



AGENDA

REGULAR MEETING OF THE HEMET CITY COUNCIL

May 14, 2013

5:00 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

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.

1. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *Interim City Manager Bradley*

Employee organization:

Service Employees International Union (SEIU) General Employees

Communications Workers of America (CWA) Non-Sworn Police Employees

Hemet Fire Fighters Association

Hemet Police Officers Association

Hemet Police Management Association

Hemet Mid-Managers Association

Administrative Personnel

At-Will Employees

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

2. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: *Interim City Manager Bradley*
Employee organization:
Service Employees International Union (SEIU) General Employees
Communications Workers of America (CWA) Non-Sworn Police Employees
Hemet Fire Fighters Association
Hemet Police Officers Association
Hemet Police Management Association
Hemet Mid-Managers Association
Administrative Personnel
At-Will Employees
-

Presentation

3. Recognize the Law Enforcement Appreciation Committee Award Recipients
-

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

4. **Approval of Minutes** – April 9, 2013
5. **Approval of Minutes** – April 23, 2013
6. **Receive and File** – Warrant Registers
 - a. Warrant registers dated April 18, 2013 and May 2, 2013. Payroll for the period of April 1, 2013 to April 14, 2013 was \$453,635.82.
7. **Recommendation by Public Works** – Reallocation of funding from Well 17 Project No. 5567 to Water Fund No. 571-9000-2410 for the purchase of Calendar Year 2013 recharge water.
 - a. Reallocate unexpended funding from Well 17 Project No. 5567 in the amount of \$776,160 to Water Division Fund 571-9000-2410 to be used for the payment of Calendar Year 2013 Ground Water Management Plan water purchases; and
 - b. Authorize the Deputy City Manager/Administrative Services Director to issue payment for water purchases upon receipt of billing from Eastern Municipal Water District.
8. **Recommendation by Community Investment** – Endorse the effort by Riverside County Economic Development Agency to expand the Recycling Market Development Zone (RMDZ) Program
 - a. Adopt a resolution endorsing the effort by Riverside County Economic Development Agency to expand the Recycling Market Development Zone (RMDZ) Program. **Resolution Bill No. 13-018**
9. **Recommendation by Community Investment** - Appointment to the Oversight Board of the Dissolved Hemet Redevelopment Agency
 - a. Adopt a resolution confirming the Mayor's appointment of member to the Oversight Board. **Resolution Bill No. 13-019**
10. **Recommendation by Engineering** – Traffic Signal at Sanderson Avenue and Thornton Avenue, City Project No. 5571
 - a. Award the contract to the lowest, responsive bidder, Steiny and Company, Inc. for the Traffic Signal at Sanderson Avenue and Thornton Avenue, CIP 5571 in the amount of \$252,834, and reject all other bids; and
 - b. Authorize the Interim City Manager to enter into a construction contract for the improvements; and
 - c. Establish budget in the amount of \$252,834 in Fund No. 329-5571-5500 for the cost of construction, \$15,000 for surveying and geotechnical engineering and \$20,000 in Fund No. 329-5571-2710, various accounts for staff design, administration costs, construction engineering and inspection costs, totaling \$287,834.

11. **Recommendation by Engineering** – Change Order No. 4 for the City Wide Pavement Rehabilitation City Project No. 5551
 - a. Authorize the City Manager to approve Change Order No. 4 in the amount of \$79,205 for additional pavement rehabilitation on Buena Vista Street from Thorton Avenue to Chambers Street.
-

Successor Agency Consent Calendar

12. **Receive and File** – Notice of Finding of Completion for City of Hemet Successor Agency
 - a. The City Council, acting in its capacity as Successor Agency to the dissolved former Hemet Redevelopment Agency received the Notice of Finding of Completion from the State of California, Department of Finance for Redevelopment Agency dissolution activities in compliance with AB 1X26.
-

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.

13. **Appeal No. 13-001 (Conditional Use Permit No. 12-007) – Hemet Jewelry & Loan** – Community Development Director Elliano
 - a. Conduct a public hearing; and
 - b. Adopt a resolution affirming the denial of Conditional Use Permit No. 12-007 for the operation of a Collateral Loan Business (Pawnshop) located at 2355 E. Florida Avenue (APN: 445-290-022). **Resolution Bill No. 13-017**
-

Discussion/Action Item

14. **Rent Review Commission Vacancy** – City Clerk McComas
 - a. Interview and consider appointment of Mr. Mark Perinsky as one At-Large Representative on the City's Rent Review Commission.
-

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

15. 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
1. Indian Gaming Distribution Fund
2. Riverside County Habitat Conservation Agency (RCHCA)
3. 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)

 - G. Interim City Manager Bradley
 - 1. Manager's Reports
 - 2. Animal Control Request for Proposal (RFP)
-

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, May 28, 2013 at 7:00 p.m. for consideration of items placed on that agenda. The next regular meeting will be held June 11, 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.



#4

MINUTES

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

Call to Order

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

Roll Call

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

ABSENT: None

Work Study

Discussion regarding these items, with possible direction to staff

1. Presentation on AP Northlake Solar Project – Christina White, SunEdison
Christina White, SunEdison, gave the City Council a powerpoint presentation regarding the proposed AP Northlake Solar Project. SunEdison is the parent company of the AP North Lake I Solar and AP North Lake II Solar Projects. Ms. White gave the City Council an overview of SunEdison who is based in the USA and is a subsidiary of MEMC. SunEdison has developed, financed, installed and operates solar power facilities throughout the world. Over 480 solar power facilities have been built and financed. Examples of completed projects include: CSU Bakersfield; Webberville, TX; and Marana, AZ. A map of the location for SunEdison's proposed projects in the City of Hemet was displayed. AP North Lake I Solar LP a 20 MW project was awarded a Power Purchase Agreement in October 2012 with Riverside Public Utilities. AP North Lake II Solar LP is a 5 MW expansion project. SunEdison has a lease option with Metropolitan Water District (MWD) executed in March 2011 for 181-acre site at Diamond Valley Lake through MWD competitive RFP process. The City of Hemet will serve as the lead CEQA agency. The project description and Notice of Preparation are to be issued in the second quarter of 2013. The full CEQA process is to be completed by mid-2014. Targeted construction start date will be the third quarter of 2014 with commercial operations date in the first quarter of 2015. SunEdison is requesting to enter into a lease with the City of Hemet for a 19-acre site to allow room for mitigation and/or setbacks. This lease will allow the City of Hemet to gain revenue from these projects. Economist prepared an economic impact study estimating revenue for the City of Hemet to be approximately \$800,000 over the life of the project from land lease payments, sales tax and property tax. SunEdison has a proven commitment to local education and partnerships with higher education. SunEdison also has proven involvement in the local business community, including local Chambers of Commerce and Economic

Development Organizations.

Mayor Youssef, expressed concern with such a large parcel of land being used for a solar farm and asked what the power will be used for.

Ms. White, the power will be put on the grid. The contract is with the Riverside Public Utilities Agency. 1 MW of electricity can be generated on 10 acres.

Mayor Youssef, it is our understanding that the City of Riverside will benefit from the energy produced by this project.

Ms. White, the energy will help the larger regional area, not just Riverside. The contract is with the City of Riverside so that they can meet their goals.

Mayor Youssef, asked what the total size of the project will be.

Ms. White, the lease with MWD is for 181 acres. SunEdison is requesting to lease 19 acres from the City of Hemet for a total of 200 acres for both projects.

Mayor Youssef, confirmed that the operating phase is 20 years and that the City of Hemet is projected to gain in revenue \$800,000.00 over 20 years. Mayor Youssef asked what the economic driver or benefit would be to placing this solar farm in Hemet.

Lou Monville, the City would receive ancillary benefits. There will be a large crew in Hemet during the construction stages. The 19 acres has a number of constraints with limited use. There might be other opportunities that will be determined during the entitlement process.

Mayor Youssef, asked what government agencies are involved in this project and how the City of Riverside fits into it.

Mr. Monville, the first 20 MW will go to Riverside's Utility Company. SunEdison does not generate energy for Edison. This production will ultimately strengthen the grid near the City of Hemet.

Ms. White, SunEdison will be sensitive to the surrounding neighbors and will solicit input from the community.

Mayor Youssef, expressed concern with the location and its close proximity to schools.

Mr. Monville, noted that most of the schools have solar. The surrounding homes are one story. SunEdison will work with the Planning Department and mitigate the visual impacts. Final approval will have to come from the City Council. MWD is the landlord SunEdison was awarded the contract to build the solar farm.

Deanna Elliano, Community Development Director, the property is in the existing McSweeney Ranch Specific Plan. A Conditional Use Permit would require an amendment to the Specific Plan. A solar farm is not consistent at the time, the current land use is Single Family Residential.

Council Member Wright, I am very supportive of solar projects. However, this is prime property and this project will generate very little revenue for the City. Council Member Wright expressed concern with the visual impacts since this project is adjacent to Domenigoni Expressway and will be seen by residents and visitors coming in and out of the City.

Mr. Monville, SunEdison realizes that the visual impacts will have to be mitigated. This project has many steps in the process, this presentation is to see if the City of Hemet is interested in leasing their adjacent 19 acres.

Council Member Krupa, expressed concern with the projects close proximity to schools and residential. Council Member Krupa asked about power lines.

Ms. White, the project will be using existing lines and connecting underground from Chambers to State Street then north to the Nelson Sub-station.

Council Member Milne, expressed concern with security issues.

Ms. White, the facility will have 24 hour security due to the value of the equipment
Mayor Pro Tem Smith, is this typical to have the facility located in one City and the agreement for the power in another City.

Mr. Monville, most of California's power comes from out of state. There is a lot of interest now to get generation closer to power centers. SCE, Riverside Public Utilities and SEMPRA are buying power wherever they can get it.

Mayor Pro Tem Smith, asked why SunEdison would not sell power generated in Hemet to Hemet.

Mr. Monville, the City of Hemet is supplied by Edison and they have their own power sources.

Mayor Pro Tem Smith, if Edison needs the power, and AB 32 says that they do, it seems that using power generated here to serve residents here would be to their benefit.

Mr. Monville, Edison purchases much larger projects.

Ms. White, SunEdison did try to market this project to Edison.

Mayor Youssef, expressed concern that the project is located of one of Hemet's gateways with very little economic return for Hemet.

Ms. White, SunEdison will do an economic study as we go through this process. The amount that we proposed is the lease amount for the lease on your property. There are additional economic impacts.

Mr. Monville, understands the City Council's concerns. This is the property that MWD has slated for the solar farm, SunEdison is trying to make the project beneficial to the City of Hemet. SunEdison has a lease with MWD for 181 acres. SunEdison is requesting to lease an addition 19 acres from the City. We understand your sensitivity with MWD, however SunEdison will move forward with this project on the 181 acres.

Council Member Milne, asked how many construction jobs will be generated and for what period of time.

Ms. White, this project will create 300 to 500 construction jobs for a 6 month period. The project will employ 5 to 11 highly paid operators after completion.

The City Council agreed that there is not enough of a financial benefit for the City of Hemet to consider leasing the 19 acres to SunEdison.

Mr. Monville, SunEdison will be moving forward with the 181 acre project.

2. Crime and Safety Update/Action Plan – Dave Brown, Chief of Police

Dave Brown, Police Chief, gave the City Council a powerpoint presentation on Hemet Police Department's Crime & Safety Update Action Plan. Chief Brown thanked Rob Webb for his assistance in preparing this plan. This presentation is separated into three main parts: Crime, Safety & Investment Update; Immediate Action Plan; and Long-term Staffing & Policing Plan. The City Council has invested \$2,329,548 in capitol improvements. Since 2009, the Department has applied for and been awarded \$3,216,449 in Grant Awards. In the last 4 years, the Department has received \$5,545,997 over and above the general fund budget. The #1 question is: How many Police Officers do you have on the streets today? The City Council has authorized 67 Police Officers we are diligently working to make the goal by the end of the fiscal year. The Department has a great dedicated staff and a number of people knocking on the door to come work here. Today's total sworn is 54, 5 vacant and 6 in our Field Training Program and 2 starting the Academy the first week in May. The City's investment is paying off. The Department's crime clearance rate is 64%, all other agencies average

is 42%. This is a well established gage of effectiveness. The top seven factors that go into a community's crime rate are: economic conditions/unemployment; population density/commercial and business centers; demographics/median income/education; distressed neighborhoods; living conditions and community stability; accessibility of drugs and alcohol; and overpopulation of "criminal class" (probation/parole). A graph was displayed showing California's 20-year crime trend. Then a graph was shown that superimposed California's violent crime trend over the same 20-year period. There has been a definite reduction in crime and violent crime in California over the past 20 years. The next graph included Hemet's 20-year crime trend. The trend lines are different due to a smaller sample. Chief Brown discussed in detail the significant changes in the last 4 years. The 2 categories of crime reported to the FBI are violent and property. Both of these crime categories have increased in our community over the last 4 years. Burglary rate has increases 28.8%, unfortunately property crime is on the rise countywide, statewide and nationwide. Violent crime is up 13.6%, which is higher than the countywide increase. The robbery component increased 31.1%. Chief Brown's concern is the split between commercial and residential burglaries. The increase in residential burglary increases the community's fear of crime. Chief Brown explained the significance of the "Fear of Crime". This is based on personal or shared experience, media, and social networks. It causes a negative affect on the health and wellbeing of individuals & communities. Fear of crime, can reduce trust within neighborhoods by weakening the sense of community. There are a number of issues associated with a high level of reported "Fear of Crime", such as: dangerous driving; vandalism, graffiti and property damage; house break-ins; and perceived presence of gangs. The City's most pressing issue is the "Fear of Crime". The best opportunity for community revival is an immediate attack on the issues that contribute to the fear of crime. Chief Brown presented an aggressive plan to stop the bleeding. The Department's goal is to decrease the actual crime by 10% and the fear of crime by 25%. Chief Brown recommended that the City conduct a community wide survey that will draw valuable information for the community members. Chief Brown recommended that the City re-hire POST Certified Police Officers that have recently retired. Chief Brown also recommended that the City consider a Cooperative Agreement with the California Highway Patrol to assist with traffic enforcement on Highway 74. The Department will maximize its joint crime suppression efforts with Murrieta Police Department. Chief Brown recommended that the City Council continue its support for efforts dealing with AB-109 and the Gang Task Forces. Chief Brown summarized the benefits from the proposed immediate action plan: generates 17,906 additional enforcement hours; FT equivalent of 10 additional police officers; immediate impact on crime and safety; high-visibility leads to reduction in fear of crime; one-time expenditure, no long-term or pension liability; and effectively "stops the bleeding". Chief Brown presented the long-term staffing and police plan that he termed Project H.O.P.E. for Hemet's Option for Policing Excellence. The first thing is to establish a sworn staffing goal. There is no magic number or ratio. Chief Brown's recommendation is based on 20 years of experience policing the Valley. The goal is to increase the number of sworn officers by 14 in the next 18 months and dedicate the 14 additional officers to crime suppression and prevention. This would make a significant impact on crime and the "fear of crime." Chief Brown's favorite City Manager said "Hemet has a revenue problem". The Community is saying "Let us put our collective heads together and figure out how to pay for it." Hemet is the only municipal police department in the County without a

supplemental funding source. Chief Brown encouraged the City Council to set the priority and the staffing goal and let the community decide if they want to pay for it. Chief Brown encouraged the City Council to direct staff to initiate a 5-year Strategic Plan as recommended in the Hemet General Plan. The plan should identify the Community's policing expectations and priorities. This will be accomplished by conducting surveys and focus groups. The plan should establish short-term (1-3 years) goals and objectives and determine long-term (3-5 years) strategic objectives. The plan will build community trust and confidence in the Police Department. This 5-year Strategic Plan should be published by Fall 2014. The benefits of long-term stability are: employee recruitment and retention; enhances community's sense of safety and security; reduction in crime; repositions Hemet as a safe, attractive and desirable community; and strengthens the foundation for regional policing opportunities. Chief Brown believes that it is time for the Police Department and the City to embrace the concept of regionalization, agencies can not continue to do it the way that we have been. This does not mean contracting to a larger agency. The Department's participating on task forces and shared SWAT teams are examples of regional policing. In summary the Action Plan goal is a 10% reduction in crime and a 25% reduction in reported "Fear of Crime" in 18 months. It is recommended that the City Council: 1) direct staff to initiate re-hire of Certified Police Officers; 2) direct staff to negotiate CHP Cooperative Agreement; 3) establish sworn staffing goal; 4) direct staff to initiate Police Department Strategic Planning Process; and 5) direct staff to prepare long-term "Department Stabilization Plan".

Mayor Youssef, applauded the plan that increases the officers on the street with out long-term costs and liabilities. Mayor Youssef asked when an agreement can be in place with CHP and how quickly retired officers can be on board. Mayor Youssef also asked if the re-hire program will be limited to retired Hemet Police Officers.

Chief Brown, unsure of the timeline with the CHP, it is our hope to begin this by July 1st. The department will reach out to retired officers from other areas. It would be advantageous if the officers are familiar with the community and its needs.

Mayor Pro Tem Smith, praised Chief Brown's commitment to policing this community. Mayor Pro Tem Smith asked how long POST Certifications last.

Chief Brown, a POST Certification expires after 3 years and 1 day. Only officers that have a service retirement within the last 3 years are eligible and will be fully sworn officers.

Mayor Pro Tem Smith, thanked Chief Brown for these options. The City Council fights every year for a way to fund the public safety departments appropriately.

Council Member Wright, commended Chief Brown and his staff for this action plan.

Council Member Krupa, asked how the City Council can help Chief Brown get the AB109 task force headquarters located in Hemet.

Chief Brown, locations are being considered. Hemet is a likely candidate due to the high number of releases in our community.

Council Member Milne, expressed concern with fatigue if overtime is required to meet the 128 hours suppression with Murrieta PD.

Chief Brown, fatigue and burnout are daily concerns. This program is important enough to commit our officers to it on an overtime basis.

Eric Vail, City Attorney, as a PERS Agency the City has to comply with PERS rules regarding retired annuitants. It is also important that the City complies with any meet and confer issues that these recommendations might trigger.

The City Council gave direction to the Police Chief, the City Manager and the City Attorney to bring back these recommendations as action items for consideration.

The City Council recessed briefly at 7:00 p.m.

The City Council continued Item Nos. 3 and 3.A to the end of the Regular Session.

Closed Session

- 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

 - 3.A Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: *Interim City Manager Bradley*
Employee organization: *Service Employees International Union (SEIU) General Employees*
-

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 7:16 p.m.

Roll Call

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

ABSENT: None

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

Invocation

Invocation was given by Michael Madrigal, Hemet-San Jacinto Interfaith Council
A moment of silence was observed for the United States troops.

Pledge of Allegiance

Pledge of Allegiance was led by Mayor Pro Tem Smith

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
 - 4.A Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: *Interim City Manager Bradley*
Employee organization: *Service Employees International Union (SEIU) General Employees*
-

Presentations

5. Proclamation to the City of Hemet a "Tree City USA" proclaiming April 29, 2013 as Arbor Day
Mayor Youssef, presented a proclamation to Kristen Jensen, Public Works Director, on behalf of the City of Hemet proclaiming April 29, 2013 as Arbor Day.
 6. Proclamation to Donate Life proclaiming April as Donate Life Month
John Bears, Donate Life, told his personal story that encouraged him to promote organ donation.
Mayor Youssef, presented a proclamation to Donate Life proclaiming April as Donate Life Month.
-

The City Council discussed Item No. 16.A.3 at this time.

City Council Business 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.

Item No. 7 was removed from the Consent Calendar. **Mayor Pro Tem Smith moved and Council Member Krupa seconded a motion to approve the remaining Consent Calendar items. Motion carried 5-0.**

Item No. 7

Mayor Pro Tem Smith, requested a separate vote since he was not present at the March 12, 2013 City Council meeting.

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

Public Hearing

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.

Carla Callahan, on February 12, 2013 the City Council approved the recommendations for the 2013-2014 Program Year CDBG allocation and reprogramming of unexpended prior year CDBG funding. These allocations were incorporated into the proposed 2013-2014 CDBG Annual Action Plan which was available for public review and comment for a period of 30 days as required by HUD. Staff is requesting that the City Council conduct a public hearing to accept comments. Staff is recommending that the City Council approve the proposed 2013-2014 CDBG Annual Action Plan and authorize the City Manager to sign the application for Federal Assistance SF-424 and Non-State Government Certifications required for submission.

Mayor Youssef declared the Public Hearing opened at 7:38 p.m.

Marvin Nottingham, Valley Restart, sent in letter expressing opposition to the Ad-Hoc Committee's recommendations. Mr. Nottingham explained the services provided by Valley Restart for Hemet residents. Valley Restart's 13 Board Members recommend that the City Council reconsider funding Valley Restart.

Mary Lucas, Assistance League of Hemacinto, spoke in opposition to the Ad-Hoc Committees recommendations. 23 applications met the City's criteria, but did not get funded. The Assistance League has been awarded CDBG funding for Operation School Bell from the City for over 30 years. Operation School Bell clothes and provides school supplies to over 1,000 children per year in the Valley.

Mayor Youssef declared the Public Hearing closed at 7:45 p.m.

Council Member Krupa, this Valley is full of charitable people who do a lot of good work throughout the Valley. It is unfortunate that we can not fund them all.

Mayor Pro Tem Smith, thanked the Ad-Hoc Committee for their work. There is never enough money to do all the things that we want to do.

Mayor Pro Tem Smith moved and Council Member Milne seconded a motion to approve this item as presented. Motion carried 5-0.

12. **Municipal Code Amendment No. 13-002: Extension of Time for Development Projects** – Community Development Director Elliano
- a. Conduct a public hearing; and
 - b. Adopt an Urgency 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 No. 1860**; or
 - c. Adopt an alternative Urgency 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**

Deanna Elliano, Community Development Director, the proposed ordinance was initiated at the request of several property owners and developers who have project approvals that are due to expire before the end of the 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 packages and be scheduled for a public hearing before the Planning Commission. Staff has identified the 12 commercial and residential projects that are affected. Several of the developers have indicated a slow improvement in the retail market and an increased availability in financing and anticipate moving forward within the next several months. Staff has reviewed the projects and would recommend an extension of time for all of them. Approval of an automatic extension of time will streamline the process and save time and cost for both the applicant and staff. The Planning Commission expressed concern that some projects have been inactive for too long and felt that extension of the projects should be considered on a case by case basis. Letters were received in favor of the automatic extension and were distributed to the City Council.

Mayor Youssef declared the Public Hearing opened at 7:53 p.m.

Eric Day, Placentia, spoke in favor of the automatic extension of time. Mr. Day completed the approval process with the City in 2008. We are hopeful that the project can resume with the improvement in the economy.

Hany Malak, McKently Malak Architects, spoke in favor of the automatic extension of time. Mr. Malak represents San Antonio Winery whose intent is to bring a restaurant and store to their commercial retail project. Time is needed to get the remainder of the property leased and obtain financing.

Lisa Elholz, San Antonio Winery, spoke in favor of the automatic extension in time. Ms. Elholz concurred that expiration of the project would hinder current negotiations.

Tommy Thompson, BIA, the BIA represents 400 companies in Riverside County. Riverside County is still in a down economy. Mr. Thompson recommended approval of the automatic extension of time for the 12 effected projects. In 2005, 1,500 permits were pulled in the City of Hemet. Last year only 28 permits were pulled. We are still struggling as an industry. The economy is getting better in Orange County and San Diego and will get better here. Considering the extension of these projects on a case by case basis will add additional time and costs to these projects.

Don McCoy, Laguna Beach, spoke in favor of the automatic extension of time. Mr. McCoy and John Peterson have spent over \$500,000 to date on their 15 acre project at

the Hemet Auto Mall. We are hopeful that the economy will improve and the project can be built in the next two years.

Steve Quinn, A.P.E. Holdings, spoke in favor of the automatic extension. Mr. Quinn began the planning process on a 2.15 acre site on Acacia and Kirby in 2004 and obtained approval in 2008. An extension is needed to complete the project. The additional requirements will add costs and time. We have invested our business capital in Hemet this will send the message that Hemet is business friendly.

David Schroeder, Scripps West Investment, spoke in favor of the automatic extension of time. Mr. Schroeder began the planning process in 2006 on his property located on Florida and Yale. We finally received approval by the City Council and pulled grading permits then the major tenant stopped all expansion due to the economy. The partners are personally carrying the construction loan and property taxes and need the extension to complete the project.

Robert Righetti, Hemet Taxpayers Association, spoke in favor of the automatic extension of time. Mr. Righetti recommended that the City Council not impede the progress and push the growth curb further.

Mayor Youssef declared the Public Hearing closed at 8:13 p.m.

Council Member Milne, the economy is improving in San Diego and Los Angeles County's. Let the hard work that has already been done work to our benefit.

The City Council asked what the Planning Commissions concerns were and why a case by case review was recommended.

Ms. Elliano, the Planning Commission unanimously recommended that the projects come back for review. Concern was expressed that some of the projects had languished and additional time would not help. All of the projects would have had the ability to request an extension. The Planning Commission wanted the applicant to explain the project status.

Council Member Krupa, asked what the downside would be to granting the automatic extension. The Developers have to meet current code and design guidelines.

Ms. Elliano, confirmed that the projects will have to comply with current code and design guidelines. Staff does not see a downside to granting the automatic extension.

Mayor Pro Tem Smith moved and Mayor Youssef seconded a motion to adopt Urgency Ordinance No. 1860. Motion carried 5-0.

Ordinance was read by title only.

The City Council recessed briefly at 8:22 p.m.

Reconvened at 8:29 p.m.

The City Council recessed to the Housing Authority Meeting at 8:29 p.m.

Reconvened at 9:11 p.m.

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 No. 4532**; and

- d. Direct staff to file a Notice of Exemptions with the County Clerk in compliance with the California Environmental Quality Act.

Deanna Elliano, Community Development Director, State Law AB 1660 became effective on January 1, 2013. Cities and Counties have to allow homemade food operations within specific zones with very little regulations. The use is allowed by right or a non-discretionary permit process. Staff and the Planning Commission are recommending an Ordinance that requires a permit process. The City will confirm that the food operations do not impede the neighborhood. Addresses will be provided to Riverside County Department of Environmental Health to confirm compliance with their regulations. The Permit Fee will be \$75.00 to cover the administrative cost to provide the permit. The operators would also be required to have a City Business License.

Council Member Milne, asked if the operators will have to comply with food labeling laws.

Ms. Elliano, confirmed that the operators will have to comply with the notifications required by law.

Mayor Pro Tem Smith, expressed concern with the State requiring the City to enforce things.

Mayor Youssef declared the Public Hearing opened at 9:17 p.m.

There were no public comments presented at this time.

Mayor Youssef declared the Public Hearing closed at 9:18 p.m.

Council Member Krupa moved and Mayor Youssef seconded a motion to introduce, read by title only and waive further reading of Ordinance Bill No. 13-003, adopt Resolution No. 4532 and direct staff to file a Notice of Exemptions. Motion carried 3-2. Council Member Milne and Mayor Pro Tem Smith voted No.

The Ordinance was read by title only.

Ron Bradley, Interim City Manager, announced that John Janson's wife had an emergency c-section last night both Melissa and Ingrid are in ICU.

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

Laurie Knotek, Special Events Manager, this is a popular event that is put on every other year. Riverside County Economic Development Agency is requesting \$25,000 worth of in-kind services, such as public works support, facilities maintenance support and coordination, traffic control and security as well as community outreach activities by the Police and Fire Departments. Staff is requesting to include this as a line item in the 2013-14 budget.

Veronica Kasper, RC Economic Development Agency, this year's event is scheduled for Saturday, November 2, 2013 from 9 a.m. to 3 p.m. The Hemet Ryan Air Show is a free community/family friendly event. There were approximately 30,000

people in attendance in 2011. The highlights were: a huge U.S. Air Force presence; amazing aerobatic displays; static displays; vendor & food booths; and a kid's zone. Pictures of the 2011 event were displayed. Air shows create a positive economic impact for the region increasing patronage at local restaurants, gas stations, lodging and stores. Ms. Kasper explained the marketing benefits from supporting the event.

Mayor Pro Tem Smith, asked about commitments, since the Blue Angels will not be available.

Ms. Kasper, commitments have not been secured at this time.

Council Member Milne moved and Council Member Wright seconded a motion to approve this item as presented. Motion carried 5-0.

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.

Laurie Knotek, Special Events Manager, in March, the City of San Jacinto coordinated a meeting including the representatives from both Hemet and San Jacinto, the Chambers of Commerce and private sector businesses to promote tourism in the San Jacinto Valley. Mayor Bartel and Council Member Kotyuk serve as the representatives from the City of San Jacinto. The City of Hemet has been asked to formally appoint a member of the City Council to represent the City of Hemet on this committee.

Council Member Krupa, I have attended the past meetings. The City of San Jacinto has contracted with Leslie McClellan to develop a tourism campaign. Ms. McClellan talked about websites and the need to catch a persons attention is three seconds. The City of San Jacinto has a zipline and I didn't know about. Ms. McClellan has a lot of energy and fresh eyes.

Council Member Wright moved and Mayor Pro Tem Smith seconded a motion to approve the appointment of Council Member Krupa to the Tourism Program Committee. Motion carried 4-0. Council Member Krupa abstained.

Communications from the Public

Patty Woods, Hemet, expressed concern that the City Council is prohibiting the public from voicing their opinion by moving the Communications from the Public to the end of the meeting. Many people were here to speak in support of Chief Brown.

Darrell Woods, Hemet, spoke in support of Chief Brown and his presentation. Mr. Woods expressed concern with Communications from the Public being moved. Mr. Woods expressed concern that Chief Brown will not get support for his recommendations. Mr. Woods recommended that the City Council stop the Fire RFP process and consider other options.

Robert Righetti, Diamond Valley Arts Council, the upcoming Casey Abrams concert at the Hemet Theater has sold out. The DVAC is hoping to bring more shows to the downtown theater.

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

Council Member Krupa, thanked Chief Morris for letting the City Council ride on the Department's new brush truck in the Ramona Pageant Parade.

Lori VanArsdale, Ramona Bowl, presented the City of Hemet and Burke, Williams and Sorenson tickets for their sponsorship of Ramona Pageant. Group sales are up by 30% this season. Board Members Hippert and Wilhelm as well as San Jacinto representative Alan Border's were also in attendance. Ramona Pageant has a history of filling up hotels and packing restaurants for three consecutive weekends.

Jeanine Washington, 3rd season as "Ramona", I am a Hemet born Native American and a 1988 graduate of Hemet High School. I am proud to be part of the longest running outdoor drama and the crown jewel of this community.

Duane Minard, 5th season as "Alessandro" the cast and crew are energized for the 90th Season. If you haven't seen Ramona, you need to. I am California native Paiute Indian. I am honored to do this play as a Native American and an actor. I have made Hemet my home since 1989. I have been a part of the Ramona Pageant in various capacities for 13 years.

Ms. VanArsdale, the Bowl will be honoring previous cast members on different dates. Anyone 90 years old and older may come see the Pageant free. There is so much happening we hope you will join us.

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

Mayor Pro Tem Smith, announced that April 14 to April 20, 2013 is National Public Safety Telecommunicators Week.

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

Council Member Milne and Mayor Youssef were appointed.

3. Request for Letter in Opposition of AB5

Eric Vail, City Attorney, explained the concerns regarding AB5 and recommended that the City Council send a letter of opposition.

The City Council unanimously approved to prepare and sign a letter in Opposition of AB5.

Ron Bradley, Interim City Manager, introduced Gary Thornhill. Mr. Thornhill will serve as the City's Interim City Manager. Mr. Thornhill comes with 32 years experience in local government. Mr. Thornhill and I work well together. I have a great deal of trust and confident in him. Once a permanent City Manager has been hired, he will hire a permanent Assistant City Manager.

Continued 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 9:57 p.m.

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

3.A Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *Interim City Manager Bradley*

Employee organization: *Service Employees International Union (SEIU) General Employees*

City Attorney Continued 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

The City Council gave direction to the City Attorney. There was no additional reportable action.

4.A Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *Interim City Manager Bradley*

Employee organization: *Service Employees International Union (SEIU) General Employees*

The City Council gave direction the Interim City Manager. There was no additional reportable action.

Future Agenda Items

There were no future agenda items requested at this time.

Adjournment

Adjourned at 10:33 p.m. to Tuesday, April 23, 2013 at 7:00 p.m.



