



# AGENDA

## REGULAR MEETING OF THE HEMET CITY COUNCIL

APRIL 14, 2015

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6:00 p.m.

City of Hemet Council Chambers  
450 E. Latham Avenue

[www.cityofhemet.org](http://www.cityofhemet.org)

*Please silence all cell phones*

*\*Notice: Members of the Public attending shall comply with the Council's adopted Rules of Decorum in Resolution No. 4545. A copy of the Rules of Decorum are available from the City Clerk.*

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### Call to Order

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### Roll Call

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

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### Closed Session

#### Notice of Opportunity for Public Comment

Members of the Public may comment upon any identified item on the closed session agenda. Since the Council's deliberation on these items is confidential the City Council and City Staff will not be able to answer or address questions relating to the items other than procedural questions. At the conclusion of the closed session, the City Attorney will report any actions taken by the City Council which the Ralph M. Brown Act required to be publicly reported.

1. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: Acting City Manager Brown  
Employee organization:  
*Hemet Fire Fighters Association*  
*Hemet Mid-Managers Association*  
*Service Employees International Union General Employees*
  2. Public Employee Appointment  
Pursuant to Government Code section 54962  
Title: *Interim City Manager*  
*Interim Public Safety Director*  
*Fire Chief*
  3. Conference with Legal Counsel - Anticipated Litigation  
One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)
-

## REGULAR SESSION

7:00 p.m.

City of Hemet City Council Chambers  
450 E. Latham Avenue

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### Call to Order

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### Roll Call

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

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### Invocation

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### Pledge of Allegiance

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### City Attorney Closed Session Report

4. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: Acting City Manager Brown  
Employee organization:  
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One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)
- 

### Presentation

7. Proclamation proclaiming April 2015 as Donate Life Month
  8. Proclamation recognizing the City of Hemet as a Tree City USA and proclaiming April 27, 2015 as Arbor Day
  9. Proclamation proclaiming the 2<sup>nd</sup> week of April as National Public Safety Telecommunicators Week
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# City Council Business

## Notice to the Public

The Consent Calendar contains items which are typically routine in nature and will be enacted by one motion by the Council unless an item is removed for discussion by a member of the public, staff, or Council. If you wish to discuss a Consent Calendar item please come to the microphone and state the number of the item you wish to discuss. Then wait near the microphone. 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

10. **Approval of Minutes** – March 24, 2015
11. **Recommendation by Mayor Pro Tem Wright** – Planning Commission Appointment
  - a. Appoint Tami Wilhelm to Seat 4 on the Planning Commission in order to fill at term expiration. The two year term will expire April 1, 2017.
12. **Receive and File** – Warrant Registers
  - a. Warrant register dated March 19, 2015 in the amount of \$1,218,247.34 and April 2, 2015 in the amount of \$1,162,374.54. Payroll for the period of March 2, 2015 to March 15, 2015 was \$582,232.70 and March 16, 2015 to March 28, 2015 was \$628,484.16.
13. **Receive and File** - Regional Conservation Authority Board action to approve implementing the Western Riverside County MSHCP local development mitigation fee CPI Adjustment for Fiscal Year 2015-16
  - a. Receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) fee applicable to all developments in the City of Hemet effective as of July 1, 2015.
14. **Recommendation by City Attorney** – Approval of At-Will Agreement for the position of Interim City Manager
  - a. Approve the employment agreement between the City of Hemet and Gary Thornhill.
15. **Recommendation by Acting City Manager** – Approval of At-Will Agreement for the position of Fire Chief
  - a. Approve the employment agreement between the City of Hemet and Don Scott Brown
16. **Recommendation by Community Development** - Zoning Ordinance Amendment No. 15-001
  - a. Adopt an ordinance amending certain sections of Chapter 90 (Zoning Ordinance) of the Hemet Municipal Code to update, clarify, and improve the City's development review process. **Ordinance Bill No. 15-010**

17. **Recommendation by Community Development** - Zoning Ordinance Amendment No. 15-002
  - a. Adopt an ordinance amending certain sections of Chapter 90 (Zoning Ordinance) of the Hemet Municipal Code to update provisions related to disability, transitional and supportive housing, fair housing, and other housing-related definitions to achieve compliance with state and federal mandated housing laws.  
**Ordinance Bill No. 15-011**
  
18. **Recommendation by Administrative Services** – Approval of AB 1600 Annual and Five Year Reports for the City of Hemet Fiscal Years 2008-09 through 2012-13, Annual Report for Fiscal Years 2013-14.
  - a. Adopt a resolution accepting and approving AB 1600 Annual and Five Year Reports for the City’s Development Impact Fees and making findings required by Government Code section 66001(d). **Resolution Bill No. 15-014**
  
19. **Recommendation by Administrative Services** – Memorandum of Understanding with Service Employees International Union
  - a. Authorize the City’s negotiation team to execute the Memorandum of Understanding (MOU) between the City and Service Employees International Union (SEIU) for the two-year period of July 1, 2014 through June 30, 2016.
  
20. **Recommendation by Police** – Purchase of Interoperable Handheld Radios for Police Department
  - a. Approve the grant-funded purchase of thirteen (13) Harris handheld radios from vendor, Hi-Desert Communications; and
  - b. Authorize the City Manager to approve the purchase requisition in the amount of \$78,303.12.

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## **Communications from the Public**

Anyone who wishes to address the Council regarding items not on the agenda may do so at this time. As a courtesy, please complete a Request to Speak Form found at the City Clerk’s desk. Submit your completed form to the City Clerk prior to the beginning of the meeting. Presentations are limited to three minutes in consideration of others who are here for agenda items. Please come forward to the lectern when the Mayor calls upon you. When you are recognized, you may proceed with our comments.

***\*Notice: Members of the Public attending shall comply with the adopted Rules of Decorum in Resolution No. 4545. A copy of the Rules of Decorum are available from the City Clerk.***

State law prohibits the City Council from taking action or discussing any item not appearing on the agenda except for brief responses to statements made or questions posed by the public. In addition, they may, on their own initiative or in response to questions posed by the public, ask a question for clarification, provide a reference to staff or other resources for factual information, or request staff to report back to them at a subsequent meeting. Furthermore, a member of the City Council or the Council itself may take action to direct staff to place a matter of business on a future agenda.

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## Public 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.

21. **Draft Community Planning and Development Program 2015-2020 Consolidated Plan, Community Development Block Grant (CDBG) 2015/16 Annual Action Plan and the Draft 2015-202 Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan for the City of Hemet – CDBG Coordinator Callahan**
  - a. Conduct a public hearing and accept public comments;
  - b. Approve the documents and authorize the Acting City Manager to sign the certifications and grant application for submission on or before May 16, 2015 to the United States Department of Housing and Urban Development (HUD).

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## Discussion/Action Item

22. **Discussion of options for analyzing Water/Sewer System Operations – Public Works Director Jensen and City Attorney Vail**
  - a. Consider undertaking an efficiency study of the water/sewer system operation and calculation of City internal service charges.
  - b. Consider award of contract for to assist in water/sewer system concession agreement request for proposal, evaluation, and negotiations.
  - c. Consider possible revision of water/sewer rate study based on outcome of efficiency study and/or Governor's water conservation order.

*Discussion regarding this item, with possible direction to staff*

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## City Council Reports

23. CITY COUNCIL REPORTS AND COMMENTS
  - A. Council Member Milne
    1. Riverside County Habitat Conservation Agency (RCHCA)
    2. Riverside Conservation Authority (RCA)
    3. Disaster Planning Commission
  - B. Council Member Raver
    1. Planning Commission
    2. Traffic and Parking Commission
    3. Riverside Transit Agency (RTA)
    4. Riverside County Transportation Commission (RCTC)
    5. Watermaster Board
  - C. Council Member Youssef

- D. Mayor Pro Tem Wright
    - 1. Park Commission
    - 2. Riverside County Habitat Conservation Agency (RCHCA)
    - 3. Ramona Bowl Association
    - 4. League of California Cities
    - 5. Western Riverside Council of Governments (WRCOG)
  
  - E. Mayor Krupa
    - 1. Riverside Conservation Authority (RCA)
    - 2. Ramona Bowl Association
    - 3. Riverside Transit Agency (RTA)
    - 4. Watermaster Board
    - 5. Library Board
    - 6. League of California Cities
    - 7. Riverside County Transportation Commission (RCTC)
    - 8. Western Riverside Council of Governments (WRCOG)
  
  - F. Ad-Hoc Committee Reports
    - 1. West Hemet MSHCP Ad-Hoc Committee
    - 2. Regent Development Agreement Ad-Hoc Committee
    - 3. Diamond Valley Lake Recreation Ad-Hoc Committee
    - 4. Public Safety Ballot Measure Ad-Hoc Committee
  
  - G. Acting City Manager Brown
    - 1. Manager's Reports
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## **Continued Closed Session**

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## **City Attorney Continued Closed Session Report**

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### **Future Agenda Items**

If Members of Council have items for consideration at a future City Council meeting, please state the agenda item to provide direction to the City Manager.

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### **Adjournment**

Adjourn to Tuesday, April 28, 2015 at 7:00 p.m. for consideration of items placed on that agenda. The next regular meeting will be held May 12, 2015.

*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.*

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*



#10

# MINUTES

## REGULAR MEETING OF THE HEMET CITY COUNCIL

March 24, 2015

6:00 p.m.

City of Hemet Council Chambers  
450 E. Latham Avenue

[www.cityofhemet.org](http://www.cityofhemet.org)

*Please silence all cell phones*

### Call to Order

Mayor Krupa called the meeting to order at 6:05 p.m.

### Roll Call

PRESENT: Council Member Raver, Mayor Pro Tem Wright and Mayor Krupa

ABSENT: Council Members Milne and Youssef

**Council Member Raver moved and Mayor Pro Tem Wright seconded a motion to excuse Council Members Milne and Youssef. Motion carried 3-0.**

### Closed Session

#### Notice of Opportunity for Public Comment

There were no public comments presented at this time.

The City Council recessed to Closed Session at 6:06 p.m.

Council Member Youssef arrived at 6:06 p.m.

1. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6

Agency designated representatives: City Manager Hill

Employee organization:

*Service Employees International Union General Employees*

*Hemet Police Officers Association*

*Hemet Police Management Association*

2. Conference with Real Property Negotiators

Pursuant to Government Code section 54956.8

Property: 669 Mariposa APN: 442-313-046

302 E. Florida Ave. APN: 443-233-010

555 St. John Place APN: 443-245-001

Building on 400 block of E. Devonshire APN: 443-140-013

Agency negotiator: City Manager Hill

Negotiating parties: David Hale, Homestar Realty

Under negotiation: Disposition, Price and Terms

3. Public Employee Performance Evaluation  
Pursuant to Government Code section 54962  
Titles: *City Manager*  
*City Attorney*
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## REGULAR SESSION

**7:00 p.m.**  
**City of Hemet City Council Chambers**  
**450 E. Latham Avenue**

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### Call to Order

Mayor Krupa called the meeting to order at 7:10 p.m.

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### Roll Call

PRESENT: Council Members Raver and Youssef, Mayor Pro Tem Wright and Mayor Krupa  
ABSENT: Council Member Milne  
**Council Member Youssef moved and Mayor Pro Tem Wright seconded a motion to excuse Council Member Milne. Motion carried 4-0.**  
OTHERS PRESENT: City Manager Hill, City Attorney Vail and City Clerk McComas

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### Invocation

Invocation was given by Gary Fowler, Hemet-San Jacinto Interfaith Council

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### Pledge of Allegiance

Pledge of Allegiance was led by Council Member Youssef

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### City Attorney Closed Session Report

4. Conference with Labor Negotiators  
Pursuant to Government Code section 54957.6  
Agency designated representatives: City Manager Hill  
Employee organization:  
*Service Employees International Union General Employees*  
*Hemet Police Officers Association*  
*Hemet Police Management Association*

**The City Council gave direction to the City's designated representative. It is anticipated that an MOU for SEIU will be on the April 14<sup>th</sup> agenda for consideration. There was no additional reportable action.**

5. Conference with Real Property Negotiators  
Pursuant to Government Code section 54956.8  
Property: *669 Mariposa APN: 442-313-046*  
*302 E. Florida Ave. APN: 443-233-010*  
*555 St. John Place APN: 443-245-001*  
*Building on 400 block of E. Devonshire APN: 443-140-013*

Agency negotiator: *City Manager Hill*  
Negotiating parties: *David Hale, Homestar Realty*  
Under negotiation: *Disposition, Price and Terms*

**The City Council gave direction regarding price and terms to the Agency Negotiator. There was no additional reportable action.**

6. Public Employee Performance Evaluation  
Pursuant to Government Code section 54962  
Titles: *City Manager*  
*City Attorney*

**The City Council started this discussion but did not conclude. This item was continued to the end of the Regular Session.**

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## **Presentations**

7. Update on Local Flood Control Projects - Riverside County Flood Control  
**Jason Uhley, RCFC**, even amidst a drought there are flooding issues, RCFC has a number of current and upcoming projects that will benefit the residents of Hemet and the entire valley.  
**Bob Cullen, RCFC**, gave the City Council a powerpoint regarding current and upcoming drainage projects. Mr. Cullen showed pictures and talked about the December 4<sup>th</sup> flooding. Maps were displayed of the following current and upcoming projects which will help the flood issues. San Jacinto MDP Line C, Stage 2, C-4, C-5 and B is essentially complete and cost \$7 Million. Little Lake Line B, Stages 1 and Hemet Line D, Stage 7 is underway and cost \$6.4 Million. Hemet Line C, Stage 4 (Whittier Avenue), construction in summer of 2015 and cost \$6 Million. San Jacinto MDP Line E-2 & E-2A, construction in the summer of 2015 with the cost of \$4.4 Million shared by the cities of Hemet and San Jacinto. Little Lake Line B, Stage 2, plans are at 60% and anticipated budget will be \$5.7 Million. San Jacinto River Stage 4 construction start is depending on budget which is anticipated to be \$27 Million. A map showing the City and all of the current and upcoming projects was displayed. RCFC is requesting the City's leadership and assistance in securing funding for future necessary projects.

8. Recognition of visiting Sister City Students from Marumori Japan  
**Jane Perry**, recognized the eight visiting students and the Chaperones from Hemet Sister City Marumori Japan. Gifts were presented to the Mayor, the City Council and the City of Hemet. A group of students from HUSD will be going to Marumori, Japan in June 2015.

9. Presentation of the 2<sup>nd</sup> Annual Heritage, Health and Harmony Award to Mr. Michael Ramirez  
**Mayor Krupa**, gave Michael Ramirez a plaque of Appreciation for celebrating the Heritage, Health and Harmony of Hemet. Mayor Krupa also presented Mr. Ramirez with a picture of Mayor Krupa, Mr. Ramirez and Senator Barbara Boxer from a recent Hemet CAN Conference in Washington D.C.  
**Michael Ramirez**, thanked the City Council for the plaque. I'm greatly honored and feel privileged. This plaque is a reflection of all of the entities that support Hemet CAN.
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## **City Council Business Consent Calendar**

10. **Approval of Minutes** – March 10, 2015
11. **Receive and File** – Investment Portfolio for February 2015
12. **Receive and File** - Warrant Register
  - a. Warrant registers dated March 3, 2015 in the amount of \$2,281,725.13 and March 5, 2015 for \$1,502,488.99. Payroll for the period of February 16, 2015 to March 1, 2015 was \$579,904.86.
13. **Recommendation by Council Member Raver** – Park Commission Re-Appointment
  - a. Re-Appoint Kenneth Gengler to Seat 5 on the Park Commission in order to fill a term expiration. The two year term will expire April 1, 2017
14. **Recommendation by Council Member Raver** – Traffic and Parking Commission Appointment
  - a. Appoint Stephen Covington to Seat 5 on the Traffic and Parking Commission in order to fill a term expiration. The two year term will expire April 1, 2017
15. **Recommendation by Council Member Raver** – Planning Commission Re-Appointment
  - a. Re-Appoint Vincent Overmyer to Seat 5 on the Planning Commission in order to fill a term expiration. The two year term will expire April 1, 2017
16. **Recommendation by Council Member Youssef** – Park Commission Re-Appointment
  - a. Re-Appoint Edd Burden to Seat 3 on the Park Commission in order to fill a term expiration. The two year term will expire April 1, 2017
17. **Recommendation by Council Member Youssef** – Traffic and Parking Commission Re-Appointment
  - a. Re-Appoint Donald Funkhouser to Seat 3 on the Traffic and Parking Commission in order to fill a term expiration. The two year term will expire April 1, 2017
18. **Recommendation by Council Member Youssef** – Planning Commission Re-Appointment
  - a. Re-Appoint John Gifford to Seat 3 on the Planning Commission in order to fill a term expiration. The two year term will expire April 1, 2017
19. **Recommendation by Mayor Pro Tem Wright** – Park Commission Appointment
  - a. Appoint Connie Hall to Seat 4 on the Park Commission in order to fill a term expiration. The two year term will expire April 1, 2017

20. **Recommendation by Mayor Pro Tem Wright** – Traffic and Parking Commission Appointment
  - a. Appoint Farrah Fowler to Seat 4 on the Traffic and Parking Commission in order to fill a term expiration. The two year term will expire April 1, 2017
21. **Recommendation by Mayor Pro Tem Wright** – Planning Commission Re-Appointment
  - a. Re-appoint Richard Crimeni to Seat 4 on the Planning Commission in order to fill at term expiration. The two year term will expire April 1, 2017
22. **Recommendation by City Attorney** – First Amendment to Employment Agreement, Amended and Restated for the Position of Chief of Police
  - a. Adopt Amendment to Employment Agreement for the Position of Chief of Police and authorize the Mayor to execute the Agreement.

Item Nos. 13, 14, 15, 16, 17, 18, 19, 20, 21 were removed from the Consent Calendar. **Council Member Youssef moved and Mayor Pro Tem Wright seconded a motion to approve the remaining Consent Calendar items. Motion carried 4-0.**

Item Nos. 13, 14 and 15

**Council Member Raver**, acknowledged his recommendations and asked Mr. Gengler to introduce himself. Council Member Raver acknowledge retiring Traffic & Parking Commissioner Tom Covington.

**Council Member Raver moved and Council Member Youssef seconded a motion to approve Item Nos. 13, 14 and 15 as presented. Motion carried 4-0.**

Item Nos. 16, 17, 18

**Council Member Youssef**, recommended re-appointment of his commissioners which all have served the City honorably.

**Council Member Youssef moved and Council Member Raver seconded a motion to approve Item Nos. 16, 17 and 18 as presented. Motion carried 4-0.**

Item Nos. 19 and 20

**Mayor Pro Tem Wright**, acknowledged her recommendations. Jeff Slepki did an outstanding job but decided not to re-apply. Mayor Pro Tem Wright is recommending Ms. Connie Hall for the Park Commission and hoping that the parks will be improved and utilized more. Ms. Farrah Fowler is being recommended for the Traffic and Parking, she previously served on the Commission and will do a great job.

**Mayor Pro Tem Wright moved and Mayor Krupa seconded a motion to approve Item Nos. 19 and 20 as presented. Motion carried 4-0.**

Item No. 21

**Mayor Pro Tem Wright**, tabled her recommendation to the Planning Commission until April 14, 2015.

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## Successor Agency Consent Calendar

23. **Recommendation by Community Investment** – Oversight Board and CA Department of Finance direction to sell Former Redevelopment Agency Real Property
- a. Sell two former Redevelopment Agency-owned parcels of real property: APN 445-262-03 located at 154 S. Santa Fe and APN 443-232-010 located at 119 N. Carmalita St. in accordance with Oversight Board direction and State of CA redevelopment agency dissolution requirements.

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

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### Communications from the Public

**Christy Raway, American Cancer Society**, thanked the City Council for the recently adopted ordinance regarding smoking in public places. Ms. Raway announced that “Relay for Life” will be on May 2 and 3 at West Valley High School.

**William Smith, Hemet**, requested support for the 2015 USPS Food Drive to be held on May 9<sup>th</sup>. Mr. Smith asked to have a poster placed in the lobby of City Hall, info be on the City’s FB page and requested that a video be presented at the April 14, 2015 meeting.

**Ann Smith, Hemet**, asked whose idea it was to consider outsourcing the water department. Ms. Smith expressed concern with the City’s hiring practices.

**Ms. Smith’s concerns were referred to the CM’s office.**

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### Public Hearing

24. **Zoning Ordinance Amendment No. 15-001** – Community Development Director Elliano
- a. Conduct a public; and
  - b. Introduce, read by title only and waive further reading on an ordinance amending certain sections of Chapter 90 (Zoning Ordinance) of the Hemet Municipal Code to update, clarify, and improve the City’s development review process. **Ordinance Bill No. 15-010**

**Deanna Elliano, Community Development Director**, City initiated Municipal Code amendment with the overall goal of clarifying and streamlining the City’s zoning code procedures for the development and business community. Quite extensive with a number of redline changes. Ms. Elliano summarized the amendments. The zoning code included a number of redundant and duplicated sections that is being corrected with this amendment. A section is being included in the Municipal Code called “Applications” to make it more user friendly with cross references in the applicable land use matrixes. Updated and appropriate findings have been included when the project is being considered. The majority of the focus was on streamlining the processes. This includes allowing less complex applications being approved by the Community Development Director at a lesser fee and shorter period of time for the applicant. The public notice requirements were amended based on the size and complexity of the project. If the application is controversial the Community Development Director can remand the application to the Planning Commission. The amendment includes a formal pre-application process with a minimal charge, at that time the applicant is given the process requirements and steps with an estimated cost.

**Council Member Raver**, complimented Ms. Elliano and the Community Development Department on their work.

**Mayor Krupa declared the Public Hearing opened at 7:57 p.m.**

There were no comments presented at this time.

**Mayor Krupa declared the Public Hearing closed at 7:57 p.m.**

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

Ordinance was read by title only.

25. **Zoning Ordinance Amendment No. 15-002** – Community Development Director Elliano

a. Conduct a public hearing; and

b. Introduce, read by title only and waive further reading of an ordinance amending certain sections of Chapter 90 (Zoning Ordinance) of the Hemet Municipal Code to update provisions related to disability, transitional and supportive housing, fair housing, and other housing-related definitions to achieve compliance with state and federal mandated housing laws. **Ordinance Bill No. 15-011**

**Deanna Elliano, Community Development Director**, this amendment is required for compliance with State and Federal Housing laws. One element is to incorporate the State's required definitions for supportive and transitional housing satisfying the Housing Element requirement. The other element is part of CDBG's 5-year Consolidated Plan and the Analysis of Impediments. The Zoning Code must not be inconsistent with the Federal Housing Laws. The Zoning Ordinance definition for disability had to be updated to mirror the State Housing Laws adding alcoholism and drug treatment facilities to the list of licensed group homes. Also add an additional section to the Municipal Code referencing Housings for Older Persons Act. These minor amendments bring the City into compliance with current State and Housing Laws. Compliance is a criteria bar for most grants and various other funding programs.

**Mayor Krupa declared the Public Hearing opened at 8:00 p.m.**

There were no comments presented at this time.

**Mayor Krupa declared the Public Hearing closed at 8:00 p.m.**

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

Ordinance was read by title only

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## Discussion/Action Item

26. **Urgency Ordinance to Extend Moratorium on Massage Establishments** – City Attorney Vail

a. Adopt an Urgency Ordinance to extend the moratorium on massage establishments. **Urgency Ordinance No. 1899**

**Eric Vail, City Attorney**, on February 24, 2015 the City Council adopted a 45-day Interim Urgency Ordinance placing a moratorium on new massage establishments. The Government Code allows an extension of that ordinance. Staff is recommending that the City Council adopt the Urgency Ordinance extending the moratorium on massage establishments for a period of 10 months and 15 days to give staff additional time to prepare a draft ordinance working with existing massage establishment operators and practitioners. The City Attorney's Office is drafting the regulations that were amended by AB 1147 and will begin working with City staff on the ordinance.

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

**27. FY 2015/2016 Staffing for Adequate Fire and Emergency Response (Safer) Grant – Fire Chief Brown**

- a. Approve the 2015/2016 SAFER Grant application in the amount of \$4,435,998 and authorize acceptance if awarded; and
- b. Approve the proposed expenditure plan for the \$4,435,998 in the (SAFER) Grant funding for FY 2015/2016; and
- c. Upon award of the Grant, authorize increase in revenues of \$4,435,998, increase in appropriation in the amount of \$4,435,998 to accounts to be assigned by Finance based on the approved expenditure plan.

**Scott Brown, Fire Chief,** gave the City Council a powerpoint regarding the overview of fiscal strategies for the Fire Department. A comprehensive review and analysis of City of Hemet Fire/EMS Services, placing focus on all fiscal, operational and administrative functions is presently underway. Changes in tracking program costs are being considered, such as a separate budget for the Paramedic Program. Overtime tracking, reporting methodology and a reduction strategy is being developed for both discretionary and non-discretionary overtime. A portion of the Departments overtime is reimbursed by FEMA for large fire response however, there is a delay in reimbursement sometimes in a later fiscal reporting period. Alternate funding sources and grants are being sought and considered. Standards for Coverage, Deployment Study will be complete in 90 to 120 days. The Department will identify areas for service improvement that can be accomplished within the existing budget. We have reinstated squad service in East Hemet within the existing budget. An application for the SAFER Grant was submitted on March 6, 2015 with a request for \$4,435,998.00. The requested amount will pay for 9 Fire Fighters to fill current vacancies, 9 Fire Fighters to augment staffing and 3 Fire Fighters to re-staff Truck Company. The two-year SAFER Grant will cover salary and benefits for entry-level firefighters. It will not cover "indirect cost", such as: physicals; background checks; and other hiring related costs. The grant will not cover salary differentials for Engineers/Captains. The additional staffing will reduce the department's overtime budget significantly. Year 1 Grant appropriation is \$2,155,377.00 and Year 2 Grant appropriation is \$2,280,621.00. If awarded and approved, this grant will reduce the department's impact on the City's General Fund. It will provide Hemet Fire/EMS Services with budgetary stability and provides necessary funding to fill vacant positions.

**Mayor Pro Tem Wright,** asked if this grant has the same requirement as the previous grant, the requirement to retain the employees after the grant expiration. Mayor Pro Tem Wright asked how many Fire Fighters the City can hire without obtaining this grant.

**Fire Chief Brown,** the grant is for two year period, there is no obligation for the City to continue the employment of the Fire Fighters hired under the terms of the grant. There is a possibility that employees hired under the grant would be laid off. In July 2015, the department has 5 employees that are eligible for retirement. The department currently has 7 vacancies and do not have the authority to fill them permanently. There is one person left on the already extended Fire Fighter eligibility list. There are a number of current employees working in an acting capacity.

**Mayor Pro Tem Wright** there is an ability to negotiate on any of the special conditions and asked if that was considered with the previous SAFER grants.

**Fire Chief Brown,** I would have to get back to you on the details or considerations of the previous grants. With respect to the current grant, if we are approved we do have the right to negotiate this grant. This action is to let the City Council know that staffed applied for the grant and to seek authorization to move forward if awarded.

**Mayor Krupa,** expressed her concern with hiring employees on grants and the risk of laying them off. It would be good if we can fill the 9 vacant positions with this grant and give the General Fund some breathing room. Mayor Krupa expressed concern with approving or accepting a grant prior to knowing the conditions. Mayor Krupa is in favor of approving the submittal of the application at this time.

**Fire Chief Brown,** there is a 30 day period to either accept or deny the grant based on the conditions. The goal is to right size the department within our means using every option available, this is just one.

**Mayor Krupa,** disagrees with the recommendation to authorize acceptance and approve the expenditure plan until the terms and conditions of the grant are available to discuss.

**Mayor Pro Tem Wright,** it might have been better to authorize the Fire Chief or their designee to accept the grant if awarded. Apply for any grant is a competitive process by which you never know the outcome. If awarded, the special conditions can be considered or negotiated at that time.

**Council Member Raver,** after a review of the history of the previous SAFER Grants. The previous grant that was applied for and awarded was not used for its intended purpose. After we were awarded and did not accept the SAFER II Grant, FEMA might not consider the City of Hemet. If the outcome is that Fire Fighters need to be laid off after the term of the grant, that in my opinion is easier than losing residents or structures because of inadequate staffing levels. Council Member Raver recommends that the City Council move forward with staff's recommendations and hire additional staff as soon as possible. There will be other grants available at the end of the two year period.

**Council Member Raver moved and Mayor Pro Tem Wright seconded a motion to approve this item as presented.**

The City Council continued deliberations on the recommendation to authorize acceptance and approve the expenditure plan.

**Mayor Krupa moved and Council Member Youssef seconded a substitute motion to approve the submittal of the grant application only at this time. Motion carried 4-0.**

28. **Award of Contract for Consultant to assist in Water/Sewer System Concession Agreement Request for Proposal, Evaluation, and Negotiations – City Manager Hill**

- a. Award a consultant contract to PERC Water Corporation in the amount of \$86,000 plus other reimbursable costs to assist in developing a Request for Proposal for a water/sewer system concession agreement, evaluating the proposals, and assistance in drafting and negotiating a concession agreement; and
- b. Appropriate \$68,800 from water enterprise fund 571 reserves and \$26,756 from sewer special revenue fund 254 reserves, to establish a project budget of \$95,556.

**Wally Hill, City Manager**, this item came before you last month and was tabled until the water rate study was presented. The direction to consider deficit reduction strategies was given to the City Manager at the strategic planning sessions. One of these strategies is to research the feasibility of entering into a franchise agreement or concession agreement with another entity to manage, operate, maintain, and repair the City's water/sewer utility systems, and pay to the City a concession fee in a way that would benefit the City's General Fund. This item provides for the assistance of a consultant in determining the feasibility of a utility concession agreement.

The City Council and staff discussed the services that would be provided by PERC Water Corporation.

**Council Member Raver**, expressed concern with the proposal. I have taken the time to go to the water and sewer departments to see what the employees do. Council Member Raver passed out a list of the positions and their responsibilities. Council Member Raver does not see how or where cuts can be made to save money. Council Member Raver is opposed to increasing the water rates to supplement the General Fund. Council Member Raver understands that the City is operating in a deficit and a status quo budget will be balanced with reserves. Council Member Raver feels that the City needs to look at the way it provides all services suggesting that the City work with San Jacinto on ways to potentially reduce the cost of government.

**Mayor Krupa**, asked Mr. Bob Nespeca of PERC Water Corporation if there is a delivery model that take into consideration Proposition 218 and still creates a revenue stream for the City's General Fund.

**Bob Nespeca, PERC Water Corporation**, feels that the model used in the City of Rialto would work. Mr. Nespeca explained the model in detail. PERC Water Corporation will help the City Council and staff create the deal points.

The City Council and staff discussed Proposition 218 as it applies to the concession payment.

**Mayor Krupa**, Proposition 218 is a concern. Mayor Krupa spoke to employees from the City of Claremont regarding the sale of their water system understanding that their situation is different. It is hard to consider spending money when there is no guarantee that a revenue stream would be available at the end of the day.

**Mr. Nespeca**, the City Council does have the ability to end the process at any time. One of the first actions will be to research the Proposition 218 concern.

**Mr. Vail**, in order for a legal determination to be made, we have to know if there are efficiencies in the system. It is my opinion and staffs opinion that there are appropriate ways for the City to receive money for its water utility to be used in the General Fund without it being a tax. In order to determine that we need to hire a consultant to look at the systems operation, its value and if there is a market.

**Council Member Youssef**, we need to look at the options. Even if the concession payment only allows the City to hire one more Fire Fighter or Police Officer, we need to consider it. The Refuse contract is favorable to the residents and the City.

**Council Member Raver**, expressed concern that the concessionaire would profit by selling the City's surplus water. The City should consider selling the water to offset the costs instead.

**Mayor Pro Tem Wright**, expressed concern with the City's aging infrastructure. There is funding available at this time to pay for improvements. The City is still responsible for maintaining the infrastructure. The system would be more valuable if approved. There will be a rate increase regardless of the system operator the rates have not been increased since 2008. Grant funding and low interest rate loans are available.

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**Ray Strait, Hemet,** recommended that the City Council deny the recommendation.  
**Council Member Raver moved and Mayor Pro Tem Wright seconded a motion to deny the recommendation. Motion failed 2-2. Council Member Youssef and Mayor Krupa voted No.**  
**Council Member Youssef moved and Mayor Krupa seconded a motion to table this item to April 14, 2015. Motion carried 3-1. Council Member Raver voted No.**

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## City Council Reports

### 29. CITY COUNCIL REPORTS AND COMMENTS

#### A. Council Member Milne

1. Riverside County Habitat Conservation Agency (RCHCA)
2. Riverside Conservation Authority (RCA)
3. Disaster Planning Commission

#### B. Council Member Raver

1. Planning Commission
2. Traffic and Parking Commission
3. Riverside Transit Agency (RTA)
4. Riverside County Transportation Commission (RCTC)
5. Watermaster Board

#### C. Council Member Youssef

#### D. Mayor Pro Tem Wright

1. Park Commission
2. Riverside County Habitat Conservation Agency (RCHCA)
3. Ramona Bowl Association
4. League of California Cities
5. Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Wright attended the Hemet-San Jacinto Chamber of Commerce's Reverse Drawing.

#### E. Mayor Krupa

1. Riverside Conservation Authority (RCA)
2. Ramona Bowl Association

The First Nighter party will be held on Saturday, April 18<sup>th</sup> at the Hemet Stock Farm

3. Riverside Transit Agency (RTA)
4. Watermaster Board
5. Library Board
6. League of California Cities
7. Riverside County Transportation Commission (RCTC)

On April 9<sup>th</sup>, the EIR for the Mid-County Parkway will be considered.

8. Western Riverside Council of Governments (WRCOG)

Mayor Krupa, John Jansons and Sarah McComas witnessed the first RV to come of the assembly line at Forest River. Unit 1 is in production with 80 employees at this time.

F. Ad-Hoc Committee Reports

1. West Hemet MSHCP Ad-Hoc Committee
2. Regent Development Agreement Ad-Hoc Committee
3. Diamond Valley Lake Recreation Ad-Hoc Committee

G. City Manager Hill

1. Manager's Reports
2. SCAG General Assembly Delegate and Alternate, May 7 & 8, 2015, Palm Springs

**The City Council appointed Mayor Pro Tem Wright at the City's Delegate and Mayor Krupa as the City's Alternate for the SCAG General Assembly.**

**The City Council appointed Council Member Youssef and Mayor Pro Tem Wright to serve on the Special Events Ad-Hoc Committee for FY 15/16.**

**The City Council choose Council Member Milne and Mayor Pro Tem Wright to attend the Town Hall Meeting to be held at Hemet West.**

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The City Council recessed to Closed Session at 9:24 p.m.

### **Continued Closed Session**

3. Public Employee Performance Evaluation  
Pursuant to Government Code section 54962  
Titles: *City Manager*  
*City Attorney*

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Reconvened at 9:58 p.m.

### **City Attorney Continued Closed Session Report**

6. Public Employee Performance Evaluation  
Pursuant to Government Code section 54962  
Titles: *City Manager*  
*City Attorney*

**The City Council concluded the discussion regarding the position of City Manager. The City Council voted 3-1 to terminate Wally Hill. Council Member Raver, Mayor Pro Tem Wright and Mayor Krupa voted Yes. Council Member Youssef voted No. Council Member Milne was absent. Pursuant to Mr. Hill's employment agreement he will receive a 45 day notice and will be on Administrative Leave during that period. The City Council appointed Dave Brown as Acting City Manager until an Interim is appointed. The Interim City Manager will remain through the recruitment process. The City Council completed the City Attorney's performance evaluation. There was no additional reportable action.**

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### **Future Agenda Items**

There were no future items requested at this time.

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### **Adjournment**

Adjourned at 10:01 pm to Tuesday, April 14, 2015 at 7:00 p.m.



AGENDA # 11

## *Staff Report*

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**To:** Honorable Mayor and Members of the City Council  
**From:** Mayor Pro Tem Wright  
**Date:** April 14, 2015  
**RE:** Planning Commission Appointment

**RECOMMENDATION:**

Mayor Pro Tem Wright respectfully recommends that the City Council appoint Tami Wilhelm to Seat 4 on the Planning Commission in order to fill a term expiration. The two year term will expire April 1, 2017.

**BACKGROUND:**

Ms. Wilhelm is a lifetime community member. Ms. Wilhelm's experience with the Wilhelm Ranch Specific Plan and her familiarity with MSHCP and BLM will be an asset on the Commission. Ms. Wilhelm has served on a number of City Ad-Hoc Committees and currently serves on the Board of the Ramona Bowl and the California Land Conservancy. I highly recommend the appointment of Tami Wilhelm to the City's Planning Commission.

Respectfully submitted,

Bonnie Wright  
Mayor Pro Tem



**CITY OF HEMET**  
**Application for Appointment**  
**to Volunteer Commissions/Board/Committee**

COMMISSION/BOARD/COMMITTEE that you wish to apply for:

HEMET PLANNING COMMISSION

NAME: TAMI WILHELM

ADDRESS: 27637 VISTA DEL VALLE

CITY: HEMET CA ZIP: 92544

TELEPHONE: 951-235-7952

Past Experience and/or Education: WILHELM RANCH S.P. - CONSULTANT:  
MSHCP, SECTION 7 PERMITTING, STATE F.W.S., BLM

Other Boards and/or Commissions on which you have served: CITY OF HEMET:

AD HOC - ADOPT A WALK 1992 - AD HOC - GRAFFITI ABATEMENT 1994

AD HOC - DIAMOND VALLEY LAKE BODY CONTACT 1997 -

Organizations you have belonged to REMONA BOWL B.O.D., ROTARY

CALIFORNIA LAND CONSERVANCY B.O.D.

How long have you lived in the community? 57 years \_\_\_\_\_ months

On a separate sheet of paper, please describe briefly why you wish to be appointed to this Commission.

Return to:  
 City Clerk  
 City of Hemet  
 445 E. Florida Avenue  
 Hemet, CA 92543

Tami C. Wilhelm 3/28/15  
 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.*



## Staff Report

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TO: Honorable Mayor and Members of the City Council

FROM: Jessica A. Hurst, DCM/Administrative Services Director;  
Dave Brown, Acting City Manager 

DATE: April 14, 2015

RE: Warrant Register

The City of Hemet's warrant registers dated March 19, 2015 in the amount of \$1,218,247.34 and April 2, 2015 in the amount of \$1,162,374.54 are currently posted on the City's website in the Finance Department section, under *Financial Information*. Payroll for the period of March 2, 2015 to March 15, 2015 was \$582,232.70 and March 16, 2015 to March 29, 2015 was \$628,484.16.

### CLAIMS VOUCHER APPROVAL

"I, Jessica A. Hurst, 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,



Jessica A. Hurst  
Deputy City Manager/Administrative Services Director

JAH: mh

CITY OF HEMET  
VOUCHER/WARRANT REGISTER  
FOR ALL PERIODS

CLAIMS VOUCHER APPROVAL

I, JESSICA A. HURST, 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.

JESSICA A. HURST  
DCM/ADMINISTRATIVE SERVICES DIRECTOR



## Staff Report

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TO: Honorable Mayor and Members of the Hemet City Council

FROM: Jessica A. Hurst, Deputy City Manager/Admin Services  
David Brown, Acting City Manager 

DATE: April 14, 2015

RE: Regional Conservation Authority Board action to approve implementing the Western Riverside County MSHCP local development mitigation fee CPI adjustment for Fiscal Year 2015-16.

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### **RECOMMENDATION**

That the City Council of the City of Hemet receive and file the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) fee applicable to all developments in the City of Hemet effective as of July 1, 2015.

### **BACKGROUND:**

On January 27, 2004, the City Council established Ordinance No. 1712 to implement the goals and objectives of the Western Riverside County Regional Conservation Authority (RCA) Multiple Species Habitat Conservation Plan (MSHCP), and to mitigate the impacts caused by new development in the City of Hemet. Lands supporting species covered by the MSHCP must be acquired and conserved per Hemet Municipal Code Section 31-2 (1), established under the authority of Title 7, Division 1, Chapter 5 of the Government Code, beginning with Section 66000, which provides that a local agency may establish fees for the purpose of defraying all or a portion of the cost of public facilities related to development projects (*Section 31-3*).

Section 31-13 of the Hemet Municipal Code authorizes revision by means of an automatic adjustment at the beginning of each fiscal year based on the average percentage change over the previous calendar year set forth in the Consumer Price Index (CPI). On March 2, 2015 the RCA Board of Directors took action to approve implementing the CPI adjustment for Fiscal Year 2015-16; the City was notified of this action in a letter dated March 17, 2015. MSHCP fees have not increased since fiscal year 2008-09.

The City will include the revised fee in the annual report provided to the City Council in accordance with Government Code section 66006.

**FISCAL IMPACT:**

No fiscal impact. This fee is collected and passed through to Western Riverside County Regional Conservation Authority.

Respectfully submitted,



Jessica A Hurst, DCM/Admin Services

**ATTACHMENT:**

Western Riverside County MSHCP Fee Schedule

**WESTERN RIVERSIDE COUNTY  
MULTIPLE SPECIES HABITAT CONSERVATION PLAN**

**LOCAL DEVELOPMENT MITIGATION FEE  
SCHEDULE FOR FISCAL YEAR 2016  
(Effective July 1, 2015 – June 30, 2016)**

<b>Fee Category</b>	<b>Fee</b>
Residential, density less than 8.0 dwelling units per acre (fee per dwelling unit)	\$ 1,952
Residential density between 8.0 and 14.0 dwelling units per acre (fee per dwelling unit)	\$ 1,250
Residential density greater than 14.0 dwelling units per acre (fee per dwelling unit)	\$ 1,015
Commercial (fee per acre)	\$ 6,645
Industrial (fee per acre)	\$ 6,645



*Staff Report*

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Eric Vail, City Attorney

DATE: April 14, 2015

RE: Approval of At-Will Employment Agreement for the position of Interim City Manager

**RECOMMENDATION:**

That the City Council approve the attached employment agreement between the City of Hemet and Gary Thornhill.

**BACKGROUND:**

At the March 24, 2014 Council Meeting the City Council, in closed session, approved an offer to Gary Thornhill for the position of Interim City Manager and directed the City Attorney to negotiate a contract with Mr. Thornhill. The attached Employment Agreement implements the terms of the Council's offer and has been accepted by Mr. Thornhill.

Mr. Thornhill is a CalPERS annuitant. CalPERS allows for CalPERS annuitants (retirees) to work for CalPERS agencies on a temporary basis for no longer than 960 hours as long as recruitment for a permanent appointment to the position is underway. Additionally, CalPERS requires that the annuitant have special skills necessary to fill the position on an interim basis to prevent the stoppage of public business. Mr. Thornhill, by virtue of his significant experience as an assistant City Manager and management positions in other cities, has those special skills required to fill the position until a recruitment of a permanent City Manager can be completed.

**FISCAL IMPACT:**

The position of City Manager has been included in the FY 2014-2015 Adopted Budget. Mr. Thornhill will work at the hourly equivalent of a base salary of \$215,000 per year, but for no more than 960 hours per fiscal year. Former City Manager Wally Hill's base salary was \$232,000, with benefits. Mr. Thornhill will receive no benefits as requested by state law because of his status as a CalPERS annuitant.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "ESVail", written over a faint, illegible background.

Eric S. Vail  
City Attorney

Attachment(s): Employment Agreement

**EMPLOYMENT AGREEMENT  
For the Position Of  
INTERIM CITY MANAGER**

This Employment Agreement ("Agreement") is made and entered into this 15<sup>th</sup> day of April 2015, by and between the CITY OF HEMET ("CITY"), a California municipal corporation and general law city, and GARY THORNHILL ("THORNHILL"), an individual, on the following terms and conditions:

**RECITALS**

A. CITY desires to employ the services of THORNHILL as its Interim City Manager, temporarily, to carry out the duties and responsibilities of City Manager as provided in the Hemet Municipal Code, in consideration of and subject to the terms and conditions set forth in this Agreement. CITY further desires to employ the services of THORNHILL to structure and oversee an appropriate professional executive search and to assist the CITY with a statewide executive management recruitment to fill the position of City Manager on a regular basis.

B. THORNHILL desires to accept employment as Interim City Manager in consideration of and subject to the terms and conditions set forth in this Agreement.

C. THORNHILL represents that he is a retired annuitant of CalPERS within the meaning of Government Code § 21221(h) and acknowledges that he is restricted to working no more than 960 hours for CITY, a state agency or other CalPERS contracting agencies (collectively "CalPERS Agencies") for the term of this Agreement, or for any additional or subsequent term as may be approved by CalPERS, and that his compensation is statutorily limited as provided in Government Code § 21221(h). THORNHILL represents that he will not work for any CalPERS Agencies during the term of the Agreement, and that he has not received unemployment compensation from any CalPERS Agencies during the 12-month period preceding the effective date of this Agreement.

D. CITY has determined that it is necessary to hire THORNHILL, a retired annuitant, because the position of Interim City Manager requires special skills, and THORNHILL, by virtue of his significant experience as both city manager and interim city manager in other cities, has those special skills, and that it is necessary to hire THORNHILL to ensure there is no stoppage of public business.

**OPERATIVE PROVISIONS**

In consideration of the promises and covenants contained herein, the parties agree as follows:

**1. Position and Duties.**

**1.1 Position.** THORNHILL accepts employment with CITY as its Interim City Manager and shall perform all functions, duties and services set forth in Section 1.4 [Duties] of this Agreement. THORNHILL shall provide service at the direction and under the supervision of the City Council. It is the intent of the parties that THORNHILL, as the Interim City Manager, shall keep the City Council fully apprised of all significant ongoing operations of CITY. Toward that end, THORNHILL shall report directly to the City Council and will periodically, or as may be otherwise specifically requested by the City Council, provide status reports to the City Council on his activities and those of CITY.

**1.2 Term.** The term of this Agreement shall commence upon being executed by THORNHILL and approved by the City Council and executed by CITY's Mayor ("Commencement Date"). THORNHILL shall commence the performance of his duties as the Interim City Manager on Wednesday, April 15, 2015. The parties contemplate that THORNHILL will work for a term of six (6) months or more for CITY as its Interim City Manager, however, to comply with CalPERS requirements, the term of this Agreement shall expire as of the first of the following to occur: (i) 5:00 p.m. on Thursday, October 15, 2015; (ii) upon the employment commencement date of a permanent City Manager employed by CITY; (iii) upon THORNHILL working his 960<sup>th</sup> hour for CITY, including hours worked for other CalPERS Agencies during the term of this Agreement; or (iv) upon termination of the Agreement by either THORNHILL or CITY as provided in Section 4 [Termination] of this Agreement.

**1.2.1 Extension of Term.** Notwithstanding Section 1.2, the parties may, by mutual written agreement, extend the term of this Agreement by such period or periods agreed upon by the parties, in compliance with Section 7.14 of the Agreement and approval by CalPERS.

**1.3 At-Will.** THORNHILL acknowledges that he is an at-will, temporary employee of CITY who shall serve at the pleasure of the City Council at all times during the period of his service hereunder. The terms of CITY's personnel rules, policies, procedures, ordinances, resolutions, memorandums of understanding, or collective bargaining agreements, including without limitation CITY Resolution 3838, and subsequent Resolutions, regarding City Administrative Personnel (collectively "Personnel Policies") shall not apply to THORNHILL, and nothing in this Agreement is intended to, or does, confer upon THORNHILL any right to any property interest in continued employment, or any due process right to a hearing before or after a decision by the City Council to terminate his employment, except as is expressly provided in Section 1.2 [Term] or Section 4 [Termination] of this Agreement. Nothing contained in this Agreement shall in any way prevent, limit or otherwise interfere with the right of CITY to terminate the services of THORNHILL, as provided in Section 1.2 [Term] or Section 4 [Termination]. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of THORNHILL to resign at any time from this position with CITY, subject only to the provisions set forth in Section 1.2 [Term] or Section 4 [Termination] of this Agreement. This at-will employment

Agreement shall be expressly subject to the rights and obligations of CITY and THORNHILL, as set forth in Section 1.2 [Term] or Section 4 [Termination] below.

**1.4 Duties.** THORNHILL shall serve as the Interim City Manager and shall be vested with the powers, duties and responsibilities of the City Manager as set forth in Section 2-86 of the Hemet Municipal Code, as may be amended from time to time, the terms of which are incorporated herein by reference. It is the intent of the City Council for the Interim City Manager to function as the chief executive officer of CITY's organization. In addition, THORNHILL shall structure and oversee an appropriate professional executive search and assist the CITY with a statewide executive management recruitment to fill the position of City Manager on a regular basis. Without additional compensation, THORNHILL shall provide such other services as are customary and appropriate to the position of Interim City Manager, including serving as the Interim Executive Director of the Successor Agency to the Hemet Redevelopment Agency and Hemet Housing Authority, together with such additional services assigned from time to time by the City Council as may be consistent with California law and the Hemet Municipal Code. THORNHILL shall devote his best efforts and full-time attention to the performance of these duties.

**1.5 Hours of Work.** THORNHILL shall devote the time necessary to adequately perform his duties as Interim City Manager. The parties anticipate that THORNHILL will work approximately forty (40) hours per week allocated between regular business hours and hours outside of regular business hours including, without limitation, attendance at regular and special City Council meetings, attendance at activities of Directed Organizations (as defined below), and attendance at such community events and CITY functions as the Council may direct. Toward that end, THORNHILL shall be allowed reasonable flexibility in setting his own office hours, provided the schedule of such hours provides reasonable availability to the City Council, CITY staff, and members of the community during regular CITY business hours and for the performance of his duties and of CITY business. However in no event shall THORNHILL be required to work in excess of 960 hours for City including hours worked for other CalPERS Agencies during the term of this Agreement. The position of Interim City Manager shall be deemed an exempt position under California wage and hour law. Although CalPERS regulations require CITY to calculate THORNHILL's salary on an hourly basis, the parties agree that he shall not be treated as an hourly employee for the purposes of applying laws and regulations regarding overtime and that THORNHILL shall not be entitled to any compensation for overtime.

**1.6 Regional and Professional Activity.** The City Council may desire THORNHILL to be reasonably active in statewide, regional and/or local organizations as indicated by the City Council that are deemed necessary to maintain and contribute to the advancement of CITY's interests and standing ("Directed Organizations"). CITY agrees to budget and pay for the dues and subscriptions of the Interim City Manager necessary for his participation in the Directed Organizations, if any. CITY agrees to reimburse, as provided in Section 2.3.3 [Reimbursement] of this Agreement, THORNHILL's reasonable and necessary travel, business and subsistence expenses for the activities related to the Directed Organizations. In addition, THORNHILL may request permission from the City Council to participate in other professional and community activities including, without

limitation, participation in the California League of Cities, ICMA, or other similar national, statewide, regional or professional organizations, and periodic teaching assignments of limited duration at institutions of higher learning or professional instruction located in Southern California, provided that such activities are undertaken on his own time, do not in any way interfere with or adversely affect his employment as Interim City Manager or the performance of his duties as provided herein, and are undertaken as his sole expense.

**1.7 Other Activity.** In accordance with Government Code Section 1126, during the period of his employment, THORNHILL shall not accept, without the express prior written consent of the City Council, any other employment or engage, directly or indirectly, in any other business, commercial, or professional activity (except as permitted under Section 1.6 [Regional and Professional Activity]), whether or not to pecuniary advantage, that is or may be competitive with CITY, that might cause a conflict-of-interest with CITY, or that otherwise might interfere with the business or operation of CITY or the satisfactory performance of THORNHILL's duties as Interim City Manager.

## **2. Compensation.**

**2.1 Rate of Pay.** For all services performed by THORNHILL as the Interim City Manager under this Agreement, CITY shall pay THORNHILL compensation at the rate of FOUR THOUSAND ONE HUNDRED THIRTY-FOUR dollars and 80/100th cents (\$4,134.80) per week according to the payroll schedule in place for CITY employees paid semi-weekly subject to the limitations provided below.

**2.1.1 Compliance with CalPERS requirements.** It is the intent of the parties to compensate THORNHILL only to the extent permitted under Government Code § 21221(h) and corresponding CalPERS regulations and policy statements. The rate of pay set forth above is based on the salary limitations established by CalPERS and is calculated by taking the maximum monthly base salary provided on the City's publicly available pay schedule for the position of Interim City Manager (\$17,916.66), divided by 173.333 to equal an hourly rate (\$103.37). This amount is less than the maximum monthly base salary paid to the prior City Manager as listed on a publicly available pay schedule for the position of City Manager. Because THORNHILL is a salaried, nonexempt employee, this hourly rate is utilized for the sole purpose of establishing the weekly salary based on an anticipated forty (40) hour work week or \$4,134.80 per week. In no event shall compensation paid to THORNHILL by CITY under this Agreement exceed NINETY-NINE THOUSAND, TWO HUNDRED THIRTY-FIVE dollars and 20/100th cents (\$99,235.20).

**2.1.2 Recordation and Reporting of Hours Worked.** THORNHILL will comply with all applicable CalPERS regulations governing employment after retirement, including the recordation and reporting of all hours worked for CITY to CalPERS as may be required. CITY shall assist in any such reporting obligations to CalPERS.

## **2.2 Benefits.**

**2.2.1 No Benefits.** Pursuant to Government Code §21221(h) and related CalPERS regulations and policy statements, THORNHILL shall not receive from CITY any

benefits CITY commonly provides to its employees, including without limitation health, dental, or vision insurance coverage, life insurance, gym programs, employee assistance programs, and similar benefits. However, City will make such program available to THORNHILL to join, at his sole election and at his sole expense.

## **2.3 Business Related Expenses and Equipment.**

2.3.1 City-Owned Vehicle. CITY shall assign and provide to THORNHILL a CITY vehicle for his exclusive use in the performance of his duties during normal business hours of CITY, which shall not include travel to and from work. If THORNHILL elects to use his personal vehicle, CITY shall reimburse THORNHILL for actual work related miles driven at the then current IRS published rate. THORNHILL shall be entitled to no other or further vehicle allowance. THORNHILL shall keep the vehicle in reasonable repair, shall obey all traffic laws relating to operation of the vehicle and shall use due care and caution in its operation.

2.3.2 Business Related Equipment. CITY shall supply THORNHILL with a cell phone, and such personal data device as is currently in use within the city (e.g. cell phone and iPad) for THORNHILL's exclusive business use. In addition, at THORNHILL's option, and in recognition of the fact THORNHILL may be required to perform job related duties outside the office and/or his home, CITY agrees that it will provide THORNHILL with a CITY owned computer or lap top for CITY business conducted off site. All such equipment supplied to THORNHILL shall remain the property of CITY and shall be returned to CITY at the termination of this Agreement.

2.3.3 Reimbursement. CITY shall reimburse THORNHILL for reasonable and necessary travel, subsistence and other business expenses incurred by THORNHILL in the performance of his duties as Interim City Manager. All reimbursements shall be subject to and in accordance with California law and CITY's adopted Employee Reimbursement Policy.

## **3. Vacation and Leave.**

3.1 **No Leave.** THORNHILL and CITY agree that THORNHILL, in accordance with Government Code Section 21221(h) and related CalPERS regulations and policy statements shall not be provided or accrue any personal time off, vacation, sick leave, administrative leave, paid holidays or similar leave benefits.

## **4. Termination.**

4.1 **By CITY.** This Agreement may be terminated by CITY for any reason seven (7) days after notice in writing to THORNHILL of such termination. CITY's only obligation in the event of such termination will be payment to THORNHILL of all compensation then due and owing as set forth in Section 2.1 [Rate of Pay] up to and including the effective date of termination. However, this Agreement may be terminated immediately if necessitated by changes to CalPERS statutory or regulatory requirements.

**4.2 By THORNHILL.** This Agreement may be terminated by THORNHILL for any reason seven (7) days after notice in writing to CITY of such termination. CITY shall have the option, in its complete discretion, to make THORNHILL's termination effective at any time prior to the end of such period, provided CITY pays THORNHILL all compensation as set forth in Section 2.1 [Rate of Pay] then due and owing him through the last day actually worked.

**4.3 No Notice for Expiration.** Nothing in this Section 4 [Termination] shall be construed to require either party to give advance written notice in order for the Agreement to expire as set forth in Section 1.2 [Term].

**4.4 Termination Obligations.** THORNHILL agrees that all property, including, without limitation, all equipment, tangible Proprietary Information (as defined below), documents, records, notes, contracts, and computer-generated materials furnished to or prepared by him incident to his employment belongs to CITY and shall be returned promptly to CITY upon termination of THORNHILL's employment. THORNHILL's obligations under this subsection shall survive the termination of his employment and the expiration of this Agreement.

**4.5 Benefits Upon Termination.** All benefits to which THORNHILL is entitled under this Agreement shall cease upon THORNHILL's termination in accordance with this Section 4, unless expressly continued either under this Agreement, under any specific written policy or benefit plan applicable to THORNHILL, or unless otherwise required by law.

## **5. Proprietary Information.**

"Proprietary Information" is all information and any idea pertaining in any manner to the business of CITY (or any CITY affiliate), its employees, clients, consultants, or business associates, which was produced by any employee of CITY in the course of his/her employment or otherwise produced or acquired by or on behalf of CITY. Proprietary Information shall include, without limitation, trade secrets, product ideas, inventions, processes, formulae, data, know-how, software and other computer programs, copyrightable material, marketing plans, strategies, sales, financial reports, forecasts, and customer lists. All Proprietary Information not generally known outside of CITY's organization, and all Proprietary Information so known only through improper means, shall be deemed "Confidential Information." During his employment by CITY, THORNHILL shall use Proprietary Information, and shall disclose Confidential Information, only for the benefit of CITY and as is or may be necessary to perform his job responsibilities under this Agreement. Following termination, THORNHILL shall not use any Proprietary Information and shall not disclose any Confidential Information, except with the express written consent of CITY. THORNHILL's obligations under this Section shall survive the termination of his employment and the expiration of this Agreement.

**6. Conflict Of Interest.**

THORNHILL represents and warrants to CITY that he presently has no interest, and represents that he will not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or interfere in any way with performance of his services under this Agreement.

**7. General Provisions.**

**7.1 Recitals.** The recitals, inclusive of all facts and representations, are incorporated into this Agreement as if set forth in the Operative Provisions.

**7.2 Notices.** All notices, requests, demands and other communications under this Agreement shall be in writing and shall be effective upon delivery by hand or three (3) business days after deposit in the United States mail, postage prepaid, certified or registered, and addressed to CITY at the address below, and or at the last known address maintained in THORNHILL's personnel file. THORNHILL agrees to notify CITY in writing of any change in his address during his employment with CITY. Notice of change of address shall be effective only when accomplished in accordance with this Section.

**City's Notice Address:**

City of Hemet  
445 E. Florida Avenue  
Hemet, California 92543  
Attn: Mayor and City Council

**Interim City Manager's Address:**

GARY THORNHILL  
41861 Corte Valentine  
Temecula, CA 92592

**7.3 Indemnification.** Subject to, in accordance with, and to the extent provided by the California Tort Claims Act [Government Code Section 810 *et seq.*] CITY will indemnify, defend, and hold THORNHILL harmless from and against any action, demand, suit, monetary judgment or other legal or administrative proceeding, and any liability, injury, loss or other damages, arising out of any act or omission occurring during THORNHILL's tenure as Interim City Manager.

**7.4 Bonding.** CITY shall bear the full cost of any fidelity or other bonds required of the Interim City Manager under any law or ordinance.

**7.5 Integration.** This Agreement is intended to be the final, complete, and exclusive statement of the terms of THORNHILL's employment by CITY. This Agreement supersedes all other prior and contemporaneous agreements and statements, whether written or oral, express or implied, pertaining in any manner to the employment of THORNHILL, and it may not be contradicted by evidence of any prior or contemporaneous statements or agreements. To the extent that the practices, policies, or procedures of

CITY, now or in the future, apply to THORNHILL and are inconsistent with the terms of this Agreement, the provisions of this Agreement shall control.

**7.6 Amendments.** This Agreement may not be amended except in a written document signed by THORNHILL, approved by the City Council and signed by CITY's Mayor.

**7.7 Waiver.** Failure to exercise any right under this Agreement shall not constitute a waiver of such right.

**7.8 Assignment.** THORNHILL shall not assign any rights or obligations under this Agreement. CITY may, upon prior written notice to THORNHILL, assign its rights and obligations hereunder.

