. 5 for your reference.

The City’s proposed process, in conjunction with the Riverside County Environmental Health Department requirements, will ensure that homemade food operations within the City are being conducted in a safe and non-intrusive manner, consistent with the provisions of AB 1616.

The Planning Commission, in adopting Planning Commission Resolution No. 13-002, believes the proposed Ordinance, in combination with the provisions of AB 1616 and Riverside County Health Department regulations meets the State requirements and provides as much oversight and protection to public health as allowable under AB 1616.

ORDINANCE DESCRIPTION:

Cottage foods are currently defined under AB 1616 as non-potentially hazardous foods that do not require refrigeration to prevent bacteria growth. The types of food items currently identified under AB 1616 as cottage foods include the following:

1. Baked goods without cream, custard, or meat fillings, such as breads, biscuits, churros, cookies, pastries, and tortillas.
2. Candy, such as brittle and toffee.
3. Chocolate-covered nonperishable foods, such as nuts and dried fruit.
4. Dried fruit.
5. Dried pasta.
6. Dry baking mixes.
7. Fruit pies, fruit empanadas, and fruit tamales.
8. Granola, cereals, and trail mixes.
9. Herb blends and dried mole paste.
10. Honey and sweet sorghum syrup.
11. Jams, jellies, preserves, and fruit butter that comply with the standard described in Part 150 of Title 21 of the Code of Federal Regulations.
12. Nut mixes and nut butters.
13. Popcorn.
14. Vinegar and mustard.
15. Roasted coffee and dried tea.
16. Waffle cones and pizelles.

Under AB 1616, the local Health Department (Riverside County Department of Environment Health) may add to the list of cottage foods and shall maintain the list on its website.

The proposed Ordinance establishes performance standards and operational criteria as set forth below. The complete text of the proposed ordinance is included as Attachment No. 1A to this staff report.

The proposed Ordinance accomplishes the following:

1. Adopts by reference and implements all provisions under AB 1616, including the establishment of authority and purpose.
2. Sets forth definitions pursuant to Section 90-100.(c) for: Cottage Food Operation or Homemade Food Operation, Cottage Food Operator or Homemade Food Operator, Cottage Food Product or Homemade Food Product, Health Department, Private Home, and Registered or Permitted Area.
3. Requires a non-discretionary Homemade Food Operator Permit (HFOP) and City issued Business License, including annual renewal fees, and places a limitation of one active Homemade Food Operation per unit.
4. Specifies that Homemade Food Operations shall only be permitted in the primary residence or private home, and such uses are prohibited in accessory structures.
5. Sets forth conditions and operational standards to safeguard the public to the extent allowed under AB 1616, the existing City of Hemet Municipal Code and this section, and to ensure the City properly exercises its police powers with respect to the zone in which the use is permitted, as follows:
 - (a) *A homemade food operation shall comply with all permitting and licensing requirements of the Health Department and shall obtain certification from the Health Department prior to, or within 14 days of the issuance of a homemade food operator permit.*
 - (b) *Signs or advertising shall not be displayed on the premises except for signage permitted under Section 90-1250(2) of the Hemet Municipal Code.*
 - (c) *The homemade food operation shall not have more than one full-time equivalent employee, not including a family member or household member of the homemade food operator, within the registered or permitted area of a private home where the homemade food operator resides and where homemade food products are prepared and packaged.*
 - (d) *The homemade food operation, including the storage of inventory, supplies, and equipment, shall be conducted wholly within the registered or permitted area of a private home.*
 - (e) *Display(s) or sales activity of any kind shall not be visible from the exterior of the premises.*
 - (f) *On-site direct sales of homemade food products are permissible only between the hours of 8:00 a.m. and 6:00 p.m., Monday through Sunday. There cannot be more than two homemade food product customers on the premises of a homemade food operation at any single time. All sales shall be conducted indoors.*

- (g) Homemade food operators may load cottage food products into a vehicle outside of an enclosed garage only between the hours of 8:00 a.m. and 6:00 p.m., Monday through Sunday. Vehicles shall not idle while being loaded with homemade food products.*
- (h) A maximum of one vehicle not larger than 10,000 pounds gross vehicle weight rating, used in conjunction with a homemade food operation, shall be parked on the driveway or in a garage space of the homemade food operation site. No commercial vehicle owned, leased, or otherwise operated for the specific use of the homemade food operator shall be parked in the street.*
- (i) A homemade food operation shall comply with all applicable noise regulations for the zone in which it is located.*

The Planning Commission has recommended adoption of the proposed Ordinance to comply with the provisions of AB 1616 and to further ensure the safety and quality of life for Hemet's citizens by adopting requirements to the extent permitted under AB 1616 in exercising local control and regulation of Homemade Food Operators.

PERMIT PROCESS AND ENFORCEMENT:

Upon submittal of a completed Homemade Food Operator Permit Application and payment of the appropriate fee, City staff will review and verify the provided information, and then issue the permit in addition to a City Business License. The suggested fee to obtain a Homemade Food Operator Permit is \$75.00 for the initial approval as indicated in the Resolution, included as Attachment No. 2. Upon City approval, a copy of the Homemade Food Operator Permit will be given to the Applicant, one copy will be kept by the Planning Division for its records, and one copy will be forwarded to the Riverside County Health Department. The Applicant is then required to obtain a permit to operate from the Health Department.

Permitted Homemade Food Operators will also be subject to an annual renewal process. The annual renewal fee is intended to recover staff time to follow up with the health department to verify that the Homemade Food Operator continues to operate at the location, has maintained a valid operating permit with the County Department of Environmental Health, and remains in compliance with all Health Department and City zoning requirements for the zone in which the homemade food operation is located. If no known violations have occurred, City staff will renew the license. If zoning violations have occurred and continue to occur, then City staff may withhold renewal of the permit until the violation has been corrected. In addition to withholding a permit renewal, section 90-100(i) of the draft Ordinance cites administrative and progressive remedies when Homemade Food Operators are found to be in violation of the Municipal Code.

COORDINATION & REVIEW:

A Planning Commission Work Study was held on January 15, 2013, at which time the Commission was in agreement that the City should exercise local control over Homemade Food Operators, as allowed under AB 1616 through the issuance of a non-discretionary permit.

An advertised public hearing was held on February 5, 2013, before the Planning Commission and subsequently continued to March 5, 2013, to ensure that all proposed provisions were in compliance with State law. The Commission requested additional information on the proposed

fee structure for Homemade Food Operator Permits, and suggested that enforcement provisions be added to the draft Ordinance in lieu of incorporating such provisions by reference.

Staff has worked with the City Attorney to revise the proposed Ordinance to include the information requested by the Planning Commission at its March 5, 2013 meeting and presented a revised final draft to the Commission on March 19, 2013. The proposed Ordinance is in compliance with State law, provides operational standards and conditions to reduce potential impacts to residential neighborhoods, and provides City staff with a mechanism to revoke a homemade food operator permit if circumstances warrant such action, and includes enforcement provisions. After reviewing the final draft Ordinance Bill No. 13-003, on March 19, 2013, the Planning Commission unanimously recommended that the City Council adopt Ordinance Bill No. 13-003, adopting Homemade Food Operator regulations.

No other public comments have been received regarding the draft ordinance.

CONSISTENCY WITH ADOPTED GOALS, PLANS, AND PROGRAMS:

The proposed Zoning Ordinance Amendment is in conformance with the adopted 2030 General Plan Land Use Policy LU-15.9 to encourage a mix of food establishments and reduce barriers to the production and distribution of locally grown food.

The Zoning Ordinance Amendment implements a State mandated program requiring cities to allow residents to use their private home kitchen to prepare and sell homemade food products. The law provides for certification through the Riverside County Department of Environmental Health and the proposed Ordinance creates a regulatory framework and zoning requirements to ensure that homemade food operations do not disturb the peace and quiet customarily associated with the residential neighborhood in which the use is located.

FISCAL IMPACT:

No direct fiscal impacts are anticipated resulting from the adoption of the proposed Ordinance. Fees for issuance of a Homemade Food Operator Permit per the companion Resolution Bill No. 13-004 (Attachment No. 2), are designed to recover the staff time for processing and issuing a permit.

Respectfully submitted,



Deanna Elliano
Community Development Director

Attachment(s):

1. Proposed City Council Ordinance Bill No. 13-003, Homemade Food Operator Regulations
2. City Council Resolution Bill No. 13-004 Homemade Food Operator Permit Fee
3. Homemade Food Operator Permit Form
4. Planning Commission Resolution No. 13-002 recommending City Council adoption of Ordinance Bill No. 13-003
5. Riverside County Environmental Health Ordinance No. 916

**Attachment
No. 1
City Council
Ordinance Bill No.
13-003**

**City Council
April 9, 2013**



**CITY OF HEMET
Hemet, California
ORDINANCE BILL NO. 13-003**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ADDING SECTION 90-100 REGULATING HOMEMADE FOOD OPERATORS PURSUANT TO ASSEMBLY BILL 1616, WITH CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15061.

WHEREAS, on September 21, 2012, Governor Brown signed Assembly Bill 1616 (AB 1616), which allows and regulates home-based food production, commonly known as "cottage food operations"; and

WHEREAS, AB 1616 became effective on January 1, 2013; and

WHEREAS, AB 1616 exempts cottage food operations from many of the regulations that apply to traditional food production, requires cottage food operators to obtain nondiscretionary approvals from the local county health department, and requires cities and counties to allow cottage food operations in residential dwellings; and

WHEREAS, AB 1616 requires cities and counties to either classify a cottage food operation as a permitted residential use or require cottage food operators to obtain a nondiscretionary permit, which the city or county must grant if the cottage food operation complies with local ordinances that impose "reasonable" standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control; and

WHEREAS, the City of Hemet desires to exercise local control over cottage food operators to the extent allowed under AB 1616; and

1 **WHEREAS**, the Hemet Planning Commission conducted a work-study at its
2 January 15, 2013, meeting on the regulation of cottage food operators and provided
3 direction to staff regarding how to amend the City's Zoning Code to address
4 implementing the provision of AB 1616 and coordination with Riverside County
5 Department of Environmental Health; and,

6 **WHEREAS**, on March 5, 2013, the Planning Commission was presented with a
7 draft of this Ordinance Bill 13-003 regulating homemade food operators and, after
8 conducting a duly noticed public hearing, moved and approved a motion to continue
9 discussion of the item; and

10
11 **WHEREAS**, on March 19, 2013 the Planning Commission was presented with a
12 revised draft of this Ordinance Bill No. 13-003 regulating homemade food operators,
13 and after conducting a duly noticed public hearing, voted to recommend that the City
14 Council approve Ordinance Bill 13-003; and

15
16 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET DOES HEREBY**
17 **ORDAIN AS FOLLOWS:**

18
19 **SECTION 1: ADDITION OF SECTION 90-100.**

20 A new Section 90-100 is added to the Hemet Municipal Code, and shall read as
21 shown in Exhibit "A" hereto.

22 **SECTION 2: CEQA FINDINGS.**

23 This Ordinance is exempt from the California Environmental Quality Act
24 ("CEQA") under CEQA Guidelines 5006(c)(2) because the activity will not result in a
25 direct or reasonably foreseeable indirect physical change in the environment and
26
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1 15061(b)(3) because it can be said with certainty that there is no possibility the
2 proposed Ordinance may have a significant effect on the environment.