#5

MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

April 23, 2013

6:00 p.m.
City of Hemet Council Chambers
450 E. Latham Avenue

www.cityofhemet.org

Please silence all cell phones

Call to Order

Mayor Youssef called the meeting to order at 6:02 p.m.

Roll Call

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

ABSENT: None

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 6:02 p.m.

1. Conference with Legal Counsel - Anticipated Litigation
1 Matter of significant exposure to litigation pursuant to Government Code section 54956.9(b)
2. Public Employee Appointment
Pursuant to Government Code section 54957
Title: *City Manager*
3. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: *Interim City Manager Bradley*
Employee organization:
Service Employees International Union (SEIU) General Employees
Communications Workers of America (CWA) Non-Sworn Police Employees
Hemet Fire Fighters Association
Hemet Police Officers Association
Hemet Police Management Association
Hemet Mid-Managers Association
Administrative Personnel
At-Will Employees

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 and Wright, Mayor Pro Tem Smith and Mayor Youssef

ABSENT: None

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

Invocation

Invocation was given by Ramona Perez Greek, Hemet-San Jacinto Interfaith Council

Pledge of Allegiance

Pledge of Allegiance was led by Council Member Milne.

City Attorney Closed Session Report

4. Conference with Legal Counsel - Anticipated Litigation

1 Matter of significant exposure to litigation pursuant to Government Code section 54956.9(b)

The City Attorney reported that there was no additional reportable action.

5. Public Employee Appointment

Pursuant to Government Code section 54957

Title: *City Manager*

This item was continued to the end of the Regular Session.

6. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *Interim City Manager Bradley*

Employee organization:

Service Employees International Union (SEIU) General Employees

Communications Workers of America (CWA) Non-Sworn Police Employees

Hemet Fire Fighters Association

Hemet Police Officers Association

Hemet Police Management Association

Hemet Mid-Managers Association

Administrative Personnel

At-Will Employees

This item was continued to the end of the Regular Session.

Presentations

7. Proclamation to the Center Against Sexual Assault of Southwest Riverside County proclaiming April 2013 as Sexual Assault Awareness Month and April 24, 2013 as Denim Day

Gayle Hepner, CASA, explained the teal colored wristbands, ribbons, banners and lights that have been displayed throughout the Valley. Ms. Hepner invited the City Council to attend their event on Wednesday in Gibbel Park to acknowledge Sexual Assault Awareness.

Mayor Youssef, presented a proclamation to Gayle Hepner and Tom Wilson proclaiming April 2013 as Sexual Assault Awareness Month and April 24, 2013 as Denim Day.

8. Proclamation to the Riverside County Department of Mental Health proclaiming the month of May 2013 as Mental Health Month

Virginia Marshall, Board Member, brochures have been left with the City Clerk for the City Council and the public. Ms. Marshall read a list of upcoming events honoring Mental Health Month. Ms. Marshall also invited members of the public to serve on the Board.

Mayor Youssef, presented the proclamation to Virginia Marshall proclaiming May 2013 as Mental Health Month.

City Council Business Consent Calendar

9. **Approval of Minutes** – March 26, 2013
10. **Receive and File** – Warrant Register
- a. Warrant registers dated April 4, 2013. Payroll for the period of March 18, 2013 to March 31, 2013 was \$637,277.68.
11. **Recommendation by Community Development** - Zoning Ordinance Amendment No. 13-003 (Homemade Food Operator Regulations)
- a. Adopt an ordinance amending Chapter 90, Article III of the Hemet Municipal Code regarding Homemade Food Operator Regulations
Ordinance No. 1861
12. **Recommendation by Engineering** – Installation of Banner across Florida Avenue
- a. Soboba Casino – Wood Show and Contest – May 11 and May 12, 2013
13. **Recommendation by Engineering** – Consultant Services Agreement with Engineering Resources of Southern California for the Design of Storm Drain Improvements, Line E-2, on State Street and Menlo Avenue (CIP No. 5590)
- a. Approve consultant service agreement with Engineering Resources of Southern California, Inc. (ERSC) in the amount of \$146,780 and establish budget in Fund 326-5590-2710; and
- b. Authorize the City Manager to execute a consultant service agreement with ERSC to preliminarily design and final engineering services, for storm drain improvements on State St. and Menlo Avenue.
14. **Recommendation by Engineering** – Speed Limits Approval

- a. Adopt a resolution approving speed limits for various street segments.
Resolution No. 4533

15. **Recommendation by Engineering** – Award of Bid for the Citywide Sidewalks and ADA Access Ramps, City Project No. 5569
 - a. Award the contract to the lowest, responsive bidder, Crownline General Contractor for the Citywide Sidewalks and ADA Access Ramps, CIP 5569 in the amount of \$119,691, and reject all other bids; and
 - b. Authorize the Interim City Manager to enter into the construction contract for the improvements.

Item Nos. 11, 13 and 14 were removed from the Consent Calendar.

Mayor Pro Tem Smith moved and Council Member Krupa seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 5-0.

Item No. 11

Council Member Milne, requested a separate vote on this item.

Council Member Krupa moved and Mayor Youssef seconded a motion to approve this item as presented. Motion carried 3-2. Council Member Milne and Mayor Pro Tem Smith voted No.

Item No. 13

Council Member Wright, there are grants available for storm drain projects. Council Member Wright suggested that staff should start applying for next year. There is \$427,000,000 for Fiscal Year 2015/16 to be released in spring of 2014. Projects like this need to get on the project priority list.

Council Member Wright moved and Council Member Milne seconded a motion to approve this item as presented. Motion carried 5-0.

Item No. 14

Council Member Krupa, noted that the City has to abide by mandated speed limits. Surveys are done every 6 months. This resolution increases the MPH on one street and decreases it on two streets, one is Lake Street between Charlton and Lincoln, the other is Eaton between Sanderson and Kirby.

Council Member Krupa moved and Mayor Youssef seconded a motion to approve this item as presented. Motion carried 5-0.

Discussion/Action Item

16. **Side Letter Agreement with the Hemet Police Officers Association, Inc.** – Interim City Manager Bradley
 - a. Approve a Side Letter Agreement with the Hemet Police Officers Association, Inc. (HPOA) to facilitate implementation of the Crime & Safety Action Plan

Ron Bradley, Interim City Manager, the City Council gave staff direction to bring back the Police Chief's Action Plan recommendations for consideration. Staff met and conferred with the HPOA. The HPOA agreed to the recommendations presented by the Chief. Mr. Bradley thanked the HPOA for working with the City to solve this issue.

Council Member Wright moved and Mayor Pro Tem Smith seconded a motion to approve this item as presented. Motion carried 5-0.

17. **Project HOPE – Role of POST Certified Retired Police Officers** – Police Chief Brown
- a. Authorize and Direct the Human Resources Manager to create and open immediate recruitment for the classification; “Temporary, Limited Term Police Investigator” and “Temporary, Limited Term Police Sergeant”; and
 - b. Authorize the Finance Director to approve a supplemental appropriation in the amount of \$208,000 from unreserved fund balance to fund the temporary program.

Dave Brown, Police Chief, an aggressive plan was presented at the last meeting put together by the Police Department. The plan included the hiring of retired POST certified police officers. Chief Brown thanked the City Attorney's Office for their extensive work. New job specifications have been prepared. Staff is seeking direction from the City Council to hire the temporary officers and to fund the program. These temporary employees will have full Police powers. If approved, the recruitment can begin tomorrow. A retired Sergeant will be hired to manage the positions. Chief Brown thanked the HPOA and the HPMA for supporting these efforts.

Mayor Youssef, asked if this recruitment will only be for retired City of Hemet employees.

Chief Brown, there are only 5 retired officers that qualify and they have not been contacted to see if there is an interest. The officer must have a service retirement within the last 3 years. It would be beneficial to have officers that have worked in Riverside County if possible due to their familiarity.

Mayor Youssef, asked the equivalency in terms of officers.

Chief Brown, Project HOPE, including the CHP Agreement, will be equal to 10 more Officers in the City.

Mayor Pro Tem Smith, requested a report from the Chief in 90 days from July 1, with the results of this program. Mayor Pro Tem Smith asked Mr. Bradley to explain the overture of the general fund unreserved balance.

Mr. Bradley, the revenues come from several sources usually one time payments or where the City received more revenue than expected or spent less than expected. This is not an ongoing revenue source and perfect to use for special programs.

Bob Jungbluth, Hemet, recently there has been a cloud of negativity over the City Council meetings. The residents support Chief Brown and were in support of his recent presentation.

Patty Woods, Hemet, expressed concern that the City Council all supported Chief Brown's plan that included hiring these officer and the agreement with the CHP. Why is the agreement with the CHP not included for consideration. You are asking Chief Brown to come back with a report but you are not ensuring the Officer's that you will not go out for an RFP in the next 18 months. This Department needs stability. Ms. Woods requested that the City Council Members be the leaders that they were elected to be or resign.

Chief Brown, it is not responsible of me to ask for more Officers that I might have to lay off at a later date. As I am prepared with agreements and plans I will come to the City Council for approval and funding. The stability is important, it is good that both sides are talking.

Council Member Krupa moved and Council Member Wright seconded a motion to approve this item as presented. Motion carried 5-0.

Communications from the Public

Bob Jungbluth, Hemet, at a recent Council meeting I expressed concern about Ramona Humane Society and my concern was referred to the City Manager. Mr. Jungbluth explained another recent situation where Ramona Humane Society was not responsive. Mr. Jungbluth is requesting a report on Animal Control services to either himself or the public.

Mayor Youssef, requested a workstudy with Ramona Humane Society.

Ron Bradley, Interim City Manager, Chief Brown is working with them to make sure they are responsive. Vicious attacks will be handled by the Police Department.

Katie Johnson, Hemet, told the City Council about a recent vicious pit bull attack on my dog. After they mauled my dog to death the pit bulls began to maul me. The response time from Hemet Fire and Hemet PD was amazing. It would be wrong to outsource public safety the response times would be slower. Animal Control did catch the second dog.

Mona Groff, Hemet, expressed concern that all three Council Members elected in November agreed to look at all options for financing public safety, however one of the Council Members is backing out. One of the Council Members is a grant writer yet the City has not received additional money that is available, we need the money now not next year.

Jeff Coffman, Hemet, thanked the City Council for allowing the residents to hear the comparisons between the two Fire Departments. As an employee that has been represented by a union for 34 years it is important to me that the fire fighters would remain represented by a union. Chief Hawkins made it clear that they would. Chief Hawkins also made it clear that the majority of the firefighters would be absorbed and they would be able to maintain their high standard of living. CalFire has been serving California cities since 1885 including 64 counties and 204 cities. 21 of the 28 Riverside County cities are served by CalFire. Their firefighters have options for rank advancements and to serve anywhere in the State that CalFire operates. As a Hemet resident and past business owner it is important that Hemet City Council uses our money wisely. Mr. Coffman discussed the City's current financial situation and expressed concern that other cities are filing bankruptcy due to unfunded liabilities. The City would write one check to CalFire to pay for employees, equipment and cover liabilities. Contracting with CalFire would give the City \$2.4 million over the next three years to pay for more police officers. The City Council is financially responsible with the resident's money, the same residents that voted the City Council into office. The City Council should do what is best for the financial future of the City.

Steve Sandefer, HFFA, Hemet Fire Department was on the scene at the pit bull attack in one minute and 44 seconds. Mr. Coffman said some interesting things. Mr. Coffman please refer to page 16 of the original staff report, at the time the bids were received the Hemet Fire Department was \$1,000,000 cheaper.

Robert Righetti, a meeting was held a week and a half ago in San Jacinto regarding tourism, economics and bringing jobs to the Valley. It was attended by the San Jacinto City Council and their staff. Name cards were there for the Hemet City Council and only two attended, one of which left early. San Jacinto hired a tourism attractor and Hemet City Council needed to be at the table.

Jim Lineberger, Hemet, I come to all of the meetings and I want to get involved. I support this Valley as a non-profit director and as a resident. I am here as a resident tonight. The residents want to keep the Hemet Fire Department. I'm sure most of us don't have all the facts. I personally base my opinion on what I read on Facebook. The City Council gave Chief Brown a chance, why didn't the City Council give Chief Morris a chance. If money is the concern why doesn't the City's Fire Department go back to volunteer firefighters. Listen to the

business owners and residents and let them help you come up with solutions.

City Council Reports

18. CITY COUNCIL REPORTS AND COMMENTS

A. Council Member Krupa

1. Traffic and Parking Commission
2. Riverside Conservation Authority (RCA)
3. Ramona Bowl Association

Council Member Krupa, this was opening weekend of "Ramona". First Nighter's party was successful. Gosch Ford donated the food and HPOA and HFFA served the attendees. Council Member Krupa invited the City Council to attend the VIP Reception on May 4th.

4. Indian Gaming Distribution Fund
5. Riverside Transit Agency (RTA)

Council Member Krupa, attended the LEAC at Pechanga. 3 Hemet Police Officer's were acknowledged. Council Member Krupa requested that the Police Chief bring them to a City Council meeting to be recognized.

Council Member Krupa, attended the Watermaster meeting. It was informative, confusing, challenging and depressing. The Watermaster is a five-member Board overseeing MWD's payment to the Soboba Indians. There is a TAC Advisory Committee and staff that stay abreast on it.

Council Member Krupa, also attended a meeting regarding the Lake Elsinore/San Jacinto Watershed Program. They brought up creative ideas to deal with the situation instead of treating the concerns that are natural. Originally they were expecting Hemet and San Jacinto to pay for the clean-up of Lake Elsinore and Canyon Lake since our cities are upstream. The creative idea is to treat the water with an alum solution.

B. Council Member Milne

1. Library Board

Council Member Milne, gave examples of usage at similar sized libraries and noted that Hemet Public Library usage and staff efficiency is amazing for only being open 4 days a week.

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

Council Member Milne, is hopeful that solutions will be forth coming after meeting with staff and the property owners.

Council Member Milne, the City of San Jacinto conducted a Community Visioning Workshop and invited the City of Hemet to attend. Council Member Krupa was there and I attended also. San Jacinto has offered to allow Hemet to piggy back on their efforts. A tourism website is being designed that will benefit the entire Valley www.visitsanjacintovalley.com. It is nice to see the two City Council working together to promote the entire Valley.

C. Council Member Wright

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

Council Member Wright, helped serve food at the very well attended Ramona Pageant's First Nighters event at the Stock Farm.

Council Member Wright, also attended LEAC. It was great to see Hemet's Officers get acknowledged.

Council Member Wright, attended the California Funding Fair in Sacramento and brought back a lot of information for staff. The Grant process is slow, the money doesn't come tomorrow but it will eventually. Foundation grant money is more readily available. State and Federal funding takes time. If anyone is interested in learning more about the grant process there are websites available.

D. Mayor Pro Tem Smith

1. League of California Cities
2. Riverside County Transportation Commission (RCTC)

Mayor Pro Tem Smith, RCTC approved their \$1.2 Billion budget. With Highway 91 project funded, Highway 79 or Mid-County Parkway can move up on the list.

3. Western Riverside County of Governments (WRCOG)
4. Public Safety Update

Mayor Pro Tem Smith, displayed in the parking lot is one of 9 new Police vehicles. This is a great investment for our officers.

5. National League of Cities

Mayor Pro Tem Smith, encouraged the alternate on the Watermaster to attend all meetings to stay abreast.

Mayor Pro Tem Smith, attended Echo Hill's Grand Opening, a great asset to the community.

E. Mayor Youssef

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

Mayor Youssef, Mid-County Parkway is moving closer to the top, however it is receiving a lot of opposition. The City Council has received letters to withdraw their support of the Parkway.

The City Council reiterated their support for Mid-County Parkway.

3. Disaster Planning Commission

F. Ad-Hoc Committee Reports

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

G. Interim City Manager Bradley

1. Manager's Reports
2. Mobile Home Rent Review Commission – At Large Representative

Sarah McComas, City Clerk, requested that City Council Members assist in finding volunteers for an at-large representative for the City's Mobile Home Rent Review Commission.

Continued Closed Session

There was no public comment presented at this time.
The City Council recessed to Closed Session at 9:13 p.m.

2. Public Employee Appointment

Pursuant to Government Code section 54957

Title: *City Manager*

3. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *Interim City Manager Bradley*

Employee organization:

*Service Employees International Union (SEIU) General Employees
Communications Workers of America (CWA) Non-Sworn Police Employees
Hemet Fire Fighters Association
Hemet Police Officers Association
Hemet Police Management Association
Hemet Mid-Managers Association
Administrative Personnel
At-Will Employees*

Reconvened at 10:27 p.m.

City Attorney Continued Closed Session Report

2. Public Employee Appointment

Pursuant to Government Code section 54957

Title: *City Manager*

The City Council gave parameters to the City Manager regarding the recruitment. There was no additional reportable action.

3. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: *Interim City Manager Bradley*

Employee organization:

*Service Employees International Union (SEIU) General Employees
Communications Workers of America (CWA) Non-Sworn Police Employees
Hemet Fire Fighters Association
Hemet Police Officers Association
Hemet Police Management Association
At Will Employees*

*Administrative Personnel
Hemet Mid-Managers Association*

The City Council received a report and gave the Negotiating Team direction. There was no additional reportable action.

Future Agenda Items

Workstudy with Ramona Humane Society

Adjournment

Adjourned at 10:29 p.m. to Tuesday, May 14, 2013 at 7:00 p.m.



Staff Report

TO: Honorable Mayor and Members of the City Council

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

DATE: May 14, 2013

RE: Warrant Register

The City of Hemet's warrant registers dated April 18, 2013 and May 2, 2013 are currently posted on the City's website in the Finance Department section, under *Financial Information*. Payroll for the period of April 1, 2013 to April 14, 2013 was \$563,835.82.

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,

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 Hemet City Council

FROM: Kristen Jensen, Public Works Director; Ronald Bradley, Interim City Manager *RB*

DATE: May 14, 2013

RE: Approve reallocation of funding from Well 17 Project No. 5567 to Water Fund No. 571-9000-2410 for the purchase of Calendar Year 2013 recharge water.

RECOMMENDED ACTION:

It is respectfully recommended that the City Council:

- Reallocate unexpended funding from Well 17 Project No. 5567 in the amount of \$776,160 to Water Division Fund 571-9000-2410 be used for the payment of Calendar Year 2013 Ground Water Management Plan water purchases, and
- Authorize the Deputy City Manager to issue payment for water purchases upon receipt of billing from Eastern Municipal Water District.

BACKGROUND:

In January of 2012, Council approved the City's participation in the Ground Water Management Plan. This plan partners Hemet with the City of San Jacinto, Lake Hemet Municipal Water District (LHMWD) and Eastern Municipal Water District (EMWD) in a united effort to address the overdraft of ground water occurring in the valley. As part of this plan, each agency has agreed to annually purchase a designated amount of imported water delivered by Metropolitan Water District (MWD) through a separate agreement with EMWD. That agreement provides for a minimum of 7,500 acre feet of raw water delivered to EMWD's system and then moved into recharge ponds in the San Jacinto river bed. The City of Hemet's annual purchase commitment is 1,470 acre feet.

ANALYSIS

Imported water for purchase is delivered on a calendar year (CY) basis and is sold by MWD at a discounted rate to the agencies. Upon completing the delivery of 7,500 acre feet in a calendar year, MWD may pre-deliver an additional 7,500 acre fee of water for the next calendar year. Pre-delivered water is not billed for until January 1st of the calendar year it represents. Current rates for imported water are \$528 per acre foot and include operations and maintenance charges collected by EMWD).

In Fiscal Year 12/13, The City of Hemet budgeted for the delivery of, and paid in full for, CY2012 water purchases. Because of the availability of excess capacity from MWD, the timing of water deliveries, and the success of the recharge ponds, calendar year 2013 water deliveries are anticipated to be complete before July 1, 2013. This will require that payment be made for CY2013 prior to the next budget cycle. EMWD currently administers the billing for these water purchases.

Given the challenge created between the calendar year water delivery schedule and fiscal year budgeting schedule of the agencies, EMWD has offered to carry the CY2013 payments with a minimal interest charge for any agency that was not prepared to purchase both CY2012 and CY2013 water in their current FY12/13 budgets. This option would allow the agencies to then budget adequately for two calendar years in FY13/14, and reimburse EMWD for the carried payments.

Although specific operating budgets for CY2013 water purchases were not established in FY12/13 Water Division Fund No. 571, unused budgets from Well 17 Project No. 5567 are available in an amount adequate to cover the cost. These funds were originally budgeted for the drilling and equipping of a new well site. Unfortunately, the well site was found to be less productive than anticipated, and the project was abandoned in its early stages.

Utilizing the unspent portion of this project funding for CY2013 water purchases will benefit the City by:

- Saving \$8,000 in estimated interest by putting off the payment.
- Prevent the need to budget for two calendar years of water purchases in FY13/14

Staff is currently discussing needs for future water production site projects and will readdress capital funding needs through future year budgets.

POTENTIAL ALTERNATIVE ACTIONS:

Request for EMWD to pay the City's portion of CY2013 water delivered now and establish budget for both CY2013 (plus interest) and CY2014 in FY13/14 operating budgets. This option is estimated to cost an additional \$8,000 in interest.

FISCAL IMPACT:

No general fund impact. Reallocation of unexpended budgets will be moved within Water Division Fund No. 517 and will not create additional burden on the FY12/13 operating budgets. Approval of this reallocation will allow City to avoid costs of interest related to delayed payment option.

Respectfully submitted,



Kristen Jensen
Public Works Director

Fiscal Review:



Rita Conrad
Deputy City Manager



Staff Report

TO: Honorable Mayor and City Council

FROM: Ronald E. Bradley, Interim City Manager

DATE: May 14, 2013

RE: Resolution Bill No. 13-018 endorsing the effort by Riverside County Economic Development Agency (Riv. Co. EDA) to expand the Recycling Market Development Zone (RMDZ) program.

RECOMMENDATION:

That the City Council adopt draft Resolution Bill No. 13-018 endorsing the effort by Riverside County Economic Development Agency (Riv. Co. EDA) to expand the Recycling Market Development Zone (RMDZ) program.

BACKGROUND:

On April 23rd, the Board of Supervisors authorized the Economic Development Agency to prepare an application to submit to the California Department of Resources Recycling and Recovery (CalRecycle) to re-designate the entire county as a Recycling Market Development Zone (RMDZ). Our goal is to designate the entire county boundary as an RMDZ including all 28 cities. In order to do so, we need your help and support. Rather than create a lengthy email, I've attached three documents for your review. One is the Board of Supervisors staff report for your information and another is a FAQ's about the RMDZ program which should answer questions about what benefits the RMDZ designation provides. Lastly, there is a template resolution for your use and adoption.

In order to participate in the RMDZ, CalRecycle requires each city to adopt the attached resolution in its current form. Cal-Recycle has asked us to keep the language exactly as provided.

DISCUSSION:

While the City of Hemet has had the RMDZ accreditation along with other select Riverside County and California jurisdictions, it is advantageous for the City to support EDA's effort to expand the program countywide to increase the economic vitality of the region, create new jobs and encourage new business development and existing business expansions.

The City of Hemet has long enjoyed a fruitful partnership with the Riverside County Economic Development Agency (EDA) in the mutual interest of increasing the economic vitality of the City of Hemet and the County as a whole. The City and the EDA share many of the same goals of implementing program to support local businesses, collaborate on regional marketing, and coordinate efforts to recruit new businesses to the City of Hemet. To this end, the City and EDA

are again working together to expand the RMDZ program to create new jobs and assist local businesses expand and prosper. Supporting the RMDZ means supporting recycling and "green" waste diversion practices and provides for valuable financing incentives for recycling-based businesses. There is no cost to participate in the program.

As part of the application process, Cal-Recycle has requested that CEQA analysis be completed by the lead agency. The County is the lead agency and will be responsible for completing and submitting a Negative Declaration.

EDA provided the attached draft Resolution to each City in the County for consideration. No changes are recommended to the resolution provided by the County. Should the City desire to make any changes to the resolution provided, without prior approval by CalRecycle, it may cause it to be rejected and delay the submittal of the entire application.

If Adopted, the County requests that the City of Hemet resolution supporting expansion of the RMCZ be returned to the EDA by Friday, June 28, 2013.

COORDINATION AND REVIEW:

This report was prepared and coordinated with the Office of the City Manager, the Community Development Department, Office of the City Clerk and the City Attorney.

INTEGRATION OF COUNCIL GOALS / STRATEGIC PLAN:

The recommended action supports Hemet's goals of increasing economic vitality, supporting existing businesses, and creating a climate in which new business can be established and prosper in Hemet and the entire County.

FISCAL IMPACT:

N/A

ALTERNATIVE(S):

None Proposed

CONCLUSION:

That the City Council adopt draft Resolution Bill No. 13-018 endorsing the effort by Riverside County Economic Development Agency (Riv. Co. EDA) to expand the Recycling Market Development Zone (RMDZ) program.

Attachments: 3

- 1) Draft Resolution Bill No. 13-018
- 2) RIV CO BOS Approval
- 3) RMDZ FAQ's.

Recommended By:



John Jansons
Director of Community Investment

Approved By:



Ronald E. Bradley
Interim City Manager



CITY COUNCIL OF THE CITY OF HEMET
Hemet, California
RESOLUTION BILL NO. 13-018

A RESOLUTION OF THE CITY OF HEMET SUPPORTING THE REDESIGNATION OF RIVERSIDE COUNTY AS A RECYCLING MARKET DEVELOPMENT ZONE DUE TO AN INCREASE IN BOUNDARIES AND ADOPTION OF INITIAL STUDY AND NEGATIVE DECLARATION

WHEREAS, California Public Resources Code Section 42010, et al. provides for the establishment of the Recycling Market Development Zone (RMDZ) program throughout the State which provides incentives to stimulate development of post-consumer and secondary materials markets for recyclables; and

WHEREAS, all California jurisdictions must meet a 50% reduction in landfill waste disposal as mandated by the California Integrated Waste Management Act; and

WHEREAS, the Riverside County RMDZ includes the cities of Blythe, Cathedral City, Coachella, Hemet, Indio, Moreno Valley, Perris and San Jacinto and parts of unincorporated Riverside County; and

WHEREAS, the Riverside County RMDZ is dedicated to establishing, sustaining and expanding recycling-based manufacturing businesses, which is essential for market development and to assist these jurisdictions in meeting the established landfill waste reduction goals; and

WHEREAS, the cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Desert Hot Springs, Eastvale, Indian Wells, Jurupa Valley, Lake Elsinore, La Quinta, Menifee, Murrieta, Norco, Palm Desert, Palm Springs, Rancho Mirage, Riverside, Temecula, Wildomar and all of unincorporated Riverside County desire existing and new recycling-based manufacturing businesses located within their jurisdictions to be eligible for the technical and financial incentives associated with the RMDZ program; and

WHEREAS, the addition of these jurisdictions to the Riverside County RMDZ is necessary to facilitate local and regional planning, coordination, and support existing recycling-based manufacturing businesses, as well as assist in attracting private sector recycling investments to the RMDZ; and

WHEREAS, the continued development of local markets for recycled materials would reduce the need to transport them out of the region in the future; and

1 **WHEREAS**, the current and proposed waste management practices and
2 conditions are favorable to the development of post-consumer and secondary waste
3 materials markets; and
4

5 **WHEREAS**, the California Legislature has defined environmental justice as "the
6 fair treatment of people of all races, cultures, and incomes with respect to the
7 development, adoption, implementation, and enforcement of environmental laws,
8 regulations, and policies" [Government Code section 65040.12(e)], and has directed the
9 California Environmental Protection Agency to conduct its programs, policies, and
10 activities that substantially affect human health or the environment in a manner that
11 ensures the fair treatment of people of all races, cultures, and income levels, including
12 minority populations and low-income populations of the state [Public Resources Code
13 section 71110(a)]; and
14

15 **WHEREAS**, CalRecycle has adopted a goal to continuously integrate
16 environmental justice concerns into all of its programs and activities; and
17

18 **WHEREAS**, the cities of Banning, Beaumont, Blythe, Calimesa, Canyon Lake,
19 Cathedral City, Coachella, Corona, Desert Hot Springs, Eastvale, Hemet, Indian Wells,
20 Indio, Jurupa Valley, La Quinta, Lake Elsinore, Menifee, Moreno Valley, Murrieta,
21 Norco, Palm Desert, Palm Springs, Perris, Rancho Mirage, Riverside, San Jacinto,
22 Temecula and Wildomar and the unincorporated part of Riverside County have agreed
23 to submit an application to CalRecycle requesting the redesignation of the Riverside
24 County RMDZ due to a change in boundaries; and
25

26 **WHEREAS**, County of Riverside has agreed to act as Lead Agency for the
27 proposed redesignation; and
28

29 **WHEREAS**, in accordance with the California Environmental Quality Act (CEQA),
30 the County of Riverside has prepared or caused to be prepared and has adopted a
31 Negative Declaration which evaluates the potential adverse environmental effects that
32 might occur as a result of the redesignation of the Riverside County RMDZ; and
33

34 **WHEREAS**, the City of HEMET has considered the environmental effects of the
35 redesignation of Riverside County RMDZ as shown in the Negative Declaration; and
36

37 **WHEREAS**, the City of HEMET finds there are no grounds for the City of HEMET
38 to assume the Lead Agency role or to prepare a subsequent or supplemental
39 environmental document; and
40

41 **WHEREAS**, the record of the proceedings on which the City of HEMET bases its
42 decision to adopt the Negative Declaration is available from the custodian of records:
43 **County Clerk of Riverside County, 2724 Gateway Drive, P.O. Box 751, Riverside,**
44 **CA 92502-0751.**
45
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1
2 **WHEREAS**, all other legal prerequisites to the adoption of this Resolution
3 have occurred.
4

5 **NOW, THEREFORE, BE IT RESOLVED**, ordered, and determined by the City Council
6 of the City of Hemet:
7

8 **SECTION 1. Recitals.** The Recitals set forth above are true and correct and
9 incorporated herein by reference.
10

11 **SECTION 2. Severability.** If any provision of this Resolution or the
12 application thereof to any person or circumstance is held invalid, such invalidity
13 shall not affect other provisions or applications of this Resolution which can be
14 given effect without the invalid provision or application, and to this end the
15 provisions of this Resolution are severable. The City Council hereby declares
16 that it would have adopted this Resolution irrespective of the invalidity of any
17 particular portion thereof.
18

19
20 **SECTION 3.** The City of HEMET, hereby adopts the Negative Declaration.
21

22 **SECTION 4.** The City of HEMET, as Responsible Agency, approves the
23 redesignation of Riverside County as a RMDZ and directs the County of
24 Riverside Economic Development Agency to submit an application to CalRecycle
25 requesting redesignation of Riverside County as a RMDZ which includes the
26 cities of Banning, Beaumont, Blythe, Calimesa, Canyon Lake, Cathedral City,
27 Coachella, Corona, Desert Hot Springs, Eastvale, Hemet, Indian Wells, Indio,
28 Jurupa Valley, La Quinta, Lake Elsinore, Menifee, Moreno Valley, Murrieta,
29 Norco, Palm Desert, Palm Springs, Perris, Rancho Mirage, Riverside, San
30 Jacinto, Temecula, and Wildomar and the unincorporated part of Riverside
31 County.
32

33 **SECTION 5.** The County of Riverside will administer the RMDZ program in a
34 manner that seeks to ensure the fair treatment of people of all races, cultures
35 and incomes, including but not limited to soliciting public participation in all
36 communities within the RMDZ, including minority and low-income populations.
37

38 **SECTION 6.** The County of Riverside Economic Development Agency shall file
39 a Notice of Determination respecting this Project with the State Clearinghouse
40 pursuant to CEQA Guidelines Section 15096(i).
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RESOLVED, APPROVED AND ADOPTED by the City Council of the City of Hemet, California on this 14th day of May 2013 by the following vote:

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

5 I, Sarah McComas, Secretary of the Hemet City Council, do hereby certify that the
6 foregoing Resolution is the actual Resolution adopted by the City Council of the City
7 of Hemet, California and was passed at a regular meeting of the Hemet City Council
8 on the 14th day of May, 2013 by the following vote:
9

10 AYES:
11 NOES:
12 ABSTAIN:
13 ABSENT:
14
15
16
17
18

Sarah McComas, City Clerk

137



**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Economic Development Agency

SUBMITTAL DATE:
April 18, 2013

SUBJECT: Application for Redesignation of Riverside County as a Recycling Market Development Zone

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize the Assistant County Executive Officer/EDA, or designee, to begin the application process to the California Department of Resources Recycling and Recovery (CalRecycle) to redesignate Riverside County as a Recycling Market Development Zone (RMDZ).
2. Authorize the Assistant County Executive Officer/EDA, or designee, to complete the essential and relevant documents.

