



AGENDA

REGULAR MEETING OF THE HEMET CITY COUNCIL

September 22, 2015

REGULAR SESSION

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

Call to Order

Roll Call

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

Invocation

Pledge of Allegiance

City Council Business

Notice to the Public

The Consent Calendar contains items which are typically routine in nature and will be enacted by one motion by the Council unless an item is removed for discussion by a member of the public, staff, or Council. If you wish to discuss a Consent Calendar item please come to the microphone and state the number of the item you wish to discuss. Then wait near the lecture. When the Mayor calls your turn give your last name, and address, then begin speaking. You will have three minutes at that time to address the Council.

Consent Calendar

1. **Approval of Minutes** – September 8, 2015
2. **Receive and File** – Warrant Registers
 - a. Warrant registers dated September 3, 2015 in the amount of \$2,088,668.46 and September 9, 2015 in the amount of \$2,686,542.20. Payroll for the period of August 17, 2015 to August 30, 2015 was \$828,141.23.
3. **Recommendation by Community Development** - Municipal Code Amendment (MCA) No. 15-003
 - a. Adopt an ordinance adding Article XII to Chapter 14 (Buildings and Building Regulations) of the Hemet Municipal Code to provide an expedited permitting process for small residential rooftop solar systems, as mandated by State Assembly Bill No. 2188. **Ordinance Bill No. 15-046**

4. **Recommendation by Library** – Office supplies for the Hemet Public Library
 - a. Approve the transfer of \$30,000 for office supplies for the Library using interest from the LaSalle Endowment.
 5. **Recommendation by Fire** – California ShakeOut Drill October 15, 2015
 - a. Adopt a resolution ordering full City of Hemet Department and employee participation in the Great California ShakeOut on October 15, 2015 at 10:15 a.m.
Resolution Bill No. 15-049
 6. **Recommendation by Public Works** – Second Amendment to Agreement for Consultant Services with CarteGraph Systems, Inc.
 - a. Approve the Second Amendment to Agreement for Consultant Services with CarteGraph Systems, Inc. to update the Scope of Work and repurpose remaining contract dollars to provide additional onsite Operations Maintenance System (OMS) platform training; and
 - b. Authorize the Interim City Manager to execute the Second Amendment.
 7. **Recommendation by Public Works** – Purchase Order for Pipeline Materials to HD Water Works Supply
 - a. Authorize award of purchase order to HD Water Works Supply for annual pipeline materials in the amount of \$190,000 for FY15/16; and
 - b. Authorize the Interim City Manager to execute a purchase order in support of this award.
 8. **Recommendation by Police Department** - 2015/16 CA Office of Traffic Safety – Selection Traffic Enforcement Program (STEP) Grant
 - a. Accept the 2015/16 California State Office of Traffic Safety (OTS) Grant in the amount of \$134,833; and
 - b. Upon receipt of the award, authorize the finance department to establish an expenditure account and budget for the grant performance period.
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Communications from the Public

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

****Notice: Members of the Public attending shall comply with the adopted Rules of Decorum in Resolution No. 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.

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.

9. **Establishing Water Rates and Sewer Rates** – Public Works Director Jensen
 - a. Conduct a public hearing/protest meeting to consider public testimony and property owner/rate payer objections to the proposed water and sewer rate adjustments; and
 - b. Address any objections or protests received; and
 - c. Adopt a resolution establishing new water rates for customers of the Hemet Water Department and superseding Resolution 4138; and
 - d. Adopt a resolution establishing new sewer rates for customers of the Hemet Sewer Department and superseding Resolution No. 4057.
Resolution Bill No. 15-050 and Resolution Bill No. 15-051

 10. **Amending Hemet Municipal Code Section 2-379** - Deputy City Manager/Administrative Services Director Hurst
 - a. Conduct a public hearing; and
 - b. Introduce, read by title only and waive further reading on a ordinance amending section 2-379 of the Hemet Municipal Code relating to User Fees.
Ordinance Bill No. 15-047
-

Discussion/Action Item

11. **Technology Enhancements at the Hemet Public Library** – Senior Librarian/Library Manager Caines
 - a. Approve the use of \$70,000 from Development Impact Fees for the purchase of two additional self-checkout machines, update existing self-checkout machines bringing them to current Windows 7 standards and to purchase two additional sorting modules.
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City Council Reports

12. 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 (June 11, 2013)
 - 2. Regent Development Agreement Ad-Hoc Committee (December 10, 2013)
 - 3. Diamond Valley Lake Recreation Ad-Hoc Committee (January 27, 2015)
 - 4. Public Safety Ballot Measure Ad-Hoc Committee (January 27, 2015)
 - 5. Ad-Hoc Committee to Explore Revenue Options (May 26, 2015)
 - 6. Grant Ad-Hoc Committee (June 23, 2015)

 - G. Interim City Manager Thornhill
 - 1. Manager's Reports
 - 2. City Council Meeting Schedule for November and December 2015
-

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.

13. Conference with Legal Counsel - Anticipated Litigation
One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)
 14. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: Interim City Manager
Employee organization: *Hemet Fire Fighters Association*
-

City Attorney Closed Session Report

15. Conference with Legal Counsel - Anticipated Litigation
One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)
 16. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: Interim City Manager
Employee organization: *Hemet Fire Fighters Association*
-

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.

Adjournment

Adjourn to Tuesday, October 13, 2015 at 7:00 p.m. for consideration of items placed on that agenda. The next regular meeting will be held October 27, 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.



#1

MINUTES

REGULAR MEETING OF THE HEMET CITY COUNCIL

September 8, 2015

6:00 p.m.

City of Hemet Council Chambers
450 E. Latham Avenue

www.cityofhemet.org

Please silence all cell phones

Call to Order

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

Roll Call

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

ABSENT: Council Members Raver and Youssef

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

Work Study

Discussion regarding these items, with possible direction to staff

1. Anaerobic Digestion Facility Presentation – Alex Braicovich, CR&R

Alex Braicovich, CR&R, we are here to give you a brief presentation on an Anaerobic Digestion Facility that is under construction at CR&R's Perris facility. At build out this facility will take 335,000 tons of organic waste which includes green waste, food waste and compostables. This is the first facility of its kind in the United States using this technology. There are a number of smaller facilities in Europe. Mr. Braicovich explained the "Evolution of Solid Waste Management". In the 1970's, trash bags and cans of refuse were sent to landfills. In the 1980's, recycling efforts started and recycled materials were sorted. By the 1990's, Material Recovery Facilities were started. Now in the 2010's, we have Anaerobic Digestion Facilities.

Mike Silva, CR&R, recognized CR&R's partners on the project Eisenmann Company, Greenlane, Lyles Construction Group and JRM&A. The Anaerobic Digestion will convert all of the organic (yard and food) wastes into fertilizer and renewable natural gas (RNG) to run CR&R's truck fleet. This program will keep all of the city's organic waste out of the landfill, where they would naturally degrade and release methane into the atmosphere. Methane is 26 times more damaging to the atmosphere than carbon dioxide. Compressed Natural Gas (CNG) is the cleanest burning fossil fuel. Anaerobic digestion (AD) is simply replicating Mother Nature in a more controlled and cost effective environment. Organic solid and organic liquid waste are put in the Main Digester. Some of the material goes to the Final Storage/Post Digester, the other material goes to the Pump. The Material that goes to the Pump is put in a separator with some material going to the Final Storage/Post Digester and some going to the Digestate Solids. Material from the Final Storage/Post Digester is separated to the Gas Upgrading and eventually fuel for the CNG Refuse Truck. The other material becomes Liquid

Soil Amendment. The material that went to the Digestate Solids becomes Solid Soil Amendment. The facility and the processing runs 24/7 365 days a year and is fully automated. The process provides maximum flexibility up to four different mixes and temperatures can be run simultaneously. No other facility in the U.S., operating or planned, can match CR&R's capabilities due to their exclusive technology contracts with Eisenmann and Greenlane. CR&R's process is full enclosed with zero untreated emissions and has the highest energy conversion rate in the industry due to its design and controls. The plant will handle 335,000 tons per year, generate 4 million gallons per year (GDE) of RNG, and create about 260,000 tons of fertilizer both liquid and solid per year. The plant will use "recycled" water from the local waste water treatment plant. An aerial picture of the Facility was displayed. Financial incentives include: Assembly Bills 1594 & 1826 Organics Management; Assembly Bill 32 Green House Gas Reduction; Assembly Bill 341 75% Recycling; Carbon Credits; Excise and Sales Tax Rebate; Low Carbon Fuel Standard; RIN Credits; CEC Grants \$4,520,00 Phase I; ACMD Grants \$500,000 Phase I; and CalRecycle \$3,000,000 Phase 2. Organics Management Overview: Landfilling – 75% Energy Recovery, 75% Emissions Capture and 0% Nutrient Recovery; Composting – 0% Energy Recovery, 0% Emissions Capture and 100% Nutrient Recovery; and Anaerobic Digestion – 100% Energy Recovery, 100% Emissions Capture and 100% Nutrient Recovery. This is "The Most Cost Effective, Environmentally Intelligent, and Sustainable Organics Management System."

Mayor Krupa, asked where CR&R is in the project.

Mr. Silva, Phase I should be complete by December 2015 which includes electrical and plumbing for the entire project. Phase II will catch up quickly after that.

The City Council and Mr. Braicovich discussed special instructions for the customers. Free kitchen pails will be available upon request. The City Council and Mr. Braicovich also discussed the available RIN Credits and how they will be applied.

Council Member Milne, asked what the rate increase will be for the customers.

Mr. Braicovich, the rate for residential is an additional \$1.98 per month for home. CR&R has sought all of the available funding. That increase is about \$0.06 per day.

Mayor Pro Tem Wright, asked about CR&R fleet and if current vehicles will be retrofit.

Mr. Braicovich, approximately 40% of the current fleet is natural gas and we will continue to convert as new vehicles are purchased. The existing gas vehicles will not be retrofit.

The City Council thanked CR&R for their presentation and congratulated them on this facility.

2. Update on HERO Program - Rick Bishop, WRCOG

Rick Bishop, WRCOG, HERO is the leading Energy Efficient Financing program in the nation. The HERO program provides financing to property owners to improve their homes and businesses with energy efficient, renewable energy, and water conserving improvements. Funding is paid back through property taxes over time. State legislation (AB 811) enables this Program. WRCOG initiated the HERO Program in December 2011 for its members. WRCOG expanded its Program (called California HERO) to allow other cities and counties in the State to participate. Currently there are 263 cities and counties participating and counting. Program benefits for Western Riverside County are: creates and retains jobs; provides a mechanism to retrofit thousands of properties and achieve significant energy savings; creates water/energy certainty to allow for future growth; and results in air quality improvements and greenhouse gas emission reductions. Examples of eligible improvements: heating and air conditioning; cool roofs; natural gas storage water heater; tankless water heater; windows and glass doors; outside irrigation; insulation; window film; home sealing; lighting control systems; solar

thermal systems (hot water); solar thermal systems for pool heating; photovoltaic systems; and low flush toilets. Between January 2012 and August 31, 2015 38,730 applications were submitted and 25,838 applications were approved in Western Riverside County a 66.7% approval rate. 15,680 projects have been completed for a total of \$293+ million dollars. That equates to: \$508+ million economic impact; 2,495 jobs created and/or retained; 34,330 tons of GHG reductions; \$16.7+ million utility bill savings; and 66+ GWh savings. Cumulative Property Owner Complaints since May 1, 2013: 107,544 applications received with 106,981 with no complaints for 99.47% property owner satisfaction. 188 or 0.17% of the property owners voiced major complaints and 375 or 0.35% of the property owners voiced minor complaints. Of the 188 major complaints one still needs resolution. Issues were addressed by the Associations of Realtors. Concerns with consumer protection and form disclosures, regulatory scrutiny, FHFA resolution and property value increase claims. WRCOG provided responsive information and attended various state and local Association of Realtors meetings. WRCOG partnered with the realtor groups to exchange information and develop improvements. A joint statement was signed by the Inland Valley, Inland Gateway, and the Southwest Riverside County Associations' of Realtors, and WRCOG stating: "We are encouraged that our efforts are pointing toward specific, constructive, and responsive solutions – some of which have already been introduced in recent weeks." HERO has addressed the realtor concerns by: updated consumer protections; created "HERO Property Advisors" to assist Realtors with transactions; created improved disclosures; launched "HERO Protect" to investigate and resolve contractor issues; eliminated pre-payment penalties; send the preliminary title to the listing agents when a house goes on the market; and created a subordination agreement. HERO updated the following consumer protections: registered contractors; CSLB confirmation, insured, bonded; contractor training; identity verification; in good standing; product eligibility check; fair pricing; permits required; terms confirmation; paid upon job completion; and dispute resolution. HERO offers more consumer protection than other payment options. Addition consumer protection includes: product requirements; contractor requirements; fair pricing requirements; permit requirements; funding provided only upon successful completion of project and homeowner sign off; pre- and post-funding dispute resolution; and protection for seniors. HERO Property Advisors staff members have experience as prior realtors, brokers, and title/escrow agents. HPA assists before, during and after with: property transactions; title document searches; and subordinations and payoffs. HPA offers Realtor training events.