**7.9 Severability.** If a court or arbitrator holds any provision of this Agreement to be invalid, unenforceable, or void, the remainder of this Agreement shall remain in full force and effect.

**7.10 Attorneys' Fees.** In any legal action, arbitration, or other proceeding brought to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs.

**7.11 Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of California, with venue proper only in Riverside County, State of California.

**7.12 Interpretation.** This Agreement shall be construed as a whole, according to its fair meaning, and not in favor of or against any party. By way of example and not in limitation, this Agreement shall not be construed in favor of the party receiving a benefit nor against the party responsible for any particular language in this Agreement. Captions are used for reference purposes only and should be ignored in the interpretation of the Agreement. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the parties to this Agreement and by no other means. Each party waives their future right to claim, contest or assert that this Agreement was modified, cancelled superseded or changed by any oral agreement, course of conduct, waiver or estoppel.

**7.13 Acknowledgment and Agreement to Obtain CalPERS Review.** THORNHILL acknowledges that he has had the opportunity to consult legal counsel in regard to this Agreement, that he has read and understands this Agreement, that he is fully aware of its legal effect, and that he has entered into it freely and voluntarily and based on his own judgment and not on any representations or promises other than those contained in this Agreement. CITY and THORNHILL further mutually agree that should the parties determine that it will be necessary to continue this Agreement beyond October 15, 2015 to complete the duties set forth in Section 1.4, CITY and THORNHILL shall jointly submit this Agreement for review by CalPERS prior to October 15, 2015, to ensure that THORNHILL's status as a retired annuitant with CalPERS will not be jeopardized in continuing to perform

the services set forth in this Agreement. The parties agree that THORNHILL has no obligation to perform services under this agreement after October 15, 2015, unless and until CalPERS approves or otherwise authorizes such work.

**IN WITNESS WHEREOF**, CITY has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested to by its City Clerk, and THORNHILL has signed and executed this Agreement, as of the date first indicated above.

**INTERIM CITY MANAGER**

**CITY OF HEMET**

\_\_\_\_\_  
GARY THORNHILL

\_\_\_\_\_  
Linda Krupa, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Sarah McComas, City Clerk

\_\_\_\_\_  
Eric S. Vail, City Attorney



## *Staff Report*

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TO: Honorable Mayor and Members of the Hemet City Council

FROM: David M. Brown, Acting City Manager  
Eric S. Vail, City Attorney

DATE: April 14, 2015

RE: Approval of At-Will Employment Agreement for the position of Fire Chief

### **RECOMMENDATION:**

That the City Council approve the attached employment agreement between the City of Hemet and Don Scott Brown for the position of Fire Chief.

### **BACKGROUND:**

On January 22, 2015, the city manager opened a national recruitment for the position of Fire Chief. The Human Resources Manager received 13 applications from candidates in 6 different states. On March 24, 2015, the top 4 candidates, all currently serving as fire chiefs, were interviewed by a professional panel that included the city manager, deputy city manager, police chief and the fire chief of a large Southern California municipal fire department.

The consensus of the interview panel was that Don Scott Brown was the most highly-qualified and professionally prepared to excel in the role of Fire Chief for the City of Hemet. In the following week, I commissioned an extensive executive background investigation in order to verify employment, certifications, education and professional and personal credibility. My review of the materials confirmed my assessment that Don Scott Brown is exceptionally qualified and prepared to serve as Hemet's Fire Chief.

### **DISCUSSION:**

Chief Brown has served as Hemet's Interim Fire Chief since December, 2014. During that time, Chief Brown has worked to build consensus within the fire department, city government and Hemet community. He has a thorough understanding of the fiscal, operational and staffing challenges and opportunities within the department. He has proven to be a valued participant in discussions and action toward building upon the professionalism and innovative opportunities within the Hemet fire department.

Chief Brown's professional experience includes 38 years of progressive fire/EMS experience including many years working as a firefighter/paramedic, urban search and

rescue (USAR) team member and team leader, and public information officer. Chief Brown's management and leadership experience includes a variety of assignments and accomplishments at the rank of battalion chief and division chief in a large southern California regional fire authority and as a community fire chief.

**FISCAL IMPACT:**

Chief Brown participated in negotiations resulting in his agreement to the terms outlined in the attached Employment Agreement. The base salary of one-hundred fifty thousand dollars (\$150,000) is significantly lower than that of the last outside fire chief hired in 2008 at \$162,000. Chief Brown also intends to opt-out of city-paid medical insurance with no financial consideration, a savings of over \$12,000 per year to the city.

Respectfully submitted,



David M. Brown  
Acting City Manager

Attachment(s): Employment Agreement – Fire Chief

**EMPLOYMENT AGREEMENT**  
**For the Position of**  
**FIRE CHIEF**

This Employment Agreement ("Agreement") is made and entered into this 15th day of April 2015, by and between the CITY OF HEMET ("CITY"), a California municipal corporation and general law city, and Don Scott Brown ("BROWN"), an individual, on the following terms and conditions:

**RECITALS**

A. CITY desires to employ the services of BROWN, as Fire Chief of CITY ("Fire Chief"), in consideration of and subject to the terms, conditions, and benefits set forth in this Agreement.

B. BROWN desires to accept employment as Fire Chief in consideration of and subject to the terms, conditions, and benefits set forth in this Agreement.

**OPERATIVE PROVISIONS**

In consideration of the promises and covenants contained herein, the parties agree as follows:

**1. POSITION AND DUTIES.**

1.1 **Position.** BROWN accepts employment with CITY as its Fire Chief and shall perform all functions, duties and services set forth in Section 1.3[Duties] of this Agreement. BROWN shall provide service at the direction and under the supervision of the City Manager and/or the City Manager's designee. It is the intent of the parties that the Fire Chief shall be responsible for the development and management of Fire Department programs, activities and services and shall establish efficient and effective departmental operations consistent with CITY policies and administrative guidelines established by the City Manager. Toward that end, BROWN shall report directly to the City Manager and will periodically, or as may be specifically requested by CITY, provide status reports to CITY Manager and/or the City Council on his activities and those of the Fire Department.

1.2 **Period of Employment/Commencement Date.** BROWN shall serve for an indefinite term subject to the provisions contained in this Agreement concerning termination of his services or voluntary separation from service. CITY shall employ BROWN from the date of commencement of his service, as specified in this section, until his employment is terminated in accordance with Section 6 [Termination] of this Agreement. BROWN shall commence the performance of his duties as Fire Chief on April 15, 2015, or at such other earlier date as the parties hereto shall agree in writing ("Commencement Date").

1.3 **Duties.** BROWN shall serve as the Fire Chief and shall report directly to the City Manager. BROWN, as the Fire Chief, shall be vested with the powers, duties and responsibilities set forth in both the Hemet Municipal Code and the attached job description, as both may be amended from time to time, the terms of which are incorporated herein by reference. Without additional compensation, BROWN shall provide such other services as are customary and appropriate to the position of Fire Chief, together with such additional services assigned from time to time by the City Council of CITY, as may be consistent with California and federal law and the Hemet Municipal Code. Material changes to BROWN's job duties will permit a reopener of this Agreement within thirty (30) days following such changes. BROWN shall devote his best efforts and full-time attention to the performance of these duties.

1.4 **Hours of Work.** BROWN shall devote the time necessary to adequately perform his duties as Fire Chief. The parties expect that a minimum of forty (40) hours per week during regular business hours, as well as additional time outside of the normal business hours, will be required to satisfy this requirement. Toward that end, BROWN shall be allowed reasonable flexibility in setting his own office hours, based upon a regular four-day work week, provided the schedule of such hours provides adequate availability to the City Manager and/or the City Manager's designee, CITY staff, and members of the community during normal business hours and for the performance of his duties and of CITY business. The position of Fire Chief shall be deemed an exempt position under the Fair Labor Standards Act. BROWN's compensation (whether salary or benefits or other allowances) is not based on hours worked and BROWN shall not be entitled to any compensation for overtime.

1.5 **Regional and Professional Activity.** During the period of employment, CITY desires BROWN to be reasonably active in national, statewide, regional and professional organizations that will contribute to Fire Chief's professional development and standing and that will contribute to the advancement of CITY's interests and standing. Toward that end, BROWN may, upon advance notice to and approval of the City Manager, undertake such activities as are directly related to his professional development and that advance the interests and standing of CITY, provided that such activities do not in any way interfere with or adversely affect his employment as Fire Chief or the performance of his duties as provided herein. Participation in such activities shall be subject to the constraints of CITY's adopted budget. CITY agrees to budget and pay for the dues and subscriptions of the Fire Chief necessary for his participation in such organizations subject to the approval of the City Manager. CITY agrees to reimburse BROWN's reasonable and necessary travel, business and subsistence expenses for his activities as provided in Section 1.7[Reimbursement] of this Agreement.

1.6 **Other Activity.** During the period of his employment, BROWN shall not, except with the express prior written consent of the City Manager, accept any other employment or engage, directly or indirectly, in any other business, commercial, or professional activity (except as permitted under Section 1.5 [Regional and Professional

Activity]), whether or not for pecuniary advantage, that is or may be competitive with CITY, that might cause a conflict-of-interest with CITY, or that otherwise might interfere with the business or operation of CITY or the satisfactory performance of BROWN's duties as Fire Chief .

1.7 **Reimbursement.** CITY shall reimburse BROWN for reasonable and necessary travel, subsistence and other business expenses incurred by BROWN in the performance of his duties. All reimbursements shall be subject to and in accordance with CITY's adopted Employee Reimbursement Policy.

**2. COMPENSATION.**

2.1 **Base Salary.** BROWN shall receive an annual base salary of one hundred fifty thousand dollars (\$150,000.00) paid according to the payroll schedule in place for CITY employees paid bi-weekly.

2.2 **Merit Increase.** On or about the 6-month anniversary date of BROWN's Commencement Date as stated in Section 1.2 [Period of Employment/Commencement Date], the City Manager, in his sole discretion, may award BROWN a merit increase in base annual salary. Any and all adjustments to BROWN's compensation will be obtained through negotiation with the City Manager and are not governed by CITY's Personnel Policies or Administrative Personnel Resolution.

2.3 **Deferred Compensation.** During the period of employment, BROWN shall be entitled to participate in, and CITY shall contribute to, the 457 deferred compensation program for BROWN at a rate of two percent (2%) of monthly salary on a monthly basis provided CITY continues to maintain this plan for CITY employees. BROWN is eligible to contribute up to the combined plan annual limits for the deferred compensation program.

**2.4 Benefits.**

2.4.1 **Health Insurance.** CITY agrees that during the period of employment it will make available to BROWN and his eligible dependents CITY health insurance, currently capped at \$953.81 per month, which may change from time to time as CITY adjusts the cap for all CITY employees, and fully paid dental and vision. If accepted, BROWN agrees to pay the remaining portion of such premium payments through regular payroll deduction from BROWN's base salary. Brown shall have the option of "opting out" of this benefit at no cost.

2.4.2 **Life Insurance.** CITY agrees that during the period of employment it will provide BROWN with, and pay one hundred percent (100%) of the premium payments for, a term life insurance policy in an amount equal to one hundred percent (100%) of base annual salary.

2.4.3 Long-Term Disability Insurance. CITY agrees that during the period of employment it will pay one hundred percent (100%) of the premium payments applicable to, and to otherwise permit BROWN to participate in, CITY's long-term disability insurance with a sixty percent (60%) of base salary benefit, with a maximum monthly benefit of thirteen thousand dollars (\$13,000.00), and with a thirty-day (30) waiting period following illness/injury qualifying period. CITY does not provide short-term disability benefits.

2.4.4 Gym Program. During the period of employment, BROWN is eligible to participate in CITY's Gym Program and utilize CITY designated gym facilities in accordance with the guidelines established for such program.

2.4.5 Employee Assistance Program. During the period of employment, BROWN and his eligible dependents are eligible to participate in CITY's Employee Assistance Program in accordance with the guidelines established for such program.

2.4.6 City-Owned Vehicle. During the period of employment, CITY will provide BROWN a CITY owned Hemet Fire Department vehicle equipped with emergency equipment as described in CVC 21055(b) for his exclusive professional use and for his personal use (limited to personal use incidental to work functions and commuting to and from work) in order to maintain a reasonable after hours response time to the city limits. CITY shall pay for the necessary costs associated with vehicle registration, insurance, fuel and maintenance. BROWN shall keep the vehicle in reasonable repair, obey all traffic laws related to the operation of the vehicle and shall use due care and caution in its operation.

2.4.7 Educational Reimbursement. During the period of employment, BROWN is eligible to participate in CITY's tuition-reimbursement program, which covers courses taken at accredited colleges, accredited universities, correspondence courses and other institutions. Reimbursement by CITY shall be subject to the following: the course elected must be of benefit to CITY and directly related to BROWN's current duties or future employment with CITY; CITY may approve courses taken to satisfy a degree requirement provided the degree goal is in the field of BROWN's current or future employment with CITY; BROWN shall attend such courses during his own time and complete such courses satisfactorily with a passing grade of "C" or its numerical equivalent, or a "pass" or "credit" for the class; BROWN must obtain the approval of the City Manager in writing prior to enrolling in the course; CITY's reimbursement shall include tuition, necessary books and text materials used to complete course requirements and parking fees, but shall not include travel time, mileage or other miscellaneous costs incurred by BROWN; upon completion of the course, BROWN shall attach his grade report and receipts for eligible reimbursements to his approved application for educational assistance to the City Manager; and CITY reimbursement shall be limited to two thousand dollars (\$2,000.00) per calendar year. If BROWN is terminated, in accordance with Section 6 [Termination] within one (1) year after completion of a course paid for by CITY, the costs of such course will be deducted from BROWN's last paycheck. If such last paycheck is insufficient to repay such costs, BROWN will be required to make arrangements, including a promissory note, to repay the balance

within one (1) year of such termination. The City Manager may alter the above requirements in unusual circumstances.

2.4.8 Jury Duty. During the period of employment, BROWN will receive full pay and benefits while responding to a jury summons or serving on a jury, regardless of the time period BROWN is required to participate. Any compensation for such jury duty (except travel pay) shall be remitted to CITY.

2.4.9 Business-Related Equipment. During the period of employment, CITY shall supply BROWN with a cell phone and iPad (or similar equipment utilized by CITY).

### **3. VACATION AND LEAVE.**

3.1 **Personal Time Off**. BROWN shall accrue Personal Time Off (PTO) at a total of 256 hours per year (separate from 3.3 Sick Leave below). PTO shall accrue at a rate of 10.67 hours per payroll period. The maximum amount of PTO that BROWN may have at any time shall equal 512 hours. If BROWN's earned but unused PTO reaches 512 hours, BROWN will stop accruing PTO until the PTO falls below 512 hours. PTO will not be earned during the period in which BROWN's benefits are at such maximum amount. Upon approval of the City Manager, BROWN may sell back earned but unused PTO once each quarter up to a maximum of 176 hours per calendar year. BROWN shall be paid the value of any earned and unused PTO at the time of separation of employment for any reason, at the base salary rate, as defined in section 2.1.

3.2 **Holidays**. Paid holidays shall be in accordance with CITY's current practices and are subject to change. Paid holidays will be those deemed authorized by CITY. CITY currently provides ten (10) paid holidays, including two (2) floating paid holidays. The hour value of each holiday shall be equivalent to BROWN's scheduled work day (10 hours).

3.3 **Administrative Leave**. Administrative leave shall be granted in consideration of BROWN being required to respond to critical incidents after normal business hours and to attend City Council and other community meetings after hours and on days off. Upon execution of this agreement, BROWN shall be credited with eighty (80) hours of administrative leave. Any unused balance of this initial administrative leave shall expire on December 31, 2015. On January 1st of each subsequent calendar year, BROWN shall be granted eighty (80) hours of administrative leave. Such administrative leave must be used by December 31st of each calendar year and no balance shall be carried over to the following year. No compensation shall be provided for unused administrative leave nor shall there be any payment for unused administrative leave upon separation from employment with CITY.

3.4 **Sick Leave**. In addition to the paid leave described in 3.1 above, BROWN shall accrue sick leave at rate of four (4) hours per month. There is no cap on the amount of sick leave that BROWN may accrue or carry over from year to year. CITY agrees that upon BROWN's retirement, disability, death or termination under Sections 6.1 [By CITY

Not for Cause] or 6.2 [By Employee], CITY will purchase BROWN's accrued and unused sick leave at a value of twenty-five percent (25%) after five (5) years of service, fifty percent (50%) after ten (10) years of service, or seventy-five percent (75%) after twenty (20) years of service with CITY. CITY shall purchase such accrued and unused sick leave at BROWN's base salary rate, as defined in section 2.1, at the time of such payout.

#### **4. EVALUATION.**

Annually, the City Manager will review and evaluate the performance of BROWN as Fire Chief. Failure of the City Manager to provide a performance evaluation shall not limit CITY's ability to terminate this Agreement pursuant to Section 6 [Termination].

#### **5. RETIREMENT.**

5.1 **CalPERS.** BROWN shall be enrolled in the State of California's Public Employees Retirement System ("CalPERS") in accordance with CITY's PEPR 2.7% @ 57 Safety Plan. Brown agrees to contribute 3% of the employee's share of the CalPERS contribution. BROWN shall be entitled to participate in the 1959 Survivor Benefit Plan approved for CITY employees. CITY reports the value of the Employer Paid Member's Contribution (EPMC) to CalPERS.

5.2 **Retirement Health.** CITY shall pay one hundred dollars (\$100.00) per month into a tax deferred account towards retirement health/dental/vision for BROWN.

5.3 **Length of Service Retirement Award.** BROWN is eligible to receive CITY's Length of Service Retirement Award in accordance with and subject to CITY Retirement Recognition of Employees Length of Service program guidelines and requirements upon BROWN's termination under Section 6.2 [By Employee] if the purpose of such termination is for retirement from CITY service.

#### **6. TERMINATION.**

6.1 **By City.** Except as provided in Section 6.1.1, CITY may terminate BROWN for reasons including, but not limited to, incompatibility of management styles or a change of administration, as well as for cause. "Cause" shall include, but not be limited to, the following: theft or attempted theft, material dishonesty, willful or persistent material breach of duties, engaging in unlawful discrimination or harassment of employees or any third party while on CITY premises or time, conviction of a felony, engaging in conduct tending to bring embarrassment or disrepute to CITY, and/or unauthorized absences. CITY shall not terminate BROWN without providing written notice of the reasons therefore and an opportunity for an administrative appeal, as may be provided for under CITY's personnel rules or state law in effect at the time of termination. Should CITY terminate BROWN, not for cause, CITY shall give BROWN thirty (30) days advance written notice and BROWN shall be entitled to six (6) months base salary without benefits.

**6.1.1 Termination After Seating of New City Manager.** BROWN may not be terminated, except for cause, within one hundred eighty (180) days of the hiring of a new City Manager.

**6.2 By Employee.** BROWN may terminate his employment for any reason, and at any time, with or without cause, by providing CITY with thirty (30) days advance written notice. CITY shall have the option, in its complete discretion, to make BROWN's termination effective at any time prior to the end of such period, provided CITY pays BROWN all compensation due and owing him through the last day actually worked, plus an amount equal to the base salary BROWN would have earned through the balance of the above notice period.

**6.3 Termination Obligations.** BROWN agrees that all property, including, without limitation, all equipment, tangible Proprietary Information (as defined below), documents, records, notes, contracts, and computer-generated materials furnished to or prepared by him incident to his employment belongs to CITY and shall be returned promptly to CITY upon termination of BROWN's employment. BROWN's obligations under this subsection shall survive the termination of his employment and the expiration of this Agreement.

**6.4 Benefits upon Termination.** All benefits to which BROWN is entitled under this Agreement shall cease upon BROWN's termination in accordance with this Section 6, unless expressly continued either under this Agreement, under any specific written policy or benefit plan applicable to BROWN, or unless otherwise required by law.

## **7. PROPRIETARY INFORMATION.**

"Proprietary Information" is all information and any idea pertaining in any manner to the business of CITY (or any CITY affiliate), its employees, clients, consultants, or business associates, which was produced by any employee of CITY in the course of his or her employment or otherwise produced or acquired by or on behalf of CITY. Proprietary Information shall include, without limitation, trade secrets, product ideas, inventions, processes, formulae, data, know-how, software and other computer programs, copyrightable material, marketing plans, strategies, sales, financial reports, forecasts, and customer lists. All Proprietary Information not generally known outside of CITY's organization, and all Proprietary Information so known only through improper means, shall be deemed "Confidential Information." During his employment by CITY, BROWN shall use Proprietary Information, and shall disclose Confidential Information, only for the benefit of CITY and as is or may be necessary to perform his job responsibilities under this Agreement. Following termination, BROWN shall not use any Proprietary Information and shall not disclose any Confidential Information, except with the express written consent of CITY. BROWN's obligations under this Section shall survive the termination of his employment and the expiration of this Agreement.

**8. CONFLICT OF INTEREST.**

BROWN represents and warrants to CITY that he presently has no interest, and represents that he will not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or interfere in any way with performance of his services under this Agreement.

**9. GENERAL PROVISIONS.**

9.1 **Vehicle Operation.** BROWN shall operate any vehicle used in connection with the performance of his duties as Fire Chief in a safe manner and otherwise in observance of all established traffic safety laws and ordinances and shall maintain a valid California automobile's driver's license during the period of employment.

9.2 **Notices.** All notices, requests, demands and other communications under this Agreement shall be in writing and shall be effective upon delivery by hand or three (3) business days after deposit in the United States mail, postage prepaid, certified or registered, and addressed to CITY at the address below, and or at the last known address maintained in BROWN's personnel file. BROWN agrees to notify CITY in writing of any change in his address during his employment with CITY. Notice of change of address shall be effective only when accomplished in accordance with this Section.

**City's Notice Address:**

City of Hemet  
c/o City Manager  
445 E. Florida Avenue  
Hemet, California 92543

**Fire Chief's Address:** [Deliver to last updated address in personnel file]

9.3 **Indemnification.** Subject to, in accordance with, and to the extent provided by the California Tort Claims Act [Government Code Section 810 *et seq.*], CITY will indemnify, defend, and hold BROWN harmless from and against any action, demand, suit, monetary judgment or other legal or administrative proceeding, and any liability, injury, loss or other damages, arising out of any act or omission occurring during BROWN's tenure as Fire Chief.

9.4 **Bonding.** CITY shall bear the full cost of any fidelity or other bonds required of the Fire Chief under any law or ordinance.

9.5 **Integration.** This Agreement is intended to be the final, complete, and exclusive statement of the terms of BROWN's employment by CITY. This Agreement supersedes all other prior and contemporaneous agreements and statements, whether

written or oral, express or implied, pertaining in any manner to the employment of BROWN, and it may not be contradicted by evidence of any prior or contemporaneous statements or agreements.

9.6 **Amendments.** This Agreement may not be amended except in a written document signed by the City Manager and BROWN. Failure to exercise any right under this Agreement shall not constitute a waiver of such right.

9.7 **Assignment.** BROWN shall not assign any rights or obligations under this Agreement. CITY may, upon prior written notice to BROWN, assign its rights and obligations hereunder.

9.8 **Severability.** If a court or arbitrator holds any provision of this Agreement to be invalid, unenforceable, or void, the remainder of this Agreement shall remain in full force and effect.

9.9 **Attorneys' Fees.** In any legal action, arbitration, or other proceeding brought to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs.

9.10 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of California, with venue proper only in Riverside County, State of California.

9.11 **Interpretation.** This Agreement shall be construed as a whole, according to its fair meaning, and not in favor of or against any party. By way of example and not in limitation, this Agreement shall not be construed in favor of the party receiving a benefit nor against the party responsible for any particular language in this Agreement. Captions are used for reference purposes only and should be ignored in the interpretation of the Agreement. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the City Manager and BROWN, and by no other means. Each party waives their future right to claim, contest or assert that this Agreement was modified, cancelled, superseded or changed by any oral agreement, course of conduct, waiver or estoppel.

9.12 **Acknowledgment.** BROWN acknowledges that he has had the opportunity to consult legal counsel in regard to this Agreement, that he has read and understands this Agreement, that he is fully aware of its legal effect, and that he has entered into it freely and voluntarily and based on his own judgment and not on any representations or promises other than those contained in this Agreement.

**IN WITNESS WHEREOF**, CITY has caused this Agreement to be signed and executed on its behalf by its City Manager, as approved by its City Council, and duly attested to by its City Clerk, and BROWN has signed and executed this Agreement, as of the date first indicated above.

**CITY OF HEMET**

\_\_\_\_\_  
Don Scott Brown, Fire Chief

\_\_\_\_\_  
David Brown, Acting City Manager

**ATTEST**

**APPROVED AS TO FORM**

\_\_\_\_\_  
Sarah Comas, City Clerk

\_\_\_\_\_  
Eric Vail, City Attorney



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**CITY OF HEMET  
Hemet, California  
ORDINANCE BILL NO. 15-010**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET CALIFORNIA AMENDING CERTAIN SECTIONS OF CHAPTER 90 (ZONING ORDINANCE) OF THE HEMET MUNICIPAL CODE TO UPDATE, CLARIFY, AND IMPROVE THE CITY'S DEVELOPMENT REVIEW PROCESS.**

**WHEREAS**, the proposed amendments implement General Plan Implementation Program LU-P-16 (Development Review Process) to evaluate and improve the development review process for increased efficiency and effectiveness; and

**WHEREAS**, the proposed amendments eliminate duplicate and conflicting sections of the zoning code; and

**WHEREAS**, the proposed amendments update the City's development application procedures to streamline and improve efficiency; and

**WHEREAS**, the proposed amendments ensure development application consistency with the citywide fee schedule adopted by the City Council on January 27, 2015; and

**WHEREAS**, approval of these zoning ordinance amendments will not detrimentally affect the health, safety, or welfare of residents of the City of Hemet; and

**WHEREAS**, on March 3, 2015, the Planning Commission was presented with a draft of this Ordinance Bill No. 15-010 and, after conducting a duly noticed public hearing, voted to recommend that the City Council approve Ordinance Bill No. 15-010.

**WHEREAS**, on March 24, 2015, the City Council considered the Ordinance, the Planning Commission's findings, and the record of information regarding ZOA 15-001 at a duly noticed public hearing, at which time interested persons had an opportunity to

1 provide testimony on this matter.  
2

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

5 **SECTION 1: REPEAL OF ARTICLE XLI (SITE DEVELOPMENT REVIEW)**

6 Chapter 90 (Zoning) of the Hemet Municipal Code is amended to repeal Article  
7 XLI (Site Development Review), as it has been relocated to Article II, Section 90-48 of  
8 Chapter 90.

9 **SECTION 2: REPEAL OF ARTICLE XLIV (CONDITIONAL USE PERMIT)**

10 Chapter 90 (Zoning) of the Hemet Municipal Code is amended to repeal Article  
11 XLIV (Conditional Use Permit), as it has been replaced by Article II, Section 90-42 of  
12 Chapter 90.

13 **SECTION 3: REPEAL OF ARTICLE XLV (VARIANCE)**

14 Chapter 90 (Zoning) of the Hemet Municipal Code is amended to repeal Article  
15 XLV (Variance), as it has been replaced by Article II, Section 90-44 of Chapter 90.

16 **SECTION 4: AMENDMENT OF DIVISION 1 (APPLICATIONS) OF ARTICLE II**

17 Chapter 90 (Zoning) of the Hemet Municipal Code is amended as shown in  
18 Exhibit 1 hereto, to revise and improve the application procedures of the City's  
19 development review process.

20 **SECTION 5: AMENDMENT OF SECTIONS 90-185 (AGRICULTURE), 90-314**  
21 **(SINGLE FAMILY RESIDENTIAL), 90-385 (MULTIPLE FAMILY RESIDENTIAL), 90-**  
22 **894 (COMMERCIAL), 90-933 (DOWNTOWN), 90-983 (SPECIFIC PLAN), 90-1047**  
23 **(INDUSTRIAL), 90-1161 (OPEN SPACE), 90-1221 (INSTITUTIONAL), and 90-1393**  
24 **(CHURCH)**

25 Chapter 90 (Zoning) of the Hemet Municipal Code is amended as shown in  
26 Exhibit 2 hereto, to modify language in each zone article to reference the requirement for  
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1 pre-application review and site development review as components of the development  
2 review process.

3 **SECTION 6: CEQA FINDINGS.**

4 The City has analyzed this proposed project and has determined that it is exempt  
5 from the California Environmental Quality Act ("CEQA") under section 15061(b)(3) of the  
6 CEQA Guidelines, which provides that CEQA only applies to projects that have the  
7 potential for causing a significant effect on the environment. Where as here, it can be  
8 seen with certainty that there is no possibility that the activity in question may have a  
9 significant effect on the environment, the activity is not subject to CEQA. The  
10 amendments to Chapter 90 referenced herein bring the zoning ordinance into  
11 compliance with the General Plan. The proposed text changes do not relate to any  
12 physical project and will not result in any physical change to the environment. Therefore,  
13 it can be seen with certainty that there is no possibility that this Ordinance may have a  
14 significant adverse effect on the environment, and therefore the adoption of this  
15 Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA  
16 Guidelines.

17 **SECTION 7: SEVERABILITY.**

18 If any section, subsection, subdivision, sentence, clause, phrase, or portion of this  
19 Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any  
20 court of competent jurisdiction, such decision shall not affect the validity of the remaining  
21 portions of this Ordinance. The City Council hereby declares that it would have adopted  
22 this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or  
23 portion thereof, irrespective of the fact that any one or more sections, subsections,  
24 subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or  
25 unconstitutional.

26 **SECTION 8: EFFECTIVE DATE.**

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

**SECTION 9: PUBLICATION.**

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

**INTRODUCED** at the regular meeting of Hemet City Council on the 24th day of March, 2015.

**APPROVED AND ADOPTED** this 14th day of April, 2015.

\_\_\_\_\_  
Linda Krupa, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Sarah McComas, City Clerk

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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 Ordinance was introduced and first read on the 24th day of Mach, 2015, and had its second reading at the regular meeting of the Hemet City Council on the 14th day of April, 2015, and was passed by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

\_\_\_\_\_  
Sarah McComas, City Clerk

# Exhibit 1

**ARTICLE II – ADMINISTRATIVE REGULATIONS**  
**DIVISION 1. - APPLICATIONS**

**Sec. 90-41. - Zoning applications.**

- (a) *Purpose.* The purpose of a zoning application is to allow for consideration of applications for a change in the zoning ordinance or a change in the zone on a property shown on the official zoning map.
- (1) *Zoning ordinance amendments.* The zoning regulations set forth in the chapter may be amended in accordance with the procedures of this article.
- (2) *Zone map change.* The boundaries of the zoning designation on any property set forth on the official zoning map on file with the city clerk, may be amended by changing the zoning designation in accordance with the procedures of this article.
- (b) *New applications.* An application for an amendment to the zoning ordinance or for a zone map change shall be filed with the director or the director's designee by the property owner or an authorized agent on a form(s) prescribed by the director, and shall include information and/or maps which are deemed by the director to be necessary to enable the approving authority to make the required findings. The director or the director's designee shall make available, in writing, a listing of the information and/or maps which are required to be submitted. Concurrent applications may be filed and processed.
- (c) *Compliance with Government Code Section 65853.* Any zone ordinance amendment or zone map change, which changes any property from one zone to another or imposes any regulation specified in Government Code Section 65850 not previously imposed or removes or modifies any specified regulation previously imposed shall be adopted in compliance with Government Code Sections 65854 to 65857, inclusive and as specified in this article.

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-41.1. - Application fees and refunds.**

- (a) An application fee for a zoning ordinance amendment or zone change shall accompany the application submittal requirements which are filed with the director. The fee(s) shall cover the costs of processing the applications in accordance with a schedule adopted from time to time by city council resolution.
- (b) Applications which are deemed incomplete and with no activity to complete the application for a period of 12 months from the filing date, are considered automatically withdrawn and may be subject to a refund in accordance with this section. Applications which have been withdrawn will require a new application and fee to be submitted in order to process the application.
- (c) Application fee refunds shall be authorized by the director for applications that are withdrawn upon written request and proof of payment by the applicant, in accordance with a refund schedule adopted from time to time by city council resolution based upon staff time spent on the project. Requests for application fee refunds shall be valid for a period of up to six months from the date of withdrawal.
- (d) Portions of application fees paid to another jurisdiction or agency for services to be rendered in connection with the application shall not be refunded until recovered by the city. Nothing contained in this section shall prohibit another jurisdiction or agency from refunding fees directly to the applicant. If fees have been paid out to another jurisdiction or agency, the administrative fee related to coordinating the review of applications by other jurisdictions or agencies is nonrefundable.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-41.2. - Investigation.

The director shall investigate and prepare a written report on all applications. Copies of the report shall be provided to the approving authority and the applicant at least three calendar days prior to a hearing on the application.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-41.3. - Hearing and notice procedure required.

- (a) ~~Responsible parties.~~ **Hearing Date.** The director in the case of the planning commission, and the city clerk in the case of the city council shall set the time and place of the required public hearings. The hearing body, i.e., the commission, or council may change the time or place of their hearing, or may continue their hearing from time to time.
- (b) ~~Public hearing notice.~~ Notice of public hearings shall ~~be given in accordance with Title 7 of the California Government Code, as amended, except as indicated below:~~ **contain the time and place of the hearing and the location and proposed use of the subject property.**
  - (1) ~~For applications that have adjacent parcels which are five acres or larger the notification radius shall be 1,000 feet up to a maximum of 25 lots, whichever is greater.~~
  - (2) ~~For applications that the director deems to have greater effect than the normal 300-foot radius, the director may increase the notification radius to 1,000 feet or other appropriate distance~~
- (c) **Publication.** Notice of public hearing shall be published once in a newspaper of general circulation in the city not less than ten days prior to the date of the hearing.
- (d) **Mailing.** Notice of public hearing shall be mailed not less than 10 days prior to the date of the hearing of owners of property within a radius of 500 feet of the exterior boundaries of the subject property. If the director deems the proposal to have a greater effect than the required notification radius, the director may increase the notification radius appropriately.
- (e) **Testimony.** A summary of all pertinent testimony offered at the public hearing, the names and addresses of the persons testifying, copies of all notices affidavits of posting and publication, and records of action taken shall be a part of the permanent files of the project.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-41.4. - Review of applications and approving authority.

- (a) **Planning commission.** The planning commission shall be responsible for review and recommendation of zoning ordinance amendments and zone **map** changes to the city council. ~~In the event that the planning commission denies a zone change the action of the commission shall be final in ten calendar days unless appealed, in accordance with section 90-41.6~~
- (b) **City council.** The city council shall be responsible for the final review and approval of zoning ordinance amendments and zone **map** changes.
- (c) **Effective date.** The zoning ordinance amendment or zone map change shall become effective 30 days following the date of the second reading of the city council ordinance approving the action.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-41.5. - Findings required.

Upon approval of a zoning ordinance amendment or zone change the following findings shall be made by the approving authority:

- (a) **Zoning ordinance amendments.**
  - (1) That the zoning ordinance amendment is in conformance with the latest adopted general plan for the city; and

- (2) That the zoning ordinance amendment will protect the public health, safety and welfare.
- (b) *Zone map change.*
  - (1) That the proposed change of zone is in conformance with the latest adopted general plan for the city; and
  - (2) ~~That streets in the area are adequate to handle potential traffic generated by the change of zone;~~ **That the affected site is physically suited for the proposed zone change in terms of location, shape, size, and design;** and
  - (3) That the proposed change of zone is **substantially** compatible with adjacent zoning, **established land uses, and/or the planned development patterns in the vicinity, in terms of density, development standards, and character.**

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-41.6. – Appeals ~~Final Action.~~**

~~Zoning ordinance amendments.~~ Decisions of the planning commission on a zoning ordinance amendment are automatically scheduled for city council action. ~~The decision of the city council is final.~~

~~Zone changes.~~ An appeal by an interested party may be made to the city council of a planning commission denial. ~~The appeal shall be filed within ten calendar days of the commission decision by filing a letter of appeal with the director and the required appeal fee established by city council resolution. The appeal shall be scheduled for a de novo public hearing before the city council within 30 calendar days.~~ The council may affirm, modify or reverse the planning commission decision, making any findings required by this chapter and/or state law. The decision of the city council shall be final.

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-41.7. - New application following a denial.**

An application for a zone change on the same property or substantially the same property following the denial of the same request, shall not be accepted within one calendar year of the date of denial **unless the approving authority waives the resubmittal date at the time of project denial.**

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-42. - Conditional Use Permit (CUP) applications.**

- (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 assure compatibility with adjacent uses.
- (b) *Applicability.* **A conditional use permit shall be required for any use designated as requiring a conditional use permit in the city's land use matrix for the zone in which the project is located.**
- (c) *New applications.* An application for a conditional use permit shall be filed with the director or the director's designee by the property owner or an authorized agent on a form(s) prescribed by the director, and shall include information and/or maps which are deemed by the director to be necessary to enable the approving authority to make the required findings. The director or the director's designee shall make available, in writing, a listing of the information and/or maps which are required to be submitted. Concurrent applications may be filed and processed.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.1. - Application fees and refunds.

- (a) An application fee for a conditional use permit shall accompany the application submittal requirements which are filed with the director. The fee(s) shall cover the costs of processing the applications in accordance with a schedule adopted from time to time by city council resolution.
- (b) A streamlined conditional use permit with a reduced application fee may be considered in certain circumstances in which the amount of staff time required to process an application is less if the applicant can demonstrate to the satisfaction of the director that:
  - (1) The use is proposed to occupy an existing building or tenant space in a legally constructed building and tenant improvements or additions do not increase the existing square footage by more than 30 percent;
  - (2) The use meets all development standards of the zone, including providing for adequate parking;
  - (3) The use is not detrimental to public health and safety;
  - (4) The use does include any uses determined to have a community sensitivity such as an adult business, alcohol sales, live entertainment, pawn shop, smoke shop, massage parlor, or tattoo/piercing shop;
  - (5) The use is not specifically listed in other chapters of the code as requiring a conditional use permit with additional application submittal requirements or findings;
  - (6) The environmental effects of the use do not require the preparation of a mitigated negative declaration or environmental impact report
- (c) Applications which are deemed incomplete and with no activity to complete the application for a period of 12 months from the filing date are considered automatically withdrawn and may be subject to a refund in accordance with this section. Applications which have been withdrawn will require a new application and fee to be submitted in order to process the application.
- (d) Application fee refunds shall be authorized by the director for applications that are withdrawn upon written request and proof of payment by the applicant, in accordance with a refund schedule ~~adopted from time to time by city council resolution~~ based upon staff time spent on the project. Requests for application fee refunds shall be valid for a period of up to six months from the date of withdrawal.
- (e) Portions of application fees paid to another jurisdiction or agency for services to be rendered in connection with the application shall not be refunded by the city. Nothing contained in this section shall prohibit another jurisdiction or agency from refunding fees directly to the applicant. If fees have been paid out to another jurisdiction or agency, the administrative fee related to coordinating the review of applications by other jurisdictions or agencies is non-refundable.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.2. - Investigation.

The director shall investigate and prepare a written report on all applications. Copies of the report shall be provided to the approving authority and the applicant at least three calendar days prior to a hearing on the application.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.3. - Hearing and notice procedure required.

- (a) ~~Responsible parties.~~ **Hearing Date.** The director in the case of the planning commission, and the city clerk in the case of the city council shall set the time and place of the required public hearings. The hearing body, i.e., the commission, or council may change the time or place of their hearing, or may continue their hearing from time to time.

- (b) *Public hearing notice.* Notice of public hearings shall be given in accordance with Title 7 of the California Government Code, as amended, except as indicated below: contain the time and place of the hearing and the location and proposed use of the subject property.
- 1) For applications that have adjacent parcels which are five acres or larger the notification radius shall be 1,000 feet up to a maximum of 25 lots, whichever is greater.
  - 2) For applications that the director deems to have greater effect than the normal 300-foot radius, the director may increase the notification radius to 1,000 feet or other appropriate distance
- (c) *Publication.* Notice of public hearing shall be published once in a newspaper of general circulation in the city not less than ten days prior to the date of the hearing.
- (d) *Mailing.* Notice of public hearing shall be mailed not less than 10 days prior to the date of the hearing of owners of property within a radius of 500 feet of the exterior boundaries of the subject property. If the director deems the proposal to have a greater effect than the required notification radius, the director may increase the notification radius appropriately.
- (e) *Testimony.* A summary of all pertinent testimony offered at the public hearing, the names and addresses of the persons testifying, copies of all notices affidavits of posting and publication, and records of action taken shall be a part of the permanent files of the project.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.4. - Review of applications and approving authority.

- (a) *Planning commission.* The planning commission shall be responsible for the review and approval of conditional use permits.
- (b) *Conditions of approval.* The planning commission may impose conditions of approval which pertain to the development of the property and the operating conditions of the proposed use. Such conditions shall promote the safe and orderly use of the property and preserve the integrity and character of the surrounding land uses, as appropriate.
- (c) *Effective date.* The conditional use permit shall become effective 10 days following the date of approval by the applicable approving authority, unless otherwise appealed pursuant to section 90-42.6.
- (d) *City council.* The city council shall be responsible for the review and approval of conditional use permits only upon appeal by an interested party when an appeal is filed in accordance with section 90-42.6 Action of the planning commission shall be final unless appealed in accordance with the procedures of section 90-42.6.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.5. - Findings required.

Upon approval of a conditional use permit the following findings shall be made by the approving authority:

- (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
- (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
- (3) That the use and operation is consistent with the general plan elements, goals, and policies; and
- (4) That the type, intensity, sensitivity and operating characteristics of the proposed use, and the manner in which they will be located on the site, are compatible with existing land uses, the character of established neighborhoods, or planned development in the vicinity.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.6. - Appeals.

An appeal of a planning commission decision may be made by an interested party to the city council. The appeal shall be filed within ten calendar days of the commission decision by filing a letter of appeal with the director. The director shall schedule the appeal for a hearing before the city council within 30 calendar days. The council may affirm, modify or reverse any planning commission decision, making findings required by this chapter and/or state law. The decision of the city council shall be final.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.7. - New application following a denial.

An application for a conditional use permit on the same property or substantially the same property following the same request, shall not be accepted within one calendar year of the date of denial **unless the approving authority waives the resubmittal date at the time of project denial.**

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.8. - Expiration and time extensions.

A conditional use permit approval shall expire 24 months after final approval unless: **construction has commenced and is being carried on diligently to completion, or an application for a time extension is filed prior to the expiration. If an application for extension is filed prior to the expiration, the approving authority may extend the time limit up to a maximum period of three additional years.**

~~(a) The use has commenced, or~~

~~(b) Where improvements are required, construction has commenced, or~~

~~(c) An application for a time extension is filed prior to the expiration.~~

~~If an application for extension is filed prior to the expiration, one additional year may be granted by the planning commission.~~

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.9. - Modifications and/or revisions.

Modifications or revisions to an approved application shall require ~~re-application~~ **the submittal of a conditional use permit modification application** and shall conform to all of the submittal requirements and fees in effect at the time of application. Only the approving authority shall approve modifications or revisions to approved applications and only after the hearings required in this chapter. ~~Within 30 calendar days of the final approval of a modification or revision to an approved application the director shall cause the recordation of the modification or revision upon the subject property.~~ **Modifications must be found in substantial conformance to the purpose and intent of the original approval. All copies of the revised conditional use permit including the site plan and conditions of approval shall be dated and signed by the director and made a part of the record.**

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.10. - Applications to run with the land.

Approved conditional use permit applications run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the application **provided that the use has not ceased for six months.** ~~Within 30 calendar days after the final action on a conditional use permit the director shall cause the recordation of the conditional use permit upon the subject property.~~ All conditions of the application shall continue to apply to the new owner, **and the change in ownership shall require a new business license and certificate of occupancy to be filed with the city.**

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-42.11. - Suspension and/or revocation.

- (a) *Suspension for violation.* Upon violation of any applicable provision of this article, or, if the application was granted subject to conditions, upon failure to comply with conditions, the application shall automatically be suspended. The ~~approving authority~~ **planning commission** shall, within 40 calendar days of the suspension of the conditional use permit, hold a hearing in accordance with the requirements of section 90-42.3 **to consider revocation.**
- (b) *Findings for Revocation.* A conditional use permit may be revoked if the planning commission finds:
- (1) That the use is detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; or
  - (2) That the conditional use permit was obtained by fraud; or
  - (3) That the use for which the conditional use permit was granted is not being exercised; or
  - (4) That the use for which the conditional use permit was granted has ceased or been suspended for more than six months; or
  - (5) That a status of non-compliance exists with regards to any of the conditions of the conditional use permit.
- (c) *Revocation.* If after the hearing the ~~approving authority~~ **planning commission** is not satisfied that the regulation, general provision or condition for which compliance is required is being met the following actions shall be taken:
- (1) The permit may be revoked and become null and void; or
  - (2) The ~~approving authority~~ **planning commission** may take such action as deemed necessary and appropriate to ensure compliance with the regulation, general provision or condition; or
  - (3) New requirements and/or conditions may be added.
- (d) Action of the ~~approving authority~~ **planning commission** shall be final within ten calendar days unless appealed in accordance with the procedures of section 90-42.6.

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-43. - Administrative Use Permit (AUP) applications.**

- (a) *Purpose.* The purpose of an administrative use permit is to provide a shorter review process for a small select list of uses in lieu of a conditional use permit. In those instances where, in the director's opinion, a limited notification is sufficient to meet the purpose of the zone and where the use has been determined to have a limited effect to the surrounding area an administrative use permit may be processed.
- (b) *Applicability.* An administrative use permit shall be required for any use designated as requiring an administrative use permit in the city's land use matrix for the zone in which the project is located.
- (c) *New applications.* An application for an administrative use permit shall be filed with the director by the property owner or an authorized agent on a form(s) prescribed by the director, and shall include information and/or maps which are deemed by the director to be necessary to enable the approving authority to make the required findings. The director shall make available, in writing, a listing of the information and/or maps which are required to be submitted. Concurrent applications may be filed and processed.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-43.1. - Application fees and refunds.

- (a) An application fee for an administrative use permit shall accompany the application submittal requirements which are filed with the director. The fee(s) shall cover the costs of processing the applications in accordance with a schedule adopted from time to time by city council resolution.
- (b) Applications which are deemed incomplete and with no activity to complete the application for a period of 12 months from the filing date, are considered automatically withdrawn and may be subject to a refund in accordance with this section. Applications which have been withdrawn will require a new application and fee to be submitted in order to process the application.
- (c) Application fee refunds shall be authorized by the director for applications that are withdrawn upon written request and proof of payment by the applicant, in accordance with a refund schedule adopted from time to time by city council resolution based upon staff time spent on the project. Requests for application fee refunds shall be valid for a period of up to six months from the date of withdrawal.
- (d) Portions of application fees paid to another jurisdiction or agency for services to be rendered in connection with the application shall not be refunded by the city. Nothing contained in this section shall prohibit another jurisdiction or agency from refunding fees directly to the applicant. If fees have been paid out to another jurisdiction or agency, the administrative fee related to coordinating the review of applications by other jurisdictions or agencies is non-refundable.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-43.2. - Investigation.

The director shall investigate and prepare a written report on all applications. Copies of the report shall be provided to the approving authority and the applicant at least three calendar days prior to a hearing on the application.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-43.3. - Hearing and notice procedure required.

- (a) *Responsible party.* The director shall set the time and place of the required administrative hearing. The director or the director's designee may change the time or place of the hearing, or may continue their hearing from time to time. ~~Copies of the agenda shall be mailed to the planning commissioners.~~
- (b) *Hearing notice.* Notice of the administrative hearing by the director shall be provided in writing to the adjacent and across the street property owners **and tenants as well as any onsite tenants** ~~taken from the latest adjusted assessor tax rolls.~~ The notice shall indicate the time and place of the hearing, a contact person, phone number of the contact person, where a copy of the staff investigation report may be viewed and/or obtained, and the appeal procedure.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-43.4. - Review of applications and approving authority.

- (a) *Director.* The director shall be responsible for the review and approval of administrative use permits.
- (b) *Effective date.* **The permit shall become effective 10 days following the date of approval by the applicable approving authority, unless otherwise appealed pursuant to section 90-43.6.**

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-43.5. - Findings required.

Upon approval of an administrative use permit the following findings shall be made by the approving authority:

- (a) That the proposed location of the administrative use is in accord with the objectives of this chapter and the purposes of the zone in which the site is located; and
- (b) That the proposed location of the administrative 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
- (c) That the use and operation is consistent with the general plan elements, goals, and policies; and
- (d) That the type, intensity, sensitivity and operating characteristics of the proposed use, and the manner in which they will be located on the site, are compatible with existing land uses, the character of established neighborhoods, or planned development in the vicinity.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-43.6. - Appeals.

- (a) *Appeal of the director's decision.* An appeal by an interested party may be made to the planning commission of the director's decision. The appeal shall be filed within ten calendar days of the director's decision by filing a letter of appeal with the director and paying the required appeal fee established by city council resolution. The appeal shall be scheduled for a de novo hearing before the planning commission within 30 calendar days and shall require the same notice as indicated in section 90-43.3. The commission may affirm, modify or reverse the director's decision, making findings required by this chapter and/or state law.
- (b) *Appeal of the planning commission's decision.* An appeal by an interested party may be made to the city council of a planning commission decision. The appeal shall be filed within ten calendar days of the commission decision by filing a letter of appeal with the director and the required appeal fee established by city council resolution. The appeal shall be scheduled for a de novo public hearing before the city council within 30 calendar days. The council may affirm, modify or reverse the planning commission decision, making findings required by this chapter and/or state law. The decision of the city council shall be final.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-43.7. - New application following a denial.

An application for an administrative use permit on the same property or substantially the same property following the same request, shall not be accepted within one calendar year of the date of denial unless the approving authority waives the resubmittal date at the time of project denial.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-43.8. - Expiration and time extensions.

An administrative use permit approval shall expire 24 months after final approval unless: construction has commenced and is being carried on diligently to completion, or an application for a time extension is filed prior to the expiration. If an application for extension is filed prior to the expiration, the approving authority may extend the time limit up to a maximum period of three additional years.

- ~~(a) The use has commenced, or~~
- ~~(b) Where improvements are required, construction has commenced, or~~
- ~~(c) An application for a time extension is filed prior to the expiration. If an application for extension is filed prior to the expiration, one additional year may be granted by the planning commission.~~

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-43.9. - Modifications and/or revisions.

Modifications or revisions to an approved application shall require re-application and shall conform to all of the submittal requirements and fees in effect at the time of application. Only the approving authority

shall approve modifications or revisions to approved applications and only after the required hearings of this chapter. ~~Within 30 calendar days of the final approval of a modification or revision to an approved application the director shall cause the recordation of the modification or revision upon the subject property.~~ **Modifications must be found in substantial conformance to the original approval. All copies of the revised approvals shall be dated and signed by the director and made a part of the record.**

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-43.10. - Applications to run with the land.**

Approved administrative use permit applications run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the application **provided that the use has not ceased for six months.** All conditions of the application shall continue to apply to the new owner, **and the change in ownership shall require a new business license and certificate of occupancy to be filed with the city.** ~~Within 30 calendar days of the final approval the director shall cause the recordation of the administrative use permit upon the subject property.~~

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-43.11. - Suspension and/or revocation.**

- (a) *Suspension for violation.* Upon violation of any applicable provision of this article, or, if the application was granted subject to conditions, upon failure to comply with conditions, the application shall automatically be suspended. The ~~approving authority~~ **director** shall, within 40 calendar days of the suspension of the administrative use permit, hold a hearing. The hearing shall be in accordance with the requirements of section 90-43.3 **to consider revocation.**
- (b) *Findings for Revocation.* **An administrative use permit may be revoked if the director finds:**
- (1) **That the use is detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; or**
  - (2) **That the administrative use permit was obtained by fraud; or**
  - (3) **That the use for which the administrative use permit was granted is not being exercised; or**
  - (4) **That the use for which the administrative use permit was granted has ceased or been suspended for more than six months; or**
  - (5) **That a status of non-compliance exists with regards to any of the conditions of the administrative use permit.**
- (c) *Revocation.* If after the hearing the ~~approving authority~~ **director** is not satisfied that the regulation, general provision or condition for which compliance is required is being met the following actions shall be taken:
- (1) The permit may be revoked and become null and void; or
  - (2) The ~~approving authority~~ **director** may take such action as deemed necessary and appropriate to ensure compliance with the regulation, general provision or condition; or
  - (3) New requirements and/or conditions may be added.
- (d) Action of the ~~approving authority~~ **director** shall be final within ten calendar days unless appealed in accordance with the procedures of section 90-43.6.

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-44. - Variance applications.**

- (a) *Purpose.* The purpose of a variance is to allow for a reduction in the development standards of the zone in which the property is located in those instances where the strict or literal enforcement of the chapter would result in practical difficulty or unnecessary hardship in consistent with the purposes and objectives of this chapter.

- (b) *New applications.* An application for a variance shall be filed with the director or the director's designee by the property owner or an authorized agent on a form(s) prescribed by the director, and shall include information and/or maps which are deemed by the director to be necessary to enable the approving authority to make the required findings. The director or the director's designee shall make available, in writing, a listing of the information and/or maps which are required to be submitted. Concurrent applications may be filed and processed.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-44.1. - Application fees and refunds.

- (a) An application fee for a variance shall accompany the application submittal requirements which are filed with the director. The fee(s) shall cover the costs of processing the applications in accordance with a schedule adopted from time to time by city council resolution.
- (b) Application fee refunds shall be authorized by the director for applications that are withdrawn upon written request and proof of payment by the applicant, in accordance with a refund schedule adopted from time to time by city council resolution **based upon staff time spent on the project. Requests for application fee refunds shall be valid for a period of up to six months from the date of withdrawal.**
- (c) Portions of application fees paid to another jurisdiction or agency for services to be rendered in connection with the application shall not be refunded by the city. Nothing contained in this section shall prohibit another jurisdiction or agency from refunding fees directly to the applicant. If fees have been paid out to another jurisdiction or agency, the administrative fee related to coordinating the review of applications by other jurisdictions or agencies is non-refundable.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-44.2. - Investigation.

The director shall investigate and prepare a written report on all applications. Copies of the report shall be provided to the approving authority and the applicant at least three calendar days prior to a hearing on the application.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-44.3. - Hearing and notice procedure required.

- (a) ~~Responsible parties.~~ **Hearing Date.** The director in the case of the planning commission, and the city clerk in the case of the city council shall set the time and place of the required public hearings. The hearing body, i.e., the commission, or council may change the time or place of their hearing, or may continue their hearing from time to time.
- (b) ~~Public hearing notice.~~ Notice of public hearings shall be given in accordance with Title 7 of the California Government Code, as amended, except as indicated below: **contain the time and place of the hearing and the location and proposed use of the subject property.**
  - 1) ~~For applications that have adjacent parcels which are five acres or larger the notification radius shall be 1,000 feet up to a maximum of 25 lots, whichever is greater.~~
  - 2) ~~For applications that the director deems to have greater effect than the normal 300-foot radius, the director may increase the notification radius to 1,000 feet or other appropriate distance~~
- (c) **Publication.** Notice of public hearing shall be published once in a newspaper of general circulation in the city not less than ten days prior to the date of the hearing.
- (d) **Mailing.** Notice of public hearing shall be mailed not less than 10 days prior to the date of the hearing of owners of property within a radius of 300 feet of the exterior boundaries of the subject property. If the director deems the proposal to have a greater effect than the required notification radius, the director may increase the notification radius appropriately.

- (e) *Testimony.* A summary of all pertinent testimony offered at the public hearing, the names and addresses of the persons testifying, copies of all notices affidavits of posting and publication, and records of action taken shall be a part of the permanent files of the project.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-44.4. - Review of applications and approving authority.

- (a) *Planning commission.* The planning commission shall be responsible for the review and approval of variances.
- (b) *Effective date.* The permit shall become effective 10 days following the date of approval by the applicable approving authority, unless otherwise appealed pursuant to section 90-44.6.
- ~~(b) *City council.* The city council shall be responsible for the review and approval of variances only upon appeal by an interested party when an appeal is filed in accordance with section 90-44.6~~
- (c) *Action of the planning commission shall be final unless appealed in accordance with the procedures of section 90-44.6.*

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-44.5. - Findings required.

Upon approval of a variance the following findings shall be made by the approving authority.

- (1) There are unique physical circumstances applicable to the subject land, including size, shape, topography, location or surroundings. If the approving body finds that the physical circumstances are similar to other parcels in the zone, such circumstances are not unique and a variance shall not be granted; and
- (2) The strict application of zoning standards deprives the property of the right to use the land in a manner enjoyed by other conforming property in the vicinity under identical zoning standards; and
- (3) The approval of a variance shall not constitute a grant of special privileges which other conforming properties in the vicinity do not enjoy under identical zoning standards.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-44.6. - Appeals.

An appeal of a planning commission decision may be made by an interested party to the city council. The appeal shall be filed within ten calendar days of the commission decision by filing a letter of appeal with the director and the required appeal fee established by city council resolution. The director shall schedule the appeal for a de novo public hearing before the city council within 30 calendar days. The council may affirm, modify or reverse the planning commission decision, making findings required by this chapter and/or state law. The decision of the city council shall be final.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-44.7. - New application following a denial.

An application for a variance on the same property or substantially the same property following the same request, shall not be accepted within one calendar year of the date of denial **unless the approving authority waives the resubmittal date at the time of project denial.**

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-44.8. - Expiration and time extensions.

A variance approval shall expire 24 months after final approval unless: **construction has commenced and is being carried on diligently to completion, or an application for a time extension is filed prior to the**

expiration. If an application for extension is filed prior to the expiration, the approving authority may extend the time limit up to a maximum period of three additional years.

- ~~(a) The use has commenced, or~~
- ~~(b) Where improvements are required, construction has commenced, or~~
- ~~(c) An application for a time extension is filed prior to the expiration.~~

~~If an application for extension is filed prior to the expiration, one additional year may be granted by the planning commission.~~

~~(Ord. No. 1562, § 2, 7-29-97)~~

Sec. 90-44.9. - Modifications and/or revisions.

Modifications or revisions to an approved application shall require re-application and shall to all of the submittal requirements and fees in effect at the time of application. Only the approving authority shall approve modifications or revisions to approved applications and only after the hearing required in this chapter. ~~Within 30 calendar days of the final approval of a modification or revision to an approved application the director shall cause the recordation of the modification or revision upon the subject property.~~ All copies of the revised approvals shall be dated and signed by the director and made a part of the record.

~~(Ord. No. 1562, § 2, 7-29-97)~~

Sec. 90-44.10. - Applications to run with the land.

Approved variance applications run with the land and shall continue to be valid upon a change of ownership of the site or structure, which was the subject of the application. All conditions of the application shall continue to apply to the new owner. ~~Within 30 calendar days of the final approval of a variance application the director shall cause the recordation of the variance upon the subject property.~~

~~(Ord. No. 1562, § 2, 7-29-97)~~

~~Sec. 90-44.11. - Suspension and/or revocation.~~

- ~~(a) Suspension for violation. Upon violation of any applicable provision of this article, or, if the application was granted subject to conditions, upon failure to comply with conditions, the application shall automatically be suspended. The approving authority shall, within 40 calendar days of the suspension hold a hearing in accordance with the requirements of section 90-44.3.~~
- ~~(b) Revocation. If after the hearing the approving authority is not satisfied that the regulation, general provision or condition for which compliance is required is being met the following actions shall be taken:
  - ~~(1) The permit may be revoked and become null and void; or~~
  - ~~(2) The approving authority may take such action as deemed necessary and appropriate to ensure compliance with the regulation, general provision or condition.~~
  - ~~(3) New requirements and/or conditions may be added.~~~~

~~Action of the approving authority shall be final within ten calendar days unless appealed in accordance with the procedures of section 90-44.6.~~

~~(Ord. No. 1562, § 2, 7-29-97)~~

**Sec. 90-45. - Administrative Adjustment applications.**

- (a) *Purpose.* The purpose of an administrative adjustment is to allow for the minor reduction of setbacks or height requirements of a zone in those instances where the strict or literal enforcement of the chapter would result in practical difficulty or unnecessary hardship in consistent with the purposes

and objectives of this chapter. The maximum adjustment shall be 20 percent of the required setback or height regulation.