3 **SECTION 3: SEVERABILITY.**

4 If any section, subsection, subdivision, sentence, clause, phrase, or portion of
5 this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of
6 any court of competent jurisdiction, such decision shall not affect the validity of the
7 remaining portions of this Ordinance. The City Council hereby declares that it would
8 have adopted this Ordinance, and each section, subsection, subdivision, sentence,
9 clause, phrase, or portion thereof, irrespective of the fact that any one or more sections,
10 subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared
11 invalid or unconstitutional.

12 **SECTION 4: EFFECTIVE DATE.**

13 This Ordinance shall take effect thirty (30) days from its passage by the City
14 Council of the City of Hemet.

15 **SECTION 5: PUBLICATION.**

16 The City Clerk is authorized and directed to cause this Ordinance to be published
17 within fifteen (15) days after its passage in a newspaper of general circulation and
18 circulated within the City in accordance with Government Code Section 36933(a) or, to
19 cause this Ordinance to be published in the manner required by law using the
20 alternative summary and pasting procedure authorized under Government Code
21 Section 39633(c).

22
23 **INTRODUCED** at the regular meeting of the Hemet City Council on _____ 2013.

24
25 **APPROVED AND ADOPTED** this ____ day of _____ 2013.

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Robert Youssef, Mayor

ATTEST:

APPROVED AS TO FORM:

Sarah McComas, City Clerk

Eric S. Vail, City Attorney

1 State of California)
2 County of Riverside)
3 City of Hemet)

4 I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the
5 foregoing Ordinance was introduced and first read on the ___ day of _____ 2013,
6 and had its second reading at the regular meeting of the Hemet City Council on the ___
7 day of _____, 2013, and was passed by the following vote:

8 **AYES:**

9 **NOES:**

10 **ABSTAIN:**

11 **ABSENT:**

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13 _____
14 Sarah McComas, City Clerk

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EXHIBIT "A"

Sec. 90-100. – Homemade Food Operator Permit.

(a) *Purpose*

Pursuant to Government Code section 51035(a), the city must allow cottage food operations in residential dwellings, but can impose reasonable standards on cottage food operations to minimize potential effects on surrounding residences. The purpose of this section is to establish reasonable standards for cottage food operations as allowed by state law.

(b) *Definitions.*

The following definitions shall apply unless subsequently amended under the Health and Safety Code of the State of California

(1) "Cottage food operation" or "homemade food operation" means an enterprise that is operated by a cottage food operator, and has not more than one full-time equivalent cottage food employee, not including a family member or household member of the cottage food operator, within the registered or permitted area of a private home where the cottage food operator resides and where cottage food products are prepared or packaged for direct, indirect, or direct and indirect sale to consumers. A cottage food operation includes both of the following:

(a) A "Class A" or "Direct Sales" cottage food operation, is a cottage food operation that may engage only in direct sales of cottage food products from the cottage food operation or other direct sales venues described in paragraph (4) of subdivision (b) of section 113758 of the California Health and Safety Code.

(b) A "Class B" or "Indirect Sales" cottage food operation, is a cottage food operation that may engage in both direct sales and indirect sales of cottage food products from the cottage food operation, from direct sales venues described in paragraph (4) of subdivision (b), from offsite events, or from a third-party retail food facility described in paragraph (5) of subdivision (b) of section 113758 of the California Health and Safety Code.

(2) "Cottage food operator" or "homemade food operator" means an individual who operates a cottage food operation in his or her private home and is the owner of the cottage food operation.

(3) "Cottage food product" or "homemade food product" means non-perishable foods not requiring refrigeration, including foods that are identified by the Health Department as cottage foods, and that are prepared for sale in the kitchen of a cottage food operation.

- (4) "Health Department" shall mean the Riverside County Department of Environmental Health.
- (5) "Private home" means a dwelling, including an apartment or other leased space, where individuals reside.
- (6) "Registered or permitted area" means the portion of a private home that contains the private home's kitchen used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, and attached rooms within the home that are used exclusively for storage.

(c) *Permit and Business License required.*

An individual may conduct a homemade food operation in a private home provided he/she obtains a business license in conformance with Chapter 18 of the Hemet Municipal Code and a homemade food operator permit from the Director. If a business license for a homemade food operator is not renewed, the homemade food operator permit shall automatically expire with the business license. A fee for the processing of a homemade food operator permit may be established from time to time by resolution of the City Council.

(d) *Application for Permit*

Applications for homemade food operator permits must be submitted to the Director on a form prescribed by the city. The application shall include the following information and documentation:

(1) The name, address, telephone number, and e-mail address of the proposed homemade food operator and description of the property on which the homemade food operation is to be located, including the registered or permitted area of the homemade food operation. The proposed homemade food operator must reside at the site of the homemade food operation.

(2) A statement of whether the proposed homemade food operator owns the property on which the homemade food operation is to be located or is a tenant or lessee at the property. If the proposed homemade food operator is not an owner of the property, the application must include the property owner's written consent to the application and the proposed homemade food operation.

(3) A description of the homemade food products to be produced by the proposed homemade food operation, all of which must be consistent with the list of approved cottage food products posted on the Health Department website which may be amended from time to time.

(4) A statement of whether the proposed homemade food operation will involve direct sales and/or indirect sales, as those terms are defined by this chapter, and whether

there will be direct sales to customers at the site of the proposed homemade food operation.

(e) *Issuance of Permit*

Upon receipt of a completed homemade food operator permit application, applicable fee, and confirmation that the application contains truthful information and the applicant has or will comply with the requirements of this section, the Director shall issue a homemade food operator permit subject to the standards and conditions set forth in subsection (i) of this section. The applicant must agree in writing to comply with such standards and conditions. The homemade food operator permit is non-transferable and shall be valid for one year upon issuance. In order to renew a homemade food operator permit, a homemade food operator must submit a completed application on a City-approved form to the Director. The renewal application must be submitted no later than thirty days prior to the expiration date of the existing homemade food operator permit.

(f) *Coordination with Health Department*

Upon approval of a City-issued homemade food operator permit, the city shall provide a copy of the homemade food operator permit to the Health Department via USPS First Class mail, facsimile, email, or other method prescribed by the Health Department within 14 days of the issuance of the permit.

(g) *Annual Renewal Fee Required*

An annual fee for the renewal of a homemade food operator permit shall be established by resolution of the City Council. The purpose of the renewal fee is to recover the cost of staff time to confirm the applicant's compliance with permitting and licensing requirements of the Health Department and to determine whether or not the operator remains in compliance with city standards for the zone in which the homemade food operation is located.

(h) *Limitations on Homemade Food Operation Permit*

A maximum of one homemade food operation permit shall be deemed active and approved at any time for each private home. If more than one permit has been issued for the same private home, only the most recently approved application shall be deemed to be active. All other prior applications shall be deemed void. Such limitation shall not preclude a resident from also obtaining a Home Occupation Permit pursuant to Section 90-72, for a non-food related home-based business.

(i) *Conditions*

The following conditions shall be observed at all times by the holder of a homemade food operator permit:

- (1) A homemade food operation shall comply with all permitting and licensing requirements of the Health Department and shall obtain certification from the Health Department prior to, or within 14 days of the issuance of a homemade food operator permit.
 - (2) Signs or advertising shall not be displayed on the premises except for signage permitted under Section 90-1250(2) of the Hemet Municipal Code.
 - (3) The homemade food operation shall not have more than one full-time equivalent employee, not including a family member or household member of the homemade food operator, within the registered or permitted area of a private home where the homemade food operator resides and where homemade food products are prepared and packaged.
 - (4) The homemade food operation, including the storage of inventory, supplies, and equipment, shall be conducted wholly within the registered or permitted area of a private home.
 - (5) Display(s) or sales activity of any kind shall not be visible from the exterior of the premises.
 - (6) On-site direct sales of homemade food products are permissible only between the hours of 8:00 a.m. and 6:00 p.m., Monday through Sunday. There cannot be more than two homemade food product customers on the premises of a homemade food operation at any single time. All sales shall be conducted indoors.
 - (7) Homemade food operators may load cottage food products into a vehicle outside of an enclosed garage only between the hours of 8:00 a.m. and 6:00 p.m., Monday through Sunday. Vehicles shall not idle while being loaded with homemade food products.
 - (8) A maximum of one vehicle not larger than 10,000 pounds gross vehicle weight rating, used in conjunction with a homemade food operation, shall be parked on the driveway or in a garage space of the homemade food operation site. No commercial vehicle owned, leased, or otherwise operated for the specific use of the homemade food operator shall be parked in the street.
 - (9) A homemade food operation shall comply with all applicable noise regulations for the zone in which it is located.
- (j) *Grounds for revocation of permit.* Any homemade food operator permit may be revoked by the Director upon violation of any requirements of this chapter, upon notification by the Health Department that the Class A or the Class B permit has been revoked, or upon failure to comply with any of the conditions or limitations of the permit, unless such violation is corrected within three days of the giving of written notice thereof. A permit may be revoked for repeated violation of the requirements of this chapter, notwithstanding further notice.