Council Member Youssef arrived at 6:32 p.m.

Mr. Bishop, we have created improved disclosure forms that clearly outline the HERO Program costs and fees, including definition of the fees. The forms break out the interest accrued before their first payment. The forms require a property owner to initial next to the financing terms, interest rate and Estimated Annual Property Tax Bill Amount. They also require the property owner to initial next to 3 important sections to ensure the homeowner understands the HERO program and how they make HERO payments. HERO created a subordination agreement that says that HERO will: subordinate on a purchase to the new 1st mortgage; remain as a tax assessment; and relinquish the right to proceed and to initiate foreclosure. There have been 35 successful subordinations thus far. August 26, 2015, the White House and Federal Housing Agency (FHA) recognized PACE as an innovative policy that can unlock alternative sources of capital to accelerate renewable energy and efficiency retrofits for households, and reduce energy costs for consumers. The FHA will make financing available for single family homes with existing subordinated PACE loans, as long as they meet

certain conditions. The HERO Program presently meets/exceeds the minimum conditions that FHA is examining. About 30% of program loans are for solar, water saving improvements are increasing due to the Governor's support of the program. The criteria for eligibility is: current on mortgage and taxes; 10% equity; and no bankruptcy for 7 years. The other PACE programs are newer and are great for competition. Mr. Bishop recommended that the program track records, protections, financing and oversight of their program be considered when making the decision to participate. Local jurisdictions might let them mature elsewhere. The argument about competition is a good one as long as the perimeters are consistent.

Mayor Pro Tem Wright, with regard to the realtor issue is it correct to say that a home seller needs to work with a lender that is familiar with this issue.

Mr. Bishop, that would be the key, however it is not known early on to make that decision. The way to overcome this is the Subordination Agreement and this agreement will be retroactive. Regardless of the FHA Directive this issue should go away quickly.

Barbara Spoonhour, when a property goes on the market we reach out with the title report and offer help.

Council Member Milne, asked if the complaints are just in Riverside County and the nature of the complaints. Council Member Milne also requested that a member of the Board of Realtors come address the City Council from their perspective.

Mr. Bishop, the complaints are for the entire program area. The nature is all over the map: pricing, contractor and forms. We do follow up on complaints and as a result have removed about 60 contractors from our program.

Walter Wilson, WR Board of Realtors, the big issue has always been the subordination clause. The Realtors have always supported the program. Concern was expressed with the lack of disclosures and that was worked out with WRCOG. As of yet, I have not seen a reconveyance with any of the loans from the County. We are ready for FHA, Freddie Mac and Fanny Mae, to fix their documents.

Council Member Youssef, asked about the current lawsuits or class action suits.

Mr. Bishop, there is no litigation against WRCOG and the program. There are some between property owners and contractors. We started HERO Protect which enhances our customer's protection.

Council Member Youssef, asked if residents can apply for multiple loans through the HERO Program

Ms. Spoonhour, as long as the resident can meet the criteria they may obtain multiple loans.

Mayor Krupa, asked if the program only applies to residential or small businesses or commercial property owners apply.

Ms. Spoonhour, \$2.2 million in Projects have been approved for commercial projects. Certain rules apply, such as all members of an LLC must qualify and sign. Loans can be granted for up to 20% of the property value and are still required to have 10% equity on the property.

Mayor Krupa, glad to see WRCOG and the Realtor Associations working together for the benefit of the property owners.

3. Proposed TUMF Increase - Rick Bishop, WRCOG

This item was not discussed at this time.

The City Council recessed at 6:53 p.m. to the Regular Session.

Closed Session was continued to the end of the Regular Session.

Closed Session

4. Conference with Legal Counsel - Anticipated Litigation
One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)

 5. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(d)(1)
Names of case: *Norman, et. al. v. Charles Webb, III, et. Al.*
RSC Case No. MCC1301868

 6. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: Interim City Manager
Employee organization: *Hemet Mid-Managers Association*
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REGULAR SESSION

7:00 p.m.

City of Hemet City Council Chambers
450 E. Latham Avenue

Call to Order

Mayor Krupa called the meeting to order at 7:03 p.m.

Roll Call

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

ABSENT: Council Member Raver

Council Member Youssef moved and Council Member Milne seconded a motion to excuse Council Member Raver. Motion carried 4-0.

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

Invocation

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

Pledge of Allegiance

Pledge of Allegiance was led by Council Member Youssef

Continued to the end of the Regular Session

City Attorney Closed Session Report

7. Conference with Legal Counsel - Anticipated Litigation
One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)
 8. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(d)(1)
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 9. Conference with Labor Negotiators
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Agency designated representatives: Interim City Manager
Employee organization: *Hemet Mid-Managers Association*
-

City Council Business Consent Calendar

10. **Approval of Minutes** – August 25, 2015
11. **Receive and File** – Investment Portfolio as of July 2015
12. **Receive and File** – Warrant Register
 - a. Warrant register dated August 20, 2015 in the amount of \$1,091,404.12.
Payroll for the period of August 3, 2015 to August 16, 2015 was \$671,314.52.
13. **Recommendation by Housing** – Agreement for Services – New Turtle Island
 - a. Authorize the Interim City Manager to enter into a three year Agreement for Services not to exceed \$40,000 per year with New Turtle Island (N.T.I.) for Housing Program support services; and
 - b. Authorize the finance division to establish an appropriation in the amount of \$40,000 in account 245-8225-2400 for the CalHOME 2011 Grant.

Item No. 13 was removed from the Consent Calendar. **Council Member Youssef moved and Mayor Pro Tem Wright seconded a motion to approve the remaining Consent Calendar items as presented. Motion carried 4-0.**

Item No. 13

Council Member Milne, requested clarification for the public.
Edna Lebron, Housing Technician, since the reduction in Housing Division staff in 2011, the City has contracted out for assistance in administering the CalHOME and CDBG Programs. The cost to administer these programs is paid for by the grants.

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

Communications from the Public

Marie McDonald, Hemet, asked about certificates for residents that turn 100. Ms. McDonald told the City Council about two Hemet residents that recently turned 100.

Mayor Krupa, the City will do a proclamation, please gather life facts about both residents and contact the City Manager's office. Arrangements will be made for the proclamations to be presented by a member of the City Council.

Melissa Diaz Hernandez, Hemet, expressed concern that the City Council is not trying to reach out and engage the community and recommended that more of an effort be made by the entire City Council. In January, the City Council talked about holding town hall meetings and that hasn't happened yet. Ms. Diaz Hernandez feels that there is no follow through unless the City Council is forced to. Ms. Diaz Hernandez expected a report to be given tonight regarding an August 26th Economic Development meeting. Ms. Diaz Hernandez also expressed concern with the Downtown Revitalization Committee's lack of knowledge of the races that make up the demographics. The "State of the City" flyer did not have enough information. The residents should not be required to pay for the event since there are corporate sponsors and the event should be held when the majority of the residents could attend.

Daryl Terrell, Moreno Valley, explained his understanding of the City's fiscal challenges and noted that they are similar to Moreno Valley's. The City has done all of the right things. Yet despite those efforts, the expenditures outweigh the revenues. You have to try something new. Over the past few months, I presented options to the County Board and the City of Beaumont. Riverside County has adopted some of my ideas. Mr. Terrell left a binder titled "A Way Forward" that includes 13 ideas for the City Manager to review.

Discussion/Action Item

14. **Third Amendment to Exclusive Franchise Agreement for Comprehensive Refuse Services with CR&R Incorporated** – Public Works Director Jensen
 - a. Approve the Third Amendment to Exclusive Franchise Agreement for Comprehensive Refuse Services with CR&R Incorporated ("Third Amendment"); and
 - b. Authorize the Interim City Manager to execute the Third Amendment.

Kris Jensen, Public Works Director, this is a third amendment to the Franchise Agreement with CR&R. The amendment addresses some of the program changes that were explained during the workstudy on the Anaerobic Digestion Facility. This amendment brings the City into compliance with AB 1826 which mandates organic waste recycling for commercial customers. In order to do that, the City has to have a program in place by January 1, 2016. The Franchise Agreement currently only recognizes green waste in the definition of organic waste. The amendment will expand the definition to meet state law. This amendment will authorize the single family food waste program. By early adoption of this program we will have the opportunity to begin educating our customers of future mandates. The amendment

established a one-time cost for additional kitchen waste pails upon request. It updates the current green waste processing fees. The rates will not go into effect until the Anaerobic Digester is in operation and our materials are being processed through that facility which is anticipated the first quarter of 2016.

The City Council and staff discussed the state mandates. If the City still operated the refuse the rates would have to be raised to participate in a facility of this type.

Council Member Youssef, this is a great example of a private/public partnership. CR&R is on the forefront of this technology so far ahead of the curve. This facility will benefit the consumers for a very reasonable charge. I had the opportunity to tour this state of the art facility.

For the sake of the audience that was not present for the workstudy session. Mr. Braicovich and Mr. Silva gave the powerpoint presentation regarding the Anaerobic Digestion Facility again.

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

15. Retiree Medical Benefit Incentive Program - Interim City Manager Thornhill

- a. Adopt a resolution authorizing an incentive payment program through September 30, 2015 for retirees enrolled in the Aetna Managed Choice and Traditional Choice Plans and authorize the City Manager to implement an orderly wind-down and termination of these two plans by September 1, 2016.

Resolution No. 4642

Gary Thornhill, Interim City Manager, 20 years ago the City entered into retiree medical agreements when good medical insurance plans were provided at a low cost. The costs associated with these Cadillac plans went off the charts for a number of reasons. The escalating cost of provide medical to the retirees has been a concern for years. If we continue down this path the City would be out of business in two years. That is why this Incentive Program is so significant. There are a small number of retirees that enjoy the Cadillac plans, however the cost is huge. We have met with the affected retirees and they understand this is unsustainable. This is the City's biggest fiscal issue next to PERS.

Jessica Hurst, Deputy City Manager/Administrative Services Director, Citywide medical cost was \$3.5 million for 2015 by 2020 that cost is estimated to be \$9.2 million with the current plans in place. The budget for 2016 is \$4.2 million. A graph showing the Annual Cost of Medical Plans by plan was displayed. Annual cost for: MC and TC is \$41,951; Aetna HMO \$21,876; Aetna Basic HMO \$15,185; Kaiser \$19,231; Aetna Medicare \$3,469 and Kaiser Medicare \$3,020. MC and TC were made available for out of state retirees that did not have local HMO options, they are expected to increase by 40% or more for the next plan year beginning September 1, 2016. This would bring the cost to \$58,731 annually. The current "Cadillac Plan" threshold is \$27,500 per year. The proposed Retiree Medical Benefit Incentive Program only applies to retirees on the Managed Choice/Traditional Choice plans. It would provide a \$5,000 incentive for retirees to move off plans and onto an alternative HMO, Medicare or out-of-state plan by September 30, 2015. The program also offers Cash-in-lieu options as well as a lump –sum cashout option. MC and TC will be discontinued as of September 1, 2016. This gives the City a year to find comparable plans for the retirees. If every participant moves and takes the incentives the estimated cost will be \$325,000. The cost for lump-sum cash-outs is unknown at this time. The Interim City Manager will evaluate most cost effective mean on a case-by-case basis. The savings will offset the cost to provide

the incentives. The anticipated savings in FY 2015/16 is \$700,000 to \$1.2 million. This has the potential of saving the City \$13 million over the next 5 years. All costs to be offset by savings. There is no additional appropriation request at this time.

Mayor Krupa, this has been a project working with the retirees and the insurance broker. Everyone involved sees the benefit in this.

Marie McDonald, Hemet, asked how many retirees the City has and if their benefit will be comparable.

Mayor Krupa, there are 263 retirees. However, this only applies to approximately 60 retirees. The others are already on alternative plans.

Mayor Pro Tem Wright, in some cases the benefit will be greater.

The City Council thanked staff for finding a reasonable and equitable way to deal with this.

Mr. Thornhill, any retiree that voluntarily moved when we had the information meetings will still get the incentive.