BACKGROUND: (Commences on Page 2)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

COMPANION ITEM ON BOARD AGENDA: No

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: ANNIE T. SAHJAR
DATE: Departmental Concurrence

Consent
 Policy

 Consent
 Policy

 Dep't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: _____ District: All Agenda Number: **3-12**

BACKGROUND:

CalRecycle administers the RMDZ to encourage California-based recycling businesses to site new manufacturing facilities and expand existing operations. The principle benefit for businesses located within an RMDZ is a loan program for manufacturers of products using materials that would normally end up at the landfill. This program provides low-interest loans of up to \$2 million for the purchase of equipment and other relevant business costs. The intent of the RMDZ loan program is to help California manufacturers increase their processing capabilities and create additional markets for recycled-content products.

Riverside County currently has one RMDZ that encompasses the cities of Moreno Valley, Perris, Hemet, San Jacinto, Cathedral City, Indio, Coachella, and Blythe along with the unincorporated former redevelopment project areas of East Blythe, Blythe Airport, Cabazon, Thermal, Garnet, Thousand Palms, Mead Valley, and Romoland. This zone expires on August 25, 2013 and CalRecycle has encouraged the County to seek a new ten-year designation of the RMDZ and expand its boundaries. EDA staff is proposing that the entire boundary of the county be designated an RMDZ and would take the lead on preparing the application. Cities that wish to be included within the Zone must adopt a resolution of support that must be included with the application. Additionally, the Board of Supervisors must also approve a resolution once all participating cities are identified.

Participation in the RMDZ does not have a financial obligation to the County nor any participating cities.



RIVERSIDE COUNTY RECYCLING MARKET DEVELOPMENT ZONE
2013 Redesignation Application for Countywide Zone
Frequently Asked Questions

What is a Recycling Market Development Zone?

The California Department of Resources Recycling and Recovery (CalRecycle) designated portions of Riverside County as a Recycling Market Development Zone (RMDZ) in order help divert waste from our landfills and stimulate the manufacturing of new, recycled products.

What are the benefits of being in an RMDZ?

- Low-interest loans to manufacturers who make recycled products
- Support “green” recycling jobs and manufacturing in Riverside County
- Reduce waste going to our landfills

Why are we seeking redesignation of the RMDZ?

The RMDZ designation expires August 25, 2013 and in order to maintain the benefits, the County has to reapply to CalRecycle. Additionally, the County desires expand the zone boundaries to include the entire county in order to make the program benefits available countywide.

What portions of the County are currently in the RMDZ?

The following cities are part of the RMDZ:

- | | |
|-----------------|------------------|
| • Moreno Valley | • Cathedral City |
| • Perris | • Indio |
| • San Jacinto | • Coachella |
| • Hemet | • Blythe |

What are the incentives available in an RMDZ?

The **RMDZ Loan Program** provides low-interest loans to private businesses and not-for-profit organizations to increase diversion of non-hazardous solid waste from California landfills and to promote market demand for secondary and postconsumer materials.

The program can fund a maximum of **75%** of costs directly attributed to an eligible project up to a maximum of **\$2,000,000** whichever is less.

Businesses and non-profit organizations can use the funds for:

- Machinery and equipment
- Working capital
- Real estate purchase and improvements
- Refinancing of onerous debt that results in increased diversion, and

In addition to the loan program, CalRecycle provides the following Technical Assistance to businesses:

- Locating manufacturing materials (feedstock)
- Finding markets for products
- Providing current market conditions/trends
- Evaluating technology and equipment
- Providing geographical data on demographics, waste streams, and economics
- Free product marketing through RecycleStore , an online site that links buyers in direct contact with recycling-based manufacturers

What would the program cost your city?

There is **NO COST** to participate in the program. There is no effect on local autonomy and the opportunity is free of cost. The zone designation simply allows you to offer businesses in your jurisdiction access to the benefits of the **CalRecycle** program.

Does being in the RMDZ require my city to accept certain types of recycling uses?

The RMDZ designation **does not** ask or require your city to accept any uses in any manner at all. All land use and permitting activities are not affected by participation in this zone.

How can your City be a part of the new RMDZ?

It's simple!! What we would ask your city to do is adopt a resolution supporting the new countywide RMDZ. We will provide a template for you that you can present to your City Council.

**For more information please call Rob Moran at 951.955.6673 or email rmoran@rivcoeda.org
Riverside County Economic Development Agency**



Staff Report

TO: Honorable Mayor and City Council

FROM: Ronald E. Bradley, Interim City Manager

DATE: May 14, 2013

RE: City Council Consideration of Resolution No. **13-019** replacing one member appointed by the Mayor to the Oversight Board of the Dissolved Hemet Redevelopment Agency.

RECOMMENDATION:

Staff recommends that the City Council, by motion, approve and adopt Resolution No. **13-019** replacing one member appointed by the Mayor to the Oversight Board of the Dissolved Hemet Redevelopment Agency.

BACKGROUND:

On April 24, 2012 the the City Council, by motion, approved and adopted Resolution No. 12-030 appointing Mr. Mark Orme to serve as the City's representative on the Oversight Board of the Dissolved Hemet Redevelopment Agency in the position of "former affected employee" of the former Hemet Redevelopment Agency.

With the resignation of Mr. Orme's from the City's employ, it is now necessary to replace the City's representative on the Oversight Board in accordance with Health and Safety Code section 34179, which requires the Mayor appoint members to the City's oversight board.

DISCUSSION:

The Mayor now asks for the Council's confirmation to appoint Mr. John Jansons to the Oversight Board Mr. Jansons is the last remaining employee of the dissolved agency qualified to fill the requirement of having a former Agency employee on the Oversight Board.

As a result, future staff work to support the Oversight Board, previously performed by Mr. Jansons, will now need to be performed by other City staff and RSG Inc., the City's dissolution specialists. The cost of future professional work can be borne by the Successor Agency's administrative budget provided by AB 1X 26 with no cost to the City's General Fund.

This action is effective immediately upon adoption by the Council and execution of the attached resolution.

Current Oversight Board members previously appointed by the City Council City include:

- One member appointed by Mayor representing and appointed by the City Council of former dissolved agency- *Mr. Greg Vasquez,*
- One member representing and appointed by he Riverside County Superintendent of Education to represent schools – *Mr. Vince Christakos, HUSD (OB Chairperson),*
- One member representing and appointed the Chancellor of the California Community Colleges to represent community college districts in Riverside County – *Ms. Becky Elam representing Mt San Jacinto Community College (OB Vice Chair),*
- One member representing and appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the Agency - *Mr. Phil Paule, EMWD,*
- One member representing and appointed by the Riverside County Board of Supervisors – *Ms. Bobbie Christie, Rabobank, and*
- One member of the public appointed by the Riverside County Board of Supervisors – *Mr. Alan Callahan.*

ALTERNATIVES:

None

FISCAL IMPACT:

No City funds are involved with the confirmation of the Mayor's appointment of members to the Oversight Board.

COORDINATION AND REVIEW:

The recommended action has been coordinated with the City Manager's Office, Community Investment Department, City's RDA Dissolution consultant RSG, Inc. and with input from the City Attorney.

STRATEGIC PLAN AND COUNCIL GOALS INTEGRATION:

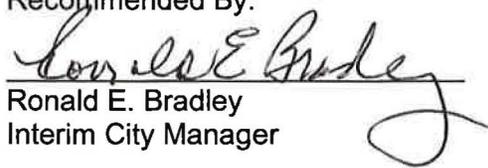
The recommended action supports the City's goals of fostering and maintaining a high quality of life for its residents and promoting economic activity to benefit the local business community and Hemet residents.

CONCLUSION:

It is respectfully recommended that the City Council, by motion, approve and adopt Resolution No. 13 _____ confirming the Mayor's appointment of a replacement member to the Oversight Board.

ATTACHMENTS: 1 – Draft City Council Resolution No. 13-019.

Recommended By:


 Ronald E. Bradley
 Interim City Manager

Prepared By:


 John Jansons
 Community Investment Director



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CITY COUNCIL OF THE CITY OF HEMET

Hemet, California

RESOLUTION BILL NO. 13-019

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET,
CALIFORNIA, CONFIRMING THE MAYOR'S APPOINTMENT OF MEMBER TO
THE OVERSIGHT BOARD**

WHEREAS, the City Council of the City of Hemet ("City") approved and adopted the Redevelopment Plans for the Downtown, Weston Park, Farmers Fair, Combined Commercial and Hemet Redevelopment Projects covering certain properties within the City; and

WHEREAS, the Hemet Redevelopment Agency ("Agency") has been engaged in activities to execute and implement the Redevelopment Plans pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, et seq.) ("CRL"); and

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature enacted, and the Governor signed, companion bills AB 1X 26 and AB 1X 27, requiring that each redevelopment agency be dissolved unless the community that created it enacts an ordinance committing it to making certain payments; and

WHEREAS, on July 18, 2011, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California in the matter of *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861 ("Legal Action"), challenging the constitutionality of AB 1X 26 and AB 1X 27 on behalf of cities, counties and redevelopment agencies and requesting a stay of enforcement of AB 1X 26 and AB 1X 27, pending the Supreme Court's determination of the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the Legal Action, upholding AB 1X 26, invalidating AB 1X 27, extending certain statutory deadlines under Health and Safety Code Sections 34170 through 34191, and dissolving all redevelopment agencies throughout the State, effective February 1, 2012; and

WHEREAS, AB 1X 26 provides that successor agencies be designated as successor entities to the former redevelopment agencies, and provides that, with certain exceptions, all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies, under the CRL, are vested in the successor agencies; and

1 **WHEREAS**, on January 10, 2012, the City Council adopted Resolution No. 4474
2 electing to serve as the successor agency to the former Agency; and

3
4 **WHEREAS**, AB 1X 26 further provides that the successor agency's activities
5 are subject to review and approval by an oversight board ("Oversight Board"), which
6 shall be created for each dissolved redevelopment agency; and

7
8 **WHEREAS**, the Oversight Board is to be comprised of seven political
9 appointees from affected local taxing entities and the community that established the
10 redevelopment agency, including one member to be appointed by the Mayor for the city
11 that formed the redevelopment agency, and one member to be appointed by the Mayor
12 representing the employees of the former redevelopment agency; and

13
14 **WHEREAS**, at its meeting of April 24, 2012, the Mayor of the City of Hemet
15 announced the appointment of Mark Orme as the Mayor's representative to the
16 Oversight Board, and

17
18 **WHEREAS**, the Mayor now wishes the City Council's consent to replace Mr.
19 Orme who has resigned his employ with the City and all city appointments, with Mr. John
20 Jansons as one of the Successor Agency's two appointments to the Oversight Board;
21 and

22
23 **WHEREAS**, all other legal prerequisites to the adoption of this Resolution
24 have occurred.

25
26 **NOW, THEREFORE, BE IT RESOLVED**, ordered, and determined by the
27 City Council of the City of Hemet:

28
29 **SECTION 1. Recitals.** The Recitals set forth above are true and correct and
30 incorporated herein by reference.

31
32 **SECTION 2. Confirmation of Mayoral Appointments.** The City Council
33 hereby confirms the Mayor's appointment of John Jansons to serve as the
34 representative for the employees of the former Agency.

35
36 **SECTION 3. Implementation.** The City Council hereby authorizes and directs
37 the City Manager to take any action and execute any documents necessary to
38 carry out the purposes of this Resolution, including but not limited to,
39

40 **SECTION 4. Severability.** If any provision of this Resolution or the
41 application thereof to any person or circumstance is held invalid, such invalidity
42 shall not affect other provisions or applications of this Resolution which can be
43 given effect without the invalid provision or application, and to this end the
44 provisions of this Resolution are severable. The City Council hereby declares
45 that it would have adopted this Resolution irrespective of the invalidity of any
46 particular portion thereof.
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SECTION 5. Certification. The City Clerk shall certify to the adoption of this Resolution.

SECTION 6. Effective Date. This Resolution shall become effective upon its adoption.

PASSED, APPROVED AND ADOPTED this 14th day of May, 2013.

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 |

5 | I, Sarah McComas, Secretary of the Hemet City Council, do hereby certify that the
6 | foregoing Resolution is the actual Resolution adopted by the City Council of the City
7 | of Hemet, California and was passed at a regular meeting of the Hemet City Council
8 | on the 14th day of May, 2013 by the following vote:
9 |

- 10 | **AYES:**
- 11 | **NOES:**
- 12 | **ABSTAIN:**
- 13 | **ABSENT:**
- 14 |
- 15 |
- 16 |
- 17 |
- 18 |

Sarah McComas, City Clerk



Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Jorge Biagioni, Director of Engineering/City Engineer;
Ron Bradley, Interim City Manager *RB* *JB*

DATE: May 14, 2013

RE: Award of Bid for Traffic Signal at Sanderson Avenue and Thornton Avenue
City Project No. 5571

RECOMMENDED ACTION:

That the City Council award the contract to the lowest, responsive bidder, Steiny and Company, Inc. for the Traffic Signal at Sanderson Avenue and Thornton Avenue, CIP 5571 in the amount of \$252,834, and reject all other bids;

Authorize the Interim City Manager to enter into a construction contract for the improvements;

Establish budget in the amount of \$252,834 in Fund No. 329-5571-5500 for the cost of construction, \$15,000 for surveying and geotechnical engineering and \$20,000 in Fund No. 329-5571-2710, various accounts for staff design, administration costs, construction engineering and inspection costs, totaling \$287,834.

BACKGROUND:

The City Public Works Department performed a traffic study and analysis for a warrant study on November 15, 2011. The study revealed a new traffic signal is warranted meeting the necessary "warrants" as outlined by the Caltrans Design Manual. In addition, the project was presented to the Traffic Commission on December 13, 2011 and was approved unanimously.

PROJECT DESCRIPTION:

The project will install a new traffic signal at the intersection of Sanderson Avenue and Thornton Avenue. The new signal will be interconnected to the existing signals at Paige Plaza and Mustang Way for signal timing synchronization, dedicated left turn pockets will be installed as well as striping with raised pavement reflectors. Pedestrian access ramps will be updated to meet current ADA standards as well as matching the architectural concrete work. The overall project is shown on Exhibit "A".

ANALYSIS:

On April 16, 2013 the Purchasing offices received 8, responsive, sealed bids, with the three lowest shown below; (See attached Exhibit "B" Bid Results).

Steiny and Company, Inc. of Baldwin Park, CA	\$252,834
Sierra Pacific, Inc. of Riverside, CA	\$252,944
PTM General Engineering Services, Inc., CA	\$269,817

COORDINATION & REVIEW:

The project was circulated for Public Bidding purposes by publishing an advertisement in the Press Enterprise and the following contractor plan rooms McGraw Hill, Reed Construction Data, iSqFt Planroom, Association of General Contractors and Bid America.

FISCAL IMPACT:

No General Fund Impact. Funding for this project is funded by Streets and Bridges Fund with the total estimated costs including construction, construction engineering, administration and inspection costs to be \$287,834.

Respectfully submitted,



Victor Monz
Principal Engineer

Fiscal Review,



Rita Conrad
Finance Director

Attachment(s): Exhibit "A" Plan View
Exhibit "B" Bid Results

Exhibit 'A'

Traffic Signal, Signing and Striping at the Intersection of Sanderson Ave. and Thornton Ave.

CIP No. 5571

PAGE PLAZA
SHOPPING CENTER

SANDERSON
AVENUE

SUPER
WALMART

THORNTON AVE.

RIVERWALK



NO SCALE

SCOPE OF WORK

- NEW TRAFFIC SIGNAL
- NEW SIGNING & STRIPING
- FOUR NEW HANDICAP RAMPS



City of Hemet

PUBLIC WORKS DEPARTMENT

ENGINEERING DIVISION

510 E. FLORIDA AVENUE
HEMET, CA 92543
(951) 765-2360

City of Hemet Public Works Department

EXHIBIT "B"

510 E. Florida Avenue, Hemet, CA 92543

Bid Opening Date: April 16, 2013

Project Name: Traffic Signal at Sanderson and Thornton - CIP #5571

Time: 2:00 P.M.

Sheet 1 of 2

<u>Item No. & Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Steiny & Co., Inc.</u>		<u>Sierra Pacific Electrical</u>		<u>PTM Gen. Eng. Service, Inc.</u>	
			<u>Unit Bid</u>	<u>Total Bid</u>	<u>Unit Bid</u>	<u>Total Bid</u>	<u>Unit Bid</u>	<u>Total Bid</u>
1. Mobilization	L.S.	1	\$ 6,375.00	\$ 6,375.00	\$ 4,540.00	\$ 4,540.00	\$ 4,000.00	\$ 4,000.00
2. F/I Traffic Signal system	L.S.	1	\$ 90,280.00	\$ 90,280.00	\$ 123,620.00	\$ 123,620.00	\$ 145,817.00	\$ 145,817.00
3. F/I EVP system	L.S.	1	\$ 5,204.00	\$ 5,204.00	\$ 10,946.00	\$ 10,946.00	\$ 5,000.00	\$ 5,000.00
4. F/I Signal heads and faces	L.S.	1	\$ 13,222.00	\$ 13,222.00	\$ 19,744.00	\$ 19,744.00	\$ 16,000.00	\$ 16,000.00
5. F/I detector loops	L.S.	1	\$ 58,419.00	\$ 58,419.00	\$ 14,579.00	\$ 14,579.00	\$ 42,000.00	\$ 42,000.00
6. F/I wireless system	L.S.	1	\$ 19,199.00	\$ 19,199.00	\$ 17,820.00	\$ 17,820.00	\$ 8,000.00	\$ 8,000.00
7. F/I battery back-up system	L.S.	1	\$ 4,549.00	\$ 4,549.00	\$ 4,185.00	\$ 4,185.00	\$ 4,400.00	\$ 4,400.00
8. Signing & Striping	L.S.	1	\$ 8,973.00	\$ 8,973.00	\$ 7,270.00	\$ 7,270.00	\$ 8,000.00	\$ 8,000.00
9. R/R exist. bollards	EA.	15	\$ 171.81	\$ 2,577.15	\$ 100.00	\$ 1,500.00	\$ 100.00	\$ 1,500.00
10.R/D exist. ramps	S.F.	4,500	\$ 3.90	\$ 17,550.00	\$ 2.80	\$ 12,600.00	\$ 2.00	\$ 9,000.00
11.Construct ramps	EA.	4	\$ 5,704.00	\$ 22,816.00	\$ 8,700.00	\$ 34,800.00	\$ 6,000.00	\$ 24,000.00
12.Traffic Control Plan	L.S.	1	\$ 2,446.00	\$ 2,446.00	\$ 800.00	\$ 800.00	\$ 1,600.00	\$ 1,600.00
13. S.W.P.P.P.	L.S.	1	\$ 1,223.00	\$ 1,223.00	\$ 540.00	\$ 540.00	\$ 500.00	\$ 500.00
Total Bid Amount			\$ 252,833.15		\$ 252,944.00		\$ 269,817.00	

<u>Item No. & Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>DBX, Inc.</u>		<u>Flatiron Electric Group</u>		<u>Sully-Miller Contr., Co.</u>	
			<u>Unit Bid</u>	<u>Total Bid</u>	<u>Unit Bid</u>	<u>Total Bid</u>	<u>Unit Bid</u>	<u>Total Bid</u>
1. Mobilization	L.S.	1	\$ 3,500.00	\$ 3,500.00	\$ 10,000.00	\$ 10,000.00	\$ 23,184.00	\$ 23,184.00
2. F/I Traffic Signal system	L.S.	1	\$ 123,000.00	\$ 123,000.00	\$ 95,900.00	\$ 95,900.00	\$ 99,092.00	\$ 99,092.00
3. F/I EVP system	L.S.	1	\$ 11,000.00	\$ 11,000.00	\$ 6,310.00	\$ 6,310.00	\$ 11,489.00	\$ 11,489.00
4. F/I Signal heads and faces	L.S.	1	\$ 15,000.00	\$ 15,000.00	\$ 20,850.00	\$ 20,850.00	\$ 15,921.00	\$ 15,921.00
5. F/I detector loops	L.S.	1	\$ 65,501.00	\$ 65,501.00	\$ 68,850.00	\$ 68,850.00	\$ 60,706.00	\$ 60,706.00
6. F/I wireless system	L.S.	1	\$ 18,000.00	\$ 18,000.00	\$ 14,880.00	\$ 14,880.00	\$ 22,025.00	\$ 22,025.00
7. F/I battery back-up system	L.S.	1	\$ 4,200.00	\$ 4,200.00	\$ 4,100.00	\$ 4,100.00	\$ 5,631.00	\$ 5,631.00
8. Signing & Striping	L.S.	1	\$ 8,926.00	\$ 8,926.00	\$ 8,620.00	\$ 8,620.00	\$ 8,455.00	\$ 8,455.00
9. R/R exist. bollards	EA.	15	\$ 100.00	\$ 1,500.00	\$ 365.00	\$ 5,475.00	\$ 116.00	\$ 1,740.00
10.R/D exist. ramps	S.F.	4,500	\$ 2.75	\$ 12,375.00	\$ 3.00	\$ 13,500.00	\$ 2.91	\$ 13,095.00
11.Construct ramps	EA.	4	\$ 5,000.00	\$ 20,000.00	\$ 9,350.00	\$ 37,400.00	\$ 6,334.00	\$ 25,336.00
12.Traffic Control Plan	L.S.	1	\$ 1,500.00	\$ 1,500.00	\$ 2,502.00	\$ 2,502.00	\$ 2,375.00	\$ 2,375.00
13. S.W.P.P.P.	L.S.	1	\$ 1,500.00	\$ 1,500.00	\$ 500.00	\$ 500.00	\$ 755.00	\$ 755.00
Total Bid Amount			\$ 286,002.00		\$ 288,887.00		\$ 289,804.00	

City of Hemet Public Works Department

510 E. Florida Avenue, Hemet, CA 92543

Project Name: Traffic Signal at Sanderson and Thornton - CIP #5571

EXHIBIT "B"

Bid Opening Date: April 16, 2013

Time: 2:00 P.M.

Sheet 2 of 2

<u>Item No. & Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Calif. Prof. Eng.</u>		<u>Horizons Constr. Co. Int'l, Inc.</u>	
			<u>Unit Bid</u>	<u>Total Bid</u>	<u>Unit Bid</u>	<u>Total Bid</u>
1. Mobilization	L.S.	1	\$ 5,000.00	\$ 5,000.00	\$ 12,500.00	\$ 12,500.00
2. F/I Traffic Signal system	L.S.	1	\$ 170,995.00	\$ 170,995.00	\$ 220,000.00	\$ 220,000.00
3. F/I EVP system	L.S.	1	\$ 6,925.00	\$ 6,925.00	\$ 7,800.00	\$ 7,800.00
4. F/I Signal heads and faces	L.S.	1	\$ 18,500.00	\$ 18,500.00	\$ 35,850.00	\$ 35,850.00
5. F/I detector loops	L.S.	1	\$ 7,500.00	\$ 7,500.00	\$ 12,000.00	\$ 12,000.00
6. F/I wireless system	L.S.	1	\$ 15,000.00	\$ 15,000.00	\$ 22,032.00	\$ 22,032.00
7. F/I battery back-up system	L.S.	1	\$ 4,250.00	\$ 4,250.00	\$ 6,600.00	\$ 6,600.00
8. Signing & Striping	L.S.	1	\$ 9,200.00	\$ 9,200.00	\$ 12,700.00	\$ 12,700.00
9. R/R exist. bollards	EA.	15	\$ 200.00	\$ 3,000.00	\$ 650.00	\$ 9,750.00
10.R/D exist. ramps	S.F.	4,500	\$ 3.50	\$ 15,750.00	\$ 6.00	\$ 27,000.00
11.Construct ramps	EA.	4	\$ 10,000.00	\$ 40,000.00	\$ 2,800.00	\$ 11,200.00
12.Traffic Control Plan	L.S.	1	\$ 1,000.00	\$ 1,000.00	\$ 1,200.00	\$ 1,200.00
13. S.W.P.P.P.	L.S.	1	\$ 1,000.00	\$ 1,000.00	\$ 3,800.00	\$ 3,800.00
Total Bid Amount				\$ 298,120.00		\$ 382,432.00



Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Jorge Biagioni, Director of Engineering/City Engineer, *[Signature]*
 Ron Bradley, Interim City Manager *[Signature]*

DATE: May 14, 2013

RE: Approve Change Order No. 4 for the City Wide Pavement Rehabilitation
 City Project No. 5551

RECOMMENDED ACTION:

Authorize the City Manager to approve Change Order No. 4 in the amount of \$79,205 for additional pavement rehabilitation on Buena Vista Street from Thornton Avenue to Chambers Street.

Current budget exists in fund 222-5551-5500 to cover Change Order No. 4, as the total project, CIP 5551 Citywide Pavement Rehabilitation, has come in under budget and on time. This street segment will be the final street to be rehabilitated under this capital project.

BACKGROUND:

The City Wide Pavement Rehabilitation project resurfaced (31) street segments, installed (128) ADA access ramps and performed miscellaneous concrete work throughout the city. The additional segment of Buena Vista from Chambers to Thornton is adjacent to the Echo Hills Golf Course which is currently opened for business and parallels the newly constructed sidewalk along Buena Vista and Chambers.

PROJECT DESCRIPTION:

The additional work will add the street segment of Buena Vista Street from Thornton Avenue to Chambers Street. The work will include (22,420) square feet of pavement cold milling and (600) tons of asphalt concrete, as shown on Exhibit "A".

FISCAL IMPACT:

No General Fund Impact. The work described in Change Order No.4 will be paid for by Measure A funding for a total estimated cost of \$79,205.

Respectfully submitted,

[Signature]
Victor Monz
Principal Engineer

Fiscal Review,

[Signature]
Rita Conrad
Finance Director

Attachment(s): Exhibit "A" Map of Work Area
 Exhibit "B" Change Order No. 4

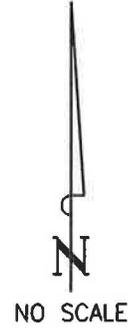
Exhibit 'A'
Citywide Pavement Rehabilitation
CIP No. 5551

THORNTON AVENUE

BUENA VISTA STREET

CHAMBERS STREET

ECHO HILLS GOLF COURSE



NEW ASPHALT CONCRETE PAVEMENT

SCOPE OF WORK

- 22,420 S.F. ~ COLD MILLING
- 600 TONS ~ ASPHALT CONCRETE PAVEMENT
- 900 L.F. ~ STRIPING



City of Hemet
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

510 E. FLORIDA AVENUE
HEMET, CA 92543
(951) 765-2360

City Wide Pavement Rehabilitation

City Project No. 5551

CONTRACT CHANGE ORDER NO. 4

Contractor: All American Asphalt, Inc.

Date: May 14, 2013

Contractor is hereby directed to make the following changes from the plans and specifications:

Item	Description	Change	
		Amount	Days
1	<p>Additional costs to cold plane (4) inches of existing asphalt, re-compact sub base and furnish and install (4) inches of asphalt on Buena Vista Street from Thornton Avenue to Chambers Street. The work will cover an area disturbed by the new sidewalk construction and fill the area with approximately 125 tons of asphalt, therefore, providing a savings to the sidewalk project. The total amount for the work includes mobilization/demobilization, sub-grade preparation and placement of asphalt concrete at \$80.85/ton.</p> <p>In addition to the work on Buena Vista, a section of Cawston Avenue will be repaired where water entered the site during paving operations and resulted in cracked areas of approximately 1,500 sf. The estimated amount of asphalt is 40 tons, at \$91.60/ton, and surface preparation will be performed. The cost of the work is included in the adjacent lump sum price.</p>	\$79,205.00	15
TOTAL			0

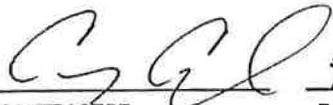
Change Order Summary

Contract	Previous	Change	Revised
Amount	\$3,916,288.75	\$0.00	\$3,916,288.75
Completion Date	190 days from NTP	0 days	190 days from NTP

This change order will be effective only after the Contractor and the City have signed below.

Contractor has given careful consideration to the changes described above and hereby agrees to provide all equipment, furnish all materials, perform all services necessary for the work and accept as full payment therefor the prices shown above.

Agreed By (sign and print):



 CONTRACTOR
 All American Asphalt, Inc.

Date

CITY OF HEMET

Date

Ron Bradley, Interim City Manager

Fund No. 222-5551-5500 will pay for this change order as the existing balance of funds for the overall project CIP 5551 is under budget by approximately \$135,000.



Staff Report

TO: Honorable Mayor and City Council

FROM: Ronald E. Bradley, Interim City Manager

DATE: May 14, 2013

RE: Receive and File: *Notice of Finding of Completion*
For City for Hemet Successor Agency

RECOMMENDATION:

That the City Council, acting in its capacity as Successor Agency to the dissolved former Hemet Redevelopment Agency Receive and File the attached *Notice of Finding of Completion* from the State of California, Department of Finance for redevelopment Agency dissolution activities in compliance and conformance with AB 1X26.

BACKGROUND:

On December 29, 2011, by a decision of the California Supreme Court upholding AB 1X 26, redevelopment was eliminated in California by Governor Brown and the CA Legislature.

On January 24, 2012, the Hemet Redevelopment Agency ("Agency") took its last official action and adopted an amended Enforceable Obligation Payment Schedule ("EOPS"). The Agency was effectively dissolved by State law on February 1, 2012.

Since that time, the Successor Agency to the dissolved former Hemet Redevelopment Agency has performed and completed a variety of complex work to comply with redevelopment dissolution, approximately \$6Million in low-moderate housing funds and \$4Million in general redevelopment tax increment generated from Hemet redevelopment project areas for distribution to taxing entities within the County to backfill shortfalls in funding typically provided for by the State government. This was required under threat of criminal prosecution for non-compliance and to ensure that the Successor Agency continues to have access to the former Agency's remaining fund balances to make necessary obligation payments (e.g., bond debt service, loan repayments, contractual services, staffing, and capital projects).

DISCUSSION:

As a result of thorough and complete compliance with AB 1x 26, the Successor Agency has received a "Notice of Finding of Completion" (Attachment 1). This determination is euphemistically called the "golden ticket " because it signifies "voluntary" compliance with the State's taking of redevelopment funds and elimination of redevelopment and allows the

Successor Agency and sponsoring City to avoid state enforcement activities up to and including punitive seizure of non-redevelopment City funds (property tax and sales taxes) and criminal prosecution for non-compliance.

With achievement of Completion, the State now allows a Successor Agency to prepare a Property Management Plan (PMP) for submission the State for their determination as to whether former Agency assets may be retained by the City for public uses or sold and any proceeds returned to the county for distribution to the taxing agencies. This issue will be further addressed in 2013.

Elimination of redevelopment and the taking of local funds from Hemet to subsidize State government inadequately provided for by the Governor and Legislature present the greatest hardship to local prosperity, local economic development and community revitalization faced by Hemet since the real estate market crash of 2008, prior recessionary cycles and the Great Depression. Yet, receiving a Finding of Completion is a significant achievement by Hemet and one that many cities throughout CA have not, or may never achieve without financial sanctions to the respective city sponsoring the non-compliant Successor Agency and dissolved RDA.

COORDINATION AND REVIEW:

This report was prepared and coordinated with the Office of the City Manager, Administrative Services Department, Community Investment Department, Office of the City Clerk and the City Attorney's Office

Achievement of the Notice of Finding of Completion required tremendous coordination and cooperation among all City departments; particularly Administrative Services, City Clerk, Community Investment and staff from the City Manager's Office.

City Administrative Services personnel: including Rita Conrad, Donna Rowley and Lorena Rocha along with Ms. Hitta Mosesman of RSG Inc, deserve particular acknowledgement for their roles in ensuring Hemet's adherence to the complex process of dissolution compliance. Mr. Greg Murphy and Mr. Eric Vail, Hemet City Attorneys, also played a key role in Hemet's achievement of compliance.

Finally, the Oversight Board to the dissolved RDA deserves appreciation as well for their public service, commitment of time, cooperative work-style and thoughtfulness in performing their duties as Oversight Board Members.