(k) *Appeal revocation of permit.* A decision of the Director may be appealed to the Planning Commission as prescribed in Section 90-43.6 of the Hemet Municipal Code.

(l) *Enforcement.* Every person who violates any provision of this section shall be guilty of a misdemeanor and shall be subject to the penalties as set forth in section 1-8. Each day that such violation exists shall be deemed a new and separate offense. Neither the arrest, prosecution, conviction, imprisonment, or payment of any fine for the violation of this section shall satisfy or diminish the authority of the city to institute administrative or civil actions seeking enforcement of any or all of the provisions of this section.

Attachment No. 2

Proposed City Council
Resolution Bill No. 13-004
(Homemade Food Operator
Permit Fees)

City Council
April 9, 2013



CITY OF HEMET
Hemet, California

RESOLUTION BILL NO. 13-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF HEMET, CALIFORNIA AMENDING THE FEE
SCHEDULE TO INCLUDE A PERMIT FEE REGARDING
THE REGULATION OF HOMEMADE FOOD OPERATORS
PURSUANT TO ADOPTION OF ZONING ORDINANCE
AMENDMENT NO. 13-003

WHEREAS, on September 21, 2012, Governor Brown signed Assembly Bill 1616 (AB 1616), which allows and regulates home-based food production, commonly known as “cottage food operations”; and

WHEREAS, AB 1616 became effective on January 1, 2013; and

WHEREAS, AB 1616 exempts cottage food operations from many of the regulations that apply to traditional food production, requires cottage food operators to obtain nondiscretionary approvals from the local county health department, and requires cities and counties to allow cottage food operations in residential dwellings; and

WHEREAS, AB 1616 requires cities and counties to either classify a cottage food operation as a permitted residential use or require cottage food operators to obtain a nondiscretionary permit, which the city or county must grant if the cottage food operation complies with local ordinances that impose “reasonable” standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control; and

WHEREAS, the City of Hemet desires to exercise local control over cottage food operators to the extent allowed under AB 1616; and

1 **WHEREAS**, on March 5, 2013 the Planning Commission was presented with a
2 draft of Ordinance Bill No. 13-003 regulating homemade food operators and Resolution
3 Bill No. 13-004 recommending fees associated with the processing of homemade food
4 operator permits, and after conducting a duly noticed public hearing, moved and
5 approved a motion to continue discussion of the item; and
6

7 **WHEREAS**, on March 19, 2013 the Planning Commission was presented with a
8 revised draft of Ordinance Bill No. 13-003 regulating homemade food operators and
9 Resolution Bill No. 13-004 recommending fees associated with the processing of
10 homemade food operator permits, and after conducting a duly noticed public hearing,
11 voted to recommend that the City Council approve Ordinance Bill 13-003 and City
12 Council Resolution Bill No. 13-004; and

13 **WHEREAS**, on _____, 2013, the City Council held a duly noticed public
14 hearing on the proposed Ordinance Bill 13-003 and City Council Resolution Bill No. 13-
15 004, and considered all written and oral reports of staff and public testimony on the
16 matter, and such other matters as are reflected in the record.
17

18 **NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of
19 Hemet Does Resolve, Determine, Find and Order as follows:
20

21 **SECTION 1. FINDINGS.**

- 22 1. The proposed City Council Resolution Bill No. 13-004 establishing fees for
23 homemade food operator permits will not cause any internal inconsistencies in
24 the General Plan and will serve to implement the policies and programs
25 contained in AB 1616, Riverside County Environmental Health Ordinance No.
26 916, or Section 90-100 of the Hemet Municipal Code pursuant to the approval of
27 Ordinance Bill No. 10-003.
- 28 2. The proposed City Council Resolution Bill No. 13-004 establishing fees for
29 homemade food operator permits is exempt from review under the California
30 Environmental Quality Act (CEQA). The approval of a Homemade Food Operator
31 Permit is a non-discretionary action, or a "ministerial" permit this General Plan
32 Amendment is exempt from CEQA review per Section 15162 of the State
33 Guidelines for Implementing CEQA because the proposed text and map
34 revisions are consistent with the previously adopted Environmental Impact
35 Report for the Comprehensive General Plan Update that was certified by City
36 Council on January 24, 2012.
37

38 **SECTION 2. CITY COUNCIL ACTIONS.**

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40 Based on the foregoing findings, and on substantial evidence in the whole of the record,
41 the City Council does hereby resolve:
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1. The fee for a Homemade Food Operator Permit shall be \$75.00.
2. The fee for a Homemade Food Operator Permit Annual Renewal shall be \$35.00.
3. The \$75.00 initial permit fee is reasonable in light of the City's actual costs of providing the service of issuing homemade food operator permits. The estimated staff time involved to process a homemade food operator permit is approximately 80-90 minutes to take in the application, process payment, enter data into the CRW database, verify that the address qualifies as a homemade food operation, coordinate licensing with Riverside County Environmental Health, and issue the permit. The fully burdened cost for this staff time is approximately \$75.00.
4. The \$35.00 annual renewal fee is reasonable in light of the City's actual costs of providing the service of verifying compliance with permitting and licensing requirements of the Health Department and to determine whether or not the operator remains in compliance with city standards for the zone in which the homemade food operation is located. The estimated staff time involved to process the annual renewal for a homemade food operator permit is approximately 40-45 minutes and fully burdened cost for this staff time is approximately \$35.00.

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PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2013.

Robert Youssef, Mayor

ATTEST:

APPROVED AS TO FORM:

Sarah McComas, City Clerk

Eric S. Vail, City Attorney

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State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the 22nd day of May, 2012 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sarah McComas, City Clerk

Attachment No. 3

Proposed Homemade Food
Operator Permit

City Council
April 9, 2013



City of Hemet

Application No.:	_____
Fee:	_____
Date Received:	_____
Received By:	_____
Approval Date:	_____
Approved By:	_____
Date sent to RCEH:	_____

HOMEMADE FOOD OPERATOR PERMIT APPLICATION

(INCOMPLETE OR FAXED APPLICATIONS WILL NOT BE ACCEPTED)

COMMUNITY DEVELOPMENT DEPARTMENT - 445 E. FLORIDA AVENUE, HEMET, CA 92543 (951) 765-2375

Detailed Description Request (Food products to be prepared and where/how will they be sold, attach additional sheet(s) if needed): _____

Applicant Name: _____
(Last) (First)

Business Name: _____

Site Address _____
(Number) (Street) (City) (State) (Zip)

Phone: () _____ **Fax:** () _____ **email:** _____

This property is classified as a:

- Single-Family Home
- Mobile or Manufactured Home
- Multiple-Family Home (Condominium, Apartment)

This property is:

- Owner Occupied
- Tenant Occupied (Requires Property Owner/Property Manager Authorization)

The above named Applicant will obtain the following permit from the Riverside County Health Department within **14** days of the issuance of this permit, as a:

- Class A Homemade Food Operator (Direct Sales)
- Class B Homemade Food Operator (Direct and/or Indirect Sales)

This application is for an:

- Initial Approval
- Annual Renewal

I, the undersigned, hereby certify that all of the foregoing information is accurate and correct to the best of my knowledge, have read and agree to the attached conditions, and hereby apply for approval of the application requested.

(Signature of Applicant/Homemade Food Operator)

Property Owner Information (Required): _____

Address: _____
(Number) (Street) (City) (State) (Zip)

Phone: (____) _____ Fax: (____) _____ E-Mail: _____

(Signature of Property Owner or Property Manager)

Homemade Food Operator (HFO) Conditions

The following conditions shall be observed at all times by the holder of a homemade food operator permit:

- (1) A homemade food operation shall comply with all permitting and licensing requirements of the Health Department and shall obtain certification from the health department prior to, or within 14 days of the issuance of a Homemade Food Operator Permit.
- (2) Signs or advertising shall not be displayed on the premises except for signage permitted under Section 90-1250(2) of the Hemet Municipal Code.
- (3) The homemade food operation shall not have more than one full-time equivalent employee, not including a family member or household member of the homemade food operator, within the registered or permitted area of a private home where the homemade food operator resides and where homemade food products are prepared and packaged.
- (4) The homemade food operation, including the storage of inventory, supplies, and equipment, shall be conducted wholly within the registered or permitted area of a private home .
- (5) Display(s) or sales activity of any kind shall not be visible from the exterior of the premises.
- (6) On-site direct sales of homemade food products are permissible only between the hours of 8:00 a.m. and 6:00 p.m., Monday through Sunday. There cannot be more than two homemade food product customers on the premises of a homemade food operation at any single time. All sales shall be conducted indoors.
- (7) Homemade food operators may load cottage food products into a vehicle outside of an enclosed garage only between the hours of 8:00 a.m. and 6:00 p.m., Monday through Sunday. Vehicles shall not idle while being loaded with homemade food products.
- (8) A maximum of one vehicle not larger than 10,000 pounds gross vehicle weight rating, used in conjunction with a homemade food operation, shall be parked on the driveway or in a garage space of the homemade food operation site. No commercial vehicle owned, leased, or otherwise operated for the specific use of the homemade food operator shall be parked in the street.
- (9) A homemade food operation shall comply with all applicable noise regulations for the zone in which it is located.