- (b) *New applications.* An application for an administrative adjustment shall be filed with the director by the property owner or an authorized agent on a form(s) prescribed by the director, and shall include information and/or maps which are deemed by the director to be necessary to enable the approving authority to make the required findings. The director shall make available, in writing, a listing of the information and/or maps which are required to be submitted. Concurrent applications may be filed and processed.

No. 1562, § 2, 7-29-97)

Sec. 90-45.1. - Application fees and refunds.

- (a) An application fee for an administrative adjustment shall accompany the application submittal requirements which are filed with the director. The fee(s) shall cover the costs of processing the applications in accordance with a schedule adopted from time to time by city council resolution.
- (b) Applications which are deemed incomplete and with no activity to complete the application for a period of 12 months from the filing date, are considered automatically withdrawn and may be subject to a refund in accordance with this section. Applications which have been withdrawn will require a new application and fee to be submitted in order to process the application.
- (c) Application fee refunds shall be authorized by the director for applications that are withdrawn upon written request and proof of payment by the applicant, in accordance with a refund schedule adopted from time to time by city council resolution based upon staff time spent on the project. Requests for application fee refunds shall be valid for a period of up to six months from the date of withdrawal.
- (d) Portions of application fees paid to another jurisdiction or agency for services to be rendered in connection with the application shall not be refunded by the city. Nothing contained in this section shall prohibit another jurisdiction or agency from refunding fees directly to the applicant. If fees have been paid out to another jurisdiction or agency, the administrative fee related to coordinating the review of applications by other jurisdictions or agencies is non-refundable.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-45.2. - Investigation.

The director shall investigate and prepare a written report on all applications setting forth the findings for approval or denial required pursuant to section 90-45.4. Copies of the report shall be provided to the approving authority and the applicant at least three calendar days prior to a hearing on the application.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-45.3. - Hearing and notice procedure required.

- ~~(a) *Responsible party.* The director shall set the time and place of the required administrative hearing. The director or the director's designee may change the time or place of the hearing, or may continue their hearing from time to time. Copies of the agenda shall be mailed to the planning commissioners.~~
- ~~(b) *Hearing notice.* Notice of the administrative hearing by the director shall be provided in writing to the adjacent and across the street property owners taken from the latest adjusted assessor tax rolls. The notice shall indicate the time and place of the hearing, a contact person, phone number of the contact person, where a copy of the staff investigation report may be viewed and/or obtained, and the appeal procedure.~~

~~(Ord. No. 1562, § 2, 7-29-97)~~

Sec. 90-45.4 ~~90-45.3~~. - Review of applications and approving authority.

- (a) ~~Administrative adjustment determination by the director are administrative actions and generally will not require notice and a public hearing unless the project may affect the property rights or enjoyment of neighboring properties as determined by the director.~~
- (b) The director shall be responsible for the review and approval of administrative adjustments.
- (c) ~~Effective date. The administrative adjustment shall become effective 10 days following the date of approval by the applicable approving authority, unless appealed pursuant to section 90-45.5.~~

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-45.5 ~~90-45.4~~. - Findings required.

Upon approval of an administrative adjustment the following findings shall be made by the approving authority:

- (1) There are unique physical circumstances applicable to the subject land, including size, shape, topography, location or surroundings. If the approving body finds that the physical circumstances are similar to other parcels in the zone, such circumstances are not unique and an administrative adjustment shall not be granted; and
- (2) The strict application of zoning standards deprives the property of the right to use the land in a manner enjoyed by other conforming property in the vicinity under identical zoning standards; and
- (3) The approval of an administrative adjustment does not constitute a grant of special privileges which other conforming properties in the vicinity do not enjoy under identical zoning standards.

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-45.6 ~~90-45.5~~. - Appeals.

- ~~(a) Appeal of the director's decision. An appeal by an interested party may be made to the planning commission of the director's decision. The appeal shall be filed within ten calendar days of the director's decision by filing a letter of appeal with the director and paying the required appeal fee established by city council resolution. The appeal shall be scheduled for a de novo hearing before the planning commission within 30 calendar days and shall require the same notice as indicated in section 90-45.3. The commission may affirm, modify or reverse the director's decision, making any findings required by this chapter and/or state law.~~
- ~~(b) Appeal of the planning commission's decision. An appeal by an interested party may be made to the city council of the commission's decision. The appeal shall be filed with the director by filing a letter of appeal and paying the required appeal fee established by city council resolution. The appeal shall be scheduled for a de novo hearing before the city council within 30 calendar days and shall require the same notice as indicated in section 90-45.3. The council may affirm, modify or reverse the commission's decision, making any findings required by this chapter and/or state law. The decision of the council is final.~~

(Ord. No. 1562, § 2, 7-29-97)

Sec. 90-45.7 ~~90-45.6~~. - New application following a denial.

An application for an administrative adjustment on the same property or substantially the same property following the same request, shall not be accepted within one calendar year of the date of denial ~~unless the approving authority waives the resubmittal date at the time of project denial.~~

(Ord. No. 1562, § 2, 7-29-97)

Sec. ~~90-45.8~~ **90-45.7**. - Expiration and time extensions.

An administrative adjustment approval shall expire 24 months after final approval unless: **construction has commenced and is being carried on diligently to completion.**

- ~~(a) The use has commenced, or~~
- ~~(b) Where improvements are required, construction has, or~~
- ~~(c) An application for a time extension is filed prior to the expiration.~~

~~If an application for extension is filed prior to the expiration, one additional year may be granted by the planning commission.~~

(Ord. No. 1562, § 2, 7-29-97)

Sec. ~~90-45.9~~ **90-45.8**. - Modifications and/or revisions.

Modifications or revisions to an approved application shall require re-application and shall conform to all of the submittal requirements and fees in effect at the time of application. Only the approving authority shall approve modifications or revisions to approved applications and only after the required hearings of this chapter. ~~Within 30 calendar days of the final approval of a modification or revision to an approved application the director shall cause the recordation of the modification or revision upon the subject property.~~ **Modifications must be found in substantial conformance to the original approval. All copies of the revised approvals shall be dated and signed by the director and made a part of the record**

(Ord. No. 1562, § 2, 7-29-97)

Sec. ~~90-45.10~~ **90-45.9**. - Applications to run with the land.

Approved administrative adjustment applications run with the land and shall continue to be valid upon a change of ownership of the site or structure, which was the subject of the application. ~~Within 30 calendar days of the final approval of a modification or revision to an approved application the director shall cause the recordation of the administrative adjustment upon the subject property. All conditions of the application shall continue to apply to the new owner.~~

(Ord. No. 1562, § 2, 7-29-97)

Sec. ~~90-45.11.~~ ~~Suspension and/or revocation.~~

- ~~(a) *Suspension for violation.* Upon violation of any applicable provision of this article, or, if the application was granted subject to conditions, upon failure to comply with conditions, the application shall automatically be suspended. The approving authority shall, within 40 calendar days of the suspension of the administrative adjustment hold a hearing. The hearing shall be in accordance with the requirements of section 90-45.3~~
- ~~(b) *Revocation.* If after the hearing the approving authority is not satisfied that the regulation, general provision or condition for which compliance is required is being met the following actions shall be taken:
  - ~~(1) The permit may be revoked and become null and void; or~~
  - ~~(2) The approving authority may take such action as deemed necessary and appropriate to ensure compliance with the regulation, general provision or condition; or~~
  - ~~(3) New requirements and/or conditions may be added.~~~~

~~Action of the approving authority shall be final within ten calendar days unless appealed in accordance with the procedures of section 90-45.6.~~

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-46. - Development Review Committee (DRC).**

In order to assist in the development process and review the development review committee is established. The development review committee shall be comprised of the police chief, fire chief, building official, city engineer, the public works director, and the community development director or their designees. The community development director or designee shall serve as the chair of the committee and shall be responsible for the agenda and the running of the meeting. The intent of the development review committee is to provide a single point for the initial city staff review and comment on proposed projects to better coordinate the application or project review process.

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-46.1. - Meeting schedule.**

The director shall, in consultation with the committee, set the time and place for regularly scheduled meetings of the committee. The schedule and committee agenda shall be posted in the planning department division and on the city bulletin board. The schedule and agenda shall indicated agenda items, the membership of the committee, the time and place of the committee meetings, and a contact person for each application.

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-46.2. - Review items.**

- (a) ~~Preliminary review. Within ten working days from the receipt of a request for development review a meeting of the staff review committee will be established. The development review committee shall provide an informal review of the proposed development plans for general compliance with the Hemet Municipal Code, the Uniform Fire Code, the Uniform Building Code, the City of Hemet General Plan, the City of Hemet Standard Plans and Specifications for Public Works Construction, and other applicable local, state and federal plans and laws. This informal review is in no way considered to be a final review or substitute for building plan check, grading permit plan check, subdivision review, or planning review under chapters 14, 70 and 90 of the Hemet Municipal Code. It is the intent that this informal review encompass no more than 30 minutes for each review. Pre-application review shall be as provided in section 90-49.~~
- (b) *Developer assistance.* If in the process of building plan check for the development of a structure and/or use allowed by chapter 90 herein, a conflict with the plans arises, the applicant may seek to resolve the conflict through the preliminary review process established in section 90-49 90-46.2 above.
- (c) *Staff Planning application review.* Prior to a hearing consideration by the planning commission approving body on an application for development required by the chapter 90 herein, the committee shall may review all specified planning applications for including zoning ordinance amendments, zone map changes, specific plans, planned unit developments, tentative tract maps, tentative parcel maps, community plans, conditional use permits, administrative use permits, site development review, downtown project review, use conversions, variances, and administrative adjustments, unless otherwise determined by the director that the scope of the project does not require development review committee review. The review shall consist of a review of the applications and plans for compliance with the Hemet municipal code, the Uniform California fire code, the Uniform California building code, the City of Hemet general plan, the city of Hemet standard plans and specifications for public works construction, applicable design guidelines, and other applicable local, state and federal plans and laws.

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-46.3. - Distribution, comments, and conditions.**

- (a) *Distribution.* At least 15 working 14 days prior to the scheduled development review committee meeting the director shall distribute an agenda of the meeting indicating those items that are subject

to the review of the committee ~~and one copy of~~ including any maps, plans and/or reports regarding the agenda items.

- (b) *Comments and conditions.* ~~At least three working days prior to the scheduled development review committee meeting each~~ Each member of the committee shall ~~transmit their~~ prepare written comments and/or conditions on the project to the director. ~~The director shall make copies of the comments and/or conditions available to the applicant prior to the~~ for discussion with the applicant at the scheduled development review committee meeting, and shall transmit copies of the comments to the case planner prior to or at the time of the development review committee meeting.

(Ord. No. 1562, § 2, 7-29-97)

**Sec. 90-47. Downtown Project Review (DPR) applications.**

- (a) *Purpose.* The purpose of the downtown project review process is to provide review of all facade improvements, new buildings and structural additions within the downtown zones of D-1 and D-2 within the city. Downtown project review is intended to ensure that development projects and improvements are well designed, compatible in terms of scale and aesthetics with the surrounding area, and consistent with the goals, policies and standards contained in the city's general plan, commercial design guidelines, and applicable downtown zoning classifications.
- (b) *New applications.* An application for a downtown project review shall be filed with the planning department by the property owner or an authorized agent on a form(s) prescribed by the director, and shall include information and/or plans which are deemed by the director to be necessary to enable the approving authority to make the required findings.

(Ord. No. 1837, § 1(Exh. A), 6-14-11)

**Sec. 90-47.1. - Review of applications and approving authority.**

- (a) *Downtown project review permit by the planning commission.* The planning commission shall be responsible for the review and recommendation to the city council of downtown projects that involve the construction of new buildings, or substantial reconstruction, modifications, additions or exterior remodeling of existing buildings. Substantial reconstruction or modification shall mean an improvement to 20 30 percent or more of the square footage of the original structure, or a modification to 20 50 percent or more of the exterior facade of the building, including, but not limited to: windows, awnings, porches, and exterior materials. The planning commission shall have the authority to impose reasonable conditions, and may recommend approval, modification or denial of the application to the city council, subject to the findings contained in section 90-47.5. Notice of the public hearing shall be provided pursuant to section 90-47.4
- (b) *City council review.* The city council shall have the final review and approval of new primary buildings within the D-1 and D-2 zones. Following the review by the planning commission, the planning commission shall provide to the city council at a regularly scheduled public hearing a written report and recommendation regarding the downtown project review. As the approving authority, the city council may act to approve, modify or deny the proposed project, subject to the findings contained in section 90-47.5. The approval, modification, or denial shall become effective upon final action of the city council.
- (c) *Minor downtown project review by director.* The community development director, or designee ("director") shall be the approving authority for the administrative review of minor exterior modifications and facade improvements that comprise less than 20 50 percent of the square footage of the structure or the exterior facade.

The director may impose reasonable conditions and act to approve, modify or deny the proposed project, subject to the findings contained in section 90-47.5.

(Ord. No. 1837, § 1(Exh. A), 6-4-11)

Sec. 90-47.2. - Application fees and refunds.

- (a) An application fee for a downtown project review shall accompany the application submittal requirements which are filed with the director. The fee(s) shall cover the costs of processing the applications in accordance with a schedule adopted from time to time by city council resolution.
- (b) Applications which are deemed incomplete and with no activity to complete the application for a period of 12 months from the filing date, are considered automatically withdrawn and may be subject to a refund in accordance with this section. Applications which have been withdrawn will require a new application and fee to be submitted in order to process the application.
- (c) Application fee refunds shall be authorized by the director for applications that are either automatically withdrawn or withdrawn by the applicant, upon written request and proof of payment by the applicant, in accordance with a refund schedule ~~adopted from time to time by city council resolution~~ based upon staff time spent on the project. Requests for application fee refunds shall be valid for a period of up to six months from the date of withdrawal.
- (d) Portions of application fees paid to another jurisdiction or agency for services to be rendered in connection with the application shall not be refunded by the city. Nothing contained in this section shall prohibit another jurisdiction or agency from refunding fees directly to the applicant. If fees have been paid out to another jurisdiction or agency, the administrative fee related to coordinating the review of applications by other jurisdictions or agencies is nonrefundable.

(Ord. No. 1837, § 1(Exh. A), 6-14-11)

Sec. 90-47.3. - Investigation.

The planning department shall investigate and prepare a written report on all applications. Copies of the report shall be provided to the approving authority and the applicant at least three calendar days prior to a hearing on the application.

(Ord. No. 1837, § 1(Exh. A), 6-14-11)

Sec. 90-47.4. - Hearing and notice procedure required.

- (a) *Responsible parties.* The director in the case of the planning commission and city clerk in the case of the city council, shall set the time and place of the required public hearing. The approving authority may continue the public hearing from time to time.
- (b) *Public notice.* Notice of the public hearing shall be given in accordance with Title 7 of the California Government Code, as amended, except as indicated below:
  - (1) For applications that the director deems to have greater effect than the normal 300-foot radius, the director may increase the notification radius to another appropriate distance.
  - (2) Minor downtown project reviews by the director as provided for in section 90-47.1(c) are administrative actions and generally will not require notice and a public hearing unless the project ~~will substantially~~ may affect the property rights or enjoyment of neighboring properties including, but not limited to, the creation of additional traffic impacts to the area, more intense parking demands, and exterior improvements inconsistent with the character, scale and purpose of surrounding properties and the downtown zoning districts.

(Ord. No. 1837, § 1(Exh. A), 6-14-11)

Sec. 90-47.5. - Findings required.

Upon approval of a downtown project review permit application the following findings shall be made by the approving authority:

- (a) That the proposed downtown project is in accord with the objectives of this chapter and the purposes and regulations of the zone in which the site is located; and

- (b) That the proposed development or improvement is consistent with the goals, policies and programs of the general plan; and
- (c) That the proposed development or improvement is consistent with the applicable standards and design guidelines for the D-1 and D-2 zones, the commercial design guidelines, and other applicable adopted plans; and
- (d) The design, scale, height, and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing and future developments, will not create traffic or pedestrian hazards, and will not otherwise have a negative impact on the aesthetics, health, safety or welfare of uses or properties within the downtown area; and
- (e) The design of the proposed project is compatible with the character of the surrounding area, will enhance the appearance of the downtown through quality architecture, building materials, color and detailing, and will provide a desirable and attractive environment for the occupants and patrons of the proposed use.

(Ord. No. 1837, § 1(Exh. A), 6-14-11)

**Sec. 90-47.6. - Appeals.**

An appeal of the director's determination regarding a minor downtown project review may be made to the planning commission. The appeal shall be filed within ten calendar days of the director's decision by filing a letter of appeal and payment of the applicable fee with the planning department. The planning commission may affirm, modify or reverse the director's determination, making findings as required by this chapter. The decision of the planning commission shall be final, unless further appealed to the city council. An appeal of the planning commission's determination regarding downtown project reviews may be made to the city council.

(Ord. No. 1837, § 1(Exh. A), 6-14-11)

**Sec. 90-47.7. - Expiration and time extensions.**

A downtown project review application approval shall expire 24 months after final approval unless construction has commenced and is being carried on diligently to completion, or an application for a time extension is filed prior to the expiration. If an application for extension is filed prior to the expiration, the approving authority may extend the time limit up to a maximum period of three additional years.

(Ord. No. 1837, § 1(Exh. A), 6-14-11)

**Sec. 90-47.8. - Modifications and/or revisions.**

Modifications or revisions to an approved downtown project review application shall require submittal of a request to the director. The director shall have the authority to permit minor modifications to an approved downtown project review application. For the purposes of this section, a minor modification means where there is less than ten percent change in the floor area or the facade, and can be found to be in substantial conformance to the original approval. The planning commission shall review all other modifications or revisions in accordance with the required review procedures in this chapter.

(Ord. No. 1837, § 1(Exh. A), 6-14-11)

**Sec. 90-47.9. - Suspension and/or revocation.**

- (a) *Suspension for violation.* Upon violation of any applicable provision of this article, or, if the application was granted subject to conditions, upon failure to comply with conditions, the application shall automatically be suspended. The approval authority shall, within 40 calendar days of the suspension hold a hearing in accordance with the requirements of section 90-47.4

(b) *Revocation.* If after the hearing the approving authority is not satisfied that the regulation, general provision or condition for which compliance is required is being met the following actions shall be taken:

- (1) The permit may be revoked and become null and void; or
- (2) The approving authority may take such action as deemed necessary and appropriate to ensure compliance with the regulation, general provision or condition.
- (3) New requirements and/or conditions may be added.

Action of the approving authority shall be final within ten calendar days unless appealed in accordance with the procedures of section 90-47.6.

(Ord. No. 1837, § 1(Exh. A), 6-14-11)

### **Sec. 90-48. – Site Development Review Applications**

(a) *Purpose.* The purpose of a site development review application is to ensure compliance with the development standards of this chapter, building, fire, and housing codes, applicable design guidelines and standards, specific plan requirements, and general plan policies prior to the issuance of building permits. It is further the intent of the city by this section to provide for the orderly administration of the various regulations of the city, and to minimize future problems therewith, by requiring the review and approval of development proposals by means of a site development review approval process.

(b) *Applicability.* A site development review application shall be required for all new and revised development projects as provided in this section.

(1) *Major site development review.* A major site development review application is required for projects consisting of:

- i. The site design and architecture of single family residential projects containing five or more parcels;
- ii. Multi-family residential projects of four or more units;
- iii. Commercial centers with over 15,000 square feet of building area;
- iv. Institutional, public facility, or community facilities including recreation facilities and outdoor venues;
- v. Other uses for which major site development review is required by an adopted specific plan or the Hemet municipal code.

(2) *Minor site development review.* A minor site development review application is required for projects consisting of:

- i. Single family residential projects containing two to four parcels;
- ii. Industrial projects regardless of size with the exception of accessory buildings;
- iii. Commercial centers with 15,000 square feet or less of building area;
- iv. Commercial center upgrades or façade enhancements involving 40 percent or more of the center or facade;
- v. Churches and religious institutions in the S-1 zone or otherwise not requiring a conditional use permit;
- vi. Other uses for which minor site development review is required by an adopted specific plan or the Hemet municipal code.

(3) Minor site development review applications may be remanded for planning commission review and approval if determined by the director to have the potential to cause special community impacts or other unique or unusual effects.

- (4) In the event that a conditional use permit is required in addition to the site development review, only the conditional use permit application need be submitted, provided that the application materials and findings also address the requirements of this section.
  - (5) If site development review is not required pursuant to this section, projects may proceed to plan check or permit, as applicable. The director may also determine that based upon the scope and circumstances of a particular project a site development review application is not required.
- (c) *New applications.* An application for site development review shall be filed with the director or the director's designee by the property owner or an authorized agent on a form(s) prescribed by the director, and shall include information and/or maps which are deemed by the director to be necessary to enable the approving authority to make the required findings. The director or the director's designee shall make available, in writing, a listing of the information and/or maps, which are required to be submitted. Concurrent applications may be filed and processed.

**Sec. 90-48.1. - Review of applications and approving authority.**

- (a) *Major site development review applications.* The planning commission shall be responsible for the review and approval of major site development review applications.
- (b) *Minor site development review applications.* The director shall be responsible for the review and approval of minor site development review applications.
- (c) *Effective date.* The permit shall become effective 10 days following the date of approval by the applicable approving authority, unless otherwise appealed pursuant to section 90-48.6.

**Sec. 90-48.2. - Application fees and refunds.**

- (a) An application fee for site development review shall accompany the application submittal requirements, which are filed with the director. The fee(s) shall cover the costs of processing the applications in accordance with a schedule adopted from time to time by city council resolution.
- (b) Applications which are deemed incomplete and with no activity to complete the application for a period of 12 months from the filing date, are considered automatically withdrawn and may be subject to a refund in accordance with this section. Applications which have been withdrawn will require a new application and fee to be submitted in order to process the application.
- (c) Application fee refunds shall be authorized by the director for applications that are withdrawn upon written request and proof of payment by the applicant, in accordance with a refund schedule based upon staff time spent of the project. Requests for application fee refunds shall be valid for a period of up to six months from the date of withdrawal.
- (d) Portions of application fees paid to another jurisdiction or agency for services to be rendered in connection with the application shall not be refunded by the city. Nothing contained in this section shall prohibit another jurisdiction or agency from refunding fees directly to the applicant. If fees have been paid out to another jurisdiction or agency, the administrative fee related to coordinating the review of applications by other jurisdictions or agencies is non-refundable.

**Sec. 90-48.3. - Investigation.**

The director shall investigate and prepare a written report on all applications. Copies of the report shall be provided to the approving authority and the applicant at least three calendar days prior to a hearing on the application.

Sec. 90-48.4. - Hearing and notice procedure required.

(a) *Major site development review applications.*

- (1) *Hearing Date.* The director in the case of the planning commission, and the city clerk in the case of the city council shall set the time and place of the required public hearings. The hearing body, i.e., the commission, or council may change the time or place of their hearing, or may continue their hearing from time to time.
- (2) *Public hearing notice.* Notice of public hearings shall contain the time and place of the hearing and the location and proposed use of the subject property.
- (3) *Publication.* Notice of public hearing shall be published once in a newspaper of general circulation in the city not less than ten days prior to the date of the hearing.
- (4) *Mailing.* Notice of public hearing shall be mailed not less than 10 days prior to the date of the hearing of owners of property within a radius of 500 feet of the exterior boundaries of the subject property. If the director deems the proposal to have a greater effect than the required notification radius, the director may increase the notification radius appropriately.
- (5) *Testimony.* A summary of all pertinent testimony offered at the public hearing, the names and addresses of the persons testifying, copies of all notices affidavits of posting and publication, and records of action taken shall be a part of the permanent files of the project.

(b) *Minor site development review application.*

- (1) The director shall set the time and place of the required administrative hearing. The director or the director's designee may change the time or place of the hearing, or may continue their hearing from time to time.
- (2) Notice of the administrative hearing by the director shall be provided in writing to the adjacent and across the street property owners and tenants as well as any onsite tenants. The notice shall indicate the time and place of the hearing, a contact person, phone number of the contact person, where a copy of the staff investigation report may be viewed and/or obtained, and the appeal procedure.

Sec. 90-48.5. – Findings required.

Upon approval of a site development review application, the approving authority shall make the following findings:

- (a) The project complies with the all provisions of this chapter, and all other relevant city regulations, policies and guidelines including applicable design guidelines, specific plan requirements, and general plan policies;
- (b) The project complies with the California Environmental Quality Act and all applicable requirements and procedures of the act have been followed;
- (c) The design, scale, height, and layout of the project is appropriate for the site, will not unreasonably interfere with the use and enjoyment of neighboring existing or future developments, will not create traffic or pedestrian hazards and will not otherwise have a negative impact on the aesthetics, health, safety or welfare of neighboring uses;
- (d) The architectural design of the project is compatible with the character of the surrounding neighborhood and will enhance the visual character of the neighborhood through good aesthetic use of materials, texture and color;
- (e) The project applies applicable energy, water, and open space conservation practices to project design as outlined in the general plan and any relevant specific plan to help manage and conserve natural resources for the benefit of current and future residents.

Sec. 90-48.6. - Appeals.

- (a) *Appeal of the director's decision.* An appeal by an interested party may be made to the planning commission of the director's decision. The appeal shall be filed within ten calendar days of the director's decision by filing a letter of appeal with the director and paying the required appeal fee established by city council resolution. The commission may affirm, modify or reverse the director's decision, making findings required by this chapter and/or state law.
- (b) *Appeal of the planning commission's decision.* An appeal by an interested party may be made to the city council of a planning commission decision. The appeal shall be filed within ten calendar days of the commission decision by filing a letter of appeal with the director and the required appeal fee established by city council resolution. The council may affirm, modify or reverse the planning commission decision, making findings required by this chapter and/or state law. The decision of the city council shall be final.

Sec. 90-48.7. - New application following a denial.

An application for site development review on the same property or substantially the same property following the same request, shall not be accepted within one calendar year of the date of denial unless the approving authority waives the resubmittal date at the time of project denial.

Sec. 90-48.8. - Expiration and time extensions.

Site development review approval shall expire 24 months after final approval unless construction has commenced and is being carried on diligently to completion, or an application for a time extension is filed prior to the expiration. If an application for extension is filed prior to the expiration, the approving authority may extend the time limit up to a maximum period of three additional years.

Sec. 90-48.9. - Modifications and/or revisions.

Modifications or revisions to an approved site development review application shall require submittal of a request to the director. The director shall have the authority to permit minor modifications to an approved minor site development review application. For the purposes of this section, a minor modification means where there is less than twenty percent change to the site plan, floor area, architecture, or façade of the original approval. The planning commission shall review all other modifications or revisions in accordance with the required review procedures in this chapter. Modifications must be found in substantial conformance to the original approval. All copies of the revised site development review permit including the site plan and conditions of approval shall be dated and signed by the director and made a part of the record.

Sec. 90-48.10. - Suspension and/or revocation.

- (a) *Suspension for violation.* Upon violation of any applicable provision of this article, or, if the application was granted subject to conditions, upon failure to comply with conditions, the application shall automatically be suspended. The approving authority shall, within 40 calendar days of the suspension of the conditional use permit, hold a hearing in accordance with the requirements of section 90-48.3 to consider revocation.
- (b) *Findings for Revocation.* A site development review permit may be revoked if the planning commission finds:
  - (1) That the site development review permit was obtained by fraud; or
  - (2) That the use for which the site development review permit was granted is not being exercised; or
  - (3) That the use for which the site development review permit was granted has ceased or been suspended for more than six months; or

- (4) That a status of non-compliance exists with regards to any of the conditions of the site development review permit.
- (c) *Revocation.* If after the hearing the approving authority is not satisfied that the regulation, general provision or condition for which compliance is required is being met the following actions shall be taken:
  - (1) The permit may be revoked and become null and void; or
  - (2) The approving authority may take such action as deemed necessary and appropriate to ensure compliance with the regulation, general provision or condition; or
  - (3) New requirements and/or conditions may be added.
- (d) Action of the approving authority shall be final within ten calendar days unless appealed in accordance with the procedures of section 90-48.6.

**Sec. 90-49. – Pre-Application Review Applications**

- (1) *Purpose.* The purpose of the pre-application review application is to reduce the time and expense of the development review process by providing to the applicant an informative assessment early in the process to assist in the efficient and coordinated processing of projects consistent with city standards and requirements, prior to the applicant's preparation of a formal submittal. It is further the intent of the city by this section to maintain and encourage high standards of development in the interest of public health, safety, economic development, and general welfare of the city.
- (2) *Applicability.* A pre-application review application shall be required for all new and revised projects as provided in this section:
  - (1) Annexations
  - (2) General plan amendments
  - (3) Specific plans
  - (4) Residential projects of five or more parcels
  - (5) Multiple family residential projects
  - (6) Commercial, industrial, and institutional projects with over 5,000 square feet of building area
  - (7) Conditional use permits (excluding Streamlined Review applications)
  - (8) Tentative tract maps and tentative parcel maps
  - (9) Large scale special events that are outdoors, open to the public, and on property that is not typically allowed or permitted as an ongoing use of the site.
- (c) *New applications.* An application for pre-application review shall be filed with the director or the director's designee by the property owner or an authorized agent on a form(s) prescribed by the director. The director or the director's designee shall make available, in writing, a listing of the information and/or maps, which are required to be submitted.
- (d) The director shall have the authority to waive or require pre-application review for limited projects, as applicable based on the circumstances and scope of the project.

**Sec. 90-49.1. - Application fees and refunds.**

- (a) An application fee for pre-application review shall accompany the application submittal requirements, which are filed with the director. The fee(s) shall cover the costs of processing the applications in accordance with a schedule based on staff time spent on the project.
- (b) Applications which have been withdrawn will require a new application and fee to be submitted in order to process the application.

- (c) Application fee refunds shall be authorized by the director for applications that are withdrawn upon written request and proof of payment by the applicant, in accordance with a refund schedule based upon staff time spent on the project. Requests for application fee refunds shall be valid for a period of up to six months from the date of withdrawal.
- (d) Non-profit organizations with a 501(C)(3) tax exemption are exempt from pre-application review application fee requirements for large scale special events.

**Sec. 90-49.2. – Procedure**

- (a) Within 14 days from receipt of a pre-application review application, the director will schedule when the development review committee meeting will be held to discuss the proposed project with the applicant. The development review committee shall provide an initial review of the proposed development plans for compliance with the Hemet municipal code, the applications required, the Hemet general plan and applicable design guidelines and standards as well as what technical studies or materials will be required to be filed with the formal application.
- (b) Within 20 working days after the development review committee meeting reviewing the proposed project, the director shall prepare and send to the applicant a letter summarizing the preliminary comments and recommendations of the development review committee.
- (c) Pre-application review shall not be considered a final review or substitute for the application submittal process. It is solely intended to provide the necessary information to enable an applicant to make an informed decision about whether or how to proceed with a development project in the city.

**Sec. 90-49.3. – Time limit; extension.**

- (a) A new pre-application review application shall be required if project applications associated with the pre-application review have not been submitted within 24 months of the last development review committee meeting or the project has substantially changed.
- (b) The director may extend the expiration date of a pre-application review application for an additional six months if written request for the extension is filed prior to the date of expiration.

**Secs. 90-48~~50~~ —90-54. - Reserved.**

# Exhibit 2

ZOA15-001 proposes the following amendments, *as shown in red*, to the zoning ordinance sections listed below. No other section in the referenced articles is affected.

### **Agriculture Zones**

#### **Sec. 90-185. - General requirements.**

(a)

New development projects in the agricultural zones are subject to pre-application review as provided in section 90-49 and site development review as provided in section 90-48 of this chapter. Development of the site and structures shall be consistent with all applicable design guidelines.

(b)

Prior to the construction of any building or structure, a building permit shall be required in accordance with the latest city adopted California Building Code. The following are minimum requirements, unless otherwise noted, and shall apply to all land, buildings, and structures in their respective zones. All area dimensions are in square feet, unless otherwise noted. All linear dimensions are in feet, unless otherwise noted

### **Single Family Residential Zones**

#### **Sec. 90-314. - General requirements.**

(a)

New development projects in the single family residential zones are subject to pre-application review as provided in section 90-49 and site development review as provided in section 90-48 of this chapter. Development of the site and structures shall be consistent with all applicable design guidelines.

(b)

Prior to the construction of any building or structure a building permit shall be required in accordance with the latest city-adopted Uniform Building Code. The following are minimum requirements, unless otherwise noted, and shall apply to all land, buildings, and structures in their respective zones. All area dimensions are in square feet, unless otherwise noted. All linear dimensions are in feet, unless otherwise noted.

### **Multiple Family Zone**

#### **Sec. 90-385. - General requirements.**

(a)

~~No person shall construct any multiple family building or structure, or relocate, rebuild or significantly enlarge or modify any existing multiple family building or structure, until a site development review plan to review the site design and architecture has been approved by the community development director or planning commission pursuant to article XXI.~~ New development projects in the multiple family residential zones are subject to pre-application review as provided in section 90-49 and site development review as provided in section 90-48. Development of the site and structures shall be consistent with all applicable design guidelines.

### **Commercial Zones**

#### **Sec. 90-894. - General requirements.**

(a)

New development projects in the commercial zones are subject to pre-application review as provided in section 90-49 and site development review as provided in section 90-48.

Development of the site and structures shall be consistent with all applicable design guidelines.

- (b) Prior to the construction of any building or structure, a building permit shall be required in accordance with the latest city-adopted uniform building code. The following are minimum requirements, unless otherwise noted, and shall apply to all land, buildings and structures in their respective zones. All area dimensions are in square feet, unless otherwise noted.

### ***Downtown Zones***

#### **Sec. 90-933. - Site development requirements.**

Development in the D-1 and D-2 zones shall comply with the standards contained within [section 90-895](#), except as otherwise provided in this chapter, and pursuant to the downtown design guidelines contained in the General Plan, or any other design guidelines or specific plans as may subsequently be adopted by the city council and applicable to the downtown zones.

Development within the downtown zones is subject to pre-application review as provided in [section 90-49](#) and site development review as provided in [section 90-48](#) of this chapter.

### ***Specific Plan Zone***

#### **Sec. 90-983. - General requirements.**

- (a) A specific plan may be utilized for a variety of development projects including residential, commercial, industrial, institutional and public facilities projects.
- (b) The maximum number of dwelling units within a specific plan district shall not exceed the number of units indicated by the general plan, provided that the distribution of units within the specific plan and on any individual site shall be governed by the specific plan land use plan and any density transfer provisions related thereto.
- (c) All public and master planned streets within or abutting the development shall be dedicated and improved to city specifications for that particular classification of street. Private streets within the development shall be permanently reserved and maintained for their intended purpose by means acceptable to and enforceable by the city.
- (d) Development within a specific plan district shall relate harmoniously to the topography of the site, shall make suitable provisions for the preservation of water courses, drainage areas, rough terrain and similar natural features, and shall otherwise be so designed inasmuch as possible, to use and retain natural features and amenities.
- (e) Development within a specific plan district is subject pre-application review as provided in [section 90-49](#) and site development review as provided in [section 90-48](#). Development of the site and structures shall be consistent with all applicable design guidelines.

### ***Industrial Zones***

#### **Sec. 90-1047. - Site development review requirements.**

~~No new building, structure, or use, or a significant alteration or enlargement of an existing building, structure, or use shall be commenced in any industrial zone until site and architectural design review approval has been granted pursuant to [article XLI](#) of this chapter. Development of the site and structures shall be consistent with all applicable design guidelines for office, business park, and industrial uses.~~ **New projects in the industrial zones are subject to pre-**

application review as provided in section 90-49 and site development review as provided in section 90-48. Development of the site and structures shall be consistent with all applicable design guidelines.

### **Open Space Zones**

#### **Sec. 90-1161. - Site development review requirements.**

Principal buildings, structures, or uses, or a significant alteration or enlargement of an existing building, structure, or use may be subject to the requirements of article XLI (site development review) of this chapter. **New projects in the open space zones are subject to pre-application review as provided in section 90-49 and site development review as provided in section 90-48. Development of the site and structures shall be consistent with all applicable design guidelines.**

### **ARTICLE XXXV. - INSTITUTIONAL ZONE**

#### **Sec. 90-1221. - Development review and approval.**

No person shall construct, enlarge or modify any building or structure in the institutional zone until approval has been obtained as outlined in this section. Public hearings shall be set and notice given as prescribed in [section 90-43](#). **New projects in the institutional zone are subject to pre-application review as provided in section 90-49 and site development review as provided in section 90-48. Development of the site and structures shall be consistent with all applicable design guidelines.**

(1)

~~Site plan.~~ Copies of the proposed site plan shall be submitted to the community development department, and shall include the following information:

- a. ~~Location of all structures.~~
- b. ~~Location of all access and parking.~~
- c. ~~Building elevations.~~

(2)

~~Action by planning commission.~~ The planning commission shall conduct a public hearing and take action, recommending one of the following to the city council: (1) that the application be granted, (2) that the application be granted in modified form, or (3) that the application be denied, based on the following findings:

- a. ~~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.~~
- b. ~~That the proposed location of the conditional use and the conditions under which it will 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.~~
- c. ~~That the proposed conditional use will comply with each of the applicable provisions of this chapter.~~

~~The planning commission may recommend conditions deemed necessary to protect the public health, safety and general welfare of persons and property in the vicinity.~~

(3)

*Action by city council.*

- a. ~~Within 40 days following the close of the planning commission public hearing, the city council shall conduct a public hearing, and may approve, modify or disapprove the recommendations of the planning commission, and shall address the findings made pursuant to subsection (2) of this section.~~
- b. ~~When the planning commission has recommended disapproval, the city council shall not be required to take further action, unless an interested party appeals the case as prescribed in [section 90-44](#).~~

(4)

~~Approval of height in excess of 35 feet. A building height in excess of 35 feet may be authorized by the city council where the planning commission and city council make the following findings, in addition to the findings required in subsection (2) of this section:~~

- a. ~~That the design and placement of structures and buildings are compatible with the type of adjacent land use.~~
- b. ~~That the proximity of proposed structures and buildings to adjacent streets provides adequate ingress, egress, visibility and separation from adjoining land uses.~~
- c. ~~That the structure or building setback from the adjacent land uses provides adequate light, air and privacy for proposed development and adjoining properties.~~

(Ord. No. 1224; Code 1984, § 24110)

**Church Zone**

**Sec. 90-1393. - General requirement.**

(a)

New projects in the church zone are subject to pre-application review as provided in section 90-49 and site development review as provided in section 90-48. Development of the site and structures shall be consistent with all applicable design guidelines.

**Secs. 90-13934—90-1420. - Reserved.**



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**CITY OF HEMET  
Hemet, California  
ORDINANCE BILL NO. 15-011**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET AMENDING CERTAIN SECTIONS OF CHAPTER 90 (ZONING ORDINANCE) OF THE HEMET MUNICIPAL CODE TO UPDATE PROVISIONS RELATED TO DISABILITY, TRANSITIONAL AND SUPPORTIVE HOUSING, FAIR HOUSING, AND OTHER HOUSING-RELATED DEFINITIONS TO ACHIEVE COMPLIANCE WITH STATE AND FEDERAL MANDATED HOUSING LAWS.**

**WHEREAS**, the State legislature has declared that the lack of housing, including providing for a variety of housing types for all income levels and special needs groups, is a critical problem that threatens the economic, environmental, and social quality of life in California; and

**WHEREAS**, Government Code Section 65583 requires that a city's housing element address governmental constraints to the development of housing, including providing for a variety of housing types for all income and age levels,; and

**WHEREAS**, as a condition to achieve compliance with State housing element law and obtain the State Department of Housing and Community Development certification for the City's 2014-2021 Housing Element granted on January 29, 2014, the City agreed to update its zoning code provisions related to transitional and supportive housing; and

**WHEREAS**, the proposed ordinance achieves compliance with federal requirements for certification of the City's 2015-2020 Consolidated Plan related to fair housing laws; and

1           **WHEREAS**, approval of these zoning ordinance amendments will not  
2 detrimentally affect the health, safety, or welfare of residents of the City of Hemet; and

3           **WHEREAS**, on March 3, 2015, the Planning Commission was presented with a  
4 draft of this Ordinance Bill No. 15-011 and, after conducting a duly noticed public  
5 hearing, voted to recommend that the City Council approve Ordinance Bill No. 15-011.

6           **WHEREAS**, on March 24, 2015, the City Council considered the Ordinance, the  
7 Planning Commission's findings, and the record of information regarding ZOA 15-002 at  
8 a duly noticed public hearing, at which time interested persons had an opportunity to  
9 provide testimony on this matter.

10 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET DOES HEREBY**  
11 **ORDAIN AS FOLLOWS:**

12 **SECTION 1: AMENDMENT OF SECTION 90-262 (DEFINITIONS)**

13           Chapter 90 (Zoning) of the Hemet Municipal Code is amended as shown in  
14 Exhibit 1 hereto.

15 **SECTION 2: AMENDMENT OF SECTIONS 90-183, 90-312, 90-383, 90-892, and 90-**  
16 **932**

17           Chapter 90 (Zoning) of the Hemet Municipal Code is amended as shown in  
18 Exhibit 2 hereto.

19 **SECTION 3: AMENDMENT OF SECTIONS 90-262 and 90-1083**

20           Chapter 90 (Zoning) of the Hemet Municipal Code is amended as shown in  
21 Exhibit 3 hereto.

22 **SECTION 4: CEQA FINDINGS.**

23           The City has analyzed this proposed project and has determined that it is exempt  
24 from the California Environmental Quality Act ("CEQA") under section 15061(b)(3) of the  
25 CEQA Guidelines, which provides that CEQA only applies to projects that have the  
26 potential for causing a significant effect on the environment. Where as here, it can be  
27 seen with certainty that there is no possibility that the activity in question may have a  
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1 significant effect on the environment, the activity is not subject to CEQA. The  
2 amendments to Chapter 90 referenced herein bring the zoning ordinance into  
3 compliance with the General Plan. The proposed text changes do not relate to any  
4 physical project and will not result in any physical change to the environment. Therefore,  
5 it can be seen with certainty that there is no possibility that this Ordinance may have a  
6 significant adverse effect on the environment, and therefore the adoption of this  
7 Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA  
8 Guidelines.

9 **SECTION 5: SEVERABILITY.**

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

18 **SECTION 6: EFFECTIVE DATE.**

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

21 **SECTION 7: PUBLICATION.**

22 The City Clerk is authorized and directed to cause this Ordinance to be published  
23 within fifteen (15) days after its passage in a newspaper of general circulation and  
24 circulated within the City in accordance with Government Code Section 36933(a) or, to  
25 cause this Ordinance to be published in the manner required by law using the alternative  
26 summary and pasting procedure authorized under Government Code Section 39633(c).  
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**INTRODUCED** at the regular meeting of Hemet City Council on the 24th day of March, 2015.

**APPROVED AND ADOPTED** this 14th day of April, 2015.

\_\_\_\_\_  
Linda Krupa, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Sarah McComas, City Clerk

\_\_\_\_\_  
Eric S. Vail, City Attorney

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

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Ordinance was introduced and first read on the 24th day of Mach, 2015, and had its second reading at the regular meeting of the Hemet City Council on the 14th day of April, 2015, and was passed by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
Sarah McComas, City Clerk



# Exhibit 1

# EXHIBIT 1

**ZOA15-002 proposes to amend only those sections of the zoning definitions indicated below *in red*.**

## AMENDMENT TO ARTICLE X, DIVISION 1:

### Sec. 90-262. - Definitions.

For the purposes of this article X, the following definitions shall apply:

*Boarding house* is defined as provided in section 90-4 of this Code.

*Disabled or individual with a disability* means an individual with a qualifying disability under the fair housing laws. Generally, any person with any mental or physical impairment, disorder or condition, which substantially limits one or more major life activities, including physical, mental and social activities and working. Disabled or individual with a disability does not include impairments, disorders or conditions resulting from the current, illegal use of or addiction to a controlled substance, sexual behavior disorders, compulsive gambling, kleptomania, or pyromania.

*Fair housing laws* means the federal Fair Housing Act (42 U.S.C. § 3601 et seq.), the California Community Care Facilities Act (Health and Safety Code § 1500 et seq.), the California Fair Housing and Employment Act (Government Code § 12900 et seq.), and Civil Code § 54, together with published judicial decisions interpreting those laws.

*Group home* means any boarding house that provides temporary, interim, or permanent housing to individuals where every person residing in the dwelling is an individual with a disability, and the individuals are not living as a single housekeeping unit.

- (1) *Large group home* means a group home in which seven or more individuals reside, whether the group home is required to be and is licensed by the State of California, or is not required to be licensed by the State of California. Large group homes do not include small licensed residential care facilities.
- (2) *Small group home* means a group home in which six or fewer individuals reside and which is not required to be licensed by the State of California. Small group homes do not include small licensed residential care facilities.
- (3) *Supportive housing* is defined by California Government Code Section 65582 and means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible work in the community

*Multiple-family residential zones* means those zones intended for multiple-family residential units as described in section 90-381 and similar sections in chapter 90.

*Operator* means any entity(ies) or person(s) who owns, manages, or operates a group home or boarding house.

*Parolee-probationer* means (i) any individual who has been convicted of a federal crime, sentenced to a United States prison, and received conditional or revocable release into the community under the supervision of a federal parole officer; (ii) any individual who has served a term of imprisonment in a state prison and who is serving a period of supervised community custody, as defined in Penal Code § 3000, and is under the jurisdiction of the California Department of Corrections, Parole and Community Services Division; (iii) an adult or juvenile sentenced to a term in the California Youth Authority and who has received conditional and revocable release into the community under the supervision of a Youth Authority Parole Officer; (iv) any individual who has been convicted of a felony, sentenced to any correctional facility, including county correctional facilities, and is under the jurisdiction of any federal, state, or county parole or probation officer:

or (v) any person released to postrelease community supervision under the "Postrelease Community Supervision Act of 2011" (Penal Code § 3450 et seq.). For purposes of this paragraph "felony" means a felony as defined in any California or United States statute.

*Parolee-probationer home* means any boarding house, whether owned or operated by an individual or a for-profit or nonprofit entity, which houses two or more parolee-probationers unrelated by blood, marriage, or legal adoption, in exchange for monetary or nonmonetary consideration given and/or paid by the parolee-probationer and/or any public or private entity or person on behalf of the parolee-probationer.

*Single-family residential zones* means those zones intended for single-family residential units as described in section 90-311 and similar sections in chapter 90.

*Single housekeeping unit* means an interactive group of persons jointly residing in a single dwelling unit exercising joint responsibility for and use of the dwelling's common areas, jointly sharing household expenses, jointly sharing household activities and responsibilities such as meals, chores, and household maintenance. A boarding house shall not be considered a single housekeeping unit. If a dwelling is leased or rented under a single written or oral lease or rental agreement, the makeup of the group of persons occupying the unit must be determined by the residents of the dwelling, not the landlord or property manager, to be a single housekeeping unit.

*Small licensed residential care facility* means a group home in which six or fewer individuals with a disability or children reside that provides onsite care, treatment or other services to its residents and that is required to be and is licensed by the State of California. Small licensed residential care facilities are exempt from the provisions of this division and shall be treated for purposes of applying the requirements of chapter 90 as a residential use of property occupied by a single housekeeping unit. Small licensed residential care facilities include without limitation the following, provided the number of residents does not exceed six: Intermediate care facilities for the developmentally disabled (Health and Safety Code § 1267.8(c)); congregate living health facilities (Health and Safety Code §§ 1267.8(c), 1267.16(a)); residential community care facilities, including foster family homes, small family homes, social rehabilitation facilities, community treatment facilities, and transitional shelter care facilities (Health and Safety Code §§ 1502, 1566.3); residential care facilities for persons with chronic life-threatening illnesses (Health and Safety Code § 1568.0831); residential care facilities for the elderly (Health and Safety Code § 1569.85); pediatric day health and respite care facilities (Health and Safety Code § 1761.4).

*Transitional housing* is defined by California Government Code Section 65582 and means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

(Ord. No. 1852, § 3(Exh. A, § 90-272), 6-12-12; Ord. No. 1855, § 2(Exh. A, § 2(§ 90-272)), 9-11-12)

# Exhibit 2

# EXHIBIT 2

*ZOA15-002 proposes to amend only those sections of the land use matrices indicated below in red.*

## AMENDMENT TO CHAPTER 90, ARTICLE VII:

### AGRICULTURE ZONES.

Sec. 90-183. - Permitted uses.

In the A zones, permitted and conditionally permitted uses shall be as listed within the "Land Use Matrix." Whenever a business is conducted, even if it is a home occupation, a city business license is required pursuant to chapter 18. All other uses not specifically listed in the matrix shall be interpreted as not permitted unless a similar use determination is made by the community development director pursuant to section 90-3. Uses located within the Hemet-Ryan Airport Influence Area are subject to the requirements of the Riverside County Airport Land Use Plan.

AGRICULTURE (A) ZONE LAND USE MATRIX				
<b>P = Permitted Use</b> <b>A = Administratively Permit Use</b> <b>C = Conditionally Permitted Use</b> <b>X = Not Permitted</b> <b>REQUIREMENTS: Additional or explanatory regulations or requirements</b>				
LAND USE	A-1	A-2-5	A-2-10	REQUIREMENTS
<b>B. Residential Uses</b>				
1. Farmworker housing of up to 36 beds or 12 family units as a component of an agricultural use pursuant to Health and Safety Code §§ 17021.6 and 50199.7	P	P	P	Not subject to the maximum density requirements of Sec. 90-185
2. Secondary dwelling unit	P	P	P	Sec. 90-316(g)
3. Single-family home	P	P	P	
4. Supportive housing pursuant to Government Code Section 65582	P	P	P	Sec. 90-262

**AMENDMENT TO ARTICLE XI:**

**SINGLE FAMILY RESIDENTIAL ZONES.**

Sec. 90-312. - Permitted uses.

In the RA, R-1-D, R-1-H, R-1-6, R-1-7.2, R-1-10, R-1-20, R-1-40 zones, permitted and conditionally permitted uses shall be as listed within the "Land Use Matrix." Whenever a business is conducted, even if it is a home occupation, a city business license is required pursuant to chapter 18.

SINGLE-FAMILY RESIDENTIAL LAND USE MATRIX									
X=Not Permitted Use    P=Permitted Use    C=Conditionally Permitted Use (CUP)									
A=Administrative Use (AUP)    SGHP=Small Group Home Permit									
ZONE		R-A	R-1-D	R-1-H	R-1-6	R-1-7.2	R-1-10	R-1-20	R-1-40
<b>B.</b>	<b>Residential Uses</b>								
1.	Bed and breakfast	C	C	C	C	C	C	C	C
2.	Day care facility								
	a. >six but less than 12 clients	P	P	P	P	P	P	P	P
	b. >12 clients	C	C	C	C	C	C	C	C
3.	Group homes and small residential care facilities (see section 90-261 et seq.)								
	a. Small licensed residential care facilities	P	P	P	P	P	P	P	P
	b. Large group homes	X	X	X	X	X	X	X	X
	c. Small group homes	SGHP	SGHP	SGHP	SGHP	SGHP	SGHP	SGHP	SGHP
	d. Supportive housing as defined in Sec.90-262 and pursuant to Government Code Section 65582	P	P	P	P	P	P	P	P
4.	Accessory dwelling unit (including "granny flat" and "second unit") in accordance with subsection 90-315(g)	P	P	P	P	P	P	P	P
5.	Guest house on the same site as an existing single-family home	P	X	P	X	X	P	P	P
6.	Home occupations subject to the requirements of section 90-72	P	P	P	P	P	P	P	P
7.	Household pets including, but not limited to, dogs, pot belly pigs and cats (see section 90-77	P	P	P	P	P	P	P	P

**AMENDMENT TO ARTICLE XIII:**

**MULTIPLE FAMILY ZONES.**

Sec. 90-383. - Permitted uses.

In the R-2, R-3 and R-4 zones, permitted and conditionally permitted uses shall be as listed within the Land Use Matrix.

MULTIPLE-FAMILY RESIDENTIAL LAND USE MATRIX				
X=Not Permitted Use    P=Permitted Use    C=Conditionally Permitted Use (CUP)				
A=Administrative Use (AUP)    SGHP=Small Group Home Permit				
	ZONE			REFERENCE
	R-2	R-3	R-4	Additional or explanatory regulations or requirements
<b>A. Residential Uses</b>				
1. Accessory Dwelling Unit	P	P	P	
2. Mobile Home Parks	C	X	X	Article XX and Title 25 of the California Government Code
3. Multifamily housing, including duplexes, condominiums, apartments, or similar residential units*				
a. Senior	P	P	P	90-387 and 90-1081
b. Two family dwellings	P	P	X	
c. Multiple-family dwellings	P	P	P	
4. Single-family detached condominiums	P	P	X	
5. Single-family homes	P	P	X	
<b>C. Care Uses</b>				
1. Assisted living facility	C	C	C	
2. Boarding houses or congregate care facilities	C	C	X	90-261
3. Child or adult day care facility	C	C	C	
4. Group homes and small licensed care facilities				
a. Small, licensed residential care facilities	P	P	X	Article X
b. Large group homes (10 or fewer occupants)	A	A	X	Article X
c. Large group homes (11 or more occupants)	C	C	X	Article X
d. Small group home	SGHP	SGHP	X	Article X
e. Supportive housing pursuant to Government Code Section 65582	P	P	X	Article X, Sec. 90-262
5. Transitional housing pursuant to Government Code Section 65582	P	P	P	Article X, Sec. 90-262

# Exhibit 3

## **EXHIBIT 3**

***ZOA15-002 proposes to amend only those sections indicated below in red.***

### **ARTICLE X (SPECIAL HOUSING CLASSIFICATIONS), DIVISION 1:**

#### **Sec. 90-262. Definitions**

*Disabled or individual with a disability* means an individual with a qualifying disability under ~~the~~ federal and state fair housing laws. Generally, any person with any mental or physical impairment, disorder or condition, which substantially limits one or more major life activities, including physical, mental and social activities and working. Disabled or individual with a disability does not include impairments, disorders or conditions resulting from the current, illegal use of or addiction to a controlled substance, sexual behavior disorders, compulsive gambling, kleptomania, or pyromania.

*Small licensed residential care facility* means a group home in which six or fewer individuals with a disability or children reside that provides onsite care, treatment or other services to its residents and that is required to be and is licensed by the State of California. Small licensed residential care facilities are exempt from the provisions of this division and shall be treated for purposes of applying the requirements of chapter 90 as a residential use of property occupied by a single housekeeping unit. Small licensed residential care facilities include without limitation the following, provided the number of residents does not exceed six: Intermediate care facilities for the developmentally disabled (Health and Safety Code § 1267.8(c)); congregate living health facilities (Health and Safety Code §§ 1267.8(c), 1267.16(a)); residential community care facilities, including foster family homes, small family homes, social rehabilitation facilities, community treatment facilities, alcohol and drug treatment facilities, and transitional shelter care facilities (Health and Safety Code §§ 1502, 1566.3); residential care facilities for persons with chronic life-threatening illnesses (Health and Safety Code § 1568.0831); residential care facilities for the elderly (Health and Safety Code § 1569.85); pediatric day health and respite care facilities (Health and Safety Code § 1761.4).

### **ARTICLE XXXI (SENIOR HOUSING DESIGNATION):**

#### **Sec. 90-1083. - Minimum requirements for senior developments.**

In order for a development to be designated for seniors 55 years of age and older, it shall meet the minimum requirements of The Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended 42, U.S.C. 3601—3619) and the Housing for Older Persons Act of 1995 (Pub. L. 104-76) and/or the California Civil Code Sections 51.3, 51.11 and 51.12.



*Staff Report*

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Jessica A. Hurst, Deputy City Manager/Administrative Services  
Dave Brown, Acting City Manager

DATE: April 14, 2015

RE: Approval of AB 1600 Annual and Five Year Reports for the City of Hemet Fiscal Years 2008-09 through 2012-13, Annual Report for Fiscal Years 2013-14

**RECOMMENDED ACTION:**

It is recommended that the City Council adopt Resolution Bill No. 15-014 accepting and approving the AB 1600 Annual and Five Year Reports for the City's Development Impact Fees and making the findings required by Government Code section 66001(d).

**BACKGROUND:**

In 1987, Government Code Section 66000 et seq. became effective with the passage of Assembly Bill 1600 (AB1600). AB 1600 requires the City to annually prepare a report for the preceding fiscal year concerning the activity of the City's Development Impact Fees (Gov. Code Section 66006 (b) (1) and (2)). AB1600 was enacted to regulate the establishment of any new development fee or fee increase after January 1, 1989. The primary purpose of the annual report is to show the necessity of continued imposition of development impact fees. AB 1600 requires the annual report to be reviewed by the City Council at least 15 days after the report is made available for public review. Every fifth year the City is also required to make certain findings with respect to any unexpended DIF fees collected by the City.

To be in full compliance with State law, the City must:

1. Spend or commit DIF within five years of collection; or
2. Adopt a resolution that makes the findings required by Government Code section 66001(d) every five years.

The City currently collects seven different categories of impact fees, and retains a balance for an additional category, which are described in the following report.

**ANALYSIS:**

A key provision of the legislation, namely, Section 66006 (b) (1) of the Government Code requires that local agency shall, within 180 days of the close of each fiscal year, make available to the public the following information for each separate account or fund:

- (a) A brief description of the type of fee in the account or fund

- (b) The amount of the fee
- (c) The beginning and ending balance of the account or fund
- (d) The amount of fees collected and interest earned
- (e) An identification of each public improvement on which fees were expended and the amount of the expenditures for each improvement, including the total percentage of the cost of the public improvement that was funded with fees
- (f) An identification of an approximate date by which construction of the public improvement will commence if the local agency determines that sufficient funds have been collection to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete
- (g) A description of each interfund transfer or loan made from the account, including the public improvement on which the transferred or loaned fees will be expended. In the case of an interfund loan, an identification of that date on which the loan will be repaid, and the rate of interest the account will receive on the loan.
- (h) The amount of refunds made and any allocations of unexpended fees that are not refunded (Gov. Code Section 66006 (b) (1))

As of June 30, 2014, the City has eight (8) DIF funds subject to the requirements of Government Code Section 66000. The fund establishment dates and resolution histories are available in the reports for:

- (a) Law Enforcement Facilities Fee
- (b) Fire Suppression Facilities Fee
- (c) Road Facilities Fee
- (d) Drainage Facilities Fee
- (e) Parks and Recreation Facilities Fee / Valley Wide Facilities Fee
- (f) General Facilities Fee
- (g) Library Facilities Fee
- (h) Public Meeting Facilities Fee (collection ceased August 22, 2007)

To meet the five-year reporting compliance requirements, the AB1600 reports include the following:

- (a) Identification of the purposes and use/application of the fee;

- (b) A definition of the "reasonable relationship" between the fee and the purpose for which it is charged;
- (c) Identification of all sources and amount of funding anticipated to complete financing for any incomplete improvements; and
- (d) The approximate dates when additional funding is anticipated to be deposited into the appropriate account or fund.

Development Impact Fees are generally collected at the time building permits are issued for new residential and commercial construction. The impact fees are established by a resolution of the City Council and are deposited into separate development impact fee funds.

**PUBLIC OUTREACH AND REVIEW:**

The attached AB 1600 reports were mailed on March 30, 2015, to the Building Industry Association (BIA) Riverside County Office and the Hemet/San Jacinto Valley Chamber of Commerce for their review.

Additionally, the DIF reports were posted to the City website at <http://www.cityofhemet.org/index.aspx?nid=604> for public review on March 31, 2015.

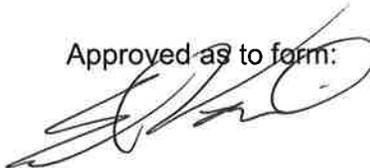
**FISCAL IMPACT:**

There is no General Fund impact. The City must expend or commit Developer Impact Fees collected within five years of receipt of funds. Each fee will continue to be accounted for in a separate fund. (Gov. Code Section 66006 (a)).