INTEGRATION OF COUNCIL GOALS / STRATEGIC PLAN:

Receipt of the Finding of Completion supports Hemet's goals of compliance with State and Federal law, interdepartmental team work and cooperative problem solving.

FISCAL IMPACT:

N/A

ALTERNATIVE(S):

None

CONCLUSION:

That the City Council, acting in its capacity as Successor Agency to the dissolved former Hemet Redevelopment Agency Receive and File the attached Notice of Finding of Completion from the State of California, Department of Finance for redevelopment Agency dissolution activities in compliance and conformance with AB 1X26.

Attachment: 1 - Notice of Finding of Completion, Letter from DOF.

Recommended By:



John Jansons
Director of Community Investment

Approved By:



Ronald E. Bradley
Interim City Manager



April 26, 2013

Mr. John Jansons, Director
Department of Community Investment
City of Hemet
445 East Florida Avenue
Hemet, CA 92543

Dear Mr. Jansons:

Subject: Request for a Finding of Completion

The California Department of Finance (Finance) has completed the Finding of Completion for the City of Hemet Successor Agency.

Finance has completed its review of your documentation, which may have included reviewing supporting documentation submitted to substantiate payment or obtaining confirmation from the county auditor-controller. Pursuant to Health and Safety Code (HSC) section 34179.7, we are pleased to inform you that Finance has verified that the Agency has made full payment of the amounts determined under HSC section 34179.6, subdivisions (d) or (e) and HSC section 34183.5.

This letter serves as notification that a Finding of Completion has been granted. The Agency may now do the following:

- Place loan agreements between the former redevelopment agency and sponsoring entity on the ROPS, as an enforceable obligation, provided the oversight board makes a finding that the loan was for legitimate redevelopment purposes per HSC section 34191.4 (b) (1). Loan repayments will be governed by criteria in HSC section 34191.4 (a) (2).
- Utilize proceeds derived from bonds issued prior to January 1, 2011 in a manner consistent with the original bond covenants per HSC section 34191.4 (c).

Additionally, the Agency is required to submit a Long-Range Property Management Plan to Finance for review and approval, per HSC section 34191.5 (b), within six months from the date of this letter.

Please direct inquiries to Andrea Scharffer, Staff Finance Budget Analyst, or Chris Hill, Principal Program Budget Analyst, at (916) 445-1546.

Sincerely,

STEVE SZALAY
Local Government Consultant

cc: Ms. Lorena Rocha, Accounting Manager, City of Hemet
Ms. Pam Elias, Chief Accountant Property Tax Division, Riverside County
Auditor-Controller
California State Controller's Office



Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Ronald E. Bradley, Interim City Manager *[Signature]*
Deanna Elliano, Community Development Director *[Signature]*

DATE: May 14, 2013

RE: **APPEAL NO. 13-001 (CONDITIONAL USE PERMIT NO. 12-007 – HEMET JEWELRY & LOAN)** – An appeal of the Planning Commission’s denial of Conditional Use Permit 12-007 for the operation of a collateral loan business (pawnshop) located at 2355 E. Florida Avenue.

RECOMMENDED ACTION:

That the City Council:

1. Adopt City Council Resolution Bill No. 13-017 (Attachment No. 1), entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA AFFIRMING THE DENIAL OF CONDITIONAL USE PERMIT NO. 12-007 FOR THE OPERATION OF A COLLATERAL LOAN BUSINESS (PAWNSHOP) LOCATED AT 2355 E. FLORIDA AVENUE (APN 445-290-022).”

BACKGROUND:

On April 2, 2013, the Planning Commission adopted Planning Commission Resolution No. 13-003, denying Conditional Use Permit No. 12-007 for the operation of Hemet Jewelry & Loan, a collateral loan business (pawnshop) and secondhand dealer to be located at 2355 East Florida Avenue in the City of Hemet. Pursuant to Hemet Municipal Code Section 90-42.6 the Applicant, Mr. Eduardo Salas, filed a timely appeal of the Planning Commission’s denial of the project by submitting a letter to the Community Development Director and the appropriate filing fee within ten calendar days. A copy of Mr. Salas’ letter is included as Attachment No. 2.

PROJECT DESCRIPTION:

The proposed project is for Conditional Use Permit No. 12-007, a request for approval of a collateral loan (pawn shop) business located at 2355 East Florida Avenue in the General Commercial (C-2) Zone. The proposed tenant space is approximately 6,000 square feet, has been unoccupied for several years, and last operated as a bank several years ago. The building has frontage along Florida Avenue, and is due north of Joann’s Fabrics and Crafts.

ANALYSIS:

A public hearing for Conditional Use Permit No. 12-007 for Hemet Jewelry & Loan was held by the Planning Commission at its regularly scheduled meeting on February 19, 2013. Due to

concerns raised at the meeting, the public hearing was continued to March 5, 2013, where the Planning Commission considered the proposed location for the use and operation of Hemet Jewelry & Loan, a secondhand store and pawn shop.

Upon reviewing the proposed use, the staff reports, hearing public testimony and weighing all of the evidence presented both for and against the proposed conditional use on March 5, 2013, the Planning Commission found that the proposed use did not meet the intent of the General Plan Land Use Element, and had the potential to be materially injurious to surrounding businesses in the shopping center and the neighborhood in general.

The Planning Commission determined that the site is not appropriate for the proposed use based on the number of police department calls for service in proximity to the area, potential for criminal activity associated with the proposed use, and the comments received from the public and adjacent businesses regarding the incompatibility of the proposed use with their operations and the proposed use's inconsistency with a number of General Plan goals and policies. Therefore, the Planning Commission directed staff to prepare Planning Commission Resolution Bill No. 13-003 for denial of the proposed project. These findings are restated in the attached City Council Resolution Bill No. 13-017, affirming the Planning Commission's denial of the proposed use, and the justification for making such findings (please see Attachment No. 1). The Planning Commission Meeting Minutes and Staff Reports for Conditional Use Permit No. 12-007 are included as Attachment Nos. 6-11.

COORDINATION & REVIEW:

The request for an appeal and the appeal fee were received by Planning Division staff on April 8, 2013, six calendar days after the Planning Commission took action on this item, in conformance with the requirement to file an appeal. A public hearing notice was mailed to property owners within a 500 foot radius on May 2, 2013, and a notice was published in the Press Enterprise newspaper on May 4, 2013. At the time this staff report was prepared, Planning Division staff had received no public comments regarding the appeal.

POTENTIAL ALTERNATIVE ACTIONS:

Pursuant to Section 90-42.6 of the Hemet Municipal Code, the City Council may affirm, modify, or reverse any Planning Commission decision, or make findings required by the Hemet Municipal Code and/or state law. The City Council may make one of the following determinations:

1. Deny the Appeal and affirm the Planning Commission's denial of Conditional Use Permit No. 12-007 by adopting City Council Resolution Bill No. 13-017; or
2. Overturn the Planning Commission's denial of the application, approve the application subject to the required findings for the granting of a Conditional Use Permit, and direct staff and the City Attorney to return with an appropriate resolution granting approval for Conditional Use Permit No. 12-007.

FISCAL IMPACT:

The Applicant has submitted a \$220.00 fee for the appeal application.

Respectfully submitted,



Deanna Elliano, Community Development Director

Attachment(s):

1. Proposed City Council Resolution Bill No. 13-017 Affirming the Decision of the Planning Commission
2. Appeal Letter from Applicant received April 8, 2013 and Supplemental Information
3. Planning Commission Resolution No. 13-003 for Denial of CUP 12-007
4. Zoning and Vicinity Map
5. Aerial View and Site Photos
6. Planning Commission Staff Report, April 2, 2013
7. Planning Commission Staff Report, March 5, 2013
8. Planning Commission Staff Report, February 19, 2013
9. Planning Commission Minutes, April 2, 2013
10. Planning Commission Minutes, March 5, 2013
11. Planning Commission Minutes, February 19, 2013

Attachment No. 1

Proposed City
Council Resolution
Bill No. 13-017

City Council Hearing
May 14, 2013



CITY OF HEMET
CITY COUNCIL

RESOLUTION BILL NO. 13-017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA AFFIRMING THE DENIAL OF CONDITIONAL USE PERMIT NO. 12-007 FOR THE OPERATION OF A COLLATERAL LOAN BUSINESS (PAWNSHOP) LOCATED AT 2355 E. FLORIDA AVENUE (APN 445-290-022)

WHEREAS, an application for Conditional Use Permit No. 12-007 (CUP No. 12-007) for the operation of a collateral loan business (pawn shop) was duly filed by:

Owner: Hemet Jewelry & Loan – Eduardo Salas
Applicant: Eduardo Salas
Project Location: 2355 E. Florida Avenue
APN: 445-290-022; and

WHEREAS, on February 7, 2013, the City provided notice of the Planning Commission's public hearing on CUP No. 12-007 by advertising the hearing in the Press Enterprise and by mailing a notice to property owners within 500 feet of the proposed project location; and

WHEREAS, on February 19, 2013, and March 5, 2013, the Planning Commission conducted duly noticed public hearings concerning the request to approve CUP No. 12-007; and

WHEREAS, on March 5, 2013, the Planning Commission, after consideration of the project, closed the public hearing and directed the Community Development Director to prepare a resolution of denial of the project for Planning Commission action at its meeting of April 2, 2013; and,

WHEREAS, on April 2, 2013, the Planning Commission adopted the resolution of denial; and,

1 **WHEREAS**, on April 8, 2013, the Applicant filed a timely appeal of the Planning
2 Commission's determination and adoption of the resolution of denial; and,
3

4 **WHEREAS**, the City Council has the authority per section 90-1538 *et seq.* of the
5 Hemet Municipal Code to review and hear the Applicant's appeal of the denial of
6 Conditional Use Permit No. 12-007 for the operation of a collateral loan business
7 (pawnshop) located at 2355 E. Florida Avenue (APN 445-290-022); and,
8

9 **WHEREAS**, on May 4, 2013, the City gave public notice by advertising in the
10 Press Enterprise and by mailing to property owners within 500 feet, of the holding of a
11 public hearing at which the project would be considered by the City Council; and,
12

13 **WHEREAS**, on May 14, 2013, the City Council held the noticed de novo public
14 hearing at which interested persons had an opportunity to testify in support of, or
15 opposition to Appeal No. 13-001 and the entirety of the project proposed by Conditional
16 Use Permit No. 12-007, and at which the City Council considered the appeal, the project
17 as acted upon by the Planning Commission, and the entirety of the project proposed by
18 Conditional Use Permit No. 12-007; and
19

20 **WHEREAS**, on May 14, 2013, the City Council, after consideration of the project,
21 closed the public hearing; and,
22

23 **WHEREAS**, pursuant to California Environmental Quality Act (CEQA) Guidelines
24 Section 15270 (14 Cal. Code Regs. Section 15270) CEQA does not apply to projects
25 which a public agency rejects or disapproves.
26

27 **NOW, THEREFORE**, the City Council of the City of Hemet does Resolve,
28 Determine, Find and Order as follows:
29

30 **SECTION 1: AFFIRMATION OF PLANNING COMMISSION DETERMINATIONS**
31

32 The City Council, in light of the whole record before it, including but not limited to the
33 Staff Report dated May 14, 2013, the appeal letter and supporting documentation
34 submitted by the Applicant, and the testimony received at the May 14, 2013, hearing on
35 the Applicant's appeal, affirms the determinations made by the Planning Commission in
36 Resolution No 13-003, denying the Applicant's request for Conditional Use Permit No.
37 12-007 for the operation of a collateral loan business (pawnshop) located at 2355 E.
38 Florida Avenue.
39

40 **SECTION 2: CONDITIONAL USE PERMIT FINDINGS**
41

42 On the basis of substantial evidence on the record, including, but not limited to, the
43 written and oral staff report and public testimony at the public hearing on May 14, 2013,

1 the City Council finds, in accordance with the requirements as set forth in Hemet
2 Municipal Code Section 90-1537(c), as follows:

- 3
- 4 **1. *That the proposed location, use and operation of the conditional use is not***
5 ***in accord with the objectives of Chapter 90 of the Hemet Municipal Code,***
6 ***the purposes of the zone in which the site is located, is not consistent with***
7 ***the General Plan and does not comply with other relevant city regulations,***
8 ***policies and guidelines.***
9

10 The City Council finds that the proposed use does not meet the intent of the
11 following General Plan Land Use Element statements:

- 12
- 13 • Section 2.1.1, Relationship to Other Elements of the General Plan.
14 The Land Use Element of the General Plan is intended to be
15 complementary with the Public Safety Element and to mitigate or avoid
16 damage and injury from human-made hazards. The approval of a
17 pawn shop and collateral loan business is not consistent with this
18 provision of the General Plan. The proposed project site is located in
19 an area of the City that experiences a high rate of crime and for calls
20 for police services. The record demonstrates that over the past year
21 there have been approximately 600 calls for service in this area. The
22 proposed business will carry and sell jewelry, electronics, tools,
23 musical instruments and other tangible property and will be a target for
24 further crime in the area. In addition, it has been the City's experience
25 that pawn shops tend to attract variance nuisance activities and other
26 unwanted behaviors. Stolen items are often taken to pawn shops in
27 exchange for cash and other goods. Because of the crime potential
28 associated with pawn shops, there are numerous state laws
29 addressing the operation of pawn shops. Furthermore, the Applicant
30 proposed a number of security measures, including an armed guard,
31 which highlights the dangers associated with this type of business.
32 Adding this type of business would have an unwanted, combustible
33 effect on a neighborhood that already experiences an excessive
34 amount of criminal activity.
35
 - 36 • Section 2.2.8, Providing for a Balance of Housing Opportunities. The
37 General Plan states that, in order to provide a balance of housing
38 opportunities, the City must "focus on providing a safe community with
39 quality of life amenities." The proposed project does not meet this
40 objective because it will decrease public safety at the proposed
41 location.

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- Section 2.4.1, Smart Growth Principles. The General Plan sets forth a number of smart growth principles, including the desire to “[f]oster distinctive, attractive communities with a strong sense of place. The Planning Commission finds that the introduction of a pawn shop and collateral loan business at the project site will not foster a distinctive, attractive community with a strong sense of place. To the contrary, the testimony showed that the project will have the opposite effect for the neighborhood and will discourage people from visiting the shopping center by adding a business that is a crime target and which, by necessity, requires extraordinary security measures. The proposed location is a gateway to the City on Florida Avenue, coming from east to west. A pawn shop and collateral loan business will not be an attractive addition to the City and will damage the City’s image.

- Section 2.5.2, Commercial Categories. According the General Plan, Community Commercial areas are designed to meet the needs of the community at-large. The Planning Commission finds that a pawn shop, with a collateral loan business, at this particular location does not meet the community’s needs because of the existing crime issues in the area. In addition, there are three other pawn shops already existing in the City and several second-hand coin and jewelry businesses that provide these services to the community at large.

- Section 2.8.2, Hemet’s Districts, East Florida Corridor District. The primary focus is to promote uses in the east Hemet area that are compatible with residential development. For the reasons stated above, adding a pawn shop to this area will not make the neighborhood, which already suffers from high crime rates, a more attractive place to live.

- Section 2.11.1, Economic Development Strategies. The Land Use Element sets forth a number of economic development strategies and goals, which include the following: 1) “Enhance the City’s image as desirable place to live, work, and play;” and 2) “Promote employment opportunities particularly in higher paying, higher skilled jobs.” The approval of a pawn shop in an area that is marked by a high crime rate is inconsistent with these stated objectives. Because of the negative image associated with pawn shops and potential for criminal and nuisance activities at pawn shops, adding an additional pawn shop to the City will not enhance the City’s image as a desirable place to live, work, and play.

1 In addition to the above-cited sections of the 2013 General Plan, the proposed project is
2 inconsistent with the following Land Use Element goals and policies:

- 3
4 • Goal LU-3, Policy 3.9, Incompatible Uses. “Prohibit uses that lead to
5 the deterioration of residential neighborhoods, or adversely affect it’s
6 safety or residential character.” The approval of a pawn shop and
7 collateral loan business is not consistent with this provision of the
8 General Plan. The proposed project site is located in an area of the
9 City that experiences a high rate of crime and for calls for police
10 services. The record demonstrates that over the past year there have
11 been approximately 600 calls for service in this area. The proposed
12 business will carry and sell jewelry, electronics, tools, musical
13 instruments and other tangible property and will be a target for further
14 crime in the area. In addition, it has been the City’s experience that
15 pawn shops tend to attract variance nuisance activities and other
16 unwanted behaviors. Stolen items are often taken to pawn shops in
17 exchange for cash and other goods. Because of the crime potential
18 associated with pawn shops, there are numerous state laws
19 addressing the operation of pawn shops. Furthermore, the Applicant
20 proposed a number of security measures, including an armed guard,
21 which highlights the dangers associated with this type of business.
22 Adding this type of business would have an unwanted, combustible
23 effect on a neighborhood that already experiences an excessive
24 amount of criminal activity.
25
- 26 • Goal LU-6, Policy 6.7, Regulate Sensitive Land Uses. “Appropriately
27 control the location, concentration and number of community sensitive
28 land uses, such as alcohol sales, tobacco products, adult businesses,
29 medical marijuana dispensaries, and entertainment venues, and
30 require operational measures to prevent adverse impacts to adjoining
31 residences, businesses, schools, parks, medical facilities, and religious
32 facilities, consistent with City, State and Federal laws.” A pawn shop is
33 a community sensitive land use and locating such a use in a high-
34 crime area is unwise at this time.
35
- 36 • Goal LU-13, Policy 13.7, Reuse of Underutilized Properties.
37 “Encourage the reuse of vacant, underutilized, or obsolete commercial
38 and industrial buildings with higher value uses that are consistent with
39 the General Plan goals and policies.” Based on testimony provided at
40 the two public hearings on this matter, the approval of a pawn shop
41 and collateral loan business at this location, which is a gateway to the
42 City, will not encourage higher value land uses.
43

- 1 **2. That the proposed location of the conditional use and the conditions under**
2 **which it would be operated or maintained will be detrimental to the public**
3 **health, safety or welfare, or materially injurious to properties or**
4 **improvements in the vicinity.**
5

6 The City Council, in hearing public testimony at a public hearing held on
7 May 14, 2013, and considering as a whole the evidence presented to the
8 City Council, the City Council has determined that there exists a significant
9 number of Police Department calls for service in the immediate vicinity of
10 the proposed project and that the proposed project will exacerbate this
11 situation by introducing a business that is traditionally a target of crime
12 and nuisance activity. The Applicant's proposed security measures
13 demonstrate the Applicant's awareness of this unique crime potential.
14 Accordingly, the approval and operation of the proposed project at that
15 particular location will have a materially injurious impact on other business
16 located within the same center as the proposed project. In fact, property
17 owners within the same center are opposed to the proposed use at this
18 location because of the potential for additional crime.
19

20
21 **SECTION 3: ENVIRONMENTAL REVIEW**
22

23 The City Council, in light of the whole record before it, including but not limited to, the
24 City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of
25 the City Manager and Community Development Director as provided in the Staff Report
26 dated May 14, 2013, and documents incorporated therein by reference, and any other
27 evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2)
28 within the record or provided at the public hearing of this matter, hereby finds and
29 determines as follows:
30

- 31 1. **CEQA.** Pursuant to California Environmental Quality Act ("CEQA")
32 Guidelines Section 15270 (14 Cal. Code Regs. Section 15270) CEQA
33 does not apply to projects which a public agency rejects or disapproves.
34
35 2. **MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP).** The
36 MSHCP does not apply to projects which a public agency disapproves.
37

38 **SECTION 4: CITY COUNCIL ACTIONS**
39

40 The City Council hereby takes the following action:
41

- 42 1. **Affirms Planning Commission Determinations.** The determinations of the
43 Planning Commission, which determinations were squarely within their purview
44 as appointed commissioners of the City, are affirmed by the City Council as
45 being proper interpretations and implementations of the City's code and
46 regulations.

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2. **Denies Conditional Use Permit No. 12-007.** The Applicant's appeal of the denial of Conditional Use Permit No. 12-007, and thus the application is hereby denied.

PASSED, APPROVED AND ADOPTED this 14th day of May, 2013.

Robert Youssef, Mayor
City of Hemet

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 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sarah McComas, City Clerk

Attachment No. 2

Appeal Letter from
Applicant, April 8,
2013 and
Supplemental Info

City Council Hearing
May 14, 2013

Valley Jewelry and Loan

244525 Alessandro Avenue
Moreno Valley, California 92553
Store 951-247-6304
Cellular 909-709-0095

Hemet Jewelry & Loan
Store 951-247-6304 Cellular 909-709-0095

To: Soledad Carrisoza.

In regards to Resolution no. 13-003, Conditional Use Permit 12-007 for the operation of a collateral loan business, APN 445-290-022, located at 2355 E. Florida Avenue, Hemet, California. **I would like to have the denial decision appealed.** I would like the opportunity to present our method of operations in the manner in which we currently have in the past, and in the present day. I feel that a step by step detailed description of our daily procedures as well as predicting what Hemet Jewelry & Loan will generate in revenue for the city of Hemet, as well as employment for members of the city can all be beneficial for the community. This information will be based on facts from our current location in Moreno Valley, which is equivalent to size, location and many other important key factors that mirror our current location in Moreno Valley. I feel it will be essential to the counsel, as to everyone not acquainted with the collateral loan business, and will further educate with our presentation, along with the correct procedures used in order to properly function, and the pride we take in our work ethics, the morals that have played to our advantage and have allowed us to be the proper establishment we currently operate to date.

We intend to show that we will not only be operating as a collateral loan business but as a retail store for musical instruments, custom made jewelry, jewelry repair, electronics devices. The community will find that we anticipate to be part of the community. We look forward to being not only contributors of the city but a part of the community as well. Feel free to contact me directly for any questions or concerns you may have 909-709-0095.

Sincerely,



Eduardo Salas

RECEIVED

APR 08 2013

PLANNING

SCANNED

Sponsored by:



National Pawnbrokers Association

January 30, 2013

Ms. Soledad Carrisoza
City of Hemet, Planning Department
445 East Florida Avenue
Hemet, California 92543

City of Hemet - Planning
RECEIVED

MAY - 6 2013

PROJECT NO.(S)

APL 13-001 of
CVS 12-007

Valley Jewelry and Loan

244525 Alessandro Avenue
Moreno Valley, California 92553
Store 951-247-6304
Cellular 909-709-0095

RE: Planning Commission meeting regarding Hemet Jewelry and Loan

Hello Soledad,

I would like to answer all your questions. I will be happy to give you a call and clarify any further concerns you may have.

We pride ourselves on taking a proactive role in our business community. Our business philosophy is to comply with all existing laws and work hand in hand with our local police department.

- ✓ We maintain a very strict cash level of \$2000 to \$2500, on hand at any time. If additional monies are required we visit the bank as necessary.
- ✓ Our sales for Moreno Valley are \$478,460 for last year. Our performance has been higher than our budgeted sales goals.
- ✓ We plan on eight to ten employees for our Hemet store. We pride ourselves for hiring from local residents and supporting the community.
- ✓ It is company policy to buy gold coins only. After any purchase we comply with the thirty day mandatory hold on all purchases we make. After all purchases, we will hand deliver the required paperwork to the local police department. Again, we take great pride in our working relationship with local law enforcement.
- ✓ We follow strict guidelines established by the Federal Firearm License regulations and laws.
We plan on only selling new firearms. Our company policy is not to sell ammunition.

I understand these are brief bullet points to help the Planning Commission have a better understanding of our company and our business ideas. If you have any questions I may clarify or better answer please do not hesitate to call me directly. My cell phone is 909-709-0095.

I would like to thank you in advance for all your help with this application.

Sincerely,

Eduardo Salas

Sponsored by:



National Pawnbrokers Association

Profile

We have created a proven and successful business model for the pawn shop (collateral loan) business. We wish to make the capital investment and purchase the property at 2355 East Florida Avenue in the community of Hemet.

This model has worked in our stores in Moreno Valley and Yucaipa. It is our intention to open our third store in Hemet. Please take a moment to look over the following excerpts from our business plan for Valley Jewelry and Loan in Moreno Valley.

The success of any business venture lies in management's ability to accomplish its goals. Development of ideas through people is critical. In today's world there are no more "one-man bands". Focus, strategy, efficiency and customer satisfaction are the keys to profitability.

I, Eddie Salas, would like to take the time to explain to you the growth and development of Valley Jewelry and Loan. A kind of past, present and future capsule of the changes to the company since our acquisition in September 2005. I will refer to current management as "we" throughout this plan.

Valley Jewelry and Loan was established in 2004. We purchased the business from the original owner, Robert Orrantia, it was a typical "Mom and pop" managed business with only one employee (sometimes), very typical to the industry. He made no capital investments and unfortunately simply ran the business down throughout his ownership. His sales peaked at approximately \$50,000 per year.

Considering the state of disarray and lack of management, the shop had all the potential for growth you could ask for. Since we purchased an existing business, it took us approximately twelve months to simply "Clean-up" the mess. Once we finished that, our focus was to begin on making loans and to build up our backroom. Sales have grown.

With our experience and management techniques in place, we have been able to increase sales from \$50,000 per year to almost \$500,000 per year. We believe that our current situation enables us to expand our business into the growth and profit potential required in today's business climate. The following business plan will explain our ideas, strategies and objectives.

Introduction

Hemet Jewelry and Loan (the company) is the name of our new business enterprise to provide low-cost, high-efficiency collateral loans and sales. The new company would be organized and managed in a creative and innovative way to generate very high levels of efficiency in the pawn type (collateral) loan business. Through efficient loan, processing and low overhead will allow us to pass the savings on to our customers in lower prices. Low prices and high quality in terms of large volume and basic service will generate significant rates of return on equity. The combined assets of experienced operations management, financial management and established systems provide a very solid foundation with great earnings potential. In addition, the current political, governmental and economic environment looks favorably upon the development of these innovations.

Due largely to the passage of landmark legislation and regulations a new era of change has enveloped the pawnbroker industry. Management will be the key to implementing and devising more efficient methods of collateral loans while complying with these regulations. The management of the new company has been in the forefront of the industry environment over the past several years. We have been generally regarded as industry leaders in operating and marketing innovations. Our constant involvement with local city, county and state law enforcement will only aid in these developments.

High degrees of operating efficiency are available to management in several areas. First, the industry's labor expenses and capital costs can be favorably affected by more aggressive utilization techniques. For example, because all the employees are new, there is an opportunity, through very careful selection and training, to achieve an amount of cross-utilization that will lead to very high levels of efficiency per employee.

Second, new and more advanced methods of loan management are now available through data processing, analysis and applied operations research. In example, only the "best loan" possible will be made using the information deemed salable and profitable will be processed, eliminating wasted cash and creating stagnant inventory. The management of this data allows you to stay within your profit margin eliminating overstocking and freeing up cash for additional loan power.

Third, in the area of marketing, opportunities are nearly limitless due to the nature of a sleeping industry and the wide range of merchandising reports that are now available through our computer software. Because of these computerized reports, we will be able to target and most importantly keep a large customer base. The advantage is clearly in the revenue possibilities of these very workable approaches.

Finally, a disciplined approach to the available operating economies, the wide-open opportunities for better employee development and the clear field for innovation lend themselves well to the marketing this new company to the City of Hemet and its surrounding area.

Business Objective

Statement of objective: The company is being formed for the purpose of becoming the first "collateral" loan pawn shop in the City of Hemet specializing in short-term collateral loans, with an early profitable operation as the prime goal.

1. Product Line

- i) Initial Product: Primarily collateral loans and in store sales. Continue the tradition of a fast, convenient source of ready cash and most importantly customer dignity.
- ii) Short Term: Develop loan history and customer sales information. Refine loans based on this data. Aggressively add to backroom inventory.
- iii) Long Term: Build loan levels and manage backroom turning at a consistent rate. Begin to develop an internal eBay sales operation. This will increase the profit margin of all loan foreclosures.

- 2. The company aims to become the leader in the collateral loan and other related businesses. The capabilities of the founder support this aim.
- 3. Our merchandise and its pricing will be superior in the market due to our advanced management reports. This will allow us to have the best return in the shortest amount of time.
- 4. Service to our customers will be emphasized throughout our operation.
- 5. Early growth and profit will result in a healthy return on investment.

Brief Industry Overview

People are unable or unwilling to deal with traditional financial institutions or utilize credit cards. These consumers have regular needs to meet their short-term cash requirements for items such as utility bills, physical care or emergency repairs.

In their time of need, many of these consumers turn to pawnshops. Loans are granted in a matter of minutes in the same way that people have accessed cash for thousands of years.

For hundreds of years money has been loaned based solely on the value of an item pledged as collateral, commonly today referred as a "pawn loan". We are focused on customer service, meeting the needs of secured non-recourse borrowers in the oldest and most basic form of consumer financing activity.

The fundamentals of the pawn business have not changed through its 3,000-year existence. The basic business is designed to assist the borrower in meeting capital requirements under terms of a simple contract.

Items used as security for loans have evolved over the years as commonly owned personal property has changed with the times. Yet the orientation of the collateral has not changed as customers use items, which represent value, such as gold and diamond jewelry, capable of providing them a source of liquidity.

At Hemet Jewelry and Loan, the age-old pawn loan tradition of a fast, convenient source of ready cash with the loan amount based upon the value of the collateral pledged is taken to a new level of ease and most importantly customer dignity.

Courteous and well-trained employees who assist them with their cash needs greet our customers. We maintain an open communication process with every customer to understand the maximum loan amount available for the item pledged.

Because of our bank vault, system in place customers leave with the secure knowledge that the item pledged is in safekeeping at Hemet Jewelry and Loan until they redeem it.

Our customers are people who live on a tight budget that has a temporary need for a small, short-term loan. They have an immediate and unplanned need for cash. Something they were not expecting came up – an auto expense, doctor bill, large utility bill unfortunately, something not in the budget. That is where we come into action to serve our customers and be there in their times of need. This equitable relationship will set the foundation for a long-term relationship with all of our customers.

Eduardo Salas – Business Bio

Eddie has 19 years experience in the pawn shop (collateral loan) business. He started out, while in high school, with an after school job working in Fontana. Through years of hard work and real dedication he was promoted to store manager. Eddie knew he had found his life's passion and was ready to be his own boss.

In 2005, Eddie found the perfect location in Moreno Valley for his first business venture. It was a vacant bank building. It had a drive-thru window; it had a bank vault, providing the extra security that was needed. It was ideal.

Showing no hesitation Eddie opened Moreno Valley Jewelry and Loan. Initially, as any new business it required all the long hours and hard work to become a profitable business. Starting out with only two employees and zero sales the business has grown over the last 8 years to 17 employees and sales in excess of \$500,000. Every year the growth of this small business has exceeded all budget projections.

With the purchase of the property and the investment into the business reflects the commitment to the community of Moreno Valley. Youth sponsorships and charitable donations have always been an important ----- to give a little something back.

In 2012, Eddie found another vacant building in Yucaipa. This location had freeway frontage and visibility. This will become the second pawn shop owned and operated by Eddie, his proven management techniques and willingness to help the local customers is a proven formula to create a sustainable business operation. Again, Eddie owns the property for his business.

Pawn shops have existing laws they must abide by and they are actually the conduit for the local police departments. Eddie has worked tirelessly with law enforcement, through their pawn detail, to assist any victim to recover their property. Each and every one of his businesses has a great working relationship with local law enforcement.

In 2013, Eddie would like to build his third pawn shop in Hemet. He has found a great location and will purchase the property and make the investments to create a sustainable business. It is this commitment to the community that creates the foundation for growth and success.

His vision and dedication is the secret recipe to success with a little hard work sprinkled on top. Not any smoke and mirrors involved just old-fashion hard work and determination.