Attachment

No. 4

Planning Commission

Resolution

No. 13-002

City Council

April 9, 2013



**CITY OF HEMET
Hemet, California**

**PLANNING COMMISSION
RESOLUTION NO. 13-002**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING ORDINANCE AMENDMENT NO. 13-003, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ADDING A NEW SECTION 90-100 TO ARTICLE III OF THE HEMET MUNICIPAL CODE REGULATING HOMEMADE FOOD OPERATORS PURSUANT TO ASSEMBLY BILL 1616, WITH ADOPTION OF AN ENVIRONMENTAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15061

WHEREAS, the state of California has recognized a growing movement to support community-based food production and to connect safe food to local communities, and has also determined a need to regulate "cottage food operators", also known as "homemade food operators"; and

WHEREAS, the California legislature introduced Assembly Bill 1616 (AB 1616) on February 8, 2012 to facilitate small home-based food preparation businesses and specify criteria and other requirements for certifying such homemade food operators with local health departments; and

WHEREAS, Governor Brown signed AB 1616 into law on September 21, 2012, becoming the 33rd state in which to enact legislation to provide for cottage food operations; and

WHEREAS, AB 1616 became effective on January 1, 2013; and

WHEREAS, the provisions of AB 1616 expressly state that a city, county, or city and county shall not prohibit cottage food operations in any residential dwelling; and

**Planning Commission Resolution No. 13-002
ZONING ORDINANCE AMENDMENT NO. 13-003
HOMEMADE FOOD OPERATOR REGULATIONS**

1 **WHEREAS**, AB 1616 allows local jurisdictions the ability to exercise limited local
2 zoning controls and operational standards through the permit process; and

3 **WHEREAS**, the City of Hemet desires to exercise local control over homemade
4 food operators to the extent allowed under AB 1616; and

5 **WHEREAS**, pursuant to Government Code sections 65854 and 65855, the
6 Planning Commission has the authority to review and make recommendations to the
7 City Council regarding amendments to the City's zoning ordinances; and

8
9 **WHEREAS**, the Hemet Planning Commission conducted a work-study at its
10 January 15, 2013 meeting on the regulation of homemade food operators and provided
11 direction to staff regarding amending the City's Zoning Code to implement the
12 provisions of AB 1616 in coordination with the Riverside County Department of
13 Environmental Health; and

14
15 **WHEREAS**, on January 25, 2013, the City gave public notice by publishing
16 notice in the Press Enterprise of the holding of a public hearing at which the amendment
17 to the City's zoning ordinances would be considered; and

18 **WHEREAS**, on February 5, 2013 the Planning Commission held the noticed
19 public hearing at which interested persons had an opportunity to testify in support of, or
20 opposition to, the proposed amendment to the City's zoning ordinance and at which
21 time the Planning Commission considered the proposed amendment to the City's
22 zoning ordinance and recommended continuing the item for 30 days to March 5, 2013;
23 and

24 **WHEREAS**, on March 5, 2013 the Planning Commission held the noticed public
25 hearing at which interested persons had an opportunity to testify in support of, or
26 opposition to, the proposed amendment to the City's zoning ordinance and at which
27 time the Planning Commission considered the proposed amendment to the City's
28 zoning ordinance; and

29 **WHEREAS**, on March 5, 2013 the Planning Commission reopened the public
30 hearing at which interested persons had an opportunity to testify in support of, or
31 opposition to, the proposed amendment to the City's zoning ordinance and at which
32 time the Planning Commission considered the proposed amendment to the City's
33 zoning ordinance and recommended continuing the item; and

34 **WHEREAS**, on March 9, 2013, the City gave public notice by publishing notice in
35 the Press Enterprise of the holding of a public hearing at which the amendment to the
36 City's zoning ordinances would be considered; and

**Planning Commission Resolution No. 13-002
ZONING ORDINANCE AMENDMENT NO. 13-003
HOMEMADE FOOD OPERATOR REGULATIONS**

1 **WHEREAS**, on March 19, 2013 the Planning Commission held the noticed public
2 hearing at which interested persons had an opportunity to testify in support of, or
3 opposition to, the proposed amendment to the City's zoning ordinance and at which
4 time the Planning Commission considered the proposed amendment to the City's
5 zoning ordinance; and

6 **WHEREAS**, the City has analyzed this proposed project and has determined that
7 it is exempt from the California Environmental Quality Act ("CEQA") under section
8 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is
9 no possibility that the activity in question may have a significant effect of the
10 environment; and

11 **WHEREAS**, attached as Exhibit "A" is the proposed Ordinance.

12
13 **NOW, THEREFORE**, the Planning Commission of the City of Hemet does
14 Resolve, Determine, Find and Order as follows:

15
16 **SECTION 1: ENVIRONMENTAL FINDINGS**

17
18 The Planning Commission, in light of the whole record before it, including but not limited
19 to, the City's Local CEQA Guidelines and Thresholds of Significance, the direction of
20 the Planning Commission at its meeting on March 5, 2013 and documents incorporated
21 therein by reference, and any other evidence (within the meaning of Public Resources
22 Code Sections 21080(e) and 21082.2) within the record or provided at the public
23 hearing of this matter, hereby finds and determines as follows:

24 1. **CEQA:** The City has analyzed this proposed project and has determined that it is
25 exempt from the California Environmental Quality Act ("CEQA") under section
26 15061(b)(3) of the CEQA Guidelines which provides that CEQA only applies to projects
27 that have the potential for causing a significant effect on the environment. Whereas
28 here, it can be seen with certainty that there is no possibility that the activity in question
29 may have a significant effect on the environment, the activity is not subject to CEQA.
30 The addition of this section to Chapter 90 relates only to regulations for foods prepared
31 in an existing private home kitchen and offered for sale. It does not relate to any
32 physical project and will not result in any physical change to the environment.
33 Therefore, it can be seen with certainty that there is no possibility that this Ordinance
34 may have a significant adverse effect on the environment, and therefore the adoption of
35 this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA
36 Guidelines.

37
38 **SECTION 2: ZONING ORDINANCE AMENDMENT FINDINGS**

39 Pursuant to Hemet Municipal Code Section 90-41.5(a), the Planning Commission
40 makes the following findings with respect to this zoning ordinance amendment:

**Planning Commission Resolution No. 13-002
ZONING ORDINANCE AMENDMENT NO. 13-003
HOMEMADE FOOD OPERATOR REGULATIONS**

1 1. *The zoning ordinance amendment is in conformance with the latest adopted general*
2 *plan for the City.*

3 The proposed Zoning Ordinance Amendment is in conformance with the adopted
4 2030 General Plan Land Use Policy LU-15.9 to encourage a mix of food
5 establishments and reduce barriers to the production and distribution of locally
6 grown food.

7 2. *The zoning ordinance amendment will protect the public health, safety and welfare.*

8 The Zoning Ordinance Amendment implements a State mandated program requiring
9 cities to allow residents to use their private home kitchen to prepare and sell
10 homemade food products. The law provides for certification through the Riverside
11 County Department of Environmental Health and the proposed Ordinance creates a
12 regulatory framework and licensing requirements to ensure that homemade food
13 operations do not disturb the peace and quiet customarily associated with the zone
14 in which the use is located.

15
16 **SECTION 3: PLANNING COMMISSION ACTIONS**

17
18 The Planning Commission hereby takes the following actions:

19 1. The Planning Commission approves Resolution Bill No. 13-004 recommending
20 that the City Council adopt the proposed Ordinance which is attached hereto and
21 incorporated herein by reference as Exhibit "A."
22

23
24 **PASSED, APPROVED AND ADOPTED** this 19th day of March, 2013, by the
25 following vote:

26
27 **AYES:** Chairman John Gifford, Vice Chairman Vince Overmyer, and
28 Commissioners Nasser Moghadam, Michael Perciful and Greg Vasquez

29 **NOES:** None

30 **ABSTAIN:** None

31 **ABSENT:** None

32
33
34 
35 _____
36 John Gifford, Chairman
37 Hemet Planning Commission

38
39
40
41 **ATTEST:**

38
39 
40 _____
41 Nancie Shaw, Records Secretary
Hemet Planning Commission

**Planning Commission Resolution No. 13-002
ZONING ORDINANCE AMENDMENT NO. 13-003
HOMEMADE FOOD OPERATOR REGULATIONS**

Attachment No. 5

Riverside County
Environmental Health
Ordinance No. 916 (Cottage
Food Operations)

Planning Commission
March 5, 2013

- 1 A. Cottage Food Operation. An enterprise with gross annual sales limits set forth in
2 subdivision (a) of section 113758 of the Health and Safety Code , is operated by a Cottage
3 Food Operator and having not more than one full-time equivalent cottage food employee,
4 not including a family member or household member of the Cottage Food Operator, and
5 conducted within the Registered or Permitted Area of a private home where the Cottage
6 Food Operator resides and where Cottage Food Products are prepared or packaged for
7 direct, indirect, or direct and indirect sale to consumers pursuant to section 113758
8 subdivision (b), subsections (4) and (5) of the Health and Safety Code. A Cottage Food
9 Operation includes both of the following:
- 10 1. Class A cottage food operations may engage only in direct sales of cottage food products
11 from the cottage food operation or other direct sales venues such as temporary events. A
12 separate permit from the Department shall be required to operate a temporary food facility
13 at such events.
- 14 2. Class B cottage food operations may engage in both direct sales and indirect sales of
15 cottage food products such as a permitted third-party retail food facility.
- 16 B. Cottage Food Operator. An individual who owns and conducts a Cottage Food Operation
17 in his or her private home.
- 18 C. Cottage Food Products. A specific list of not potentially hazardous foods approved by the
19 California Department of Public Health and posted on its Internet Web site and that are
20 prepared for sale in the kitchen of the Registered or Permitted Area of a Cottage Food
21 Operation. Typical food items include baked goods without cream, custard, or meat
22 fillings; candies; dried fruits and pastas; fruit pies; cereals; herbs; honey; jams and jellies;
23 nuts; popcorn; roasted coffees and dried teas.
- 24 D. Department. Riverside County Department of Environmental Health.
- 25 E. Enforcement Officer. The Director of Environmental Health and his or her duly authorized
26 designees.
- 27 F. Registered or Permitted Area. A private home kitchen described and authorized in the
28 permit or registration for the Cottage Food Operation and used for the preparation,

1 packaging, storage, or handling of Cottage Food Products and related ingredients and/or
2 equipment, and attached rooms within the home that are used exclusively for storage.
3 Detached accessory buildings, including garages and guest quarters, enclosed patios and
4 second units are not included as registered or permitted areas.
5

6 Section 5. INSPECTIONS. The Department shall inspect Class B Cottage Food
7 Operations upon the initial application as well as on an annual basis using an inspection form provided by
8 the Department. Although Class A Cottage Food Operations are not subject to initial or routine
9 inspections, the Enforcement Officer may access and inspect the Registered Area only if, on the basis of a
10 consumer complaint, there is reason to suspect that unsafe food has been produced or there is another
11 violation of this Ordinance. The Department may seek cost recovery, based on the hourly rate established
12 in the current version of Ordinance 640 if additional inspections are required to ensure compliance with
13 this Ordinance.
14