Respectfully submitted,

  
Jessica A. Hurst  
Deputy City Manager/Admin. Services

Approved as to form:

  
Eric S. Vail  
City Attorney

Attachment(s):

1. Resolution Bill No. 15-014
2. Exhibit A: Annual and Five Year Report for Fiscal Years 2008-09 through 2012-13
3. Exhibit B: Annual and Five Year Report for Fiscal Year 2013-14



CITY OF HEMET  
Hemet, California

RESOLUTION BILL NO. 15-014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HEMET, CALIFORNIA APPROVING THE ANNUAL AND FIVE  
YEAR AB 1600 REPORTS FOR FISCAL YEARS 2008-09  
THROUGH 2013-14 AND MAKING THE FINDINGS REQUIRED  
BY GOVERNMENT CODE SECTION 66001(D)

WHEREAS, Government Code section 66000 et seq. ("AB 1600) authorizes local agencies to adopt and impose development impact fees on new development within the jurisdiction of the local agency; and

WHEREAS, the City of Hemet has adopted several development impact fees in accordance with AB 1600; and

WHEREAS, AB 1600 requires the City of Hemet to make certain information available regarding the development impact fees collected and expended within 180 days of the close of each fiscal year (Government Code section 66006(b)), and to make certain findings every five years with respect to any unexpended fund balances of development impact fee funds (California Government Code Section 66001(d)); and

WHEREAS, documents reflecting the balance of each development impact fee fund or account, accrued interest in said fund or account and the amount of expenditure by public facility for the fiscal year have been made available for public review as required by Government Code Section 66006.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hemet, California, as follows:

**Section 1.** That the recitations above are true and correct.

**Section 2.** That the following findings are made as required under the Government Code Section 66001(d):

- A. The purpose to which each development impact fee is to be put has been identified.
- B. There is a continued need for the improvements and that there is a reasonable relationship between the fee and the impacts for development for which the fees are collected.

CITY COUNCIL RESOLUTION BILL NO. 15-014

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- C. The sources and amounts of funding anticipated to complete the financing of capital projects have been identified and will be deposited into the appropriate account upon receipt or during the normal Capital Improvement Program budget cycle.
  
- D. The approximate dates on which the funding referred to in subparagraph (C) is expected to be deposited into the appropriate account or fund have been identified.

These findings are based on information provided in the AB 1600 Annual and Five Year Reports for Fiscal Years 2008-09 through 2012-13, and Fiscal Year 2013-14 attached hereto as Exhibits "A" and "B."

**Section 3.** The City Council hereby accepts and approves the AB 1600 Annual and Five Year Reports attached hereto as Exhibits "A" and "B."

PASSED, APPROVED, AND ADOPTED this 14th day of April, 2015.

\_\_\_\_\_  
Linda Krupa, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Sarah McComas, City Clerk

\_\_\_\_\_  
Eric S. Vail, City Attorney

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

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the 14th day of April, 2015 by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

\_\_\_\_\_  
Sarah McComas, City Clerk

*DAVID*  
**TAUSSIG**  
& *Associates, Inc.*

**ANNUAL AND FIVE YEAR REPORTS FOR  
CITY OF HEMET  
FISCAL YEARS 2008-09 THROUGH 2012-13**

**March 24, 2015**

*Public Finance  
Facilities Planning  
Urban Economics*

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*Newport Beach  
Riverside  
San Francisco  
San Jose  
Dallas*

**GOVERNMENT CODE SECTIONS 66006 AND 66001  
ANNUAL AND FIVE YEAR REPORTS  
FOR FISCAL YEARS 2008-09 THROUGH 2012-13**

**Prepared for**

**CITY OF HEMET**  
455 East Florida Avenue  
Hemet, California 92543  
(951) 765-2330

**Prepared by**

**DAVID TAUSSIG & ASSOCIATES, INC.**  
5000 Birch Street, Suite 6000  
Newport Beach, California 92660  
(949) 955-1500

# TABLE OF CONTENTS

<b>Section</b>	<b>Page</b>
I. Introduction.....	1
II. Fiscal Years 2008-09 through 2012-13 Annual Report .....	2
III. Fiscal Year 2012-13 Five Year Report .....	18

## APPENDICES

Appendix A:	Law Enforcement Facilities Fee Summary of Transactions
Appendix B:	Fire Suppression Facilities Fee Summary of Transactions
Appendix C:	Road Facilities Fee Summary of Transactions
Appendix D:	Drainage Facilities Fee Summary of Transactions
Appendix E:	Parks and Recreation Facilities Fee/Valley Wide Facilities Fee Summary of Transactions
Appendix F:	General Facilities Fee Summary of Transactions
Appendix G:	Library Facilities Fee Summary of Transactions
Appendix H:	Public Meeting Facilities Fee Summary of Transaction

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## **I. INTRODUCTION**

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Sections 66001 and 66006 of the Government Code provide that the City of Hemet ("City") shall make available to the public certain information and adopt described findings relative to development impact fees ("Reportable Fees") collected pursuant to Section 66000 *et seq.* of the Government Code. The described information and findings relate to Reportable Fees received, expended or to be expended in connection with public facilities to accommodate new development if funded or partially funded with Reportable Fees. The Reportable Fees do not include mitigation payments, special tax proceeds, proceeds of bonds, or letters of credit to secure payment of Reportable Fees at a future date. Reportable Fees have not been levied, collected, or imposed for general revenue purposes.

The following Annual Report for fiscal years 2008-09 through 2012-13 and Five-Year Report for fiscal year 2012-13 include the information and proposed findings the City intends to review and adopt in accordance with Sections 66001 and 66006 of the Government Code.

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## **II. FISCAL YEARS 2008-09 THROUGH 2012-13 ANNUAL REPORT**

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In accordance with Government Code Section 66006(b)(1) and (2), the City hereby presents the following information for fiscal years 2008-09 through 2012-13.

The Reportable Fees of the City for fiscal years 2008-09 through 2012-13 consist of development impact fees for the following facilities:

- A. Law Enforcement Facilities
- B. Fire Suppression Facilities
- C. Road Facilities
- D. Drainage Facilities
- E. Parks and Recreation Facilities/Valley Wide Facilities
- F. General Facilities
- G. Library Facilities
- H. Public Meeting Facilities

The fees were originally adopted by Ordinance No. 1639 on January 23, 2001 (the "Ordinance") which revised and renumbered the City Code establishing the fees through Ordinance 1354. The dollar amount of the fees was adopted by resolution. The fee amounts were last updated by Resolution No. 3981 on January 23, 2006 for residential property and Resolution No. 3837 on July 26, 2004 for non-residential property. The Valley Wide Facilities Fee Fund was authorized on August 22, 2006, and allocated 16.3% of all new park impact fees. The Public Meeting Facilities Fee is no longer collected.

### **A. Law Enforcement Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Law Enforcement Facilities Fee finances law enforcement facilities, including law enforcement stations, vehicles and vehicle equipment, officer apparel and equipment, and communications and electronic equipment.

2. Amount of the Reportable Fees.

**Table A-1  
Law Enforcement Facility Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$298.00 per unit
Single Family	\$471.00 per unit
Townhomes/Duplexes	\$357.00 per unit
Multi-Family	\$404.00 per unit
Commercial/Office	\$0.223 per bldg sq. ft.
Industrial/Manufacturing	\$0.013 per bldg sq. ft.

3. Beginning and Ending Balance of Account and Sub-Account(s).

Tables 1 through 5 in Appendix A lists the beginning and ending balances for the Law Enforcement Facilities Fee Account from fiscal year 2008-09 through fiscal year 2012-13. Table 6 in Appendix A is a summary of all fiscal years.

4. Amount of the Reportable Fees Collected and Interest Earned.

Tables 1 through 5 in Appendix A shows the amount of Law Enforcement Facilities Fee collected, interest earned, and miscellaneous income during fiscal years 2008-09 through 2012-13. Table 6 in Appendix A is a summary of all fiscal years.

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table A-2  
Fiscal Years 2008-09 through 2012-13  
Reportable Law Enforcement Facility Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Administrative Expenses	\$19,296	100%
Major Machinery & Equipment	\$173,440	100%
<i>Total</i>	<i>\$192,736</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the law enforcement facilities projects shown in Table 2 in Section III of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from Law Enforcement Facilities Fee Account in fiscal years 2008-09 through 2012-13.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

The City refunded DIF fees received from Hemet Airport Industrial Park LLC developers after written notification was received by the City, on October 14, 2008, that the project was canceled. Fees of \$453 were refunded from the Law Enforcement Facilities Fee Account.

**Table A-3**  
**Fiscal Years 2008-09 through 2012-13**  
**Refunds of Law Enforcement Facility Fee**

Project	Fiscal Year	Amount Refunded
Hemet Airport Industrial	2008-09	\$453
<i>Total</i>	<i>NA</i>	<i>\$453</i>

**B. Fire Suppression Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Fire Suppression Facilities Fee finances fire suppression facilities, including fire stations, response and prevention vehicles and equipment, and firefighter apparel and equipment.

2. Amount of the Reportable Fees.

**Table B-1  
Fire Suppression Facility Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$354.00 per unit
Single Family	\$560.00 per unit
Townhomes/Duplexes	\$424.00 per unit
Multi-Family	\$480.00 per unit
Commercial/Office	\$0.240 per bldg sq. ft.
Industrial/Manufacturing	\$0.056 per bldg sq. ft.

3. Beginning and Ending Balance of Account and Sub-Account(s).

Tables 1 through 5 in Appendix B lists the beginning and ending balances for the Fire Suppression Facilities Fee Account from fiscal year 2008-09 through fiscal year 2012-13. Table 6 in Appendix B is a summary of all fiscal years.

4. Amount of the Reportable Fees Collected and Interest Earned.

Tables 1 through 5 in Appendix B shows the amount of Fire Suppression Facilities Fees collected, interest earned, and miscellaneous income during fiscal years 2008-09 through 2012-13. Table 6 in Appendix B is a summary of all fiscal years.

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table B-2  
Fiscal Years 2008-09 through 2012-13  
Reportable Fire Suppression Facility Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Administrative Expenses	\$243,956	100%
Major Machinery & Equipment	\$61,902	100%
<i>Total</i>	<i>\$305,858</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City determined that it has sufficient funds to finance the fire suppression facilities projects shown in Table 2 in Section III of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Fire Suppression Facilities Fee Account in fiscal years 2008-09 through 2012-13.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

The City refunded DIF fees received from Hemet Airport Industrial Park LLC developers after written notification was received by the City, on October 14, 2008, that the project was canceled. Fees of \$1,953 were refunded from the Fire Suppression Facilities Fee Account.

**Table B-3**  
**Fiscal Years 2008-09 through 2012-13**  
**Refunds of Fire Suppression Facility Fee**

Project	Fiscal Year	Amount Refunded
Hemet Airport Industrial	2008-09	\$1,953
<i>Total</i>	<i>NA</i>	<i>\$1,953</i>

**C. Road Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Road Facilities Fee finances highways, roads, bridges, and traffic signals.

2. Amount of the Reportable Fees.

**Table C-1  
Road Facility Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$1,537.00 per unit
Single Family	\$2,948.00 per unit
Townhomes/Duplexes	\$1,805.00 per unit
Multi-Family	\$2,030.00 per unit
Commercial/Office	\$2.460 per bldg sq. ft.
Industrial/Manufacturing	\$0.414 per bldg sq. ft.

3. Beginning and Ending Balance of Account and Sub-Account(s).

Tables 1 through 5 in Appendix C lists the beginning and ending balances for the Road Facilities Fee Account from fiscal year 2008-09 through fiscal year 2012-13. Table 6 in Appendix C is a summary of all fiscal years.

4. Amount of the Reportable Fees Collected and Interest Earned.

Tables 1 through 5 in Appendix C shows the amount of Road Facilities Fees collected, interest earned, and miscellaneous income during fiscal years 2008-09 through 2012-13. Table 6 in Appendix C is a summary of all fiscal years.

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table C-2  
Fiscal Years 2008-09 through 2012-13  
Reportable Road Facility Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Signal at Warren & Esplanade	\$12,217	52%
Sanderson Street Widening	\$32,088	100%
State Street Multi Use Path	\$15,818	100%
Cawston Street Improvements/Menlo/Esplanade	\$482,519	100%
Signal & Widening State/Latham	\$93,828	100%
Street Rehabilitation	\$877,434	10%
Well #17	\$11,010	95%
Signal at State & Devonshire	\$448,449	100%
Signal at Kirby & Devonshire	\$492,292	100%

Signal at State & Thornton	\$307,240	100%
RT Overlap Sanderson/Stetson	\$4,175	100%
Signal at State & Fruitvale	\$81,465	100%
Stetson Avenue Bridge	\$15,672	10%
Devonshire Extension – Myers to Old Warren	\$631,317	100%
Missing Link Sidewalk	\$158,948	31%
Safe Routes to School	\$82,398	10%
Citywide Access Ramps	\$106,060	48%
Warren Road Rehabilitation	\$939,461	100%
State Street Pavement Rehabilitation	\$493,251	100%
Safe Routes to School	\$7,259	100%
Chambers Street Improvements – Sidewalk & ADA Ramp Walkway	\$80,167	100%
Cawston Avenue Pavement Rehabilitation	\$44,537	10%
Lyon Avenue Pavement Rehabilitation	\$554,379	100%
Thornton & Sanderson Traffic Signal	\$6,475	100%
2013 Missing Link Sidewalks	\$5,441	33%
Soboba & Mountain Traffic Signal	\$5,947	34%
West Valley High School Lighted Crosswalk	\$92,033	100%
Stetson Crossing Partners	\$9,933	< 1%
Streets Engineering - CIP	\$624,993	100%
<i>Total</i>	<i>\$6,716,806</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the road facilities projects shown in Table 2 in Section III of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Road Facilities Fee Account in fiscal years 2008-09 through 2012-13.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

DIF credits in the amount of \$141,549 and \$145,000 were refunded from the Road Facilities Fee Account to Ryland Homes and the Hemet Center for Medical Excellence (HRSE-MRED LLC), respectively, for the installation of a traffic signal at the intersection of Devonshire and Cawston; of \$131,242 to Meeker Companies for work to widen Menlo Avenue (north side), East of Cawston Avenue; and \$84,192 to KB Homes for public improvements constructed for Heartland Village residential development.

The City refunded DIF fees received from Hemet Airport Industrial Park LLC developers after written notification was received by the City, on October 14, 2008, that the project was canceled. Fees of \$11,336 were refunded from the Road Facilities Fee Account.

**Table C-3**  
**Fiscal Years 2008-09 through 2012-13**  
**Refunds of Road Facility Fee**

<b>Project</b>	<b>Fiscal Year</b>	<b>Amount Refunded</b>
Ryland Homes	2008-09	\$141,549
Hemet Airport Industrial	2008-09	\$11,336
Meeker Companies	2008-09	\$131,242
HSRE-MRED LLC	2010-11	\$145,000
KB Home	2010-11	\$84,192
<i>Total</i>	<i>NA</i>	<i>\$513,319</i>

**D. Drainage Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Drainage Facilities Fee finances street gutter facilities, inlets, and a pipeline network of storm drain lines which convey runoff to various smaller lines, creeks, aqueducts, and channels throughout the City.

2. Amount of the Reportable Fees.

**Table D-1  
Drainage Facilities Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$1,147.00 per unit
Single Family	\$1,405.00 per unit
Townhomes/Duplexes	\$1,013.00 per unit
Multi-Family	\$474.00 per unit
Commercial/Office	\$0.402 per bldg sq. ft.
Industrial/Manufacturing	\$0.344 per bldg sq. ft.

3. Beginning and Ending Balance of Account and Sub-Account(s).

Tables 1 through 5 in Appendix D lists the beginning and ending balances for the Drainage Facilities Fee Account from fiscal year 2008-09 through fiscal year 2012-13. Table 6 in Appendix D is a summary of all fiscal years.

4. Amount of the Reportable Fees Collected and Interest Earned.

Tables 1 through 5 in Appendix D shows the amount of Drainage Facilities Fees collected, interest earned, and miscellaneous income during fiscal years 2008-09 through 2012-13. Table 6 in Appendix D is a summary of all fiscal years.

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table D-2  
Fiscal Years 2008-09 through 2012-13  
Reportable Drainage Facilities Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Cawston Street Improvements	\$213,804	100%
Sanderson Street Widening	\$918,514	37%
2006 Street Rehabilitation	\$49,340	5%
Esplanade Drainage Ditch Improvements	\$175,115	100%
Industrial Avenue	\$42,000	100%
Storm Drain Maintenance	\$468,591	100%
<i>Total</i>	<i>\$1,867,364</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been

Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the drainage facilities projects shown in Table 2 in Section III of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Drainage Facilities Fee Account in fiscal years 2008-09 through 2012-13.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

After several years of disputes including attorney actions, a settlement was reached between the City, Heartland, and K Hovnanian. K Hovnanian Enterprises pursuant to Section 2.1.5 of the Settlement Agreement was paid \$326,514 from the Drainage Facilities Fee Account. Heartland pursuant to sections 2.1.3 and 2.1.5 of the Settlement Agreement was paid \$860,145 to Massie Berman Client Trust from the Drainage Facility Fee Account. KB Homes waived further rights to any remaining fee credits.

**Table D-3**  
**Fiscal Years 2008-09 through 2012-13**  
**Refunds of Drainage Facilities Fee**

<b>Project</b>	<b>Fiscal Year</b>	<b>Amount Refunded</b>
K Hovnanian Enterprises	2011-12	\$326,514
Massie Berman Client Trust	2011-12	\$860,145
<i>Total</i>	<i>NA</i>	<i>\$1,186,659</i>

**E. Parks and Recreation Facilities/Valley Wide Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Parks and Recreation Facilities Fee finances parks and recreational facilities. The Valley Wide Facilities Fee finances improvements at Diamond Valley Lake Community Park, which is owned and operated by Valley Wide Recreation and Park District. The Valley Wide Facilities Fee Fund was authorized on August 22, 2006, and allocated 16.3% of all new park impact fees.

2. Amount of the Reportable Fees.

**Table E-1  
Parks and Recreation Facilities Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$920.00 per unit
Single Family	\$1,453.00 per unit
Townhomes/Duplexes	\$1,101.00 per unit
Multi-Family	\$1,247.00 per unit

**Table E-2  
Valley Wide Facilities Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$179.00 per unit
Single Family	\$283.00 per unit
Townhomes/Duplexes	\$214.00 per unit
Multi-Family	\$243.00 per unit

3. Beginning and Ending Balance of Account and Sub-Account(s).

Tables 1 through 5 in Appendix E lists the beginning and ending balances for the Parks and Recreation Fee Account from fiscal year 2008-09 through fiscal year 2012-13. Table 6 in Appendix E is a summary of all fiscal years. Tables 7 through 11 in Appendix E lists the beginning and ending balances for the Valley Wide Fee Account from fiscal year 2008-09 through fiscal year 2012-13. Table 12 in Appendix E is a summary of all fiscal years.

4. Amount of the Reportable Fees Collected and Interest Earned.

Tables 1 through 5 in Appendix E shows the amount of Parks and Recreation Fees collected, interest earned, and miscellaneous income during fiscal years 2008-09 through 2012-13. Table 6 in Appendix E is a summary of all fiscal years. Tables 7 through 11 in Appendix E shows the amount of Valley Wide Fees collected, interest earned, and miscellaneous income during fiscal years 2008-09 through 2012-13. Table 12 in Appendix E is a summary of all fiscal years.

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table E-3  
Fiscal Years 2008-09 through 2012-13  
Reportable Parks and Recreation Facilities Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Park Improvements – Mary Henley Park & Stoney Mountain Park	\$11,379	100%
Park Improvements – Palm Trees	\$67,182	100%
Dog Park at Dave Oltman Park	\$109,349	100%
Western Center for Archeology & paleontology	\$300,000	100%
Parks Development – Engineering Project Labor	\$495,618	100%
<b>Total</b>	<b>\$983,528</b>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the parks and recreation and Valley-Wide facilities projects shown in Table 2 in Section III of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Parks and Recreation Fee Account or Valley Wide Fee Account in fiscal years 2008-09 through 2012-13.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the Parks and Recreation Fee Account or Valley Wide Fee Account in fiscal years 2008-09 through 2012-13.

**F. General Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The General Facilities Fee finances general office or work facilities and equipment used by City staff to undertake their daily duties.

2. Amount of the Reportable Fees.

**Table F-1  
General Facilities Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$493.00 per unit
Single Family	\$780.00 per unit
Townhomes/Duplexes	\$591.00 per unit
Multi-Family	\$669.00 per unit
Commercial/Office	\$0.116 per bldg sq. ft.
Industrial/Manufacturing	\$0.116 per bldg sq. ft.

3. Beginning and Ending Balance of Account and Sub-Account(s).

Tables 1 through 5 in Appendix F lists the beginning and ending balances for the General Facilities Fee Account from fiscal year 2008-09 through fiscal year 2012-13. Table 6 in Appendix F is a summary of all fiscal years.

4. Amount of the Reportable Fees Collected and Interest Earned.

Tables 1 through 5 in Appendix F shows the amount of General Facilities Fees collected, interest earned, and miscellaneous income during fiscal years 2008-09 through 2012-13. Table 6 in Appendix F is a summary of all fiscal years.

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

No projects were funded by General Facilities Fees in fiscal years 2008-09 through 2012-13.

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the general facilities projects shown in Table 2 in Section III of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date

on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the General Facilities Fee Account in fiscal years 2008-09 through 2012-13.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the General Facilities Fee Account in fiscal years 2008-09 through 2012-13.

**G. Library Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Library Facilities Fee finances library facilities.

2. Amount of the Reportable Fees.

**Table G-1  
Library Facilities Fee by Land Use**

Land Use	Fee Amount
Mobile Homes (Senior)	\$465.00 per unit
Single Family	\$735.00 per unit
Townhomes/Duplexes	\$557.00 per unit
Multi-Family	\$631.00 per unit

3. Beginning and Ending Balance of Account and Sub-Account(s).

Tables 1 through 5 in Appendix G lists the beginning and ending balances for the Library Facilities Fee Account from fiscal year 2008-09 through fiscal year 2012-13. Table 6 in Appendix G is a summary of all fiscal years.

4. Amount of the Reportable Fees Collected and Interest Earned.

Tables 1 through 5 in Appendix G shows the amount of Library Facilities Fees collected, interest earned, and miscellaneous income during fiscal years 2008-09 through 2012-13. Table 6 in Appendix G is a summary of all fiscal years.

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table G-2  
Fiscal Years 2008-09 through 2012-13  
Reportable Library Facilities Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Administrative Expenses	\$8,382	100%
General Fund	\$140,004	100%
Library Services	\$478,935	100%
Major Machinery & Equipment	\$209,114	100%
<i>Total</i>	<i>\$836,435</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the library facilities projects shown in Table 2 in Section III of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Library Facilities Fee Account in fiscal years 2008-09 through 2012-13.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the Library Facilities Fee Account in fiscal years 2008-09 through 2012-13.

**H. Public Meeting Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Public Meeting Facilities Fee finances community centers and public buildings available for community use. This category of buildings differs from general facilities, which are facilities used by the City staff to undertake their municipal service duties.

2. Amount of the Reportable Fees.

The City stopped collecting the Public Meeting Facilities Fee as of August 2007.

3. Beginning and Ending Balance of Account and Sub-Account(s).

Tables 1 through 5 in Appendix H lists the beginning and ending balances for the Public Meeting Facilities Fee Account from fiscal year 2008-09 through fiscal year 2012-13. Table 6 in Appendix H is a summary of all fiscal years.

4. Amount of the Reportable Fees Collected and Interest Earned.

Tables 1 through 5 in Appendix H shows the amount of Public Meeting Facilities Fees collected, interest earned, and miscellaneous income during fiscal years 2008-09 through 2012-13. Table 6 in Appendix H is a summary of all fiscal years.

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

There have been no reportable public meeting facilities expenditures during fiscal years 2008-09 through 2012-13.

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has sufficient funds to finance the public meeting facilities projects shown in Table 2 in Section III of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Public Meeting Facilities Fee Account in fiscal years 2008-09 through 2012-13.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the Public Meeting Facilities Fee Account in fiscal years 2008-09 through 2012-13.

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### **III. FISCAL YEAR 2012-13 FIVE YEAR REPORT**

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In accordance with Government Code Section 66001, the City provides the following information with respect to that portion of the account or sub-account(s) remaining unexpended, whether committed or uncommitted:

**A. Identification of the Purpose to which the Reportable Fees are to be Put**

The purpose of the Reportable Fees imposed and collected on new development within the City during fiscal year 2012-13 was to fund the additional public facilities needed to serve new development within the City.

**B. Demonstration of a Reasonable Relationship Between the Reportable Fees and the Purposes for which they are Charged**

There is a roughly proportional, reasonable relationship between the new development upon which the Reportable Fees are charged and the need for additional public facilities by reason of the fact that additional residents and employees will be generated by additional development within the City and the City does not have capacity in its existing public facilities to accommodate these new residents and employees. Furthermore, the Reportable Fees charged on new development will be used to fund additional public facilities which will be used to serve the residents and employees generated from new development.

**C. Identification of All Sources and Amounts of Funding Anticipated to Complete Financing of the Public Facilities the City has Identified in the City's Reports**

Table 1 on the following page is a summary of the amount of fees on hand for each fund as of June 30, 2013, as well as the costs of the pending public facility projects currently identified by the City as shown in further detail in Table 2. As indicated in the table below, the current fee balances, other than the fire suppression and public meeting facilities fee balances, are needed to complete the pending projects. The fire facilities projects are currently on hold. The City intends to use the public meeting facilities fee balance on pending projects and new projects identified as public meeting needs occur.

**Table 1  
Fees on Hand for Each Fund as of June 30, 2013**

<b>Fund</b>	<b>Fees on hand as of 6/30/2013</b>	<b>Costs of future projects as shown in Table 2</b>
Law Enforcement Facilities	\$516,128	\$563,004
Fire Suppression Facilities [1]	\$606,273	\$427,373
Road Facilities	\$4,053,110	\$16,214,409
Drainage Facilities	\$2,978,766	\$3,000,000
Parks and Recreation Facilities	\$1,050,700	\$1,591,000
Valley Wide Facilities	\$297,235	\$300,000
General Facilities	\$1,559,569	\$1,691,742
Library Facilities	\$1,284,054	\$1,350,000
Public Meeting Facilities	\$574,705	\$228,807

*[1] Council has held meetings since February 2013 regarding keeping Fire Department as a City service or providing fire protection through outside agencies. Projects are on hold.*

**D. Identification of the Approximate Dates on Which the Funding Referred to in Section III.C is Expected to be Deposited into the Appropriate Account or Fund**

Table 2 lists the approximate dates on which the funds are expected to be available for the Public Facility projects presently identified by the City.

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**Table 2  
Anticipated Projects, Funding Sources, and Timing of Funding**

Fee / Project	Proposed Funding Sources			Description of Funding Sources		
	Reportable Fees	Other Sources of Funds	Total	Reportable Fees	Other Sources of Funds	Timeframe
<b>Law Enforcement Facilities</b>						
Professional Services	\$1,042	\$0	\$1,042	On Deposit with City and Future Fee Collections	None	2013 to 2014
Server Migration/Upgrades-Comtronix	\$82,825	\$0	\$82,825	On Deposit with City and Future Fee Collections	None	2013 to 2014
Capital Improvements - Evidence Building - Design Phase	\$29,137	\$0	\$29,137	On Deposit with City and Future Fee Collections	None	2013 to 2014
<u>Building Improvements for Security in Citizen Lobby &amp; Detective Areas</u>	<u>\$450,000</u>	<u>\$0</u>	<u>\$450,000</u>	<u>On Deposit with City and Future Fee Collections</u>	<u>None</u>	<u>2013 to 2015</u>
Subtotal	\$563,004	\$0	\$563,004			
<b>Fire Suppression Facilities</b>						
Miscellaneous Tools, Fire Fighting Equipment	\$27,373	\$0	\$27,373	On Deposit with City and Future Fee Collections	None	2013 to 2014
<u>Building Improvements for Public at Covell Building Fire Admin Location</u>	<u>\$400,000</u>	<u>\$0</u>	<u>\$400,000</u>	<u>On Deposit with City and Future Fee Collections</u>	<u>None</u>	<u>2013 to 2015</u>
Subtotal	\$427,373	\$0	\$427,373			
<b>Road Facilities</b>						
Sanderson Widening Project (Phase II)	\$994,409	\$0	\$994,409	On Deposit with City and Future Fee Collections	None	2013 to 2016
Traffic Signal Thornton & Sanderson	\$300,000	\$0	\$300,000	On Deposit with City and Future Fee Collections	None	2015 to 2016
Signal at Warren & Esplanade	\$400,000	\$0	\$400,000	On Deposit with City and Future Fee Collections	None	2015 to 2016
State Street Widening at Florida to Kimball	\$240,000	\$0	\$240,000	On Deposit with City and Future Fee Collections	None	2015 to 2016
Sanderson Widening Project	\$500,000	\$0	\$500,000	On Deposit with City and Future Fee Collections	None	2016 to 2017
Menlo Widening Project	\$3,150,000	\$0	\$3,150,000	On Deposit with City and Future Fee Collections	None	2016 to 2017
Juanita Street Improvements	\$350,000	\$0	\$350,000	On Deposit with City and Future Fee Collections	None	2016 to 2017
Traffic Signal Mountain & Soboba	\$150,000	\$150,000	\$300,000	On Deposit with City and Future Fee Collections	Grant - Indian Gaming Fund	2014 to 2016
State Street Improvements - Florida to Johnston	\$1,725,000	\$0	\$1,725,000	On Deposit with City and Future Fee Collections	None	2016 to 2017
Stetson Avenue Bridge Replacement	\$130,650	\$874,350	\$1,005,000	On Deposit with City and Future Fee Collections	FHWA Grant 87%	2013 to 2018
Gilbert Street Improvements	\$105,000	\$445,000	\$550,000	On Deposit with City and Future Fee Collections	STP - MAP 21 Federal Funds	2013 to 2016
<u>Cawston Avenue Widening Esplanade to Domeniqoni Parkway</u>	<u>\$6,700,000</u>	<u>\$0</u>	<u>\$6,700,000</u>	<u>On Deposit with City and Future Fee Collections</u>	<u>None</u>	<u>2014 to 2018</u>
Subtotal	\$14,745,059	\$1,469,350	\$16,214,409			
<b>Drainage Facilities</b>						
Esplanade Drainage Improvements	\$1,500,000	\$0	\$1,500,000	On Deposit with City and Future Fee Collections	None	2013 to 2014
<u>City Westside Flood Control Improvements per City Master Plan</u>	<u>\$1,500,000</u>	<u>\$0</u>	<u>\$1,500,000</u>	<u>On Deposit with City and Future Fee Collections</u>	<u>None</u>	<u>2012 to 2017</u>
Subtotal	\$3,000,000	\$0	\$3,000,000			
<b>Parks &amp; Recreation Facilities</b>						
Security Cameras/Security Camera System/Various Parks	\$41,000	\$0	\$41,000	On Deposit with City and Future Fee Collections	None	2013 to 2016
Devonshire Basin Park	\$750,000	\$0	\$750,000	On Deposit with City and Future Fee Collections	None	2013 to 2015
<u>City Master Plan - State Street &amp; Domeniqoni park trails, sidewalks</u>	<u>\$800,000</u>	<u>\$0</u>	<u>\$800,000</u>	<u>On Deposit with City and Future Fee Collections</u>	<u>None</u>	<u>2016 to 2020</u>
Subtotal	\$1,591,000	\$0	\$1,591,000			
<b>Valley Wide Facilities</b>						
Park Expansion in coordination with Valley Wide Recreation & Parks - proposed City Master Plan land purchase and facilities - City portion	\$300,000	\$0	\$300,000	On Deposit with City and Future Fee Collections	None	2014 to 2015
<b>General Facilities</b>						
City Hall Gate	\$5,800	\$0	\$5,800	On Deposit with City and Future Fee Collections	None	2013 to 2014
Professional Fees	\$942	\$0	\$942	On Deposit with City and Future Fee Collections	None	2013 to 2014
CNG Vehicle for Public Works	\$300,000	\$0	\$300,000	On Deposit with City and Future Fee Collections	None	2014 to 2015
Vehicle Replacement Plan for Public Works	\$385,000	\$0	\$385,000	On Deposit with City and Future Fee Collections	None	2013 to 2014
Equipment Replacement proposed for Public Works	\$500,000	\$0	\$500,000	On Deposit with City and Future Fee Collections	None	2017 to 2020
<u>Vehicle Additions for Public Works</u>	<u>\$500,000</u>	<u>\$0</u>	<u>\$500,000</u>	<u>On Deposit with City and Future Fee Collections</u>	<u>None</u>	<u>2017 to 2020</u>
Subtotal	\$1,691,742	\$0	\$1,691,742			
<b>Library Facilities</b>						
Second floor improvements and future expansion of library facilities, books, audio visual materials, and databases for patron use	\$1,000,000	\$0	\$1,000,000	On Deposit with City and Future Fee Collections	None	2013 to 2016
<u>Capital Outlay for books, audio visual materials, databases for patron use</u>	<u>\$350,000</u>	<u>\$0</u>	<u>\$350,000</u>	<u>On Deposit with City and Future Fee Collections</u>	<u>None</u>	<u>2013 to 2016</u>
Subtotal	\$1,350,000	\$0	\$1,350,000			
<b>Public Meeting Facilities</b>						
Library Second Floor Construction/Expansion of Public Meeting Rooms	\$150,000	\$0	\$150,000	On Deposit with City	None	2014 to 2017
Police Department Lobby Expansion of Public Meeting Rooms	\$42,707	\$0	\$42,707	On Deposit with City	None	2013 to 2015
<u>Fire Station #4 Public Meeting Room (Reimbursement of Fire DIF)</u>	<u>\$36,100</u>	<u>\$0</u>	<u>\$36,100</u>	<u>On Deposit with City</u>	<u>None</u>	<u>2013 to 2014</u>
Subtotal	\$228,807	\$0	\$228,807			

**APPENDIX A**

**Law Enforcement Facilities  
Fee Summary**

**Fiscal Years 2008-2009 through 2012-2013**

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Law Enforcement Facilities  
 Fee Amount: \$471 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 1 : Fiscal Year 2008-2009**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$336,180
Sources of Funds	
D.I.F. Revenues	\$89,517
Interest Income	\$6,816
Total Sources of Funds	\$96,333
Uses of Funds	
Capital Improvement Projects	(\$41,622)
Refund of Fees	(\$453)
Total Uses of Funds	(\$42,075)
<b>Ending Fund Balance 6/30/09</b>	<b>\$390,439</b>

**Table 2 : Fiscal Year 2009-2010**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/09	\$390,439
Sources of Funds	
D.I.F. Revenues	\$133,675
Interest Income	\$4,393
Total Sources of Funds	\$138,068
Uses of Funds	
Capital Improvement Projects	(\$62,341)
Total Uses of Funds	(\$62,341)
<b>Ending Fund Balance 6/30/2010</b>	<b>\$466,166</b>

**Table 3 : Fiscal Year 2010-2011**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/10	\$466,166
Sources of Funds	
D.I.F. Revenues	\$36,905
Interest Income	\$3,982
Total Sources of Funds	\$40,887
Uses of Funds	
Capital Improvement Projects	(\$3,612)
Total Uses of Funds	(\$3,612)
<b>Ending Fund Balance 6/30/2011</b>	<b>\$503,441</b>

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Law Enforcement Facilities  
 Fee Amount: \$471 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 4 : Fiscal Year 2011-2012**

Account Description	Amount
Beginning Fund Balance 7/1/11	\$503,441
Sources of Funds	
D.I.F. Revenues	\$35,008
Interest Income	\$4,221
Total Sources of Funds	\$39,229
Uses of Funds	
Capital Improvement Projects	(\$10,712)
Total Uses of Funds	(\$10,712)
<b>Ending Fund Balance 6/30/2012</b>	<b>\$531,958</b>

**Table 5 : Fiscal Year 2012-2013**

Account Description	Amount
Beginning Fund Balance 7/1/12	\$531,958
Sources of Funds	
D.I.F. Revenues	\$54,830
Interest Income	\$3,790
Total Sources of Funds	\$58,620
Uses of Funds	
Capital Improvement Projects	(\$74,450)
Total Uses of Funds	(\$74,450)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$516,128</b>

**Table 6 : Summary Fiscal Years 2008-2009 through 2012-2013**

Account Description	Amount
Beginning Fund Balance 7/1/2006	\$336,180
Sources of Funds	
D.I.F. Revenues	\$349,935
Interest Income	\$23,202
Total Sources of Funds	\$373,137
Uses of Funds	
Capital Improvement Projects	(\$192,737)
Refund of Fees	(\$453)
Total Uses of Funds	(\$193,190)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$516,128</b>

**APPENDIX B**

**Fire Suppression Facilities  
Fee Summary**

**Fiscal Years 2008-2009 through 2012-2013**

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Fire Suppression Facilities  
 Fee Amount: \$560 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 1 : Fiscal Year 2008-2009**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$293,919
Sources of Funds	
D.I.F. Revenues	\$106,521
Interest Income	\$86,415
Total Sources of Funds	\$192,935
Uses of Funds	
Capital Improvement Projects	(\$64,780)
Refunded Fees	(\$1,953)
Total Uses of Funds	(\$66,733)
<b>Ending Fund Balance 6/30/09</b>	<b>\$420,121</b>

**Table 2 : Fiscal Year 2009-2010**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/09	\$420,121
Sources of Funds [1]	
D.I.F. Revenues	\$147,029
Interest Income	\$38,219
Total Sources of Funds	\$185,248
Uses of Funds	
Capital Improvement Projects	(\$184,842)
Total Uses of Funds	(\$184,842)
<b>Ending Fund Balance 6/30/2010</b>	<b>\$420,527</b>

**Table 3 : Fiscal Year 2010-2011**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$420,527
Sources of Funds	
D.I.F. Revenues	\$43,700
Interest Income	\$23,623
Total Sources of Funds	\$67,323
Uses of Funds	
Capital Improvement Projects	(\$22,658)
Total Uses of Funds	(\$22,658)
<b>Ending Fund Balance 6/30/2011</b>	<b>\$465,191</b>

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Fire Suppression Facilities  
 Fee Amount: \$560 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 4 : Fiscal Year 2011-2012**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/11	\$465,191
Sources of Funds	
D.I.F. Revenues	\$41,608
Interest Income	\$41,678
Total Sources of Funds	\$83,286
Uses of Funds	
Capital Improvement Projects	(\$26,077)
Total Uses of Funds	(\$26,077)
<b>Ending Fund Balance 6/30/2012</b>	<b>\$522,400</b>

**Table 5 : Fiscal Year 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/12	\$522,400
Sources of Funds	
D.I.F. Revenues	\$64,001
Interest Income	\$27,372
Total Sources of Funds	\$91,373
Uses of Funds	
Professional Services	(\$7,500)
Total Uses of Funds	(\$7,500)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$606,273</b>

**Table 6 : Summary Fiscal Years 2008-2009 through 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/2008	\$293,919
Sources of Funds	
D.I.F. Revenues	\$402,859
Interest Income	\$217,307
Total Sources of Funds	\$620,165
Uses of Funds	
Capital Improvement Projects	(\$305,858)
Refunded Fees	(\$1,953)
Total Uses of Funds	(\$307,812)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$606,273</b>

[1] Does not include funds deposited from the McSweeney Farms CFD.

**APPENDIX C**

**Road Facilities  
Fee Summary**

**Fiscal Years 2008-2009 through 2012-2013**

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Road Facilities  
 Fee Amount: \$2,948 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 1 : Fiscal Year 2008-2009**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$2,006,175
Sources of Funds	
D.I.F. Revenues	\$587,731
Interest Income	\$65,025
Other	\$2,556,049
Total Sources of Funds	\$3,208,805
Uses of Funds	
Capital Improvement Projects	(\$1,397,788)
Refunded Fees	(\$284,127)
Total Uses of Funds	(\$1,681,915)
<b>Ending Fund Balance 6/30/09</b>	<b>\$3,533,065</b>

**Table 2 : Fiscal Year 2009-2010**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/09	\$3,533,065
Sources of Funds	
D.I.F. Revenues	\$2,207,609
Interest Income	\$52,130
Other	\$526,757
Total Sources of Funds	\$2,786,496
Uses of Funds	
Capital Improvement Projects	(\$499,658)
Total Uses of Funds	(\$499,658)
<b>Ending Fund Balance 6/30/2010</b>	<b>\$5,819,904</b>

**Table 3 : Fiscal Year 2010-2011**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/10	\$5,819,904
Sources of Funds	
D.I.F. Revenues	\$410,465
Interest Income	\$35,246
Other	\$1,428,743
Total Sources of Funds	\$1,874,454
Uses of Funds	
Capital Improvement Projects	(\$1,391,916)
Refunded Fees	(\$229,192)
Total Uses of Funds	(\$1,621,108)
<b>Ending Fund Balance 6/30/2011</b>	<b>\$6,073,250</b>

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Road Facilities  
 Fee Amount: \$2,948 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 4 : Fiscal Year 2011-2012**

Account Description	Amount
Beginning Fund Balance 7/1/11	\$6,073,250
Sources of Funds	
D.I.F. Revenues	\$199,894
Interest Income	\$64,125
Other	\$714,651
Total Sources of Funds	\$978,670
Uses of Funds	
Capital Improvement Projects	(\$3,175,486)
Total Uses of Funds	(\$3,175,486)
<b>Ending Fund Balance 6/30/2012</b>	<b>\$3,876,434</b>

**Table 5 : Fiscal Year 2012-2013**

Account Description	Amount
Beginning Fund Balance 7/1/12	\$3,876,434
Sources of Funds	
D.I.F. Revenues	\$380,113
Interest Income	\$8,603
Other	\$39,914
Total Sources of Funds	\$428,630
Uses of Funds	
Capital Improvement Projects	(\$251,954)
Total Uses of Funds	(\$251,954)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$4,053,110</b>

**Table 6 : Summary Fiscal Years 2008-2009 through 2012-2013**

Account Description	Amount
Beginning Fund Balance 7/1/2008	\$2,006,175
Sources of Funds	
D.I.F. Revenues	\$3,785,812
Interest Income	\$225,129
Other	\$5,266,114
Total Sources of Funds	\$9,277,055
Uses of Funds	
Capital Improvement Projects	(\$6,716,801)
Refunded Fees	(\$513,319)
Total Uses of Funds	(\$7,230,120)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$4,053,110</b>

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**APPENDIX D**

**Drainage Facilities  
Fee Summary**

**Fiscal Years 2008-2009 through 2012-2013**

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Drainage Facilities  
 Fee Amount: \$1,405 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 1 : Fiscal Year 2008-2009**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$4,773,236
Sources of Funds	
D.I.F. Revenues	\$312,616
Interest Income	\$103,516
Total Sources of Funds	\$416,133
Uses of Funds	
Capital Improvement Projects	(\$359,670)
Total Uses of Funds	(\$359,670)
<b>Ending Fund Balance 6/30/09</b>	<b>\$4,829,699</b>

**Table 2 : Fiscal Year 2009-2010**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/09	\$4,829,699
Sources of Funds	
D.I.F. Revenues	\$410,138
Interest Income	\$44,868
Total Sources of Funds	\$455,006
Uses of Funds	
Capital Improvement Projects	(\$754,621)
Total Uses of Funds	(\$754,621)
<b>Ending Fund Balance 6/30/2010</b>	<b>\$4,530,084</b>

**Table 3 : Fiscal Year 2010-2011**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/10	\$4,530,084
Sources of Funds	
D.I.F. Revenues	\$21,442
Interest Income	\$23,766
Total Sources of Funds	\$45,208
Uses of Funds	
Capital Improvement Projects	(\$577,960)
Total Uses of Funds	(\$577,960)
<b>Ending Fund Balance 6/30/2011</b>	<b>\$3,997,332</b>

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Drainage Facilities  
 Fee Amount: \$1,405 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 4 : Fiscal Year 2011-2012**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/11	\$3,997,332
Sources of Funds	
D.I.F. Revenues	\$89,661
Interest Income	\$38,003
Total Sources of Funds	\$127,664
Uses of Funds	
Capital Improvement Projects	(\$175,177)
Refunded Fees	(\$1,186,659)
Total Uses of Funds	(\$1,361,836)
<b>Ending Fund Balance 6/30/2012</b>	<b>\$2,763,160</b>

**Table 5 : Fiscal Year 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/12	\$2,763,160
Sources of Funds	
D.I.F. Revenues	\$210,716
Interest Income	\$4,828
Total Sources of Funds	\$215,544
Uses of Funds	
Capital Improvement Projects	\$62 [1]
Total Uses of Funds	\$62
<b>Ending Fund Balance 6/30/2013</b>	<b>\$2,978,766</b>

**Table 6 : Summary Fiscal Years 2008-2009 through 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/2008	\$4,773,236
Sources of Funds	
D.I.F. Revenues	\$1,044,572
Interest Income	\$214,982
Total Sources of Funds	\$1,259,554
Uses of Funds	
Capital Improvement Projects	(\$1,867,365)
Refunded Fees	(\$1,186,659)
Total Uses of Funds	(\$3,054,024)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$2,978,766</b>

[1] Reimbursement to City for prior year expenditures.

**APPENDIX E**

**Parks and Recreation Facilities  
Valley Wide Facilities  
Fee Summary**

**Fiscal Years 2008-2009 through 2012-2013**

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Parks and Recreation Facilities  
 Fee Amount: \$1,453 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 1 : Fiscal Year 2008-2009**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$829,616
Sources of Funds	
D.I.F. Revenues	\$253,180
Interest Income	\$18,365
Other	\$240,010
Total Sources of Funds	\$511,555
Uses of Funds	
Capital Improvement Projects	(\$203,752)
Total Uses of Funds	(\$203,752)
<b>Ending Fund Balance 6/30/09</b>	<b>\$1,137,419</b>

**Table 2 : Fiscal Year 2009-2010**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/09	\$1,137,419
Sources of Funds	
D.I.F. Revenues	\$307,778
Interest Income	\$11,288
Total Sources of Funds	\$319,066
Uses of Funds	
Capital Improvement Projects	(\$382,703)
Total Uses of Funds	(\$382,703)
<b>Ending Fund Balance 6/30/2010</b>	<b>\$1,073,782</b>

**Table 3 : Fiscal Year 2010-2011**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/10	\$1,073,782
Sources of Funds	
D.I.F. Revenues	\$108,975
Interest Income	\$6,215
Total Sources of Funds	\$115,190
Uses of Funds	
Capital Improvement Projects	(\$269,910)
Total Uses of Funds	(\$269,910)
<b>Ending Fund Balance 6/30/2011</b>	<b>\$919,063</b>

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Parks and Recreation Facilities  
 Fee Amount: \$1,453 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 4 : Fiscal Year 2011-2012**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/11	\$919,063
Sources of Funds	
D.I.F. Revenues	\$108,000
Interest Income	\$7,414
Total Sources of Funds	\$115,414
Uses of Funds	
Capital Improvement Projects	(\$126,187)
Total Uses of Funds	(\$126,187)
<b>Ending Fund Balance 6/30/2012</b>	<b>\$908,290</b>

**Table 5 : Fiscal Year 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/12	\$908,290
Sources of Funds	
D.I.F. Revenues	\$136,582
Interest Income	\$6,805
Total Sources of Funds	\$143,387
Uses of Funds	
Capital Improvement Projects	(\$976)
Total Uses of Funds	(\$976)
<b>Ending Fund Balance 6/30/2012</b>	<b>\$1,050,700</b>

**Table 6 : Summary Fiscal Years 2008-2009 through 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/2006	\$829,616
Sources of Funds	
D.I.F. Revenues	\$914,515
Interest Income	\$50,087
Other	\$240,010
Total Sources of Funds	\$1,204,613
Uses of Funds	
Capital Improvement Projects	(\$983,528)
Total Uses of Funds	(\$983,528)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$1,050,700</b>

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Valley-Wide Parks and Recreation Facilities  
 Fee Amount: \$283 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 7 : Fiscal Year 2008-2009**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$108,825
Sources of Funds	
D.I.F. Revenues	\$49,451
Interest Income	\$2,581
Total Sources of Funds	\$52,032
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/09</b>	<b>\$160,857</b>

**Table 8 : Fiscal Year 2009-2010**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/09	\$160,857
Sources of Funds	
D.I.F. Revenues	\$59,660
Interest Income	\$1,868
Total Sources of Funds	\$61,528
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2010</b>	<b>\$222,385</b>

**Table 9 : Fiscal Year 2010-2011**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/10	\$222,385
Sources of Funds	
D.I.F. Revenues	\$21,225
Interest Income	\$1,928
Total Sources of Funds	\$23,153
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2011</b>	<b>\$245,538</b>

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Valley-Wide Parks and Recreation Facilities  
 Fee Amount: \$283 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 10 : Fiscal Year 2011-2012**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/11	\$245,538
Sources of Funds	
D.I.F. Revenues	\$21,040
Interest Income	\$2,085
Total Sources of Funds	\$23,125
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2012</b>	<b>\$268,663</b>

**Table 11 : Fiscal Year 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/12	\$268,663
Sources of Funds	
D.I.F. Revenues	\$26,602
Interest Income	\$1,970
Total Sources of Funds	\$28,572
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2013</b>	<b>\$297,235</b>

**Table 12 : Summary Fiscal Years 2008-2009 through 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/2008	\$108,825
Sources of Funds	
D.I.F. Revenues	\$177,978
Interest Income	\$10,432
Total Sources of Funds	\$188,410
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2013</b>	<b>\$297,235</b>

**APPENDIX F**

**General Facilities  
Fee Summary**

**Fiscal Years 2008-2009 through 2012-2013**

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: General Facilities  
 Fee Amount: \$780 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 1 : Fiscal Year 2008-2009**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$977,320
Sources of Funds	
D.I.F. Revenues	\$162,335
Interest Income	\$23,976
Total Sources of Funds	\$186,312
Uses of Funds	
Capital Improvement Projects	(\$89,922)
Total Uses of Funds	(\$89,922)
<b>Ending Fund Balance 6/30/09</b>	<b>\$1,073,709</b>

**Table 2 : Fiscal Year 2009-2010**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/09	\$1,073,709
Sources of Funds	
D.I.F. Revenues	\$211,405
Interest Income	\$12,162
Total Sources of Funds	\$223,566
Uses of Funds	
Capital Improvement Projects	(\$1,559)
Total Uses of Funds	(\$1,559)
<b>Ending Fund Balance 6/30/2010</b>	<b>\$1,295,717</b>

**Table 3 : Fiscal Year 2010-2011**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/10	\$1,295,717
Sources of Funds	
D.I.F. Revenues	\$86,262
Interest Income	\$8,367
Total Sources of Funds	\$94,629
Uses of Funds	
Capital Improvement Projects	(\$3,612)
Total Uses of Funds	(\$3,612)
<b>Ending Fund Balance 6/30/2011</b>	<b>\$1,386,734</b>

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: General Facilities  
 Fee Amount: \$780 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 4 : Fiscal Year 2011-2012**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/11	\$1,386,734
Sources of Funds	
D.I.F. Revenues	\$75,525
Interest Income	\$15,585
Total Sources of Funds	\$91,110
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2012</b>	<b>\$1,477,844</b>

**Table 5 : Fiscal Year 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/11	\$1,477,844
Sources of Funds	
D.I.F. Revenues	\$78,811
Interest Income	\$2,914
Total Sources of Funds	\$81,725
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2012</b>	<b>\$1,559,569</b>

**Table 6 : Summary Fiscal Years 2008-2009 through 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/2008	\$977,320
Sources of Funds	
D.I.F. Revenues	\$614,337
Interest Income	\$63,005
Total Sources of Funds	\$677,342
Uses of Funds	
Capital Improvement Projects	(\$95,093)
Total Uses of Funds	(\$95,093)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$1,559,569</b>

**APPENDIX G**

**Library Facilities  
Fee Summary**

**Fiscal Years 2008-2009 through 2012-2013**

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Library Facilities  
 Fee Amount: \$735 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 1 : Fiscal Year 2008-2009**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$1,422,086
Sources of Funds	
D.I.F. Revenues	\$128,128
Interest Income	\$33,557
Total Sources of Funds	\$161,685
Uses of Funds	
Capital Improvement Projects	(\$143,417)
Total Uses of Funds	(\$143,417)
<b>Ending Fund Balance 6/30/09</b>	<b>\$1,440,354</b>

**Table 2 : Fiscal Year 2009-2010**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/09	\$1,440,354
Sources of Funds	
D.I.F. Revenues	\$204,940
Interest Income	\$14,992
Total Sources of Funds	\$219,932
Uses of Funds	
Capital Improvement Projects	(\$255,936)
Total Uses of Funds	(\$255,936)
<b>Ending Fund Balance 6/30/2010</b>	<b>\$1,404,349</b>

**Table 3 : Fiscal Year 2010-2011**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/10	\$1,404,349
Sources of Funds	
D.I.F. Revenues	\$167,567
Interest Income	\$8,583
Total Sources of Funds	\$176,150
Uses of Funds	
Capital Improvement Projects	(\$225,509)
Total Uses of Funds	(\$225,509)
<b>Ending Fund Balance 6/30/2011</b>	<b>\$1,354,990</b>

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Library Facilities  
 Fee Amount: \$735 per Single Family Residential Unit  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 4 : Fiscal Year 2011-2012**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/11	\$1,354,990
Sources of Funds	
D.I.F. Revenues	\$54,640
Interest Income	\$14,431
Total Sources of Funds	\$69,071
Uses of Funds	
Capital Improvement Projects	(\$123,072)
Total Uses of Funds	(\$123,072)
<b>Ending Fund Balance 6/30/2012</b>	<b>\$1,300,989</b>

**Table 5 : Fiscal Year 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/12	\$1,300,989
Sources of Funds	
D.I.F. Revenues	\$69,090
Interest Income	\$2,477
Total Sources of Funds	\$71,567
Uses of Funds	
Capital Improvement Projects	(\$88,501)
Total Uses of Funds	(\$88,501)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$1,284,054</b>

**Table 6 : Summary Fiscal Years 2008-2009 through 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/2008	\$1,422,086
Sources of Funds	
D.I.F. Revenues	\$624,365
Interest Income	\$74,039
Total Sources of Funds	\$698,404
Uses of Funds	
Capital Improvement Projects	(\$836,436)
Total Uses of Funds	(\$836,436)
<b>Ending Fund Balance 6/30/2013</b>	<b>\$1,284,054</b>

**APPENDIX H**

**Public Meeting Facilities  
Fee Summary**

**Fiscal Years 2008-2009 through 2012-2013**

City of Hemet  
 Government Code Sections 66006 & 66001  
 Annual and Five Year Reports

Account: Public Meeting Facilities  
 Fee Amount: NA - No longer collected  
 Ordinance: No. 1639 adopted 1/23/2001 established fees  
 Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
 Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 1 : Fiscal Year 2008-2009**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/08	\$545,720
Sources of Funds	
D.I.F. Revenues	\$0
Interest Income	\$10,563
Total Sources of Funds	\$10,563
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/09</b>	<b>\$556,283</b>

**Table 2 : Fiscal Year 2009-2010**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/09	\$556,283
Sources of Funds	
D.I.F. Revenues	\$0
Interest Income	\$5,271
Total Sources of Funds	\$5,271
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2010</b>	<b>\$561,554</b>

**Table 3 : Fiscal Year 2010-2011**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/10	\$561,554
Sources of Funds	
D.I.F. Revenues	\$0
Interest Income	\$4,566
Total Sources of Funds	\$4,566
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2011</b>	<b>\$566,120</b>

City of Hemet  
Government Code Sections 66006 & 66001  
Annual and Five Year Reports

Account: Public Meeting Facilities  
Fee Amount: NA - No longer collected  
Ordinance: No. 1639 adopted 1/23/2001 established fees  
Resolution: No. 3981 adopted 1/23/2006 established current fee amounts for residential property  
Resolution: No. 3837 adopted 7/26/2004 established current fee amounts for non-residential property

**Table 4 : Fiscal Year 2011-2012**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/11	\$566,120
Sources of Funds	
D.I.F. Revenues	\$0
Interest Income	\$4,579
Total Sources of Funds	\$4,579
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2012</b>	<b>\$570,699</b>

**Table 5 : Fiscal Year 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/12	\$570,699
Sources of Funds	
D.I.F. Revenues	\$0
Interest Income	\$4,006
Total Sources of Funds	\$4,006
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2013</b>	<b>\$574,705</b>

**Table 6 : Summary Fiscal Years 2008-2009 through 2012-2013**

<b>Account Description</b>	<b>Amount</b>
Beginning Fund Balance 7/1/2008	\$545,720
Sources of Funds	
D.I.F. Revenues	\$0
Interest Income	\$28,985
Total Sources of Funds	\$28,985
Uses of Funds	
Capital Improvement Projects	\$0
Total Uses of Funds	\$0
<b>Ending Fund Balance 6/30/2013</b>	<b>\$574,705</b>

*DAVID*  
**TAUSSIG**  
& *Associates, Inc.*

**ANNUAL AND FIVE YEAR REPORTS FOR  
CITY OF HEMET  
FISCAL YEAR 2013-2014**

**March 24, 2015**

*Public Finance  
Facilities Planning  
Urban Economics*

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*Newport Beach*  
Riverside  
San Francisco  
San Jose  
Dallas

**GOVERNMENT CODE SECTIONS 66006 AND 66001  
ANNUAL AND FIVE YEAR REPORTS  
FOR FISCAL YEAR 2013-2014**

**Prepared for**

**CITY OF HEMET**  
455 East Florida Avenue  
Hemet, California 92543  
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**Prepared by**

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Newport Beach, California 92660  
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# TABLE OF CONTENTS

<b>Section</b>	<b>Page</b>
I. Introduction.....	1
II. Fiscal Year 2013-2014 Annual Report .....	2
A. Law Enforcement Facilities Fee .....	3
B. Fire Suppression Facilities Fee .....	4
C. Road Facilities Fee .....	6
D. Drainage Facilities Fee .....	8
E. Parks and Recreation Facilities Fee/Valley-Wide Facilities Fee.....	10
F. General Facilities Fee .....	12
G. Library Facilities Fee .....	14
H. Public Meeting Facilities Fee.....	16
III. Fiscal Year 2013-2014 Five Year Report .....	18

## APPENDICES

- Appendix A: Financial Summary Report  
Appendix B: Summary of Incomplete Projects

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## I. INTRODUCTION

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Sections 66001 and 66006 of the Government Code provide that the City of Hemet ("City") shall make available to the public certain information and adopt described findings relative to development impact fees ("Reportable Fees") collected pursuant to Section 66000 *et seq.* of the Government Code. The described information and findings relate to Reportable Fees received, expended or to be expended in connection with public facilities to accommodate new development if funded or partially funded with Reportable Fees.

Section 66006(b) of the Government Code requires that for each Reportable Fee the City shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year:

- A brief description of the type of fee in the account or fund.
- The amount of the fee.
- The beginning and ending balance of the account or fund.
- The amount of the fees collected and interest earned.
- An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
- An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement.
- A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan.
- The amount of refunds made due to sufficient funds being collected to complete financing on incomplete public improvements, and the amount of reallocation of funds made due to administrative costs of refunding unexpended revenues exceeded the amount to be refunded.

Section 66001(d) of the Government Code requires that for each Reportable Fee the City shall make all of the following findings every fifth year with respect to that portion of the account remaining unexpended, whether committed or uncommitted:

- Identify the purpose to which the fee is to be put.
- Demonstrate a reasonable relationship between the fee and purpose for which it is charged.
- Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements.
- Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.
- In any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The Reportable Fees of the City for fiscal year 2013-2014 consist of development impact fees for the following facilities:

- A. Law Enforcement Facilities
- B. Fire Suppression Facilities
- C. Road Facilities
- D. Drainage Facilities
- E. Parks and Recreation Facilities/Valley-Wide Facilities
- F. General Facilities
- G. Library Facilities
- H. Public Meeting Facilities

The fees were originally adopted by Ordinance No. 1639 on January 23, 2001 (the "Ordinance") which revised and renumbered the City Code establishing the fees through Ordinance 1354. The dollar amount of the fees was adopted by resolution. The fee amounts were last updated by Resolution No. 3981 on January 23, 2006 for residential property and Resolution No. 3837 on July 26, 2004 for non-residential property. The Valley Wide Facilities Fee Fund was authorized on August 22, 2006, and allocated 16.3% of all new park impact fees. The Public Meeting Facilities Fee is no longer collected.

The following Annual Report and Five-Year Report for fiscal year 2013-2014 include the information and proposed findings the City intends to review and adopt in accordance with Sections 66001 and 66006 of the Government Code.

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## II. FISCAL YEAR 2013-2014 ANNUAL REPORT

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### A. Law Enforcement Facilities

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Law Enforcement Facilities Fee finances law enforcement facilities, including law enforcement stations, vehicles and vehicle equipment, officer apparel and equipment, and communications and electronic equipment.