Attachment No. 3

Planning Commission
Resolution No. 13-
003 for Denial of CUP
No. 12-007

City Council Hearing
May 14, 2013



CITY OF HEMET
PLANNING COMMISSION

RESOLUTION NO. 13-003

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF HEMET, CALIFORNIA DENYING
CONDITIONAL USE PERMIT NO. 12-007 FOR THE
OPERATION OF A COLLATERAL LOAN BUSINESS
(PAWNSHOP) LOCATED AT 2355 E. FLORIDA AVENUE
(APN 445-290-022)

WHEREAS, an application for Conditional Use Permit No. 12-007 (CUP No. 12-007) for the operation of a collateral loan business (pawn shop) was duly filed by:

Owner: Hemet Jewelry & Loan – Eduardo Salas
Applicant: Eduardo Salas
Project Location: 2355 E. Florida Avenue
APN: 445-290-022

WHEREAS, the Planning Commission has the authority under Hemet Municipal Code section 90-1531 et seq. to approve or disapprove CUP No. 12-007; and

WHEREAS, on February 7, 2013, the City provided notice of the Planning Commission's public hearing on CUP No. 12-007 by advertising the hearing in the Press Enterprise and by mailing a notice to property owners within 500 feet of the proposed project location; and

WHEREAS, on February 19, 2013, and March 5, 2013, the Planning Commission conducted duly noticed public hearings concerning the request to approve CUP No. 12-007; and

WHEREAS, the Planning Commission has carefully considered all pertinent testimony and information contained in the Staff report prepared for this application as presented at the public hearings and the testimony provided by the applicant and members of the public; and; and

Planning Commission Resolution No. 13-003
CONDITIONAL USE PERMIT NO. 12-007
Hemet Jewelry and Loan

1 **WHEREAS**, The California Environmental Quality Act (CEQA) does not apply to
2 projects which an agency disapproves. (CEQA Guidelines Section 15270); and
3

4 **WHEREAS**, all legal prerequisites have occurred prior to adoption of this
5 resolution.
6

7 **NOW, THEREFORE**, the Planning Commission of the City of Hemet does
8 Resolve, Determine, Find and Order as follows:
9

10 **SECTION 1:** The Planning Commission hereby finds that the fact, findings and
11 conclusions set forth above are true and correct.
12

13 **SECTION 2:** Pursuant to the California Environmental Quality Act (CEQA) Guidelines
14 (Title 14 California Code of Regulations Section 15000 et seq.) section 15270, CEQA
15 does not apply to projects which an agency disapproves.
16

17 **SECTION 3:** On the basis of substantial evidence on the record, including, but not
18 limited to, the written and oral staff report and public testimony at the public hearings on
19 February 19, 2013, and March 5, 2013, the Planning Commission finds, in accordance
20 with the requirements as set forth in Hemet Municipal Code Section 90-1537(c), as
21 follows:
22

- 23 1. ***That the proposed location, use and operation of the conditional use is not***
24 ***in accord with the objectives of Chapter 90 of the Hemet Municipal Code,***
25 ***the purposes of the zone in which the site is located, is not consistent with***
26 ***the General Plan and does not comply with other relevant city regulations,***
27 ***policies and guidelines.***
28

29 The Planning Commission finds that the proposed use does not meet the intent of
30 the following General Plan Land Use Element statements:
31

- 32 • Section 2.1.1, Relationship to Other Elements of the General Plan.
33 The Land Use Element of the General Plan is intended to be
34 complementary with the Public Safety Element and to mitigate or avoid
35 damage and injury from human-made hazards. The approval of a
36 pawn shop and collateral loan business is not consistent with this
37 provision of the General Plan. The proposed project site is located in
38 an area of the City that experiences a high rate of crime and for calls
39 for police services. The record demonstrates that over the past year
40 there have been approximately 600 calls for service in this area. The
41 proposed business will carry and sell jewelry, electronics, tools,
42 musical instruments and other tangible property and will be a target for
43 further crime in the area. In addition, it has been the City's experience

Planning Commission Resolution No. 13-003
CONDITIONAL USE PERMIT NO. 12-007
Hemet Jewelry and Loan

1 that pawn shops tend to attract variance nuisance activities and other
2 unwanted behaviors. Stolen items are often taken to pawn shops in
3 exchange for cash and other goods. Because of the crime potential
4 associated with pawn shops, there are numerous state laws
5 addressing the operation of pawn shops. Furthermore, the applicant
6 proposed a number of security measures, including an armed guard,
7 which highlights the dangers associated with this type of business.
8 Adding this type of business would have an unwanted, combustible
9 effect on a neighborhood that already experiences an excessive
10 amount of criminal activity.

- 11
- 12 • Section 2.2.8, Providing for a Balance of Housing Opportunities. The
13 General Plan states that, in order to provide a balance of housing
14 opportunities, the City must “focus on providing a safe community with
15 quality of life amenities.” The proposed project does not meet this
16 objective because it will decrease public safety at the proposed
17 location.
- 18
- 19 • Section 2.4.1, Smart Growth Principles. The General Plan sets forth a
20 number of smart growth principles, including the desire to “[f]oster
21 distinctive, attractive communities with a strong sense of place. The
22 Planning Commission finds that the introduction of a pawn shop and
23 collateral loan business at the project site will not foster a distinctive,
24 attractive community with a strong sense of place. To the contrary, the
25 testimony showed that the project will have the opposite effect for the
26 neighborhood and will discourage people from visiting the shopping
27 center by adding a business that is a crime target and which, by
28 necessity, requires extraordinary security measures. The proposed
29 location is a gateway to the City on Florida Avenue, coming from east
30 to west. A pawn shop and collateral loan business will not be an
31 attractive addition to the City and will damage the City’s image.
- 32
- 33 • Section 2.5.2, Commercial Categories. According the General Plan,
34 Community Commercial areas are designed to meet the needs of the
35 community at-large. The Planning Commission finds that a pawn
36 shop, with a collateral loan business, at this particular location does not
37 meet the community’s needs because of the existing crime issues in
38 the area. In addition, there are three other pawn shops already
39 existing in the City and several second-hand coin and jewelry
40 businesses that provide these services to the community at large.
- 41
- 42 • Section 2.8.2, Hemet’s Districts, East Florida Corridor District. The
43 primary focus is to promote uses in the east Hemet area that are

Planning Commission Resolution No. 13-003
CONDITIONAL USE PERMIT NO. 12-007
Hemet Jewelry and Loan

1 compatible with residential development. For the reasons stated
2 above, adding a pawn shop to this area will not make the
3 neighborhood, which already suffers from high crime rates, a more
4 attractive place to live.
5

- 6 • Section 2.11.1, Economic Development Strategies. The Land Use
7 Element sets forth a number of economic development strategies and
8 goals, which include the following: 1) "Enhance the City's image as
9 desirable place to live, work, and play;" and 2) "Promote employment
10 opportunities particularly in higher paying, higher skilled jobs." The
11 approval of a pawn shop in an area that is marked by a high crime rate
12 is inconsistent with these stated objectives. Because of the negative
13 image associated with pawn shops and potential for criminal and
14 nuisance activities at pawn shops, adding an additional pawn shop to
15 the City will not enhance the City's image as a desirable place to live,
16 work, and play.
17

18 In addition to the above-cited sections of the 2013 General Plan, the proposed project is
19 inconsistent with the following Land Use Element goals and policies:
20

- 21 • Goal LU-3, Policy 3.9, Incompatible Uses. "Prohibit uses that lead to
22 the deterioration of residential neighborhoods, or adversely affect it's
23 safety or residential character." The approval of a pawn shop and
24 collateral loan business is not consistent with this provision of the
25 General Plan. The proposed project site is located in an area of the
26 City that experiences a high rate of crime and for calls for police
27 services. The record demonstrates that over the past year there have
28 been approximately 600 calls for service in this area. The proposed
29 business will carry and sell jewelry, electronics, tools, musical
30 instruments and other tangible property and will be a target for further
31 crime in the area. In addition, it has been the City's experience that
32 pawn shops tend to attract variance nuisance activities and other
33 unwanted behaviors. Stolen items are often taken to pawn shops in
34 exchange for cash and other goods. Because of the crime potential
35 associated with pawn shops, there are numerous state laws
36 addressing the operation of pawn shops. Furthermore, the applicant
37 proposed a number of security measures, including an armed guard,
38 which highlights the dangers associated with this type of business.
39 Adding this type of business would have an unwanted, combustible
40 effect on a neighborhood that already experiences an excessive
41 amount of criminal activity.
42

Planning Commission Resolution No. 13-003
CONDITIONAL USE PERMIT NO. 12-007
Hemet Jewelry and Loan

- 1 • Goal LU-6, Policy 6.7, Regulate Sensitive Land Uses. "Appropriately
2 control the location, concentration and number of community sensitive
3 land uses, such as alcohol sales, tobacco products, adult businesses,
4 medical marijuana dispensaries, and entertainment venues, and
5 require operational measures to prevent adverse impacts to adjoining
6 residences, businesses, schools, parks, medical facilities, and religious
7 facilities, consistent with City, State and Federal laws." A pawn shop is
8 a community sensitive land use and locating such a use in a high-
9 crime area is unwise at this time.
- 10
- 11 • Goal LU-13, Policy 13.7, Reuse of Underutilized Properties.
12 "Encourage the reuse of vacant, underutilized, or obsolete commercial
13 and industrial buildings with higher value uses that are consistent with
14 the General Plan goals and policies." Based on testimony provided at
15 the two public hearings on this matter, the approval of a pawn shop
16 and collateral loan business at this location, which is a gateway to the
17 City, will not encourage higher value land uses.

18

19 **2. That the proposed location of the conditional use and the conditions under**
20 **which it would be operated or maintained will be detrimental to the public**
21 **health, safety or welfare, or materially injurious to properties or**
22 **improvements in the vicinity.**
23

24 The Planning Commission, in hearing public testimony at public hearings
25 held on February 19, 2013 and again on March 5, 2013, and considering
26 as a whole the evidence presented to the Planning Commission, the
27 Planning Commission has determined that there exists a significant
28 number of Police Department calls for service in the immediate vicinity of
29 the proposed project and that the proposed project will exacerbate this
30 situation by introducing a business that is traditionally a target of crime
31 and nuisance activity. The applicant's proposed security measures
32 demonstrate the applicant's awareness of this unique crime potential.
33 Accordingly, the approval and operation of the proposed project at that
34 particular location will have a materially injurious impact on other business
35 located within the same center as the proposed project. In fact, property
36 owners within the same center are opposed to the proposed use at this
37 location because of the potential for additional crime.

38

39 **SECTION 4: PLANNING COMMISSION ACTIONS**

40

41 The Planning Commission hereby takes the following actions:

- 42
- 43 **1. Denies Conditional Use Permit.** Due to the testimony presented to and
44 evaluated by the City of Hemet Planning Commission regarding the proposed

Planning Commission Resolution No. 13-003
CONDITIONAL USE PERMIT NO. 12-007
Hemet Jewelry and Loan

1 use and inconsistencies with the City of Hemet 2030 General Plan, Conditional
2 Use Permit No. 12-007, Hemet Jewelry and Loan, is hereby denied.
3
4

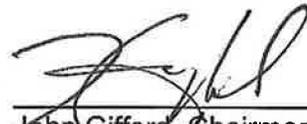
5 **PASSED, APPROVED, AND ADOPTED** this 2nd day of April, 2013, by the following
6 vote:
7

8 **AYES:** Chairman John Gifford, Vice Chairman Vince Overmyer and
9 Commissioners Michael Perciful and Greg Vasquez

10 **NOES:** None

11 **ABSTAIN:** None

12 **ABSENT:** None
13
14

15
16 
17 _____
18 John Gifford, Chairman
19 Hemet Planning Commission
20

21 **ATTEST:**
22

23 
24 _____
25 Nancie Shaw, Minutes Secretary
26 Hemet Planning Commission
27
28
29
30
31
32

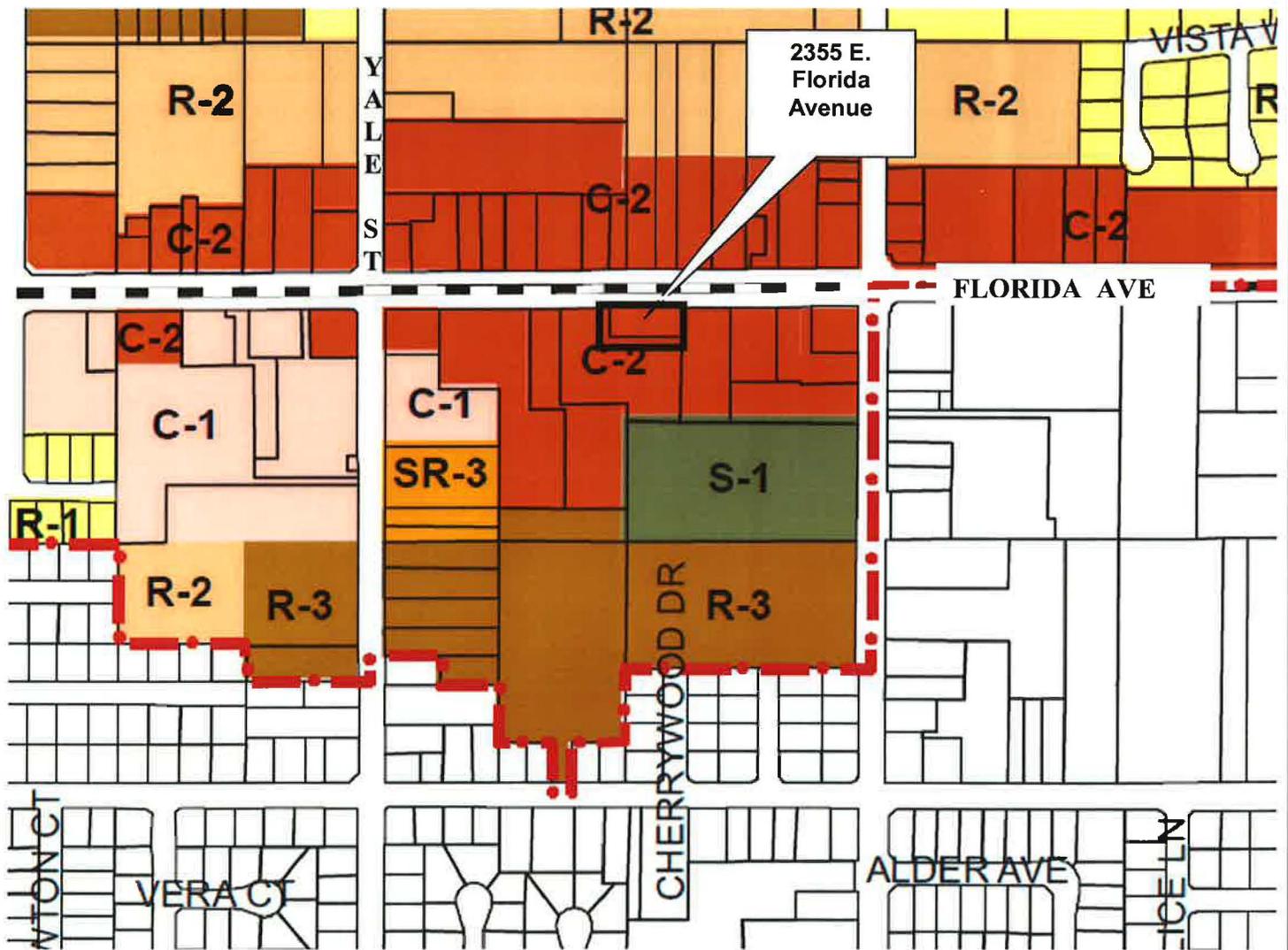
Planning Commission Resolution No. 13-003
CONDITIONAL USE PERMIT NO. 12-007
Hemet Jewelry and Loan

Attachment No. 4

Zoning and Vicinity Map

City Council Hearing
May 14, 2013

CONDITIONAL USE PERMIT NO. 12-007 SURROUNDING ZONING MAP



Attachment No. 5

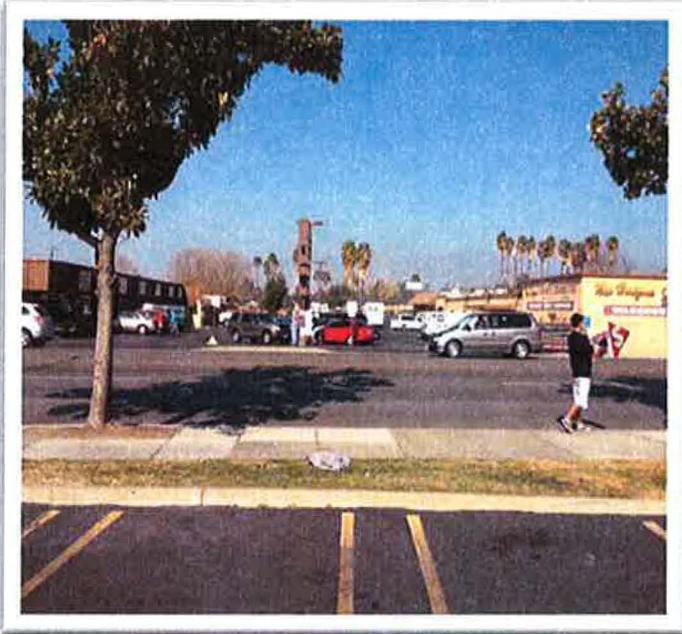
Aerial View and Site
Photos

City Council Hearing
May 14, 2013

APPEAL 13-001
CONDITIONAL USE PERMIT NO. 12-007
AERIAL and STREET



Adjacent Businesses



North side of Florida Avenue
(Left) Shopping Center
(Below) Medical Group



(Left) East of Site
(Below) North side of Florida Avenue



Proposed Hemet Jewelry and Loan

2355 E. Florida Avenue - West Elevation (Front)



East Elevation (Rear of Building)



North Elevation (Side facing Florida Avenue)



Adjacent Building



Anchor Tenants

Facing Florida (North)

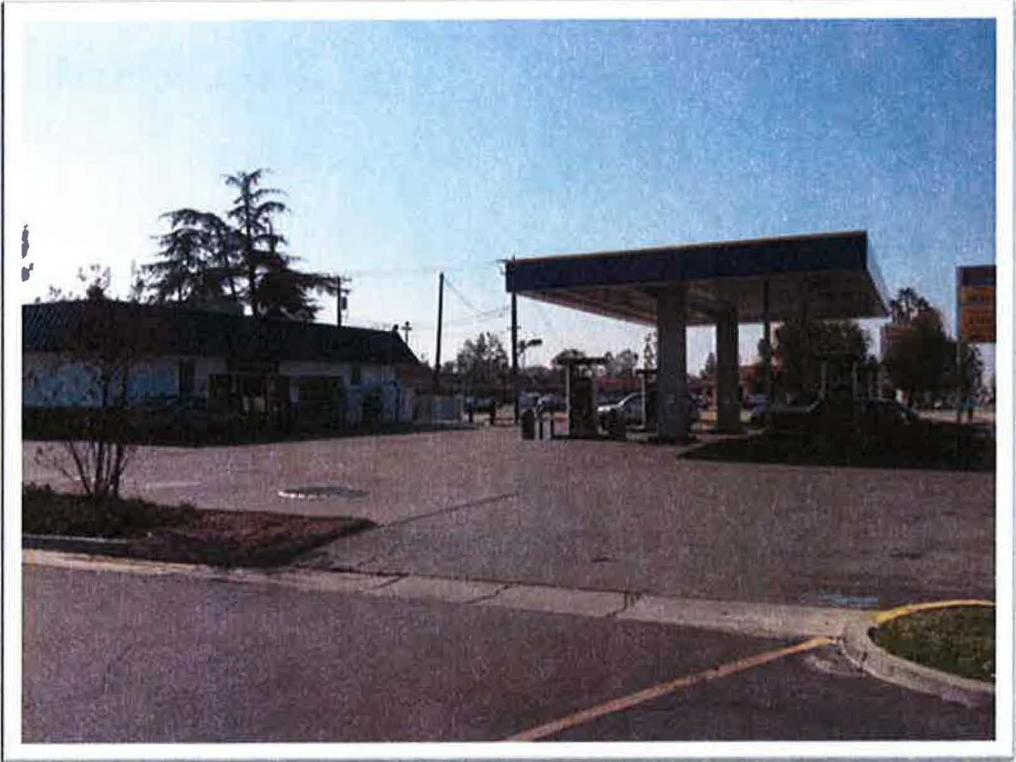


Supporting Shops

Facing Florida



Gas Station/Convenience Store – South East Corner of Florida Avenue and Yale Street



Parking lot and Landscaping



Both views toward East



Attachment No. 6

Planning Commission
Staff Report, April 2,
2013

City Council Hearing
May 14, 2013

AGENDA #5



Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director *DE*
Emery J. Papp, Principal Planner *EP*

DATE: April 2, 2013

RE: **CONDITIONAL USE PERMIT NO. 12-007 (HEMET JEWELRY & LOAN)** –
Consideration of Resolution Bill No. 13-007 affirming the Planning Commission's denial of a Conditional Use Permit for the operation of a collateral loan business (secondhand store/pawn shop) located at 2355 E. Florida Avenue.

PROJECT APPLICANT INFORMATION

Applicant: Hemet Jewelry and Loan - Eduardo Salas
Agent: Rosa Salas
Project Location: 2355 E. Florida Avenue
APN: 445-290-022

RECOMMENDED ACTION:

That the Planning Commission adopt Planning Commission Resolution Bill No. 13-007 denying CUP 12-007.

BACKGROUND:

A public hearing for Conditional Use Permit No. 12-007 for Hemet Jewelry and Loan was held by the Planning Commission at its regularly scheduled meeting on February 19, 2013. The public hearing was continued to March 5, 2013, where the Planning Commission considered the proposed location for the use and operation of Hemet Jewelry and Loan, a secondhand store and pawn shop. The Planning Commission Staff Report for the March 5, 2013 meeting is included as Attachment No. 2.

Upon reviewing the proposed use, the staff reports, hearing public testimony and weighing all of the evidence presented both for and against the proposed conditional use on March 5, 2013, the Planning Commission found that the proposed use does not meet the intent of the General Plan Land Use Element, and had the potential to be materially injurious to surrounding businesses in the shopping center and the neighborhood in general.

For the Planning Commission to approve the proposed Conditional Use Permit 12-007, it must make all of the findings pursuant to Section 90-1537(c) of the Hemet Municipal Code. On March 5, 2013, the Planning Commission determined that it could not make Finding No. 1 and Finding No. 2 of the required findings for approval and, therefore, directed staff to prepare Planning Commission Resolution Bill No. 13-007 for denial of the proposed project (Attachment No. 1). The attached resolution for denial of the proposed use contains the findings for why the proposed use cannot be supported, and the justification for making such findings.

Planning Commission Findings for CUP 12-007:

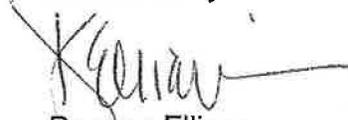
1. That the proposed location, use and operation of the conditional use is not in accord with the objectives of Chapter 90 of the Hemet Municipal Code, the purposes of the zone in which the site is located, is not consistent with the General Plan and does not comply with other relevant city regulations, policies and guidelines; and
2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Respectfully submitted,



Emery J. Papp
Principal Planner

Reviewed by:



Deanna Elliano
Community Development Director

ATTACHMENTS

- 1) Planning Commission Resolution Bill No. 13-007 recommending denial of CUP 12-007
- 2) March 5, 2013 PC Staff Report

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet Zoning Ordinance
Contents of City of Hemet Planning Department Project File CUP12-007

Attachment No. 7

Planning Commission
Staff Report, March
5, 2013

City Council Hearing
May 14, 2013



AGENDA #5

Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director *DE*
Emery J. Papp, Principal Planner

DATE: March 5, 2013

RE: **CONDITIONAL USE PERMIT NO. 12-007 (HEMET JEWELRY & LOAN)** –
A request for Planning Commission review of a Conditional Use Permit for the operation of a collateral loan business (secondhand store/pawn shop) located at 2355 E. Florida Avenue, with consideration of an Environmental Exemption pursuant to CEQA Guidelines Section 15301.

PROJECT APPLICANT INFORMATION

Applicant: Hemet Jewelry and Loan - Eduardo Salas
Agent: Rosa Salas
Project Location: 2355 E. Florida Avenue
APN: 445-290-022

RECOMMENDED ACTION:

That the Planning Commission EITHER:

1. Adopt Planning Commission Resolution Bill No. 13-003 approving CUP 12-007 subject to the Conditions of Approval (Attachment No. 1),
OR
2. Deny the proposed Conditional Use Permit subject to the appropriate findings and direct staff and the City Attorney to prepare a revised Resolution for formal adoption by the Commission at a subsequent meeting.

BACKGROUND:

A request for a Conditional Use Permit for Hemet Jewelry & Loan was introduced to the Planning Commission at its regularly scheduled meeting on February 19, 2013. The Planning Commission Staff Report and Attachments from the February 19th meeting are included as Attachment No. 1.

Chairman Gifford and Commissioner Vasquez were absent from the February 19, 2013 meeting due to illnesses, however, through written correspondence Commissioner Vasquez had requested that the Commission continue the public hearing in order that he

may be present for the discussion of the proposed use. At the close of the public testimony regarding the project, the Commission voted to continue the public hearing to this meeting of March 5, 2013.

The Planning Commission hearing had been publicly noticed and, therefore, Soledad Carrisoza, Planning Technician presented the staff report of record. After staff's presentation, Vice Chairman Overmyer opened the hearing for public comment. The Applicant spoke to present that the owners of the business have had good working relationships in the two jurisdictions where they currently operate stores, have had no occurrences of theft or calls for service, and have maintained excellent working relationships with local law enforcement agencies.

The Applicant also spoke to the fact that due to the continued recession, there is a demand for this service within the City limits. Included as Attachment No. 3 is a list of the pawn shops and secondhand dealers currently conducting business in Hemet. The Applicant is intending to operate as both a pawn broker (collateral loan) and a secondhand dealer (buy and sell) operation. There are currently three active pawn brokers located in the City and 11 secondhand coin or jewelry dealers. The Hemet Municipal Code does not specifically list secondhand gold or coin stores as these have previously been classified as "jewelry or coin" establishments.

Howard Rosenthal, who represents property owners within the center in which the proposed use is to be located, spoke in opposition to the proposed use, citing the following concerns: 1) the proposed use is not suitable for this particular location being the "end cap" of in-line shops with frontage along Florida Avenue; 2) pawn shops have the potential of attracting nuisance and other undesirable behaviors; 3) this proposed use is located in an area with high crime rates and known gang activity; 4) there may be Covenants, Conditions and Restrictions (CC&Rs) for the center which prohibit the proposed use; and 5) the proposed location is directly across Florida Avenue from a fine dining restaurant and an established medical center. A follow up email addressed to staff (Attachment No. 2) reiterates these concerns.

After hearing public comment, discussion ensued amongst the Commissioners who agreed to continue discussion of this item to the next regularly scheduled Planning Commission meeting on March 5, 2013 in order for Chairman Gifford and Commissioner Vasquez to participate.

FEBRUARY 19, 2013 PLANNING COMMISSION MEETING FOLLOW-UP:

Responding to the issue of high crime in the area, on February 20, 2013, staff requested from the Police Department the number and type of calls for service within the center, and within the vicinity of the project area for the past year. Police Department records indicate that from February 20, 2012 through February 20, 2013, there were 124 calls for service to locations within the 2200 to 2400 blocks of East Florida Avenue, and 532 calls

for service within the 100 to 299 blocks of South Yale Street, for a total of 656 calls for service in vicinity of the proposed project. The raw numbers also include routine traffic stops, loitering, and non-violent crimes, but the volume of calls is indicative of a problem in the area.

With respect to the concern that pawn shops may not be a permitted use within the center, staff was able to verify with Mr. Rosenthal that the CC&Rs do not address the proposed use. At the time this staff report was prepared, no other public comments had been received.

CONDITIONAL USE FINDINGS:

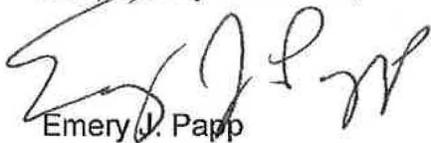
For the Planning Commission to approve the proposed Conditional Use Permit 12-007, it must make **all** of the following findings pursuant to Section 90-1537(c) of the Hemet Municipal Code. Should the Planning Commission determine that it cannot make **one or more** of the required findings, then the Commission must recommend denial of the proposed Conditional Use, and direct staff to prepare a new Planning Commission Resolution to deny the project. Findings for one or more of the criteria listed below must be supported by reasons why the proposed use cannot be supported.

Required Findings:

1. That the proposed location of the conditional use is in accord with the objectives of this chapter and the purposes of the zone in which the site is located, and complies with other relevant city regulations, policies and guidelines.
2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed conditional use will comply with each of the applicable provisions of this chapter, and with other relevant city regulations, policies and guidelines.

The February 19, 2013 Staff Report (Attachment No. 1) contained findings that recommended approval of the proposed Conditional Use.

Respectfully submitted,



Emery J. Papp
Principal Planner

Reviewed by:



Deanna Elliano
Community Development Director

ATTACHMENTS

- 1) February 19, 2013 PC Staff Report
- 2) Email from Howard Rosenthal, February 25, 2013
- 3) Existing Pawn Shops and Secondhand Dealers in the City of Hemet

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet Zoning Ordinance
Contents of City of Hemet Planning Department Project File CUP12-007

Attachment No. 2

Email from
Howard Rosenthal
CUP No. 12-007

Planning Commission
Hearing
March 5, 2013

Emery Papp - Pawn shop cup application

From: "Howard Rosenthal" <howard@rosenthalexcell.com>
To: "Emery Papp" <EPapp@cityofhemet.org>
Date: 2/25/2013 4:22 PM
Subject: Pawn shop cup application
CC: <guy@rosenthalexcell.com>, "nadim hasan" <nadim5@hotmail.com>, "Ellen..."

Emery,

Please accept this letter by me as property manger for two owners at the Yale and Florida ave shopping Center located on the south east corner, Brock LLC and Nadim Hassan.

The vacant Longs drug building of approximately 27k sft and the in line stores that make up the westerly portion of the center which includes Papa Johns Pizza, mail box store, dry cleaners, art gallery, Norton Nutrition, Pops café, and the taco shop.

The owners above mentioned object to a pawn shop being approved for the vacant 6k sft on the end cap which was once a bank.

This location is across the street from one of Hemet's most prominent Medical Office buildings, C+C Medical, and across from Hemet's highest end Dinner Restaurant, Dattillos.

During the last Planning Commission meeting the pawn Shop representative presented their case/cause and mentioned two disturbing comments:

- 1. That they (the pawn shop operator) understand the market and folks are having a tough time and they offer a place where someone that needs money for gas like \$50 can get a loan.**
- 2. That in their Moreno Valley pawn shop the cops know and trust them and come by all the time and have direct access to their back room. Obviously cops visiting a pawn shop on a regular or consistent basis certainly suggest that pawn shops often "unknowingly" receive stolen goods!**

The last thing Hemet needs in our current tough economy is pawn shops, smoke shops, and check cashing since catering to criminals and financially desperate or drug- ies does not help Hemet to move forward and turns off other business.

We believe that a pawn shop at this location will create an even more difficult time for attracting good retail shops to this location.

Howard Rosenthal, Agent for the two property owners above mentioned.