15 Section 6. OPERATING REQUIREMENTS. Consistent with the operational
16 requirements set forth in California Health and Safety Code Section 114365, et seq., a Cottage Food
17 Operation shall comply with the following:

- 18 A. No Cottage Food Product preparation, packaging, or handling may occur concurrent with
19 any other domestic activities, including, but not limited to, family meal preparation, guest
20 entertaining or dishwashing.
- 21 B. No infants, small children, or pets may be in the Registered or Permitted area during the
22 preparation, packaging, or handling of any Cottage Food Products.
- 23 C. Equipment and utensils used to produce Cottage Food Products shall be clean and
24 maintained in a good state of repair.
- 25 D. All food contact surfaces, equipment, and utensils used for the preparation, packaging, or
26 handling of any Cottage Food Products shall be washed, rinsed, and sanitized before each
27 use.
28

- 1 E. All food preparation and food and equipment storage areas shall be maintained free of
2 rodents and insects.
- 3 F. No preparation, packaging, storage, or handling of Cottage Food Products and related
4 ingredients and/or equipment shall occur outside of the Registered or Permitted Area.
- 5 G. Smoking shall be prohibited in the Registered or Permitted Area during the preparation,
6 packaging, storing, or handling of Cottage Food Products and related ingredients and
7 equipment.
- 8 H. A person with a contagious illness shall refrain from work in the Registered or Permitted
9 Area of the Cottage Food Operation.
- 10 I. A person involved in the preparation or packaging of Cottage Food Products shall keep his
11 or her hands and exposed portions of his or her arms clean and shall wash his or her hands
12 before any food preparation or packaging activity.
- 13 J. Water used during the preparation of cottage food products shall meet potable drinking
14 water standards.
- 15 K. A person who prepares or packages Cottage Food Products shall complete a food processor
16 course instructed by the California Department of Public Health within three months of
17 becoming registered or permitted.
- 18 L. A Cottage Food Operation shall properly package and label all Cottage Food Products in
19 compliance with the Federal Food, Drug and Cosmetic Act (21 USC §343 et seq.).
- 20 Additional labeling requirements shall include:
- 21 1. The words "Made in a Home Kitchen"
 - 22 2. A descriptive common product name
 - 23 3. Name of the Cottage Food Operation
 - 24 4. Registration or permit number
 - 25 5. For Class B Cottage Food Operations, the name of the Department issuing the registration
26 or permit number must also be stated
 - 27 6. A listing of all ingredients in descending order of predominance by weight.
 - 28

1 M. A cottage food operation shall comply with all standards, requirements and conditions as
2 set forth in Section 18.53 of Ordinance No. 348.

3
4 Section 7. REGISTRATION AND PERMIT. No person shall conduct a cottage food
5 operation without holding a valid registration or permit issued by the Department. Application for a
6 registration or permit shall be made to the Department upon a form issued by the Department, and shall be
7 accompanied by a fee as listed below:

- 8 • Registration for Class A Cottage Food Operation \$145.00
- 9 • Permit for Class B Cottage Food Operation \$290.00

10 The fees listed in this Section shall be valid until such time as Ordinance 640 is revised to incorporate
11 these new fees therein. Any annual permit or registration shall be valid for no more than one year from
12 the month of issue. The application shall not be deemed as completed unless accompanied with
13 documentation indicating that all applicable planning/zoning requirements have been met. Class A
14 Cottage Food Operators shall complete and submit a self-certification checklist provided by the
15 Department at the time of application for registration. A registration or permit number shall be issued by
16 the Department after the Enforcement Officer has determined that the Cottage Food Operation has
17 conformed to this Ordinance. If it can readily be determined by the Department, by checking the Internet
18 Web site of a neighboring County, that a Class B cottage food operation is currently permitted, then
19 indirect sales of those Cottage Food Products may be allowed in Riverside County. A registration or
20 permit is not transferrable.

21
22 Section 8. ENFORCEMENT Notwithstanding the remedies set forth in California
23 Health and Safety Code Sections 114390, 114405, and 114409, the Department reserves the right to issue
24 administrative citations in accordance with Government Code Section 53069.4. An administrative citation
25 may be issued for any violation of this Ordinance. The following procedures shall govern the imposition,
26 enforcement, collection and administrative review of administrative citations and penalties.

27 A. Notice of Violation. If the violation is not corrected within the period stated in the notice of
28 violation, or if the violation creates an immediate danger to health or safety, an

1 administrative citation may be issued by the Enforcement Officer. The notice of violation
2 shall specify the manner in which the conditions of the Cottage Food Operation violate the
3 provisions of this Ordinance and the corrective actions required to correct the condition or
4 conduct. The notice shall also state that failure to come into compliance with this
5 Ordinance could subject the registrant or permittee of the Cottage Food Operation to
6 administrative and criminal penalties. The failure of the notice to set forth all required
7 contents shall not affect the validity of the proceedings.

8 B. Content of Citation. The administrative citation shall be issued on a form approved by
9 County Counsel and shall contain the information listed below. The failure of the citation
10 to set forth all required contents shall not affect the validity of the proceedings.

- 11 1. Date; location and approximate time the violation was observed.
- 12 2. The Ordinance section violated and a brief description of the violation.
- 13 3. The amount of the administrative penalty imposed for the violation.
- 14 4. Instructions for the payment of the penalty, the time period by which it shall be
15 paid, and the consequences of failure to pay the penalty within this time period.
- 16 5. Instructions on how to appeal the citation.
- 17 6. The signature of the Enforcement Officer.

18 C. Service of Citation.

- 19 1. If the registrant, permittee or other person who has violated the Ordinance is
20 present at the scene of the violation, the Enforcement Officer shall attempt to obtain
21 their signature on the administrative citation and shall deliver a copy of the
22 administrative citation to them.
- 23 2. If the registrant, permittee or other person who has violated the Ordinance cannot
24 be located at the property, then the administrative citation shall be posted in a
25 conspicuous place on or near the property and a copy mailed by certified mail,
26 return receipt requested to the registrant or permittee who has violated the
27 Ordinance. The citation shall be mailed to the property address and/or the address
28 listed for the owner on the last County Equalized Assessment Roll.

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3. The failure of any interested person to receive the citation shall not affect the validity of the proceedings.

D. Administrative Penalties.

1. The penalties assessed for each violation shall not exceed the following amounts:
 - a. \$100.00 for a first violation;
 - b. \$200.00 for a second violation of the same Ordinance within one year; and
 - c. \$500.00 for each additional violation of the same Ordinance within one year.
2. If the violation is not corrected, additional administrative citations may be issued for the same violation. The amount of the penalty shall increase at the rate specified above.
3. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.
4. The penalties assessed shall be payable to the County of Riverside.

E. Administrative Appeal.

1. Notice of Appeal. The recipient of an administrative citation may appeal the citation by filing a written notice of appeal with the Department. The written notice of appeal must be filed within twenty (20) days of the service of the administrative citation. Failure to file a written notice of appeal within this time period shall constitute a waiver of the right to appeal the administrative citation. The notice of appeal shall contain the following information:
 - a. A brief statement setting forth the appellant's interest in the proceedings;
 - b. A brief statement of the material facts which the appellant claims supports his/her contention that no administrative penalty should be imposed or that an administrative penalty of a different amount is warranted;
 - c. An address at which the appellant agrees notice of any additional proceeding or an order relating to the imposition of the administrative penalty may be received by mail.

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- d. The notice of appeal must be signed by the appellant.
- 2. Administrative Hearing. Upon a timely written request by the recipient of the administrative citation, an administrative hearing shall be held as follows:
 - a. Notice of Hearing. Notice of the administrative hearing shall be given at least ten (10) days before the hearing to the person requesting the hearing. The notice may be delivered to the person or may be mailed to the address listed in the notice of appeal.
 - b. Hearing Officer. The administrative hearing shall be held before the Board of Supervisors, the County Hearing Officer or the County Hearing Board. The hearing officer shall not be the Enforcement Officer who issued the administrative citation or their immediate supervisor or subordinate. The Board of Supervisors, the County Hearing Officer or the County Hearing Board may contract with a qualified provider to conduct administrative hearings or to process administrative citations.
 - c. Conduct of the Hearing. Except as may be required by the hearing officer, the Enforcement Officer who issued the administrative citation is not required to participate in the administrative hearing. The contents of the Enforcement Officer's file in the case shall be admitted as prima facie evidence of the facts stated therein. The hearing officer shall not be limited by the technical rules of evidence. If the person requesting the appeal fails to appear at the administrative hearing, the hearing officer shall make his or her determination based on the information contained in the notice of appeal.
 - d. Hearing Officer's Decision. The hearing officer's decision following the administrative hearing shall be delivered to the person requesting the hearing personally or sent by mail. The hearing officer may allow payment of the administrative penalty in installments, if the person provides evidence satisfactory to the hearing officer of an inability to pay the penalty in full.

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The hearing officer's decision shall contain instructions for obtaining review of the decision by the superior court.

F. Review of Administrative Hearing Officer's Decision.

1. Notice of Appeal. Within twenty (20) days of the date of the delivery or mailing of the hearing officer's decision, a person may contest that decision by filing an appeal to be heard by the superior court. The fee for filing the notice of appeal is twenty-five dollars (\$25.00). The failure to file the written appeal and to pay the filing fee within this period shall constitute a waiver of the right to an appeal and the decision shall be deemed confirmed. A copy of the notice of appeal shall be served in person or by first class mail upon the issuing agency by the contestant.
2. Conduct of Hearing. The conduct of the appeal is a subordinate judicial duty and may be performed by traffic trial commissioners and other subordinate judicial officials at the direction of the presiding judge of the court. The appeal shall be heard de novo, except that the contents of the issuing agency's file in the case shall be received in evidence. A copy of the document or Instrument of the issuing agency providing notice of the violation and imposition of the administrative penalty shall be admitted into evidence as prima facie evidence of the facts stated therein. The court shall request that the issuing agency's file on the case be forwarded to the court, to be received within fifteen (15) days of the request.
3. Judgment. The court shall retain the twenty-five dollar (\$25.00) fee regardless of the outcome of the appeal. If the court finds in favor of the contestant, the amount of the fee shall be reimbursed to the contestant by the Department. Any deposit of the fine or penalty shall be refunded by the issuing agency in accordance with the judgment of the court. If the fine or penalty has not been deposited and the decision of the court is against the contestant, the issuing agency may proceed to collect the penalty pursuant to any manner provided by law.