2. Amount of the Reportable Fees.

**Table A-1  
Law Enforcement Facility Fee by Land Use**

Land Use	Fee Amount
Mobile Homes (Senior)	\$298.00 per unit
Single Family	\$471.00 per unit
Townhomes/Duplexes	\$357.00 per unit
Multi-Family	\$404.00 per unit
Commercial/Office	\$0.223 per bldg sq. ft.
Industrial/Manufacturing	\$0.013 per bldg sq. ft.

3. Beginning and Ending Balance of Account and Sub-Account(s).

**Table A-2  
Law Enforcement Facilities Fee Beginning & Ending Balance**

Beginning Balance as of July 1, 2013	Ending Balance as of June 30, 2014
\$449,128 <sup>1</sup>	\$491,561

4. Amount of the Reportable Fees Collected and Interest Earned.

**Table A-3  
Law Enforcement Facilities Fees Collected & Interest Earned**

Fees Collected	Interest Earned
\$68,279	\$3,798

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<sup>1</sup> Beginning Balance as of July 1, 2014 is less than Ending Balance as of June 30, 2013 shown in prior Annual Report due to general ledger expenditure re-classification of \$67,000 at year end 2012-2013 for police department building improvements.

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table A-4**  
**Reportable Law Enforcement Facilities Fee Expenditures**

Project	Amount	Percentage of Project Funded by Fees
Professional Services	\$755	100%
Improvements – Sisk Building	\$13,575	100%
Major Machinery & Equipment	\$15,314	100%
<i>Total</i>	<i>\$29,644</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the law enforcement facilities projects shown in Appendix B of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from Law Enforcement Facilities Fee Account in fiscal year 2013-2014.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from Law Enforcement Facilities Fee Account in fiscal year 2013-2014.

**B. Fire Suppression Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Fire Suppression Facilities Fee finances fire suppression facilities, including fire stations, response and prevention vehicles and equipment, and firefighter apparel and equipment.

- Amount of the Reportable Fees.

**Table B-1  
Fire Suppression Facility Fee by Land Use**

Land Use	Fee Amount
Mobile Homes (Senior)	\$354.00 per unit
Single Family	\$560.00 per unit
Townhomes/Duplexes	\$424.00 per unit
Multi-Family	\$480.00 per unit
Commercial/Office	\$0.240 per bldg sq. ft.
Industrial/Manufacturing	\$0.056 per bldg sq. ft.

- Beginning and Ending Balance of Account and Sub-Account(s).

**Table B-2  
Fire Suppression Facilities Fee Beginning & Ending Balance**

Beginning Balance as of July 1, 2013	Ending Balance as of June 30, 2014
\$556,416 <sup>2</sup>	\$645,940

- Amount of the Reportable Fees Collected and Interest Earned.

**Table B-3  
Fire Suppression Facilities Fees Collected & Interest Earned**

Fees Collected	Interest Earned
\$79,855	\$35,392

- Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

<sup>2</sup> Beginning Balance as of July 1, 2014 is less than Ending Balance as of June 30, 2013 shown in prior Annual Report due to general ledger expenditure re-classification of \$49,859 at year end 2012-2013 for fire department building improvements.

**Table B-4  
Reportable Fire Suppression Facilities Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Professional Services	\$9,115	100%
Improvements – Sisk Building	\$16,609	100%
<i>Total</i>	<i>\$25,724</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the fire suppression facilities projects shown in Appendix B of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Fire Suppression Facilities Fee Account in fiscal year 2013-2014.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the Fire Suppression Facilities Fee Account in fiscal year 2013-2014.

**C. Road Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Road Facilities Fee finances highways, roads, bridges, and traffic signals.

2. Amount of the Reportable Fees.

**Table C-1  
Road Facility Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$1,537.00 per unit
Single Family	\$2,948.00 per unit
Townhomes/Duplexes	\$1,805.00 per unit
Multi-Family	\$2,030.00 per unit
Commercial/Office	\$2.460 per bldg sq. ft.
Industrial/Manufacturing	\$0.414 per bldg sq. ft.

3. Beginning and Ending Balance of Account and Sub-Account(s).

**Table C-2  
Road Facilities Fee Beginning & Ending Balance**

<b>Beginning Balance as of July 1, 2013</b>	<b>Ending Balance as of June 30, 2014</b>
\$4,053,110	\$3,446,134

4. Amount of the Reportable Fees Collected and Interest Earned.

**Table C-3  
Road Facilities Fees Collected & Interest Earned**

<b>Fees Collected</b>	<b>Interest Earned</b>
\$433,811	\$39,382

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table C-4  
Reportable Road Facility Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Signal at Warren & Esplanade	\$437	51%
Sanderson Street Widening (Phase II)	\$10,275	21%
Sanderson Street Widening (Phase III)	\$27,277	0%
Stetson Avenue Bridge Replacement	\$13,671	5%
Cawston & Menlo Traffic Signal & Intersection Improvements	\$225,243	100%
Chambers Street Sidewalk Improvements	\$2,107	2%

Citywide Sidewalk and ADA Improvements	\$9,549	6%
Traffic Signal at Sanderson & Thornton	\$216,407	100%
Missing Link Sidewalk Improvements & ADA Improvements	\$28,722	100%
Traffic Signal at Mountain & Soboba	\$390,447	13%
W Valley High Lighted Crosswalk Improvement	\$175	100%
Traffic Signal at Highway 74 & Cawston	\$150,000	100%
Professional Services	\$5,861	100%
<i>Total</i>	<i>\$1,080,169</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the road facilities projects shown in Appendix B of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Road Facilities Fee Account in fiscal year 2013-2014.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the Road Facilities Fee Account in fiscal year 2013-2014.

**D. Drainage Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Drainage Facilities Fee finances street gutter facilities, inlets, and a pipeline network of storm drain lines which convey runoff to various smaller lines, creeks, aqueducts, and channels throughout the City.

2. Amount of the Reportable Fees.

**Table D-1  
Drainage Facilities Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$1,147.00 per unit
Single Family	\$1,405.00 per unit
Townhomes/Duplexes	\$1,013.00 per unit
Multi-Family	\$474.00 per unit
Commercial/Office	\$0.402 per bldg sq. ft.
Industrial/Manufacturing	\$0.344 per bldg sq. ft.

3. Beginning and Ending Balance of Account and Sub-Account(s).

**Table D-2  
Drainage Facilities Fee Beginning & Ending Balance**

<b>Beginning Balance as of July 1, 2013</b>	<b>Ending Balance as of June 30, 2014</b>
\$2,978,766	\$3,156,670

4. Amount of the Reportable Fees Collected and Interest Earned.

**Table D-3  
Drainage Facilities Fees Collected & Interest Earned**

<b>Fees Collected</b>	<b>Interest Earned</b>
\$267,485	\$24,368

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table D-4  
Reportable Drainage Facilities Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Master Drainage Plan	\$34,976	100%
State Street/Menlo Storm Drain Improvement	\$78,290	100%
Professional Services	\$682	100%
<i>Total</i>	<i>\$113,949</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the drainage facilities projects shown in Exhibit B of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Drainage Facilities Fee Account in fiscal year 2013-2014.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the Drainage Facilities Fee Account in fiscal year 2013-2014.

**E. Parks and Recreation Facilities/Valley Wide Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Parks and Recreation Facilities Fee finances parks and recreational facilities. The Valley Wide Facilities Fee finances improvements at Diamond Valley Lake Community Park, which is owned and operated by Valley Wide Recreation and Park District. The Valley Wide Facilities Fee Fund was authorized on August 22, 2006, and allocated 16.3% of all new park impact fees.

2. Amount of the Reportable Fees.

**Table E-1  
Parks and Recreation Facilities Fee by Land Use**

Land Use	Fee Amount
Mobile Homes (Senior)	\$920.00 per unit
Single Family	\$1,453.00 per unit
Townhomes/Duplexes	\$1,101.00 per unit
Multi-Family	\$1,247.00 per unit

**Table E-2  
Valley Wide Facilities Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$179.00 per unit
Single Family	\$283.00 per unit
Townhomes/Duplexes	\$214.00 per unit
Multi-Family	\$243.00 per unit

3. Beginning and Ending Balance of Account and Sub-Account(s).

**Table E-3  
Parks and Recreation Facilities Fee Beginning & Ending Balance**

<b>Beginning Balance as of July 1, 2013</b>	<b>Ending Balance as of June 30, 2014</b>
\$1,050,700	\$1,227,370

**Table E-4  
Valley-Wide Facilities Fee Beginning & Ending Balance**

<b>Beginning Balance as of July 1, 2013</b>	<b>Ending Balance as of June 30, 2014</b>
\$297,235	\$201,527

4. Amount of the Reportable Fees Collected and Interest Earned.

**Table E-5  
Parks and Recreation Facilities Fees Collected & Interest Earned**

<b>Fees Collected</b>	<b>Interest Earned</b>
\$167,095	\$10,256

**Table E-6  
Valley-Wide Facilities Fees Collected & Interest Earned**

<b>Fees Collected</b>	<b>Interest Earned</b>
\$32,545	\$1,747

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table E-7  
Reportable Parks and Recreation Facilities Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Professional Services	\$682	100%
<i>Total</i>	<i>\$682</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the parks and recreation and Valley-Wide facilities projects shown in Appendix B of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Parks and Recreation Fee Account or Valley Wide Fee Account in fiscal year 2013-2014.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

In fiscal year 2013-2014, the City refunded \$130,000 in Valley-Wide facilities fees as the City's contribution for construction of public restrooms and concession area at Diamond Valley Lake, per the terms of the Developer Agreement.

**Table E-8  
Refunds of Valley-Wide Facilities Fee**

<b>Project</b>	<b>Refunded Amount</b>
Valley-Wide Park	\$130,000
<i>Total</i>	<i>\$130,000</i>

**F. General Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The General Facilities Fee finances general office or work facilities and equipment used by City staff to undertake their daily duties.

- Amount of the Reportable Fees.

**Table F-1  
General Facilities Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$493.00 per unit
Single Family	\$780.00 per unit
Townhomes/Duplexes	\$591.00 per unit
Multi-Family	\$669.00 per unit
Commercial/Office	\$0.116 per bldg sq. ft.
Industrial/Manufacturing	\$0.116 per bldg sq. ft.

- Beginning and Ending Balance of Account and Sub-Account(s).

**Table F-2  
General Facilities Fee Beginning & Ending Balance**

<b>Beginning Balance as of July 1, 2013</b>	<b>Ending Balance as of June 30, 2014</b>
\$1,559,569	\$1,629,128

- Amount of the Reportable Fees Collected and Interest Earned.

**Table F-3  
General Facilities Fees Collected & Interest Earned**

<b>Fees Collected</b>	<b>Interest Earned</b>
\$99,717	\$14,432

- Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table F-4  
Reportable General Facilities Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Improvements – Sisk Building	\$42,707	94%
Improvements – City Hall	\$1,200	100%
Professional Services	\$682	100%
<i>Total</i>	<i>\$44,589</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the general facilities projects shown in Appendix B of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the General Facilities Fee Account in fiscal year 2013-2014.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the General Facilities Fee Account in fiscal year 2013-2014.

**G. Library Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Library Facilities Fee finances library facilities.

2. Amount of the Reportable Fees.

**Table G-1  
Library Facilities Fee by Land Use**

<b>Land Use</b>	<b>Fee Amount</b>
Mobile Homes (Senior)	\$465.00 per unit
Single Family	\$735.00 per unit
Townhomes/Duplexes	\$557.00 per unit
Multi-Family	\$631.00 per unit

3. Beginning and Ending Balance of Account and Sub-Account(s).

**Table G-2  
Library Facilities Fee Beginning & Ending Balance**

<b>Beginning Balance as of July 1, 2013</b>	<b>Ending Balance as of June 30, 2014</b>
\$1,284,054	\$1,292,488

4. Amount of the Reportable Fees Collected and Interest Earned.

**Table G-3  
Library Facilities Fees Collected & Interest Earned**

<b>Fees Collected</b>	<b>Interest Earned</b>
\$88,200	\$11,508

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

**Table G-4  
Reportable Library Facilities Fee Expenditures**

<b>Project</b>	<b>Amount</b>	<b>Percentage of Project Funded by Fees</b>
Professional Services	\$652	100%
Library Services	\$90,307	100%
Major Machinery and Equipment	\$316	100%
<i>Total</i>	<i>\$91,275</i>	<i>NA</i>

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified

in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has or will obtain sufficient funds to finance the library facilities projects shown in Appendix B of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Library Facilities Fee Account in fiscal year 2013-2014.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the Library Facilities Fee Account in fiscal year 2013-2014.

**H. Public Meeting Facilities**

1. Description of the Type of Reportable Fees in the Account or Sub-account(s) of the City.

The Public Meeting Facilities Fee financed community centers and public buildings available for community use. This category of buildings differs from general facilities, which are facilities used by the City staff to undertake their municipal service duties.

2. Amount of the Reportable Fees.

The City stopped collecting the Public Meeting Facilities Fee as of August 2007.

3. Beginning and Ending Balance of Account and Sub-Account(s).

**Table H-1  
Public Meeting Facilities Fee Beginning & Ending Balance**

Beginning Balance as of July 1, 2013	Ending Balance as of June 30, 2014
\$574,705	\$579,312

4. Amount of the Reportable Fees Collected and Interest Earned.

**Table H-2  
Public Meeting Facilities Fees Collected & Interest Earned**

Fees Collected	Interest Earned
\$0	\$4,607

5. Identification of Each Improvement on Which Reportable Fees Were Expended and the Amount of the Expenditures on Each Improvement, Including the Total Percentage of the Cost of Each Project of the City that Was Funded with Reportable Fees.

No projects were funded with Public Meeting Facilities fees in fiscal year 2013-2014.

6. Identification of an Approximate Date by Which the Construction of Project(s) of the City will Commence if the City Determines that Sufficient Funds have been Collected to Complete Financing on an Incomplete Project of the City, as Identified in Paragraph (2) of Subdivision (A) of Section 66001, and the Project of the City Remains Incomplete.

The City has determined that it has sufficient funds to finance the public meeting facilities projects shown in Appendix B of this report.

7. Description of each Interfund Transfer or Loan Made from the Account or Sub-Account(s), Including Project(s) of the City on which the Transferred or Loaned Reportable Fees will be Expended, and, in the Case of an Interfund Loan, the Date on Which the Loan will be Repaid, and the Rate of Interest that the Account or Sub-Account(s) will Receive on the Loan.

No transfers or loans were made from the Public Meeting Facilities Fee Account in fiscal year 2013-2014.

8. The Amount of Refunds made or Revenues Allocated for Other Purposes if the Administrative Costs of Refunding Unexpended Revenues Exceed the Amount to be Refunded.

No refunds were made from the Public Meeting Facilities Fee Account in fiscal year 2013-2014.

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### **III. FISCAL YEAR 2013-2014 FIVE YEAR REPORT**

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In accordance with Government Code Section 66001, the City provides the following information with respect to that portion of the account or sub-account(s) remaining unexpended, whether committed or uncommitted:

1. Identification of the Purpose to which the Reportable Fees are to be Put.

The purpose of the Reportable Fees imposed and collected on new development within the City during fiscal year 2013-2014 was to fund the additional public facilities needed to serve new development within the City.

2. Demonstration of a Reasonable Relationship Between the Reportable Fees and the Purposes for which they are Charged.

There is a roughly proportional, reasonable relationship between the new development upon which the Reportable Fees are charged and the need for additional public facilities by reason of the fact that additional residents and employees will be generated by additional development within the City and the City does not have capacity in its existing public facilities to accommodate these new residents and employees. Furthermore, the Reportable Fees charged on new development will be used to fund additional public facilities which will be used to serve the residents and employees generated from new development.

3. Identification of All Sources and Amounts of Funding Anticipated to Complete Financing of the Public Facilities the City has Identified in the City's Reports.

Table 1 on the following page is a summary of the amount of fees on hand for each fund as of June 30, 2014, as well as the costs of the pending public facility projects currently identified by the City as shown in further detail in Summary of Incomplete Projects (Appendix B). As indicated in the table below, the current fee balances, other than the public meeting facilities fee balance, are needed to complete the pending projects. The City intends to use the public meeting facilities fee balance on pending projects and new projects identified as public meeting needs occur.

**Table 1  
Fees on Hand for Each Fund as of June 30, 2014**

<b>Fund</b>	<b>Fees on hand as of 6/30/2014</b>	<b>Costs of future projects as shown in Summary of Incomplete Projects</b>
Law Enforcement Facilities	\$491,561	\$563,004
Fire Suppression Facilities	\$645,940	\$702,373
Road Facilities	\$3,446,134	\$23,003,475
Drainage Facilities	\$3,156,670	\$4,751,000
Parks and Recreation Facilities	\$1,227,370	\$1,591,000
Valley Wide Facilities	\$201,527	\$300,000
General Facilities	\$1,629,128	\$1,641,742
Library Facilities	\$1,292,488	\$1,535,000
Public Meeting Facilities	\$579,312	\$228,807

4. Identification of the Approximate Dates on Which the Funding Referred to in Section III.C is Expected to be Deposited into the Appropriate Account or Fund

Summary of Incomplete Projects (Appendix B) lists the approximate dates on which the funds are expected to be available for the Public Facility projects presently identified by the City.

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**APPENDIX A**

**Financial Summary Report for Fiscal Year 2013-2014**

**City of Hemet**  
**Government Code Sections 66006 & 66001**  
**Annual and Five Year Reports**  
**Financial Summary Report for Fiscal Year 2013-2014**

Account Description	Law Enforcement Facilities	Fire Suppression Facilities	Road Facilities	Drainage Facilities	Parks & Recreation Facilities	Valley-Wide Facilities	General Facilities	Library Facilities	Public Meeting Facilities
Beginning Fund Balance 7/1/2013	\$449,128 [1]	\$556,416 [2]	\$4,053,110	\$2,978,786	\$1,050,701	\$297,235	\$1,559,569	\$1,284,054	\$574,705
Sources of Funds									
Fee Revenues	\$68,279	\$79,855	\$433,811	\$267,485	\$167,095	\$32,545	\$99,717	\$88,200	\$0
Interest Income	\$3,798	\$35,392	\$39,382	\$24,368	\$10,256	\$1,747	\$14,432	\$11,508	\$4,607
<b>Total Sources of Funds</b>	<b>\$72,077</b>	<b>\$115,247</b>	<b>\$473,193</b>	<b>\$291,853</b>	<b>\$177,351</b>	<b>\$34,292</b>	<b>\$114,149</b>	<b>\$99,708</b>	<b>\$4,607</b>
Uses of Funds									
Capital Improvement Projects	(\$29,644)	(\$25,724)	(\$1,080,169)	(\$113,949)	(\$682)	\$0	(\$44,589)	(\$91,275)	\$0
Refund of Fees	\$0	\$0	\$0	\$0	\$0	(\$130,000)	\$0	\$0	\$0
<b>Total Uses of Funds</b>	<b>(\$29,644)</b>	<b>(\$25,724)</b>	<b>(\$1,080,169)</b>	<b>(\$113,949)</b>	<b>(\$682)</b>	<b>(\$130,000)</b>	<b>(\$44,589)</b>	<b>(\$91,275)</b>	<b>\$0</b>
<b>Ending Fund Balance 6/30/2014</b>	<b>\$491,561</b>	<b>\$645,939</b>	<b>\$3,446,134</b>	<b>\$3,156,670</b>	<b>\$1,227,370</b>	<b>\$201,527</b>	<b>\$1,629,128</b>	<b>\$1,292,488</b>	<b>\$579,312</b>

[1] Beginning Balance as of July 1, 2014 is less than Ending Balance as of June 30, 2013 shown in prior Annual Report due to general ledger expenditure re-classification of \$67,000 at year end 2012-2013 for police department building improvem

[2] Beginning Balance as of July 1, 2014 is less than Ending Balance as of June 30, 2013 shown in prior Annual Report due to general ledger expenditure re-classification of \$49,859 at year end 2012-2013 for fire department building improvements.

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## **APPENDIX B**

### **Summary of Incomplete Projects**

**City of Hemet**  
**Government Code Sections 66006 & 66001**  
**Annual and Five Year Reports**  
**Summary of Incomplete Projects for Fiscal Year 2013-2014**

Proposed Funding Sources				Description of Funding Sources		
Fee / Project	Reportable Fees	Other Sources of Funds	Total	Reportable Fees	Other Sources of Funds	Timeframe
<b>Law Enforcement Facilities</b>						
Professional Services	\$1,042	\$0	\$1,042	On Deposit with City and Future Fee Collections	None	2013 to 2014
Server Migration/Upgrades-Comtronix	\$82,825	\$0	\$82,825	On Deposit with City and Future Fee Collections	None	2013 to 2014
Capital Improvements - Evidence Building - Design Phase	\$29,137	\$0	\$29,137	On Deposit with City and Future Fee Collections	None	2013 to 2014
<u>Building Improvements for Security in Citizen Lobby &amp; Detective Areas</u>	<u>\$450,000</u>	<u>\$0</u>	<u>\$450,000</u>	On Deposit with City and Future Fee Collections	None	2013 to 2014
Subtotal	\$563,004	\$0	\$563,004			
<b>Fire Suppression Facilities</b>						
Miscellaneous Tools, Fire Fighting Equipment	\$27,373	\$0	\$27,373	On Deposit with City and Future Fee Collections	None	2013 to 2014
Fire Station #5 - Building Improvements for Public	\$175,000	\$0	\$175,000	On Deposit with City and Future Fee Collections	None	2013 to 2016
Additional Vehicles Due to Service Area Expansion - 1 Squad Vehicle, 1 Fire Engine, 1 Water Tender	\$400,000	\$0	\$400,000	On Deposit with City and Future Fee Collections	None	2013 to 2017
Communication Upgrades Including Radios	\$80,000	\$0	\$80,000	On Deposit with City and Future Fee Collections	None	2013 to 2016
<u>Electronic Patient Care Reporting Tablets (EPCR) Upgrade per County-Mandated Program for Patient Documentation</u>	<u>\$20,000</u>	<u>\$0</u>	<u>\$20,000</u>	On Deposit with City and Future Fee Collections	None	2013 to 2017
Subtotal	\$702,373	\$0	\$702,373			
<b>Road Facilities</b>						
Signal at Warren & Esplanade	\$510,500	\$478,000	\$988,500	On Deposit with City and Future Fee Collections	Soboba Tribal Grant, Riverside County	2014 to 2016
Sanderson Widening Project (Phase II)	\$175,000	\$666,743	\$841,743	On Deposit with City and Future Fee Collections	Transportation Uniform Mitigation Fee	2013 to 2014
Sanderson Widening Project (Phase III)	\$0	\$282,000	\$282,000	On Deposit with City and Future Fee Collections	Transportation Uniform Mitigation Fee	2013 to 2014
State Street Improvements - Florida to Johnston	\$1,240,000	\$0	\$1,240,000	On Deposit with City and Future Fee Collections	None	2016 to 2017
Menlo Widening Project	\$1,000,000	\$0	\$1,000,000	On Deposit with City and Future Fee Collections	None	2016 to 2017
Transportation CEQA Review - Ongoing	\$0	\$0	\$0	On Deposit with City and Future Fee Collections	Enterprise - Water Fund	2015 to 2016
Carmalita Parking Improvement 2	\$80,000	\$0	\$80,000	On Deposit with City and Future Fee Collections	None	2016 to 2017
Cawston & Menlo Traffic & Intersection Improvements	\$575,000	\$0	\$575,000	On Deposit with City and Future Fee Collections	Safe Routes to School	2016 to 2017
Juanita Street Improvements	\$450,000	\$0	\$450,000	On Deposit with City and Future Fee Collections	None	2016 to 2017
<u>Traffic Signal Mountain &amp; Soboba</u>	<u>\$76,640</u>	<u>\$503,313</u>	<u>\$579,953</u>	On Deposit with City and Future Fee Collections	Grant - Indian Gaming Fund, Measure A	2013 to 2015
Gilbert Roadway Improvements	\$260,000	\$443,279	\$703,279	On Deposit with City and Future Fee Collections	CalTrans STP Map 21	2013 to 2018
Stetson Avenue Bridge Replacement	\$50,000	\$955,000	\$1,005,000	On Deposit with City and Future Fee Collections	HBRRP Federal Grant	2013 to 2018
Traffic Signal Retrofit - Opticom	\$176,000	\$0	\$176,000	On Deposit with City and Future Fee Collections	None	2015 to 2016
Cawston Avenue Widening Esplanade to Domenigoni Parkway	\$6,700,000	\$0	\$6,700,000	On Deposit with City and Future Fee Collections	None	2014 to 2018
Cawston Avenue Bridge Over Salt Creek Channel	\$5,152,000	\$0	\$5,152,000	On Deposit with City and Future Fee Collections	None	2015 to 2019
Hemet Street Bridge Over Bautista Creek	\$2,100,000	\$0	\$2,100,000	On Deposit with City and Future Fee Collections	None	2016 to 2019
<u>Sidewalk Improvements</u>	<u>\$300,000</u>	<u>\$830,000</u>	<u>\$1,130,000</u>	On Deposit with City and Future Fee Collections	Grants - CDBG, SB 821	2014 to 2019
Subtotal	\$18,845,140	\$4,158,335	\$23,003,475			
<b>Drainage Facilities</b>						
Esplanade Drainage Improvements	\$1,500,000	\$0	\$1,500,000	On Deposit with City and Future Fee Collections	None	2013 to 2014
State Street Storm Drain Improvements Menlo to Esplanade	\$2,750,000	\$0	\$2,750,000	On Deposit with City and Future Fee Collections	None	2012 to 2017
Westside Drainage Master Plan Improvements	\$500,000	\$0	\$500,000	On Deposit with City and Future Fee Collections	None	2012 to 2017
<u>Professional Services</u>	<u>\$1,000</u>	<u>\$0</u>	<u>\$1,000</u>	On Deposit with City and Future Fee Collections	None	2013 to 2014
Subtotal	\$4,751,000	\$0	\$4,751,000			
<b>Parks &amp; Recreation Facilities</b>						
Security Cameras/Security Camera System/Various Parks	\$41,000	\$0	\$41,000	On Deposit with City and Future Fee Collections	None	2014 to 2016
Devonshire Basin Park	\$750,000	\$0	\$750,000	On Deposit with City and Future Fee Collections	None	2015 to 2016
<u>City Master Plan - State Street &amp; Domenigoni Park Trails, Sidewalks</u>	<u>\$800,000</u>	<u>\$0</u>	<u>\$800,000</u>	On Deposit with City and Future Fee Collections	None	2016 to 2020
Subtotal	\$1,591,000	\$0	\$1,591,000			
<b>Valley Wide Facilities</b>						
Park Expansion in Coordination with Valley Wide Recreation & Parks - Proposed City Master Plan Land Purchase and Facilities - City Portion	\$300,000	\$0	\$300,000	On Deposit with City and Future Fee Collections	None	2014 to 2015
<b>General Facilities</b>						
City Hall Gate	\$5,800	\$0	\$5,800	On Deposit with City and Future Fee Collections	None	2013 to 2014
Professional Fees	\$942	\$0	\$942	On Deposit with City and Future Fee Collections	None	2013 to 2014
CNG Vehicle for Public Works	\$300,000	\$0	\$300,000	On Deposit with City and Future Fee Collections	None	2014 to 2015
ADA Compliance Improvements	\$500,000	\$0	\$500,000	On Deposit with City and Future Fee Collections	None	2014 to 2020
Municipal Building Energy Management System Update	\$450,000	\$0	\$450,000	On Deposit with City and Future Fee Collections	None	2015 to 2020
<u>Vehicle Replacement Plan for Public Works</u>	<u>\$385,000</u>	<u>\$0</u>	<u>\$385,000</u>	On Deposit with City and Future Fee Collections	None	2013 to 2014
Subtotal	\$1,641,742	\$0	\$1,641,742			
<b>Library Facilities</b>						
Capital Outlay for Books, Audio Visual Materials, Databases for Patron Use	\$350,000	\$0	\$350,000	On Deposit with City and Future Fee Collections	None	2013 to 2014
First Floor Improvements - Adult Literacy Center, Bookshelves, Radio Frequency Detection, Computer, Phone Improvements	\$185,000	\$0	\$185,000	On Deposit with City and Future Fee Collections	None	2014 to 2016
<u>Second Floor Improvements and Future Expansion of Library Facilities, Books, Audio Visual materials, and Databases for Patron Use</u>	<u>\$1,000,000</u>	<u>\$0</u>	<u>\$1,000,000</u>	On Deposit with City and Future Fee Collections	None	2013 to 2016
Subtotal	\$1,535,000	\$0	\$1,535,000			

**City of Hemet**  
**Government Code Sections 66006 & 66001**  
**Annual and Five Year Reports**  
**Summary of Incomplete Projects for Fiscal Year 2013-2014**

Proposed Funding Sources				Description of Funding Sources			
Fee / Project	Reportable Fees	Other Sources of Funds	Total	Reportable Fees	Other Sources of Funds	Timeframe	
<b>Public Meeting Facilities</b>							
Library Second Floor Construction/Expansion of Public Meeting Rooms	\$150,000	\$0	\$150,000	On Deposit with City	None	2014 to 2017	
Police Department Lobby Expansion of Public Meeting Rooms	\$42,707	\$0	\$42,707	On Deposit with City	None	2013 to 2015	
Fire Station #4 Public Meeting Room (Reimbursement of Fire DIF)	\$36,100	\$0	\$36,100	On Deposit with City	None	2013 to 2014	
Subtotal	\$228,807	\$0	\$228,807				

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## *Staff Report*

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Jessica Hurst, Deputy City Manager/Administrative Services  
Dave Brown, Acting City Manager

DATE: April 14, 2015

RE: Memorandum of Understanding with Service Employees International Union (SEIU)

### **RECOMMENDATION:**

Authorize the City's negotiation team to execute the attached Memorandum of Understanding (MOU) between the City and Service Employees International Union (SEIU) for the two-year period of July 1, 2014 through June 30, 2016.

### **BACKGROUND:**

The employees within the SEIU bargaining group work in departments throughout the City to provide a wide variety of services to the community and internally. The most recent MOU with this group expired on June 30, 2014, and the City and SEIU have been actively negotiating a successor MOU since the spring of 2014.

On March 12, 2015, the City and SEIU reached a tentative agreement, the terms of which have been incorporated into this MOU for approval. On April 9, 2015, SEIU approved the updated MOU.

### **ANALYSIS:**

In accordance with the authority granted the City Council, the attached Memorandum of Understanding is presented for consideration. The details of significant changes to the MOU are as follows:

**Term:** Two-year agreement – effective July 1, 2014 through June 30, 2016

**Lump Sum Payment:** Each unit employee will be paid a single, lump sum payment of six hundred dollars (\$600.00). This payment shall not be considered as pensionable compensation for the purposes of CalPERS.

**Labor-Management Committee:** The City and SEIU agree to meet and discuss issues, including but not limited to managed competition, retiree healthcare, non-occupational

disability leave, healthcare medical waiver (opt-out), and exploring efficiencies.

**Survivors Benefit:** The language has been updated to affirm the City's desire to continue to contribute the required contribution for the Level IV 1959 Widow's Survivors Benefit.

**MOU Clean-up Language:** The City and SEIU have engaged in normal MOU language clean-up to update or remove expired provisions and/or clauses.

All other terms and conditions of employment shall remain unchanged during the term of this agreement

**FISCAL IMPACT:**

The total two-year cost of this agreement is approximately \$55,000, of which \$16,800 will be paid for from the General Fund.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jessica A. Hurst" followed by a stylized flourish.

Jessica A. Hurst  
Deputy City Manager/Administrative Services

Attachment: Memorandum of Understanding between the City and SEIU

MEMORANDUM OF UNDERSTANDING  
 BETWEEN  
 CITY OF HEMET  
 AND  
 THE NON-SAFETY UNIT (GENERAL EMPLOYEES)  
 OF  
 SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 721

This Memorandum of Understanding (hereinafter "MOU") is entered into between the City of Hemet (City) and the Service Employees International Union Local 721 (hereinafter "Union"), pursuant to the provisions of the Meyers-Milias-Brown Act.

This MOU shall be effective for the period from July 1, 2014 up to and including June 30, 2016; and thereafter shall continue in effect year-by-year unless one of the parties notifies the other in writing no later than March 15, 2016 of the request to modify, amend, or terminate the agreement.

INDEX

ARTICLE 1	RECOGNITION .....	4
ARTICLE 2	MANAGEMENT RIGHTS .....	4
ARTICLE 3	UNION RIGHTS .....	5
ARTICLE 4	AGENCY SHOP.....	6
ARTICLE 5	SALARIES .....	9
ARTICLE 6	WORKWEEK/OVERTIME.....	10
ARTICLE 7	CALL-BACK/STANDY-BY .....	11
ARTICLE 8	COMPENSATORY TIME OFF.....	11
ARTICLE 9	BILINGUAL PAY.....	12
ARTICLE 10	HOLIDAYS .....	12
ARTICLE 11	HEALTH INSURANCE.....	14
ARTICLE 12	UNIFORMS.....	15
ARTICLE 13	RETIREMENT .....	15
ARTICLE 14	LONG TERM DISABILITY.....	16
ARTICLE 15	LIFE INSURANCE .....	16

ARTICLE 16 SURVIVORS BENEFIT .....	16
ARTICLE 17 TOOL/GLOVE POLICY.....	17
ARTICLE 18 LONGEVITY/MERIT SALARY .....	18
ARTICLE 19 REGULAR PART-TIME BENEFIT PLAN .....	18
ARTICLE 20 DISCLAIMER .....	19
ARTICLE 21 PHYSICAL EXAMINATIONS .....	19
ARTICLE 22 OPERATOR’S LICENSES/MEDICAL EXAMS.....	19
ARTICLE 23 MISCELLANEOUS BENEFITS.....	19
ARTICLE 24 SICK LEAVE .....	20
ARTICLE 25 VACATIONS .....	21
ARTICLE 26 MILITARY LEAVE.....	23
ARTICLE 27 JURY DUTY .....	23
ARTICLE 28 LEAVE OF ABSENCE/WITHOUT PAY .....	23
ARTICLE 29 BEREAVEMENT LEAVE.....	25
ARTICLE 30 FAMILY SICK LEAVE .....	25
ARTICLE 31 NON-OCCUPATIONAL DISABILITY LEAVE.....	25
ARTICLE 32 WORKER’S COMPENSATION LEAVE .....	26
ARTICLE 33 LAYOFF/CLASSIFICATION REVIEW .....	26
ARTICLE 34 GRIEVANCE AND DISCIPLINARY APPEALS PROCEDURE.....	28
ARTICLE 35 SHOP STEWARD.....	30
ARTICLE 36 EDUCATIONAL REIMBURSEMENT AND INCENTIVE.....	31
ARTICLE 37 CERTIFICATE INCENTIVE PROGRAM.....	32
ARTICLE 38 RULES OF CONDUCT .....	32
ARTICLE 39 CLASSIFICATION .....	35
ARTICLE 40 PROMOTION PROCEDURE.....	35

ARTICLE 41 RULES AND REGULATIONS .....	36
ARTICLE 42 COMPLETION OF MEET AND CONFER .....	36
ARTICLE 43 SAVINGS CLAUSE.....	37
ARTICLE 44 PERSONNEL FILE.....	37
ARTICLE 45 ESTABLISHMENT OF NEW CLASSIFICATION.....	37
ARTICLE 46 HEALTH AND SAFETY.....	37
APPENDIX A.....	40
APPENDIX B .....	42

**ARTICLE 1**  
**RECOGNITION**

1.1 The City recognizes the Union as the bargaining agent for those classifications listed in Appendix "A."

**ARTICLE 2**  
**MANAGEMENT RIGHTS**

2.1 It is understood and agreed that the City retains all of its powers and authority to direct, manage and control to the full extent of the law. Included in, but not limited to, those duties and powers are the exclusive right to:

Determine its organization; direct the work of its employees; assign related work not expressly covered by job description; determine the times and hours of operation; determine normal working hours and to schedule shifts accordingly; determine the kinds and levels of services to be provided and the methods and means of providing them; establish its municipal policies, goals and objectives; make technological improvements; determine staffing patterns; determine the number and kinds of personnel required; maintain the efficiency of City operations; build, move or modify facilities; establish budget procedures and determine budgetary allocation; determine the methods of raising revenue; contract out work in accordance with law, provided that before the City contracts the services of an entire division of City government, it shall meet and confer with Union regarding the effects of said contracting on affected employees; and to take any action necessary to meet conditions of any emergency nature, provided that Union shall be afforded the opportunity to meet and confer concerning the necessity of any such action if inconsistent with this MOU. In addition, the City retains the right to hire, classify, assign, evaluate, promote, terminate, transfer and discipline employees.

2.2 The City Manager may lay off a unit member because of shortage of work, lack of funds, material change in duties or organization, or for other valid reasons.

2.3 The exercise of the foregoing powers, rights, authority, duties and responsibilities by the City, the adoption of policies, rules, regulations and practices in furtherance thereof, and the use of judgment and discretion in connection therewith, shall be limited only by the specific and express terms of this MOU, and then only to the extent such specific and express terms are in conformance with law.

2.4 Labor-Management Discussion Committee:

a. Unit members will, from time to time, designate five (5) representatives who will meet with management representatives on a quarterly basis, or upon a more frequent basis as the Committee may desire, to discuss matters pertinent to the welfare of the unit members. Topics discussed may include, but not be limited to, equipment, health and safety, job classifications, training, operating procedures, managed competition, retiree healthcare, non-occupational disability leave, healthcare medical waiver (opt-out), and exploring efficiencies.

The members of the Committee will be granted sufficient time to accomplish the purposes of this section.

b. The formation of this Committee shall not serve as the basis for reopening the meet and confer process to modify this MOU. Discussions held during Committee meetings shall not be considered meet and confer despite the issues being discussed.

### ARTICLE 3

#### UNION RIGHTS

3.1 New Employees: The City agrees to furnish each new employee in the bargaining unit with a copy of the collective bargaining Agreement at the commencement of employment of each employee. Further, City will notify Union, within fourteen (14) days of a new employee's hire date, of the new employee's name, home address, and the department/section to which the employee is assigned.

3.2 Visits by Union Representatives: Accredited representatives of the Union, whether local Union representatives, or International representatives, will be granted reasonable access to City facilities and employees for purposes of investigation of grievances and official Union business, provided Union representatives shall provide twenty-four (24) hours advance notice to the supervisor in charge of the work area that is being visited. Such visits shall not interfere with normal operation of the department. In case of an emergency, the twenty-four (24) hour advance notice will not be required, provided the Union representative provides advance notice to the supervisor in charge as soon as reasonably possible.

3.3 Contract Negotiations: The negotiating team for the Union, to be comprised of no more than five (5) employees, not more than two (2) from any division, shall be permitted to attend negotiating sessions during work hours with pay. There shall be no compensation for meetings held outside scheduled work hours of members of the bargaining team.

3.4 Bulletin Boards: The Union will be allowed to use space designated by the City on existing bulletin boards to post notices regarding Union business. Offensive or personally disparaging postings will not be permitted.

3.5 Unpaid Leave To Perform Union Business: Upon approval of the employee's supervisor, Union representatives selected by the Union to conduct "Union business" away from work, shall be granted leave without pay for a reasonable period of time, upon giving seven (7) days advance notice. Union business does not involve "work" performed for the benefit or at the direction of the City.

3.6 Paid Leave To Perform Union Business: With the express written consent of the City Manager, one (1) regular full-time employee at a time may be granted a leave of absence for up to six (6) months to participate in "Union business." Such Union business does not involve "work" performed for the benefit or at the direction of the City. Requests for such leave must be made in writing and submitted to the City Manager as soon as possible, and no later than fourteen (14) days before the leave is to commence. The City Manager in his/her sole discretion may authorize or deny the request for the leave based on the needs of the City's operations.

An employee who is granted a paid leave to perform Union business will remain on the City's payroll during the entire leave and shall receive compensation at the salary level the employee was receiving prior to going on leave. During the duration of the leave, the employee will continue to be eligible for the following benefits: health insurance, retirement benefits, long term disability, life insurance, and survivor's benefits. The City will bill the Union for the employee's compensation and for the benefits provided to an employee during the leave. The Union will indemnify the City for any injury incurred by the employee in the course of scope of performing duties for the Union during this time. The Union will reimburse the City within fourteen (14) days of receiving an invoice for such expenses.

An employee who is granted a paid leave to perform Union business will not accrue or be eligible to use the following benefits during the time the employee is on leave: vacation, sick leave, bereavement leave and paid holiday benefits. The employee will retain his/her level of seniority during the time he/she is on paid leave and upon returning to City service.

### 3.7 Time Off for Union Board Members:

Current Union Chapter Board Members will each be given a maximum of two (2) paid hours per month for Union business. An Executive Board member will be given one (1) paid shift per month for the purpose of traveling to and attending the monthly Executive Board meetings.

### 3.8 Maintenance of Membership

a. All unit members who, on the 15<sup>th</sup> day following the signing of this MOU, are members of Union in good standing shall maintain their membership in Union for the duration of this MOU.

b. Any dispute as to dues deduction under this Article shall be between unit members and Union. Union shall defend and hold the City harmless against any and all claims by unit members, including all legal fees and other expenses arising from dues deductions under this Article.

3.9 Contract Bar: Approval of this MOU by the Hemet City Council shall constitute a temporary bar to implementation of the provisions of Section 13 (B) 5 of the Employee-Employer Relations Resolution of the City of Hemet. The procedure for decertification of a recognized bargaining agent may be instituted and filed only during the period commencing one hundred and eighty (180) days from implementation and ending one hundred and fifty (150) days prior to the termination of this Memorandum of Understanding.

## **ARTICLE 4**

### **AGENCY SHOP**

4.1 Authority: The City and Union mutually understand and agree that as a result of the State of California's adoption of Government Code Section 3502.5, all employees represented by the Union have the right to join or not join the Union. However, the enactment of a local Agency Shop arrangement, pursuant to an election under Government Code Section 3502.5(b), requires that as a condition of continuing employment, employees in the affected bargaining unit must either join the Union, pay to the Union a service fee in lieu thereof, or

establish a religious exemption there from. Such service fee shall be established by the Union, and shall not exceed the standard initiation fee, periodic dues and general assessments of the Union.

#### 4.2 Union Dues/Service Fees:

a. The Human Resources Department shall provide all current employees represented by the Union, and any employees hired into Union represented positions thereafter, with an authorization notice advising them of the following information: (1) an agency shop arrangement for the Union has been enacted pursuant to state law and (2) all employees subject to the agency shop arrangement must either join the Union, pay a service fee to the Union, or execute a written declaration claiming a religious exemption from this requirement. Such notice shall include a form for the employee's signature authorizing a payroll deduction of Union dues. Said employees shall have thirty (30) calendar days from the date they receive the form to fully execute it and return it to the Human Resources Department.

b. When the form is completed properly authorizing the deduction of Union dues and returned during the stated time period, the City shall begin the applicable deduction of Union dues no later than the beginning of the first pay period commencing after receipt of the authorization form by the Human Resources Department. If the form is not completed properly and/or not returned within the stated time period, the City shall begin the deduction of the service fee no later than the beginning of the first pay period commencing after the expiration of the stated time period

c. No dues, fee or contribution deduction shall be made during any pay period when an employee's earnings are insufficient, after all other deductions are made, to cover the full amount of the dues, fee, or contribution. When an employee is in a non-pay status for an entire pay period, no deduction will be made to cover the pay period from future earnings.

In the case of an employee in a non-pay status only during part of a pay period, whose earnings, after deductions, are not sufficient to cover the full amount of the dues, fee, or contribution, no deduction shall be made in the pay period or from future earnings to cover the pay period.

d. The Union shall advise the City, in writing, of the amount to be deducted. Any change in the amount will be submitted to the City, in writing, at least thirty (30) days prior to the effective date of such change.

e. All deducted dues, service fees, and charitable contribution withholdings shall be remitted to the Union no later than fourteen (14) calendar days after deduction. The City shall also provide an itemized statement detailing each employee's name, social security number, amount of deduction, and category of deduction.

f. The City shall automatically provide the Union's designated representative(s) with an electronic report, preferably in Excel format, of a complete employee list of SEIU represented employees each quarter. The report shall include each employee's first and last name, social security number or employee identification number, job classification or position title, hire date, work status (full-time or part-time), home address, home mailing address (if different), home phone number, cell phone number (if known), salary grade code, salary step, and current hourly rate of pay.

#### 4.3 Religious Exemption:

a. Any employee who is a member of a bona fide religion, body, or sect that has historically held conscientious objections to joining or financially supporting public employee organizations shall not be required to financially support any public employee organization as a condition of employment. The employee may be required, in lieu of a service fee, to pay sums equal to the service fee to a non-religious, non-labor charitable fund exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, chosen by the employee from a list of at least three of these funds, designated in Section 4.3.c of this Memorandum of Understanding between the City and the Union, or then to any such fund chosen by the employee.

b. Written declarations of or applications for religious exemption and any supporting documentation must be submitted to the Union. After notification from the Union of the approval of such a request, the City shall begin a deduction for the charitable contribution no later than the beginning of the first pay period commencing after the receipt of the request by the Human Resources Department. The City shall remit the charitable contribution amount to the Union who will remit it to the designated charity. Charitable contributions shall be made by regular payroll deductions only.

c. The City and the Union have agreed to include the following list of designated non-religious, non-labor charitable funds for receipt of religious exemption deductions in the Memorandum of Understanding between the parties:

- a. United Way
- b. American Cancer Society
- c. American Society for the Prevention of Cruelty of Animals

#### 4.4 SEIU Local 721 COPE Contributions:

a. The Union shall be responsible for informing employees of the SEIU Local 721 Committee on Political Education ("COPE") and for providing employees with an authorization notice. Such notice shall include a form for the employee's signature authorizing a payroll deduction of COPE contributions and the amount of COPE contributions to be deducted each pay period. Any change in the amount to be deducted will be submitted to the Human Resources Department by the Union, in writing, at least thirty (30) calendar days prior to the effective date of such change.

b. When the Union notifies the Human Resources Department that an employee has authorized the deduction of the COPE contributions, the City shall begin the applicable deduction of COPE contributions no later than the beginning of the first pay period commencing after receipt of the request.

c. No COPE contributions shall be made during any pay period when an employee's earnings are insufficient; after all other deductions are made, to cover the full amount of the COPE contributions. When an employee is in a non-pay status for an entire pay period, no COPE contributions will be made to cover the pay period from future earnings. In the case of an employee in a non-pay status only during part of a pay period, whose earnings, after

deductions, are not sufficient to cover the full amount of the COPE contribution, no deduction shall be made in the pay period or from future earnings to cover the pay period.

d. All deducted COPE contributions shall be remitted to the Union no later than fourteen (14) calendar days after deduction.

4.5 Records: The Union shall keep an adequate itemized record of its financial transactions and shall make available annually, to the City, and to the employees who are members of the organization, within sixty (60) days after the end of its fiscal year, a detailed written financial report thereof in the form of a balance sheet and an operating statement, certified as to accuracy by its president and treasurer or corresponding principal officer, or by a certified public accountant. A copy of financial reports required under the Labor Management Disclosure Act of 1959 or Government Code section 3456.5 shall satisfy this requirement.

4.6 Indemnification: The Union shall indemnify, defend, and hold the City harmless against any liability arising from any claims, demands, or other action relating to the City's compliance with the agency shop obligation and SEIU Local 721 COPE deductions.

## ARTICLE 5

### SALARIES

5.1 Employees below the Top Step of a Range will be eligible for merit pay increases in accordance with existing City policy, and employees at Top Step of a Range or the first longevity step will be eligible for longevity increases in accordance with the provisions of the MOU.

5.2 Whenever the needs of the City require an employee to temporarily perform the duties of a higher classification than that in which the employee is currently employed for a period of more than sixteen (16) continuous working hours, the employee shall receive the salary rate of a higher class in which he/she is performing the required duties.

In such cases, the employee shall be paid at an appropriate step of the salary schedule of the higher classification which will assure an increase of not less than five percent (5%) greater than the salary of his/her current position, but in no case shall such salary exceed the top salary step of the higher classification.

The higher salary rate payable shall commence on the seventeenth (17th) continuous hour following the temporary reassignment to the performance of duties of the higher classification and shall continue for all hours worked in the higher classification during the pay period in which the employee qualified for higher classification pay.

Written notice will be provided by a Department Head when an employee served in an acting capacity.

A person appointed in an acting capacity shall be eligible to receive merit increases in his/her permanent position during the acting appointment but shall not be entitled to merit increases in the position which he/she holds in an acting capacity.

An employee shall not lose any time that has been worked toward their longevity increase and earning step increase.

5.3 Salary Increases: There are no cost-of-living-adjustment (COLA) salary increases scheduled during the term of this MOU.

5.4 One-Time Economic Recovery Payment: Each employee represented by SEIU in the first full pay period following the approval of this agreement by the City Council shall be paid a single lump sum payment of six hundred dollars (\$600.00). It is the parties' mutual intent that this payment shall not be considered as pensionable compensation for the purposes of CalPERS.

## ARTICLE 6

### WORKWEEK/OVERTIME

6.1 Workweek: The workweek is the period of time on which overtime requirements for non-exempt employees, under the FLSA are based. The standard workweek for each employee is a fixed and regularly recurring period of one hundred sixty eight (168) hours, composed of seven (7) consecutive twenty-four (24) hour periods. Although the workweek is intended to be fixed, it may be changed by City in emergency situations. Any schedule changes outside of emergency situations will be agreed upon by the Union and City.

a. The workweek for all employees who work a standard Monday through Sunday workweek shall commence at 12:01 a.m. on Monday of each week and end at midnight on the following Sunday.

b. All employees shall work a "4/10" alternative work schedule, comprising eight (8), ten (10) hour days in the pay period. The FLSA workweek and employees' schedules in effect as of April 1, 2013 will remain in effect. No changes on the 4/10 work schedule shall be made except by mutual agreement between the City and Union.

Employees working a 4/10 alternative work schedule may opt to take a 30 minute lunch, subject to approval of their immediate supervisor.

6.2 Facility Shut Down and Alternative Work Week: All facilities except for the library and mechanics shop will be affected by a facility shut down day on every Friday.

6.3 Overtime: It is the policy of the City to avoid the necessity for overtime work whenever possible. In cases of emergency or whenever public interest or necessity requires, any employee may be directed by proper authority, and is expected to perform, overtime work. Time worked by a non-exempt employee in excess of forty (40) hours in the seven (7) day workweek shall constitute overtime. The workweek is defined and set forth in section 6.1 above. A non-exempt employee will be paid one and one-half (1½) times the employee's regular rate of pay for all hours worked over forty (40) in the seven (7) day workweek. All work, outside an employee's regularly scheduled shift, must have the approval of the employee's supervisor prior to actual performance of the work. Failure to obtain such approval in advance subjects an employee to discipline.

6.4 Hours Worked: Only those hours that are actually worked by non-exempt employees shall constitute "hours worked" for purposes of determining entitlement to overtime pay. Time taken as paid leave, including, but not limited to, holidays, vacations, sick leave, compensatory time off, bereavement leave and other similar periods when no work is performed shall not constitute "hours worked," unless allowed as in Section 10.5 of this Memorandum of Understanding.

Time worked for which employees receive additional compensation pursuant to this Memorandum of Understanding, including but not limited to call back pay, shall constitute hours worked to the extent that it represents time actually worked.

## **ARTICLE 7**

### **CALL-BACK/STAND-BY**

#### **7.1 Call-Back Pay:**

a. The City shall provide unit members with a minimum of two (2) hours' pay at the premium rate of one and one-half (1½) times the employee's regular hourly rate of pay, or at one and one-half (1½) times the employee's regular hourly rate of pay for the actual hours worked, whichever is greater, when an employee leaves the work premises and the employee is called back to work after the employee's regular scheduled working hours.

b. There shall not be any duplication or pyramiding of rates under this section. An employee shall be credited with not more than one (1) minimum two (2) hour guarantee for work performed during any two (2) consecutive hour period. An employee credited with two (2) hours pursuant to this section may be assigned other work until the guaranteed time has elapsed. Call-back shall apply only when an employee is required to physically return to a work site (e.g. leave home or other off-duty location) in order to perform required duties.

#### **7.2 Stand-by Pay:**

a. When a regular or probationary employee is assigned to Public Works stand-by (after hours) duty by the City, the employee shall receive one hundred fifty dollars (\$150.00) per week for the entire period of such assignment.

b. Stand-by duty requires the employee to: (1) be reachable by telephone or other communication device; (2) be able to respond to work at the City Yard or other work site within twenty (20) minutes; (3) refrain from activities which might impair their ability to perform assigned duties; and (4) comply with other operational policies and directives as promulgated by management.

## **ARTICLE 8**

### **COMPENSATORY TIME OFF**

#### **8.1 Compensatory Time Off:**

a. All employees who earn overtime compensation, as defined in section 6.2 of Article 6, may elect to convert earned overtime to compensatory time off ("CTO") at the rate of

one and one-half (1½) hours for each hour actually worked. Additionally, hours that are not actually worked during call back pay cannot be converted to CTO. An employee who has accrued hours of CTO is required to receive monetary compensation for all additional overtime worked.

b. Unit members shall be entitled to convert a maximum of thirty three and thirty three hundredths (33.33) hours of overtime into fifty (50) hours of CTO.

c. Employees shall be permitted to use CTO within a reasonable period of time after the employee makes a request, provided that it does not unduly disrupt the City's operations. Unduly disrupt shall mean that it would impose an unreasonable burden on the City's ability to provide services of acceptable quality and quantity for the public during the time the employee requested off. An employee who wishes to take CTO must submit a request to his/her immediate supervisor in advance of the intended use of the CTO.

d. At any time, an employee may request that all or some of his/her accrued CTO be cashed out. CTO is cashed out at the employee's then current regular rate of pay. An employee wishing to cash out his/her CTO shall submit his/her request to his/her Department Head in writing. CTO may be cashed out in increments of not less than eight (8) hours unless the balance of the employee's compensatory bank is less than eight (8) hours.

e. Any unused CTO as of December 31<sup>st</sup> of any year shall be carried over to the next calendar year.

f. An employee whose employment is terminated for any reason shall be paid for all unused CTO at a rate of the higher of (1) the average regular rate the employee earned during the last three (3) years of employment; or (2) the final regular rate earned by the employee.

## **ARTICLE 9**

### **BILINGUAL PAY**

9.1 Bilingual Pay: Employees regularly required by their supervisor to provide foreign language translation services in the course and scope of their employment shall receive fifty dollars (\$50.00) per month. In order to qualify for bilingual pay, the employee must pass a test established by the City.

## **ARTICLE 10**

### **HOLIDAYS**

#### 10.1 Authorized Holidays:

a. The following paid holidays shall be observed:

1. January 1 (New Year's Day)
2. Third Monday in February (Washington's Birthday)
3. The last Monday in May (Memorial Day)

4. July 4 (Independence Day)
5. The first Monday in September (Labor Day)
6. The second Monday in October (Columbus Day)
7. November 11 (Veterans Day)
8. Thanksgiving Day
9. Friday after Thanksgiving
10. December 25 (Christmas Day)
11. One (1) floating holiday.
12. One (1) additional floating holiday for full-time employees only.

The hour value for each holiday shall be equivalent to the employees' regularly scheduled work period, i.e. if the holiday falls on a regularly scheduled ten (10) hour work day, the employee's time off is ten (10) hours. If the holiday falls on a scheduled eight (8) hour day, the holiday time is eight (8) hours.

- b. Half-Shift Holidays: The following paid holidays shall be observed and employees shall not be required to work the last half of their scheduled shift that each employee would have worked were the holiday not observed:

1. December 24 (Christmas Eve)
2. December 31 (New Years Eve)

The hour value for each half (½) shift holiday shall be equivalent to half of the employee's regularly scheduled work period, i.e. if the holiday falls on a regularly scheduled ten (10) hour work day, the employee's time off is five (5) hours. If the holiday falls on a scheduled eight (8) hour day, the holiday time is four (4) hours.

10.2 Procedure if Holiday Falls on Saturday or Sunday: For those employees whose normal workweek is Monday through Friday, when a holiday falls on Saturday, the preceding Friday shall be observed as a holiday. When a holiday falls on a Sunday, the following Monday shall be observed as a holiday.

10.3 Procedure if Holiday Falls on Regular Day Off: If a holiday occurs on a day which is the full-time employee's regular day off, he/she shall be entitled to holiday pay at the hour value that is equivalent to the employee's scheduled work period [i.e. for employees on a regularly scheduled ten (10) hour workday, the holiday pay shall be ten (10) hours. For employees on a regularly scheduled eight (8) hour workday, the holiday pay shall be eight (8) hours]. This time shall be placed in the employee's holiday time bank. Regular part-time employees shall be paid on a pro-rata basis.

10.4 Employees Required to Work on Holiday: Any employee whose work schedule and assignment of duties requires him/her to work on an authorized holiday shall receive holiday

pay for such work at the same rate of pay at which he/she is employed, in addition to his/her normal pay for the time worked. Normal pay shall include overtime if qualified pursuant to Article 6, Section 6.3.

10.5 Pay for Accumulated Holiday or Holiday Bank: Each City employee who leaves the employment of the City shall be granted all accumulated holiday pay and shall be paid therefore at his/her rate of compensation applicable at the time he/she leaves the employment of the City. No leave credit shall be earned on terminal leave payments. When separation is caused by the death of any employee, payment shall be made to the estate of such employee or, in applicable cases, as provided by the Probate Code of the State.

## ARTICLE 11

### HEALTH INSURANCE

11.1 Health Insurance: The City shall contract for and make available to all eligible employees and their dependents, medical, dental, and vision coverage that are comparable to the plans in existence during the prior MOU. Plans contracted by the City shall include the following:

- (a) PPO or POS
- (b) HMO
- (c) Self Funded Dental and Vision

The City may change the health plans and subsequently designate a different plan(s) and providers with the concurrence of the Benefits Committee, which is comprised of representatives from each bargaining unit in the City. The employees shall have their choice of the plans as described above provided that they comply with applicable provider rules, such as open enrollment, etc.

The City shall contribute the sum of one-thousand, twenty-eight dollars and 81/100 (\$1,028.81) per month, per employee, referred to as the City's maximum liability, toward the cost of health insurance.

Except as provided in Section 11.4, the City will contribute one hundred percent (100%) of the cost per month, per employee, in paid status toward the cost of dental and vision plans for such employee and his/her dependents.

The "Maximum Benefit per family per Calendar Year" as set forth in the "Schedule of Vision Benefits" shall be four hundred and fifty dollars (\$450.00) per year.

In the event any of the plans contracted for and made available by the City to employees and their dependents as mentioned above should be terminated by the provider at no fault of the City, City agrees to meet and confer with Union regarding the affected health insurance issue. City agrees to notify Union if it changes insurance broker.

An Advisory Committee shall be established to study health insurance benefits. The Committee shall consist of two (2) members appointed by City management and two (2) members appointed by the Union. The Committee's role shall be strictly advisory and it shall have no authority to make decisions or otherwise bind the City with respect to health insurance matters.

11.2 Payroll Deductions: Every employee who wishes to receive medical benefits pursuant to this article must complete the authorization form. Such form provides the City with written authorization to make automatic payroll deductions for any employee contributions which may be required pursuant to this article. In the event any employee does not provide the City with written authorization to such automatic withholding, the City shall not be obligated to provide any medical benefit for such employee.

11.3 New Employee Health Insurance. New employees who are eligible for health insurance benefits will be covered as soon as practical, or thirty (30) days from the date of eligibility, whichever occurs first.

11.4 Retiree Health Benefits (formerly Section 11.2). The Union acknowledges the City has met and conferred in good faith with the Union prior to the City Council's adoption of Resolution Bill No. 07-095 on November 27, 2007, which amends and clarifies, in portion, (1) the Retirement Benefits policy previously adopted by the City Council which was placed into effect July 24, 1990, and (2) Resolution No. 3349, adopted by the City Council on April 14, 1998, which amended the Retirement Benefits Policy.

## **ARTICLE 12**

### **UNIFORMS**

12.1 Uniforms: The City shall continue to provide uniforms for all unit members required to wear them during duty hours. Time spent donning and doffing uniforms shall not be considered hours worked. City-issued wearing apparel shall not be worn in a manner or circumstances that would bring disrespect or disrepute to the City or employee.