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

16. **Municipal Code Amendment (MCA) No. 15-003** – Community Development
Director Elliano

- a. Introduce, read by title only and waive further reading on an ordinance adding Article XII to Chapter 14 (Buildings and Building Regulations) of the Hemet Municipal Code to provide an expedited permitting process for small residential rooftop solar systems, as mandated by State Assembly Bill No. 2188.
Ordinance Bill No. 15-046

Deanna Elliano, Community Development Director, AB 2188 requires agencies to adopt streamlined permitting processes by September 30, 2015. Ms. Elliano explained the State requirements in detail. This amendment puts into place what the City has already been doing in the form of an ordinance to meet the State's requirements. This will create more paperwork for the contractors, but the City will be in compliance.

Mayor Krupa, asked if the additional paperwork will delay the inspection time.

Ms. Elliano, the additional paperwork is due at the time of the permit request and will not change the workload or the timing for City staff.

Council Member Milne, confirmed that the additional paperwork will be required statewide not just in Hemet as a result of AB 2188.

Council Member Milne moved and Mayor Pro Tem Wright seconded a motion to introduce, read by title only and waive further reading of Ordinance Bill No. 15-046. Motion carried 4-0.

The Ordinance was read by title only

City Council Reports

17. 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 SCAG's Energy and Environmental Committee. The committee discussed a new product that allows homeowners to recycle their own water and Lancaster's requirements for new developers to include a number of energy efficient upgrades for an incentive.

- E. Mayor Krupa
 1. Riverside Conservation Authority (RCA)
 2. Ramona Bowl Association
 3. Riverside Transit Agency (RTA)

RTA is still dealing with the Federal Department of Labor over PEBRA issues.

4. Watermaster Board
5. Library Board

This is National Library Card Month. If you don't have a Library Card the first one is free.

6. League of California Cities
7. Riverside County Transportation Commission (RCTC)
- Meets tomorrow -
8. Western Riverside Council of Governments (WRCOG)

Mayor Krupa attended SCAG's Transportation Committee meeting. A 3-Step Proposal was approved for the 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy. The total forecast for core revenues through 2040 which does not include increase in the tax rates or new taxes is \$356 billion. \$255 billion will come from local sources, \$64 billion from the State of California and \$38 billion from the Federal Government. This is a complete flip flop in funding sources from years past.

- F. Ad-Hoc Committee Reports
 1. West Hemet MSHCP Ad-Hoc Committee (June 11, 2013)
 2. Regent Development Agreement Ad-Hoc Committee (December 10, 2013)
 3. Diamond Valley Lake Recreation Ad-Hoc Committee (January 27, 2015)
 4. Public Safety Ballot Measure Ad-Hoc Committee (January 27, 2015)
 5. Ad-Hoc Committee to Explore Revenue Options (May 26, 2015)

6. Grant Ad-Hoc Committee (June 23, 2015)

Eric Vail, City Attorney, the date of formation of the Ad-Hoc Committee's was added to the agenda. We need to discuss each of the committees to see if they need to be terminated, reconstituted and or made into standing committees.

G. Interim City Manager Thornhill

1. Manager's Reports
2. Request to participate in the PACE Program

The City Council had a request to consider adopting a resolution to participate in the PACE Program. You heard from Rick Bishop, WRCOG tonight saying that they are not opposed to the competition.

Mayor Krupa, recommended and the City Council concurred that the Interim City Manager investigate the program and bring back as a workstudy for discussion.

3. Board of Supervisor's approval of the Taxi Voucher Program

This was not discussed since the matter was resolved by the Board of Supervisors.

Fire Chief Brown, gave the City Council an update on last night's fire at the Potato Shed. The fire was reported by a passerby after 7:00 p.m. There was a large volume of fire when the first engine company arrived. There were no injuries. This is a vacant building due to the risk the fire was attacked from defensive standpoint with two exposures, AMR headquarters and U-Haul. It took several 100,000 gallons of water to put the fire out. This was a collective effort from Hemet's Public Works, PD and PD Volunteers, Riverside County Health, CALFire and the City of Murrieta. This had to be treated as a hazmat and entry was isolated after the fire and samplings were obtained. Chief Brown explained that the structure still remains hazardous and that staff is working on the next steps.

Mayor Krupa, asked if the City of Hemet would receive a penalty by the State for the high water usage.

Kris Jensen, Public Works Director, the water used for the fire will not be applied to our residential water produced report. It must be reported but does not count against us.

Mayor Pro Tem Wright, announced that the City has conducted at least three town hall meetings at facilities allowing residents an opportunity to meet and speak with Council Members.

State of the City will be held Thursday, September 10th at the Library.

Continued Closed Session

Notice of Opportunity for Public Comment

There were no public comments presented at this time.

The City Council recessed to Closed Session at 8:15 p.m.

4. Conference with Legal Counsel - Anticipated Litigation

One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)

5. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(d)(1)
Names of case: *Norman, et. al. v. Charles Webb, III, et. Al.*
RSC Case No. MCC1301868
6. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: Interim City Manager
Employee organization: *Hemet Mid-Managers Association*

Reconvened at 8:35 p.m.

City Attorney Continued Closed Session Report

7. Conference with Legal Counsel - Anticipated Litigation
One (1) matter of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)

The City Council received a briefing from the City Attorney and the Deputy City Manager/Administrative Services Director. There was no additional reportable action.

8. Conference with Legal Counsel - Existing Litigation
Pursuant to Government Code section 54956.9(d)(1)
Names of case: *Norman, et. al. v. Charles Webb, III, et. Al.*
RSC Case No. MCC1301868

The City Council received a briefing from the City Attorney. The City Council gave direction regards to the conduct of the case.

9. Conference with Labor Negotiators
Pursuant to Government Code section 54957.6
Agency designated representatives: Interim City Manager
Employee organization: *Hemet Mid-Managers Association*

The City Council received report from staff and gave direction. There was no additional reportable action.

Future Agenda Items

There were no future agenda items requested at this time.

Adjournment

The City Council adjourned in memory of all those lost on September 11, 2001 at 8:37 p.m. to Tuesday, September 22, 2015 at 7:00 p.m.



Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Jessica A. Hurst, DCM/Administrative Services
Gary Thornhill, Interim City Manager *GT*

DATE: September 22, 2015

RE: Warrant Register

The City of Hemet's warrant registers dated September 3, 2015 in the amount of \$2,088,668.46 and September 9, 2015 in the amount of \$2,686,542.20 is currently posted on the City's website in the Finance Department section, under *Financial Information*. Payroll for the period of August 17, 2015 to August 30, 2015 was \$828,141.23.

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

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



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**CITY OF HEMET
Hemet, California
ORDINANCE BILL NO. 15-046**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET CALIFORNIA ADDING ARTICLE XII TO CHAPTER 14 (BUILDINGS AND BUILDING REGULATIONS) OF THE HEMET MUNICIPAL CODE TO PROVIDE AN EXPEDITED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

WHEREAS, AB 2188 (Expedited Solar Permitting Act), was adopted in 2014 by the California State Legislature and requires each city or county to adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems by September 30, 2015; and

WHEREAS, Subsection (a) of Section 65850.5 of the California Government Code (AB 2188 – Expedited Solar Permitting Act) provides that it is the policy of the State to promote and encourage the installation and use of solar energy systems by limiting obstacles to their use and by minimizing the permitting costs of such systems; and

WHEREAS, the ordinance must substantially conform with the recommendations set forth in the California Solar Permitting Guidebook, including a checklist of all requirements for permit application and inspection; and

WHEREAS, the City Council recognizes that rooftop solar energy provides reliable energy and pricing for its residents and businesses; and

WHEREAS, the City Council of the City of Hemet finds that it is in the interest of the health, welfare and safety of the public to provide an expedited permitting process to assure the effective deployment of solar technology for residential rooftop installations.

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

1 **SECTION 1: ADDITION OF ARTICLE XII TO CHAPTER 14 OF THE HEMET**
2 **MUNICIPAL CODE**

3 A new Article XII is hereby added to Chapter 14 (Buildings and Building
4 Regulations) of the Hemet Municipal Code to read as follows:

5 **ARTICLE XII – SMALL RESIDENTIAL ROOFTOP MOUNTED SOLAR SYSTEMS**

6 **Sec. 14-520 – Purpose and Intent**

7 The purpose of this Article is to adopt an expedited, streamlined solar permitting process
8 that complies with Government Code Section 65850.5 to achieve timely issuance and
9 installations of small residential rooftop solar energy systems. This Article encourages
10 the use of solar systems by removing unreasonable barriers, minimizing costs to
11 property owners and the City, and expands the ability of property owners to install solar
12 energy systems; while allowing the City to protect the public health and safety of its
13 citizens.

14 **Sec. 14-521 – Definitions**

- 15 **A. Association** means a nonprofit corporation or unincorporated association
16 created for the purpose of managing a common interest development.
- 17 **B. Electronic Plan Review** means the utilization of email for permit application
18 and plan submittal.
- 19 **C. Solar Energy System** means either of the following:
- 20 i. Any solar collector or other solar energy device whose primary
21 purpose is to provide for the collection, storage, and distribution of solar
22 energy for space heating, space cooling, electric generation, or water
23 heating.
 - 24 ii. Any structural design feature of a building, whose primary purpose
25 is to provide for the collection, storage, and distribution of solar energy for
26 electricity generation, space heating or cooling, or for water heating.
- 27 **D. Small Residential Rooftop Solar Energy System** means all of the following:
- 28 i. A solar energy system that is no larger than 10 kilowatts alternating
current nameplate rating or 30 kilowatts thermal.
 - ii. A solar energy system that conforms to all applicable state fire,
structural, electrical, and other building codes as adopted or amended by
the City of Hemet and all State and City health and safety standards.
 - iii. A solar energy system that is installed on the roof of a single or
duplex family dwelling.

1 iv. A solar panel or module array that does not exceed the maximum
2 legal building height for single family residential structures as defined by
3 the City of Hemet.

3 **Sec. 14-522 – Applicability**

4 This Article applies to the permitting of all small residential rooftop solar energy systems
5 in the City of Hemet. Small residential rooftop solar energy systems legally established
6 or permitted prior to the effective date of this Ordinance are not subject to the
7 requirements of this Ordinance unless physical modifications or alterations are
8 undertaken that materially change the size, type, or components of a small rooftop
9 energy system in such a way as to require new permitting.

10 **Sec. 14.523 – Solar Energy System Requirements**

- 11 a) All solar energy systems shall meet applicable health and safety standards
12 and requirements imposed by the state and the City of Hemet.
- 13 b) Solar energy systems for heating water in single-family residences and for
14 heating water in commercial or swimming pool applications shall be
15 certified by an accredited listing agency as defined by the California
16 Plumbing and Mechanical Code.
- 17 c) Solar energy systems for producing electricity shall meet all applicable
18 safety and performance standards established by the California Electrical
19 Code, the Institute of Electrical and Electronics Engineers, and accredited
20 testing laboratories and, where applicable, rules of the Public Utilities
21 Commission regarding safety and reliability.

21 **Sec. 14.524 – Application Process**

- 22 a) All documents required for the submission of an expedited solar energy
23 system application shall be made available on the City of Hemet's Website.
- 24 b) Applications for small residential rooftop solar energy system permits, and
25 any supporting documents, may be submitted electronically by email. The
26 technology to accept electronic signature is not currently available at the
27 City, therefore, until which time the City is able to accept electronic
28 signature, the permittee will be required to provide the signature in person,
 upon permit issuance.

- 1 c) The City of Hemet's Building Division shall adopt a standard plan and
2 checklist of all requirements with which small residential rooftop solar
3 energy systems shall comply to be eligible for expedited review.
- 4 d) The small residential rooftop solar system permit process, standard
5 plan(s), and checklist(s) shall substantially conform to recommendations
6 for expedited permitting, including the checklist and standard plans
7 contained in the most current version of the *California Solar Permitting
8 Guidebook* adopted by the Governor's Office of Planning and Research.
- 9 e) All permit and inspection fees prescribed for the permitting of small
10 residential rooftop solar energy system must comply with Government
11 Code Section 65850.55, Government Code Section 66015, Government
12 Code Section 66016, and State Health and Safety Code Section 17951.