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///

1 Section 9. **NUISANCE DEFINED.** Any Cottage Food Operation, whether
2 permitted or not pursuant to the procedures of this Ordinance, found in violation of this Ordinance is
3 hereby declared to be a public nuisance and dangerous to the health and safety of Riverside County.
4

5 Section 10. **CIVIL ACTIONS**

6 A. Injunctive Relief and Abatement. Whenever, in the judgment of the Enforcement Officer,
7 any person is engaged in or about to engage in any act or practice which constitutes or will
8 constitute a violation of any provision of this Ordinance, or any rule, regulation, order,
9 permit or conditions of approval issued thereunder, upon the request of the Enforcement
10 Officer, the County Counsel or District Attorney may commence proceedings for the
11 abatement, removal, correction and enjoinder thereof, and require the violator to pay civil
12 penalties and/or abatement costs.

13 B. Civil Remedies and Penalties. Any person, whether acting as principal, agent, employee,
14 Owner, lessor, lessee, tenant, occupant, operator, contractor or otherwise, who willfully
15 violates the provisions of this Ordinance or any rule, regulation, order or conditions of
16 approval issued thereunder, shall be liable for a civil penalty not to exceed \$1,000.00 for
17 each day or portion thereof, that the violation continues to exist. In determining the amount
18 of the civil penalty to impose, the court shall consider all relevant circumstances,
19 including, but not limited to, the extent of the harm caused by the conduct constituting a
20 violation, the nature and persistence of such conduct, the length of time over which the
21 conduct occurred, the assets, liabilities, and net worth of the violator, whether corporate or
22 individual, and any corrective action taken by the violator.
23

24 Section 11. **COSTS AND DAMAGES.** Any person, whether acting as a principal,
25 agent, employee, Owner, lessor, lessee, tenant, occupant, operator or contractor, or otherwise, violating
26 any provisions of this Ordinance or the rules, regulations, orders, permits or conditions of approval issued
27 thereunder, shall be liable to the County of Riverside for costs of abatement and any damages suffered by
28 the County, its agents and agencies, as a result of such violations.

1 Section 12. RECOVERY OF ATTORNEYS' FEES IN NUISANCE ABATEMENT
2 CASES. In any action, administrative proceeding, or special proceeding to abate a nuisance,
3 attorneys' fees may be recovered by the prevailing party. In no action, administrative proceeding, or
4 special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable
5 attorneys' fees incurred by the County in the action or proceeding.

6
7 Section 13. REMEDIES AND PENALTIES. All remedies and penalties provided
8 for herein shall be cumulative and not exclusive. The conviction and punishment of any person hereunder
9 shall not relieve such person from the responsibility of correcting, removing or abating the violation, nor
10 prevent the enforced correction, removal or abatement thereof. Each and every day during any portion of
11 which any violation of this Ordinance or the rules, regulations, orders, Permits or conditions of approval
12 issued thereunder is committed, continued, or permitted by such person, shall be deemed a separate and
13 distinct offense.

14
15 Section 14. SEVERABILITY. If any provision, clause, sentence or paragraph of this
16 Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity
17 shall not affect the other provisions or applications of the provisions of this Ordinance which can be given
18 effect without the invalid provision or application, and to this end, the provisions of this Ordinance are
19 hereby declared to be severable.

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Section 15. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE CALIFORNIA

By: _____
Chairman

ATTEST:
CLERK OF THE BOARD:

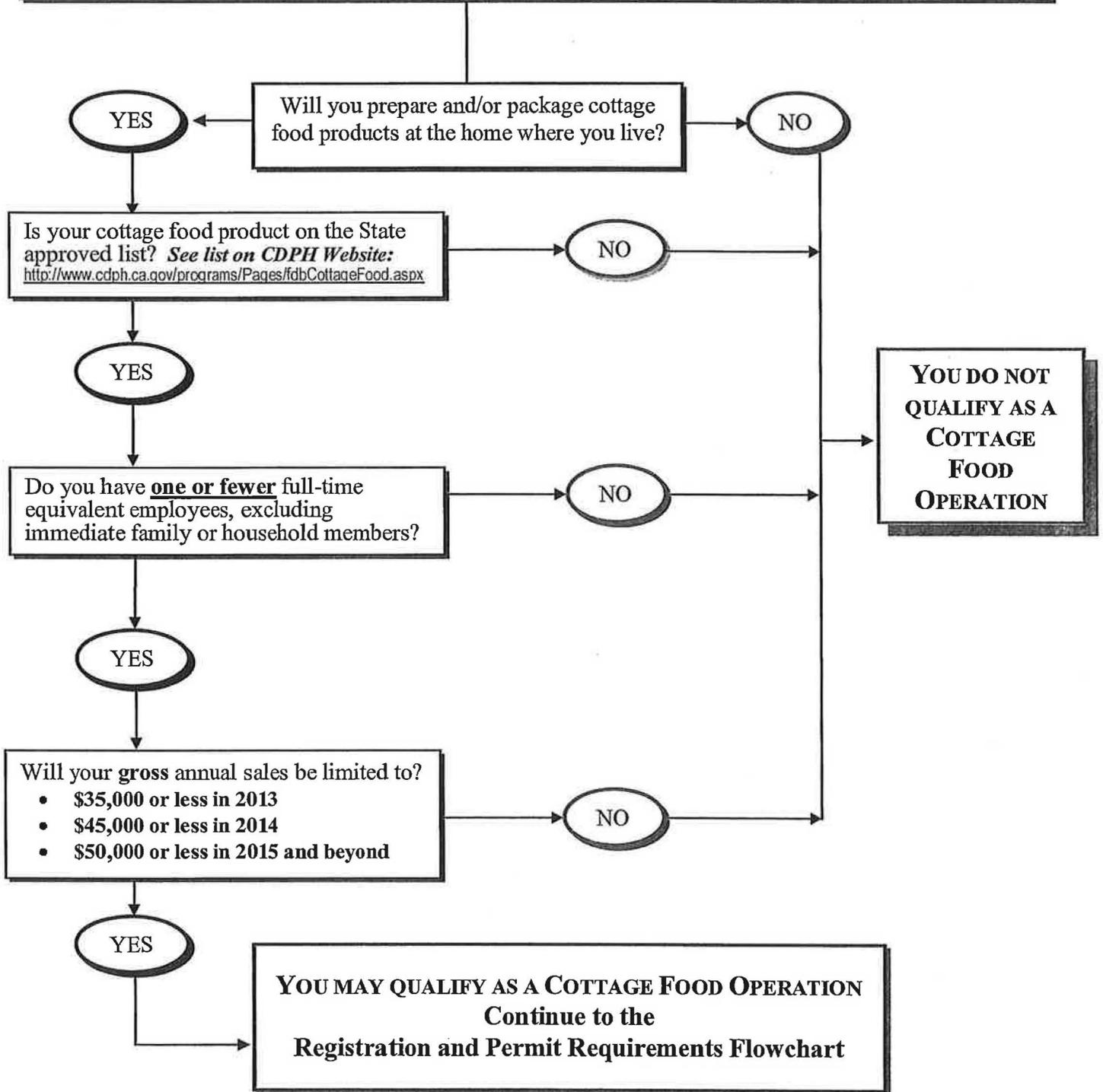
By: _____
Deputy

(SEAL)

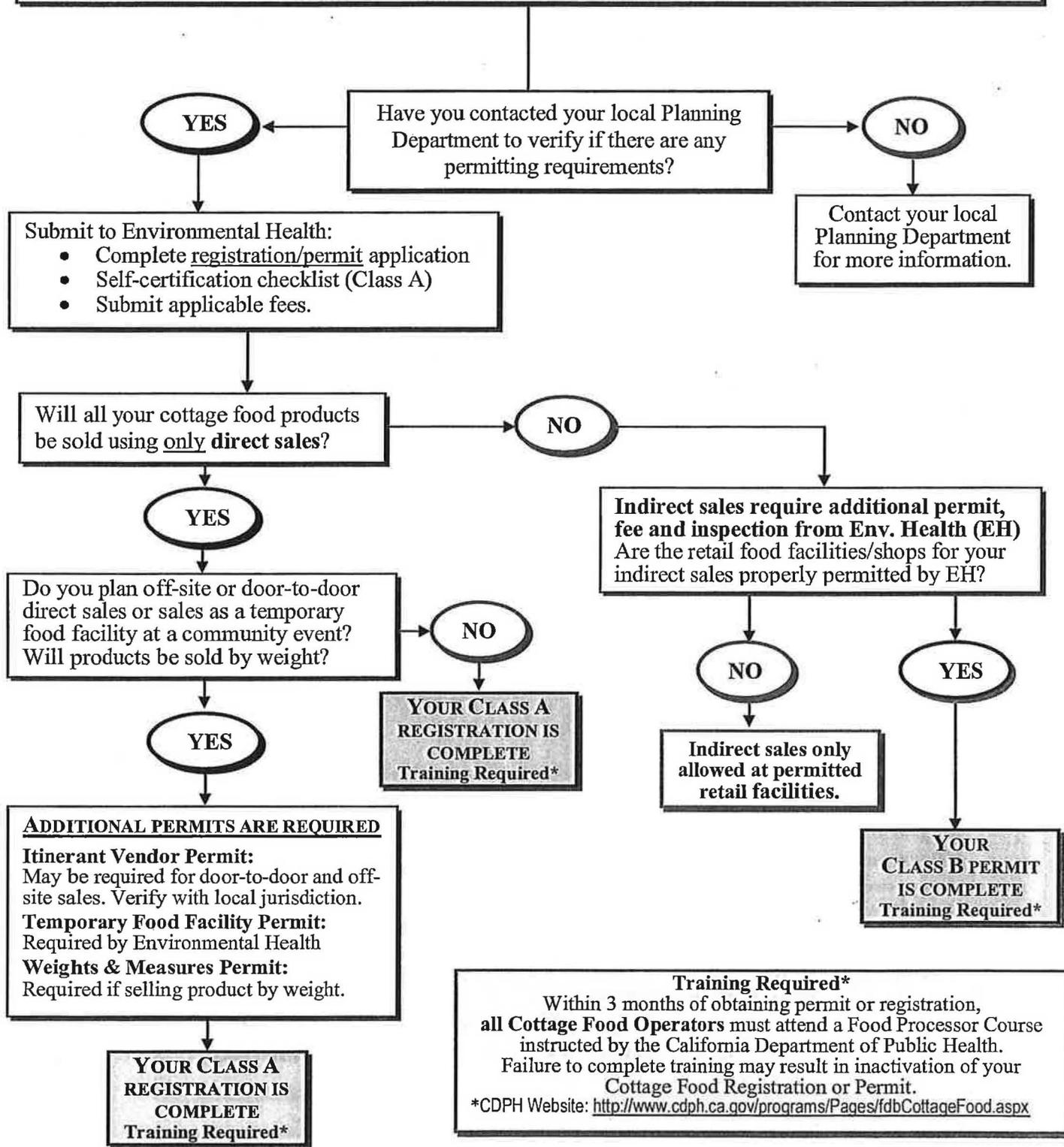
APPROVED AS TO FORM

By: 
ERIC STOPHER
Deputy County Counsel

DO YOU QUALIFY AS A COTTAGE FOOD OPERATION?