Attachment No. 3

**Existing Pawn Shops
and Secondhand
Dealers in City
CUP No. 12-007**

**Planning Commission
Hearing
March 5, 2013**

Business Name Address & Phone Number	Pawn Brokers License Issue Date Owner Name	Second Hand Dealers License Issue Date Owner Name	Certificate of Occupancy Issue Date Business Description	Business License Number	Zone	Notes	CUP or Permitted
Buy, Sell, Loan Pawn Shop 318 E. Florida Avenue 951.929.6376	#3308-0997 01/01/2010 Robert Hundley			#24757	D-1	No C of O for this location - BL not paid for 2013	
Cindy's Pawn 400 E. Florida Avenue 951.652.1720	#3308-0998 03/18/1993 Ken D. Smith		#3749 05/29/2001 Colateral Loan/Retail	#18070	D-1		Pawn Allowed - Grandfathered
Early Payday, Inc 529 N. San Jacinto Street 951.765.0922	#3308-0996 03/23/2009 Patrick Rogers		#3995 12/26/02 Check Cashing Payday Loans & Assoc Services	#25552	C-2		Pawn Allowed - Grandfathered
A-1 Coins, Inc 330 N. Sanderson Avenue 888.228.4152		#3308-1024 02/24/2011 Consuelo Wild	CO1102-024 03/15/2011 Coin Store	#36121	C-1		Coin allowed in C-1, C-2, CM, D-1, D-2
Capitol Gold Exchange & Jewelry 1308 W. Florida Avenue 951.306.8089		#3308-1026 07/07/2011 Daniel Vargas Jr.	CO1106-006 06/30/2011 Jewelry repair, sales and coins	#36492	C-1		Jewelry, Coin allowed in C-1, C-2, CM, D-1, D-2
Ed's Coins 3349 W. Florida 951.652.3030		#3308-1028 05/18/2011 Edward J. Bowen	CO0903-010 03/30/2009 Buy/Sell Coin	#33768	C-2		Coin allowed in C-1, C-2, CM, D-1, D-2

Estate Jewelry & Coin Exchange 292 N. San Jacinto Street 951.260.3109		#3308-1016 10/15/2009 Terry M. Fine	CO0907-009 08/26/09 Jewelry & Coin	#345401	C-1		Coin allowed in C-1, C-2, CM, D-1, D-2
Quick Fix Jewelry Repair 2200 W. Florida Avenue #310 951.925.5777		#3300-1087 07/10/2011 Samuel Rangel	CO1208-010 09/26/12 Jewelry and Buy Gold	#37823	C-2		Jewelry Store permitted in C- 1, C-2, CM, D- 1, D-2
Gamestop #5594 1119 S. Sanderson Avenue 951.658.9090		#3308-1014 01/17/2010 Robert Lloyd	CO0509-001 09/02/2005 Retail	#28768	C	Page Plaza	Buys used games
Got Gold? 104 E. Florida Avenue 951.206.3067		#3308-1023 10/05/2010 Frank J. Neu	CO1109-009 Watch Repair and purchase scrap gold	#35046	D-1	BL Not Paid Moved from 121 E. Florida	Allowed in D-1
Premier Coins & Bullion Exchange 231 E. Florida Avenue 951.652.2411		#3308-1012 05/30/2010 Lyle Henry	CO1102-021 03/02/2011 Buy/Sell Coins & Jewelry	#29670	D-1		Coin allowed in C-1, C-2, CM, D-1, D-2
Samuels Jewelers 2200 W. Florida Avenue #215 951.652.7891		#3308-1020 05/06/2010 Robert J. Herman		#07503	C-2	No C of O	Jewelry Store permitted in C- 1, C-2, CM, D- 1, D-2
Coin Shack 210 W. Florida Avenue 951.925.5767		No License required according to business owner	CO0307-019 08/04/03 Coins	#26358	D-1		Coin allowed in C-1, C-2, CM, D-1, D-2

Valley Gold & Coin 220 E. Stetson Avenue #252 951.205.7429		#3308-1029 08/23/2011 Valley Gold & Coin	CO1108-013 10/05/11 Buy Sell Gold	#36636	C-2		Coin allowed in C-1, C-2, CM, D-1, D-2
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Attachment No. 8

Planning Commission
Staff Report,
February 19, 2013

City Council Hearing
May 14, 2013



AGENDA # 6

Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director 
Soledad Carrisoza, Planning Technician 

DATE: February 19, 2013

RE: **CONDITIONAL USE PERMIT NO. 12-007 (HEMET JEWELRY & LOAN)** –
A request for Planning Commission review of a Conditional Use Permit for the operation of a collateral loan business (secondhand store/pawn shop) located at 2355 E. Florida Avenue, with consideration of an Environmental Exemption pursuant to CEQA Guidelines Section 15301.

PROJECT APPLICANT INFORMATION

Applicant: Hemet Jewelry and Loan - Eduardo Salas
Agent: Rosa Salas
Project Location: 2355 E. Florida Avenue
APN: 445-290-022

RECOMMENDED ACTION:

The Planning Staff recommends that the Planning Commission:

1. **Adopt Planning Commission Resolution Bill No. 13-003** approving CUP 12-007 subject to the Conditions of Approval (Attachment No. 1), and;
2. Direct staff to file a Notice of Exemption with the County Clerk.

BACKGROUND:

On September 18, 2012, the Applicant submitted an application for a Conditional Use Permit, requesting approval for a collateral loan (pawn shop) business located at 2355 East Florida Avenue in the General Commercial (C-2) Zone. The proposed tenant space is about 6,000 square feet, has been unoccupied for several years, and last operated as a bank. The City of Hemet Zoning Code, and the Land Use Matrix for commercial uses does not specifically address collateral loan or pawn shop operations but a Planning Director Determination made in 2007 requires approval of a Conditional Use Permit for pawn shops in the C-2 zone to ensure that the Planning Commission and City staff has an opportunity to review and condition the project. A Conditional Use Permit is an

entitlement that provides special consideration of certain types of land uses in a particular zone. For such uses, certain safeguards and conditions may be required to protect the public health, safety, convenience and general welfare. The Planning Commission is the approving body for Conditional Use Permits and its action is final unless the decision is appealed to the City Council.

Initially, staff had concerns about the prospect of a pawn shop operating at this prominent location on Florida Avenue. Pawn shops have the potential of attracting nuisance activity and behaviors that are unwanted in the community. However, through the Development Review Committee process, the Police Department was able to run background reports on the other operations of the Applicant and determined that he operates responsibly in the Cities of Moreno Valley and Yucaipa, has been very cooperative with local law enforcement, and has had few incidents or calls for service. Provided the Applicant agrees to the attached conditions of approval, the Police Department has no additional concerns regarding the proposed use. However, in addition to the proposed pawn shop, the Applicant has expressed a desire to sell new firearms from this location in the future. The Planning Division and the Hemet Police Department do not support the sale of firearms from this business and have included as a condition of approval that no firearms or ammunition are to be sold.

If approved, the proposed pawn business will operate as Hemet Jewelry and Loan. Hemet Jewelry and Loan proposes to purchase, take in trade, and take in pawn, except for consignment items such as jewelry, electronics, musical instruments, tools and most "tangible property" of value. In order to operate a collateral loan business a secondhand dealer license issued by the State of California Department of Justice is required and will be processed and approved by the City of Hemet Police Department.

EXISTING OPERATIONS AT OTHER LOCATIONS:

Presently the business owner operates two Jewelry and Loan stores, one in Moreno Valley and one in Yucaipa. In order to operate a collateral loan business or pawn shop a business owner is required to obtain a secondhand dealer license from the State of California. The City of Hemet Police Department reviews and approves secondhand dealer licenses and ensures that all provisions of Local, State and Federal law are implemented and monitored.

Items brought in to the shop by a customer either to be purchased by the shop or for a loan (pawn) are identified with a written description and a photo of the item and, if applicable a serial number is issued to the item. A contract is made with the customer explaining fees and payment due dates. The customer signs this contract and is given a copy. The Police Department is also given a copy of this information on a daily basis. The applicant has stated that in addition to the above a photo is taken of the customer as well as driver's license or other identification information.

With this process in place, stolen items reported to the Police department can be compared to items brought into the pawn shop. If it is determined there is a match, the Police Department has a description and contact information of the probable thief. If a customer refuses to have a photo taken or provide identification information, the business owner will not make a transaction with this individual.

The Applicant has stated he presently takes precautionary and security measures at his present store locations. Security cameras are in place to record all counter and display area activity. The business owner states he keeps the video recordings for several years. All jewelry and small items such as cameras, small electronics, etc. are removed from the display cases and placed in a locked area out of public view at the end of each day. The business owner also employs security personnel to be on site at both stores and has installed roll-up door doors located on the interior of the building covering the front windows and doors during the times the store is closed for business.

The applicant has stated he has never been robbed and feels having security personnel on site as well as surveillance equipment has helped in this regard.

City of Hemet Police staff obtained the following information regarding the applicant, Eduardo Salas in relation to the stores he operates in Yucaipa and Moreno Valley... "the investigations Sgt. in Yucaipa whose division handles the pawns said the store is relatively new (approximately a year old) and has not had any negative experience with them or concerns/complaints about them"... "a deputy for Moreno Valley PD spoke very highly of Valley Jewelry and Mr. Salas. He said he is cooperative with law enforcement and is pro-active in contacting them if he suspects stolen property or comes across property they have asked him to watch out for. He has interacted with Mr. Salas for at least 5 years while working robbery/burglary details and had nothing but positive things to say about the way he conducts his business and the interaction the agency has had working with him."

In preparation of this staff report, Planning staff contacted the Hemet Police Department to determine if there were any concerns with the proposed use. Staff was informed that the Police Department had no additional concerns beyond those expressed in the Conditions of Approval.

PROJECT SETTING

The project site is located at 2355 E. Florida Avenue in an in-line shopping center. The entire shopping center is approximately 7.5 acres. Most of the tenant spaces in the center are occupied with the exception of the two large buildings facing westward and one small space facing north. Some of the present tenants include several restaurants, a

craft store, a discount grocery store, a discount clothing store and a gas station with convenience store on the corner of the center among others.

City records indicate the project site was part of an annexation approved by the City Council in 1971. Records do not indicate the year the project building nor the center in which it is located in were constructed. The building is located within an L shaped, in-line shopping center with parking and landscaping within the center facing Florida Avenue and Yale Street. The shopping center is on the south east corner of Florida Avenue and Yale Street with a gas station/convenience store located on the corner. The subject building is located at the east end of the inline shops and adjacent Florida Avenue with the main entrance facing west toward Yale Street. This building was last occupied by a bank and has remained vacant for several years. Major tenants in the center include Jo-Ann's Fabric and Crafts, Sav-A-Lot, Family Dollar, Papa John's Pizza, and several in-line specialty retail stores and small restaurants.

The subject building sets on its own parcel within the center. This parcel is approximately 15,682 square feet, and the building is 6,000 square feet. Within the property lines there are: six parking stalls including one disabled space, the building front with side walk and planters and a court yard at the rear of the building. The building has been vacant for several years and previously operated as a bank. Although the building has been vacant for several years the present owner has maintained the building in good repair and appearance. The sale of the property to the proposed business owner is contingent upon the approval of a Conditional Use Permit.

The Applicant proposes to reconfigure the interior of the building with new non-bearing partition walls that will create a showroom display space of approximately 1,922 square feet. The main entrance opening into the showroom will be centered between the new partition walls. The majority of the rest of the existing interior will remain in its present configuration, with some modifications needed for ADA accessibility to two restrooms. Exhibit No. 1B provides the site plan and the interior floor plan layout.

The project setting can also be seen in the following materials attached to this staff report:

- Aerial Map (Attachment No. 2)
- Photographs of Site (Attachment No. 3)
- Surrounding Zoning Map (Attachment No. 4)

The surrounding property Land Uses, Zoning, and General Plan designations are found in the following Table:

	LAND USE	ZONING	GENERAL PLAN
PROJECT SITE	Shopping Center	C-1 (Neighborhood Commercial) and C-2 (General Commercial)	CC (Community Commercial)
NORTH	Individual Shops and Small Shopping Center	C-2 (General Commercial)	CC (Community Commercial)
SOUTH	Apartments Units and A Church	SR3 (Senior Apartments) and S-1 (Church)	CC (Community Commercial)
EAST	Commercial Buildings	C-2 (General Commercial)	CC (Community Commercial)
WEST	Shopping Center	C-1 (Neighborhood Commercial)	CC (Community Commercial)

PROJECT DESCRIPTION:

The Applicant is requesting approval of a Conditional Use Permit for the operation of a collateral loan business (pawnbroker, secondhand dealer). In addition to the pawn business, the business owner casts and sells custom gold jewelry and plans to sell new firearms in the future. Planning Division staff and the Hemet Police Department do not support the sale of firearms from this location and have added Condition No. 27 prohibiting the sale of firearms and ammunition. The proposed hours of operation are Monday through Sunday 9 a.m. to 9 p.m. with 8 to 10 employees.

The proposed business will operate as Hemet Jewelry and Loan. Hemet Jewelry and Loan proposes to purchase, take in trade, take in pawn, and accept for consignment items such as jewelry, electronics, musical instruments, tools and most "tangible property" of value. In order to operate a collateral loan business a secondhand dealer license issued by the State of California Department of Justice is required.

The Applicant has stated precautionary and security measures shall be taken to avoid theft. Security cameras shall be in place to record all counter and display area activity. Planning staff and the Police Department recommend as a condition of approval that exterior entrances to the building and other exterior areas where people may congregate are also monitored with security cameras.

As with current business practices at the Applicant's other locations, all jewelry items shall be removed from display cases and placed in a large vault located out of public view at the end of each day. This building is equipped with a large vault as this building operated as a bank in the past. The business owner also proposes to employ security personnel to be on site and also proposes installing roll-up doors located in the interior of the building covering the building front windows and doors during the times the store is closed for business.

Before opening for business the owner proposes the completion of interior, tenant improvements to include non-bearing walls and counter areas, and intends to upgrade the landscaping at the rear of the building by performing trimming, removal and replacement of dead shrubs and other plant materials, refurbishing the existing irrigation system, and making this a desirable employee break area.

ANALYSIS:

Proposed Use of the Site: In 2007, the Planning Director made a determination that absent any development, operational, or locational standards in the Hemet Municipal Code, pawn shops may be conditionally permitted on a case by case basis. This determination was made to prevent a proliferation of such uses which have the potential to attract unwanted activity and behaviors. A review of the proposed operations, set-up and display of in-store items, businesses practices of the owner, and his track record at two other existing locations, Planning staff and the Police Department feel that this use at this location, subject to the attached conditions of approval, would be appropriate. There are currently three pawn shops located within the City limits in the Downtown area. None of them are located in the east end of the Florida Avenue corridor. There are, however, existing pawn shops in East Hemet which are under the jurisdiction of Riverside County. The closest such location is within the State Brothers Shopping Center at the south east corner of Florida Avenue and Stanford Street.

The existing center in which the proposed use will be located is a fully developed commercial shopping center with ample parking, sufficient lighting, and meets the requirements for emergency vehicle access and other vehicular and pedestrian circulation, and landscaping. A more in-depth analysis regarding the existing conditions of the center is discussed in the sections below.

Site Plan/Site Design: The businesses facing north toward Florida Avenue include two restaurants, a takeout pizza store, an art gallery, cleaners, a health food store, a health drink shop, an insurance office and a needle craft store, with one vacant tenant space. Further east within the site there are three larger buildings occupied by Family Dollar; a discount clothing store, Save-A-Lot; a discount grocery store and JoAnn's; a craft store.

There are two vacant buildings facing west toward Yale Street at the east end of the center. The one adjacent to Florida Avenue is the subject building which is 6,000 square

feet and the adjacent building further south is approximately 17,000 square feet and has been vacant for approximately one-year. This building was last used as the Comfort Zone Furniture Store. A gas station/convenience store is located in this center at the southeast corner of the site at the intersection of Florida Avenue and Yale Street.

There are a total of three ingress/egress points to/from to the center; one on Yale Street and two on Florida Avenue. The center appears to have sufficient parking as indicated by the available parking stalls during business operating hours on weekdays and weekends. Staff was not provided with parking calculations for the entire center but does not view parking as an issue to concern. The existing landscape appears to be well maintained although there are less landscape islands than required by today's development standards.

Architecture: The project building has a contemporary style of architecture. The building is made of block and is basically box shaped with five, building height column articulations at the front elevation and trellis work supported by three shorter columns with planters as an entry feature. The remaining buildings in the center vary in height but all have split face block exteriors and mansard roofs. The Applicant is not proposing any exterior enhancements at this time.

Materials and Colors: The majority of the buildings in the center have split face, medium brown block exteriors with red tile mansard roofs. The project building is made of split face medium brown block with wide fascia trim at the roof line in medium brown. Block column articulations enhance some of the building frontages where others only have glass windows and doors with anodized aluminum frames.

Circulation and Parking: All the drive aisles in the center are two way and meet aisle width requirements. There are three points of ingress and egress on the site, one on Yale Street and two on Florida Avenue, not including the gas station/convenience store. A perimeter road provides access for emergency vehicle access, and to accommodate deliveries and waste disposal. The parking stalls are angled and the only buildings having frontage parking are the buildings facing Yale Street. There are no wheel stops in the center.

Lighting: The parking lot of the center is equipped with lighting that meets the County of Riverside requirements for lighting at the time it was developed. There have been no significant modifications to the center after annexing to the City which would have triggered the requirement for enhanced lighting. The proposed use, however, will be required to upgrade lighting for its own parcel (Conditions of Approval No. 9 and No. 12).

Landscaping: On-site landscape is limited to five-foot wide planters at the project perimeter and landscape islands at the ends of each row of parking stalls. The existing landscape appears to be thriving and well maintained. There doesn't appear to be any bare areas that would require additional vegetation. The subject property has a court

yard in the rear of the building with planters, trellis work, walk ways, shade trees and benches. During a visit by Planning staff, it was noted that basic cleaning, pruning and landscaping maintenance are all that will be required to make this area functional (See Attachment No. 3 – Photographs of Site).

Development Review Committee (DRC) Recommendation

The Development Review Committee (DRC) reviewed the project on December 13, 2012. There were no comments by any of the departments although the Building and Safety Department as well as the Fire department staff had spoken to the applicant prior to the DRC meeting regarding code requirements. During DRC Planning staff obtained operational information from the business owner.

CONSISTENCY WITH ADOPTED GOALS AND POLICIES:

The City of Hemet Zoning Ordinance, Section 90-892 (C) 38 allows for: retail sales shop including, but not limited to, books, hobby, coins....jewelry, firearms, sporting goods, etc. Open from 7:00 a.m. to 9:00 p.m. in the C-2 zone is a permitted use. Open outside the hours of 7:00 a.m. to 9:00 p.m. requires the approval of an Administrative Use Permit.

The Applicant is proposing the operating hours of 9 a.m. to 9 p.m., Monday thru Sunday. The Applicants' operation includes retail items including newly crafted jewelry. The operations relating to pawn brokering and secondhand licenses is not listed in the HMC Land Use Matrix, however, there is a Planning Director Determination allowing pawn shops with approval of Conditional Use Permit.

General Plan Consistency

This proposed use is located in the General Commercial (C-2) designation. This designation provides for general retail, markets, commercial services, restaurants, lodging, commercial recreation, professional offices and financial institutions. General Commercial areas are typically located near residential, office or industrial activity centers and major arterial corridors, and are designated to serve the needs of the community at-large.

Hemet Jewelry and Loan proposes a general retail use offering a convenient and safe environment to its customers who rely on this type of use to obtain collateral loans. The Applicant has stated he has completed a market a study which indicates this type of use serves the needs of the local residents at the east side of Hemet. Planning staff has verified through Business License that there are currently three licensed collateral loan businesses in the City, all within the Downtown area, and there are nine additional secondhand stores, which are not permitted to loan money.

Conditional Use Permit

The proposed project complies with City of Hemet Zoning Code requirements for commercial developments relating to setbacks, building height, parking, lighting and landscaping. Pursuant to a Planning Director Determination, the proposed use may be permitted subject to approval of a Conditional Use Permit.

Article II. Administrative Regulations, Section 90-42. Conditional Use Permits.

(a) Purpose. Certain types of land uses require special consideration in a particular zone or in the city as a whole, and possess unique or special characteristics which make automatic inclusion as permitted uses either impractical or undesirable. For such uses, certain safeguards and conditions may be required to protect the public health, safety, convenience and general welfare and to assure compatibility with adjacent uses.

Attached to this staff report are the proposed Conditions of Approval designed to require security measures for the protection of the employees and to the public and also to discourage theft. See Exhibit 1B.

Section 90-42.5. Findings required. Upon approval of a Conditional Use Permit the following findings shall be made by the approving authority:

Findings:

1. *That the proposed location of the conditional use is in accord with the objectives of this chapter and the purposes of the zone in which the site is located; and,*

The HMC Zoning Ordinance allows retail sales in the C-2 zone between the hours of 7 a.m. and 9 p.m. as a permitted use. The business owner is proposing operating hours of 9 a.m. to 9 p.m., Monday through Sunday. The items available for sale are items that can be purchased at any retail shop. Retail items shall include: jewelry, watches, electronics, musical instruments, electric tools, etc.

2. *That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and*

The business owner is proposing security measures to ensure the safety of his employees and customers. Surveillance cameras and video equipment is proposed throughout the exterior and interior of the building. Security personnel will also be present during operating hours. The owner had also stated large sums of money will not be kept on the premises.

The building has been maintained very well by the present owner with the exception of the court yard in the rear of the building. The new owner is proposing clean up and repair of that area.

3. *That the use and operation is consistent with the general plan.*

The proposed use is in conformance with the following: 2030 General Plan - Goals and Policies under the Land Use Element:

Citywide Land Use Goal LU-4.3 – Infill Development and Re-Use.
Actively promote the adaptive re-use and infill of economically underutilized, obsolete, and dilapidated commercial and industrial sites.

PUBLIC COMMUNICATIONS RECEIVED

Property owners located within a 500 foot radius of the project site were notified of the public hearing on February 19, 2013 with a 10-day hearing notice in addition to a public notice in the Press Enterprise.

At the time of report preparation, the Planning Department has not received any letters or comments from the public. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the public hearing.

CEQA REVIEW.

Section 15300 - Categorical Exemption. This project is exempt from CEQA review as it falls in a class of projects which have been determined not to have a significant effect on the environment. This project is an Existing Facility. Section 15301 - Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion to use beyond that existing at the time of the lead agency's determination.

REPORT SUMMARY

Planning Staff is recommending approval of CUP 12-007 for the operation of a collateral loan service and jewelry store. General retail and jewelry retail is permitted by right in the C-2 zone. Collateral loan services (pawn shops) are not listed in the land use matrix, however, based on a Planning Director Determination made in 2007; such services may be permitted with approval of a Conditional Use Permit. For the safety of his employees and the public, the Applicant is proposing surveillance cameras throughout the interior and on-site security personnel.

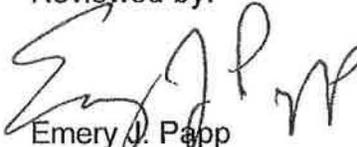
Through the Development Review Committee process, the City of Hemet Police Department has conducted an informal reference check on the Applicant for the proposed Conditional Use and has determined that the Applicant runs two successful businesses with few incidents or other calls for service. In addition, when incidents have been reported, the Applicant has been very cooperative with law enforcement agencies. The Police Department has informed Planning staff that subject to the attached conditions of approval, the Police Department has no additional concerns and does not oppose the proposed use.

Additionally, prior to conducting business, the Applicant is required to obtain pawnbroker/secondhand licenses from the Department of Justice who regulates has strict record keeping requirements, and these must be approved by, and enforced by the City of Hemet Police Department. The Applicant who operates two collateral loan services in the Inland Empire upholds such requirements and is in good standing with the local authorities and the Department of Justice.

Respectfully submitted,


Soledad Carrisoza
Planning Technician

Reviewed by:


Emery J. Papp
Principal Planner

SC/ns

ATTACHMENTS

- 1) PC Resolution Bill No. 13-003 approving CUP 12-007
Exhibit 1A – Conditions of Approval
Exhibit 1B – Site Plan and Interior Floor Layout
- 2) Aerial View and Street View
- 3) Photographs of Site
- 4) Surrounding Zoning Map
- 5) Statement from Applicant

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet Zoning Ordinance
Contents of City of Hemet Planning Department Project File CUP12-007

Attachment No. 1

Resolution 13-003

**Planning Commission
Hearing
February 19, 2013**



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

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 12-007 FOR THE OPERATION OF A COLLATERAL LOAN BUSINESS (PAWNSHOP) LOCATED AT 2355 E. FLORIDA AVENUE (APN 445-290-022).

WHEREAS, an application for Conditional Use Permit No. 12-007 (Hemet Jewelry & Loan) for the operation of a collateral loan business (pawn shop) has been duly filed by:

Owner:	Hemet Jewelry & Loan – Eduardo Salas
Applicant:	Eduardo Salas
Project Location:	2355 E. Florida Avenue
APN:	445-290-022

WHEREAS, the Planning Commission has the authority per section 90-1531 *et seq.* of the Hemet Municipal Code to take action on Conditional Use Permit No. 12-007 to approve the operation of a collateral loan business (pawn shop); and

WHEREAS, on February 7, 2013, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 500 feet, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

WHEREAS, on February 19, 2013, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Conditional Use Permit and at which the Planning Commission considered the Conditional Use Permit, and

WHEREAS, Under California Environmental Quality Act (CEQA) Guidelines Section 15301 this project is exempt from CEQA review because it is an existing facility.

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

Planning Commission Resolution Bill No. 13-003
CONDITIONAL USE PERMIT NO. 12-007 – Hemet Jewelry and Loan

1
2 **SECTION 1: ENVIRONMENTAL FINDINGS**
3

4 The Planning Commission, in light of the whole record before it, including but not limited
5 to, the City's Local CEQA Guidelines and Thresholds of Significance, the
6 recommendation of the Planning Director as provided in the Staff Report dated
7 February 19, 2013 and documents incorporated therein by reference, and any other
8 evidence (within the meaning of Public Resources Code §21080(e) and §21082.2)
9 within the record or provided at the public hearing of this matter, hereby finds and
10 determines as follows:
11

- 12 1. **CEQA.** Pursuant to California Environmental Quality Act (CEQA) Guidelines
13 Section 15300 Categorical Exemption. This project is exempt from CEQA review
14 as it falls in a class of projects which have been determined not to have a
15 significant effect on the environment. This project is an Existing Facility. Section
16 15301 Class 1 consists of the operation, repair, maintenance, permitting, leasing,
17 licensing, or minor alteration of existing public or private structures, facilities,
18 mechanical equipment, or topographical features, involving negligible or no
19 expansion to use beyond that existing at the time of the lead agency's
20 determination.
21
- 22 2. **Multi-Species Habitat Conservation Plan (MSHCP).** The project is found to be
23 consistent with the MSHCP. The project is located outside of any MSHCP
24 criteria area and mitigation is provided through payment of the MSHCP Mitigation
25 Fee.
26
27

28 **SECTION 2: CONDITIONAL USE PERMIT FINDINGS**
29

30 The Planning Commission, in light of the whole record before it, including but not limited
31 to, all documents and other evidence incorporated herein by reference, and any other
32 evidence within the record or provided at the public hearing of this matter (as described
33 by Government Code § 65009), hereby finds and determines as follows:
34

35 **Findings for Approval**
36

- 37 1. **That the proposed location of the conditional use is in accord with the**
38 **objectives of this chapter and the purposes of the zone in which the site is**
39 **located;**
40

41 The HMC Zoning Ordinance allows retail sales in the C-2 zone between the
42 hours of 7 a.m. and 9 p.m. as a permitted use. The business owner is proposing
43 operating hours of 9 a.m. to 9 p.m., Monday through Sunday. The items
44 available for sale are items that can be purchased at any retail shop. Retail

1 items shall include: jewelry, watches, electronics, musical instruments, electric
2 tools, etc.

- 3
4
5 **2. That the proposed location of the conditional use and the conditions under**
6 **which it would be operated or maintained will not be detrimental to the**
7 **public health, safety or welfare, or materially injurious to properties or**
8 **improvements in the vicinity;**
9

10 The business owner is proposing security measures to ensure the safety of his
11 employees and customers. Surveillance cameras and video equipment is
12 proposed throughout the exterior and interior of the building. Security personnel
13 is also proposed to be present during operating hours. The owner had also
14 stated large sums of money will not be kept on the premises.
15

16 The building has been maintained very well by the present owner with some
17 minor clean up required in the rear of the building. The new owner is proposing
18 clean up and repair of that area.
19

- 20 **3. That the use and operation is consistent with the general plan.**
21

22 The proposed use is in conformance with the following: 2030 General Plan -
23 Goals and Policies under the Land Use Element:
24

25 ***Citywide Land Use Goal LU-4.3 – Infill Development and Re-Use. Actively***
26 ***promote the adaptive re-use and infill of economically underutilized, obsolete,***
27 ***and dilapidated commercial and industrial sites.***
28

29
30 **SECTION 3: PLANNING COMMISSION ACTIONS**
31

32
33 The Planning Commission hereby takes the following actions:
34

- 35
36 1. **CEQA.** Pursuant to California Environmental Quality Act (CEQA) Guidelines
37 Section 15301 Existing Facilities. Under Categorical Exemption, Existing
38 Facilities are exempt from CEQA review.
39

40
41 **PASSED, APPROVED AND ADOPTED** this 19th day of February, 2013, by the
42 following vote:
43
44

Planning Commission Resolution Bill No. 13-003
CONDITIONAL USE PERMIT NO. 12-007 – Hemet Jewelry and Loan

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AYES:
NOES:
ABSTAIN:
ABSENT:

**John Gifford, Chairman
Hemet Planning Commission**

ATTEST:

**Nancie Shaw, Minutes Secretary
Hemet Planning Commission**

**Planning Commission Resolution Bill No. 13-003
CONDITIONAL USE PERMIT NO. 12-007 – Hemet Jewelry and Loan**

Exhibit No. 1A

Conditions of
Approval
CUP No. 12-007

Planning Commission
Hearing
February 19, 2013



CITY OF HEMET

PROPOSED CONDITIONS OF APPROVAL

PLANNING COMMISSION HEARING DATE: FEBRUARY 19, 2013

PROJECT NO.: CONDITIONAL USE PERMIT NO. 12-007
APPLICANT: Hemet Jewelry & Loan – Eduardo Salas
AGENT: Rosie Salas
LOCATION: 2355 E. Florida Avenue
OCCUPANCY: This project has been reviewed as an "M" **Occupancy**; any other use will require further review.

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

STANDARD CONDITIONS

The following conditions of approval were approved by the City Council as standard conditions of approval for all projects. Questions regarding compliance with these conditions should be directed to the Planning Department at (951) 765-2375.

General Requirements:

1. **CONDITIONAL USE PERMIT NO. 12-007** shall become null and void on **February 19, 2015** (two calendar years from the date of approval), unless use in reliance on the approved Conditional Use Permit is established prior to the expiration date. A time extension may be granted by the Planning Commission in accordance with Hemet Municipal Code, provided a written request for a time extension is submitted the Planning Department prior to the expiration date. No formal notice of expiration will be given by the City.
2. Approval of **CONDITIONAL USE PERMIT NO. 12-007** shall become effective on **March 02, 2013** unless appealed to the Planning Commission by **March 01, 2013** (10 calendar days after action by the Planning Commission). The appeal shall be in writing and shall be accompanied by the required fee.
3. The conditions of approval of this project shall supersede all conflicting notations, specifications, dimensions, typical sections, and the like, which may be shown on the project development plans.
4. This project site shall be developed in accordance with the approved plan(s) and the conditions contained herein.

City of Hemet - Conditions of Approval
CONDITIONS USE PERMIT NO. 12-007 – HEMET JEWELRY & LOAN

5. This project shall comply with all sections of the Zoning Ordinance, Subdivision Ordinance and all other applicable Local, State and Federal laws and regulations in effect at the time of the building permit application and/or time of recordation, including the California Building Code, California Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24).
6. Prior to the issuance of building permits, the applicant shall be subject to all applicable development fees at the rate in effect at the time of building permit application for the tenant improvement.
7. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in defense of the Action. (*City Council Resolution No. 3693, 12-17-02*)
8. Construction activity shall meet the requirements of the Hemet Municipal Code Chapter 30, Article II.
9. Parking lot lighting and public common area lighting shall be low pressure sodium and shall be shielded or designed to direct the lighting downward. All lighting shall be adjusted so that all lighting is contained within the boundaries of the site.

Mechanical Equipment:

10. All electrical and mechanical equipment, including but not limited to, air-conditioning units, electrical boxes, transformers, backflow preventers, and roof-mounted equipment shall be visually screened from public view. Screening shall be in accordance with city standards, to the satisfaction of the Planning Department and in compliance with the Building Code.

PLANNING DEPARTMENT CONDITIONS

The following conditions of approval are project specific and were recommended by the Planning Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Planning Department at (951) 765-2375.

Site Development and Operation:

11. Prior to the issuance of a Certificate of Occupancy for the project site or business activity being commenced thereon, pursuant to Conditional Use Permit No. 12-007, all conditions of approval contained herein shall be completed to the satisfaction of the Planning Department.
12. The Applicant shall maintain and/or upgrade all parking lot lighting, walkway lighting, and security lighting pursuant to Riverside County Ordinance No. 655, Regulating Light Pollution, to the satisfaction of the Community Development Director.
13. Prior to the issuance of a Certificate of Occupancy, the Applicant/Owner shall install security and surveillance equipment to the satisfaction of the Police Department.
14. The hours of operation for the approved use shall be between 9:00 am to 9:00 pm., Monday thru Sunday.
15. There shall be a security guard on site during all operating hours.
16. Keep video for a year and make recordings available to police as requested.
17. Hemet Jewelry and Loan shall comply with all Local, State and Federal rules and regulations as required to obtain and maintain a Secondhand/Pawn brokers' license.
18. Prior to the issuance of a Building Permit, the Applicant/Owner shall coordinate and contract with the City's franchise waste hauler for the removal and disposal of refuse and recyclable materials, and permanent trash service.