City shall provide shirt patches for Leadworker classes indicating the Leadworker position.

## **ARTICLE 13**

### **RETIREMENT**

#### 13.1 Retirement:

a. Retirement Plans. The City will provide retirement plans with the California Public Employees Retirement System ("CalPERS") as follows:

1. TIER I - For unit members hired prior to July 1, 2011, such plan shall be 2.7% at fifty-five (55) PERS plan and the "single highest year" amendment.

2. TIER II - For unit members hired from July 1, 2011 through December 31, 2012, such plan shall be 2.5% at fifty-five (55) and the "single highest year" amendment.

3. TIER III - For unit members hired on or after January 1, 2013, such plan shall be 2% at sixty-two (62) and the "highest consecutive three year average" amendment.

b. Purchase Military Service Credit. City shall continue its contract with CalPERS to allow employees to purchase, at their own expense, up to four (4) years of military service credit in accordance with applicable PERS law.

c. Employee Contributions. Unit members in retirement Tiers I and II shall pay the full employee share of contribution (EPMC), but not to exceed eight percent (8%), to their respective retirement plans.

Unit members in retirement Tier III shall pay the full employee share of contribution (EPMC), but not to exceed sharing fifty percent (50%) of normal costs, to their retirement plan.

d. Part-Time Retirement Benefits. Entitlement to the Public Employees Retirement System for part-time employees shall be determined in accordance with applicable State law.

## **ARTICLE 14**

### **LONG TERM DISABILITY**

14.1 Long Term Disability: The City shall provide, on behalf of each unit member, a long-term disability plan with not more than a thirty (30) day waiting period. Employees shall be eligible for long-term disability after being off for thirty (30) days.

Employees with more than one (1) year service, but less than five (5) years' service with the City, may borrow not more than eighty (80) hours sick leave to cover any time they may be deficient in covering the thirty (30) day waiting period for the City's Long-Term Disability Plan to commence.. All such borrowed sick leave must be repaid as vacation or sick leave as thereafter accrued, unless other arrangements are approved by the City Manager. Any balance due the City upon termination of employment from the City shall be deducted from the employee's final check.

## **ARTICLE 15**

### **LIFE INSURANCE**

15.1 Life Insurance: The City shall provide to each full-time employee covered by this Memorandum of Understanding a fifty thousand dollars (\$50,000.00) group term life insurance. Each employee may increase, at their own cost, the limit of their subject life insurance policy by an amount not to exceed an additional fifty thousand dollars (\$50,000.00) one hundred thousand dollars (\$100,000.00) total coverage, provided arrangements can be made with the insurance carrier and subject to carrier approval of the additional insurance.

## **ARTICLE 16**

### **SURVIVORS BENEFIT**

16.1 Survivors Benefit: The City shall pay the required contributions, on behalf of each unit member, to continue to provide Level IV of the 1959 Widow's Survivors Benefit.

## ARTICLE 17

### TOOL/GLOVE POLICY

17.1 Tool Replacement Policy: It is the City's policy to replace broken or stolen tools owned by the equipment maintenance employees and required for their City job. The following sets out the procedures for tool replacement:

The City shall not replace tools that are lost or stolen from places other than authorized workstations. An inventory shall be made of each employee's toolbox at time of hire and updated yearly. A brief written explanation and replacement request for a lost or stolen tool must be submitted to the supervisor within twenty-four (24) hours of discovery of loss. Any theft or loss of two hundred fifty dollars (\$250.00) or more shall be reported to the Hemet Police. City shall replace or order an affected tool of equal or better quality within ten (10) working days. New specialty tools shall be purchased by the City on an as-needed basis with supervisor's approval. The City shall have available an open purchase order with a local mobile tool distributor, such as Snap On or Mac Tools.

17.2 Gloves Policy: It is the City's policy to provide employees with gloves, if gloves are required for safety and/or health reasons. The Supervisors, Assistant Supervisors, and Leadworkers shall be responsible for issuing gloves to employees.

a. One pair of gloves shall be issued to a new employee who is required, for safety and/or health reasons, to wear gloves. It is the City's policy not to replace gloves more than every two (2) months.

b. Replacement gloves shall be issued to an employee who turns in gloves that have been worn out or damaged.

c. Lost or misplaced gloves shall be replaced by the City.

17.3 Safe Shoe/Boot Policy: The City shall supply safety shoes/boots to all eligible employees. The use of City-provided safety shoes/boots shall be mandatory unless excused by the policy of the City's Safety Committee, or a licensed physician. The City, not later than October 1 of each year, shall provide a list of all employees and/or classifications that are eligible for this program. Additionally, the City shall provide within such period a list of situations, if any, wherein the use of safety shoes/boots is excused. Any affected employee may appeal the determination of the City on either of the foregoing lists to the City's Safety Committee. The decision of the Safety Committee shall be final and binding on the parties.

In keeping with the foregoing policy, the City shall provide a reasonable method by which all affected employees are provided with required safety shoes or safety boots.

## ARTICLE 18

### LONGEVITY/MERIT SALARY

#### 18.1 Longevity/Merit Salary Increase:

An employee may be entitled to receive a two and one-half percent (2.5%) salary increase after three (3) years at the top step of the same classification.

Such employee may be eligible for an additional two and one-half percent (2.5%) salary increase after three (3) additional years of continuous service at the same classification.

The term "classification" as used in this paragraph shall mean a continuance of job responsibilities that remain substantially unchanged, notwithstanding periodic changes of name or pay range. Eligibility is based on merit and an annual evaluation that is satisfactory or better. In the event an employee receives such evaluation after the date on which it was due, increases shall be retroactive to the due date, if the evaluation would have been satisfactory on such due date. Employees who have been denied longevity/merit salary increases due to an unsatisfactory evaluation may receive the longevity/merit increase as soon as their performance warrants, and they are given a satisfactory evaluation.

All increases under this section shall be at the discretion of the City Manager, upon recommendation of the pertinent Department Head. Satisfactory evaluations, approved by the Department Head, shall be forwarded to the City Manager with his/her recommendation regarding the longevity increase.

In the event of a classification change, as described hereinabove, the longevity/merit increase shall cease until the employee qualifies in the new classification.

18.2 Annual Length of Service Recognition: An employee shall receive an annual length of service recognition in the amount of twenty-five dollars (\$25) for every year of service after the employees has reached their top step of longevity, subject to a satisfactory job performance evaluation.

## ARTICLE 19

### REGULAR PART-TIME BENEFIT PLAN

19.1 Regular Part-Time Employee Benefit Plan: Regular part-time employees are entitled to step increases; salary adjustments for their classification; deferred compensation (3.75% City and employee contribution) or PERS retirement benefits for employees exceeding the one thousand (1,000) hour per year minimum eligibility requirement; workers compensation insurance; holiday pay at four (4) hours per holiday; vacation and sick leave based upon a prorated share in which the employee's average work week bears to a forty (40) hour week; and monthly medical, dental, and vision premium contribution up to five hundred and fourteen dollars and forty-one cents (\$514.41).

On benefits, which require a monetary contribution by City, the employee may elect to receive such benefit by payment to City of his/her portion of the prorated share. Part-time employees shall further be evaluated by their supervisors in the same manner in which permanent, full-time employees are evaluated. Benefits provided shall be limited to those that the City selected carriers and providers make available to part-time employees.

## **ARTICLE 20**

### **DISCLAIMER**

20.1 Disclaimer: Nothing contained in this MOU concerning benefits shall be deemed a representation by City concerning the taxable status of any benefit. In the event any benefit provided herein shall be deemed as taxable for any purpose, the payment of such tax shall be the sole responsibility of the employee.

## **ARTICLE 21**

### **PHYSICAL EXAMINATIONS**

21.1 City-Paid Physical Examinations: Nondiscretionary physical examinations required by the City shall likewise be paid by the City with reasonable time off from work to accomplish that purpose. Each employee shall be responsible for the payment of elective physical examinations; however, reasonable use of sick leave shall be authorized by the employee's supervisor for that purpose.

## **ARTICLE 22**

### **OPERATOR'S LICENSES/MEDICAL EXAMS**

22.1 City-Paid Special Operator's Licenses and Medical Exams: In the event an employee, as a condition of his/her job classification, is required to carry a special operator's license from a governmental agency and/or required to meet certain physical standards, the City shall pay the additional cost, if any, of such license and the cost of needed physical examinations. The City shall also give reasonable time off for such purposes.

## **ARTICLE 23**

### **MISCELLANEOUS BENEFITS**

23.1 Miscellaneous Benefits: The parties recognize that the City currently provides full-time employees with the following miscellaneous benefits: Employee Assistance Program (EAP) and access to a minimum of two (2) fitness centers at City designated facilities. Part-time employees will only be eligible for the fitness centers benefit in this section. The City, in its sole authority, shall select providers for the benefits under this section without "meeting and conferring" with the Union. In the event the City desires to terminate these miscellaneous benefits, it shall first meet and confer with Union.

No provision of this MOU shall require the City to maintain a no-interest computer loan program, and the City may, at its sole discretion, modify, suspend, or eliminate the no-interest computer loan program.

## ARTICLE 24

### SICK LEAVE

#### 24.1 Sick Leave:

a. Accrual of Sick Leave: Every regular employee shall accrue sick leave at the rate of eight (8) hours per month after their first year of employment. Immediately upon hire, new unit members shall be given a credit of ninety-six (96) hours of sick leave to their sick leave account for the first (1<sup>st</sup>) year of service. Accrual of additional sick leave will commence at the beginning of the thirteenth (13<sup>th</sup>) month of service. An employee shall not receive payment for unused sick leave accumulated to his/her credit upon termination for cause, disability, retirement or voluntary resignation other than as provided in Section 24.1.i. The right to accrue sick leave is unlimited.

b. Charge for Sick Leave: If an employee performs his/her duties for part of a working day, he/she shall be credited with those hours worked, and charged sick leave only for those hours not worked by reason of illness or injury. Sick leave shall be charged to the nearest one-quarter hour.

c. Notification of Use of Sick Leave to Supervisor: An employee using sick leave must notify his/her immediate supervisor within one (1) hour before the time set for the beginning of his/her work day or as may be specified by the Department Head.

d. Proof of Illness: The Department Head may request a certificate issued by a licensed medical provider or other satisfactory proof of illness before sick leave is granted. Violation of sick leave privileges may result in disciplinary action and/or loss of pay when, the employee has abused such privileges. This section shall not apply to personal use time as set forth in 24.1.j. If the sick leave request equals five (5) or more working days, the Department Head may also require the employee to report to a City-selected medical practitioner, at City expense, to verify the employee's physical and/or mental ability to perform the essential functions of his/her position.

e. Sick Leave Request Forms: A sick leave request form shall be completed at the department level on a form to be provided from time to time by the City. This form shall also cover other absences in addition to sick leave.

f. Illness or Injury While on Vacation: Sick leave shall be granted to all classified employees who become ill or injured while on authorized vacation leave, provided that such illness would otherwise warrant use of sick leave, and provided further, that an attending physician's statement is furnished which states that the employee was incapacitated to a degree that would prohibit his/her performance of his/her normal duties.

g. Illness or Injury While on Normal Time Off: Sick leave shall not be granted to employees who become ill or injured while absent from duty during normal days off

or holidays. Should the injury or illness extend beyond such authorized time off duty, sick leave may be authorized in accordance with the conditions of this section.

h. Extension of Sick Leave: After an employee's sick leave has been exhausted, he/she may be granted permission by the City Manager to take any earned vacation he/she may have accrued.

i. Sick Leave Distribution: The City agrees to provide unit members with the following payoff provision for accumulated sick leave upon the unit member's retirement or disability, or upon death of the unit member while employed by the City. In the case of death, accumulated sick leave benefits shall be paid to a beneficiary designated by the unit member.

1. Twenty-five percent (25%) of all accumulated sick leave after five (5) years of service with the City; payoff shall be prorated upon last five (5) years of service.

2. Fifty percent (50%) of all accumulated sick leave after ten (10) years of service with the City; payoff shall be prorated upon last five (5) years of service.

3. Seventy-five percent (75%) of all accumulated sick leave after twenty (20) years of service with the City; payoff shall be prorated upon last five (5) years of service.

j. Personal Use Time: An employee may be permitted to utilize up to a maximum of ten (10) hours of sick leave as a personal use time during any calendar year, provided that the employee shall obtain the permission of the Department Head before utilizing said leave. Permission for utilization of personal use time shall not be unreasonably withheld. However, the Department Head may withhold permission to take personal use time based upon operational, staffing and service needs. Should a Department Head refuse to grant time off for personal use time, the Department Head and the employee shall reschedule personal use time as soon thereafter as practicable based upon the operational, staffing and service needs of the department. Personal use time shall not be cumulative from year to year.

An employee shall only be entitled to ten (10) hours of personal use time in any one (1) fiscal year. An employee may request personal use time at not less than two (2) hour increments.

## **ARTICLE 25**

### **VACATIONS**

25.1 Vacations: Accrued vacation leave with pay shall be granted subject to the convenience of the service as hereinafter provided:

a. Eligibility for Use of Vacation: Every probationary and regular employee shall be entitled to a paid vacation leave. Accrual of vacation begins from the date of hire and is to be apportioned on the first (1<sup>st</sup>) and second (2<sup>nd</sup>) pay periods of each month.

b. Vacation Accrual (probationary and regular full-time employee): Every probationary and regular full-time employee shall accumulate vacation leave in accordance with the following schedule:

1. During the first three (3) years of service, employees shall accrue ninety-six (96) vacation hours per year.

2. After three (3) full years of service, employees shall accrue one hundred and twenty (120) vacation hours per year.

3. After six (6) full years of service, employees shall accrue one hundred and forty-four (144) vacation hours per year.

4. After nine (9) full years of service, employees shall accrue one hundred and sixty (160) vacation hours per year.

5. After twelve (12) full years of service, employees shall accrue one hundred and sixty-eight (168) vacation hours per year.

c. Vacation Accrual (Permanent Part-Time): Permanent part-time employees shall accrue vacation in accordance with section 25.1 b above and on a prorated basis, based on the number of hours worked.

d. Maximum Accrual: Unit members may carry over a maximum of one (1) years' accumulated vacation leave to the succeeding calendar year. A unit member will cease accruing additional paid vacation leave once he/she has two (2) years accrued vacation on his/her vacation balance.

e. Scheduling Vacations: The times during which an employee may take annual vacation leave shall be determined by his/her Department Head, respecting the wishes of the employee so far as such is compatible with the needs of the service.

f. Holidays During Vacation Leave: In the event that one (1) or more municipal holidays fall during a period when an employee is on vacation leave, such holidays shall not be charged as vacation leave.

g. Pay for Accumulated Vacation: Each City employee who leaves the employment of the City shall be granted all accumulated vacation or shall be paid therefore at his/her rate of compensation applicable at the time he/she leaves the employment of the City. Due to the fact that employees seldom terminate on the final day of a month, the following method shall provide for equitable payment for vacation earned during the month of termination. If an employee terminates on a day falling on the first (1<sup>st</sup>) through the fifteenth (15<sup>th</sup>) of a month, the employee shall receive credit for one-half (½) of the month's vacation accrual; if an employee terminates on a day falling on the sixteenth (16<sup>th</sup>) through the thirty-first (31<sup>st</sup>) day of a month, the employee shall receive full credit for the vacation accrual for the month.

No leave credit shall be earned on terminal leave payments. When separation is caused by the death of any employee, payment shall be made to the estate of such employee or, in applicable cases, as provided by the Probate Code of the State.

h. Vacation Sale: Unit members with more than two (2) years service may sell unused vacation time in an amount not to exceed fifty percent (50%) of that earned in the preceding twelve (12) month period. The sum of the calculation shall be based on the employee's salary at the time of the sale.

## ARTICLE 26

### MILITARY LEAVE

26.1 Military Leave: Military leave with pay shall be granted in accordance with provisions of the Military and Veterans Code of the State and applicable federal law. An employee entitled to military leave shall give his/her Department Head an opportunity within the limits of military regulations to determine when such leave shall be taken. Prior to taking such leave, an employee shall present a copy of his/her military orders to his/her Department Head. The Department Head shall advise the Human Resources Director of such military orders immediately. Sick leave and annual vacation leave shall accrue to the employee during the period the employee is on military leave.

This provision shall not be construed to grant any benefits to employees who voluntarily join the armed services or who are called to full-time active duty in the armed services.

## ARTICLE 27

### JURY DUTY

27.1 Jury Duty: An employee on jury duty shall receive full pay and benefits for a maximum of two (2) weeks per calendar year. Any compensation for such jury duty, except travel pay, shall be returned to the City. City shall continue jury duty pay for those employees whose jury assignment, though originally estimated to be two (2) weeks or less, but is continued beyond the estimated time. Employees must return to work within a reasonable time if excused from jury duty during the employee's regular working hours.

## ARTICLE 28

### LEAVE OF ABSENCE/WITHOUT PAY

28.1 Leave of Absence Without Pay:

a. General Policy: Any employee may be granted a leave of absence without pay upon the approval of the City Manager pursuant to the recommendation of his/her Department Head and the Human Resources Director. A leave without pay may be granted for any of the following reasons:

1. Illness or disability.
2. To take a course of study which shall increase the employee's usefulness on return to his/her position in the City service.
3. For personal reasons acceptable to the City Manager and Department Head.

An employee shall utilize all his/her vacation and/or compensatory time off prior to taking an authorized leave of absence without pay. If such leave is due to illness or disability, employee shall use accrued sick leave prior to using accrued vacation and/or compensatory time. During a leave of absence without pay, other than granted pursuant to Family Medical Leave Act or

California Family Rights Act, the City shall not contribute any payments toward any of the benefit plans (medical, dental, life, disability, retirement, etc.). To remain on the City's medical or life benefit plans, the employee may pay the entire premium prior to the first (1<sup>st</sup>) of each month. Failure to pay these premiums shall terminate coverage. During a leave of absence without pay, no credit for benefits including retirement, sick leave, vacation, holidays, seniority, etc., shall accrue.

The granting of any leave of absence without pay exceeding fifteen (15) consecutive calendar days shall cause the employee's salary anniversary date to be postponed by the number of calendar days for which such leave of absence has been granted, less the first fifteen (15) calendar days of such leave. The employee shall be assigned a new salary anniversary date which shall be the date to which his/her previous salary anniversary date has been postponed.

b. Authorization Procedure: Requests for leave of absence without pay shall be made upon forms prescribed by the City Manager and shall state specifically the reason for the request, the date when it is desired to begin the leave and the probable date of return. The request shall normally be initiated by the employee but may be initiated by his/her Department Head and upon written recommendation of the Department Head that it be granted, modified or denied, shall be promptly transmitted to the City Manager. The City Manager shall then make his/her recommendation in writing and return the response to the Department Head. A copy of any approved request for leave of absence without pay shall be delivered promptly to the Finance Director. Unless otherwise stated as a condition of approval of the leave, an employee shall return to his/her previous classification and step level and retain seniority earned at commencement of leave.

If the City Manager modifies or does not approve a request for Leave, the employee may, within fifteen (15) calendar days of said action, file a request with the Human Resources Director for review by the City Council. Upon such request, the Human Resources Director shall forward a copy of the request for Leave to the City Council for final determination. The employee shall notify the Human Resources Director whether he/she shall submit his/her position in a written statement or wishes to appear before the Council. The City may present its position in the same manner as the employee. The City Council, at its discretion, may designate one (1) or more Council members to meet with the employee and decide such appeals. The decision on such appeal shall be final.

c. Length of Leave and Extension: A leave of absence without pay may be made for a period not to exceed one (1) year. The City Manager may extend such leave for an additional period not to exceed one (1) year. Procedure in granting extensions shall be the same as that in granting the original leave provided that the request for extension is made in writing no later than fourteen (14) calendar days prior to the expiration of the original leave.

d. Return from Leave: When an employee intends to return from an authorized leave of absence without pay either before or upon the expiration of such leave, he/she shall contact his/her Department Head at least fourteen (14) calendar days prior to the day he/she plans to return. The Department Head shall promptly notify the City Manager of the employee's intention.

e. Leave Without Pay: An employee shall utilize all his/her vacation and/or compensatory time off prior to taking an authorized leave of absence without pay.

## ARTICLE 29

### BEREAVEMENT LEAVE

29.1 Bereavement Leave: Whenever any employee is compelled to be absent from duty by reason of death in the employee's immediate family biological, foster, or adoptive parent; step-parent; parent-in-law; legal guardian, brother, sister, step-brother; step-sister; brother-in-law; sister-in-law; spouse, domestic partner; biological, foster, or adopted child; stepchild, legal ward; child of domestic partner; child of an employee standing in loco parentis; grandparent; grandparent-in-law, or grandchildren), such person shall be entitled to a leave of absence with pay for up to three (3) working days. The first two (2) days shall be City paid as bereavement leave and the third day shall be charged against sick leave. If an employee does not have any accrued and unused sick leave, he/she may use accrued vacation or CTO leave for the third day of Bereavement.

In the event the circumstances described in this section require the employee's attendance at a distance greater than three hundred (300) miles, the employee shall be entitled to a leave of absence with pay for up to five (5) working days. The first two (2) days shall be City paid as bereavement leave and the third, fourth, and fifth day shall be charged against sick leave. If an employee does not have any accrued and unused sick leave, he/she may use accrued vacation or CTO leave for the third, fourth and fifth day, of Bereavement.

The employee shall furnish satisfactory evidence of such death to his/her Department Head.

## ARTICLE 30

### FAMILY SICK LEAVE

30.1 Family Sick Leave: Employees may use up to forty-eight (48) hours of sick leave for family sick leave in each calendar year. Family sick leave may be used when a member of the employee's immediate family (biological, foster, or adoptive parent; step-parent; legal guardian brother, sister, spouse; domestic partner biological, foster, or adoptive child, step-child; legal ward; child of domestic partner; or child of an employee standing in loco parentis; parent-in-law; grandparent; or grandchildren), requires the immediate attention and care of the employee. Employees may be required to provide satisfactory proof showing the nature and extent of the illness or injury to justify the absence.

## ARTICLE 31

### NON-OCCUPATIONAL DISABILITY LEAVE

31.1 Non-occupational Disability Leave:

a. Upon submission of an appropriate certificate from a licensed medical provider, an employee may be granted non-occupational disability leave. The employee utilizing non-occupational disability leave shall utilize all sick leave accredited to him/her and upon the expiration of sick leave shall utilize any accredited annual vacation leave and compensatory time. When sick leave, annual vacation leave, and compensatory time are exhausted, the

remainder of the absence required shall be on the basis of leave without pay. The leave without pay shall constitute a break in continuous service with the City.

Non-occupational disability leave shall not extend beyond a maximum period of six (6) months. If additional leave is desired the employee may request additional leave in accordance with Leave of Absence Without Pay, Article 28, above.

b. An employee shall not be entitled to more than one (1) such leave pursuant to this Section per twelve (12) month period.

## **ARTICLE 32**

### **WORKERS' COMPENSATION LEAVE**

#### **32.1 Workers' Compensation Leave:**

a. The first three (3) workdays of industrial accident leave shall be charged to employee's accumulated sick leave. If the industrial leave exceeds three (3) days, the sick leave used shall be recredited to the employee.

b. Industrial injury temporary disability leave shall be paid at the current State Labor Code rate. An employee may use accrued sick leave, compensatory time, and vacation time, in that order, to supplement temporary disability payments up to that employee's last full paycheck net amount within twenty dollars (\$20.00). The employee shall not accrue sick leave or vacation credit during the period in which the employee receives Workers' Compensation temporary disability benefits.

The merit increase eligibility date and probation period of any employee who receives Workers' Compensation benefits shall be extended by the length of time the employee receives such benefits, except the first fifteen (15) consecutive calendar days from the date of injury shall be continuous City service for merit increase eligibility or completion of probation.

## **ARTICLE 33**

### **LAYOFF/CLASSIFICATION REVIEW**

33.1 Order of Layoff: The following order of layoff shall first be instituted within an affected classification in a department:

- a. Temporary part-time employees
- b. Temporary full-time employees
- c. Initial probationary employees
- d. Trainee part-time employees
- e. Trainee full-time employees
- f. Contract employees

33.2 Seniority: When the City orders a reduction in the work force, the layoff of regular status employees shall be first based upon seniority within a classification and secondly, based upon seniority in total service with the City.

33.3 Ties in Seniority: Regular status employees in the same division with equal time in a classification and total service in the City shall be laid off based upon past performance ratings and relative ability as determined by the City.

33.4 Bumping Rights: In order to exercise bumping rights, a regular status employee must have previously served in the lower classification and must have seniority in that classification over the regular status employee being displaced.

33.5 Voluntary Demotion: A regular status employee who is subject to layoff may, in lieu of layoff; choose a demotion to a lower classification in the same division, provided he/she gives written notice to his/her Department Head ten (10) calendar days after receiving notice of layoff. Regular employees who elect to demote under this provision shall be placed on the step nearest their present salary within the range of classification to which they are demoting, provided such step shall not exceed present salary.

33.6 Notice: The City shall give, or send by regular and certified U.S. mail to the last known address of affected employees, written notice at least fourteen (14) calendar days prior to the effective date of the layoff. Notice is not affected by failure of employee to return receipt for certified mail. Under emergency circumstances, the notice period may be shortened. The recognized employee organization shall be in receipt of the layoff notice twenty-four (24) hours prior to the time affected employees are notified, provided such notice shall be kept in strict confidence by the employee organization. The notice shall include:

- a. The reason for layoff
- b. The effective date of the action
- c. If laid off out of seniority

33.7 Re-employment: Regular status employees laid off or taking voluntary demotion in service shall be re-employed in the inverse order of their layoff or demotion. Regular status employees laid off or taking a voluntary demotion in rank shall be maintained on the reemployment list until such employee once refuses to accept reinstatement or for two (2) years, whichever occurs first. The seniority date of a returning employee, after resignation or termination, shall be the first working day after the break in service. Seniority date of laid off employee's remains the same for the two (2) year reinstatement period.

33.8 Classification review procedure: The Human Resources Director is primarily responsible for the initiation of classification review studies and the recommendation of changes to the classification plan. An employee may initiate a review of his/her classification by submitting a written request, which includes the reasons for the request to their Department Head. If the Department Head has twice refused to refer the request to the Human Resources Director, the employee may send the request to Union. Union may refer such written requests to the Human Resources Director. The Human Resources Director shall take one of the following actions:

- a. Accept the request for study, or
- b. Return the request to Union with an explanation for non-action.

Requests referred to the Human Resources Director are subject to the same discretionary judgments regarding priority as other requests.

## **ARTICLE 34**

### **GRIEVANCE AND DISCIPLINARY APPEALS PROCEDURE**

34.1 Grievance: A "grievance" shall mean a written allegation by an employee(s) or the Union concerning a dispute arising out of the interpretation or application of the specific terms of this MOU and/or written employment policy, rules and regulations which affect terms and conditions of employment. An authorized Union representative may file a "grievance" on behalf of all employees to avoid a multiplicity of grievances over the same dispute.

34.2 Scope of Grievances: A grievance may be filed if a management interpretation or application of the provisions of this MOU adversely affects an employee's wages, hours or conditions of employment.

Specifically excluded from the scope of grievances are:

- a. Subjects involving the amendment or change of City Council resolutions or ordinances which do not incorporate the provisions of this MOU;
- b. Matters which have other means of appeal;
- c. Position classifications;
- d. Standard or better Performance Evaluations.

34.3 Representatives: An employee may represent himself/herself or may be represented by Union during any step of this procedure.

34.4 Procedural Due Process: The grievance procedure contained herein shall not act as a substitute for procedural due process rights for individual employees, with respect to pre-disciplinary/discharge matters.

34.5 In resolving disciplinary matters other than reprimands, the City and Union agree to proceed immediately to the first two (2) steps of the grievance procedure as provided herein. In the event a disciplinary matter is not resolved in Step 2, the aggrieved employee may appeal as provided herein. The parties may, by mutual consent, waive their right to proceed with any of the steps of the grievance procedure.

34.6 Days: Reference to days in this procedure shall mean calendar days.

34.7 Time Limitation and Waiver: A grievance shall not be valid unless it is submitted to the City's designee, in writing, setting forth the facts and the specific provisions of the MOU allegedly violated and the particular relief sought within ten (10) days after the date the grievant knew or in the exercise of reasonable diligence, should have known, of the event giving rise to

the grievance occurred. Failure to file or process any grievance within the prescribed time limitation may constitute a bar of such grievance.

Failure by the City's representative to issue a decision within the time periods provided herein shall constitute a denial of the grievance and the grievant may appeal to the next level. The City's representative, prior to issuing a decision at Step 1 or Step 2, shall meet with the grievant and his representative, if any. Any issue or dispute concerning the procedures of this grievance procedure, including the timeliness of the filing or processing of a grievance, shall be subject to determination by the hearing officer.

34.8 Informal Conference: Prior to filing a formal grievance, an employee should discuss his grievance with his immediate supervisor in an effort to adjust the alleged grievance informally.

34.9 Step 1: If the grievance is not resolved through the informal conference with the immediate supervisor, the employee may file a written grievance with the Department Head within the time prescribed in paragraph 34.7. Within five (5) days after receipt of the written grievance, the Department Head and/or other representatives as may be designated by the City shall meet with the grievant. A written decision shall be given to the grievant within ten (10) days thereafter.

34.10 Step 2: If the grievance is not resolved at Step 1, the grievant shall have ten (10) days after receipt of the Step 1 decision to file a written appeal to the City Manager. Within seven (7) days after receipt of the written grievance, the City Manager and/or other representatives as may be designated by the City shall meet with the grievant.

A written decision shall be given to the grievant within ten (10) days thereafter.

34.11 Step 3: In the event the grievance is not resolved in Step 2, the grievant may appeal within fifteen (15) days by filing written notice with the City Manager.

If, within the fifteen (15) day appeal period, the employee involved does not file said appeal, the action of the City shall be considered conclusive and shall take effect as prescribed.

If, within the fifteen (15) day appeal period, the employee involved files such notice of appeal by giving written notice of appeal to the City Manager, a time for an appeal hearing before a hearing officer mutually selected by the parties (employee and/or Union or City) shall be established. The date for a hearing shall not be less than ten (10) days, nor more than thirty (30) days, unless agreed otherwise, from the date of the filing of the appeal. All interested parties shall be notified in writing of the date, time and place of the hearing at least seven (7) calendar days prior to the hearing.

The decision of the City Manager shall be final and binding and shall not be referable to a hearing officer in grievances concerning:

- a. Sub-standard Performance Evaluation;
- b. Deferral or denial of a merit increase; or
- c. A three (3) day suspension or any lesser action.

34.12 Conduct of Hearings: All hearings shall be open to the public, provided, however, that the hearing officer shall, at the request of the employee, exclude the public from all or any portion of such hearings.

The hearing need not be conducted in accordance with technical rules relating to evidence and witnesses but hearings shall be conducted in a manner most conducive to determination of the truth.

The hearing officer shall determine relevancy, weight, and credibility of testimony and evidence. He shall base his findings on the preponderance of evidence.

Decisions made by the hearing officer shall not be invalidated by any informality in the proceedings.

The hearing officer shall not have the authority to add to, modify, or subtract from this Agreement or to take testimony from one party outside the presence of the other. The hearing officer shall not have the authority or power to render a binding decision that requires the City to expend additional funds, to hire additional personnel, to buy additional equipment or supplies, or to pay wages or benefits not specifically provided for in this Agreement or to take any action which would be in violation of Federal or State laws.

In disciplinary matters, the hearing officer may sustain or reject any or all of the charges filed against the employee. He may sustain, reject or modify the disciplinary action invoked against the employee. He may not provide for discipline more stringent than that invoked by the appointing authority.

34.13 Hearing Officer's Decision: The hearing officer shall render his decision as soon after the conclusion of the hearing as possible and in no event later than thirty (30) working days after conducting the hearing. His decision shall set forth which charges, if any, are sustained and the reasons therefore.

The hearing officer's written findings and conclusions, which support his/her decision, shall be filed with the City, the charged employee and his/her representative, if any. Except as provided hereinafter, the decision of the hearing officer is final and binding and shall be implemented by the City Manager. The cost of the hearing and the hearing officer's fees shall be borne equally by the parties.

Notwithstanding the foregoing, in the case of an appeal over an employee termination, the decision of the hearing officer shall be subject to review by the City Council. The City Council, by a minimum of four-fifths (4/5) affirmative votes, may sustain, reject or modify the decision of the hearing officer. Upon request, the affected employee or his/her representative shall be permitted to address the City Council in closed session prior to the City Council taking action on the appeal. The decision of the City Council shall be final and binding.

## **ARTICLE 35**

### **SHOP STEWARD**

35.1 A Shop Steward shall be a City employee as selected by the Union. A list of Shop Stewards shall be kept current and sent by the Union to each Department Head and to the Human

Resources Director. Up to three (3) Stewards in the unit, designated by the Union, shall be allowed paid release time for Union business, up to two (2) hours per Steward per month, and shall be entitled to additional paid release time for grievance meetings with management. Stewards shall not leave their work assignment, nor interfere with the work of another employee, without first obtaining permission from the supervisors of the Steward and any involved employee. Additional release time, which shall be unpaid, may be allowed at the discretion of the supervisor. Release time hereunder shall not be unreasonably denied.

## ARTICLE 36

### EDUCATIONAL REIMBURSEMENT AND INCENTIVE

36.1 Educational Reimbursement Program: Full-time, regular employees of the City who have passed original probation shall qualify for participation in the educational reimbursement program. The program covers courses taken at accredited colleges, accredited universities, correspondence courses and other institutions. Reimbursement shall not exceed two thousand dollars (\$2,000.00) per calendar year.

36.2 Reimbursement will be subject to the following:

a. The course elected must be of benefit to the City and directly related to the employee's current duties or future employment with the City. Courses taken to satisfy an associate, bachelor's or master's degree requirement may be approved, provided that the degree goal is in the field of current employment of the employee or future employment with the City.

b. Each employee must attend on his/her own time and complete the course satisfactorily with a passing grade of "C" or its numerical equivalent, or a "pass" or "credit" for the class.

c. The employee must obtain approval, in writing, from the Department Head or his/her designee, prior to enrolling in the course.

d. Such reimbursement shall include tuition, books and parking fees used to complete course requirements on assigned projects, but shall not include travel time, mileage, and other miscellaneous costs.

e. Upon completion of the course, the employee shall attach his/her grade report, along with receipts for covered items to his/her approved application for educational reimbursement and present it to the Department Head. The Department Head shall forward the records of completion to the Human Resources Director.

f. The Human Resources Director shall authorize a tuition education reimbursement upon certification of satisfactory course completion.

g. Copies of courses completed and the grades attained shall be maintained in the employee's personnel file and in the department's file.

h. Applications for reimbursement shall be accepted no later than one (1) month after the course grades have been distributed.

i. In order to participate in the educational reimbursement program, an employee shall be required to provide the City with written authorization to deduct the costs of such course(s) from the employee's last pay check if the employee leaves the City service within one (1) year after completion of the course(s) paid for by the City. If the last paycheck is insufficient to repay the costs, the employee shall be required to make appropriate arrangements, including a promissory note, to repay the balance within one (1) year of leaving the City service. The City Manager may alter the above requirements in unusual circumstances.

36.3 Educational Incentive Program: The City will pay a maximum of one hundred dollars (\$100) monthly to those unit members presently holding or hereafter obtaining an Associates, Bachelor's, or Masters degree directly related to the performance of their duties.

An employee who holds a college degree at the time of ratification, and seeks retroactive payment to July 1, 2013, must submit proof to the City no later than October 1, 2013 to receive such retroactive payment.

## ARTICLE 37

### CERTIFICATE INCENTIVE PROGRAM

The City will pay a maximum of fifty dollars (\$50) monthly to those unit members presently holding or hereafter obtaining certifications directly related to the performance of their duties. The specific certifications, job positions and eligibility requirements to participate in the program are listed in Appendix "B" of this MOU.

In January of each year, the parties shall meet to make additions or amendments, as necessary, to the list of certifications and/or positions.

## ARTICLE 38

### RULES OF CONDUCT

38.1 When people work together, certain rules and regulations are necessary so that the business of the City may be conducted in an orderly manner and the welfare of the employees protected. Our rules are founded on common sense and the principles of good citizenship. We do not wish to restrict the rights of anyone, but rather to define them. Violation of these rules or regulations may result in disciplinary action.

a. Non-City Sponsored Activities:

a. Activities not sponsored by the City such as: speeches, distribution of any kind of literature, interviewing employees, etc., regardless of their source or subject matter, shall not be allowed on City property or during working hours, unless specifically authorized by the City Manager.

b. Solicitation for items of any kind and the sale of merchandise on City property or during working hours must be specifically approved by the City Manager.

b. Rules of Order:

a. Employees are expected to go directly to the department to which they have been assigned.

b. Employees shall not bring on premises articles to be sold or bartered.

c. While on the City premises or during working hours, employees shall not:

(i) Work on other than City business unless specifically authorized by the City Manager.

(ii) Loiter in the restrooms, break room or other locations.

(iii) Engage in horseplay.

(iv) Meddle with machines, material, apparatus, tools or equipment assigned to other employees.

(v) Spit on floors, walls, or in the drinking fountains, wastebaskets or rubbish cans.

(vi) Have firearms in their possession under any conditions unless assigned as part of City-required equipment.

(vii) Sleep on the job.

(viii) Submit reports, which are knowingly false.

(ix) Leave the City premises or job site without proper permission of their supervisor.

(x) Commit acts of insubordination by refusing to obey instructions, requests or orders as given by supervisors, or directing disrespectful remarks toward and/or about supervisors.

(xi) Refuse to cooperate with supervisors and/or other employees, which would interfere with the best interests of the City.

c. Morals: The City desires to maintain wholesome working conditions. Employees who participate in objectionable activities, such as the following, on City premises or during working hours, are subject to disciplinary action:

a. Possession, transportation or consumption of alcoholic beverages or illegal drugs. Drinking is not permitted during working hours. Being under the influence of alcoholic beverages during working hours is prohibited. Consuming alcoholic beverages at any time in any public place while wearing a City uniform or insignia is prohibited. Using or possessing illegal drugs on City property or during working hours is prohibited.

b. Gambling in any form such as, but not limited to, betting or wagering, card playing for stakes, raffles, lotteries, pools, numbers and punch cards. The prohibition of gambling applies not only to the sale or distribution of tickets, but also to the purchasing of such ticket, except as may be allowed by State law.

c. The use of offensive, profane or vulgar language. This includes, but is not limited to, swearing at a co-worker or threatening the co-worker with physical violence.

d. Fighting.

e. Acts of dishonesty, including, but not limited to, theft.

f. Malicious slander about another employee.

g. Immoral behavior.

d. Attendance and Working Hours:

a. The supervisor shall schedule two (2) breaks and the lunch period in each working day. The department supervisor may modify the break and lunch periods to suit the needs of the department.

b. Employees are expected to be at their place of work at the starting time specified by their supervisor. In the event an employee is going to be either absent or tardy, he is to notify his department supervisor or the Public Works Department by telephone or other means, at the earliest possible time.

Any employee absent without notifying the City may be subject to disciplinary action.

c. In order to reemphasize the policies of the City and to insure compliance with Federal and State laws, it is mandatory that all employees follow these regulations:

(i) Employees shall not be permitted to start work before the time specified by the department supervisor. Work includes any handling of tools, equipment or material prior to performing actual job duties.

(ii) Employees shall not work after the time specified by the department supervisor and must leave the City premises immediately. They shall not be permitted to linger at the Corporation Yard.

(iii) Employees are not permitted to work during their lunch period.

e. Personal Conduct:

a. All City employees must bear in mind that their appearance and conduct directly affects the public's opinion of their City government. It is, therefore, each employee's responsibility to:

(i) Maintain proper relations with the public while performing his/her duties — this includes mannerisms, personal appearance and spoken word.

(ii) Conduct himself/herself in accordance with the spirit and letter of all laws of the community.

f. Accident Involving City Property or Equipment:

a. City employees are expressly forbidden to make statements concerning accidents involving City property or equipment unless authorized by the City Manager or City Attorney.

## **ARTICLE 39**

### **CLASSIFICATION**

39.1 An employee who demonstrates that she/he meets the qualifications and requirements of a more advanced classification can be re-classed to a higher salary range. The salary anniversary date, the date on which the employee is eligible for a performance evaluation and/or merit increase, does not change. The employee shall be compensated at the step in the new salary range, which comes nearest to, but not less than, five percent (5%) higher than the step she/he held in the previous salary range. A reclassification effective on the employee's annual review date makes him/her eligible for a step increase in addition to the change in salary range, if the employee is not on the top step of the classification.

The following classification series were designed to create a natural progression with incumbents progressing to the next level upon obtaining the requisite skills and knowledge of the higher classification:

- Accounting Technician I and II
- Building Inspector I and II
- Library Assistant I and II
- Office Specialist I and II
- Public Works Inspector I and II
- Utility Worker, Maintenance Worker I, and Maintenance Worker

In order to progress to the next level, an evaluation of the incumbent's skill and performance level with a reclassification recommendation must be completed by management and approved by the Human Resources Director and City Manager.

## **ARTICLE 40**

### **PROMOTION PROCEDURE**

40.1 A promotion is normally effected by a recruitment process, initiated by recommendation of the Department Head to the City Manager. By job flyer/announcement, a competitive examination is conducted which may involve a written test, oral appraisal, performance examination, an assessment center, or a combination of those elements.

The successful employee may be placed on a salary step lower than the employee had before the promotion, depending on the recommendation of the Department Head, but not less than five percent (5%) above former salary. The promoted employee would be placed on a probationary status in the new position for six (6) months, one (1) year for safety classifications, and evaluated at three (3) months and again at six (6) months. The salary anniversary date changes to the date six (6) months from the new appointment and the incumbent would be eligible, based on a satisfactory evaluation, for a five percent (5%) step increase at this time and on this date annually until top step is achieved.

## **ARTICLE 41**

### **RULES AND REGULATIONS**

41.1 The City shall have the right to issue reasonable employee rules and regulations not in conflict with the express terms of this MOU, provided that such rules and regulations are:

- a. Discussed with the Union prior to adoption;
- b. Submitted to the Union prior to adoption; and
- c. Posted in conspicuous places so that employees are advised and have notice of such rules and/or regulations prior to their implementation.

## **ARTICLE 42**

### **COMPLETION OF MEET AND CONFER**

42.1 It is intended that this Agreement sets forth the full and entire understanding of the parties regarding the matters set forth herein, and any other prior or existing understanding or agreements by the parties, whether formal or informal, regarding any such matters are hereby superseded or terminated in their entirety.

42.2 Except as specifically provided herein, it is agreed and understood that the Union voluntarily and unqualifiedly waives its right, and agrees that the City shall not be required to negotiate with respect to any subject or matter covered herein during the term of this Agreement.

42.3 Any agreement, alteration, understanding, variation, waiver or modification of any of the terms or provisions contained herein shall not be binding upon the parties hereto unless made and executed in writing by all parties hereto, and if required, approved and implemented by the City Council.

42.4 The waiver of any breach, term or condition of this Agreement by either party shall not constitute a precedent in the future enforcement of all its terms and provisions.

42.5 In the event a State or Federal mandate occurs during the period of this contract and requires special certifications to be maintained by City employees, parties agree to meet and confer within fifteen (15) calendar days of receipt of a written request from the other party. Said request shall state the reason and purpose of the request. Discussions shall be limited to only the

issues related to the mandate, and shall not be deemed as a reopener, and no other article or provision of this Agreement shall be affected.

42.6 Notwithstanding the terms of this MOU, upon thirty (30) days' notice by the City to the Union, the City may reopen on the subject of revisions to City's Personnel Rules.

**ARTICLE 43**

**SAVINGS CLAUSE**

43.1 Should any provision of this MOU, or any application thereof, be unlawful by virtue of any Federal, State or local laws and regulations, or by court decision, such provision shall be effective and implemented only to the extent permitted by such law, regulation or court decision. But in all other respects, the provisions of this MOU shall continue in full force and effect for the term thereof.

**ARTICLE 44**

**PERSONNEL FILE**

44.1 The City, upon reasonable advance request, shall provide an employee the opportunity to review his/her personnel file. Copies of the contents of this file requested by the employee shall be provided at no expense. The Human Resources Department shall maintain the official personnel file.

The employee may respond in writing to any item placed in their personnel file. Such written response shall become a part of the file.

The employee shall have the opportunity to review and shall sign any personnel document that reflects an adverse action, as defined herein, prior to such document being entered into the employee's personnel file. The employee's signature does not necessarily indicate agreement, and each document shall indicate so.

**ARTICLE 45**

**ESTABLISHMENT OF NEW CLASSIFICATION**

45.1 The City agrees to give written notice to the Union of the establishment of any new classification in the bargaining unit, the job duties for that classification and the proposed pay rate for that classification. If the Union does not agree that the pay rate set for the classification is proper, the Union may request meet and confer on that issue. A request by the Union for meet and confer must be made within ten (10) working days following receipt of such notification from the City.

**ARTICLE 46**

**HEALTH AND SAFETY**

46.1 The City agrees to abide by and maintain in its facilities and work operations standards of safety and health in accordance with applicable safety laws and regulations.

46.2 The City shall provide required safety devices and personal protective equipment and clothing for all employees. Such devices, equipment and clothing, where provided, must be used.

46.3 If an employee reasonably believes that an assigned job or equipment is unsafe, and for that reason refuses to perform the job, the employee shall immediately give specific reason(s) to the supervisor. The supervisor shall request an immediate determination by the City Safety Representative or designee as to whether the job or equipment is safe. Pending a safety analysis and determination provided for in this Section, the employee may be given suitable work elsewhere. If the work is deemed safe by the City Safety Representative or designee, the employee shall complete the assigned job.

46.4 Employees may report specific concerns, in writing, regarding safety and health to their supervisors. The City shall address such concerns, and where appropriate, conduct an investigation. If an investigation reveals that a safety hazard exists, the City shall take reasonable steps to eliminate the hazard.

46.5 The City shall have a Safety Committee in accordance with the City's Illness and Injury Prevention Program. The Union may select its employee representative to the Committee. Said representative shall be paid for time spent at Safety Committee meetings. Union shall receive copies of Safety Committee meeting minutes.

DATED: \_\_\_\_\_

**SERVICE EMPLOYEES  
INTERNATIONAL UNION LOCAL 721:**

**CITY OF HEMET:**

By: \_\_\_\_\_  
Wendy Thomas  
*Chief Negotiator*

By: \_\_\_\_\_  
Jessica Hurst  
*Chief Negotiator*

By: \_\_\_\_\_  
Tim Burke  
*Chapter President*

By: \_\_\_\_\_  
Laura Ireland  
*Human Resources Manager*

By: \_\_\_\_\_  
Luís Vivanco  
*Chapter Board Member*

By: \_\_\_\_\_  
Sara Retmier  
*Chapter Board Member*

By: \_\_\_\_\_  
Kevin Oakleaf  
*Chapter Board Member*

:

By: \_\_\_\_\_  
Sarah McComas, City Clerk

**APPENDIX A**  
**CITY OF HEMET**  
**ALPHABETICAL LISTINGS OF SEIU REPRESENTED CLASSIFICATIONS**

Accountant  
Accounting Technician I  
Accounting Technician II  
Accounting Technician III  
Assistant Civil Engineer  
Assistant Planner  
Building Inspector I  
Building Inspector II  
Building Technician I  
Building Technician II  
Business License Technician  
CDBG Coordinator  
Code Enforcement Officer  
Code Enforcement Officer II  
Community Development Specialist  
Community Center Technician  
Cross Connection Spec/CSR  
Customer Service Representative  
Engineering Technician I  
Engineering Technician II  
Equipment Mechanic  
Equipment Maintenance Service Worker  
Facility Services Aide  
Facilities Technician  
Geographic Information Systems Specialist  
Housing Program Specialist  
Housing Technician  
Lead Equipment Mechanic  
Lead Maintenance Worker  
Lead Traffic Painter  
Lead Tree Trimmer  
Lead Wastewater Collections Systems Operator  
Lead Water Distribution Systems Operator  
Library Assistant I  
Library Assistant II  
Library Associate I  
Library Associate II  
Library Page Part Time  
Literacy Coordinator Part Time  
Maintenance Management Technician  
Maintenance Worker I  
Maintenance Worker II  
Office Specialist I

Office Specialist II  
Office Specialist III  
Park Ranger  
Planning Technician  
Plans Examiner  
Public Works Inspector I  
Public Works Inspector II  
Purchasing Assistant  
Senior Building Inspector  
Senior Engineering Technician  
Senior Public Works Inspector  
Sweeper Operator  
Traffic Painter  
Tree Trimmer  
Utility Worker  
Wastewater Collections Systems Operator I  
Wastewater Collections Systems Operator II  
Water Distribution Systems Operator I  
Water Distribution Systems Operator II  
Water Production Systems Operator I  
Water Production Systems Operator II  
Water Quality and Conservation Specialist

**APPENDIX B**  
**CITY OF HEMET**  
**SEIU CERTIFICATES PAY LISTING**

SEIU Certifications	Positions Eligible	Requirements for Certification Pay
<b>Building Inspection Certifications:</b>		
Commercial Energy Inspector (ICC) Commercial Mechanical Inspector (ICC) Commercial Plumbing Inspector (ICC) Commercial Electrical Inspector (ICC) ICC Accessibility Inspector or CASP California Mechanical Inspector California Plumbing Inspector Commercial Building Inspector (ICC) IgCC Commercial Inspector with ASHRAE 189.1 (ICC) IgCC Commercial Inspector (ICC) Residential Electrical Inspector (ICC) Residential Mechanical Inspector (ICC) Residential Fire Sprinkler Inspector/Plans Examiner (ICC) Residential Energy Inspector/Plans Examiner (ICC) Residential Building Inspector (ICC) Residential Plumbing Inspector (ICC) UMC Mechanical Inspector UPC Plumbing Inspector	Building Inspector I Building Inspector II Senior Building Inspector          Plans Examiner Code Enforcement Officer I Code Enforcement Officer II	Job requires one (1) certification as a condition of employment. Eligible for certification pay with <u>second</u> certification. Certification(s) must be related to performance of the job duties.          Eligible for inspection certification directly related to job duties.
<b>Building Plans Examiner Certifications:</b>		
Electrical Plans Examiner (ICC) Green Building-Residential Examiner IgCC Plans Examiner (ICC) IgCC Plans Examiner with ASHRAE 189.1 (ICC) Building Plans Examiner (ICC) Commercial Energy Plans Examiner (ICC) Plumbing Plans Examiner (ICC) Residential Plans Examiner (ICC) Residential Fire Sprinkler Inspector/Plans Examiner (ICC) Residential Energy Inspector/Plans Examiner (ICC) UMC Mechanical Plans Inspector UPC Plumbing Plans Inspector	Plans Examiner          Permit Technician Building Inspector I & II Senior Building Inspector	Job requires one (1) certification as a condition of employment. Eligible for certification pay with second certification. Certification(s) must be related to performance of the job duties.          Eligible for plans certification directly related to job duties.
<b>Building Permit Technician Certifications:</b>		
Permit Technician (ICC)	Permit Technician	Certificate required for job.

SEIU Certifications	Positions Eligible	Requirements for Certification Pay
<b>Planning Certifications:</b>		
AICP  Environmental and Land Use Planning	All SEIU Planners  Planning Technician Assistant Planner	Eligible for certification pay.  Eligible if in addition to minimum education requirements for the position.

<b>Code Enforcement Certifications:</b>		
Certified Code Enforcement Officer (CACEO) ICC Zoning Code Inspector	Code Enforcement Officer I Code Enforcement Officer II	Must complete three (3) CACEO training modules for certification pay.

<b>Public Works Operations - General Certifications:</b>		
Commercial Driver's License (Class A or B) Competent Person/Trench Shoring Confined Space Entry Compressed Natural Gas (CNG) Tank Inspection Herbicide/Pesticide Application Refrigeration & Recycling Respiratory Training (i.e. Mask, SCUBA) Signs & Markings Brake Inspector	All employees within the Department	For Commercial Driver's License (Class A or B) – Employees are only eligible if their job requirement does not stipulate a need for either license.

<b>Public Works Operations - Facilities Maintenance Certifications:</b>		
HVAC Journeyman Electrician	All employees in Facilities Maintenance	

<b>Public Works Operations - Water/Wastewater Certifications:</b>		
Backflow Specialist Backflow Tester Water Quality Management Plan Water Treatment T1 - T4 Water Distribution D1 - D4 Water Conservation/Efficiency Wastewater Collections C1 - C4	All employees in Water/Wastewater Division	Employees are only eligible if their job requirement does not stipulate a need for the certification.

SEIU Certifications	Positions Eligible	Requirements for Certification Pay
<b>Public Works Operations - Engineering &amp; Community Investment Certifications:</b>		
National Environmental Policy Act (NEPA) Registered (QSP) Quality SWIPP's Practitioner Sediment and Erosion Control Construction Technician American Construction Inspector's Association (ACIA) Registrants	All SEIU employees Only Engineering Only Engineering Only Community Investment Only Engineering	



## *Staff Report*

TO: Honorable Mayor and Members of the Hemet City Council  
FROM: Rob Webb, Acting Chief of Police; David Brown, Acting City Manager  
DATE: April 14, 2015  
RE: Purchase of Interoperable Handheld Radios for Police Department

### **RECOMMENDATIONS:**

1. Approve the grant-funded purchase of thirteen (13) Harris handheld radios from vendor, Hi-Desert Communications.
2. Authorize the City Manager to approve the purchase requisition in the amount of \$78,303.12.

### **BACKGROUND:**

On December 9, 2014, the City Council approved the acceptance of the 2014 State Homeland Security Grant for the purchase of the interoperable handheld radios.

### **DISCUSSION/ANALYSIS:**

The police department proposes to participate in the Western State Contracting Alliance (WSCA) co-operative agreement per Hemet Municipal Code Section 2-329. WSCA creates multi-state contracts in order to achieve cost-effective and efficient acquisition of quality products and services. These contracts reduce individual state (and local) administrative costs and encourage competition and product availability through standard specifications.

Section 2-329 (a) of the Hemet Municipal Code states "the purchasing agent may participate in a cooperative purchasing agreement for the procurement of any supplies or equipment with any federal, state, county or local government agency when that agency has made their purchases in a cooperative manner."

The vendor, Hi-Desert Communications, offers an additional 2% discount from the WSCA price to public safety agencies. Hi-Desert is the regional vendor for Harris radios so there is no direct competition for their product in our area.

Several regional multi-agency law enforcement teams are currently using the Harris Unity portable radios for daily operations. With this purchase of thirteen radios, all officers in the field will carry the same Harris multi-band radio having the capability to communicate with surrounding public safety agencies.

The Harris radio is P25 compliant which is a Homeland Security requirement.

**SR-PD Radio Purchase, Page**

**COORDINATION AND REVIEW:**

Coordination will be needed with the IT Department for programming of the radios. An expenditure account has already been established by the finance Department.

**FISCAL IMPACT:**

No impact to the General Fund. This is a reimbursement grant. No matching funds are required.

Respectfully submitted,

Fiscal Review:



Rob Webb  
Acting Chief of Police



Jessica Hurst  
Deputy City Manager/  
Administrative Services

Attachment: Hi-Desert Communications Proposal #3251501

# Hi-Desert Communications

A Division of CAZCOM, Inc.

17181 Jasmine Street – Victorville, CA 92395  
 (760) 243-2332 - FAX (760) 243-0886



TO: Hemet Police Department

ATTN: Scott Underwood

PHONE: 951-765-2300

PROPOSAL:

3251501

Approximate Delivery:

3 Weeks ARO

ITEM	QTY	MODEL	DESCRIPTION	EACH	EXTENDED
			<b>UNITY QUAD BAND PORTABLE RADIO</b>		
1	13	XP-100F	HARRIS UNITY 136-870 MHz Quad Band Portable Radio (List \$4,010.00)	\$ 2,887.20	\$ 37,533.60
2	13	XPPL4B	P25 Trunking (Includes P25 Conventional) Feature Package (List \$1,500.00)	\$ 1,080.00	\$ 14,040.00
3	13	XPPL4C	P25 Encryption Package (List \$695.00)	\$ 500.40	\$ 6,505.20
4	13	XPPL4F	P25 Phase II TDMA (List \$250.00)	\$ 180.00	\$ 2,340.00
5	13	XPPL5L	OTAR (Over the Air Re-Keying) (List \$695.00)	\$ 500.40	\$ 6,505.20
6	13	XPPA3A	Li-Polymer Battery (List \$140.00)	\$ 100.80	\$ 1,310.40
7	13	XPNC8C	6" UNITY Radio Antenna (List \$100.00)	\$ 72.00	\$ 936.00
8	13	XPCH4A	Single Unit Desk Charger (List \$140.00)	\$ 100.80	\$ 1,310.40
			<b>OPTIONS</b>		
9	13	XPAE4B	Speaker Microphone with Emergency Button (List \$175.00)	\$ 126.00	\$ 1,638.00
10	13	XPHC3L	Metal Belt Clip (List \$25.00)	\$ 18.00	\$ 234.00

Presented By: C.A. "Ski" Zwarkowski  
 Title: General Manager  
 Date: 3/25/2015  
 Phone: 760-243-2332 Ext. 112

Equipment Sub-Total	\$ 72,352.80
Sales Tax	\$ 5,788.22
Sub-Total	\$ 78,141.02
Cable Fabrication	
Programming	
Base Station Installations	
Shipping/Handling	\$ 162.10
TOTAL	\$ 78,303.12
Payment with Order	
Balance Due on Delivery	\$ 78,303.12

**THE PRICING ON THIS QUOTATION IS IAW THE CURRENT CURRENT WSCA CONTRACT PRICING PLUS AN ADDITIONAL 2% CAZCOM DISCOUNT FOR PUBLIC SAFETY**

Title: \_\_\_\_\_  
 Date: \_\_\_\_\_





## *Staff Report*

---

**TO:** Honorable Mayor and Members of the Hemet City Council

**FROM:** Carla Callahan, CDBG Coordinator  
Jessica Hurst, Deputy City Manager/Administrative Services

**DATE:** April 14, 2015

**RE:** Draft Community Planning and Development Program 2015-2020 Consolidated Plan, Community Development Block Grant (CDBG) 2015/16 Annual Action Plan and the Draft 2015-2020 Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan for the City of Hemet.

### **RECOMMENDATION:**

1. That the Mayor conduct the public hearing and accept public comments regarding the draft 2015-2020 Consolidated Plan, draft CDBG 2015/16 Annual Action Plan, and draft 2015-2020 Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan.
2. That the City Council approves these documents and authorizes the Acting City Manager to sign the certifications and grant application for submission on or before May 16, 2015 to the United States Department of Housing and Urban Development (HUD).

### **BACKGROUND:**

The Consolidated Plan is submitted to the US Department of Housing and Urban Development, office of Community Planning and Development, whose goal is to develop viable communities by promoting integrated approaches that provide decent housing, a suitable living environment and expand economic opportunities for low and moderate income persons. The consolidated submission requires the jurisdiction to state in one document its plan to pursue these goals. This document is an analysis of projected needs for the City of Hemet, a plan for addressing those needs and a guide for evaluating accomplishments in the five fiscal years from July 1, 2015 through June 30, 2020.

At the February 24, 2015 City Council meeting, staff provided an overview of the 2015-2020 Consolidated Plan, 2015/16 CDBG Annual Action Plan, and 2015-2020 Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan to allow Council to review, discuss and provide direction to staff regarding priority needs and a strategy for the use of CDBG funding. The draft 2015-2020 Consolidated Plan for the City of Hemet is a result of Council's direction to staff.

The 2015/16 Annual Action Plan delineates the 1<sup>st</sup> year of the 2015-2016 Consolidated Plan and serves as the budget that addresses the City's annual goals and quantifiable objectives established in the Consolidated Plan. The City Council, at its meeting of January 27, 2015 approved the ad hoc

committee recommendations for the 2015/16 program year CDBG funding allocations. These allocations were incorporated into the draft CDBG 2015/16 Annual Action Plan and will be used in eligible areas such as Public Facilities and Improvements, Public Services, Housing Rehabilitation, Code Enforcement, and Planning and Program Administration.