REGISTRATION AND PERMIT REQUIREMENTS





Staff Report

TO: Honorable Mayor and City Council
FROM: Ron Bradley, Interim City Manager
DATE: April 09, 2013
RE: Request for Support for Hemet-Ryan Air Show November 2, 2013

RECOMMENDATION:

1. That the City Council approve the request by Riverside County Economic Development Agency that Hemet provide up to \$25,000 of in-kind services in support of the Hemet Ryan Air Show, November 2, 2013,
2. Authorize the Director of Finance to include a line item in the FY 2013-2014 Budget to accommodate this request in Account 120-8500-2220.

BACKGROUND:

In March 2013, the City received a request from the Riverside County Economic Development Agency (Riv. Co. EDA - Airports) to provide equipment and personnel in support of the Hemet-Ryan Air Show scheduled for November 2, 2013.

As the host city, Hemet has played a large role in past years in producing and staffing the event, cash sponsorship and through substantial contribution(s) of personnel, equipment and materials in support of the event. In 2011, the Redevelopment Agency approved an In-Kind contribution of up to \$25,000 to support the air show.

DISCUSSION:

The current request is attached as **Attachment 1**, and includes usual items such as public works support, facilities maintenance support and coordination, traffic control and security and participation by the Police and Fire Departments for community outreach activities.

The table below is a spreadsheet detailing the estimated expense to the City to provide City services for various activities. A summary of the estimated costs for the Air Show are as follows:

Department/Division	In-Kind Contribution: Cost to City of Hemet
Public Works – Streets	\$9,547
Public Works – Facilities Maintenance	\$3,651
Police Department	\$3,240
Fire Department	\$4,405
Contingency	\$4,157
TOTAL (Estimated)	\$25,000

This years request does not include trash or restroom services as in past years of support. The Air Show will solicit refuse and toilet services from vendors directly.

Staff recommends that the request for specific line items of:

- water truck, and
- grading of parking areas

be omitted from the City support package and be the responsibility of Riverside County EDA-Airports, to perform or sub-contract.

Currently, the City has no funds budgeted at this time to support the Air Show.

City staff inquired if Riv. Co. EDA could reimburse the City for the costs associated with providing in-kind services and participation costs, but Riv. Co. EDA responded that they do not have funds available to reimburse Hemet.

In past years, Hemet not only donated approximately \$25,000 of in-kind services, but has also provided EDA with cash sponsorships before 2010 of approximately \$15,000 for the Air Show.

The funding necessary to support Riv. Co. EDA's request could be budgeted in the FY 2013-2014 as a Special Event line item in Acct. No. 120-8500-2220 separate from other City events such as the Christmas Parade and the Veterans Day Celebration.

If the City were to fund the Air Show, it would receive "Eagle Sponsorship" status and the associated benefits as described in **Attachment 1**. Likewise as host city, it can be expected that there will be positive economic impacts associated with the estimated 30,000 visitors to Hemet from additional restaurant sales, hotel room bookings, fuel sales and incidental visitor spending. The Air Show is consistent with Hemet's goal of promoting tourism and attracting visitors from outside the region to events in Hemet which create added economic activity and revenue for the City and its merchants.

COORDINATION AND REVIEW:

This report was prepared and coordinated with the Office of the City Manager, Administrative Services Department, Public Works (Facilities and Streets) and Police and Fire Departments.

INTEGRATION OF COUNCIL GOALS / STRATEGIC PLAN:

The recommended action supports Hemet's goal to provide a high quality of life and encourage economic vitality.

FISCAL IMPACT:

Requires a Not to Exceed (NTE) budget appropriation in FY 2013-2014 of \$25,000 from City General Fund.

ALTERNATIVE(S):

- 1) The city may provide In-Kind support for fewer activities than requested.
- 2) The City may deny the request to financially support the Air Show.

CONCLUSION:

1. That the City Council approve the request by Riverside County Economic Development Agency that Hemet provide up to \$25,000 of in-kind services in support of the Hemet Ryan Air Show, November 2, 2013,
2. Authorize the Director of Finance to include a line item in the FY 2013-2014 Budget to accommodate this request in Account 120-8500-2220.

Attachment: 1

Request from Riverside County EDA-Airports to support 2013 Hemet Ryan Air Show.

Recommended By:



John Jansons
Community Investment Director

Approved By:



Ron Bradley
Interim City Manager

Reviewed By:



Rita Conrad
Deputy City Manager and
Director of Administrative Services

ATTACHMENT 1



RECEIVED

APR 02 2013

City of Hemet
~~Recreation Agency~~

April 2, 2013

John Jansons
City of Hemet
445 E. Florida Avenue
Hemet, CA 92543

Dear John,

Thank you for taking the time to meet with us regarding the 2013 Hemet-Ryan Air Show. The City of Hemet has partnered with our event in the past as an Eagle Sponsor with in-kind support of up to \$25,000. We would like to invite the City of Hemet back to support this **FREE** community event by coming in at the same level.

The City of Hemet has provided the Hemet-Ryan Air Show with the following services in previous years:

- Electrician provided the day before and day of event
- Spider boxes – power pulled to the vendor booths (approx. 20-25) from the hangars
- Cones & barricades for Walden Weaver
- Road Closure for Walden Weaver & Stetson
 - Traffic plan for Stetson if unable to implement a road closure
- Manned Signal light – red flashing on Cawston & Stetson day of the event
- Security day of event, inside and outside airport, provided by Hemet Police Department
- Hemet Fire Department to provide two trucks for the Air Show practice on the day before and event day, including AMR support
- Community Outreach Displays from Police and Fire Departments the day of the event
- Water Truck day before and morning of event (Parking lot)
- Grading for parking lot on southwest corner of Cawston & Stetson (upon approval to use by owner)
- Set up and staff parking lots

Without the support of sponsors this community event would not be possible. In return for your sponsorship, the City of Hemet will receive marketing benefits. As an Eagle Sponsor, you will receive the following entitlements:

- 20 VIP Parking Passes
- 40 Catered Chalet passes
- 10' x 20' Booth at the Air Show
- Logo on Newspaper Ad
- Logo on the Program & Flyer
- Name and link on the official Hemet-Ryan website
- PA announcements (12)
- Logo on Sponsorship banner
- Logo on the post Air Show "Thank You" ad

The Hemet-Ryan Air Show will be held on **Saturday, November 2, 2013** from **9am-3pm**. Please visit our website at www.hemet-ryanairshow.org. If you have any questions feel free to contact me directly at 951.201.1493 or vcasper@rivcoeda.org.

Warmest regards,



Veronica Casper
Air Show Marketing Manager



Staff Report

TO: Honorable Mayor and City Council
FROM: Ron Bradley, Interim City Manager
DATE: April 09, 2013
RE: Tourism Program Proposal and Committee Assignment

RECOMMENDATION:

That the City Council hear a presentation by staff on a new, valley-wide tourism initiative being proposed and consider the appointment of a member of the City Council to serve as the City Council's official committee representative.

BACKGROUND:

On March 21, 2013, the City's interest in developing a tourism marketing program was advanced by a joint meeting of representatives of the City of Hemet, the City of San Jacinto and private sector businesses in promoting tourism by marketing the Hemet - San Jacinto Valley.

This initial meeting was positive and focused on beginning work to establish a "brand identity" build a web site, and explore multi-cultural marketing for promoting the Valley and its tourism venues, services, and amenities. Volunteers were identified to serve on an advisory committee working along side Leslie McClellan, who is under contract with the City of San Jacinto to lead this effort.

On March 27, 2013 a follow-up meeting was held to further discuss the start-up of the new Hemet San Jacinto Valley Tourism program.

DISCUSSION:

Members of the Hemet City Council, Hemet business community, San Jacinto City Council and staff from both cities have long desired to re-establish a comprehensive and effective tourism marketing campaign since the previous program was virtually eliminated due to local budget difficulties.

Too this end, the City of San Jacinto has contracted with Leslie McClellan, formerly with the Lake Arrowhead Chamber of Commerce and Visitor's Center, to develop a tourism campaign and program. In addition to Ms. McClellan's many years of experience successfully marketing Lake Arrowhead as a tourist destination, Ms. McClellan is considered a leader in the field of social media having conducted several successful tourism campaigns for a fraction of cost of traditional media to respond to shrinking budgets in San Bernardino and Riverside Counties.

The proposed advisory committee will research and propose goals, strategies and tasks to market the San Jacinto Valley to tourists and increase tourism related economic activity in the Valley.

In its initial meetings, the City of San Jacinto has named Mayor Mark Bartel and Councilmember Andrew Kotyuk as its representatives. At the first two meetings, Councilwoman Linda Krupa attended and volunteered to be Hemet's representative. Staff believes this effort is important enough to inform the Council of the progress and request that a City Council representative be formally appointed. Staff recommends appointing Councilwoman Linda Krupa to serve on the Committee.

Department of Community Investment staff and Hemet's appointee will work together to ensure the prominence of Hemet in the new program and the suitability of programs proposed for tourism marketing in order to best serve the Hemet community.