13 **Sec. 14.525 – Expedited Permit Review and Inspection Requirements**

- 14 a. An application that meets the requirements of the application checklist
15 prepared by the Building Division pursuant to section 14.524(d) of this
16 code shall be deemed complete. Upon receipt of an incomplete
17 application, the Building Division shall issue a written correction notice
18 detailing all deficiencies in the application and any additional information
19 required to be eligible for expedited permit issuance. This notice may
20 include a printed document or "red line corrections" on the submitted plans.
- 21 b. Prior to submitting an application, the applicant shall verify and document
22 on the plans and the forms provided by the Building Division that the roof
23 structure is adequate to support the solar system, and can transfer all wind,
24 seismic, dead and live loads associated with the system to the building
25 foundation; and that the electrical system, including the existing line, load,
26 ground and bonding wires, and electrical panels are adequately sized to
27 safely carry all existing loads in addition to the new photovoltaic electrical
28 loads for the system.
- c. Upon determination by the Building Division that the application and
supporting documentation is complete and meeting the requirements of the
checklist, the building official shall administratively approve the application

1 and issue all required permits or authorizations within one business day for
2 over the counter applications, and within three business days for electronic
3 application submittals. Such approval does not authorize an applicant to
4 connect the small residential rooftop energy system to the local utility
5 provider's electricity grid. The applicant is responsible for obtaining such
6 approval or permission from the local utility provider.

- 7 d. The Building Official shall require an applicant to apply for an
8 Administrative Use Permit if the official finds, based on substantial
9 evidence, that the solar energy system could have a specific, adverse
10 impact, as that phrase is defined in Government Code section 65850.5,
11 upon the public health and safety. Such decisions may be appealed to the
12 City of Hemet Planning Commission.
- 13 e. If an Administrative Use Permit is required, the building official may deny
14 an application for the use permit if the official makes written findings based
15 upon substantive evidence in the record that the proposed installation
16 would have a specific, adverse impact upon public health or safety and
17 there is no feasible method to satisfactorily mitigate or avoid the adverse
18 impact, as that phrase is defined in Government Code section 65850.5.
19 Such findings shall include the basis for the rejection of the potential
20 feasible alternative for preventing the adverse impact. Such decisions may
21 be appealed to the City of Hemet Planning Commission.
- 22 f. Any condition imposed on the application shall be designed to mitigate the
23 specific adverse impact upon health and safety at the lowest possible cost.
- 24 g. The City shall not condition approval of the permit on the approval of an
25 Association, as defined in Section 4080 of the Civil Code.
- 26 h. Only one inspection shall be required and performed by the Building
27 Division for small residential rooftop solar energy systems that are eligible
28 for expedited review.
- i. The inspection shall be done in a timely manner and include consolidated
inspections. An inspection will be scheduled within two business days of
the inspection request.
- j. If a small residential rooftop solar energy system fails inspection, a

1 subsequent inspection is authorized but need not conform to the
2 requirements of this Article.

3 **SECTION 2: CEQA FINDINGS.**

4 The City has analyzed this proposed ordinance and has determined that it is
5 exempt from the California Environmental Quality Act ("CEQA") under section
6 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects
7 that have the potential for causing a significant effect on the environment. The proposed
8 text changes involves updates and revisons to existing regulations, and will not result in
9 any physical change to the environment. Therefore, it can be seen with certainty that
10 there is no possibility that this Ordinance may have a significant adverse effect on the
11 environment, and therefore the adoption of this Ordinance is exempt from CEQA
12 pursuant to Section 15061(b)(3) of the CEQA Guidelines.

13 **SECTION 3: SEVERABILITY.**

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

22 **SECTION 4: EFFECTIVE DATE.**

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

25 **SECTION 5: PUBLICATION.**

26 The City Clerk is authorized and directed to cause this Ordinance to be published
27 within fifteen (15) days after its passage in a newspaper of general circulation and
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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 8th day of September, 2015.

APPROVED AND ADOPTED this 22nd day of September, 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 8th day of September, 2015, and had its second reading at the regular meeting of the Hemet City Council on the 22nd day of September, 2015, and was passed by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sarah McComas, City Clerk



Staff Report

TO: The Honorable Mayor Krupa and Members of the Hemet City Council
FROM: Gary Thornhill, Interim City Manager *bs*
DATE: September 22, 2015
RE: Office supplies for the Hemet Public Library

RECOMMENDED ACTION:

That the City Council shall approve the transfer of \$30,000 for office supplies for the Library using interest from the LaSalle Endowment.

BACKGROUND:

The LaSalle endowment was created from a donation by Edward H and Carol G La Salle in 2003. Restrictions on the use of the funds include use only for the Hemet Public Library and are limited to the expenditure of interest earnings.

In fiscal year 2014-15 the library reduced its office supply budget from \$25,000 to \$1,000 in an effort to reduce the financial impact of the Library on the General Fund. The Hemet Library Foundation and the Friends of the Hemet Public Library, whose purpose is to supplement programs and books for the Library, the office supply budget was backfilled using donations from these groups. During the Budget process this year, the reinstatement of the office supply budget was overlooked by staff.

The office supplies purchased annually by the Library include library cards, item barcodes, postage, paper for public internet copying and RFID tags. In order to ensure adequate supplies for the operation of the Library in fiscal year 2015-16, it is recommended Council approve the transfer and appropriation of \$30,000 to the General Fund from the LaSalle endowment.

FISCAL IMPACT:

Increase General Fund account number 110-6100-2250 by \$30,000 for office supply purchases throughout the fiscal year. The increased appropriation will be offset by a transfer of funds from the LaSalle Endowment fund.

Respectfully submitted,

Kathye Caines
Kathye Caines
Sr. Librarian/Library Manager

Eric S. Vail
Eric S. Vail
City Attorney

Jessica A. Hurst
Jessica A. Hurst
Finance Director



Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Scott Brown, Fire Chief
Gary Thornhill, Interim City Manager *tb*

DATE: September 22, 2015

RE: City wide Department and employee participation in the October 15, 2015 California ShakeOut Drill.

RECOMMENDED ACTION:

It is recommended that the City Council adopt a resolution ordering full City of Hemet Department and employee participation in the Great California ShakeOut on 10/15/2015 at 10:15 a.m.; and

BACKGROUND:

While some areas of California are more likely to have earthquakes than others, all of California is at higher risk compared to the rest of the country. The Great California ShakeOut is an annual opportunity to practice how to be safer during big earthquakes.

By supporting the Great California ShakeOut, the City of Hemet can utilize this practice drill and lessons learned to educate its employees on actions to protect life and property and how to mitigate structural and non-structural hazards.

ANALYSIS:

Community resiliency to earthquakes and other disasters depends on the preparedness levels of all stakeholders in the community – individuals, families, schools, community organizations, faith-based organizations, non-profits, businesses, and government.

By participating in **The Great California ShakeOut** on October 15, 2015, the City of Hemet has the opportunity to join and support all Californians in strengthening community and regional resiliency.

CONSISTENCY WITH ADOPTED GOALS, PLANS, AND PROGRAMS:

Public safety and preparedness is a top priority for the Hemet Fire/EMS Department it is our responsibility to continually prepare our employees, citizens and partners for any disaster or hazard.

FISCAL IMPACT:

None.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Brown".

Scott Brown
Fire Chief



CITY OF HEMET
Hemet, California
RESOLUTION BILL NO. 15-049

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET ORDERING
FULL CITY OF HEMET DEPARTMENT AND EMPLOYEE PARTICIPATION IN THE
GREAT CALIFORNIA SHAKEOUT AND WORK TOWARD BECOMING A SAFER
COMMUNITY

WHEREAS, the City of Hemet recognizes that no community is immune from natural hazards whether it be earthquake, wildfire, flood, winter storms, drought, heat wave, or dam failure and recognizes the importance enhancing its ability to withstand natural hazards as well as the importance of reducing the human suffering, property damage, interruption of public services and economic losses caused by those hazards; and

WHEREAS, major earthquakes pose a particular, significant, and ongoing threat to the entire county region; and City of Hemet

WHEREAS, the City of Hemet has a responsibility to promote earthquake preparedness internally as well as with the public and plan appropriately for earthquake-related disasters; and

WHEREAS, the protection of City of Hemet employees will allow them to facilitate the continuity of government and assist the public following a major earthquake event; and

WHEREAS, community resiliency to earthquakes and other disasters depends on the preparedness levels of all stakeholders in the community – individuals, families, schools, community organizations, faith-based organizations, non-profits, businesses, and government; and

WHEREAS, by participating in **The Great California ShakeOut** on October 15, 2015, the City of Hemet has the opportunity to join and support all Californians in strengthening community and regional resiliency; and

WHEREAS, by supporting **The Great California ShakeOut**, the City of Hemet can utilize the information on www.ShakeOut.org to educate its residents regarding actions to protect life and property, including mitigating structural and non-structural hazards and participating in earthquake drills; and

WHEREAS, by registering at www.ShakeOut.org, City of Hemet employees can participate in the ShakeOut “Drop Cover and Hold on” earthquake drill on **October 15th at 10:15 a.m.**, and encourage the public, schools, businesses, and other community stakeholders to also register.

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The City of Hemet hereby approves participating in the Great California Shakeout hereto by taking time to recognize and acknowledge the importance of preparing our City for the purposes of building a safer community and reducing the loss of lives and property from a major earthquake event by taking proactive steps today.

PASSED, APPROVED, AND ADOPTED, by the City Council of the City of Hemet this 22nd day of September, 2015.

Linda Krupa, Mayor

ATTEST:

APPROVED AS TO FORM:

Sarah McComas, City Clerk

Eric S. Vail, City Attorney

1 State of California)
2 County of Riverside)
3 City of Hemet)
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5 I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the
6 foregoing Resolution is the actual Resolution adopted by the City Council of the City
7 of Hemet and was passed at a regular meeting of the City Council on the 22nd day of
8 January, 2015 by the following vote:
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- 10 AYES:
- 11 NOES:
- 12 ABSTAIN:
- 13 ABSENT:

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18 _____
19 Sarah McComas, City Clerk
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Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: *GT* Gary Thornhill, Interim City Manager
Kristen Jensen, Public Works Director;

DATE: September 22, 2015

RE: Approval of Second Amendment to Agreement for Consultant Services with CarteGraph Systems, Inc. for Software Upgrades and Training Services

RECOMMENDED ACTION:

It is respectfully recommended that the City Council:

- Approve the Second Amendment to Agreement for Consultant Services with CarteGraph Systems, Inc. to update the Scope of Work and repurpose remaining contract dollars to provide additional onsite Operations Maintenance System (OMS) platform training; and
- Authorize the Interim City Manager to execute the Second Amendment.

BACKGROUND:

On September 25, 2012, the Council approved, in concept, a multi-year/three-phased project upgrade and expanded use of the CarteGraph WorkDIRECTOR desktop application. An Agreement for Consultant Services with CarteGraph Systems ("Agreement") was approved which represented the first portion, or "Phase I", of the project and was established in the amount of \$103,285 for FY12/13.

On September 24, 2013, with the first phase near completion, City Council approved the First Amendment to the Agreement, which provided for "Phase II", which included additional training and customization of software necessary to bring all Public Works divisions into full utilization of the desktop system as an asset management tool. The additional work was approved at a not to exceed amount of \$76,840.

Prior to completion of Phase II, PW staff and the IT Department began discussions with CarteGraph on the best approach to move to Phase III, which would take work order generation and data entry from the desktop and onto a mobile application allowing for real time data entry by employees in the field. As a precursor to that transition, the City Council approved a Data Collection project that provided GIS mapping of right of way assets and pavement conditions citywide. This project has resulted in the most comprehensive mapped inventory of assets the City has ever compiled. Access to that spatial data in the field occurs through the OMS platform, making for a more complete and efficient approach to asset management.

Phase III of our multi-year project is moving to the mobile version. In early 2015, Public Works embarked on Phase III and the City entered in to an agreement with CarteGraph to pursue transition from the desktop platform, known as Navigator, to the Operations Management System (OMS) platform. The Public Works Department crews are currently testing OMS in the field, using iPads to receive work orders instantly, and recording tasks performed immediately at job site

locations. With the planned "go live" date of October 13, 2015, the Navigator platform will be removed from use. Although only a couple of weeks into testing, crews are already excited about the ease of use, availability of information, and efficiency gained through OMS as crews no longer spend time at a computer at the end of their work day.

With the decision to move to the mobile platform, staff and CarteGraph mutually agreed that completing training and customization in the old Navigator platform was not the best use of the funding or staff time, as the program would soon be replaced. Staff is now recommending a Second Amendment o Agreement for Consultant Services with CarteGraph Systems, Inc.be approved to update the scope of work, ultimately repurposing remaining contract funds for additional onsite training and support of the OMS transition. The remaining contract dollars. The amount of available funding remaining is \$27,320.