The draft Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan (also known as the AI) was prepared by Castaneda and Associates in accordance with the format suggested by HUD and has been reviewed by the Planning Department and City Attorney for consistency with the General Plan and City Ordinances. The fundamental purpose of the AI report is to maintain the City of Hemet's compliance with the Affirmatively Furthering Fair Housing certification. The report states that the City of Hemet is in compliance with the fair Housing requirements; Hemet's practices are consistent with fair housing laws and affirmatively further fair housing. A summary of AI Recommended Actions will be included in the Consolidated Plan and the entire document will be submitted to HUD with the Consolidated Plan.

The draft 2015-2020 Consolidated Plan, draft 2015/16 Annual Action Plan and draft 2015-2020 Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan for the City of Hemet have been available for public review and comment for a period of 30 days (from March 16 through April 14, 2015) after publication of notices in Unidos on March 13, 2015 and the Press Enterprise on March 15, 2015, as required by HUD. To date no written public comments have been received.

**FISCAL IMPACT:**

No general fund impact. The City of Hemet is an entitlement of the Community Development Block Grant program and as such receives annual grants on a formula basis from HUD. The purpose of CDBG is to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services, with maximum feasible priority given to activities which benefit low and moderate income persons. The City of Hemet is responsible for developing their own programs and funding priorities within the CDBG (HUD) requirements, as well as monitoring sub-recipients of the funds awarded under this grant.

Respectfully submitted,



Carla Callahan  
CDBG Coordinator

Reviewed:



Jessica Hurst  
Deputy City Manager/  
Administrative Services

**ATTACHMENTS:**

1. Draft Community Planning and Development Program 2015-2020 Consolidated Plan
2. Draft Community Development Block Grant (CDBG) 2015/16 Annual Action Plan
3. Draft 2015-2020 Fair Housing Action Plan

Search

Back Issues

EB4 of 141

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

## Don't Miss Our ONE-DAY Sales Event!



Rates as low as **.79% APR!\***

When you finance an Enterprise vehicle with Visterra CU.

### ONE-DAY USED CAR EVENT Saturday, March 21 9am-4pm

Call 888.696.2724 or visit [www.visterracu.org](http://www.visterracu.org) to get pre-approved by Visterra Credit Union.

**Car Sale Location:**  
**Visterra Credit Union**  
**23540 Cactus Ave.**  
**Moreno Valley**  
(on the corner of Cactus & Graham)



Be one of the first 25 people to test drive an Enterprise vehicle and receive a pair of Angels tickets! (while supplies last, one pair per family)



\*APR - Annual Percentage Rate. 7.9% APR includes 1.00% rate reduction (only avail. on 60 month financing) and also on purchase of Enterprise Car Sales vehicle on 02/21/15 and includes 50BP rate reduction for AUTODAY (prepaid direct deposit to VCU Checking). Actual rate will be based on established VCU membership, applicant's credit, co-purchase, LTV, DTI and repayment period. Finances are subject to VCU credit approval and underwriting criteria. Repayment terms greater than 60 mos are subject to higher APRs and lower LTV. Based on 5 year fixed rate of 7.9% APR. \$15,000 used auto financing, monthly payments would be \$255.00/month. Rate and offer valid on 02/21/15 and subject to change. Kelley Blue Book Trade-in values used by Enterprise are obtained from 2015 Kelley Blue Book Co's website and may vary. Blue Book value is based on accurate valuation rating and mileage of vehicle. Customer is responsible to any start vehicle pay-off records Enterprise offer. Customer must provide required proof of ownership/registration and all other necessary paperwork to transfer title. Offer only valid.



## CITY OF HEMET PUBLIC NOTICE

### Public Hearing and Public Comment Period

Pursuant to 24 CFR Part 91.106(e), notice is hereby given that the Hemet City Council will hold a public hearing to consider any comments or views of affected citizens, public agencies, and other interested parties on the **Draft 2015-2020 Consolidated Plan, Draft Analysis of Impediments to Fair Housing Choice and Draft 2015/16 Annual Action Plan**. The public hearing is scheduled for **April 14, 2015 at 7:00 p.m.** in the Council Chambers located at 450 E. Latham Avenue, Hemet, California, to formally receive public comments.

#### SUMMARY

The Consolidated Plan is submitted to the U.S. Department of Housing and Urban Development (HUD), Office of Community Planning and Development (CPD), whose goal is to develop viable communities by promoting integrated approaches that provide decent housing, a suitable living environment and expand economic opportunities for low and moderate income persons. It is the City of Hemet's analysis of housing and community development needs, plan for addressing those needs and guide for evaluating accomplishments of Community Development Block Grant (CDBG) funding in the five fiscal years from July 1, 2015 through June 30, 2020.

The Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan identifies impediments to fair housing choice within the City of Hemet and describes actions to overcome the impediments, as evidence of the City's compliance with the Affirmatively Furthering Fair Housing Certification.

The Annual Action Plan details the strategies and programs that the City of Hemet will undertake during the program year, July 1, 2015 through June 30, 2016, in the anticipated expenditure of \$958,056 in CDBG funds. Expenditures are anticipated to occur in eligible program areas such as Housing Rehabilitation; Public Facilities Improvements; Public Services; Code Enforcement; and Planning and Program Administration.

#### PUBLIC COMMENTS

Notice is hereby given that the publication of this notice is the beginning of the **30 day public review period** required under 24 CFR Part 91.105 and meets the requirements stated in the City of Hemet Citizen Participation Plan. It is anticipated that this planning document and application for funding will receive City Council approval at their regular meeting of April 14, 2015 and be forwarded to the HUD on or about May 15, 2015. Copies of the documents are available for public review and written comment **Monday, March 16th through Tuesday, April 14th, 2015** on the City's website [www.cityofhemet.org](http://www.cityofhemet.org) and at the following locations:

- |   |  |   |
|---|--|---|
| Hemet Public Library<br>305 E. Devonshire Ave.<br>Hemet, California 92543 | Court Building<br>510 E. Florida Ave.<br>Hemet, California 92543 | Hemet City Hall<br>445 E. Florida Ave.<br>Hemet, California 92543 |
|---|--|---|

Interested citizens may examine the documents and provide written comments to be received by 5pm on Tuesday, April 14th, 2015. Comments should be sent to the attention of Carla Calahan, CDBG Coordinator at the following address:

CITY OF HEMET  
510 East Florida Avenue  
Hemet, California 92543

In accordance with Title II of the Americans with Disabilities Act of 1990; Title V, Section 504 of the Rehabilitation Act of 1973; and Title VI of the Civil Rights Act of 1964; the City of Hemet will not discriminate against any otherwise qualified individual on the basis of race, color, religion, sex, disability, familial status, or national origin in its services, programs or activities. The City of Hemet will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Hemet's programs, services and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments. The City of Hemet will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services and activities. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service or activity of the City of Hemet, should contact Jeff Thomas, Building Official at [jthomas@cityofhemet.org](mailto:jthomas@cityofhemet.org), (951) 765-2477 or through the California Relay Service by dialing 711. The City of Hemet is committed to providing translation assistance, upon request, to persons with limited English proficiency. For information or translation assistance related to the CDBG program please contact Carla Calahan, CDBG Coordinator at [calahan@cityofhemet.org](mailto:calahan@cityofhemet.org) or (951) 765-3722.

comunitarias entre el 19 y el 27 de marzo en varias ciudades de la región.

**DEPARTAMENTO DE SERVICIOS DE LA COMUNIDAD DE LA CIUDAD MENIFEE  
SOLICITUD DE OFERTAS**

Este **AVISO PÚBLICO** es para hacerle saber que la Ciudad de Menifee le invita a presentar ofertas selladas para los siguientes contratos:

**CIUDAD DE MENIFEE - CDBG: KAY CENICEROS SENIOR CENTER PHASE II  
PROYECTO DE MEJORAS EXTERIORES**

Las ofertas por este contrato serán recibidas en la oficina de la Secretaría Municipal de Menifee City Hall, 29714 Haun Road, Menifee, California 92586, **hasta las 11:00am del 24 de marzo del 2015** y en el mismo día o poco días después, las ofertas serán abiertas y leídas públicamente. Las ofertas recibidas después de ese término no serán aceptadas y serán devueltas sin abrir. Las ofertas tendrán una validez de 60 días después de la fecha de apertura de las ofertas.

1. **DOCUMENTOS DEL CONTRATO** pueden descargarse desde el sitio web de la Ciudad de Menifee en [www.cityofmenifee.us](http://www.cityofmenifee.us) a través de [www.CIPList.com](http://www.CIPList.com) y [www.ebidboard.com](http://www.ebidboard.com) bajo "City Services", ofertas y solicitudes de propuestas de forma gratuita.

2. Los licitadores deberán referirse a las instrucciones de la sección licitantes en los documentos contractuales para todos los requisitos para esta oferta. A continuación tenemos sólo algunos de los requisitos de licitación:

**REQUISITOS DE LICITACIÓN**

- i. Las ofertas deben presentarse en el formulario de propuesta de los documentos contractuales.
- ii. Las ofertas deben presentarse en un sobre cerrado claramente marcado en el exterior "DO NOT OPEN WITH REGULAR MAIL - SEALED BIDS FOR:" con el título del proyecto.
- iii. Cada oferta deberá ir acompañada de dinero en efectivo, cheque certificado, cheque bancario o fianza de postor, a nombre de la Ciudad de Menifee por un monto equivalente a por lo menos el diez por ciento (10%) de la oferta del contratista.
- iv. Las ofertas no serán aceptadas de contratistas que no tengan licencia de conformidad con lo dispuesto en el Capítulo 9, División III del Código de Negocios y Profesiones del Estado de California. Se exigirá al Contratista y subcontratistas de poseer una licencia active actual Clase A en el momento de presentación de la oferta.
- v. Se requerirá al adjudicatario para proporcionar seguros y fianzas como se requiere en los documentos de licitación.

3. **Una reunión obligatoria de aclaraciones está programada para el 18 de marzo 2015 a las 11:00 am en el Kay Ceniceros Senior Center (29995 Evans Road, Menifee CA 92586)**

4. Si hay planes existentes "As-Built", están disponibles bajo petición.

5. **Sección 3:** Este proyecto es financiado por el gobierno federal en su totalidad o en parte por el Programa de Desarrollo Comunitario y todos los requisitos del Título 24 del Código de Regulaciones Federales aplican incluida la Sección 3, Parte 135. El propósito de la Sección 3 es garantizar que el empleo y otras oportunidades económicas generadas por la ayuda HUD o proyectos asistidos por HUD incluyendo la Sección 3, deberán en la mayor medida posible, ser dirigido a personas de bajos y muy bajos ingresos, en particular las personas que son beneficiarios de la ayuda del gobierno para vivienda, y para negocios que ofrecen oportunidades económicas para personas de bajos y muy bajos ingresos.

La Ciudad de Menifee no sólo desea incluir a personas de bajos ingresos en los esfuerzos de contratación y licitación, si no también desea realizar esfuerzos adicionales para que estas personas estén al tanto de la existencia de oportunidades económicas. Por lo tanto, el ayuntamiento fomenta las candidaturas para estas oportunidades.

6. Minorías y pequeñas empresas: Se incentiva a las minorías y a las pequeñas empresas, proveedores o contratistas presenten ofertas.
7. Se requerirá a todos los licitadores certificar que no están en la Lista Federal Consolidada de inhabilitación, suspendidos y contratistas despreciables.
8. Los documentos contractuales necesarios para acompañar todas las ofertas (Certificaciones, garantía de seriedad, formulario de oferta, etc.) deberán estar en un sobre que estarán claramente etiquetados con las palabras "Contract Bid Documents" y mostrar las identificaciones del proyecto, nombre del postor, nombre del proyecto y la fecha y hora de apertura.
9. Se requerirá que todo trabajo debe ser pagado a razón de no menos del corriente "Federal Davis Bacon Prevailing Wage" o el salario prevaleciente al estado, lo que sea mayor, y como se indica en los documentos de licitación.
10. Se requerirá que el adjudicatario cumpla con todas las leyes y reglamentos de no discriminación, de conformidad con las disposiciones de estos documentos del contrato.
11. Se estima que el presente contrato se adjudicará el 04/01/2015 por el Ayuntamiento. Precios de licitación permanecerán efectivos y en vigor durante toda la vigencia del contrato.
12. El Ayuntamiento se reserva el derecho de rechazar cualquiera o todas las ofertas en su totalidad o en parte, al premiar cualquier artículo o oferta total, y de renunciar a la informalidad o defectos técnicos, si se considera que es en el mejor interés de la Ciudad de Menifee.

**Para más información, póngase en contacto con Allen Yun llamando al (951) 672-6777 o por correo electrónico [ayun@cityofmenifee.us](mailto:ayun@cityofmenifee.us).**



**CIUDAD DE HEMET  
AVISO PÚBLICO**

**Audiencia Pública y Periodo de Comentarios del Público**

En virtud de 24 CFR parte 91.105(e), aviso queda dado que el Ayuntamiento de Hemet celebrará una audiencia pública para considerar cualquier comentario o puntos de vista de los ciudadanos afectados, agencias públicas y otras partes interesadas sobre el **Plan consolidado de 2015-2020, Análisis de Impedimentos para la elección de Vivienda Justa y el proyecto Plan de Acción Anual 2015/16**. La audiencia pública está programada para el 14 de abril de 2015 a las 7:00 de la tarde en la sala del Consejo ubicado en 450 E. Latham Avenue, Hemet, California, para recibir formalmente los comentarios públicos.

**RESUMEN**

El Plan consolidado es enviado al Departamento de Vivienda y Desarrollo Urbano (HUD) de los Estados Unidos, Oficina de Planificación y Desarrollo de la Comunidad (CPD), cuyo objetivo es desarrollar comunidades viables mediante la promoción de enfoques integrados que proporcionan una vivienda digna, un entorno adecuado y ampliar las oportunidades económicas para las personas de ingresos bajos y moderados. Es al análisis de la ciudad de Hemet de vivienda y necesidades de desarrollo de la comunidad, plan para atender esas necesidades y guía para la evaluación de los logros de los fondos de subvención de desarrollo comunitario (CDBG) en los cinco años fiscales desde 01 de julio de 2015 a través de 30 de junio de 2020.

El análisis de los Impedimentos para elección de Vivienda Justa y Plan de acción de Vivienda Justa identifica impedimentos para elección de vivienda justa dentro de la ciudad de Hemet y describe las acciones para superar los obstáculos, como evidencia de cumplimiento de la ciudad con la certificación de promover afirmativamente la vivienda justa.

El Plan de Acción Anual provee detalles sobre las estrategias y programas que la ciudad de Hemet llevará a cabo durante el año del programa, 01 de julio de 2015 a 30 de junio de 2016, en el gasto previsto de \$968,056 en fondos de CDBG. Los gastos se prevén que se producirán en áreas elegibles como Rehabilitación de Vivienda; Mejoras de Servicios Públicos; Servicios Públicos; Cumplimiento del Código; Planificación y administración del programa.

**COMENTARIOS DEL PÚBLICO**

Se da el aviso por este medio que la publicación de este aviso es el principio del periodo de revisión pública de 30 días requerido bajo 24 CFR parte 91.105 y cumple con los requisitos establecidos en el Plan de Participación de Ciudadanos de Hemet. Se prevé que este documento de planificación y aplicación para la financiación recibirán aprobación del Concejo Municipal en su reunión ordinaria del 14 de abril de 2015 y se enviara a la HUD alrededor del 15 de mayo de 2015. Copias de los documentos están disponibles para revisión pública y comentario escrito desde el **Lunes, 16 de marzo hasta el Martes, 14 de abril de 2015** en el sitio web [www.cityofhemet.org](http://www.cityofhemet.org) de la ciudad y en las siguientes ubicaciones:

Biblioteca pública de Hemet 305 E. Devonshire Ave Hemet, California 92543	Covell Hemet 510 E. Florida Ave. Hemet, California 92543	Oficinas del Municipio 445 E. Florida Ave. Hemet, California 92543
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Los ciudadanos interesados pueden examinar los documentos y proporcionar comentarios escritos que serán recibidos hasta las 5 de la tarde del martes, 14 de abril de 2015. Comentarios deben enviarse a la atención de Carla Callahan, Coordinadora de CDBG en la siguiente dirección:

CIUDAD DE HEMET  
510 East Florida Avenue  
Hemet, California 92543

En conformidad con el título II de los Americanos con Discapacidades de 1990; Título V, sección 504 del Acta de Rehabilitación de 1973; y el título VI de la ley de Derechos Civiles de 1964; la ciudad de Hemet no discriminará contra cualquier individuo sobre la base de raza, color, religión, sexo, discapacidad, estatus familiar u origen nacional en sus servicios, programas o actividades. La ciudad de Hemet generalmente, con previa solicitud, proporcionará ayuda apropiada y servicios que conducen a una comunicación eficaz para las personas calificadas con discapacidades para que puedan participar igualmente en los programas, servicios y actividades de la ciudad de Hemet, incluyendo intérpretes de lenguaje de señas calificado, documentos en Braille y otras maneras de hacer la información y las comunicaciones accesibles a las personas que tienen impedimentos de voz, audición o visuales. La ciudad de Hemet hará todas las modificaciones razonables a las políticas y programas para asegurar que las personas con discapacidad tengan igualdad de oportunidades para disfrutar de todos los programas, servicios y actividades. Cualquier persona que requiere una ayuda auxiliar o un servicio para la comunicación efectiva, o una modificación de las políticas o procedimientos para participar en un programa, servicio o actividad de la ciudad de Hemet, debe comunicarse con Jeff Thomas, Oficial de Construcción en [jthomas@cityofhemet.org](mailto:jthomas@cityofhemet.org), (951) 765-2477 o a través del servicio de retransmisión de California marcando el 711. La ciudad de Hemet se compromete a proporcionar ayuda de traducción, con previa solicitud, a las personas con dominio limitado del inglés. Para información o traducción de asistencia relacionada con el programa CDBG por favor póngase en contacto con Carla Callahan, Coordinadora de CDBG en [ccallahan@cityofhemet.org](mailto:ccallahan@cityofhemet.org) o al (951) 765-3722.



CITY OF HEMET

# 5-Year Consolidated Plan 2015-2020

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DRAFT

**CITY OF HEMET  
FINANCE DEPARTMENT  
Jessica Hurst  
FINANCE DIRECTOR  
445 E. FLORIDA AVENUE  
HEMET, CALIFORNIA 92543  
(951)765-2331**

***The goal of the City of Hemet, with CDBG funding, is to increase self-sufficiency and economic opportunity for lower-income residents and individuals with special needs so that they can achieve a reasonable standard of living.***

# Executive Summary

## ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

### 1. Introduction

One of the oldest communities in Riverside County, Hemet grew from an agricultural town in the early 1900s, to a widely recognized retirement community in the 1960s, to a multi-faceted city today that is projected to be home to over 100,000 people in the coming years. The City of Hemet is situated in the heart of the scenic San Jacinto Valley and has a total of 28.3 square miles consisting of a suburban community and Diamond Valley Lake to the south. In the mid-2000s, Hemet was one of the fastest growing cities in Southern California due to its large tracts of undeveloped land and moderate prices, and experienced an influx of new families seeking more affordable housing options. The City has had a significant increase in population, more than doubling from 36,094 residents in 1990 to the 78,053 residents reported in the 2010 U.S. Census, increasing its demographic diversity. The number of Housing units in Hemet also doubled from 19,692 units in 1990 to a total of 38,032 units in 2010. Of the 27 cities in Riverside County, Hemet currently ranks as the 7th highest in population and 4th highest in the number of housing units. At Hemet's core is a strong community willing to invest in opportunities for the future and make forward-thinking decisions to meet the pressing needs of a changing economy and a growing and diverse population.

As a Community Development Block Grant (CDBG) entitlement grantee, the City of Hemet prepares the Consolidated Plan (Con Plan or Plan) for submission to the U.S. Department of Housing and Urban Development (HUD), office of Community Planning and Development (CPD), whose goal is to develop viable communities by promoting integrated approaches that provide decent housing, a suitable living environment and expand economic opportunities for low and moderate income persons. This planning document and application for funding is an analysis of projected housing and community development needs in the City of Hemet, a plan for addressing these needs, and a guide for evaluating accomplishments in the five fiscal years from July 1, 2015 through June 30, 2020. Each year the City submits to HUD an Annual Action Plan, an itemized proposed use of annual allocation of HUD funding for the fiscal year, July 1 through June 30.

### 2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The overall goal of the Community Development Block Grant, as a community planning and development program, is to develop viable urban communities by providing decent housing, a suitable living environment and expanding economic opportunities principally for low- and moderate-income persons.

Decent housing (DH) includes:

- appropriate housing for homeless persons;
- assisting those at risk of becoming homeless;

- increasing the availability of permanent housing in standard condition and affordable cost to low- and moderate-income families;
- increasing the supply of supportive housing to enable persons with special needs to live with dignity and independence; and
- providing housing affordable to low-income persons accessible to job opportunities.

A suitable living environment (SL) includes:

- improving the safety and livability of neighborhoods;
- increasing access to quality public and private facilities and services;
- reducing the isolation of income groups within a community or geographical area;
- the revitalization of deteriorating or deteriorated neighborhoods; restoring and preserving properties of historic, architectural or aesthetic value; and
- conservation of energy resources.

Expanded Economic opportunities (EO) include:

- job creation and retention;
- establishment, stabilization and expansion of small businesses;
- the provision of public services concerned with employment;
- availability of mortgage financing for low-income persons at reasonable rates using nondiscriminatory lending practices;
- access to capital and credit for development activities that promote the long-term economic and social viability of the community; and
- empowerment and self-sufficiency opportunities for low-income persons to reduce generational poverty in federally assisted and public housing.

HUD also requires each activity to meet at least one of the following performance outcomes:

(1)Availability/Accessibility; (2)Affordability; or (3)Sustainability.

### **3. Evaluation of past performance**

A Consolidated Annual Performance and Evaluation Report (CAPER) is prepared annually to demonstrate progress in meeting the City's annual objectives. Overall, Hemet has been successful in implementing its CDBG public improvement and community service projects and programs and meeting the goals and objectives established in the previous Consolidated Plan.

### **4. Summary of citizen participation process and consultation process**

The purpose of HUD funding is to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development and providing community facilities and services, with maximum feasible priority given to activities which benefit low and moderate income persons. The City is responsible for developing its own programs and funding priorities within HUD requirements, through the Consolidated Plan Process. In order to develop and implement an effective plan the City must actively engage citizens, public agencies and other interested parties at all stages of the process. To encourage participation a variety of opportunities, such as public hearings, public

meetings, surveys and workshops were offered during the consolidated planning process. These are described in greater detail in PR-15 Citizen Participation.

**5. Summary of public comments**

This section will be completed after the April 14, 2015 Public Hearing. Careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony or submitted in writing.

**6. Summary of comments or views not accepted and the reasons for not accepting them**

This section will be completed after the April 14, 2015 Public Hearing.

**7. Summary**

The goal of the City of Hemet, with funding from CDBG, is to increase self-sufficiency and economic opportunity for lower-income residents and individuals with special needs so that they can achieve a reasonable standard of living.

The diverse population of Hemet is accompanied by divergent needs to help attain personal, educational, employment, recreational, housing, and other goals. The City is struggling to balance limitations of available resources and the need to address some very critical issues including maintaining affordable housing, homelessness, aging infrastructure and community facilities, inadequate services, and underemployment.



## The Process

### PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

**1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source**

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	HEMET	Finance

**Table 1 – Responsible Agencies**

### Narrative

The City of Hemet, Finance Department is the lead agency responsible for the development of the Consolidated Plan with information provided by other departments including City Council, the City Manager’s Office, Economic Development, Housing, and Planning.

In addition, collaboration with the following County of Riverside agencies is integral to developing this Plan :

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

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

*The Department of Public and Social Services (DPSS)* is the umbrella anti-poverty agency for the County of Riverside and lead agency of the CoC. The goal is self-sufficiency accompanied by moving poor families out of poverty. DPSS interacts with people on many levels, thereby impacting their daily lives through child care, education, employment training, health and human services, homelessness, and housing.

## **Consolidated Plan Public Contact Information**

Carla Callahan, CDBG Coordinator

City of Hemet Finance Department

445 East Florida Avenue

Hemet, CA 92543

Email: [ccallahan@cityofhemet.org](mailto:ccallahan@cityofhemet.org)

951-765-3722

## **PR-10 Consultation - 91.100, 91.200(b), 91.215(I)**

### **1. Introduction**

As a CDBG entitlement grantee, the City of Hemet prepares the Consolidated Plan, which represents both an application for entitlement funds and a housing and community development planning document, for submission to HUD. The City is responsible for developing its own programs and funding priorities within HUD requirements, through the Consolidated Plan Process. In order to develop and implement an effective plan the City must actively engage citizens, public agencies and other interested parties at all stages of the process. Through a variety of methods the City has reached out to affected citizens, public agencies, and other interested parties seeking their comments, concerns, needs and priorities in developing its strategy for use of CDBG funds.

**Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I)).**

During the Consolidated Plan Process City partners were contacted in person through email, mail, public meetings and notices, and telephone. The City provided a variety of opportunities, such as public hearings, public meetings, surveys and workshops for collaboration with its partners and to enhance coordination efforts. In addition the City's Economic Development Department seeks to facilitate economic prosperity in Hemet by providing opportunities for collaboration with private industry, businesses, developers, and local agencies.

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness**

The Riverside County Continuum of Care (CoC) is designed to promote community-wide planning and strategic use of resources to: address homelessness; improve coordination and integration with mainstream resources and other programs targeted to people experiencing homelessness; improve data collection and performance measurement; and allow each community to design programs to the particular strengths and challenges within the community. The goal of the Riverside County Department of Public Social Services, which serves as the lead agency of the CoC, is to coordinate homeless efforts and meet the varied needs of the County's homeless residents as well as establishing policies and procedures for oversight. The CoC is comprised of a wide-range of community stakeholders that include businesses, community service groups, faith-based agencies, local government, private foundations and anyone with a desire to support the goals of the CoC.

**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities**

**Table 2 – Agencies, groups, organizations who participated**

1	<b>Agency/Group/Organization</b>	HOUSING AUTHORITY OF COUNTY OF RIVERSIDE
	<b>Agency/Group/Organization Type</b>	PHA Services - Housing Services-homeless Other government - County
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Market Analysis
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Housing Authority of the County of Riverside is a public agency chartered by the State of California to administer the development, rehabilitation or financing of affordable housing programs throughout Riverside County and was consulted for information on public housing matters and housing development initiatives, via email and phone.
2	<b>Agency/Group/Organization</b>	RIVERSIDE COUNTY OF DEPARTMENT OF PUBLIC SOCIAL SERVICES
	<b>Agency/Group/Organization Type</b>	Services-homeless Other government - County Lead Agency - Continuum of Care
	<b>What section of the Plan was addressed by Consultation?</b>	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Market Analysis
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Through the outreach process, the County has identified homelessness, rapid re-housing and homeless prevention services as a priority. These services will help strengthen the Continuum of Care Strategy.

3	<b>Agency/Group/Organization</b>	Fair Housing Council of Riverside County, Inc.,
	<b>Agency/Group/Organization Type</b>	Service-Fair Housing Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Market Analysis Fair Housing Services
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Ongoing contact via phone, email and face to face provides feedback into the challenges City of Hemet residents face in obtaining and maintaining safe affordable housing. The City is committed to providing fair housing and landlord/tenant services for its citizens for the duration of this Plan.
4	<b>Agency/Group/Organization</b>	Valley-Wide Recreation and Park District
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Elderly Persons Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs Market Analysis
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Ongoing contact via phone, email and face to face provides collaboration of recreational facilities and services for youth, seniors and special needs citizens
5	<b>Agency/Group/Organization</b>	CITY OF SAN JACINTO
	<b>Agency/Group/Organization Type</b>	Other government - Local
	<b>What section of the Plan was addressed by Consultation?</b>	Economic Development Market Analysis
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City of Hemet collaborates with the City of San Jacinto on a variety of common issues and activities in an effort to maximize the benefits to valley residents from limited local resources.
6	<b>Agency/Group/Organization</b>	Habitat for Humanity Hemet/San Jacinto, Inc
	<b>Agency/Group/Organization Type</b>	Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development Market Analysis

	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Ongoing contact via phone, email and face to face provides collaboration on affordable home ownership opportunities for low income Hemet residents.
7	<b>Agency/Group/Organization</b>	Care-A-Van Transit, Inc.
	<b>Agency/Group/Organization Type</b>	Services-Elderly Persons Services-Persons with Disabilities Services-Employment
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs Market Analysis
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Ongoing contact via phone, email and face to face provides opportunities for collaboration on transportation challenges faced by seniors, disabled and special needs persons within the City of Hemet.
8	<b>Agency/Group/Organization</b>	Community Pantry
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless
	<b>What section of the Plan was addressed by Consultation?</b>	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Market Analysis Anti-poverty Strategy
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Ongoing contact via phone, email and face to face provides opportunities for collaboration on the challenges and needs of persons at risk of homelessness and the homeless.

9	<b>Agency/Group/Organization</b>	Center Against Sexual Assault of Southwest Riverside County
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Elderly Persons Services-Victims of Domestic Violence Services-Health Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs Market Analysis
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Ongoing contact via phone, email and face to face provides opportunities for collaboration on the challenges and needs of victims of sexual assault and their families.
10	<b>Agency/Group/Organization</b>	Valley Restart Shelter, Inc
	<b>Agency/Group/Organization Type</b>	Housing Services-homeless Services-Health Services-Education Services-Employment Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Anti-poverty Strategy
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Ongoing contact via phone, email and face to face provides opportunities for collaboration on the challenges and needs of persons at risk of homelessness and the homeless.
11	<b>Agency/Group/Organization</b>	California Family Life Center
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Education Services-Employment Regional organization

	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development Market Analysis Anti-poverty Strategy
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Ongoing contact via phone, email and face to face provides opportunities for collaboration on the challenges and needs of at risk youth.
12	<b>Agency/Group/Organization</b>	Valley Resource Center for the Retarded, Inc DBA EXCEED
	<b>Agency/Group/Organization Type</b>	Housing Services-Persons with Disabilities Services-Health Services-Education Services-Employment Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Non-Homeless Special Needs Market Analysis Anti-poverty Strategy
	<b>How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Ongoing contact via phone, email and face to face provides opportunities for collaboration on the challenges and needs of disabled adults.

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

<b>Name of Plan</b>	<b>Lead Organization</b>	<b>How do the goals of your Strategic Plan overlap with the goals of each plan?</b>
Continuum of Care	County of Riverside Department of Public Social Services	Homelessness, rapid re-housing, and homelessness prevention services are a priority of the CoC and City of Hemet
Consolidated Plan 2014-2019	County of Riverside Economic Development Agency	As a City within Riverside County many services and facilities located within the City and used by Hemet citizens are operated by the County.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
General Plan - Housing Element	City of Hemet Planning Department	Housing and demographic data was used for the Housing Needs Assessment and Market Analysis.
Analysis of Impediments to Fair Housing Choice	City of Hemet Finance Department	Housing and demographic data was used for the Housing Needs Assessment and Market Analysis.
Capital Improvement Plan 2014-2019	City of Hemet Engineering Department	CDBG funding provides much needed capital improvement and facilities projects in low-income neighborhoods.
Hemet Police Department Strategic Plan 2014-2019	City of Hemet Police Department	Provides the City's strategy for achieving a safe environment for all of its citizens.

Table 3 – Other local / regional / federal planning efforts

**Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(I))**

In addition to the aforementioned agencies and entities, the City of Hemet collaborates with the Hemet Unified School District and State of California. The school district provides child care, nutrition programs, family education and vocational opportunities for Hemet residents. The State, Housing and Community Development (HCD) Department provides funding opportunities for a variety of development and rehabilitation of affordable rental and ownership housing, through its CalHOME and HOME programs. CalTrans, the State transportation department provides funding opportunities for a variety of City road and sidewalk projects.

## **PR-15 Citizen Participation**

### **1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

The Code of Federal Regulations-Title 24-Part 91-Subpart B, requires that the City of Hemet's Citizen Participation Plan both provide for and encourage public participation. The primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing decent housing, a suitable living environment, and growing economic opportunities—all principally for low and moderate income people. Therefore, the City will publish notices of public meetings, comment periods and public hearings in both the Press Enterprise and Spanish language, Unidos newspapers, and on the City website [www.cityofhemet.org](http://www.cityofhemet.org) to encourage involvement by all of its citizens, particularly, low- and moderate- income residents, residents of blighted neighborhoods, minorities, non-English speaking persons and persons with disabilities who may benefit from the use of HUD funded activities. In addition the City will consult with the Housing Authority of Riverside County to encourage the participation of residents of assisted housing developments within the City of Hemet. Opportunities for public participation may also be publicized through direct notification (mail, e-mail or flyers) of groups and individuals who have expressed an interest or whom the City identifies as having a greater potential interest, such as disabled persons, minorities, seniors, youth, etc. The City will provide opportunities for public involvement at all stages of the process, including:

- Identifying needs;
- Prioritizing identified needs; and
- Overseeing the way in which programs are carried out.

In preparing Consolidated Plan documents, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. All submitted Consolidated Plan documents will have a section that presents all public comments, City responses, and explains why any comments were not accepted.

**Citizen Participation Outreach**

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Minorities  Non-English Speaking - Specify other language: Spanish  Persons with disabilities  Residents of Public and Assisted Housing	Public notice in 9/26/14 Unidos of September 28 through October 27, 2014 public comment period and October 28, 2014 Public Hearing to participate in the development of Consolidated Plan needs and priorities. Also posted on City of Hemet website.	No written comments received		<a href="http://www.cityofhemet.org">www.cityofhemet.org</a>

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Newspaper Ad	Minorities  Persons with disabilities  Non-targeted/broad community  Residents of Public and Assisted Housing	Public notice in 9/29/14 Press Enterprise of September 28 through October 27, 2014 public comment period and October 28, 2014 Public Hearing to participate in the development of Consolidated Plan needs and priorities. Also posted on City of Hemet website.	No written comments received		<a href="http://www.cityofhemet.org">www.cityofhemet.org</a>

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
3	Public Hearing	<p>Minorities</p> <p>Non-English Speaking - Specify other language: Spanish</p> <p>Persons with disabilities</p> <p>Non-targeted/broad community</p> <p>Residents of Public and Assisted Housing</p>	<p>Representatives of three community agencies, provided testimony: Gayle Hepner of Center Against Sexual Assault, Curtis Smith of Families Living with AIDS Care Center and Mary Jo Ramirez of Care-A-Van Transportation. Noticed in Unidos, Press Enterprise and on the City of Hemet website.</p>	<p>All three provided an overview of their agency's work in the Hemet area, spoke of the great need for services in Hemet and requested CDBG funding for the 2015/16 program year.</p>		<p><a href="http://www.cityofhemet.org">www.cityofhemet.org</a></p>

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
4	Community Surveys	Minorities  Non-English Speaking - Specify other language: Spanish  Persons with disabilities  Non-targeted/broad community  Residents of Public and Assisted Housing	Beginning November 19, 2014 both English and Spanish language notifications of Community Needs and Priorities and Fair Housing surveys were posted on the City's website and directly emailed to the City's list of interested parties. In addition paper copies of the surveys were provided at the Hemet Library and City Hall.	A total of 17 surveys were received, including one Spanish language document, providing individual feedback regarding community needs and priorities related to the development of the Consolidated Plan.		<a href="http://www.surveymonkey.com">www.surveymonkey.com</a>

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
5	Public Meeting	Minorities  Non-English Speaking - Specify other language: Spanish  Persons with disabilities  Non-targeted/broad community  Residents of Public and Assisted Housing	The 2015/16 CDBG funding workshop was attended by 21 representatives of community agencies.	Provided valuable insight and comments on the needs and priorities of a variety of City resident groups.		<a href="http://www.cityofhemet.org">www.cityofhemet.org</a>

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
6	Public Meeting	Non-targeted/broad community	Draft 2015-2020 Consolidated Plan and Analysis of Impediments to Fair Housing Choice overview presented at the February 24, 2015 regular meeting of the Hemet City Council.	Council members asked questions and then provided staff direction to proceed with publication of the draft documents for the required public comment period March 16-April 14, 2015 and public hearing on April 14, 2015.		<a href="http://www.cityofhemet.org">www.cityofhemet.org</a>
7	Newspaper Ad	Minorities  Non-English Speaking - Specify other language: Spanish  Persons with disabilities  Residents of Public and Assisted Housing	Public notice in 3/13/15 Unidos of March 16 through April 14, 2015 public comment period and April 14, 2015 Public Hearing of the draft 2015-2020 Consolidated Plan. Also posted on City of Hemet website.			<a href="http://www.cityofhemet.org">www.cityofhemet.org</a>

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
8	Newspaper Ad	Minorities  Persons with disabilities  Non-targeted/broad community  Residents of Public and Assisted Housing	Public notice in 3/15/15 Press Enterprise of March 16 through April 14, 2015 public comment period and April 14, 2015 Public Hearing of the draft 2015-2020 Consolidated Plan. Also posted on City of Hemet website.			<a href="http://www.cityofhemet.org">www.cityofhemet.org</a>

**Table 4 – Citizen Participation Outreach**



# Needs Assessment

## NA-05 Overview

### Needs Assessment Overview

The City is committed to addressing the needs of the lowest-income and most disadvantaged residents. Households with incomes less than 50 percent of the area median income, particularly those with extremely low-incomes (less than 30 percent of area median income), are particular priorities. In addition special-needs individuals are among those who face the greatest challenges and who should receive high priority, including at-risk children and youth, low-income families, the homeless and persons threatened with homelessness, the elderly (especially frail elderly), and persons with disabilities.

These priorities can be achieved through a combination of:

- Affordable housing;
- Investment in community development activities and facilities that serve lower-income populations; and
- Supportive services to maintain independence.

Community participation is essential in determining the City's needs, therefore a variety of opportunities, such as public hearings, public meetings, surveys and workshops were offered during the consolidated planning process in development of this Plan.

## **NA-10 Housing Needs Assessment - 24 CFR 91.205 (a,b,c)**

### **Summary of Housing Needs**

According to the 2007-2011 American Communities Survey (ACS) the City of Hemet had a population of 77,752 people and 61% of the households were in the low-income category, less than 80% of Riverside County's median income of \$60,700. Hemet's household median income was \$34,273, 44% less than the county median.

Of Hemet's 30,440 households identified in the 2007-2011 ACS:

18.8% are extremely low (0-30%AMI) – 5750 household

22.1% are very low (>30-50%AMI) – 6755 households

20.1% are low (>50-80%) – 6120 households

The City is committed to ensuring an adequate supply of quality housing in a variety of types and prices to meet the needs of its residents and enhance its economic vitality. A mix of homes appropriate to a wide-range of income levels will facilitate both the provision of affordable housing through new construction and preservation, and the attraction and retention of a diverse employment base to support local economic development objectives.

The Housing Authority of the County of Riverside maintains and manages a total of 469 public housing units. As of February 3, 2014 there were 32, 931 applicants on the public housing waiting list, of which 22,577 were extremely low-income, 4,250 were very low-income and 1,109 were low-income. Further assessment is provided under the Public Housing section.

According to the riverside County 2013 Point-in-Time Homeless Count and Subpopulation Survey there were 2,978 adults and children who were homeless in January 2013. As of February 10, 2014 Riverside County's ESG Program had served 106 formerly homeless families and individuals with rapid re-housing assistance. Of those families, 20 actively participating families are scheduled to be discontinued from rentals assistance and are nearing the termination of that assistance. Further analysis is provided under the Homeless Needs Assessment section.

The 2013 California Department of Social Services, Child Welfare 405E Youth Exiting Care, reported 102 youth emancipated from foster care in Riverside County. The youth that remain in care under Extended Foster Care (AB12) have limited housing options. Many emancipated youth return to care commonly reporting they have been "couch Surfing" and homeless.

The City of Hemet Housing Element was adopted January 24, 2012, amended May 22, 2012 and certified by HCD on June 28, 2012. This document provides Hemet's commitment to a vision of a diverse and sustainable community that increases housing choice for all current and future residents by: matching housing supply with current and projected needs, facilitating and promoting a fair and balanced

distribution of housing choices throughout the City, assisting in the provision of affordable housing through new construction and preservation, removing or mitigating governmental and other constraints to housing investment, and promoting fair and equal housing opportunities. Residential growth in Hemet will be approached in a manner that respects the City's scenic, cultural and historic heritage, while meeting the housing, recreation, and employment needs of its residents and businesses. Pursuing balanced growth enables the City to provide quality services to meet the long-term needs of the community.

<b>Demographics</b>	<b>Base Year: 2000</b>	<b>Most Recent Year: 2011</b>	<b>% Change</b>
Population	58,812	77,752	32%
Households	25,325	30,440	20%
Median Income	\$26,839.00	\$34,273.00	28%

**Table 1 - Housing Needs Assessment Demographics**

**Data Source:** 2000 Census (Base Year), 2007-2011 ACS (Most Recent Year)

### Number of Households Table

	<b>0-30% HAMFI</b>	<b>&gt;30-50% HAMFI</b>	<b>&gt;50-80% HAMFI</b>	<b>&gt;80-100% HAMFI</b>	<b>&gt;100% HAMFI</b>
Total Households *	5,750	6,755	6,120	2,875	8,945
Small Family Households *	1,835	1,755	1,675	1,085	3,740
Large Family Households *	265	589	700	380	975
Household contains at least one person 62-74 years of age	1,170	1,630	1,705	630	2,280
Household contains at least one person age 75 or older	1,475	2,005	1,725	810	1,300
Households with one or more children 6 years old or younger *	1,270	1,114	975	425	1,299
* the highest income category for these family types is >80% HAMFI					

**Table 2 - Total Households Table**

**Data Source:** 2007-2011 CHAS

## Housing Needs Summary Tables

### 1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
<b>NUMBER OF HOUSEHOLDS</b>										
Substandard Housing - Lacking complete plumbing or kitchen facilities	30	75	105	0	210	20	25	0	0	45
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	55	130	45	15	245	30	10	105	30	175
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	180	280	130	35	625	65	50	120	75	310
Housing cost burden greater than 50% of income (and none of the above problems)	2,520	1,335	285	15	4,155	1,355	775	460	180	2,770
Housing cost burden greater than 30% of income (and none of the above problems)	185	1,070	800	195	2,250	450	905	805	220	2,380
Zero/negative Income (and none of the above problems)	85	0	0	0	85	115	0	0	0	115

**Table 3 – Housing Problems Table**

Data Source: 2007-2011 CHAS

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
<b>NUMBER OF HOUSEHOLDS</b>										
Having 1 or more of four housing problems	2,785	1,820	565	65	5,235	1,475	860	685	285	3,305
Having none of four housing problems	470	1,315	1,445	885	4,115	820	2,755	3,425	1,640	8,640
Household has negative income, but none of the other housing problems	85	0	0	0	85	115	0	0	0	115

**Table 4 – Housing Problems 2**

Data Source: 2007-2011 CHAS

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
<b>NUMBER OF HOUSEHOLDS</b>								
Small Related	1,355	1,245	535	3,135	340	280	415	1,035
Large Related	95	410	160	665	115	94	305	514
Elderly	795	800	430	2,025	1,150	1,095	525	2,770
Other	675	410	140	1,225	255	295	115	665
Total need by income	2,920	2,865	1,265	7,050	1,860	1,764	1,360	4,984

**Table 5 – Cost Burden > 30%**

Data Source: 2007-2011 CHAS

#### 4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
<b>NUMBER OF HOUSEHOLDS</b>								
Small Related	1,320	660	90	2,070	265	240	230	735
Large Related	85	95	45	225	115	69	175	359
Elderly	685	435	200	1,320	810	405	100	1,315
Other	635	220	10	865	220	115	25	360
Total need by income	2,725	1,410	345	4,480	1,410	829	530	2,769

**Table 6 -- Cost Burden > 50%**

Data Source: 2007-2011 CHAS

#### 5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
<b>NUMBER OF HOUSEHOLDS</b>										
Single family households	200	390	155	50	795	95	60	160	60	375
Multiple, unrelated family households	40	20	20	0	80	0	0	65	45	110
Other, non-family households	0	0	0	0	0	0	0	0	0	0
Total need by income	240	410	175	50	875	95	60	225	105	485

**Table 7 -- Crowding Information -- 1/2**

Data Source: 2007-2011 CHAS

### **Describe the number and type of single person households in need of housing assistance.**

As of March 2014, the Section 8 Waiting list consisted of 4,076 applicants (27.6%) that were single person households out of approximately 14,764 applicants. The Public Housing Waiting list consisted of 9,759 applicants (28.9%) that were single person households out of approximately 33,753 applicants. Single person households represent nearly one-third of applicants needing housing assistance.

### **Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.**

As of March 2014, the Section 8 Waiting List consisted of 4,457 applicants (31.1%) that were listed as disabled out of approximately 14,764 applicants. The Public Housing Waiting List consisted of 9,560 applicants (28.3%) that were disabled out of approximately 33,753 applicants. Disability organizations and victim services across the county have begun collaborating to ensure people with disabilities have equal access to the community-based supports and criminal justice responses that are critical to surviving violence and healing after trauma. In Riverside County, From 2003 to 2014, the California Department of Justice accounted for 69,193 domestic violence-related calls for assistance to law enforcement. County policies provide rights under the Violence Against Women Act of 1994 (VAWA) and Violence Against Women Reauthorization Act (VAWA 2013) to its applicants, public housing residents, Housing Choice Voucher participants and now participants within federally funded programs such as HOME. In compliance with VAWA/VAWA 2013, no applicant who has been a victim of domestic violence, dating violence, or stalking shall be denied admission into the program if they are otherwise qualified.

### **What are the most common housing problems?**

The most common housing problems are the four addressed in the CHAS data: housing units that lack complete kitchen facilities; housing units that lack complete plumbing facilities; overcrowded households; and cost burdened households. Further discussion of these issues will be addressed in the following sections.

### **Are any populations/household types more affected than others by these problems?**

Both renter and owner households experience one or more of the identified housing problems and there is a disproportionate greater need among White and Hispanic households. Riverside County is challenged to address extremely low- to low-income families, homeless with focused efforts for homeless veterans, persons with disabilities, farm workers and emancipated foster youth aging out of foster care.

**Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance**

Those most affected by housing problems are very low- to low income households, especially those that have no/negative income.

**NA-15 Disproportionately Greater Need: Housing Problems – 91.205 (b)(2)**

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

**Introduction**

**0%-30% of Area Median Income**

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	3,755	775	100
White	2,460	585	80
Black / African American	245	75	0
Asian	55	10	0
American Indian, Alaska Native	70	0	0
Pacific Islander	0	0	0
Hispanic	860	79	20

**Table 8 - Disproportionately Greater Need 0 - 30% AMI**

Data Source: 2007-2011 CHAS

\*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

### 30%-50% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	3,790	1,720	0
White	2,455	1,430	0
Black / African American	115	0	0
Asian	90	55	0
American Indian, Alaska Native	70	0	0
Pacific Islander	0	0	0
Hispanic	1,000	225	0

**Table 9 - Disproportionally Greater Need 30 - 50% AMI**

Data Source: 2007-2011 CHAS

\*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

### 50%-80% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	2,990	2,885	0
White	1,780	2,255	0
Black / African American	75	25	0
Asian	75	90	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	10	0
Hispanic	975	465	0

**Table 10 - Disproportionally Greater Need 50 - 80% AMI**

Data Source: 2007-2011 CHAS

\*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

**80%-100% of Area Median Income**

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,135	1,745	0
White	620	1,420	0
Black / African American	60	4	0
Asian	30	4	0
American Indian, Alaska Native	0	10	0
Pacific Islander	0	0	0
Hispanic	415	265	0

**Table 11 - Disproportionally Greater Need 80 - 100% AMI**

Data Source: 2007-2011 CHAS

\*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

## NA-20 Disproportionately Greater Need: Severe Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

### Introduction

#### 0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	3,295	1,235	100
White	2,050	995	80
Black / African American	235	85	0
Asian	50	20	0
American Indian, Alaska Native	70	0	0
Pacific Islander	0	0	0
Hispanic	825	115	20

Table 12 – Severe Housing Problems 0 - 30% AMI

Data Source: 2007-2011 CHAS

\*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

### 30%-50% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,915	3,595	0
White	1,165	2,720	0
Black / African American	55	60	0
Asian	55	90	0
American Indian, Alaska Native	35	35	0
Pacific Islander	0	0	0
Hispanic	565	660	0

Table 13 – Severe Housing Problems 30 - 50% AMI

Data Source: 2007-2011 CHAS

\*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

### 50%-80% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,425	4,450	0
White	770	3,265	0
Black / African American	55	45	0
Asian	30	135	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	10	0
Hispanic	570	870	0

Table 14 – Severe Housing Problems 50 - 80% AMI

Data Source: 2007-2011 CHAS

\*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

**80%-100% of Area Median Income**

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	495	2,380	0
White	220	1,820	0
Black / African American	20	39	0
Asian	30	4	0
American Indian, Alaska Native	0	10	0
Pacific Islander	0	0	0
Hispanic	215	470	0

**Table 15 – Severe Housing Problems 80 - 100% AMI**

Data Source: 2007-2011 CHAS

\*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

## NA-25 Disproportionately Greater Need: Housing Cost Burdens – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

### Introduction:

### Housing Cost Burden

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	13,915	6,550	6,350	100
White	10,640	4,175	3,900	80
Black / African American	280	250	395	0
Asian	295	115	195	0
American Indian, Alaska Native	95	35	110	0
Pacific Islander	50	55	0	0
Hispanic	2,375	1,775	1,640	20

**Table 16 – Greater Need: Housing Cost Burdens AMI**

**Data Source:** 2007-2011 CHAS

## NA-35 Public Housing – 91.205(b)

### Introduction

During the Consolidated Plan period the City will help address the need of public housing through support of the Housing Authority of the County of Riverside. The Housing Authority of the County of Riverside maintains and manages a total of 469 public housing units, including three properties within the City of Hemet. The Housing Authority lists 1,037 Hemet residents as currently housed with assistance from the Section 8 Housing Choice Voucher Program or Affordable Public Housing Program. As of February 2014 there were 32,931 applicants on the public housing waiting list (including 908 in Hemet), of which 22,577 were extremely low-income, 7,435 were very low-income and 1,791 were low-income. A total of 14,903 applicants were on the Section 8 Housing Choice Voucher waiting list, of which 9,346 were extremely low-income, 4,250 were very low-income and 1,109 were low-income.

The tables and sections below discuss the characteristics of the Housing Authority of the County of Riverside’s program compositions for Mod-Rehab, Public Housing, Project Based Rental Assistance, Tenant Based Rental Assistance (Vouchers), Veterans Affairs Supportive Housing and the Family Unification Program.

### Totals in Use

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers in use	0	79	456	8,748	36	8,364	135	178	19

Table 17 - Public Housing by Program Type

\*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Data Source: PIC (PIH Information Center)

## Characteristics of Residents

	Program Type							
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher	
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program
Average Annual Income	0	12,664	13,261	13,870	10,805	13,850	13,465	14,983
Average length of stay	0	6	4	6	2	6	0	5
Average Household size	0	1	3	2	1	2	1	3
# Homeless at admission	0	2	331	205	1	197	2	5
# of Elderly Program Participants (>62)	0	67	38	3,249	9	3,211	15	10
# of Disabled Families	0	12	70	2,587	26	2,422	82	33
# of Families requesting accessibility features	0	79	456	8,748	36	8,364	135	178
# of HIV/AIDS program participants	0	0	0	0	0	0	0	0
# of DV victims	0	0	0	0	0	0	0	0

**Table 18 – Characteristics of Public Housing Residents by Program Type**

**Data Source:** PIC (PIH Information Center)

## Race of Residents

Race	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
White	0	66	318	5,469	26	5,195	79	144	15
Black/African American	0	10	126	2,967	8	2,867	55	29	3
Asian	0	1	9	209	2	203	0	2	1
American Indian/Alaska Native	0	0	2	80	0	76	1	3	0
Pacific Islander	0	2	1	23	0	23	0	0	0
Other	0	0	0	0	0	0	0	0	0

\*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 19 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

## Ethnicity of Residents

Ethnicity	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Hispanic	0	29	250	2,318	7	2,220	13	74	1
Not Hispanic	0	50	206	6,430	29	6,144	122	104	18

\*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 20 – Ethnicity of Public Housing Residents by Program Type

**Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:**

The Housing Authority has a total of thirty-seven (37) handicap accessible units within the 469 unit public housing portfolio. As the population has increased in Riverside County so has the demand for accessible public housing units. At present time, the Public Housing waiting list has 33,644 registrants of which 9,245 have registered as disabled households and a portion of these registrants may require an accessible unit at initial registration as the wait time can range from months to several years and these needs may change during the waiting period.

For existing residents, the Housing Authority prioritizes leasing of available accessible units to households requiring such and accommodation as detailed in the agency's Statement of Policies for the Public Housing Program. In the event that an accessible unit is occupied by a non-disabled household, the Housing Authority has an established relocation policy that will relocate non-disabled households to standard units and facilitate access to the needed accessible unit to the disabled household. At present time, all accessible units are occupied by disabled households who require these units. The Housing Authority is also expanding ADA features and units at several public housing communities in an effort to bring additional accessible units on line.

Accessibility needs are also addressed through the agency's "Reasonable Accommodation" procedures. Any resident can submit a written request for a reasonable accommodation to allow full access and participation in the agency's Public Housing program. These requests are reviewed by a committee in accordance with federal regulations, state laws, and local policies which govern reasonable accommodations. The most requested reasonable accommodations are for live-in aides to assist with daily living and an additional bedroom to allow for separate sleeping quarters for a disabled household member.

**Most immediate needs of residents of Public Housing and Housing Choice voucher holders**

The most immediate needs noted of the residents of Public Housing and the Housing Choice Voucher Programs are employment, job training, reliable and efficient transportation options, child care, education, and assistance with prescription drug costs for elderly and disabled residents.

Riverside County was one of the hardest hit areas during the recent economic downturn, which had an adverse effect on Public Housing and Housing Choice Voucher families who have suffered job loss and reduction in employment hours at a disproportionate rate. Limited transportation resources and child care programs further restrict employment opportunities for these families. There is an immediate need for programs such as the Family Self-Sufficiency (FSS) program, Resident Opportunity and Self-Sufficiency (ROSS) program, Jobs PLUS, and other initiatives designed to increase employment and income for these residents.

**How do these needs compare to the housing needs of the population at large**

In many ways the needs of Public Housing residents and Housing Choice voucher holders are similar to the needs of the low income general population. The need for increased employment opportunities, greater transportation resources, low cost child care programs, and prescription drug cost assistance are consistent with needs in both groups. The Housing Authority's client population has a slightly higher rate of persons with disabilities and single parent households compared to the general population.

## **NA-40 Homeless Needs Assessment – 91.205(c)**

### **Introduction:**

Results have not yet been released from the Riverside County 2015 Point-in-Time Homeless Count and Subpopulation Survey which took place on January 28, 2015. Therefore data from the 2013 Point-in-Time is used in the following tables.

According to the Riverside County 2013 Point-in-Time Homeless Count and Subpopulation Survey (2013 PIT) there were 2,978 adults and children who were homeless in January 2013. As of February 2014, Riverside County's ESG Program had served 106 formerly homeless families and individuals with rapid re-housing assistance. Of those families, 20 actively participating families are scheduled to be discontinued from rental assistance and are nearing termination of that assistance.

The 2013 California Department of Social Services, Child Welfare 405 E Youth Exiting Care, reported 102 youth emancipated from foster care in Riverside County. The youth that remain in care under Extended Foster Care (AB12) have limited housing options. Many emancipated youth return to care commonly reporting they have been "couch surfing" and homeless.

In the City of Hemet 126 adults were identified by the 2013 PIT as unsheltered homeless, including 9 adults who had 9 unsheltered children with them, comprising seven unsheltered families. 53% or 67 unsheltered Hemet adults and 5 families were chronically homeless based on HUD's definition. 42% or 53 unsheltered Hemet adults had a mental health problem and 39% or 49 unsheltered Hemet adults had a physical disability. The 2013 PIT also reported 8 Hemet youth between the ages of 18 and 24 as unsheltered homeless.

The City of Hemet actively participates in the County of Riverside Continuum of Care to assess homeless needs and implement strategies to address those needs both locally and regionally.

## Homeless Needs Assessment

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # experiencing homelessness each year	Estimate the # becoming homeless each year	Estimate the # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Persons in Households with Adult(s) and Child(ren)	397	45	974	877	340	101
Persons in Households with Only Children	14	4	44	40	0	13
Persons in Households with Only Adults	712	1,740	8,384	7,546	403	74
Chronically Homeless Individuals	30	1,025	1,055	950	0	170
Chronically Homeless Families	6	25	31	28	0	129
Veterans	104	181	314	283	86	85
Unaccompanied Child	0	0	0	0	0	0
Persons with HIV	1	18	19	19	7	237

**Table 21 - Homeless Needs Assessment**

**Data Source**  
**Comments:**

2013 Point-in-Time Census and Survey (estimates) Estimates of the homeless population are based on the 2013 Point-in-Time Homeless Census and data from the County of Riverside Homeless Management Information System excluding DV shelters.

Indicate if the homeless population is:

Partially Rural Homeless

## Rural Homeless Needs Assessment

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # experiencing homelessness each year	Estimate the # becoming homeless each year	Estimate the # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Persons in Households with Adult(s) and Child(ren)	397	45	974	877	340	101
Persons in Households with Only Children	14	4	44	40	0	13
Persons in Households with Only Adults	712	1,740	8,384	7,546	403	74
Chronically Homeless Individuals	30	1,025	1,055	950	0	170
Chronically Homeless Families	6	25	31	28	0	129
Veterans	104	181	314	283	86	85
Unaccompanied Youth	0	0	0	0	0	0
Persons with HIV	1	18	19	19	7	237

**Table 22 - Homeless Needs Assessment**

**Data Source**  
**Comments:**

2013 Point-in-Time Census and Survey (estimates) Estimates of the homeless population are based on the 2013 Point-in-Time Homeless Census and data from the County of Riverside Homeless Management Information System excluding DV shelters.

**Nature and Extent of Homelessness: (Optional)**

<b>Race:</b>	<b>Sheltered:</b>	<b>Unsheltered (optional)</b>
White	944	814
Black or African American	318	199
Asian	5	36
American Indian or Alaska Native	15	54
Pacific Islander	5	36
<b>Ethnicity:</b>	<b>Sheltered:</b>	<b>Unsheltered (optional)</b>
Hispanic	401	434
Not Hispanic	906	1,103

2013 Point-in-Time Census and Survey (estimates) Estimates of the homeless population are based on the 2013 Point-in-Time Homeless Census and data from the County of Riverside Homeless Management Information System excluding DV shelters.

**Data Source**  
**Comments:**

**Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.**

For the City of Hemet the 2013 Riverside County Point-in-Time Count discovered 126 Unsheltered Adults.

7% or 9 unsheltered adults had nine children which made up seven unsheltered families; of which there were five Chronically Homeless Families consisting of six adults and seven children.

9% or 12 unsheltered adults served on active duty in the U.S. Armed Forces.

**Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.**

Of the 126 unsheltered adults counted in Hemet, the ethnic breakdown is as follows:

13% or 17 unsheltered adults were African American/Black;

5% or 6 unsheltered adults were American Indian/Alaskan Native;

1% or 1 unsheltered adult was Asian/Pacific Islander;

20% or 25 unsheltered adults were Hispanic/Latino; and

61% or 77 unsheltered adults were White.

## **NA-45 Non-Homeless Special Needs Assessment - 91.205 (b,d)**

### **Introduction:**

Seniors have long been a major part of life in Hemet. Often times, seniors face declining mobility and self-care capabilities that create special housing needs and challenges for them. Many seniors, even those that own their own homes, face financial challenges because of limited incomes from Social Security and other retirement benefits. Many live alone and may have difficulty performing physical tasks, including home maintenance, climbing stairs or driving. Health care costs, availability and quality of housing may also be challenges for seniors.

According to the 2011 American Community Survey (ACS), 17,532 or 22% of persons in Hemet had a disability. Since the proportion of individuals with disabilities increases with age, Hemet's older population means a significant fraction of its residents have some kind of disability. Among the working-age population, more disabled persons are not employed and may have difficulty meeting their needs. As a result of these limitations, this group might require special housing accommodations and supportive services or financial assistance.