COORDINATION AND REVIEW:

This report was prepared and coordinated with the Office of the City Manager and the Department of Community Investment.

INTEGRATION OF COUNCIL GOALS / STRATEGIC PLAN:

The recommended action supports Hemet's goal to provide a high quality of life and increase economic vitality and municipal revenue. The proposed tourism marketing campaign is consistent with Hemet's goal of promoting tourism and attracting visitors to Hemet San Jacinto Valley.

FISCAL IMPACT:

N/A

ALTERNATIVE(S):

- 1) The City Council may choose to not have a Councilmember on the Committee and delegate representation to staff.
- 2) The City Council may choose to appoint someone other than Councilwoman Krupa.

Alternatives 1 and 2 are not recommended.

CONCLUSION:

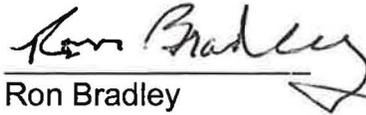
That the City Council hear a presentation by staff on a new, valley-wide tourism initiative being proposed and consider the appointment of a member of the City Council to serve as the City Council's official committee representative.

Recommended By:



John Jansons
Director of Community Investment

Approved By:



Ron Bradley
Interim City Manager



16.9.2

March 29, 2013

ATTENTION:

The Honorable Robert Youssef, Mayor
Shellie Milne, Council Member
Regional Family, Youth and Health Task Force Members
City of Hemet
445 E. Florida Ave.
Hemet, CA 92543

Re: Meeting Details for Regional Family, Youth and Health Task Force

Dear Mayor Youssef and Council Member Milne:

This letter proudly announces the formation of the Regional Family, Youth and Health Task Force. We would like to thank you for volunteering to participate on this Task Force as appointed by your City Council. For your reference, we've attached a Task Force Member List. As of last week, eight Cities and eight School Districts have committed to this Task Force in order to bring awareness and find solutions for important modern-day concerns that impact our communities.

With prevalent social issues facing families throughout the country and in our region, specifically in light of developments in technology that pose new social complications, the primary purpose for this Task Force will be to provide our youth, parents and families with resources and information to better understand and cope with modern influences such as social media, virtual gaming, gaming addictions, schoolyard and online bullying, teenage sexting, mental health, violence, and drugs and alcohol to name a few. As a regional team, we can create greater awareness of vulnerabilities and seek solutions.

TASK FORCE "KICK OFF" MEETING

Please mark your calendars for Monday, April 29, 2013 for the "Kick-Off" meeting as follows:

<u>Topic</u>	<u>Date/Time</u>	<u>Location</u>
Virtual Gaming	Monday, April 29, 2013 4:00 p.m. – 6:00 p.m	City of Temecula City Council Chambers 41000 Main Temecula, CA 92590

TASK FORCE FUTURE MEETING SCHEDULE

In addition to the “Kick-Off” meeting set for April 29th, future meeting dates, times and locations, with generalized topics, are proposed below:

<u>Topic</u>	<u>Date/Time</u>	<u>Location</u>
Substance Abuse & Youth	Thursday, June 13, 2013 4:00 p.m. – 6:00 p.m.	City of Temecula *unless location otherwise determined City Council Chamber 41000 Main Street Temecula, CA 92590
Social Media & Cyber Safety	Thursday, July 18, 2013 4:00 p.m. – 6:00 p.m.	City of Temecula *unless location otherwise determined City Council Chambers 41000 Main Street Temecula, CA 92590
Mental Health & Youth	Thursday, October 17, 2013 4:00 p.m. – 6:00 p.m.	City of Temecula *unless location otherwise determined City Council Chambers 41000 Main Street Temecula, CA 92590
Violence & Youth	Thursday, January 16, 2014 4:00 p.m. – 6:00 p.m.	City of Temecula *unless location otherwise determined City Council Chambers 41000 Main Street Temecula, CA 92590

*Please note that the City of Temecula is willing to host all meetings; however, we welcome any other jurisdiction who would like to plan and host a meeting in their City.

MEETING PROTOCOL

Currently, there are 24 confirmed Task Force members comprised of elected officials. To make best use of our time, meetings will start and end on time. All meetings will be publically noticed. We anticipate 40 minutes will be dedicated to expert speaker presentations. Closing remarks from Task Force Members will need to be mindful of the meeting end-time. The Agenda will follow the general format as follows:

- Introduction of Task Force Members and Agenda Topic
- Guest Speakers
- Public Comment
- Closing Remarks

TASK FORCE GOALS

The goals of the Task Force are to:

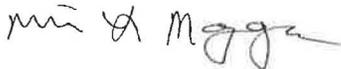
1. Learn about the issues from professionals in the field of each Task Force meeting topic.
2. Identify resources, experts and information that can educate our community.
3. Develop a plan, including a resource guide, to proactively reach out to the youth, parents and families among our region, and individual communities, with resources and information that can help prevent and deal with harmful behavior.

If you have any questions regarding this Task Force, please feel free to contact either Mayor Mike Naggar of the City of Temecula at 951-506-5100 or by email at mnaggar@citycouncil.org or Mayor Rick Gibbs at the City of Murrieta at 951-461-6016 or by email at rgibbs@murrieta.org.

Should you have any logistical questions, the staff contact for this Task Force is Betsy Lowrey, Sr. Management Analyst, City of Temecula, Betsy.Lowrey@CityofTemecula.org or 951-693-3959. Please RSVP to Betsy whether you can attend the kick-off meeting scheduled for Monday, April 29, 2013.

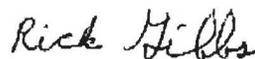
We look forward to seeing you soon.

Sincerely,



Mike Naggar, Mayor
City of Temecula

Sincerely,



Rick Gibbs, Mayor
City of Murrieta

Regional Family, Youth and Health Task Force
March 29, 2013
Page 4

Attachment: Task Force Member List

cc: Ron Bradley, Interim City Manager, City of Hemet



Scott A. Mann
Mayor

Wallace W. Edgerton
Deputy Mayor

Greg August
Councilmember

Thomas Fuhrman
Councilmember

John V. Denver
Councilmember

March 20, 2013

Dan Carrigg
Senior Director, Legislative Affairs
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

ENCL: Opposition Letter, AB 5 (Ammiano) - Homeless Person's Bill of Rights and Fairness Act

Dear Mr. Carrigg,

The Menifee City Council took a unanimous position to 'OPPOSE' this legislation at the regular meeting of the Menifee City Council, March 19, 2013. Please see the enclosed letter.

It is our understanding that the League has this legislation under 'WATCH' as the Assembly Judiciary Committee reviews the Bill. As there is no appropriations tied to this legislation, at the appropriate time, we strongly urge the League of California Cities to take an 'OPPOSE' position on AB 5 authored by Assemblyman Ammiano for the reasons articulated in our opposition letter.

The City of Menifee has determined that this legislation would adversely impact the City's fiscal position, and, due to the broad and vague nature of the bill, it would make it difficult to defend the City and its employees from any litigation that may arise from it.

Please consider the City of Menifee among those organizations that oppose AB 5.

Sincerely,

Scott A. Mann
Mayor, City of Menifee

CC:
Menifee City Council
Erin Sasse, Riverside County Division, Regional Public Affairs Manager
Riverside County Division, League of California Cities, Member Cities

#16.g.3



Scott A. Mann
Mayor

Wallace W. Edgerton
Deputy Mayor

John V. Denver
Councilmember

Thomas Fuhrman
Councilmember

Greg August
Councilmember

March 19, 2013

The Honorable Tom Ammiano
California Assembly
State Capitol
P.O. Box 942849
Sacramento, CA

Re: AB 5 – Homeless Person's Bill of Rights and Fairness Act – OPPOSE

Dear Assembly Member Ammiano:

AB 5, introduced on December 3, 2012, would enact the Homeless Person's Bill of Rights and Fairness Act and would provide that no person's rights, privileges or access to public services may be denied or abridged because he or she is homeless, has a low income, or suffers from a mental illness or physical disability. Specifically this bill would:

- Provide that every person in the State, regardless of housing status, income level, mental illness or physical disability, shall be free from specified forms of discrimination and shall be entitled to certain basic human rights, including the right to be free from discrimination by law enforcement, in the workplace, while seeking or maintaining housing or shelter and while seeking services;
- Provide that every person has the right to access public property, possess personal property, access public restrooms, clean water, affordable housing, emergency and nonemergency health care, confidentiality of medical records, assistance of legal counsel in specified proceedings, and restitution under specified circumstances;
- Provide civil and criminal immunity, and immunity from employer retaliation, to a public employee who assists homeless persons;
- Require local law enforcement agencies to make specified information available to the public and report annually to the Attorney General on enforcement of local ordinances against homeless persons as well as on compliance with the Act; and
- Provide for judicial relief and impose civic penalties for a violation of the Act.

As introduced, AB 5 defines public space as any space that is predominantly within the public domain or that is held open to the public, including but not limited to plazas, courtyards, parking lots, sidewalks, public transportation, and public buildings and parks. This bill defines housing status as status of having or not have a fixed or regular residence, including the status of living on the streets, in a vehicle or in a homeless shelter, or similar temporary residence or elsewhere in the public domain.

AB 5 would guarantee the right to 24 hours a day, seven days a week access to: 1) clean and safe public restrooms; 2) hygienic provisions, either through government-funded distribution of hygienic kits or the availability of clean and safe public shower facilities; and 3) facilities with clearly identifiable staff able to react to safety concerns, including, but not limited to, shelters and drop-in centers that meet basic health, hygiene, and dignity needs, among other rights.

Potential City Impact

City Staff has reviewed AB 5 and has determined the following potential impacts to the City of Menifee:

- City Staff has determined that AB 5 would adversely impact the City's budget by increasing staff costs in order to comply with the Act's requirements as well as dealing with complaints from residents regarding those services.
- According to the City Attorney, the broad and vague nature of AB 5 would make it more difficult to defend the City or its employees in litigation that may arise from it, especially since the legislation provides for not only the recovery of compensatory damages, but punitive and exemplary, as well as attorney's fees.

Please consider the City of Menifee among those organizations that oppose AB 5.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott A. Mann".

Scott A. Mann
Mayor