PROJECT SCOPE CHANGE:

Approval of the Second Amendment would establish that remaining onsite training that was originally intended for Navigator training is being transitioned to additional onsite OMS platform training sessions. The scope of the Agreement will be updated to reflect:

Consultation and Training

Cartegraph will provide post-production events to be utilized for consultation, refresher training, configurations (field, layout, and/or report), and/or OMS best practice recommendations. The post-production events will be provided through:

- One (1) three-day (3-day) onsite event (as currently scheduled)
- One (1) two-day (2-day) onsite event
- One (1) two-day (2-day) onsite event
- Up to four (4) hours via remote conference calls

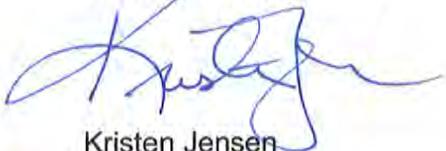
The agenda and goals of each visit will be defined by the Cartegraph and customer Project Managers.

The unused contract funding amount of \$27,320 is anticipated to cover all costs for the Scope of Work above and estimated expenses for consultant travel, as per the Agreement. Staff does not anticipate the need for additional funding at this time and the contract total compensation will remain as previously agreed upon.

FISCAL IMPACT:

No additional General Fund Impact. Funding for this project was previously approved by Council and is available through current FY15/16 Operating Budgets.

Respectfully submitted,



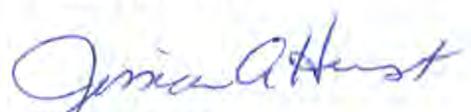
Kristen Jensen
Public Works Director

Approved as to form:



Eric S. Vail
City Attorney

Fiscal Review:



Jessica Hurst
Deputy City Manager

Attachments: Second Amendment to Agreement for Consultant Services with CarteGraph Systems, Inc

**SECOND AMENDMENT TO
AGREEMENT FOR SOFTWARE AND SERVICES**

by and between

the

CITY OF HEMET

and

CARTEGRAPH SYSTEMS, INC.

Dated September 22, 2015

**SECOND AMENDMENT TO AGREEMENT FOR
SOFTWARE AND SERVICES**

This Second Amendment to Agreement for Software and Services (“Second Amendment”), which is dated for reference as indicated on the cover page, is hereby entered into by and between the CITY OF HEMET, a California general law city (“City”), and CARTEGRAPH SYSTEMS, INC., a Corporation in the State of Iowa (“Consultant”), as follows:

RECITALS

- A. City and Consultant entered into an Agreement for software and services on September 26, 2012 (“Agreement”). Under this Agreement, Consultant is to provide software licensing, implementation services, and training on Consultant’s software to public works employees of City of Hemet.
- B. On September 24, 2013, the First Amendment for Consultant Services with CarteGraph Systems, Inc., was approved adding Additional Services to the Scope of Work related to training and implementation of the desktop CarteGraph WorkDIRECTOR software and integration of the Fleet module with the City’s Fuel Master Management System.
- C. City and Consultant have mutually agreed to discontinue training in the desktop platform as the City has opted to move to a mobile Operating Management System (OMS). This Second Amendment repurposes unexpended funds appropriated for the Additional Services and updates the Scope of Work to reflect CarteGraph services to be performed in support of the OMS software.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the promises made and recited herein, the parties do hereby enter into this SECOND Amendment, which modifies and amends the Agreement as follows:

- 1. **AMENDMENT.** **The Agreement is hereby modified and amended as follows:**
 - 1.1 **Exhibit “A-1” Scope of Work.** The Scope of Work is here by amended to add the following Additional Services:

“In lieu of completing Additional Services added under the First Amendment which consisted of Navigator Platform Training and which has not be completed by Consultant, Consultant shall complete the Additional Services described below:

Cartegraph OMS – Implementation Scope of Work
Implementation of the Operations Management System (OMS) includes the following professional services:

Consultation and Training
Cartegraph will provide post-production events to be utilized for consultation, refresher training, configurations (field, layout, and/or report), and/or OMS best practice recommendations. The post-production events will be provided through:

- o One (1) three-day (3-day) onsite event (as currently scheduled)
- o One (1) two-day (2-day) onsite event
- o One (1) two-day (2-day) onsite event
- o Up to four (4) hours via remote conference calls

The agenda and goals of each visit will be defined by the Cartegraph and customer Project Managers.

1.2 **Compensation.** Notwithstanding the change to the Scope of Work, the total compensation to be paid Consultant under Section 1.2 of the First Amendment to the Agreement as amended shall not change, but shall be billed as follows:

\$19,600.00 for the remaining Additional Services Scope of Work.
\$7,600.00 for estimated expenses to be billed at actual cost as incurred.

2. **GENERAL PROVISIONS.**

- 2.1 **Remainder Unchanged.** Except as specifically modified and amended in this SECOND Amendment, the Agreement remains in full force and effect and binding upon the parties.
- 2.2 **Integration.** This Second Amendment consists of pages 1 and 2 inclusive and Exhibits A1, which constitutes the entire understanding and agreement of the parties and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the transaction discussed in this Second Amendment.
- 2.3 **Effective Date.** This Second Amendment shall not become effective until the date it has been formally approved by the City and executed by the appropriate authorities of the City and Consultant.
- 2.4 **Applicable Law.** The laws of the State of California shall govern the interpretation and enforcement of this SECOND Amendment.
- 2.5 **References.** All references to the Agreement include all their respective terms and provisions. All defined terms utilized in this SECOND Amendment have the same meaning as provided in the Agreement, unless expressly stated to the contrary in this SECOND Amendment.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to the Agreement on the date and year written above.

CITY OF HEMET

By _____
Gary Thornhill, Interim City Manager

CARTEGRAPH SYSTEMS INC.

By _____
(Authorized Officer)

Title _____

Print Name _____

Phone _____

ATTEST:

By: _____
Sarah McComas, City Clerk

By _____

Title _____

Print Name _____

Phone _____

APPROVED AS TO FORM:

Eric S. Vail, City Attorney



Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Gary Thornhill, Interim City Manager
Kristen Jensen, Public Works Director *KJ*

DATE: September 22, 2015

RE: Award of Purchase Order for Pipeline Materials to HD Water Works Supply

RECOMMENDED ACTION:

It is respectfully recommended that the City Council:

- Authorize award of purchase order to HD Water Works Supply for annual pipeline materials in the amount of \$190,000 for FY15/16; and
- Authorize the City Manager to execute a purchase order in support of this award.

BACKGROUND:

The Water Department operates and maintains 130 miles of water lines serving over 9,700 residential and commercial water customers. The department operates seven City owned wells and four reservoirs in order to supply water of the highest quality to our customers.

Equipment, parts, and supplies are needed in a timely manner to provide maintenance and necessary repairs to the system 24 hours a day. Having an established annual purchase order allows staff to respond immediately, and saves staff time by eliminating the need for frequent bid processes. Pricing for this award was obtained through the competitive bidding process.

Staff is also requesting that smaller purchase order awards be made to the second and third lowest bidders to ensure that parts

ANALYSIS:

The Invitation for Bid (IFB) was advertised in the Press Enterprise and on the City website. Five (5) firm's received the IFB, of which four (4) provided a bid response.

The Procurement Administrator performed an initial review of the responses to ensure the bids were responsive to all requirements.

After evaluation of the unit prices staff found HD Water Works Supply provided the most cost effective proposal. No vendor was able to provide a bid on all line items.

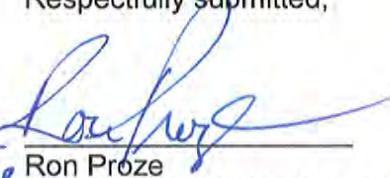
To take full advantage of the IFB process, staff will award *two additional purchase orders of \$20,000* each for materials needed in case the primary vendor is out of stock. Processing of these purchase orders fall within the purchasing authority of the Deputy City Manager.

FISCAL IMPACT:

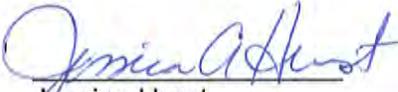
No General Fund Impact. Budgets for this award are available in approved Water Department FY15/16 Operating Budgets in 571-9000-2450 the amount of \$ 235,000.

Respectfully submitted,

Fiscal Review:

KMS FOR


Ron Proze
Water Waste Water Superintendent



Jessica Hurst
Deputy City Manager/ASD



Staff Report

TO: Honorable Mayor and Members of the Hemet City Council
FROM: David M. Brown, Chief of Police; Gary Thornhill, Interim City Manager
DATE: September 22, 2015
RE: Acceptance of 2015/16 CA Office of Traffic Safety – Selective Traffic Enforcement Program (STEP) Grant in the amount of \$134,833

RECOMMENDED ACTION:

1. Accept the 2015/16 California State Office of Traffic Safety (OTS) Grant in the amount of \$134,833.
2. Upon receipt of the award, authorize the finance department to establish an expenditure account and budget for the grant performance period.

BACKGROUND:

The California Office of Traffic Safety awards federal National Highway Traffic Safety Administration funds on a competitive basis to state and local jurisdictions under the Selective Traffic Enforcement Program. The police department submitted a competitive grant application and has been awarded a significant grant award in the amount of \$134,833 for the state's 2015/16 fiscal year beginning in October.

ANALYSIS:

In spite of a continuing reduction in DUI traffic collisions over the past few years, the City of Hemet continues to be ranked high out of 104 comparable California jurisdictions for total injury collisions by daily vehicle miles traveled. This ranking is a factor of "daily vehicle miles traveled" as determined by Cal Trans, and the number of collisions per 1,000 daily vehicle miles traveled. With the help of past OTS grants, Hemet has made strides to improve our rankings. In light of these rankings, the Hemet Police Department prepared a grant application that includes strategic and targeted enforcement activities aimed at reducing the number of injury and DUI collisions.

The award includes funding for overtime and training in best practices for reducing injury and impaired-driving traffic collisions. The grant strategies will include a public education campaign, basic and advanced field sobriety test training, DUI saturation patrols, pedestrian safety enforcement, seat belt enforcement, distracted driving enforcement, warrant sweeps, and surveillance programs that target repeat DUI offenders. Additionally, four (4) vehicle speed feedback signs will be purchased with this grant.

INTEGRATION OF CITY COUNCIL GOALS:

Public safety continues to be a top priority of the city council. The acceptance of this grant will enable the police department to enhance public safety with dedicated traffic enforcement thus improving the safety of our roadways.

FISCAL IMPACT:

No additional impact to the general fund. No local match is required and grant administration is handled as a collateral duty with existing personnel.

Respectfully submitted,

Fiscal Review:



David M. Brown
Chief of Police



Jessica A. Hurst
DCM/Admin Services Director

Attachment: OTS Grant Agreement

SCHEDULE B-1
GRANT NO. PT1642

BUDGET NARRATIVE

Page 1

PERSONNEL COSTS

Overtime

Overtime for grant funded law enforcement operations may be conducted by personnel such as a Lieutenant, Sergeant, Corporal, Deputy, Officer, Reserve Officer, Community Services Officer, Dispatcher, etc., depending on the titles used by the agency and the grantees overtime policy. Personnel will be deployed as needed to accomplish the grant goals and objectives. Costs are estimated based on an overtime hourly rate range of \$47.28/hour to \$85.68/hour. Overtime reimbursement will reflect actual costs of the personnel conducting the appropriate operation up to the maximum range specified.

Overtime Benefit Rates

Medicare	1.45%
Social Security/FICA/OASDI	0%
State Disability/SDI	.79%
Unemployment Insurance	.53%
Workers Compensation	9.45%
(Enter additional benefits)	%
TOTAL BENEFIT RATE	12.22%

TRAVEL EXPENSE

In State

Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include Lifesavers. *All conferences, seminars or training not specifically identified in the Schedule B-1 (Budget Narrative) must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.*

CONTRACTUAL SERVICES

None

EQUIPMENT

4 Vehicle Speed Feedback Signs – Fixed or mobile signs to display the speed of vehicles. Costs may include modifications and accessories. If the signs are fixed, pole-mounted devices, they may only be used on roadways off the Federal Aid System and its installation is at the expense of the grantee. Attached to each device will be additional signage containing a traffic safety message and appropriate OTS logo. Message/artwork will be submitted to OTS for approval prior to production.

SCHEDULE B-1
GRANT NO. PT1642

BUDGET NARRATIVE

Page 2

OTHER DIRECT COSTS

None

INDIRECT COSTS

None

PROGRAM INCOME

There will be no program income generated from this grant.

GRANTS MADE EASY - STEP
SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PT1642

PAGE 1

1. PROBLEM STATEMENT

Hemet Police Department is a municipal law enforcement agency servicing 81,000 residents. Daytime, non-resident populations reach around 100,000 persons. In 2014, there were 211 injury traffic collisions in the city and 392 of our citizens were injured. There were 4 fatal traffic collisions in Hemet for the same year with 5 persons killed. Thirty three of the 211 injury collisions involved the use of alcohol, and one quarter of the fatal collisions were alcohol related. Twenty seven pedestrians were struck by vehicles in 2014 and one pedestrian was killed. Although traffic collisions in Hemet have been in steady decline since 2011, there remains a traffic safety problem in our community.