Most female-headed households are either single women over the age of 65, or single females (mothers or other female relatives) with minor children. According to the 2011 ACS, 14% of all households in Hemet were female-headed family households, 9.6% were female-headed households with minor children and 43% of these were living below the poverty level. Many of these households are paying more than 30% of their income for housing and face challenges in meeting their immediate needs such as food, clothing, transportation, medical care, child-care and home maintenance.

The Inland Empire HIV Planning Council (IEHPC) reported that in January 2013 there were 100 people living with HIV or AIDS within the City of Hemet and adjacent unincorporated area. Based on a 2005 IEHPC survey the largest barriers to services for persons living with HIV/AIDS were, in order, transportation, lack of providers and resources, homelessness and poverty. These barriers are relevant to Hemet residents with HIV/AIDS since there are no federally funded care providers in the City or San Jacinto Valley. The City of Hemet does not receive HOPWA funding.

## **NA-50 Non-Housing Community Development Needs – 91.215 (f)**

### **Describe the jurisdiction's need for Public Facilities:**

One of the most fundamental functions of government is providing its citizens with functioning infrastructure. The City of Hemet places a high priority on providing adequate services to its residents, businesses and visitors and on complying with Measure C, a ballot measure adopted by Hemet residents in 1988 that established minimum service standards for circulation, drainage, water storage and distribution, park and recreation facilities, police and fire services, and sanitary sewer services. On August 12, 2014, the City Council adopted a five year capital improvement plan, as a planning tool that provides the necessary information to repair and replace an aging infrastructure, or to construct new facilities, and at the same time set the community priorities to meet the needs of Hemet's growing population.

### **Describe the jurisdiction's need for Public Services:**

Community services enhance quality of life, foster a sense of belonging, and promote civic involvement. The City is committed to ensuring that community services are provided at levels sufficient to meet the needs of a growing and demographically evolving city. This requires coordinated planning efforts between governmental agencies, service providers, and nonprofit organizations.



# Housing Market Analysis

## MA-05 Overview

### Housing Market Analysis Overview:

Population and demographic data is key in determining housing needs, but economic trends and assessments of the local housing stock are essential in formulation predictions of how many and what kind of housing units will be in high demand in upcoming years. With Hemet's continuing evolution from a retirement community to a destination for young families seeking affordable living, planning for housing must reflect the City's changing needs.

The Housing Market Analysis describes information that is available regarding the significant characteristics of the housing market in terms of supply, demand, condition, and the cost of housing; the housing stock available to serve persons with disabilities; and to serve persons with HIV/AIDS and their families.

## MA-10 Number of Housing Units – 91.210(a)&(b)(2)

### Introduction

According to the 2007-2011 American Communities Survey (ACS) the City of Hemet had 30,440 households. Approximately 62% were owner households and approximately 38% were renter households, with 61% of all households falling in the low income (0-80% AMI) category.

While there has been tremendous growth in the number of single family houses in Hemet (51.8%), they still make up a smaller proportion of the housing stock in the City than in Riverside County (68%). Much of the difference comes from the very high percentage of mobile homes in Hemet, over 25% in the 2010 Census. According to the 2011 ACS, Hemet has a total of 33,791 housing units and the city anticipates achieving its objectives for the RHNA planning period from January 1, 2014 through October 31, 2021, which includes new construction of 604 housing units, in addition to rehabilitation of 624 units and conservation of 158 units.

The age of housing stock is an important characteristic of the housing supply because it is a good rough indicator of housing condition. Approximately 47% of Hemet's housing stock is over 30 years old, with approximately 1.6% over 60 years old.

### All residential properties by number of units

Property Type	Number	%
1-unit detached structure	17,350	49%
1-unit, attached structure	1,547	4%
2-4 units	2,082	6%
5-19 units	2,183	6%
20 or more units	2,671	8%
Mobile Home, boat, RV, van, etc	9,290	26%
<b>Total</b>	<b>35,123</b>	<b>100%</b>

Table 1 – Residential Properties by Unit Number

Data Source: 2007-2011 ACS

### Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	165	1%	300	3%
1 bedroom	1,030	5%	2,401	21%
2 bedrooms	9,138	48%	5,830	51%
3 or more bedrooms	8,624	45%	2,952	26%
<b>Total</b>	<b>18,957</b>	<b>99%</b>	<b>11,483</b>	<b>101%</b>

Table 2 – Unit Size by Tenure

Data Source: 2007-2011 ACS

## MA-15 Housing Market Analysis: Cost of Housing - 91.210(a)

### Introduction:

Between about 2002 and 2006, home prices rose rapidly in Hemet as the available supply of land and homes in Southern California's coastal counties declined, and buyers looked inland. Hemet's existing homes appreciated rapidly. In 2000, the City's median existing home price was \$97,650. By 2006, that level has more than tripled to a record \$318,400. However, prices declined rapidly in 2006, and continued to drop in response to slowing economic growth, tightening in the mortgage loan market, and response to the subprime mortgage crisis. The Inland Empire area, including Riverside and San Bernardino Counties, has suffered particularly high foreclosure rates, further depressing prices. In 2012, the median home price was approximately \$120,200.

The Fair Market Rents determined by HUD, what landlords receive when they contract with the County Housing Authority Section 8 program, range from \$766 for a studio apartment to \$1582 for a three-bedroom unit in Hemet. The average rent for a one bedroom in Hemet was \$712, while a three bedroom was \$903.

Extremely low income households earn up to 30% of the County AMI, very low-income households earn 50% or less of the County AMI, low income households earn 80% or less of the County AMI and moderate income households earn up to 120% of the County AMI. Based on generally accepted financing criteria and home sales prices ranging from \$75,000 to \$132,000, all four categories of low and moderate-income households could afford to purchase a single family home in Hemet. Very low and low income households would have a range of affordable rental housing options in Hemet, while extremely low-income households, would need to find subsidized housing to avoid overpayment or overcrowding.

### Cost of Housing

	Base Year: 2000	Most Recent Year: 2011	% Change
Median Home Value	69,900	139,100	99%
Median Contract Rent	484	816	69%

Table 3 - Cost of Housing

Data Source: 2000 Census (Base Year), 2007-2011 ACS (Most Recent Year)

Rent Paid	Number	%
Less than \$500	1,425	12.4%
\$500-999	6,958	60.6%
\$1,000-1,499	2,209	19.2%
\$1,500-1,999	584	5.1%
\$2,000 or more	307	2.7%
<b>Total</b>	<b>11,483</b>	<b>100.0%</b>

Table 4 - Rent Paid

Data Source: 2007-2011 ACS

## Housing Affordability

<b>% Units affordable to Households earning</b>	<b>Renter</b>	<b>Owner</b>
30% HAMFI	475	No Data
50% HAMFI	2,120	3,820
80% HAMFI	7,545	7,704
100% HAMFI	No Data	10,364
<b>Total</b>	<b>10,140</b>	<b>21,888</b>

**Table 5 - Housing Affordability**

Data Source: 2007-2011 CHAS

## Monthly Rent

<b>Monthly Rent (\$)</b>	<b>Efficiency (no bedroom)</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3 Bedroom</b>	<b>4 Bedroom</b>
Fair Market Rent	766	882	1,120	1,582	1,930
High HOME Rent	743	797	958	1,099	1,206
Low HOME Rent	586	628	753	871	972

**Table 6 - Monthly Rent**

Data Source Comments: 2014 HUD HOME rents

## MA-20 Housing Market Analysis: Condition of Housing – 91.210(a)

### Introduction

The age of housing stock is an important characteristic of the housing supply because it is a good rough indicator of housing condition. Many federal and State programs use the age of housing as one factor in determining housing rehabilitation needs.

### Definitions

A substandard condition is one that affects the health and safety of the resident's habitability. As defined by California Health and Safety Code, a substandard condition exists to the extent that it endangers the health and safety of its occupants or the public.

### Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	7,038	37%	7,051	61%
With two selected Conditions	325	2%	850	7%
With three selected Conditions	24	0%	30	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	11,570	61%	3,552	31%
<b>Total</b>	<b>18,957</b>	<b>100%</b>	<b>11,483</b>	<b>99%</b>

Table 7 - Condition of Units

Data Source: 2007-2011 ACS

### Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	4,540	24%	1,280	11%
1980-1999	6,565	35%	4,785	42%
1950-1979	7,421	39%	5,134	45%
Before 1950	431	2%	284	2%
<b>Total</b>	<b>18,957</b>	<b>100%</b>	<b>11,483</b>	<b>100%</b>

Table 8 – Year Unit Built

Data Source: 2007-2011 CHAS

### Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	7,852	41%	5,418	47%
Housing Units build before 1980 with children present	1,440	8%	1,635	14%

**Table 9 – Risk of Lead-Based Paint**

**Data Source:** 2007-2011 ACS (Total Units) 2007-2011 CHAS (Units with Children present)

## MA-25 Public and Assisted Housing – 91.210(b)

### Introduction:

Existing housing that receives governmental assistance represents one of the largest supplies of affordable housing in Hemet and other communities. The Housing Choice Voucher Program (Section 8) provides property owners guaranteed rental payments, equal to the HUD determined fair market rent, in return for renting units to very low income tenants. The owner receives tenant payments restricted to 30% of income and HUD pays the remaining rent. Hemet has three locations receiving project based Housing Choice Voucher assistance: Hemet Estates, Village Meadows Apartments, and Sahara Senior Village. The County of Riverside currently has 469 housing units that are located throughout the County, consisting of 17 apartment communities and 4 single family homes. In addition to specific properties that provide publicly project based subsidized housing, portable vouchers for rental assistance are provided to individual families. The Housing Authority of the County of Riverside, which administers both programs in Hemet, lists 1,037 Hemet residents as currently housed with assistance from the Section 8 Housing Choice Voucher Program or Affordable Public Housing Program. As of February 2014 there were 32,931 applicants on the public housing waiting list (including 908 in Hemet), of which 22,577 were extremely low-income, 7,435 were very low-income and 1,791 were low-income. A total of 14,903 applicants were on the Section 8 Housing Choice Voucher waiting list, of which 9,346 were extremely low-income, 4,250 were very low-income and 1,109 were low-income.

### Totals Number of Units

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project -based	Tenant -based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers available	0	77	469	8,681	48	8,633	819	1,759	342
# of accessible units			2						
<b>*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition</b>									

Table 10 – Total Number of Units by Program Type

Data Source: PIC (PIH Information Center)

**Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:**

The physical condition of the public housing units varies per community however the Housing Authority does have plans to modernize select units within the stock of public housing units. Examples of such modernization projects include the replacement of evaporative coolers with centralized air conditioning, kitchen cabinet upgrades, door replacement, the replacement of hot water heaters to on-demand water heaters and ADA walkway and entrance improvements.

## Public Housing Condition

Public Housing Development	Average Inspection Score
Fiscal Year 2012	38-40

Table 11 - Public Housing Condition

### Describe the restoration and revitalization needs of public housing units in the jurisdiction:

Public Housing units within the County have the following restoration and revitalization needs:

1. Modernization and replacement of interior structure due to age, including kitchen cabinets, flooring, interior doors, and bathroom fixtures.
2. Modernization to improve energy efficiency which includes replacement of water heaters, toilets, windows, cooling units, etc.
3. Modifications to units and common areas to increase access for persons with disabilities which will expand ADA compliance.

### Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

On an annual basis, the Housing Authority creates a plan to expend HUD awarded Capital Funds to revitalize and rehabilitate existing public housing units. This plan is based on a portfolio wide assessment of priority improvement needs. The plan provides the framework for improving the living environment of families residing in public housing within Riverside County. Improvement needs are prioritized based on the following issues that directly impact resident families:

1. Addressing any immediate safety needs within individual units or in common areas;
2. Maintaining units in compliance with Housing Quality Standards;
3. Improving and expanding accessibility features for persons with disabilities;
4. Increasing energy efficiencies to lower utility costs for resident families;
5. Improving features that deter crime and improve overall safety;
6. Providing playgrounds and open space to facilitate outdoor recreation; and
7. Providing an aesthetically pleasing community that is comparable with market rate units in low-poverty areas.

## **MA-30 Homeless Facilities and Services – 91.210(c)**

### **Introduction**

In the City of Hemet 126 adults were identified by the 2013 PIT as unsheltered homeless, including 9 adults who had 9 unsheltered children with them, comprising seven unsheltered families. 53% or 67 unsheltered Hemet adults and 5 families were chronically homeless based on HUD's definition. 42% or 53 unsheltered Hemet adults had a mental health problem and 39% or 49 unsheltered Hemet adults had a physical disability. The 2013 PIT also reported 8 Hemet youth between the ages of 18 and 24 as unsheltered homeless. The City of Hemet actively participates in the County of Riverside Continuum of Care to assess homeless needs and implement strategies to address those needs both locally and regionally.

The 2013 PIT concluded that there was a 31% decrease in homelessness between 2011 and 2013 that can be attributed, in part, to a strengthened network of homeless service providers, an increase in funding for homeless prevention and rapid re-housing initiatives, and an expansion of permanent housing beds that helped create 324 additional beds (a 79% increase) of permanent supportive housing from 2010 to 2013. While these achievements are noteworthy, there are still major challenges to Riverside County's network of services and facilities, mainly due to the vast geographical area of the county. As the fourth largest county in California, Riverside County stretches from Orange and Los Angeles counties to the Arizona border. Providing services in such a large geographic area is a constant challenge. In the eastern region of the county, which is less populated than the west and covers twice the square miles, transportation is a major barrier for homeless individuals and families to access emergency, transitional, or permanent housing. The lack of public transportation makes it difficult to get to and from services as well as employment. In the western region, there is a need for funding to expand all types of housing to meet the demand.

The County of Riverside's Ten year Plan to End Homelessness recommends that the Continuum of Care create a streamlined benefits application system featuring a single application process for multiple programs in order to expedite enrollment and access to available resources for homeless and at risk individuals and families.

**Facilities and Housing Targeted to Homeless Households**

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	29	0	87	23	0
Households with Only Adults	301	56	211	251	0
Chronically Homeless Households	6	0	0	0	0
Veterans	36	0	80	25	0
Unaccompanied Youth	15	0	0	0	0

**Table 12 - Facilities and Housing Targeted to Homeless Households**

**Data Source Comments:** 2013 Point-in-Time Census and Survey, data from the County of Riverside Homeless Management Information System excluding DV shelters.

**Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons**

With implementation of the Affordable Care Act (ACA), the County of Riverside CoC will participate in enrollment and outreach activities to ensure eligible households are able to take advantage of new healthcare options. The CoC has initiated a series of trainings and workshops that provide information on the ACA which has expanded Medi-Cal eligibility for people who are experiencing chronic homelessness and allows for the integration of housing, primary care and behavioral health. DPSS also received funding to conduct medical outreach and enrollment and is working with CoC member agencies to train outreach workers and enrollment counselors throughout Riverside County.

The Riverside County Department of Mental Health (RCDMH) has been providing special services to persons with mental illness, who are homeless, for the past 25 years. Beginning in 1988 RCDMH introduced a voucher based food and shelter program. In July 1993, the Department initiated a street outreach program that included linkage to case management services. RCDMH collaborates with nonprofit organizations to provide supportive services for homeless individuals with co-occurring mental illness and substance abuse disorders. The current linkage with all the regional mental health outpatient programs facilitates consumer access to the resources RCDMH has to offer. RCDMH has six other HUD funded grants, which include five permanent housing grants for chronically homeless individuals and their families.

CoC program funded projects assist participants with increasing their income which is one way to ensure housing stability and decrease the possibility of returning to homelessness. The CoC's Employment and Self-Sufficiency (ESS) committee is responsible for identifying employment opportunities, training, education, and other resources that will help increase the income of participants by obtaining employment and becoming self-sufficient. ESS created a countywide resource list of all services related to employment/mainstream benefits identifying potential employers who will work with the CoC to hire the homeless and identify educational programs to assist homeless or near homeless to become more employable. The CoC also intends to educate participants and program operators on the value and benefits of employment for disabled persons. Social Security will be involved to assure that employment will not jeopardize current benefits and will be available to educate program providers, participants, and the CoC community on employment in conjunction with benefits received. The CoC has identified the public housing and disabled population as the lowest percentage of persons employed at exit. The CoC will work with employers to educate them on the employability of the population with disabilities.

**List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.**

In Riverside County, emergency shelter is offered at 16 facilities. Of the 766 beds available, 214 are for households with children, and 400 are for households without children. There is one seasonal emergency shelter with 72 beds, two shelters for domestic violence victims with a total of 120 beds, and two shelters for youth with a total of 37 beds. There are a total of 763 transitional housing beds. Of these, 504 are for households with children and 259 are for households without children. There are 16 facilities in all, each of which serves a particular sub-population, including:

-Substance abuse – ABC Recovery Center Transitional Living Village (40 beds), MFI Recovery Center in San Jacinto (34 beds for women), and Whiteside Manor (30 beds for dually diagnosed)

-Veterans – Help for Future Leaders transitional housing for veterans (13 beds), U.S. Vets veterans in progress transitional housing (50 beds), and Lighthouse Treatment Center (12 beds of transitional living services for veterans)

-Domestic Violence – Shelter from the Storm (54 beds of transitional housing) and Operation Safe House, Main Street Transitional Living Program (20 beds for youth)

Riverside County has a total of 735 permanent housing beds available for particular subpopulations, including substance abuse, youth and veterans. Currently, 213 of its permanent supportive housing beds are designated for people who are chronically homeless.

The deployment of street outreach teams are a crucial step in connecting chronically homeless persons living on the street to necessary supportive services and housing. The Department of Mental Health and the City of Riverside have street outreach teams that serve all of Riverside County. The main purpose of these teams is to deploy highly trained staff to locate people on the streets or in facilities, establish relationships, assess their situation and service needs, and link them to appropriate supportive services.

Providers of homeless prevention, emergency shelter, transitional housing, permanent supportive housing, and related supportive service programs in the County of Riverside participate in the Homeless Management Information System (HMIS). The County of Riverside DPSS implements the HMIS system for the County, which stores and tracks longitudinal person level information about people who access homeless services in the CoC.

Homeless services providers continually work towards linking homeless individuals and families to existing mainstream benefits. The CoC Collaborative Applicant (DPSS) administers Temporary Cash Assistance for Needy Families (TANF), MediCal and the Supplemental Nutrition Assistance Program (SNAP) and in 2014 received state funding to enroll 150,000 people in MediCal as part of the ACA. Three CoC agencies also received a Supportive Services for Veteran Families (SSVF) grant to partner with the Housing Authority to increase the number of veterans who will receive VA benefits and other services.

## **MA-35 Special Needs Facilities and Services – 91.210(d)**

### **Introduction**

Seniors have long been a major part of life in Hemet. Often times, seniors face declining mobility and self-care capabilities that create special housing needs and challenges for them. Many seniors, even those that own their own homes, face financial challenges because of limited incomes from Social Security and other retirement benefits. Many live alone and may have difficulty performing physical tasks, including home maintenance, climbing stairs or driving. Health care costs, availability and quality of housing may also be challenges for seniors.

According to the 2011 American Community Survey (ACS), 17,532 or 22% of persons in Hemet had a disability. Since the proportion of individuals with disabilities increases with age, Hemet's older population means a significant fraction of its residents have some kind of disability. Among the working-age population, more disabled persons are not employed and may have difficulty meeting their needs. As a result of these limitations, this group might require special housing accommodations and supportive services or financial assistance.

Most female-headed households are either single women over the age of 65, or single females (mothers or other female relatives) with minor children. According to the 2011 ACS, 14% of all households in Hemet were female-headed family households, 9.6% were female-headed households with minor children and 43% of these were living below the poverty level. Many of these households are paying more than 30% of their income for housing and face challenges in meeting their immediate needs such as food, clothing, transportation, medical care, child-care and home maintenance.

The Inland Empire HIV Planning Council (IEHPC) reported that in January 2013 there were 100 people living with HIV or AIDS within the City of Hemet and adjacent unincorporated area. Based on a 2005 IEHPC survey the largest barriers to services for persons living with HIV/AIDS were, in order, transportation, lack of providers and resources, homelessness and poverty. These barriers are relevant to Hemet residents with HIV/AIDS since there are no federally funded care providers in the City or San Jacinto Valley. The City of Hemet does not receive HOPWA funding.

### **Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing**

Homelessness often affects individuals discharged from publicly funded institutions such as jails prisons, hospitals, and mental health centers due to the lack of available affordable housing and permanent supportive housing options. The aim is to achieve a zero tolerance policy regarding discharging into homelessness by local institutions through education programs and relationships with providers responsible for ensuring that persons discharged from these institutions do not end up homeless.

## **MA-40 Barriers to Affordable Housing – 91.210(e)**

**Describe any negative effects of public policies on affordable housing and residential investment.**

Governmental, market, infrastructure, and environmental factors may limit the provision of adequate and affordable housing . These constraints may result in housing that is not affordable to lower and moderate income households, not readily available for households with special needs, or may cause certain types of residential construction economically infeasible for developers.

Nongovernmental constraints are those factors outside the local government control that limit the availability of housing and/or the feasibility of building affordable housing. The assessment of these constraints provides a basis for possible actions by the City to offset potential effects on the housing supply and cost. However, the City has little or no control over many of the nongovernmental factors that influence the cost and availability of housing.

## **MA-45 Non-Housing Community Development Assets – 91.215 (f)**

### **Introduction**

In The City of Hemet General Plan 2030 the City details its commitment to coordinate new development and redevelopment by:

- providing adequate infrastructure for water, sewer, storm water, energy, and communications;
- working with local employers and health providers to facilitate the provision of excellent health care services to meet the needs of Hemet’s diverse population;
- providing a City library system that contributes to quality of life through accessible and diverse library collections, technologically improved services, and a welcoming environment;

facilitating social services that provide a benefit to the existing residents of Hemet, and are an asset to the overall community

## Economic Development Market Analysis

### Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	241	95	2	1	-1
Arts, Entertainment, Accommodations	1,899	2,603	15	17	2
Construction	918	268	7	2	-5
Education and Health Care Services	2,361	4,230	18	27	9
Finance, Insurance, and Real Estate	653	708	5	5	0
Information	187	343	1	2	1
Manufacturing	1,508	1,370	12	9	-3
Other Services	1,152	1,509	9	10	1
Professional, Scientific, Management Services	694	482	5	3	-2
Public Administration	0	0	0	0	0
Retail Trade	2,278	3,744	17	24	7
Transportation and Warehousing	453	101	3	1	-2
Wholesale Trade	683	222	5	1	-4
Total	13,027	15,675	--	--	--

**Table 13 - Business Activity**

**Data Source:** 2007-2011 ACS (Workers), 2011 Longitudinal Employer-Household Dynamics (Jobs)

## Labor Force

Total Population in the Civilian Labor Force	28,645
Civilian Employed Population 16 years and over	23,900
Unemployment Rate	16.56
Unemployment Rate for Ages 16-24	41.61
Unemployment Rate for Ages 25-65	8.81

**Table 14 - Labor Force**

Data Source: 2007-2011 ACS

Occupations by Sector	Number of People
Management, business and financial	3,560
Farming, fisheries and forestry occupations	966
Service	3,676
Sales and office	5,989
Construction, extraction, maintenance and repair	3,479
Production, transportation and material moving	1,901

**Table 15 - Occupations by Sector**

Data Source: 2007-2011 ACS

## Travel Time

Travel Time	Number	Percentage
< 30 Minutes	12,147	55%
30-59 Minutes	6,347	28%
60 or More Minutes	3,790	17%
<b>Total</b>	<b>22,284</b>	<b>100%</b>

**Table 16 - Travel Time**

Data Source: 2007-2011 ACS

**Education:**

**Educational Attainment by Employment Status (Population 16 and Older)**

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	3,796	912	2,516
High school graduate (includes equivalency)	5,323	837	3,341
Some college or Associate's degree	7,220	926	3,746
Bachelor's degree or higher	3,319	253	988

**Table 17 - Educational Attainment by Employment Status**

Data Source: 2007-2011 ACS

**Educational Attainment by Age**

	Age				
	18-24 yrs	25-34 yrs	35-44 yrs	45-65 yrs	65+ yrs
Less than 9th grade	171	457	466	1,325	1,433
9th to 12th grade, no diploma	1,401	1,487	1,304	2,185	2,258
High school graduate, GED, or alternative	2,044	2,863	2,286	4,366	6,029
Some college, no degree	2,104	2,605	2,189	4,699	4,690
Associate's degree	265	617	440	1,375	1,152
Bachelor's degree	146	698	649	1,690	1,610
Graduate or professional degree	0	202	437	884	1,008

**Table 18 - Educational Attainment by Age**

Data Source: 2007-2011 ACS

**Educational Attainment – Median Earnings in the Past 12 Months**

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	17,468
High school graduate (includes equivalency)	23,750
Some college or Associate's degree	30,977
Bachelor's degree	34,683
Graduate or professional degree	66,579

**Table 19 – Median Earnings in the Past 12 Months**

Data Source: 2007-2011 ACS



## Strategic Plan

### SP-10 Geographic Priorities – 91.215 (a)(1)

#### Geographic Area

Table 1 - Geographic Priority Areas

#### General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

The City does not have any specified target areas for CDBG funding, although priority is given to the older City center area with high poverty (20% or more) census block groups which include 433.09, 434.01, 434.03, 434.04, 434.05, 435.03 and 435.07.

Only two tracts that are either high poverty or in the City center area do not overlap:

433.07 South of City center area; 27.6% poverty

435.05 City center area; 18.9% poverty.

## **SP-25 Priority Needs - 91.215(a)(2)**

### **Priority Needs**

The goal of the City of Hemet, with funding from CDBG, is to increase self-sufficiency and economic opportunity for lower-income residents and individuals with special needs so that they can achieve a reasonable standard of living. Specifically, from July 1, 2015 through June 30, 2020 the City has established the following priority needs and subsequent goals as a guide for allocating CDBG funding:

#### **HOUSING**

- Enhance affordable home ownership through education, preservation and rehabilitation
- Annually fund fair housing services including first time home buyer education
- Annually fund code compliance services
- Annually fund housing rehabilitation activity
- Enhance affordable rental housing through education and preservation
- Annually fund land/lord tenant services
- Annually fund crime free rental housing program

#### **PUBLIC FACILITIES & INFRASTRUCTURE**

- Improve existing infrastructure, community and public facilities
- Annually fund infrastructure or facility projects (engineering, fire, public works and/or non-profit)

#### **ECONOMIC DEVELOPMENT**

- Retain and expand economic opportunities through enhancement of public facilities
- Fund, as available, infrastructure projects that encourage or support economic development

#### **HOMELESS**

- Support the local Continuum of Care strategy to aid homeless persons and families, and to end chronic homelessness
- Allocate CDBG staff time to actively participate in CoC
- Allocate CDBG staff time to collaborate with local homeless providers
- Fund as available innovative activities to prevent or reduce homelessness and increase self sufficiency

#### **NON-HOUSING SPECIAL NEEDS**

- Provide supportive services for persons with special needs, including youth, elderly, and persons with disabilities
- Fund as available innovative public service activities

## SP-30 Influence of Market Conditions – 91.215 (b)

### Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	If used effectively TBRA can help stabilize households. An example is the County's Housing Authority which provides security deposit assistance to very low-income households who have recently been selected from the Section 8 waiting list.
TBRA for Non-Homeless Special Needs	N/A
New Unit Production	With the loss of the primary local funding source for affordable housing development, redevelopment funds, housing developers face greater competition for dwindling federal housing funds. The City has a sufficient inventory of available sites to develop affordable housing and promotes the inclusion of a percentage of affordable units in market-rated development projects.
Rehabilitation	Rehabilitation of aging housing will be continued during this Plan with CDBG funding, through the City's Senior/disabled Home Repair program. In addition the City offers homeowners in approved Census areas the option of applying for rehabilitation loans through HOME and CalHOME.
Acquisition, including preservation	NSP funding, may be available for acquisition and/or preservation activities.

Table 2 – Influence of Market Conditions

## SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

### Introduction

The Consolidated Plan focuses on activities to be funded with the CDBG entitlement funding which HUD allocates to eligible jurisdictions on a formula basis, using factors such as population, income distribution, and poverty rate. Other funding resources will be leveraged by the City to achieve the goals of this plan.

### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1.				Expected Amount Available Reminder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	744,726	0	223,331	968,057	2,980,000	

Table 3 - Anticipated Resources

## **SP-55 Barriers to affordable housing – 91.215(h)**

### **Barriers to Affordable Housing**

Governmental, market, infrastructure, and environmental factors may limit the provision of adequate and affordable housing . These constraints may result in housing that is not affordable to lower and moderate income households, not readily available for households with special needs, or may cause certain types of residential construction economically infeasible for developers.

Nongovernmental constraints are those factors outside the local government control that limit the availability of housing and/or the feasibility of building affordable housing. The assessment of these constraints provides a basis for possible actions by the City to offset potential effects on the housing supply and cost. However, the City has little or no control over many of the nongovernmental factors that influence the cost and availability of housing.

## **SP-60 Homelessness Strategy – 91.215(d)**

### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

The County of Riverside's Ten year Plan to End Homelessness recommends that the Continuum of Care create a streamlined benefits application system featuring a single application process for multiple programs in order to expedite enrollment and access to available resources for homeless and at risk individuals and families.

The deployment of street outreach teams are a crucial step in connecting chronically homeless persons living on the street to necessary supportive services and housing. The Department of Mental Health and the City of Riverside have street outreach teams that serve all of Riverside County. The main purpose of these teams is to deploy highly trained staff to locate people on the streets or in facilities, establish relationships, assess their situation and service needs, and link them to appropriate supportive services.

### **Addressing the emergency and transitional housing needs of homeless persons**

In Riverside County, emergency shelter is offered at 16 facilities. Of the 766 beds available, 214 are for households with children, and 400 are for households without children. There is one seasonal emergency shelter with 72 beds, two shelters for domestic violence victims with a total of 120 beds, and two shelters for youth with a total of 37 beds.

There are a total of 763 transitional housing beds. Of these, 504 are for households with children and 259 are for households without children. There are 16 facilities in all, each of which serves a particular sub-population, including:

-Substance abuse – ABC Recovery Center Transitional Living Village (40 beds), MFI Recovery Center in San Jacinto (34 beds for women), and Whiteside Manor (30 beds for dually diagnosed)

-Veterans – Help for Future Leaders transitional housing for veterans (13 beds), U.S. Vets veterans in progress transitional housing (50 beds), and Lighthouse Treatment Center (12 beds of transitional living services for veterans)

-Domestic Violence – Shelter from the Storm (54 beds of transitional housing) and Operation Safe House, Main Street Transitional Living Program (20 beds for youth)

Riverside County has a total of 735 permanent housing beds available for particular subpopulations, including substance abuse, youth and veterans. Currently, 213 of its permanent supportive housing beds are designated for people who are chronically homeless.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.**

CoC program funded projects assist participants with increasing their income which is one way to ensure housing stability and decrease the possibility of returning to homelessness. The CoC's Employment and Self-Sufficiency (ESS) committee is responsible for identifying employment opportunities, training, education, and other resources that will help increase the income of participants by obtaining employment and becoming self-sufficient. ESS created a countywide resource list of all services related to employment/mainstream benefits identifying potential employers who will work with the CoC to hire the homeless and identify educational programs to assist homeless or near homeless to become more employable. The CoC also intends to educate participants and program operators on the value and benefits of employment for disabled persons. Social Security will be involved to assure that employment will not jeopardize current benefits and will be available to educate program providers, participants, and the CoC community on employment in conjunction with benefits received. The CoC has identified the public housing and disabled population as the lowest percentage of persons employed at exit. The CoC will work with employers to educate them on the employability of the population with disabilities.

**Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs**

Homeless services providers continually work towards linking homeless individuals and families to existing mainstream benefits. The CoC Collaborative Applicant (DPSS) administers Temporary Cash Assistance for Needy Families (TANF), MediCal and the Supplemental Nutrition Assistance Program (SNAP) and in 2014 received state funding to enroll 150,000 people in MediCal as part of the ACA. Three CoC agencies also received a Supportive Services for Veteran Families (SSVF) grant to partner with the Housing Authority to increase the number of veterans who will receive VA benefits and other services.

## **SP-65 Lead based paint Hazards – 91.215(i)**

### **Actions to address LBP hazards and increase access to housing without LBP hazards**

Under the Residential Lead-Based Paint Hazard Reduction Act of 1992 - Title X, a lead-based paint (LBP) hazard is defined as "any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects." The City of Hemet, Housing Authority of Riverside County, Riverside County Department of Public Health and the State of California Childhood Lead Poisoning Prevention Branch all have a role in addressing LBP hazards in Hemet.

The Childhood Lead Poisoning Prevention Program is a tool in the identification of lead hazards in the home.

### **How are the actions listed above integrated into housing policies and procedures?**

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

**Owner-Occupied Home Rehabilitation Program –** Hemet's Owner-Occupied Rehabilitation Housing Loan Program provides thirty year, zero interest, deferred loans of up to \$30,000 for substantial rehabilitation to single family owner-occupied residences within the City of Hemet. Eligible improvements include but are not limited to painting, roofing, siding, landscaping, windows, doors, fencing, plumbing, electrical, cabinets, built-in appliances, heating/cooling systems, weatherization and energy conservation items. Program funds may not be utilized for refinancing purposes. There is a limit of one Program loan per eligible homeowner. Deferred loans are due and payable upon sale of the property or transfer of title. Under certain circumstances, all or a portion of the loans are repayable upon refinancing.

**Senior Minor Home Repair Program –** The purpose of this program is to eliminate substandard living by providing minor repairs to roofs, water heaters, heating/air conditioning units, windows and doors; installation of hand rails, safety bars, door locks and smoke detectors; and repair of appliances necessary for the health and safety of the residents, thereby helping to preserve the homes of the community.

## **SP-70 Anti-Poverty Strategy – 91.215(j)**

### **Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families**

The City of Hemet will continue its efforts to reduce the number of families and individuals living in poverty. The City will focus primarily on supporting programs that raise household incomes and stabilize housing situations. The City will utilize CDBG to support the continuation and implementation of affordable housing that help homeless person's make the transition to permanent housing and independent living.

Hemet will use resources from state, federal and private sources to provide a number of community-based and direct services aimed directly or indirectly, at decreasing the poverty level. These programs include: job enrichment, development, and placement through education and economic development; food pantry programs, and programs designed to prevent and alleviate the devastating impact of domestic violence, which often plunge women and their children into poverty.

### **How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan**

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

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

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

- Housing Rehabilitation programs;
- Affordable Housing programs for renters, seniors, and the disabled;
- Emergency, Transitional and permanent housing programs;
- Homeless and non-homeless support services;
- Anti-crime programs;
- Section 8 rental assistance, and
- Job creation and retention programs.

## **SP-80 Monitoring – 91.230**

**Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements**

It is the City of Hemet's responsibility, as a recipient of CDBG to monitor the subrecipient activities and determine whether its use of CDBG funding is appropriate and meets federal regulations. A monitoring process ensures that the City of Hemet meets its primary legal obligation to ensure that all subrecipients comply with all federal regulations governing the administrative, financial and programmatic operations, and achieve their performance objectives within schedule and budget. The following objectives provide a detailed explanation of the desired monitoring goal.

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

The three most important strategies for effective monitoring are:

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

## Expected Resources

### AP-15 Expected Resources – 91.220(c)(1,2)

#### Introduction

The Consolidated Plan focuses on activities to be funded with the CDBG entitlement funding which HUD allocates to eligible jurisdictions on a formula basis, using factors such as population, income distribution, and poverty rate. Other funding resources will be leveraged by the City to achieve the goals of this plan.

#### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	744,726	0	223,331	968,057	2,980,000	

**Table 1 - Expected Resources – Priority Table**

# Annual Goals and Objectives

## AP-20 Annual Goals and Objectives

### Goals Summary Information

The overall goal of the Community Development Block Grant (CDBG), as a community planning and development program, is to develop viable urban communities by providing decent housing, a suitable living environment and expanding economic opportunities principally for low- and moderate-income persons.

Decent housing includes:

- appropriate housing for homeless persons;
- assisting those at risk of becoming homeless;
- increasing the availability of permanent housing in standard condition and affordable cost to low- and moderate-income families;
- increasing the supply of supportive housing to enable persons with special needs to live with dignity and independence; and
- providing housing affordable to low-income persons accessible to job opportunities.

A suitable living environment includes:

- improving the safety and livability of neighborhoods;
- increasing access to quality public and private facilities and services;
- reducing the isolation of income groups within a community or geographical area;
- the revitalization of deteriorating or deteriorated neighborhoods; restoring and preserving properties of historic, architectural or aesthetic value; and
- conservation of energy resources.

Expanded Economic opportunities include:

- job creation and retention;
- establishment, stabilization and expansion of small businesses;
- the provision of public services concerned with employment;
- availability of mortgage financing for low-income persons at reasonable rates using nondiscriminatory lending practices;
- access to capital and credit for development activities that promote the long-term economic and social viability of the community; and
- empowerment and self-sufficiency opportunities for low-income persons to reduce generational poverty in federally assisted and public housing.

## AP-38 Project Summary

2015-2016 Community Development Block Grant	
Care-A-Van Transit, Inc.	\$11,367.00
Center Against Sexual Assault (CASA)	\$14,626.00
Fair Housing Council of Riverside County, Inc.	\$30,715.00
COH Crime Free Multi Family Housing Program	\$55,000.00
<b>Total Public Services (15%)</b>	<b>\$111,708.00</b>
COH Code Enforcement - Hemet ROCS	\$180,000.00
COH Senior/Disabled Home Repair Program	\$150,000.00
COH Fire - Equipment Replacement	\$95,130.00
COH Engineering - ADA Ramps & Sidewalk Infill	\$282,273.80
<b>Total Housing/Public Facilities (65%)</b>	<b>\$707,403.80</b>
COH Planning & Administration of CDBG (20%)	\$148,945.00
<b>Total Allocation</b>	<b>\$968,056.80</b>

*Based on 2/10/15 HUD published Formula Grant Allocations \$744,726 + 2013/14 unexpended allocation \$223,330.80*

## **AP-50 Geographic Distribution – 91.220(f)**

### **Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

The City does not have any specified target areas for CDBG funding, although priority is given to the older City center area with high poverty (20% or more) census block groups which include 433.09, 434.01, 434.03, 434.04, 434.05, 435.03 and 435.07.

Only two tracts that are either high poverty or in the City center area do not overlap:

433.07 South of City center area; 27.6% poverty

435.05 City center area; 18.9% poverty.

## Affordable Housing

### AP-55 Affordable Housing – 91.220(g)

#### Introduction

Existing housing that receives governmental assistance represents one of the largest supplies of affordable housing in Hemet and other communities. The Housing Choice Voucher Program (Section 8) provides property owners guaranteed rental payments, equal to the HUD determined fair market rent, in return for renting units to very low income tenants. The owner receives tenant payments restricted to 30% of income and HUD pays the remaining rent. Hemet has three locations receiving project based Housing Choice Voucher assistance: Hemet Estates, Village Meadows Apartments, and Sahara Senior Village. The County of Riverside currently has 469 housing units that are located throughout the County, consisting of 17 apartment communities and 4 single family homes. In addition to specific properties that provide publicly project based subsidized housing, portable vouchers for rental assistance are provided to individual families. The Housing Authority of the County of Riverside, which administers both programs in Hemet, lists 1,037 Hemet residents as currently housed with assistance from the Section 8 Housing Choice Voucher Program or Affordable Public Housing Program. As of February 2014 there were 32,931 applicants on the public housing waiting list (including 908 in Hemet), of which 22,577 were extremely low-income, 7,435 were very low-income and 1,791 were low-income. A total of 14,903 applicants were on the Section 8 Housing Choice Voucher waiting list, of which 9,346 were extremely low-income, 4,250 were very low-income and 1,109 were low-income.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

**Table 2 - One Year Goals for Affordable Housing by Support Requirement**

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	0

**Table 3 - One Year Goals for Affordable Housing by Support Type**

## **AP-60 Public Housing – 91.220(h)**

### **Introduction**

Existing housing that receives governmental assistance represents one of the largest supplies of affordable housing in Hemet and other communities. The Housing Choice Voucher Program (Section 8) provides property owners guaranteed rental payments, equal to the HUD determined fair market rent, in return for renting units to very low income tenants. The owner receives tenant payments restricted to 30% of income and HUD pays the remaining rent. Hemet has three locations receiving project based Housing Choice Voucher assistance: Hemet Estates, Village Meadows Apartments, and Sahara Senior Village. The County of Riverside currently has 469 housing units that are located throughout the County, consisting of 17 apartment communities and 4 single family homes. In addition to specific properties that provide publicly project based subsidized housing, portable vouchers for rental assistance are provided to individual families. The Housing Authority of the County of Riverside, which administers both programs in Hemet, lists 1,037 Hemet residents as currently housed with assistance from the Section 8 Housing Choice Voucher Program or Affordable Public Housing Program. As of February 2014 there were 32,931 applicants on the public housing waiting list (including 908 in Hemet), of which 22,577 were extremely low-income, 7,435 were very low-income and 1,791 were low-income. A total of 14,903 applicants were on the Section 8 Housing Choice Voucher waiting list, of which 9,346 were extremely low-income, 4,250 were very low-income and 1,109 were low-income.

## **AP-65 Homeless and Other Special Needs Activities – 91.220(i)**

### **Introduction**

According to the Riverside County 2013 Point-in-Time Homeless Count and Subpopulation Survey (2013 PIT) there were 2,978 adults and children who were homeless in January 2013. As of February 2014, Riverside County's ESG Program had served 106 formerly homeless families and individuals with rapid re-housing assistance. Of those families, 20 actively participating families are scheduled to be discontinued from rental assistance and are nearing termination of that assistance.

The 2013 California Department of Social Services, Child Welfare 405 E Youth Exiting Care, reported 102 youth emancipated from foster care in Riverside County. The youth that remain in care under Extended Foster Care (AB12) have limited housing options. Many emancipated youth return to care commonly reporting they have been "couch surfing" and homeless.

In the City of Hemet 126 adults were identified by the 2013 PIT as unsheltered homeless, including 9 adults who had 9 unsheltered children with them, comprising seven unsheltered families. 53% or 67 unsheltered Hemet adults and 5 families were chronically homeless based on HUD's definition. 42% or 53 unsheltered Hemet adults had a mental health problem and 39% or 49 unsheltered Hemet adults had a physical disability. The 2013 PIT also reported 8 Hemet youth between the ages of 18 and 24 as unsheltered homeless.

The City of Hemet actively participates in the County of Riverside Continuum of Care to assess homeless needs and implement strategies to address those needs both locally and regionally.

Seniors have long been a major part of life in Hemet. Often times, seniors face declining mobility and self-care capabilities that create special housing needs and challenges for them. Many seniors, even those that own their own homes, face financial challenges because of limited incomes from Social Security and other retirement benefits. Many live alone and may have difficulty performing physical tasks, including home maintenance, climbing stairs or driving. Health care costs, availability and quality of housing may also be challenges for seniors.

According to the 2011 American Community Survey (ACS), 17,532 or 22% of persons in Hemet had a disability. Since the proportion of individuals with disabilities increases with age, Hemet's older population means a significant fraction of its residents have some kind of disability. Among the working-age population, more disabled persons are not employed and may have difficulty meeting their needs. As a result of these limitations, this group might require special housing accommodations and supportive services or financial assistance.

Most female-headed households are either single women over the age of 65, or single females (mothers or other female relatives) with minor children. According to the 2011 ACS, 14% of all households in Hemet were female-headed family households, 9.6% were female-headed households with minor children and 43% of these were living below the poverty level. Many of these households are paying more than 30% of their income for housing and face challenges in meeting their immediate needs such as food, clothing, transportation, medical care, child-care and home maintenance.

The Inland Empire HIV Planning Council (IEHPC) reported that in January 2013 there were 100 people

living with HIV or AIDS with in the City of Hemet and adjacent unincorporated area. Based on a 2005 IEHPC survey the largest barriers to services for persons living with HIV/AIDS were, in order, transportation, lack of providers and resources, homelessness and poverty. These barriers are relevant to Hemet residents with HIV/AIDS since there are no federally funded care providers in the City or San Jacinto Valley. The City of Hemet does not receive HOPWA funding.

## **AP-75 Barriers to affordable housing – 91.220(j)**

### **Introduction:**

Governmental, market, infrastructure, and environmental factors may limit the provision of adequate and affordable housing . These constraints may result in housing that is not affordable to lower and moderate income households, not readily available for households with special needs, or may cause certain types of residential construction economically infeasible for developers.

Nongovernmental constraints are those factors outside the local government control that limit the availability of housing and/or the feasibility of building affordable housing. The assessment of these constraints provides a basis for possible actions by the City to offset potential effects on the housing supply and cost. However, the City has little or no control over many of the nongovernmental factors that influence the cost and availability of housing.

## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

#### Introduction:

#### Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

- |   |    |
|---|----|
| 1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed   | =0 |
| 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan | =0 |
| 3. The amount of surplus funds from urban renewal settlements   | =0 |
| 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.   | =0 |
| 5. The amount of income from float-funded activities  | =0 |
| Total Program Income  | =0 |

#### Other CDBG Requirements

- |   |      |
|---|------|
| 1. The amount of urgent need activities | None |
|---|------|

## SECTION II: 2015-2020 FAIR HOUSING ACTION PLAN

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### A. INTRODUCTION

HUD's *Fair Housing Planning Guide* states:

Jurisdictions should summarize conclusions reached based on the AI, and describe in detail recommendations for resolution of the problems identified. This discussion is the link between the AI part of FHP [Fair Housing Planning] and the actions underway and proposed to promote fair housing choice.

Furthermore, the Affirmatively Furthering Fair Housing (AFFH) certification signed by the City obligates the City to:

Take appropriate actions to overcome the effects of any impediments identified through the AI.

Therefore, Section II - Hemet's *Fair Housing Action Plan* - describes the actions to overcome the impediments identified through completion of the *Analysis of Impediments to Fair Housing Choice (AI)*. Section II is a summary of the more detailed analysis of the public sector impediments which are described in Section VI and private sector impediments which are described in Section VII.

HUD advises entitlement jurisdictions to develop the AI and FHAP through a process similar to the development of the Consolidated Plan. More specifically, HUD recommends that:

Before developing actions to eliminate the effects of any impediments identified through the AI (fair housing actions), the jurisdiction should:

- Ensure that diverse groups in the community are provided a real opportunity to take part in the development process
- Create the structure for the design and implementation of the actions

Source: U. S. Department of Housing and Urban Development, *Fair Housing Planning Guide - Volume 1*, March 1996, pages 2-21 and 2-22

Key elements of the process through which the recommended implementation actions were developed included a public consultation and participation program.

### B. PUBLIC CONSULTATION AND PUBLIC PARTICIPATION PROGRAM

The City conducted a Fair Housing Survey as a means of soliciting public input. The key findings of the Survey are noted below:

- 60% of the respondents were homeowners and 40% were renters
- 45% of the households had children and 55% did not
- 45% of the respondents stated they have a disability
- 19% of the respondents stated they had or thought they had experience housing discrimination
- The primary alleged discriminatory act was "would not allow me to modify my apartment"

## **SECTION II: 2015-2020 FAIR HOUSING ACTION PLAN**

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- Respondents revealed a lack of knowledge regarding agencies to which they should report housing discrimination as more people stated the Housing Authority of the County of Riverside than the Fair Housing Council of Riverside County, Inc.

During the development of the *AI* and *Fair Housing Action Plan* the City also consulted with the Fair Housing Council of Riverside County, Inc., HUD-LA and HUD-San Francisco.

Additional public input will be obtained during the public review period for the *Draft AI* and *Fair Housing Action Plan*.

### **C. SUMMARY OF THE ANALYSIS OF PRIVATE SECTOR IMPEDIMENTS AND FAIR HOUSING ACTION PLAN**

#### **1. Housing Discrimination**

Based on past trends, 200 housing discrimination cases may be filed by Hemet residents with the FHCRC during the five year period between FY 2015-2016 and FY 2019-2020. During the same period, it is estimated that 20 housing discrimination cases may be filed with DFEH and 30 with HUD.

With respect to the fair housing impediment of housing discrimination, the following actions should be taken:

- The City should continue to offer to its residents fair housing services which will include the processing of housing discrimination complaints and landlord/tenant counseling services. Often a landlord/tenant issue has as its basis a housing discrimination concern.
- Efforts also should be made to increase community awareness of the Fair Housing Council of Riverside County, Inc. (FHCRC) services through, for example, postings on the City's web pages and publication of newspaper display ads. A greater community awareness of the FHCRC may result in more residents becoming aware that there is a local agency to which they can report possible housing discrimination.
- Support the efforts of the FHCRC to develop and expand an education program for housing providers, community organizations, and the general public regarding housing discrimination, fair housing laws, and options available for individuals who have been victims of discrimination.

#### **2. Brokerage Services**

Brokerage services as defined by the 1968 Federal Fair Housing Act pertain to having equal access to membership and participation in an Association of REALTORS and the MLS. The Southwest Riverside County Association of REALTORS (SRCAR) application process does not inquire about the characteristics of the applicant other than license status and experience. Consequently, there are no overt actions to prevent membership by individuals who belong to one or more of the protected classes.

As no private sector impediment was found to exist, no recommendations are necessary concerning brokerage services. Moreover, the City has no authority to mandate revisions to SRCAR's application process for membership or its MLS, Bylaws, and Code of Ethics.

## SECTION II: 2015-2020 FAIR HOUSING ACTION PLAN

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The City and FHCRC could offer the following services to the Southwest Riverside County Association of REALTORS:

- Teach the 3-hour Fair Housing course that REALTORS and sales persons must complete when they renew their license every four years.
- Provide noteworthy written material to the SRCAR if it adds a Fair Housing News button to its webpage.

### 3. Steering

Steering is prohibited by Sections 804(a) and 804(f)(1) of the Federal 1968 Fair Housing Act. An example of a steering is a REALTOR deliberately guiding potential purchasers toward or away from certain neighborhoods because of membership in a protected class (e.g., race, color, national origin).

Steering may adversely impact homebuyers in their search process and when they apply for a loan. Steering also may adversely impact in-place renters and rental apartment seekers. Corrective actions have been taken by the Federal and State governments regarding loan steering so that abuse may not happen in the future as frequently as it occurred in the early to mid-2000s. However, the steering of apartment seekers is likely to continue, although it is not possible to measure its frequency.

During the five-year period from FY 2015-2016 through FY 2019-2020, the City's fair housing provider - FHCRC - should.

- Offer as part of its home buyer counseling services examples of how to detect "steering" during the home search process and how to detect "loan steering."
- Provide information to renters attending workshops on how to detect steering behavior by resident property managers.
- Add a "steering" category to the categories of alleged housing discriminatory acts.

### 4. Appraisal Practices

Complaints regarding discriminatory appraisal practices are not routinely collected by the FHCRC, State or Federal agencies. Would-be homebuyers are in the best position to detect potentially discriminatory practices.

The following action should be taken:

- FHCRC should add "how to read an appraisal report" to its homebuyer counseling services in order to 1) inform borrowers of their right to request the appraisal report and 2) provide information on the contents of the report and how to detect possible discriminatory practices.

### 5. Lending Practices

The City's goal is to improve the loan approval rates of all racial and ethnic populations that want to buy a home located in Hemet. To improve even further the loan approval rates, borrowers can be helped to understand the loan approval process *before* they submit a loan application.

## **SECTION II: 2015-2020 FAIR HOUSING ACTION PLAN**

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The number one known reason why borrowers are denied approval of a loan application is an excessive debt-to-income ratio. Many of these borrowers should not be making loan applications until after they have their debts under control. Loan denial rates can be reduced by providing all homebuyers, but especially first time homebuyers, with information of the loan application and approval process.

To address the issues, concerns and impediments, the City should consider having the FHCRC implement the following actions:

- Annually compare the loan denial rates of White, Non-Hispanic and Hispanic borrowers. If a disparity exists and continues, lenders should be contacted to resolve any outstanding issues.
- Continue to offer first-time home buyer seminars to explain to borrowers the need to lower debt-to-income ratios to a level acceptable to lenders. Implementation of this recommended action should result in better prepared borrowers and cause an increase in loan approval rates of all loan applicants, regardless of race or ethnicity.

### **6. Homeowners Insurance**

According to a the California Department of Insurance Statistical Analysis Division report entitled 2011 Commissioner's Report on Underserved Communities, Hemet is not an underserved community. The underserved communities in Riverside County are Coachella (zip code 92236) and Mecca (zip code 92254).

The following actions should be taken:

- The City should request that the FHCRC add "homeowners insurance" and "CLUE Reports" to its homebuyer counseling services.
- The FHCRC should provide educational services to home buyers/borrowers so they understand the impact of CLUE Reports and can compare homeowner's premium rates.

### **7. Apartment Management Practices**

The results of the apartment and mobile home park/RVP surveys reveal a high degree of compliance with fair housing laws. In light of the survey findings, however, the City will take the following actions to affirmatively further fair housing:

- Explore with the FHCRC, Department of Building and Safety, and apartment managers the preparation of an inventory of apartment units with accessible features.
- Following completion of the inventory, encourage the apartment management to advertise the availability of accessible units.
- Have the FHCRC follow-up with the surveyed apartment communities that implement practices which are not entirely consistent with the fair housing laws.
- Transmit to apartment managers a summary of the fair housing laws pertaining to reasonable physical modifications, reasonable accommodations, service animals, and companion animals.
- Distribute to apartment managers a model set of written policies and procedures regarding reasonable physical modifications, reasonable accommodations, service

## SECTION II: 2015-2020 FAIR HOUSING ACTION PLAN

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animals, and companion animals. Implementation of this action will contribute to the achievement of uniform policies and procedures throughout the Hemet apartment market.

- In order to increase knowledge of fair housing laws, annually conduct one or more workshops with the target audience being apartment managers.
- Continue to involve the FHCRC in the City's Crime-Free Rental Housing Program. During the 8-hour training class, the FHCRC is able to impart valuable fair housing information to rental property owners and managers.
- Provide renters information on the value of long-term leases rather than month-to-month tenancies at Fair Housing Workshops and other appropriate venues.

### 8. Discriminatory Advertising

Ads containing discriminatory words or phrases are infrequently published. However, ads with discriminatory words or phrases may be published in the future. Additionally, ads stating "no pets" may discourage disabled persons from applying for the apartment housing advertised in print publications.

Based on the above findings, the City should consider having the FHCRC implement the following actions:

- Semi-annually review ads published in newspapers, on-line apartment search sites, and craigslist. Ads with discriminatory words or phrases should be investigated in more detail with follow-up enforcement actions, if necessary.
- Encourage the Press Enterprise to publish a Fair Housing Notice indicating that it does not knowingly publish an advertisement "that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin." The notice also should indicate that if the reader has a fair housing concern, the Fair Housing Council of Riverside County, Inc. should be contacted.
- Encourage the Press Enterprise to publish a concise "no pets" notice that indicates rental housing owners must provide reasonable accommodations for "service animals" and "companion animals" for disabled persons.

### 9. Hate Crimes

Based on past trends, it is estimated that 20 hate crime events may occur in Hemet during the five-year period from 2015 to 2020. It is estimated that the location of seven of the events may happen at residence/home/driveway.

The International Association of Chiefs of Police has explained that -

Police officers and investigators have important roles to play in responding to hate incidents and hate crimes. By doing the job efficiently and carefully, police can reinforce the message that hate crimes will be investigated aggressively, thus enhancing the likelihood of a successful prosecution.

The Association has recommended that after taking immediate action, police officers should:

Refer the victim to support services in the community and provide written resource lists when possible.

## SECTION II: 2015-2020 FAIR HOUSING ACTION PLAN

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Source: International Association of Chiefs of Police, *Responding to Hate Crimes: A Police Officer's Guide to Investigation and Prevention*, 2013, 9 pages

The CDBG Division should prepare a Hate Crime Victims Resource Directory. When that Directory is completed it should be transmitted the Police Department to use as a referral resource.

### D. SUMMARY OF THE ANALYSIS OF PUBLIC SECTOR IMPEDIMENTS AND FAIR HOUSING ACTION PLAN

#### 1. Introduction

For purposes of identifying potential public sector impediments, the City of Hemet responded to a *Survey of Planning Policies and Practices, Zoning Regulations and Building Code Standards That May Pose an Impediment to Fair Housing Choice*. HUD-LA has approved its use as a means of identifying public sector fair housing impediments caused by a jurisdiction's planning policies and practices, zoning regulations and building code.

The Survey has a particular focus on land use and zoning regulations, practices and procedures that can act as barriers to the situating, development, or use of housing for individuals with disabilities. However, it also touches on areas that may affect fair housing choice for families with children or otherwise serve as impediments to full fair housing choice. In identifying impediments to fair housing choice, the survey looks to distinguish between regulatory impediments based on specific code provisions and practice impediments, which arise from practices or implementing policies used by the City. The 24 questions comprising the Survey are organized into five categories:

- Housing for Disabled People
- Housing for Special Needs Populations
- Affordable Housing Policies
- Accessible Housing and Parking
- Other Fair Housing Policies

Attachment A in Section VI presents the details of the public sector impediments analysis. The review of Planning, Zoning Ordinance and Building Code policies and practices found only three minor impediments.

#### 2. Summary of AI Recommended Actions

The responses to the review questions clearly indicate that Hemet's practices are consistent with fair housing laws and affirmatively further fair housing. A summary of the recommended actions is presented below.

- Update Zoning Ordinance Disability Definition:** The City obtained advice on the most appropriate "disability" definition from the HUD-LA office and the Fair Housing Council of Riverside County, Inc. (FHCRC). HUD-LA Staff advised the City that the disability definition should mirror the State fair housing laws because they provide broader protection than the federal Fair Housing Act (FHA). One example is that the FHA states "substantially limits" whereas State law references "limits."

## SECTION II: 2015-2020 FAIR HOUSING ACTION PLAN

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The City will amend the current definition of disability to add a reference to State fair housing laws when the Zoning Ordinance is next amended to incorporate this definition and any other necessary updates. (for more details see Section VI, page 7)

- ❑ **Add Alcoholism and Drug treatment Facilities to the list of Licensed Small Group Homes:** Licensed residential care facilities providing housing for six or fewer disabled persons are allowed by right in all residential zones that permit single family homes. The Zoning Ordinance does not list alcoholism and drug treatment facilities (Health and Safety Code Section 11834.23) as a "small licensed residential care facility." When the Zoning Ordinance is next amended, this residential facility should be added to the list of uses that fall within the meaning of a small licensed residential care facility. (for more details see Section VI, pages 9 and 10)
- ❑ **Implement Housing Element Recommendation Regarding Transitional Housing and Supportive Housing:** Program H-1e of the adopted and state-certified *2013-2021 Housing Element* states that the Zoning Ordinance will be revised to comply with State law regarding supportive housing and transitional housing. In addition, Program H-1e will amend the Zoning Ordinance to include definitions for "target population," "transitional housing," and "supportive housing" consistent with Government Code 65582.

The Zoning Ordinance, when amended, will permit by right transitional and supportive housing in residential zones pursuant to State law requirements, and such housing will be subject to those restrictions that apply to other residential dwellings of the same type in the same zone. Consequently, any potential impediment to fair housing choice will be removed following the Zoning Ordinance amendments. (for more details see Section VI, page 11)

- ❑ **Make the Community Aware of the Reasonable Accommodation Procedure:** The HUD-Department of Justice joint statement on reasonable accommodations recommends that: "The local government should also make efforts to insure that the availability of such mechanisms is well known within the community." Based on the HUD-DOJ recommendation, the Community Development Department will consider including the application for a Reasonable Accommodation in the CDD Applications and Forms page. Also, it will consider preparing a brochure or flyer describing the Reasonable Accommodation Procedure such as the "Service Animals at Your Place of Business - Commonly Asked Questions" brochure and the "City of Hemet ADA Public Notice." (for more details see Section VI, page 15)
- ❑ **Senior Housing Age Threshold:** The Zoning Ordinance contains provisions which enable the City to ensure that senior housing complies with the state and federal fair housing laws. The Zoning Ordinance provisions have not impeded the development of senior housing. However, Section 90-1083 of the Zoning Ordinance, which describes the minimum requirements for senior developments, should be amended to reference the Housing for Older Persons Act (HOPA) 62 years of age and older threshold. (for more details see Section VI, page 22)