City of Hemet - Conditions of Approval
CONDITIONS USE PERMIT NO. 12-007 – HEMET JEWELRY & LOAN

19. There shall be no outdoor display of inventory, nor any outdoor activities without an approved Temporary Use Permit (TUP).
20. Outdoor facilities for storage or storage containers of any kind are not permitted.
21. Any uses not specifically permitted as part of, or not determined to be in substantial conformance by the Community Development Director, to this Conditional Use Permit No. 12-007, shall require submittal and approval of an application for the modification of the Conditional Use Permit.
22. Signage is not approved as part of this Project. Signage, in accordance with the Zoning Ordinance Section 90-1251.
23. The Applicant shall maintain the landscaping and irrigation, subject to approval by the Planning Division.
24. The storefront, parking areas, landscape areas, and loading dock area shall be kept free of litter, trash, refuse and debris at all times.
25. Prior to the issuance of a Certificate of Occupancy, the Applicant/Owner shall install "No Loitering" signs at all entrances to the building and other outdoors areas where people congregate.
26. The Applicant/Owner shall remove, or cause to be removed, graffiti occurring on the subject property within 48 hours.
27. There shall be no sale of firearms or ammunition at this location under this approval.
28. Video surveillance and monitoring shall include exterior door entry areas and other common areas where people may congregate.

BUILDING DEPARTMENT CONDITIONS

The following conditions of approval are project specific and were recommended by the Building Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Building Department at (951) 765-2475.

Building Code Requirements

29. Prior to the Certificate of Occupancy, the electrical, plumbing and mechanical systems shall be upgraded in accordance with applicable adopted codes.
30. Prior to the Certificate of Occupancy, existing building(s) shall be brought into conformance with current building and zoning regulations for the intended new use of the building(s).

31. Prior to the Certificate of Occupancy, roofing shall be of an approved Class Material and in satisfactory condition.

Handicap Requirements

32. This project is subject to State Handicapped Accessibility Requirements. (California Code of Regulations, Title 24)
33. Handicapped restrooms shall be provided or installed in accordance with California Code of Regulations, Title 24/California Building Code, and Section 1115(b).
34. Handicapped parking and signage shall be provided or installed in compliance with applicable state and city codes, if off-street parking is provided.
35. All entrances and exists shall be handicapped accessible per California Code of Regulations, Title 24.
36. A handicapped accessible pedestrian access to the site shall be provided.

ENGINEERING DEPARTMENT

The following conditions of approval are project specific and were recommended by the Engineering Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Public Works - Engineering Department at (951) 765-2360.

37. Prior to issuance of an On-site Permit or building permit, whichever occurs first, Engineered Plans will be required if there is any modification to the parking lot to accommodate ADA standards. The parking lot shall be designed in accordance with the City of Hemet Parking Lot Design Criteria contained in the City of Hemet Standard Specification for Public Works Construction, Standards P-400 and 401, Uniform Building Code Title 24, and in accordance with Chapter 90, Article XL of the Hemet Municipal Code. The plans shall include the location of parking lot lighting, lighting standard specifications and required parking lot landscaping.

FIRE DEPARTMENT CONDITIONS

The following conditions of approval are project specific and were recommended by the Fire Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Fire Department, FIRE PREVENTION DIVISION at (951) 765-2450.

Unless specifically stated herein, these conditions shall not be construed to permit or allow deviation from any Federal or State laws nor any of the local codes and ordinances adopted by this jurisdiction. Please contact the Hemet Fire

City of Hemet - Conditions of Approval
CONDITIONS USE PERMIT NO. 12-007 – HEMET JEWELRY & LOAN

Department, Fire Prevention Division for any questions regarding compliance with the applicable codes or following conditions:

Agency Approvals

- 38. Prior to the issuance of a building permit written proof shall be provided from the water purveyor that sufficient capacity is available for fire protection. The minimum required fire flow for this project is 2500 GPM @ 20psi residual pressure for a duration of 2 hours, per 2010 CFC Appendix B. Fire flow and flow duration for buildings without automatic fire protection and having an area in excess of 3,600 square feet shall not be less than specified in Table B105.1.

General

- 39. The Conditions of Approval for this project shall be included in any site plan or construction plans submitted for permit issuance. Plans will not be approved without reference to these "conditions".
- 40. This project is subject to review and approval in accordance with the California Code of Regulations, Title 19 for Fire and Life Safety. This project may be subject to an annual inspection and permit from the Hemet Fire Department for this type of occupancy (use).
- 41. Storage of combustible materials shall be in accordance with the 2010 California Fire Code. High-Piled Storage shall be in accordance with CFC, Chapter 23.
- 42. Provision for the storage or handling of hazardous materials, as defined by Federal, State, and Local Law, shall be in accordance with CFC, Chapter 27.
- 43. Storage and handling of flammable and combustible liquids shall be in accordance with the 2010 California Fire Code, Chapter 34 and NFPA 30 (2008), Flammable and Combustible Liquids Code.

Hydrants and Fire Protection Systems

- 44. An approved water supply capable of supplying the required fire flow for fire protection shall be provided on site when any portion of the building or facility is in excess of 400 feet from an approved water supply on a public street. 2010 CFC Section 507. The location of on-site hydrants and mains shall be approved by the Fire Marshall prior to permit issuance.
- 45. Prior to combustible construction commencing, install and/or upgrade, as required by the 2010 CFC, street (off-site) fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Distance between fire hydrants shall not exceed 300 feet without approval from the Fire Marshal. Fire hydrants shall be located within 150 feet of Fire Department Connections (FDC) for Standpipes and Automatic fire sprinklers.

City of Hemet - Conditions of Approval
CONDITIONS USE PERMIT NO. 12-007 – HEMET JEWELRY & LOAN

46. Prior to combustible construction install, as required by the City of Hemet Fire Marshal, on-site fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Travel distance along the fire access route shall not exceed 300 ft. between hydrants without approval from the Fire Marshal. CFC Section 507
47. In accordance with the 2010 CFC Section 507, the water system (mains and hydrants) shall be tested and accepted by the Fire Marshal prior to the commencement of combustible construction. Hydrant markers (Blue Dots) shall be installed pursuant to the City of Hemet Standard Specifications for Public Works.
48. In accordance with the 2010 CFC Section 903, as amended and Article II, Chapter 14 of the Hemet Municipal Code, automatic fire sprinklers shall be installed throughout all buildings 3,500 square feet or larger pursuant to NFPA Standards. Systems with 20 heads or more shall be monitored by a UL listed central station alarm system meeting NFPA 72 and City of Hemet requirements.
49. In accordance with the 2010 CFC Section 903, an automatic fire sprinkler system is required throughout all buildings with this occupancy type based on the use(s) proposed. Systems with 20 heads or more shall be monitored by a UL listed central station alarm system meeting NFPA 72 and City of Hemet requirements.
50. In accordance with the CFC Section 904 and CCR Title 19, alternative automatic fire extinguishing systems shall be installed and maintained pursuant to NFPA standards. Prior to installation (or modification) of a fire protection system, complete plans shall be submitted to the City of Hemet Fire Marshal for review and approval.
51. Portable fire extinguishers shall be installed and maintained in accordance with 2010 CFC section 906 and Chapter 3, Title 19 CCR. The type and spacing shall be approved by the City of Hemet Fire Marshal prior to installation.
52. An approved manual, automatic or (manual and automatic) fire alarm/monitoring system shall be installed and tested prior to final inspection in accordance with the 2010 CFC Section 907 and pursuant to NFPA standards. Automatic fire sprinkler systems with 20 heads or more shall be monitored by a UL listed central station meeting the standards of NFPA 72 and City of Hemet requirements.
53. All check valves, post indicator valves, fire department controls, and connections shall be located as required and approved by the Fire Marshal of the City of Hemet. If multiple buildings, each building shall have separate (approved) control valves. A separate permit will be required for all underground piping for fire protection systems.

Fire Department Access

City of Hemet - Conditions of Approval
CONDITIONS USE PERMIT NO. 12-007 – HEMET JEWELRY & LOAN

54. Prior to the issuance of a Certificate of Occupancy, "No Parking - Fire Lane" signs, red curbing, street signs and other required markings shall be provided to the specifications of the City of Hemet Fire Marshal in accordance with the 2010 CFC Section 503.3 and California Vehicle Code Section 22500.1.
55. Prior to final inspection, addresses shall be provided on all new and existing buildings in accordance with the 2010 CFC Section 505.
56. In accordance with the 2010 CFC Section 503, security gates if installed, shall be installed with approved automatic devices and/or key switches to allow Fire and Police Department access and egress pursuant to the City of Hemet Municipal Code and Fire Department Standards.
57. Modify driveway and on-site circulation in order to provide additional access for fire apparatus pursuant to 2010 CFC Section 503 (contact the Fire Marshal for specifics). Minimum turning radius for fire apparatus is 52 feet (outside) and 32 feet (inside). Fire access turn-around areas must be clear from obstructions including outside storage, trash enclosures and parked vehicles.
58. A fence enclosure, if installed, shall lead to a safe dispersal area 50-feet from buildings or shall have gates which comply with 2010 CFC Section 1008 which lead to a public way.

Miscellaneous

59. Interior finish, decorative materials and furnishings shall be in accordance in 2010 CFC Chapter 8. Classification and acceptance criteria of interior finishes shall comply with NFPA standards. Interior wall and ceiling finish shall not have a flame spread index greater than that specified in CFC Table 803.3.
60. Prior to the issuance of a Certificate of Occupancy, an electronic version of the final tract map or site plan shall be submitted for fire suppression use. The scale shall be such that the site plan shall be clearly legible, showing all streets, the building footprints and addresses, fire hydrant locations, Knox box locations (if applicable), and access driveways. The format shall be compatible with the latest version of "AutoCAD" or equivalent.
61. No change in use or occupancy shall be made to any existing building or structure unless the means of egress system is made to comply with the requirements for the new use or occupancy in accordance with 2010 CFC Chapter 10.
62. Trash containers with an individual capacity of 1.5 cubic yards or greater shall not be stored in buildings or within 5 feet of combustible walls, openings, eaves, etc. unless protected by an approved means (automatic fire sprinkler system and/or an approved 4-hour fire separation).

POLICE DEPARTMENT CONDITIONS

The following conditions of approval are project specific and were recommended by the Police Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Police Department at (951) 765-2400.

The Police Department has no conditions.

END

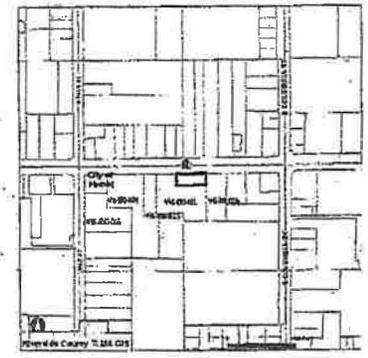
Exhibit No. 1B

**Site Plan and Floor
Plan**

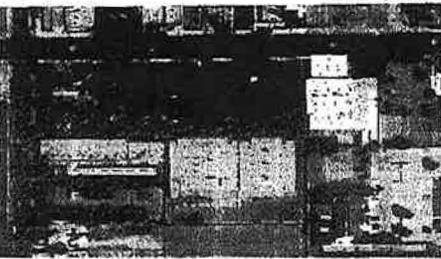
CUP No. 12-007

**Planning Commission
Hearing**

February 19, 2013



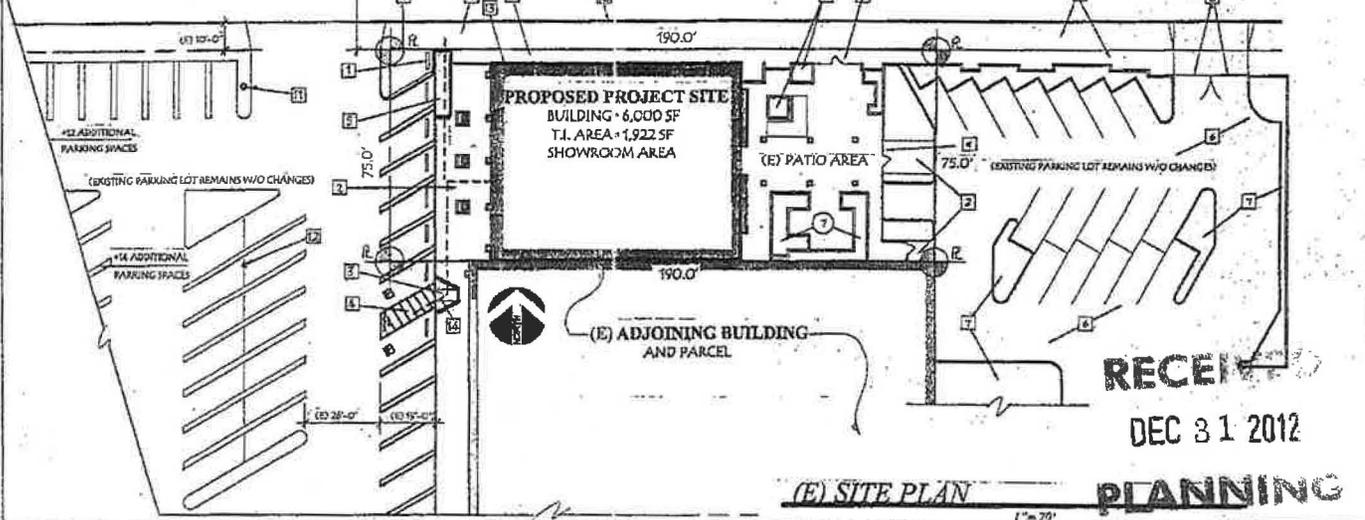
VICINITY MAP
Thema Inc. map pg. 611, 137



AERIAL VICINITY MAP / SITE

- LEGEND**
- 1. (E) Monument Sign
 - 2. (E) Cont. Sidewalk
 - 3. (E) Accessibility Ramp
 - 4. (E) Accessible Parking
 - 5. (E) H.C. Curb Ramp
 - 6. (E) A.C. Paving
 - 7. (E) Planters
 - 8. (E) Gates
 - 9. (E) Iron Fence
 - 10. (E) Curb & Gutter
 - 11. (E) Fire Hydrant
 - 12. (E) Parking & Street Lights
 - 13. (E) Address Sign
 - 14. (E) H.C. Path of Travel

C/L @ East Florida Ave

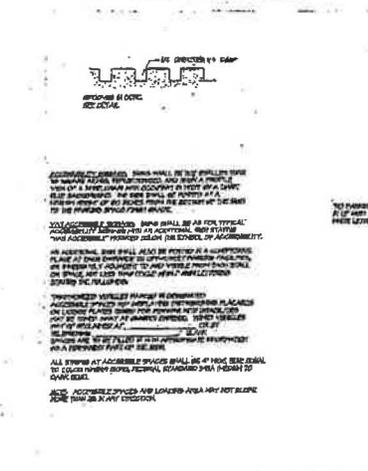


OCCUPANCY LOAD DATA

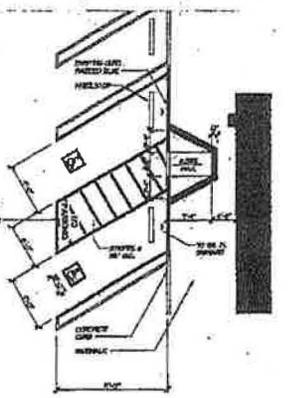
DOOR DIM	TOTAL BLDG SF	SHOWROOM AREA SF	OFFICE AREA SF	OCCUPANCY PER 100 SF	MAXIMUM OCCUPANCY	MAXIMUM OCCUPANCY PER 100 SF
2355 FLORIDA AVE	6000	1922	4078	10	60	40.78
	EXISTING	NEW	TOTAL	PERMITTED	PERMITTED	PERMITTED
	6000	1922	7922	10	60	40.78

COMMERCIAL BUILDING T.I.
FOR
HEMET JEWELRY & LOAN

RECEIPT
DEC 31 2012
PLANNING
EP



EXISTING ACCESSIBLE PARKING
Scale: 1" = 10'



A.R.N.: 445-290-032
LEGAL DESCRIPTION: LOT/PARCEL 2 BLOCK P M 81/14 'HEMET LAND CO SUBDIVISION
LEGEND:

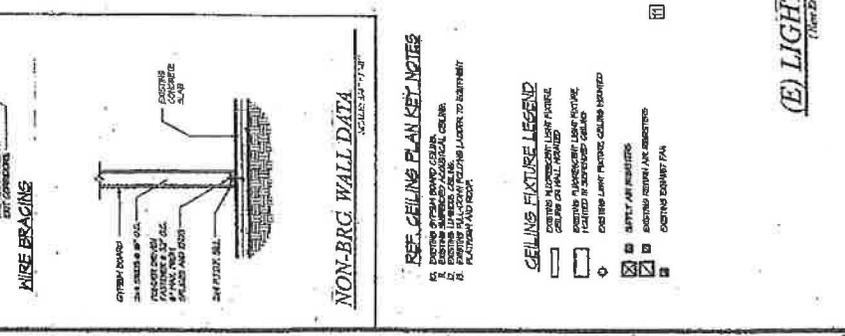
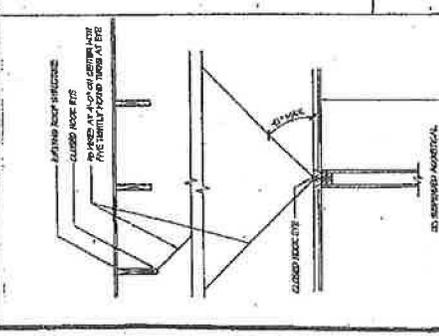
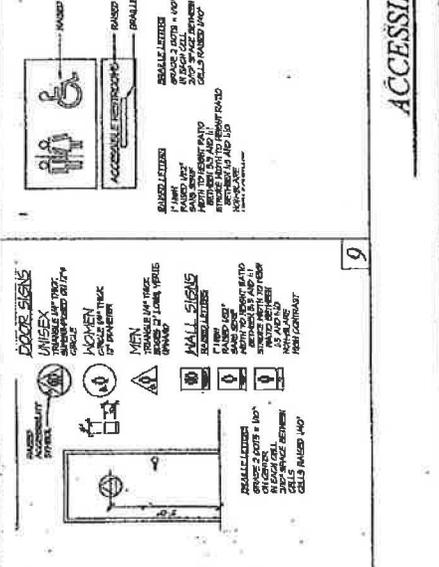
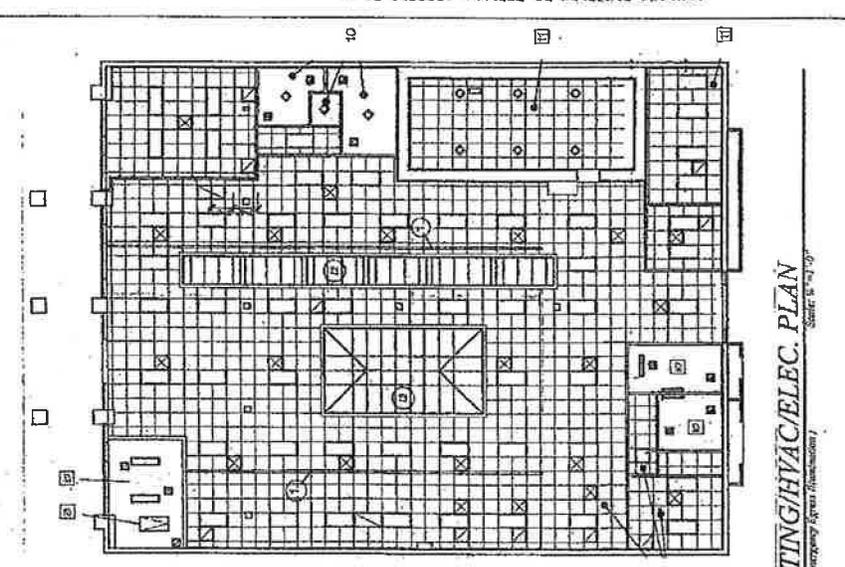
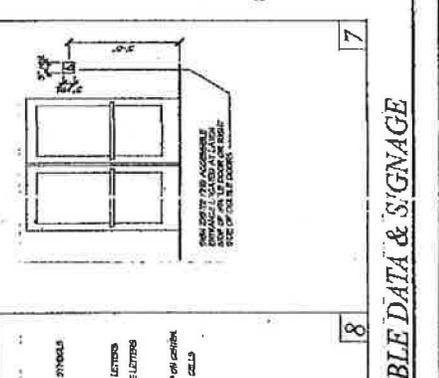
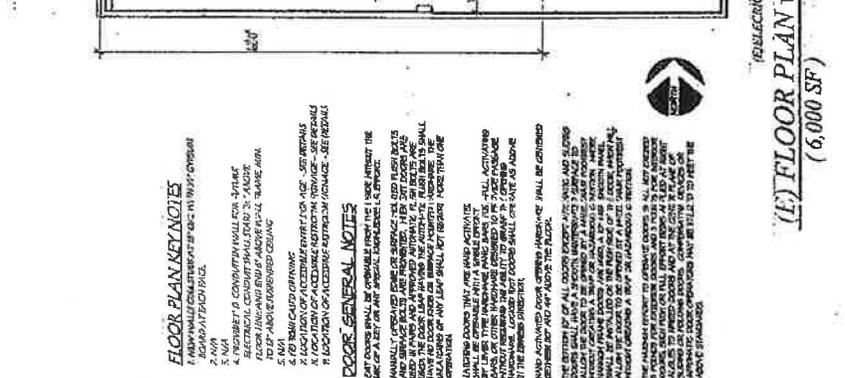
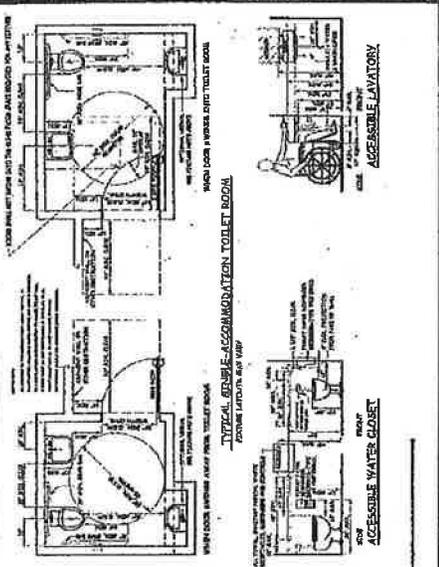
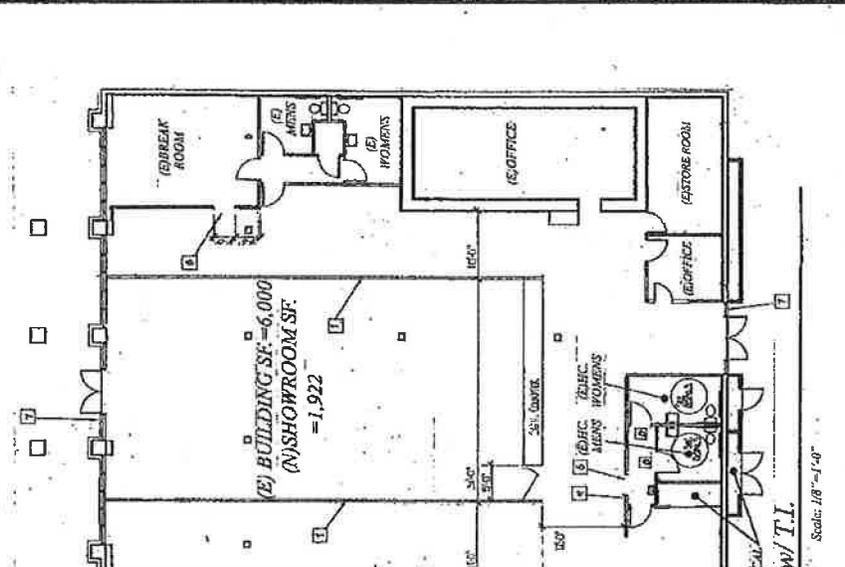
- ALL WORK SHALL COMPLY/CONFORM WITH CURRENT CODES:
 2010 CALIFORNIA BUILDING CODE 2009 INTERNATIONAL BUILDING CODE
 2010 CALIFORNIA ELECTRICAL CODE 2008 NATIONAL ELECTRIC CODE
 2010 CALIFORNIA MECHANICAL CODE 2009 UNIFORM MECHANICAL CODE
 2010 CALIFORNIA PLUMBING CODE 2009 UNIFORM PLUMBING CODE
 2008 T-24 CALIFORNIA ENERGY CODE 2010 CALIFORNIA GREEN CODE
 OCCUPANCY CLASSIFICATION AS FOLLOWS:
 ZONE- C-2, GEN. COMMERCIAL
 VB-NON-RATED (E) EXT. BLOCK WALLS/INTERIOR W/10' OF FRAME
 OCCUPANCY= M
 BLDG. HEIGHT= 22'-7"
 NUMBER OF STORIES= 1
 PROPERTY SIZE= 75'X190'
 SCOPE OF WORK AS FOLLOWS:
- | AREA | EXISTING | NEW (with/) | TOTALS |
|----------|-----------|--------------|----------|
| UNIT | 6,000 SF | T1 61,523.0' | 6,000 SF |
| PROPERTY | 14,250 SF | | |

Application for Building & T.I. at 2355 East Florida Ave. Tel: 904.925.4444
 1. Propose T.I. at existing location. All walls, Ceilings, Floor, etc. Electrical, Plumbing, Sewer, etc. Fire Alarm systems Windows, Doors, etc. to remain as existing.
 2. Only partition walls as indicated on plans and showrooms will be used to divide areas from the new actual occupancy area proposed of 1,922 SF, so as to create additional storage area as well as providing an Accessible entrance to the public restrooms.
 3. Walls to have no electrical, so as not to disturb any electrical existing loads already permitted.
 (Note: Unit 1-b location not previously a Unit)
 Applicant: Winston Soto/Tarant Business Owner
 2425 Alvarado Blvd. Eng: Amy O'Brien Christine Mayers
 712-10-1215
 Monaco Valley Co. 92555/ 951-247-4243 Item # C. 92544/ 951-455-8554
 Exhibit Preparer: DNS Solutions, drafting services. (904) 318-1001 8945 Harvest Lane
 Riverside Co. 92504/ Tel. 951-850-2015/ email: dns@dnsparty.com

SCOPE OF WORK

- Site Plan Notes**
- CONTRACTOR / OWNER / BUILDER SHALL PRIOR TO COMMENCEMENT OF WORK, HOLD MEET WITH ALL EXISTING PROJECT CONDITIONS, INCLUDING DIMENSIONS AND UTILITY LOCATIONS / SEE. FOR INFORMATION OF ENGINEERED SHALL BE PROVIDED ON A SEPARATE SHEET AND SUBMITTED TO ARCHITECT / OWNER / ENGINEER FOR PROJECT RECORD, COORDINATION AND NECESSARY RESOLUTION PRIOR TO CONTINUING WITH WORK. CONTRACTOR / OWNER / BUILDER SHALL VERIFY AND BE RESPONSIBLE FOR ALL WORK AND MATERIALS - INCLUDING THOSE PROVIDED BY SUBCONTRACTORS. WRITTEN RESPONSES SHALL BE PROVIDED TO ARCHITECT / OWNER / ENGINEER TO CORRECT ANY DISCREPANCIES PRIOR TO CONTINUING WITH WORK. ALL DIMENSIONS ON PLANS ARE TO CENTER, LINE OF WALLS / COLUMN AND FACE (I.D.S.) OR FACE OF MAGAZINE (I.D.S.) UNLESS OTHERWISE NOTED.
 - ALL WORK SHALL CONFORM TO THE LATEST ADOPTED EDITIONS OF ALL APPLICABLE BUILDING CODES TO THE AMERICANS WITH DISABILITIES ACT AS WELL AS ALL OTHER LOCAL, COORDINATING AND APPLICABLE CODES.
 - ALL ELECTRICAL, MECHANICAL, AND PLUMBING WORK SHALL CONFORM TO THE REQUIREMENTS OF ALL LEGALLY CONSIDERED AUTHORITIES HAVING JURISDICTION.
 - THE GENERAL BUILDING PERMITS SHALL BE PAID FOR BY THE OWNER AND ISSUED BY THE CENTRAL CONTRACTOR OR SUBCONTRACTOR DIRECTLY RESPONSIBLE UNLESS OTHERWISE NOTED.
 - CONTRACTOR, IF APPLICABLE, SHALL PROVIDER SUPPORT OF ALL SMALL, COLLAR, & PARTITION MOUNTED ITEMS SUCH AS LIGHT FIXTURES, SPEAKERS, ETC., AND TELEVISION COORDINATE LOCATIONS AND REQUIREMENTS WITH PLUMBING, MECHANICAL, ELECTRICAL, PLUMBING.
 - IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, WHETHER SHOWN HEREIN OR NOT, AND TO PROTECT THEM FROM DAMAGE.
 - CONTRACTOR SHALL PROVIDE PEDESTRIAN PROTECTION IN ACCORDANCE WITH APPLICABLE CODES.
 - ALL WORK SHALL BE DONE IN ACCORDANCE WITH NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS, (NPDES).
- Index / Sheet #**
- T1-1. (E) Site Plan, Vicinity Map, Scope of Work, Etc.
 - T1-2. (E) Floor w/ T.I., (E) Lighting & Elec. (E) Hvac (E) Fire Alarm, Plans
 - M.M. T-24, Mandatory Measures Notices & General Notes

Hemet Jewelry & Loan T.I./ Eduardo Salas Owner-Builder-Designer
 Plans By: DNS SOLUTIONS, Drafting Services
 2355 East Florida Ave
 Suite 100
 Jacksonville, FL 32202
 Tel: 904.318.1001
 Fax: 904.318.1002
 Email: dns@dnsparty.com
 C.T.I. Site Plan
 Vicinity Map
 T1-1



Attachment No. 5

Letter from Applicant
CUP No. 12-007

Planning Commission
Hearing
February 19, 2013

Valley Jewelry and Loan
244525 Alessandro Avenue
Moreno Valley, Ca. 92553
Store (951) 247-6304
Cellular (909) 709-0095

January 30, 2013

Ms. Soledad Carrisoza
City of Hemet, Planning Department
445 East Florida Avenue
Hemet, Ca. 92543

RE: Planning Commission meeting regarding Hewmet Jewelry and Loan

Hello Ms. Carrisoza

We here at Valley Jewelry and Loan pride ourselves on taking a proactive role in our business community. Our business philosophy is to comply with all existing laws and work hand in hand with our local police department. We maintain a very strict, in store, cash level between two thousand (\$2000) to twenty-five hundred (\$2500) dollars on daily basis. If additional funds are required, our manager withdraws from the business bank account. Through our relentless effort to stride for success, our sales for Moreno Valley store were \$478,460 for the year 2012. Our performance was higher than our projected sales goal for that year.

We intend on hiring eight to ten local resident employees for the Hemet store in hopes of promoting economic growth and support to the community of the city of Hemet.

It is our policy when buying gold coins after any purchase to comply with thirty day mandatory hold and hand deliver the necessary paperwork to the local police department. Again, we take great pride in our working relationship with local law enforcement.

At Valley jewelry and loan we follow strict guidelines that were set forth by the Federal Firearm Licensing Regulator and all applicable state and federal laws. By store policy, we plan on only selling new firearms and do not sell ammunition.

It would be a pleasure to clarify any questions or concerns to help the planning commission in understanding policies of our business. [As a law enforcement student to the San Bernardino sheriffs academy, I am well aware of the strict guidelines needed to run a safe and productive environment. Please feel free to contact me directly on my cellular phone at any time (909) 709-0095.

Thank you in advance for all your help with this application

Sincerely,

Eduardo Salas, Owner

Attachment No. 9

Planning Commission
Minutes, April 2, 2013

City Council Hearing
May 14, 2013

PLANNING  COMMISSION

MEETING MINUTES

DATE: April 2, 2013

CALLED TO ORDER: 6:00 P.M.

MEETING LOCATION: City Council Chambers
450 East Latham Avenue
Hemet, CA 92543

1. CALL TO ORDER:

PRESENT: Chairman John Gifford, Vice Chairman Vince Overmyer, and Commissioners Michael Perciful and Greg Vasquez

ABSENT: Newly-Appointed Commissioner Rick Crimeni absent with prior notice

Invocation and Flag Salute: Commissioner Vasquez

2. CERTIFICATE OF RECOGNITION FOR COMMISSIONER NASSER MOGHADAM - Presented by Chairman Gifford

Chairman Gifford expressed his appreciation for the contributions of Commissioner Moghadam, especially as an architect, to the understanding of the Commission on issues dealing with design, and presented him with a Certificate of Appreciation from the City and the Planning Commission

Nasser Moghadam thanked his fellow commissioners and the City staff for making his year with the Planning Commission a privilege and for showing their care for the City of Hemet.

3. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of March 5, 2013

It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner Vasquez to **APPROVE** the March 5th, 2013 Meeting Minutes, as presented.

The **MOTION** was carried by the following vote:

AYES: Chairman Gifford, Vice Chairman Overmyer, and Commissioner Greg Vasquez

NOES: None

ABSTAIN: Commissioner Perciful due to his absence at the March 5, 2013 meeting

ABSENT: Commissioner Crimeni

1 **4. PUBLIC COMMENTS:**

2
3 There were no members of the public who wished to address the Commission
4 regarding items not on the agenda.
5

6
7 **PUBLIC HEARING ITEMS**
8

9 **5. CONDITIONAL USE PERMIT NO. 12-007 (HEMET JEWELRY & LOAN)**

10
11 **APPLICANT:** Hemet Jewelry and Loan – Eduardo Salas
12 **LOCATION:** 2355 E. Florida Avenue
13 **PLANNER:** Emery Papp
14

15 **DESCRIPTION:** Consideration of Resolution Bill No. 13-007 affirming the
16 Planning Commission's denial of a Conditional Use Permit for the operation of a
17 collateral loan business (secondhand store/pawn shop) located at 2355 E. Florida
18 Avenue.
19

20 The staff report was presented by Community Development Director (CDD) Deanna
21 Elliano who asked for a formal action by the Commission to adopt the proposed
22 findings for denial.
23

24 Chairman Gifford opened the public hearing and then closed it, seeing no public
25 participants. He asked for further comments from the Commission, and hearing none,
26 asked for a motion.
27

28 It was **MOVED** by Commissioner Vasquez and **SECONDED** by Commissioner Perciful
29 to adopt Planning Commission Resolution Bill 13-007, **DENYING** Conditional Use
30 Permit No. 12-007.
31

32 The **MOTION** was carried by the following vote:
33

34 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners Perciful
35 and Vasquez
36 **NOES:** None
37 **ABSTAIN:** None
38 **ABSENT:** Commissioner Crimeni
39

40 *(Adopted Planning Commission Resolution No. 13-003.)*
41

42
43 **6. CONDITIONAL USE PERMIT NO. 13-001 (AT&T @ BEREAN CHURCH)**

44
45 **APPLICANT:** Mitchell Bryant – Coastal Business Group for AT&T Mobility
46 **LOCATION:** 375 North Sanderson Avenue
47 **PLANNER:** Carole L. Kendrick - (951)765-2375
48

49 **DESCRIPTION:** A request for Planning Commission review and approval of a
50 Conditional Use Permit allowing the construction and operation of a major ground
mounted telecommunication facility and associated equipment consisting of a 65'
pole camouflaged as a monopine located on the west side of Sanderson Avenue,
51

Attachment No. 10

Planning Commission
Minutes, March 5,
2013

City Council Hearing
May 14, 2013

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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: March 5, 2013

CALLED TO ORDER: 6:00 P.M.

MEETING LOCATION: City Council Chambers
450 East Latham Avenue
Hemet, CA 92543

1. CALL TO ORDER:

PRESENT: Chairman John Gifford, Vice Chairman Vince Overmyer, and Commissioners Nasser Moghadam and Greg Vasquez

ABSENT: Commissioner Michael Perciful

Invocation and Flag Salute: Chairman John Gifford

2. APPROVAL OF MINUTES:

A. Minutes of the February 5, 2013 Meeting

It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner Moghadam to **APPROVE** the February 5, 2013 Meeting Minutes, as presented.

The **MOTION** was carried by the following vote:

AYES: Chairman Gifford, Vice Chairman Overmyer, and Commissioners Moghadam and Vasquez

NOES: None

ABSTAIN: None

ABSENT: Commissioner Perciful

B. Minutes of the February 19, 2013 Meeting

After a brief discussion it was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner Moghadam to **APPROVE** the February 19, 2013 Meeting Minutes, as presented.

The **MOTION** was carried by the following vote:

AYES: Vice Chairman Overmyer and Commissioner Moghadam

NOES: None

ABSTAIN: Chairman Gifford and Commissioner Vasquez

ABSENT: Commissioner Perciful

1 **5. CONDITIONAL USE PERMIT NO. 12-007 (Hemet Jewelry and Loan) – Continued**
2 **from February 19, 2013**
3

4 **APPLICANT:** Hemet Jewelry & Loan - Eduardo Salas
5 **AGENT:** Rosie Salas
6 **LOCATION:** 2355 East Florida Avenue
7 **PLANNER:** Soledad Carrisoza – (951) 765-2375
8
9

10 **DESCRIPTION:** A request for Planning Commission review of a Conditional
11 Use Permit for the operation of a collateral loan business (secondhand store/
12 pawn shop) in an existing building located on the southeast corner of Florida
13 Avenue and Yale Street at 2355 E. Florida Avenue in the C-2 (General
14 Commercial) zone, with consideration of an Environmental Exemption pursuant
15 to CEQA Guidelines Section 15301.
16

17 (PowerPoint presentation by Principal Planner Papp)
18

19 Commissioner Moghadam commented on the inadequacy of the parking spaces for the
20 size of the building on the lot.
21

22 Planner Papp responded that by today's standards there would be reciprocal use
23 parking spaces in the center at this time.
24

25 Commissioner Moghadam asked if reciprocal parking spaces were included with this
26 center.
27

28 Planner Papp affirmed there was reciprocal parking.
29

30 Discussion continued regarding the adequacy of parking.
31

32 Planner Papp continued with his Powerpoint presentation. He advised that Staff had
33 reviewed the proximity of other pawnshops and second-hand locations in relation to
34 this proposed use and shared a map which showed the proposed location on the east
35 side of town with existing pawnshops and second-hand store locations.
36

37 Discussion ensued regarding other loan businesses within the City of Hemet and near
38 the subject area.

39 Planner Papp indicated that he knew of only one other loan business nearby and had
40 prepared a list with the addresses of the entire loan, second-hand, and pawn shop
41 stores, along with photos of each establishment.
42

43 CDD Elliano indicated that these had been identified and can be obtained at City Hall
44 or put on-line for the public's review as part of the staff report materials.
45

46 Commissioner Vasquez noticed that the Planning Department list did not include a
47 Payday Loan business located just a block away from the subject property in the City
48 of Hemet on Florida Avenue and Mayflower Street. He further noted that a new one
49 had recently opened at the Shell gas station on Florida Avenue and Warren Road.
50

Chairman Gifford indicated that these had been approved before Commissioner Vasquez was appointed to the Commission.

1 Vice Chairman Overmyer added that the ones on the list are there because they buy
2 and sell and that the jewelry retail sales outlets are indicated because they buy as well.

3
4 Commissioner Moghadam wondered if any of the pawnshops within the city limits
5 pawned firearms.

6
7 Planner Papp responded that he was not aware of any, but that the police department
8 had not had any permits to sell firearms processed through them as of this date.

9
10 Commissioner Vasquez asked the applicant to respond to the material on pages 11
11 and 12 of the staff report, which indicates that an incident had occurred at one of his
12 stores in another city, and that the applicant had been very cooperative with law
13 enforcement regarding that incident. He wondered what type of incident had
14 happened..

15
16 Planner Papp responded that the Development Review Committee (DRC) had asked
17 the same question of the applicant, and were advised that they had never had a need
18 to call the police department for a violent crime, but that sometimes they do receive
19 property that they suspect is stolen so they give that type of information to law
20 enforcement on a routine basis. In addition, the Moreno Valley Police Department
21 comes and takes a look at their inventory from time-to-time to see if any of their items
22 match ones they know to be stolen.

23
24 Vice Chairman Overmyer wondered, in terms of findings, if the proposed location of the
25 conditional use would pose a problem or be detrimental to the public health, safety or
26 welfare.

27
28 Planner Papp indicated that the preliminary findings were included in the staff report
29 and could be found on pages nine and ten in the report dated February 19th.

30
31 Vice Chairman Overmyer noted that according to resident and business owner Howard
32 Rosenthal, he had discussed this with some of the owners of the businesses in the
33 strip mall and they had responded that they thought it might hurt their business or that
34 they might even consider relocating if such a business were to move in, as they felt it
35 might be injurious to the current businesses.

36
37 Planner Papp indicated that since there were two Commissioners absent for the
38 discussion of this item at the last meeting, he had prepared a two-page cover with
39 staff's original findings included as an attachment. He felt it would not be the best
40 course of action to switch course midway with information from the last Planning
41 Commission meeting and rather let the Planning Commission discuss amongst
42 themselves whether or not they still felt that those findings could be made.

43
44 Commissioner Moghadam questioned the number of restrooms and their use for the
45 public and/or staff.

46
47 Planner Papp indicated that the applicant would need to respond to this question.
48
49
50

1 Commissioner Vasquez inquired about the staff analysis which indicated concern
2 about the prospects of a pawnshop operating on this prominent location on Florida
3 Avenue. He wondered about the potential for nuisance activities which are unwanted
4 in the City of Hemet.

5
6 Planner Papp advised that at the DRC meetings, the applicant had described their
7 methods of doing business, and their reason for selecting a previous bank building
8 which included adequate security under lock and key. In addition, the applicants'
9 history of having a positive relationship with local law enforcement signaled their good
10 intentions, and this information changed their opinion for this particular use at this
11 location.

12
13 Commissioner Vasquez continued wondering if this information eliminated the concern
14 for attracting nuisances and the potential for behaviors that are unwanted in the
15 community. He further wondered why the fact that the applicant has security measures
16 in place would influence the Planning Department determination regarding this.

17
18 Planner Papp indicated that surveillance equipment, lighting, and additional signage
19 would discourage the aforementioned types of behavior.

20
21 Commissioner Moghadam inquired about the CUP requirements and the 500-foot
22 radius notification to the neighbors, and expressed his concern about advertisement in
23 local newspapers as to this request for a CUP.

24
25 Planner Papp explained that state law requires one of three things: Post a notice in the
26 paper, send direct mail to surrounding property owners, or post the site. He indicated
27 that routinely they do two of the three—post in the paper and send notification to the
28 surrounding property owners.

29
30 Commissioner Vasquez asked if roll-up doors were required on visible windows for this
31 project.

32
33 Planner Papp indicated that this had been addressed by the Building and Safety
34 Division at the DRC meeting. He advised that this would not be an issue and that the
35 roll-up windows would be inside the windows themselves. He suggested that the
36 applicant might like to respond to these questions.

37
38 Chairman Gifford re-opened the public hearing and asked to hear from the applicant
39 first.

40
41 Mr. Dominique Tinks of Riverside, California addressed the Commission as a
42 representative for the applicant, and responded regarding how the site had been
43 chosen. He indicated that the considerations were traffic and exposure, as well as the
44 security of the building. Regarding the public's concern about pawnshops in general,
45 he noted that the pictures of the proposed building depict the fact that they don't even
46 look like pawnshops, but rather resemble a retail facility. In addition, they also design
47 jewelry, which is contracted out. He assured the Commission that Mr. Salas, the
48 owner, is dedicated to ensuring the health and safety of his customers and staff is
49 central in his concern. He further indicated that Mr. Salas would soon be a San
50 Bernardino County Sheriff as well. Mr. Tanks explained that the owner would actually
be assisting the police department. He noted that locating the business in a former

1 bank building was for security reasons, and advised that while the Moreno Valley and
2 Yucaipa stores were properly permitted to sell firearms, that was not being proposed
3 for this location, and there would be no loans provided for any weapons.
4

5 Chairman Gifford wondered, industry-wide, if there was a tendency for people to get
6 their stuff back in a "disingenuous" manner.
7

8 Mr. Tinks responded that they have not seen this happen, but it varies and depends on
9 how you treat your clients. He added that the tangible goods promote good retail
10 business too.
11

12 Chairman Gifford asked how much of the business relies on loans, and how much of it
13 is from sales.
14

15 Mr. Tinks responded that 90% of the profits come from loans.
16

17 Vice Chairman Overmyer asked if the owner would act as a security person.
18

19 Mr. Tinks responded that there would most likely be an off-duty officer handling the
20 security most of the time, but that the owner would also fill that position on occasion.
21

22 Commissioner Moghadam inquired about the restroom complex.
23

24 Mr. Tinks responded that two restrooms would be reserved for staff, and the other two
25 would be for the public, including those for the disabled. He also shared that the owner
26 would make a significant investment and that he knows and understands that health
27 and safety is key and would run a respectable business, as he has run his other
28 existing businesses. He assured the Planning Commission that Mr. Salas is investing
29 in the City of Hemet to stay, noting that while he wants to make a permanent mark in
30 the city, at the same time he hopes to change the image of what the public typically
31 thinks of pawnshops.
32

33 Commissioner Moghadam wondered if the Yucaipa store had shutters from inside or
34 outside.
35

36 Mr. Tinks advised the Commissioner that they located on the inside and were difficult
37 to see noting that the same type of roll-ups would be used in the Hemet store.
38

39 Commissioner Vasquez wondered if Mr. Salas ultimately being a deputy sheriff would
40 have conflict of interest.
41

42 Mr. Tinks assured him that the process of being accepted to the sheriff's academy
43 involved exhaustive investigation, and he was sure Mr. Salas would not have been
44 accepted had there been a conflict. Also, they would advertise that he has connections
45 to law enforcement.
46

47 Commissioner Vasquez asked what types of incidents have been reported that caused
48 police action or investigation
49

50 Mr. Tanks listed such things as serial numbers being obliterated, which demands an
immediate check with law enforcement. He also listed security measures, including

1 lighting, surveillance systems both exterior and interior, as well as security personnel
2 and safety training for employees. The decision whether the guard will be armed or not
3 is one made by the Hemet Police Department. There will be metal window coverings
4 when the store is closed, which will be interior. Accepted identifications required
5 include California ID, military ID and passports, which are checked. Only about one-
6 percent of customers have no identification, and they will be denied service. The best
7 stores in this system see between 2,000 and 3,000 customers a month.

8
9 Commissioner Overmyer expressed concern that this type of business would ultimately
10 shrink, if the demographics of the valley improve. There is market for it now, but the
11 hope is for something else in the future.

12
13 Mr. Tinks commented that these establishments do well even when the economy is
14 booming. There are 37 pawnshops in Beverly Hills.

15
16 Chairman Gifford opened the public comment portion of the hearing.

17
18 Mr. Lou Parker (26616 South Yale, Hemet) expressed his concern regarding crime in
19 the immediate area, such as smash-and-grab crimes. He felt installing double doors,
20 which would involve buzzing in the client, might be helpful. Over all, he was opposed
21 to this business location.

22
23 Mr. Howard Rosenthal (1600 East Florida Avenue, Hemet) spoke, representing several
24 entities in the area (the former Long's Drug Store, the building on the westerly end of
25 the center, with eight tenants, and the space on Yale Street that's empty, the CNC
26 medical plaza, and the Century 21 building). He stated that all are opposed to this
27 business coming into the area, with a few threatening to relocate if it does. He pointed
28 out the lack of parking and stated that while he is sure the business would be well run,
29 he felt that Hemet does not need it. He gave a short history of centers with mixed
30 owners and the difficulty of enforcing the CC&Rs, the crime and gang activity, and the
31 theft that makes maintaining the operation of the business difficult.

32
33 Ms. Lisa Pauro (27338 Rosemont Way, Hemet) an ICU nurse, spoke in opposition to
34 the proposal, noting the change in demographics of the patients she sees now, such as
35 drug overdoses, noncompliant patients, and fewer snowbirds because they are afraid
36 to spend winters in Hemet. She noted the increase in the types of stores leaving the
37 area, such as Harris', JC Penney and Sharkies. She felt the need to stop catering to
38 lower income and non-income citizens because it's driving good citizens away. The
39 recycling of metals stolen from legitimate businesses is making it harder to maintain a
40 viable base. You used to see elderly people walking their dogs; now it's a homeless
41 person with a shopping cart full of their possessions.

42
43 Ms. Melissa Donahoe (4495 Cloudywing Road, Hemet) was concerned about the crime
44 in the area, and especially in the parking lot by the proposed pawnshop. She
45 wondered what is considered a weapon.

46
47 Mr. Robert Hundley (1995 West Esplanade Ave, Hemet) owns a pawnshop and feels
48 every town should have a couple of them, but noticed that this one is a million-dollar
49 shop. He wondered if the business was a sole proprietorship or owned by a group. He
50 felt if it is owned by one man who wants to be a police officer, something isn't right.

1 Chairman Gifford requested that the speaker deal with his concern for the community
2 instead of questioning the character of the applicant.
3

4 Mr. Hundley did not feel that security was an issue in his pawnshop. Nobody who has
5 stolen goods is going to come in, because they will be ID'd. He has run his business
6 for 10½ years and has only had the police in his shop ten times. He reports to the
7 Police Department weekly, noting that there is a detail person that handles pawnshops.
8

9 Ms. Christi Mayers (125 North Yale, Hemet), has been a business owner in the area for
10 55 years. She noted that every operator pays their share of the upkeep of the parking
11 lot, lighting, etc.
12

13 Ms. Heather Donahoe (3430 Morro Hill Road, Hemet) moved into the area ten years
14 before Walmart went in close to West Valley High School. She noted that crime has
15 increased significantly and traffic around her home makes it difficult to get in and out of
16 her driveway. She hears good things about this particular pawnshop; her concern is
17 about its location. The demographic change in the city frightens her and when she
18 feels threatened, she takes her business to Temecula. She feels the Commission
19 needs to be extremely careful about the decisions it makes.
20

21 Chairman Gifford closed the public hearing and invited Mr. Tinks to respond.
22

23 Mr. Tinks indicated his understanding of the concerns expressed by the citizens and
24 wants them to know that this business will be a deterrent rather than an attraction to
25 crime because of the business's surveillance, its immediate contact with the police, and
26 its work with law enforcement in removing criminals from the streets of Hemet.
27
28

29 Commissioner Moghadam asked what process would be required to eliminate a CUP.
30

31 Planner Papp responded that revocation of a conditional use permit could be
32 implemented if there were violations of the conditions, nuisance activities, criminal
33 activity, or if a business is found to be doing something other than what was indicated
34 in their business plan.
35

36 Chairman Gifford noted that a letter was sent by Commissioner Perciful to CDD Elliano
37 and will become part of the record.
38

39 CDD Elliano outlined Commissioner Perciful's concerns as follows: He wants to make
40 sure Hemet moves forward in a positive direction. He has mixed feelings about the
41 pawnshop, but wants to see vacant buildings filled; however, the city needs smart,
42 responsible growth and with there being 11 similar types of stores in the city, second-
43 hand and pawnshops in the area of Florida Avenue and Yale Street, crime has
44 increased significantly over the years.
45

46 Chairman Gifford queried CDD Elliano about language regarding the required findings
47 in the summary staff report, with the answer being that page nine was part of the
48 original staff report, with page three language being the most recent, and what should
49 be utilized.
50

1 Chairman Gifford also asked for clarification of language from City Attorney McEwen
2 regarding "policies and guidelines" and was advised that this phrase was meant to be
3 an all-encompassing phrase that would include municipal code, general plan,
4 commercial design guidelines, etc. For a CUP to be denied or adopted, there have to
5 be findings to support the decision.
6

7 Commissioner Vasquez indicated that he has been struggling with this decision, doing
8 research and asking for help from Planning staff, who have done an outstanding job of
9 presenting facts to him. He, however, does not agree with their conclusion because he
10 feels it doesn't correspond to the General Plan. He then provided a detailed overview
11 of several General Plan sections and policies, pointing out the policy language
12 supporting his view that the proposed use was not consistent with the General Plan.
13

14 Vice Chairman Overmyer indicated that he had asked himself if this would be good for
15 Hemet, and could not, in good faith, answer that with a positive response.
16

17 Commissioner Moghadam stated that Finding No. 2 was the sticking point for him; the
18 finding is not to his satisfaction to approve the location based on the testimony
19 presented.
20

21 Chairman Gifford agreed with much of the analysis and indicated that it's the
22 Commission's responsibility to balance the needs of the community. The General Plan
23 is designed to improve the quality of life for the people of Hemet and to be balanced.
24 He agreed that this is not the right business for this particular area, and the use would
25 not improve the community.
26

27 Commissioner Vasquez, who had proposed an initial motion for denial, rescinded his
28 first motion and replaced it with this one:
29

30 It was **MOVED** by Commissioner Vasquez and **SECONDED** by Vice Chairman
31 Overmyer to deny Conditional Use Permit No. 12-007, subject to the appropriate
32 findings, as stated, and direct staff and the city attorney to prepare a revised resolution
33 for formal adoption by the Commission at a subsequent meeting.
34

35 The **MOTION** was carried by the following vote:
36

37 **AYES:** Chairman John Gifford, Vice Chair Vince Overmyer, Commissioners
38 Greg Vasquez and Nasser Moghadam.
39

40 **NOES:** None

41 **ABSTAIN:** None

42 **ABSENT:** Commissioner Michael Perciful
43

44 ~~6 **ZONING ORDINANCE AMENDMENT NO. 13-003 (Homemade Food Operator**~~
45 ~~**Regulations) — Continued from February 5, 2013**~~

46 ~~**APPLICANT:** City of Hemet~~

47 ~~**LOCATION:** City-wide~~

48 ~~**PLANNER:** Emery Papp~~

49 ~~**DESCRIPTION:** A request for Planning Commission review and~~
50 ~~recommendation to the City Council regarding a Zoning Ordinance Amendment~~

Attachment No. 11

Planning Commission
Minutes, February 19,
2013

City Council Hearing
May 14, 2013

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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: February 19, 2013

CALLED TO ORDER: 6:00 P.M.

MEETING LOCATION: City Council Chambers
450 East Latham Avenue
Hemet, CA 92543

1. CALL TO ORDER:

PRESENT: Vice Chairman Vince Overmyer and Commissioners Nasser Moghadam and Michael Perciful

ABSENT: Chairman John Gifford and Commissioner Greg Vasquez

Invocation and Flag Salute: Vice Chairman Vince Overmyer

2. APPROVAL OF MINUTES:

A. Minutes of the January 15, 2013 Meeting

It was **MOVED** by Commissioner Perciful and **SECONDED** by Commissioner Moghadam to **APPROVE** the January 15, 2013 Meeting Minutes as presented.

The **MOTION** was carried by the following vote:

AYES: Vice Chairman Overmyer and Commissioners Perciful and Moghadam

NOES: None

ABSTAIN: None

ABSENT: Chairman Gifford and Commissioner Vasquez

3. PUBLIC COMMENTS:

There were no members of the public who wished to address the Commission regarding items not on the agenda.

1 the decibels to such a degree that nothing could be heard further than 50 feet from the
2 building.

3
4 CDD Elliano stated that this is a conditional use permit, therefore, in some respect the
5 issue of noise is an operating standard. If there are complaints from neighbors that the
6 noise level is too loud, the business would be put on notice that this is a concern. She
7 suggested that if the Commission wishes, Condition No. 64 could be added to state
8 that, "Loud speakers for the yard area shall be maintained at a volume that does not
9 emanate beyond property boundaries." She clarified that modifications to the
10 conditions would then include the deletion of Condition Nos. 35 and 36, and the
11 addition of Condition No. 64, as read.

12
13 Vice Chairman Overmyer closed the public hearing and asked for a motion.

14
15 It was **MOVED** by Commissioner Perciful and **SECONDED** by Commissioner
16 Moghadam to **ADOPT** Planning Commission Resolution Bill No. 13-001 **APPROVING**
17 Conditional Use Permit No. 12-009, as amended.

18
19 The **MOTION** was carried by the following vote:

20
21 **AYES:** Vice Chairman Overmyer and Commissioners Perciful and Moghadam
22 **NOES:** None
23 **ABSTAIN:** None
24 **ABSENT:** Chairman Gifford and Commissioner Vasquez.

25
26 *(Adopted Planning Commission Resolution No. 13-001.)*

27
28 **6. CONDITIONAL USE PERMIT NO. 12-007 (Hemet Jewelry and Loan)**

29
30 **APPLICANT:** Hemet Jewelry & Loan - Eduardo Salas
31 **AGENT:** Rosie Salas
32 **LOCATION:** 2355 East Florida Avenue
33 **PLANNER:** Soledad Carrisoza - (951)765-2375

34
35 **DESCRIPTION:** A request for Planning Commission review and approval of
36 a Conditional Use Permit to operate a collateral loan business
37 (pawnbroker/secondhand dealer) in an existing building located on the
38 southeast corner of Florida Avenue and Yale Street in the C-2 (General
39 Commercial) zone, and consideration of an Environmental Exemption pursuant
40 to CEQA Guidelines Section 15301.

41
42 (PowerPoint presentation by Planner Soledad Carrisoza)

43
44 A question was raised by Vice Chairman Overmyer regarding the issue of firearms, to
45 which CDD Elliano responded that there would be no consignment, sale, or purchase
46 of firearms and no firearms present at the facility.

47
48 Vice Chairman Overmyer asked the applicant to come to the lectern to answer
49 questions and present his case.
50

1 Jason Lambert (no address given), approached the lectern as the General Manager for
2 several of the applicant's other facilities (Moreno Valley, Yucaipa, etc.), and advised
3 the Commission that these were not typical pawnshops but very clean stores, with
4 laminate wood floors and good lighting, that serve the communities well. They have
5 several people who have gone through security training and also assist the Police
6 Departments in many areas. They have one security officer for each store, but other
7 employees have security training.

8
9 Vice Chairman Overmyer asked if they tended to have problems with insufficient
10 security, to which Mr. Lambert responded that they had not because they treat their
11 customers with respect.

12
13 Vice Chairman Overmyer also indicated that his initial reaction was negative, but he
14 understands the advantage of having a building occupied rather than remaining vacant.
15 Noting his understanding that a less than 2,000 square-foot area of the 6,000 square-
16 foot building would be the actual shopping area, he asked what the remainder of the
17 building would be used for.

18
19 Mr. Lambert explained that the rest of the store would be utilized for inventory, with any
20 type of electronic or construction tools being housed in the back rooms.

21
22 Vice Chairman Overmyer also asked about security locks on the doors and was told by
23 Mr. Lambert that their Moreno Valley site had formerly been a bank with a vault. He
24 informed the Commission that they are buying the building in Hemet, if approved for
25 the CUP, and that two of their employees are Hemet residents.

26
27 Commissioner Moghadam inquired about security cameras and backup time, asking if
28 that was a requirement.

29
30 Mr. Lambert indicated that the Police Department was satisfied with what they have
31 proposed, and noted that they have interior screen doors.

32
33 Mr. Rosenthal, a property manager in the area, expressed concern that, although this
34 particular operator was undoubtedly of good quality, it was not a good category or mix
35 for what was already there, which he classified as a migration of services for the poor.
36 He looks at pawnshops from a retail perspective as similar to check cashing
37 operations, smoke shops, etc. He felt that this project would further degrade the area.
38 On behalf of the two properties that his company represents, he hopes that this CUP
39 will be denied.

40
41 Vice Chairman Overmyer stated that due to the request of Commissioner Vasquez,
42 and the fact that Chairman Gifford was also absent, he felt it in the best interest of the
43 Commission to continue this matter.

44
45 Commissioner Moghadam noted that the applicant had waited a long time, but
46 concurred that he also felt it appropriate to continue the item.

47
48 It was **MOVED** by Commissioner Perciful and **SECONDED** by Commissioner
49 Moghadam to **CONTINUE** Conditional Use Permit No. 12-007 to the Planning
50 Commission meeting of March 5, 2013.

1 The MOTION was carried by the following vote:
2

3 **AYES:** Vice Chair Overmyer and Commissioners Perciful and Moghadam

4 **NOES:** None

5 **ABSENT:** Chairman Gifford and Commissioner Vasquez

6 **ABSTAIN:** None
7

8 (A short recess was called by Vice Chairman Overmyer)
9

10
11 **DEPARTMENT REPORTS**
12

13
14 **7. CITY ATTORNEY REPORTS:** *Verbal report from Assistant City Attorney Stephen*
15 *McEwen on items of interest to the Planning Commission*
16

17 City Attorney Stephen McEwen reported on the California Supreme Court hearing
18 pertaining to the Riverside medical marijuana case, stating that it's hard to predict how
19 the court will rule, but it seemed to him that the court was weighing heavily toward the
20 position of the City of Riverside, that cities have the inherent or constitutional zoning
21 authority to make decisions on what uses are appropriate and not appropriate within
22 their boundaries. He believes cities are cautiously optimistic that the Supreme Court is
23 going to issue a decision that upholds traditional zoning authority. They have to decide
24 within 90 days of oral argument, so the decision should come perhaps in March.
25

26 **8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**
27

28 **A. Verbal Report on City Council actions from the February 12, 2013 meeting.**
29

30 CDD Elliano reported on a work study that was presented by the City's Finance
31 Director, who outlined the following: The City is on target for the budget this year, with
32 some savings; presently there is \$11.4 million in reserves with possibly another \$3.2
33 million coming in; general fund revenues are up 2 percent, and both property tax and
34 sales tax are 2 percent higher. There is some concern regarding future healthcare
35 costs, but the City has done a commendable job in trying to balance those structural
36 conditions of the budget.
37

38 She noted that with older cities like Hemet, there are many properties that have not
39 been reassessed for a long period of time, which is why new investment is so critical –
40 even such minor things as tenant improvements that increase a property's value.
41 Additionally, there have been some applications for new construction, and all will help
42 with the tax base. There were also two recommendations at the Council meeting that
43 affect community development – funding for two officers in Code Enforcement, and,
44 with the Hemet ROCS focus, training in proper tenant screening for property owners or
45 managers under a proposal for Crime-Free Multi-Family Housing.
46

47 **B. Informational items from the WRCOG Planning Directors Meeting**
48

49 CDD Elliano reported that WRCOG is preparing a County-wide Climate Action Plan,
50 with requirements that each city do a municipal and community plan based on growth
projections, eventually to come back with strategies that the different jurisdictions can
adopt to lower greenhouse gas emissions. This is state law, and cities need to



AGENDA # 14

Staff Report

To: Honorable Mayor and Members of the City Council

From: Sarah McComas, City Clerk
Ronald E. Bradley, Interim City Manager *RB*

Date: June 28, 2011

Subject: Rent Review Commission Vacancy

RECOMMENDED ACTION:

Staff respectfully requests that the City Council interview and consider appointment of Mr. Mark Perinsky as one At-Large Representative on the City's Rent Review Commission in accordance with Ordinance No. 772.

BACKGROUND:

On March 18, 2013 the term for one At-Large Representative expired. A request for applications for the position was published in the Press Enterprise and the Valley Chronicle. There were no applications received. On April 23, 2013 the City Council was encouraged to seek applicants for this position. One application was received. The City Council must collectively consider the appointment.

Respectfully submitted,

Sarah McComas
City Clerk



CITY OF HEMET Application for Appointment to Volunteer Commissions/Board/Committee

COMMISSION/BOARD/COMMITTEE that you wish to apply for:

MOBILE HOME RENT REVIEW COMMISSION

NAME: MARK A PERINSKY

ADDRESS: 5005 CHARLTON AVE

CITY: HEMET ZIP: 92544

TELEPHONE: 951 927-1187

Past Experience and/or Education: GRADUATED HEMET HIGH 1969

VARIOUS WORK RELATED (LHMWD) COLLEGE /
WATER COURSES OVER TERM OF EMPLOYMENT

Other Boards and/or Commissions on which you have served: — NONE —

Organizations you have belonged to CALIFORNIA CARUER GUILD -
AWWA -

How long have you lived in the community? 45 years 5 months

On a separate sheet of paper, please describe briefly why you wish to be appointed to this Commission. - NOT NECESSARY - I JUST WISH TO SERVE MY COMMUNITY.

Return to:
City Clerk
City of Hemet
445 E. Florida Avenue
Hemet, CA 92543

Mark A Perinsky 5-5-2013
Signature Date

All applicants must be residents of the City of Hemet or Sphere of Influence when applicable. The Library Board and Planning Commission members are required to file the California Fair Political Practices Commission Statement of Economic Interests as outlined in the City of Hemet's Conflict of Interest Code.