The Hemet Police Department has experienced a significant reduction in budget and personnel since 2008. At our peak, the department enjoyed a work force of 90 sworn positions and a cadre of non-sworn support personnel. Today, we are down to 51 sworn positions, a 43% reduction in staff. As a result, the traffic bureau has been reduced from 11 persons; 8 sworn officers, and 3 non-sworn support personnel, to its current staffing of only one sworn Traffic Sergeant. That Sergeant is responsible for collision investigation and proactive traffic enforcement, as well as collateral duties including the supervision of a problem oriented policing team. Patrol Officers in Hemet work non-overlapping 12 hour shifts and are required to handle regular police calls for service, and investigate traffic collisions. Any available free time is shared between proactive police work, traffic enforcement, and DUI enforcement.

In recent years, The Hemet Police Department has used OTS grant funds to staff overtime operations specifically geared toward reducing traffic fatalities, injury collisions, and DUI activity. Given current staffing levels and the lack of personnel dedicated to traffic enforcement, we have found deploying officers on an overtime basis is the best way to prevent collisions and impact DUI violations in our community. With the help of OTS, Hemet P.D. has been able to decrease the amount of injury traffic collisions and increase the number of DUI arrests; two areas which have a great impact on our citizen's quality of life, and improve the safety of our roadways.

**GRANTS MADE EASY - STEP
SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PT1642**

A. Traffic Data Summary:

Collision Type	2012				2013				2014			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	6		7		2		6		4		5	
Injury	245		370		230		346		214		397	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol - Involved	4	28	4	50	2	38	2	51	1	33	1	41
Hit & Run	3	21	3	32	0	20	0	27	0	22	0	28
Nighttime (2100-0259 hours)	3	29	4	43	2	29	2	39	2	40	3	57
Top 3 Primary Collision Factors									Fatal	Injury	Killed	Injured
#1 -	Unsafe Speed								1	50	1	89
#2 -	Right of Way								1	28	1	76
#3 -	DUI								1	19	1	27

2. PERFORMANCE MEASURES

A. Goals:

- 1) To reduce the number of persons killed in traffic collisions.
- 2) To reduce the number of persons injured in traffic collisions.
- 3) To reduce the number of persons killed in alcohol-involved collisions.
- 4) To reduce the number of persons injured in alcohol-involved collisions.
- 5) To reduce the number of persons killed in drug-involved collisions.
- 6) To reduce the number of persons injured in drug-involved collisions.
- 7) To reduce the number of persons killed in alcohol/drug combo-involved collisions.
- 8) To reduce the number of persons injured in alcohol/drug combo-involved collisions.
- 9) To reduce the number of motorcyclists killed in traffic collisions.
- 10) To reduce the number of motorcyclists injured in traffic collisions.

**GRANTS MADE EASY - STEP
SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PT1642**

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- 11) To reduce the number of motorcyclists killed in alcohol-involved collisions.
- 12) To reduce the number of motorcyclists injured in alcohol-involved collisions.
- 13) To reduce hit & run fatal collisions.
- 14) To reduce hit & run injury collisions.
- 15) To reduce nighttime (2100 - 0259 hours) fatal collisions.
- 16) To reduce nighttime (2100 - 0259 hours) injury collisions.
- 17) To reduce the number of bicyclists killed in traffic collisions.
- 18) To reduce the number of bicyclists injured in traffic collisions.
- 19) To reduce the number of pedestrians killed in traffic collisions.
- 20) To reduce the number of pedestrians injured in traffic collisions.

B. Objectives:

- 1) To develop (by December 31) and/or maintain a "HOT Sheet" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. Updated HOT sheets should be distributed to patrol and traffic officers monthly.
- 2) To send 3 law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hour) POST-certified training.
- 3) To send 3 law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.
- 4) To send 1 law enforcement personnel to the IACP Drug Recognition Expert (DRE) training.
- 7) To conduct 37 DUI Saturation Patrol operation(s).
- 8) To conduct 2 Warrant Service operation(s) targeting multiple DUI offenders who fail to appear in court.
- 9) To conduct 2 Stakeout operation(s) that employ police officers to observe the "worst of the worst" repeat DUI offender probationers with suspended or revoked driver licenses.

**GRANTS MADE EASY - STEP
SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PT1642**

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- 10) To conduct 20 Traffic Enforcement operation(s), including but not limited to, primary collision factor violations.
- 11) To conduct 4 Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.
- 12) To conduct 12 highly publicized Motorcycle Safety enforcement operation(s) in areas or during events with a high number of motorcycle incidents or collisions resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning, and other primary collision factor violations by motorcycle riders and other drivers.
- 13) To conduct 1 Night-time (2100 - 0259 hours) Click It or Ticket enforcement operation(s).
- 14) To conduct 2 Traffic Safety educational presentations with an effort to reach 100 community members. *Note: Presentations may include topics such as distracted driving, DUI, speed, bicycle & pedestrian safety, seatbelts and child passenger safety.*
- 15) To conduct 12 highly publicized enforcement operation(s) in areas of or during events with a high number of bicycle and/or pedestrian collisions resulting from violations made by bicyclists, pedestrians, and drivers.
- 16) To participate in and collect and report DUI enforcement data for the NHTSA Winter and Summer Mobilizations.
- 17) To participate in and collect and report data for the National Distracted Driving Awareness Month in April.
- 18) To participate in and collect and report data for the NHTSA Click It or Ticket mobilization period in May.
- 19) To participate in the National Bicycle Safety Month in May.
- 20) To collaborate with the county's Avoid Lead Agency by: participating in all planning/scheduling meetings and MADD/Avoid DUI Seminars; providing your agency's schedule of operations that occur during any Avoid campaign; and reporting your agency's DUI arrests & DUI fatality information during any Avoid campaign.

***NOTE:** Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a particular police officer issue a specified or predetermined number of citations in pursuance of the goals and objectives hereunder.*

***NOTE:** To enhance the overall deterrent effect and promote high visibility, it is recommended the grantee issue an advance press release for each checkpoint operation. For combination DUI/DL*

**GRANTS MADE EASY - STEP
SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PT1642**

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checkpoints, departments should issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Signs for DUI/DL checkpoint operations should read "DUI/Driver's License Checkpoint Ahead." OTS does not fund or support independent DL checkpoints. Only on an exception basis and with OTS pre-approval will OTS fund checkpoint operations that begin prior to 1800 hours.

3. METHOD OF PROCEDURE

A. Phase 1 - Program Preparation, Training and Implementation (1st Quarter of Grant Year)

- The police department will develop operational plans to implement the "best practice" strategies outlined in the objectives section.
- All training needed to implement the program should be conducted this quarter.
- All grant related purchases needed to implement the program should be made this quarter.
- In order to develop/maintain the "Hot Sheets," research will be conducted to identify the "worst of the worst" repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The Hot Sheets may include the driver's name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. Hot Sheets should be updated and distributed to traffic and patrol officers at least monthly.
- Implementation of the STEP grant activities will be accomplished by deploying personnel at high collision locations.

Media Requirements

- Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.

B. Phase 2 - Program Operations (Throughout Grant Year)

- The police department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at pio@ots.ca.gov, with a copy to your OTS Coordinator.

**GRANTS MADE EASY - STEP
SCHEDULE A
GRANT DESCRIPTION
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- a) If an OTS template-based press release is used, the OTS PIO and Coordinator should be copied when the release is distributed to the press. If an OTS template is not used, or is substantially changed, a draft press release shall be sent to the OTS PIO for approval. Optimum lead time would be 10-20 days prior to the release date to ensure adequate turn-around time.
 - b) Press releases reporting the results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
 - c) Activities such as warrant service operations and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.
- Use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
 - Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.
 - Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
 - Include the OTS logo, space permitting, on grant-funded print materials; consult your OTS Coordinator for specifics.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

- Agencies are required to collect and report quarterly, appropriate data that supports the progress of goals and objectives.
- Statistical data relating to the grant goals and objectives will be collected, analyzed, and incorporated in Quarterly Performance Reports (QPRs). QPRs for the quarter ending September 30 will include year-to-date comparisons of goals and objectives. If required, a separate quarterly data reporting form will be completed each quarter and submitted as part of the QPR.
- Reports will compare actual grant accomplishments with the planned accomplishments. They will include information concerning changes made by the Grant Director in planning and guiding the grant efforts.

**GRANTS MADE EASY - STEP
SCHEDULE A
GRANT DESCRIPTION
GRANT NO. PT1642**

PAGE 7

- Reports shall be completed and submitted in accordance with OTS requirements as specified in the Grant Program Manual.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full support of the City of Hemet. Every effort will be made to continue the activities after the grant conclusion.

SCHEDULE B
 DETAILED BUDGET ESTIMATE
 GRANT NO. PT1642

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
164 AL	20.608	Minimum penalties for repeat offenders for driving while intoxicated	\$ 44,833.00
402 PT	20.600	State and community highway safety	\$ 90,000.00

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	CFDA	10/1/15 - 9/30/16		
A. PERSONNEL COSTS				
Positions and Salaries				
<u>Overtime</u>				
DUI Saturation Patrol Operations	20.608	\$ 34,178.00		\$ 34,178.00
Warrant Service Operations	20.608	\$ 3,039.00		\$ 3,039.00
Stakeout Operations	20.608	\$ 2,732.00		\$ 2,732.00
Benefits @ 12.22%	20.608	\$ 4,884.00		\$ 4,884.00
Traffic Enforcement Operations	20.600	\$ 18,212.00		\$ 18,212.00
Distracted Driving Enforcement Operations	20.600	\$ 3,643.00		\$ 3,643.00
Motorcycle Safety Enforcement Operations	20.600	\$ 10,927.00		\$ 10,927.00
Night-time Click It or Ticket	20.600	\$ 911.00		\$ 911.00
Pedestrian Safety Enforcement Operations	20.600	\$ 10,927.00		\$ 10,927.00
Traffic Safety Presentations	20.600	\$ 1,366.00		\$ 1,366.00
Benefits @ 12.22%	20.600	\$ 5,620.00		\$ 5,620.00
Category Sub-Total		\$ 96,439.00		\$ 96,439.00
B. TRAVEL EXPENSE				
In-State	20.600	\$ 4,394.00		\$ 4,394.00
Category Sub-Total		\$ 4,394.00		\$ 4,394.00
C. CONTRACTUAL SERVICES				
None		\$ -		\$ -
Category Sub-Total		\$ -		\$ -
D. EQUIPMENT				
Vehicle Speed Feedback Signs	20.600	\$ 34,000.00		\$ 34,000.00
Category Sub-Total		\$ 34,000.00		\$ 34,000.00
E. OTHER DIRECT COSTS				
		\$ -		\$ -
		\$ -		\$ -
Category Sub-Total		\$ -		\$ -
F. INDIRECT COSTS				
None		\$ -		\$ -
Category Sub-Total		\$ -		\$ -
GRANT TOTAL		\$ 134,833.00		\$ 134,833.00

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

Page 1

Failure to comply with applicable Federal statutes, regulations, and directives may subject Grantee Agency officials to civil or criminal penalties and/or place the State in a high risk grantee status in accordance with 49 CFR §18.12.

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended
- 49 CFR Part 18—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR Part 1200—Uniform Procedures for State Highway Safety Grant Programs

NONDISCRIMINATION

The Grantee Agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, *et seq.*), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all sub-recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, *et seq.*), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

Page 2

BUY AMERICA ACT

The Grantee Agency will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

POLITICAL ACTIVITY (HATCH ACT)

The Grantee Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

Instructions for Primary Certification

1. By signing and submitting this grant agreement, the Grantee Agency Official is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the Grantee Agency Official to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the Grantee Agency Official knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The Grant Agency Official shall provide immediate written notice to the department or agency to which this grant agreement is submitted if at any time the Grantee Agency Official learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, grant agreement, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this grant agreement is being submitted for assistance in obtaining a copy of those regulations.
6. The Grantee Agency Official agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The Grantee Agency Official further agrees by submitting this grant agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

Page 4

eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

(1) The Grantee Agency Official certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this grant agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/grant agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the Grantee Agency Official is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this grant agreement.

Instructions for Lower Tier Certification

1. By signing and submitting this grant agreement, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the

EXHIBIT A
CERTIFICATIONS AND ASSURANCES

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this grant agreement is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, grant agreement, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this grant agreement is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this grant agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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CERTIFICATIONS AND ASSURANCES

Page 6

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this grant agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this grant agreement.



Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Gary Thornhill, Interim City Manager *GT*
Kris Jensen, Public Works Director

DATE: September 22, 2015

RE: Adoption of Resolution Bill No. 15-050 Establishing Water Rates and Resolution Bill No. 15-051 Establishing Sewer Rates

RECOMMENDED ACTION:

It is respectfully recommend that the City Council:

- 1.) Conduct a Public Hearing/Protest Meeting to consider public testimony and property owner / rate payer objections to the proposed water and sewer rate adjustments; and
- 2.) Address any objections or protests received, and
- 3.) Adopt Resolution Bill No. 15-050 titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ESTABLISHING NEW WATER RATES FOR CUSTOMERS OF THE HEMET WATER DEPARTMENT AND SUPERSEDING RESOLUTION 4138.

- 4.) Adopt Resolution Bill No. 15-051 titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ESTABLISHING NEW SEWER RATES FOR CUSTOMERS OF THE HEMET SEWER DEPARTMENT AND SUPERSEDING RESOLUTION 4057.

BACKGROUND:

The City owns and operates the City of Hemet Water and Sewer Departments. The Water Department provides service to approximately 9,700 residential, commercial and industrial connections for potable water. The Sewer Department services over 11,000 connections. The cost of operation and maintenance of the departments are supported through separate rates charged to customers for services provided. Water rates were last adjusted in 2008 through the adoption of Resolution 4138. Sewer rates were last adjusted in 2006 through the adoption of Resolution 4057.

Rate adjustments are once again necessary to cover the increased cost of labor, electricity, and equipment. They are also necessary to fund capital improvement projects that address aging infrastructure (water and sewer), water quality issues, to expand existing water storage capacity, and support replenishment of the local aquifers.

In November, 2014, Council approved an agreement for staff to work with a consultant, Bartle Wells Associates, to conduct a Water and Sewer Rate Study, in an effort to bring rates in line with current costs of services. Over the last seven months, the rate studies have taken on multiple changes due to the State mandated conservation goal of 32% and the San Juan Capistrano cast that changed the law regarding tiered rates occurred. Staff has engaged in multiple discussions with Council to review rate structure approach. The outcome of those discussions resulted in direction to staff to move forward with the following approach:

Water Rate Study:

1. Ensure rate structure reflects costs of services as required by state law.
2. Use a debt financing model for funding water capital improvement projects
3. Fund all capital projects needed to ensure the long-term safe and sustainable storage and delivery of water to our customers.
4. Transition from and inefficient bimonthly to a more efficient monthly billing.
5. Phase in proposed rate increase over several years

Sewer Rate Study

1. Utilize a pay-as-you-go financial model for financing infrastructure replacement.
2. Phase in proposed rate increase over several years

Over the past several months, staff, the City Attorney, and Bartle Wells Associates have collaborated to ensure that adjustments reflected in the proposed water and sewer rates reflect the actual cost of service, are fair and equitable to our customers, encourage conservation, are in line with Council direction, and meet the intent of recent Proposition 218 court case decisions related to rate setting. On July 28, 2015, the Council approved the methodology for rate creation as contained in the final Water Rate Study and Sewer Rate Study documents, which are now on file with the Finance Department.

PROPOSED WATER RATES SUMMARY:

The Water Rate Study provides a five year plan for rate adjustments to ensure that revenues adequately meet future expenditures, that ongoing financial support is in place for capital projects, and that the Water Department remains solvent into the future. Below is a breakdown of the major components of the Water Rate Study.

- **Fixed Costs** – These costs include components of the water department budgets that do not fluctuate due to water needs of the community. They include costs related to management, administration, customer service, equipment and vehicle costs. Fixed costs are recovered through “ready-to-serve” charges and incorporated in the meter charge.
- **Variable costs** - These are costs that may fluctuate based on the amount of water the department needs to produce to meet demand. They include costs related to electricity, water treatment, supplies, purchase of replenishment water, pumping, treatment and water quality improvements. Variable costs are recovered through the rate charged per unit of water used by each customer.

- **Capital Improvements** – Capital improvements for the Water Department include projects for infrastructure replacement and expansion, storage expansion, water quality treatment, major equipment replacements, and planned mainline upgrades. These projects may be funded through available reserves, financed through a loan, or rate supported in the year of the project. The proposed rates use available reserves in the first year and propose obtaining loans for the remaining years of capital project needs.
- **Ground Water Management Plan (GWMP)** – Through participation in the GWMP, the City gains a reliable source of replenishment water, and storage for that water, that creates a long term sustainable solution for emergency water needs and local basin recharge. There are long term annual costs associated with payment for the physical facilities installed to deliver that water, and costs related to the purchase of the water, itself. The proposed rates include projected GWMP costs for the next five years and assume a 5% annual increase in costs. Staff is recommending that a pass through surcharge be included in the rate structure that would allow the City to recover GWMP costs that exceed the costs established in the proposed rates.
- **Single Tier Consumption Rate Structure** – The existing three tier rate structure for water charge more to customers per unit of water as they use is proposed to be replaced with a single tier in which a unit of water costs the same for every user. A unit of water is equal to 100 cubic feet, or 748 gallons.
- **Monthly billing** -- Currently the City bills its water (and sewer) customers on a bimonthly cycle. Moving to a monthly billing cycle is proposed in order to smooth the receipt of revenue throughout the year, as well as, ease customer transition to the new rates.
- **“Drought” and “Non-drought” Consumption Rates** – Separate consumption rates are proposed to encourage conservation and provide flexibility in sustaining operational funding needs during times of reduced water use. Drought rates would be in effect during State mandated conservation periods or other water related emergencies as determined by the City. “Non-drought” rates would be in effect at all other times. Staff recommendation is to implement the proposed “Drought” rates effective October 1, 2015, due to the current State mandated conservation requirement for the City of Hemet Water Department to reduce water consumption by 32% as compared to 2013 water use.

The proposed rates do not include any offset for the sale of excess stored recharge water, or sale of excess water rights, although the City may choose to consider both as a potential for additional revenue in the future.

PROPOSED SEWER RATES SUMMARY:

The Sewer Rate Study also closely examined costs of service. Because the City of Hemet does not treat wastewater, the majority of costs for the department are related to maintenance of the infrastructure.

- **Operating Costs** – These costs include costs related to management, administration, customer service, equipment, supply and vehicle costs.
- **Capital Improvements** – Replacement of the aging infrastructure is the single most important project for the Sewer Department. The proposed rates support the department in implementing a planned preventative maintenance program for replacement or relining of one

mile of sewer main per year. The proposed rates fully fund each year's project and do not rely on loans for financing.

- **Sewer Rate Structure** – The sewer rate structure is was not recommended for change in the current study.
- **Monthly billing** – Currently the City bills its water (and sewer) customers on a bimonthly cycle. Moving to a monthly billing cycle is proposed in order to smooth the receipt of revenue throughout the year, as well as, ease customer transition to the new rates.
- **Sewer Rates** – The proposed rates continue to charge a flat rate per sewer unit and increases have been phased in over a five year period.. A single sewer unit is charged to each residential customer monthly, while multiple units may be charged to commercial customers depending on the size of the business. **A Schedule of Proposed Sewer Rates can be found in Attachment "B" on page 9.**
- **Eastern Municipal Water District (EMWD) Sewer Impact Fee** – On January 21, 2002, Resolution 3607 was adopted by the City establishing a Sewer Cost Allocation Fee which is imposed on EMWD sewer customers within the Hemet City Limits. The fee is the result of an interagency agreement between the City and EMWD in which EMWD collects an impact fee from customers it services in the city limits and remits the fee to the City to offset the reasonable cost of the City providing maintenance and repair to public facilities impacted by the normal provision of sewer services provided by EMWD to their customers in the City limits. The fee has not been updated since the last sewer rate adjustment in 2006 and is now proposed to be updated by incorporating EMWD sewer costs certified as of July 1, 2015, and using the formula previously established and approved through the interagency agreement.

Sewer rates are billed in conjunction with Storm Drain rates. Storm Drain rates were not assessed through this study, and will be incorporated in Resolution Bill No. 15-051 in amounts previously established through Resolution 4057.

PROPOSITION 218 REQUIREMENTS:

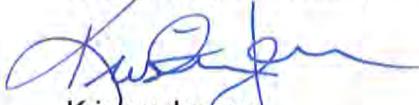
Adjustments to water and sewer rates are subject to Proposition 218 notification requirements. On July 28, 2015, Council approved the form of the Proposition 218 Notice to property owners and rate payers within the City of Hemet water and sewer service areas, and authorized staff to mail the Proposition 218 Notice as required by law. On August 7, 2015, staff mailed a *Notice to Property Owners of Public Hearing on Proposed Water and Sewer Rate Adjustments*. A total of 14,711 notices were mailed, to property owners and rates payers in the City of Hemet Water and Sewer service area. The Proposition 218 Notice provided details of the proposed rates for both water and sewer services, the date, place and time of the public hearing/protest hearing, and instructions for responding to the notice. At the time of this staff report, ten valid written protests have been received and verified by the City Clerk.

In order to meet the proposed rates implementation date of October 1, 2015, staff is recommending that Council conduct a public hearing to hear protests for both water and sewer rates, address any protests received, and adopt Resolution Bill No.15-050 and Resolution Bill No. 15-051 establishing new water and sewer rates.

FISCAL IMPACT:

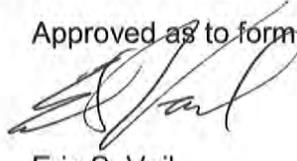
No General Fund Impact. . Additional revenues related to the adjusted rate implementations have been included in FY15/16 Water Division and Sewer Division Operating Budget projections.

Respectfully submitted,



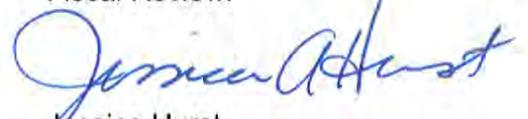
Kristen Jensen
Public Works Director

Approved as to form:



Eric S. Vail
City Attorney

Fiscal Review:



Jessica Hurst
Deputy City Manager

Attachments:

Resolution Bill No. 15-050
Resolution Bill No. 15-051



**CITY OF HEMET
Hemet, California**

RESOLUTION BILL NO. 15-050

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ESTABLISHING NEW WATER RATES FOR CUSTOMERS OF THE HEMET WATER DEPARTMENT AND SUPERSEDING RESOLUTION 4138.

WHEREAS, in July of 2015, the City of Hemet completed a thorough analysis of the operational and capital needs of its water enterprise together with the fixed and variable costs of providing domestic water service within its service area. This analysis also included a review of water rate increases necessary to ensure adequate, safe and clean domestic water supply within the enterprise's service area. The results of this analysis are memorialized in the *City of Hemet Water Rate Study Final Report of July 2015* ("Water Rate Study") and are incorporated herein by reference. The Hemet City Council approved the Water Rate Study's methodology on July 28, 2015 and authorized provision of written notice in accordance with Article XIID Section (6) of the California Constitution to landowners and account holders within the enterprise's service area of the Council's intent to consider a water rate increase at a public hearing at least forty-five days from the mailing of such notice; and,

WHEREAS, the water enterprise has not raised rates for water service since 2008 and, in the intervening time, the City has become part of the Court adjudicated Hemet-San Jacinto Groundwater Management Plan, the water enterprise has experienced increased degradation problems with local groundwater resources, new capital facilities are required to safely store and transport water, and the cost of water, energy, equipment and labor have increased such that water rate increases necessary to recover the actual costs of providing the service and to avoid operating the water enterprise at a deficit; and,

WHEREAS, on May 5, 2015, in response to Governor Brown's April 1, 2015, Executive Order to achieve a 25 percent statewide potable water usage reduction through February 2016, the State Water Resources Control Board ("State Water Board") adopted Resolution 2015-0032, an Emergency Regulation for Statewide Urban Water Conservation ("Emergency Regulation") pursuant to Water Code section 1058.5, which, specifically assigns a target of 32 percent reduction in water production for the City of Hemet water enterprise as compared to its water production volumes of 2013; and,

1 **WHEREAS**, the water rates proposed in the Water Rate Study have been
2 calculated not to exceed the actual cost to the water enterprise of providing the water
3 service, including operating costs and expenses, costs of capital and equipment
4 acquisition and replacement, costs required under the Groundwater Management Plan,
5 the cost of wholesale imported water, and have been structured to be fair and equitable
6 to all customers, to meet the requirements of Article XIID Section (6) of the California
7 Constitution as fees incident of property ownership, and the ruling in the recent 4th
8 Appellate District decision Capistrano Taxpayers Association v. City of San Juan
9 Capistrano; and,

10
11 **WHEREAS**, in accordance with article XIID, section 6 of the California
12 Constitution, the City mailed a "Notice to Property Owners of Public Hearing" (Notice) to
13 all property owners and account holders within the service area of the City's water
14 enterprise, informing them of the date and time of the hearing, and outlined their
15 opportunity to protest the proposed rates, provided instruction for submitting valid
16 protests, and provided all of the other information required under section 6; and

17
18 **WHEREAS**, in accordance with article XIID, section 6 of the California
19 Constitution, the Hemet City Council held the required public hearing on
20 September 22, 2015, to hear objections and protests concerning the proposed rate
21 adjustments not less than 45 days after providing the Notice; and

22
23 **WHEREAS**, the City has addressed all protests received, and now adopts the
24 water rates.

25
26 **NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of
27 Hemet hereby:

28
29 **SECTION 1. COUNCIL DETERMINATIONS.**

- 30
31 A. At the close of the public hearing noticed for the proposed water rate increase
32 the City Clerk had received [REDACTED] protests of which the City Clerk verified that
33 [REDACTED] protests were from property owners within the water enterprise's service
34 area as shown on the last equalized tax role for the County of Riverside.
35
36 B. Counting one protest per parcel within the water enterprise's service area, the
37 number of protest received from property owners is less than a majority of
38 parcels within the service area based on the Riverside County last equalized tax
39 roll and the Council may proceed to adopt this Resolution Bill No. 15-050.
40
41 C. Council concludes that the proposed rate increases do not exceed the actual
42 cost to the water utility of providing water service within its service area and
43 satisfies the requirements of article XIID, section 6 of the California Constitution
44 and applicable decisions of the California Courts related thereto.

1 D. Drought conditions currently existing within the State of California and the State
2 Water Board's Emergency Regulations require the City water utility to operate
3 under sever water conservation requirements necessitating a 32% reduction in
4 water production.
5

6 **SECTION 2. CITY COUNCIL ACTIONS.**
7

8 A. The City Council hereby adopts this Resolution Bill No. 15-050 establishing
9 Water Rates as reflected in the Water Rates Schedule attached hereto and
10 incorporated herein by reference as Exhibit "A".

11 B. Resolution No. 4138 which previously set water rates for the water enterprise is
12 hereby superseded and no longer in effect and Resolution Bill No. 15-050 shall
13 take precedence and be in effect until subsequently amended or superseded.

14 C. As set forth in Exhibit "A" the water rates approved in this Resolution Bill No.
15 15-050 shall be phased in over a five year period with adjustments occurring
16 October 1, 2015, March 1, 2016, January 1, 2017, January 1, 2018, January 1,
17 2019 and January 1, 2020.

18 D. The City Council hereby imposes the "Drought" water rate structure set forth in
19 Exhibit "A" and declares that such rate structure shall remain in effect until this
20 Council takes such subsequent action as is necessary and appropriate to either
21 revert the water rate structure to a non-drought basis or the Council amends or
22 adjusts the water rate structure should the drought persist or intensify.

23 E. The water rates set forth in Exhibit "A" reflect the cost of wholesale imported
24 water sold to the City from Metropolitan Water District of Southern California
25 ("MWD") and used for groundwater recharge and/or domestic water supply. The
26 Water Rate Study projects that the cost of this water will increase annually by
27 seven cents per 100 cubic feet. Actual cost increases from MWD may exceed
28 the projected seven cents per 100 cubic feet. Pursuant to Government Code
29 section 53756, the City is permitted to pass through to customers of the water
30 enterprise any increase in the cost of this wholesale water from MWD that
31 exceeds seven cents per 100 cubic feet. All future pass through of such
32 increased wholesale water costs will be implemented by increasing the then
33 existing water rate by the exact amount of the increase from MWD calculated in
34 cents per 100 cubic feet. Such increase shall not require additional notice or
35 protest hearings to customers unless expressly required under the law.
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PASSED, APPROVED, AND ADOPTED this ____ day of _____, 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 22nd day of September, 2015, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Sarah McComas, City Clerk

WATER RATE AND SERVICE CHARGES

Ready-to-Serve (Basic) Charges						
Meter Size	Monthly Charge and Effective Date					
	1-Oct-15	1-Mar-16	1-Jan-17	1-Jan-18	1-Jan-19	1-Jan-20
5/8-inch	\$23.05	\$24.95	\$26.25	\$27.55	\$28.85	\$30.15
3/4-inch	\$25.02	\$27.26	\$28.87	\$30.49	\$32.14	\$33.81
1-inch	\$30.04	\$32.83	\$34.86	\$36.93	\$39.03	\$41.16
1 1/2-inch	\$46.74	\$52.79	\$57.85	\$63.14	\$68.66	\$74.42
2-inch	\$74.85	\$81.02	\$85.25	\$89.47	\$93.69	\$97.91
3-inch	\$112.60	\$140.77	\$167.98	\$197.16	\$228.31	\$261.43
4-inch	\$152.11	\$191.23	\$229.15	\$269.84	\$313.31	\$359.54
6-inch	\$259.22	\$317.79	\$373.50	\$433.08	\$496.54	\$563.88
8-inch	\$383.19	\$449.63	\$509.74	\$573.47	\$640.84	\$711.85
Flow Meter	\$86.01	\$99.80	\$112.05	\$125.00	\$138.64	\$152.98

The City currently bills for water service on a bimonthly basis. The bimonthly charge is converted to a monthly charge (shown here).

Consumption (Variable) Charges						
Non-Drought Rates –						
Standard billing rate for all water consumption						
	Rate per 100 cubic feet (100cf = 748 gallons)					
Effective Date	Oct 1, 2015	Mar 1 2016	Jan 1 2017	Jan 1 2018	Jan 1 2019	Jan 1 2020
All Use	\$3.30	\$4.28	\$4.41	\$4.54	\$4.67	\$4.79

Drought Rates –						
Billing rates that may be imposed by City Council action in response to drought conditions and local emergencies requiring conservation of water supply.						
	Rate per 100 cubic feet (100cf = 748 gallons)					
Effective Date	Oct 1, 2015	Mar 1 2016	Jan 1 2017	Jan 1 2018	Jan 1 2019	Jan 1 2020
All Use	\$4.85	\$6.25	\$6.45	\$6.60	\$6.75	\$6.88

Drought rates are in effect as of October 1, 2015, per Council action of September 22, 2015, adoption of Resolution 15-050.



**CITY OF HEMET
Hemet, California**

RESOLUTION BILL NO. 15-051

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ESTABLISHING NEW SEWER RATES FOR CUSTOMERS OF THE HEMET SEWER DEPARTMENT AND SUPERSEDING RESOLUTION 4057.

WHEREAS, in July of 2015, the City of Hemet completed a thorough analysis of the operational and capital needs of its sewer enterprise together with the fixed and variable costs of providing domestic wastewater collection and transmission within its service area. This analysis also included a review of sewer rate increases necessary to fully fund the planned ongoing replacement of underground infrastructure. The results of this analysis are memorialized in the *City of Hemet Sewer Rate Study Final Report of July 2015* ("Sewer Rate Study") and are incorporated herein by reference. The Hemet City Council approved the Sewer Rate Study's methodology on July 28, 2015 and authorized provision of written notice in accordance with Article XIID Section (6) of the California Constitution to landowners and account holders within the enterprise's service area of the Council's intent to consider a sewer rate increase at a public hearing at least forty-five days from the mailing of such notice; and,

WHEREAS, the sewer enterprise has not raised rates for sewer service since 2006 delaying replacement of its aging underground infrastructure. Planned replacement of capital facilities has also been deferred but are now required to safely collect and transport wastewater while protecting groundwater quality. The costs of equipment and labor have also increased and will shortly outpace revenue. A sewer rate increase is now necessary to recover the actual costs of providing the service, fund infrastructure replacement, and to avoid operating the sewer enterprise at a deficit; and,

WHEREAS, the sewer rates proposed in the Sewer Rate Study have been calculated not to exceed the actual cost to the sewer enterprise of providing the sewer service, including operating costs and expenses, costs of capital and equipment acquisition and replacement. The proposed rates have also been structured to be fair and equitable to all customers, to meet the requirements of Article XIID Section (6) of the California Constitution as fees incident of property ownership; and,

WHEREAS, on January 21, 2002, by Resolution No. 3607 at a duly noticed public hearing, the City Council adopted a Sewer Cost Allocation Fee imposed on all Eastern Municipal Water District ("EMWD") sewer customers within the Hemet City

1 limits as they then existed or as they may be expanded by annexation in the future. The
2 formula for the fee so established was 20% of the total collection, transmission and
3 treatment charges imposed by EMWD ("EMWD Charges") upon sewer customers
4 located within the City's boundaries; and
5

6 **WHEREAS**, with the passage of time the EMWD Charges have increased
7 annually, but the City's cost allocation fee, originally set at \$3.32 per unit per month as
8 20% of EMWD's total charges in 2005, has not increased in ten years. The City now
9 desires to apply the previously established and approved formula to the EMWD
10 Charges as certified on July 1, 2015. The City is not changing the previously
11 established and approved formula; and
12

13 **WHEREAS**, in accordance with article XIID, section 6 of the California
14 Constitution, the City mailed a "Notice to Property Owners of Public Hearing" (Notice) to
15 all property owners and account holders within the service area of the City's sewer
16 enterprise, informing them of the date and time of the hearing, and outlined their
17 opportunity to protest the proposed rates, provided instruction for submitting valid
18 protests, and provided all of the other information required under section 6; and
19

20 **WHEREAS**, in accordance with article XIID, section 6 of the California
21 Constitution, the Hemet City Council held the required public hearing on September 22,
22 2015, to hear objections and protests concerning the proposed rate adjustments not
23 less than 45 days after providing the Notice; and
24

25 **WHEREAS**, the City has addressed all protests received, and now adopts the
26 sewer rates.
27

28 **NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of
29 Hemet hereby:
30

31 **SECTION 1. COUNCIL DETERMINATIONS.**
32

- 33 A. At the close of the public hearing noticed for the proposed sewer rate increase
34 the City Clerk had received [REDACTED] protests of which the City Clerk verified that
35 [REDACTED] protests were from property owners within the sewer enterprise's service
36 area as shown on the last equalized tax role for the County of Riverside.
37
- 38 B. Counting one protest per parcel within the sewer enterprise's service area, the
39 number of protests received from property owners is less than a majority of
40 parcels within the service area based on the Riverside County last equalized tax
41 roll and the Council may proceed to adopt this Resolution Bill No. 15-051.
42
- 43 C. Council concludes that the proposed rate increases do not exceed the actual
44 cost to the sewer utility of providing wastewater collection service and

1 transmission within its service area and satisfies the requirements of article XIID,
2 section 6 of the California Constitution and applicable decisions of the California
3 Courts related thereto.
4

- 5 D. The Council finds that the EMWD Charge certified as of July 1, 2015, was \$24.18
6 per unit per month. Application of the previously established and approved
7 formula for the City's Sewer Cost Allocation Fee yields a fee amount of \$4.836
8 per unit per month.
9

10 **SECTION 2. CITY COUNCIL ACTIONS.**
11

- 12 A. The City Council hereby adopts this Resolution Bill No. 15-051 establishing
13 Sewer Rates as reflected in the Sewer Rates Schedule attached hereto and
14 incorporated herein by reference as Exhibit "A".
- 15 B. The City Council hereby incorporates Storm Drain rates as previously
16 established through adoption of Resolution No. 4057, without adjustment into the
17 Storm Drain Rate Schedule attached as Exhibit "B".
- 18 C. The City Council hereby directs the City Manager to review the Sewer Cost
19 Allocation Fee annually at such time as EMWD adjusts the EMWD Charge, and
20 to apply the established and approved formula to the new EMWD Charge and
21 instruct EMWD to levy and collect the Sewer Cost Allocation Fee as adjusted.
- 22 D. Resolution No. 4057 which previously set sewer rates for the sewer enterprise is
23 hereby superseded and no longer in effect and Resolution Bill No. 15-051 shall
24 take precedence and be in effect until subsequently amended or superseded.
- 25 E. As set forth in Exhibit "A" the sewer rates approved in this Resolution Bill No.
26 15-051 shall be set for a five year period with adjustments occurring October 1,
27 2015, March 1, 2016, January 1, 2017, and January 1, 2018.
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PASSED, APPROVED, AND ADOPTED this 22nd day of September, 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 22nd day of September, 2015, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Sarah McComas, City Clerk

Storm Drain Rate Schedule

Storm Drain Maintenance Fee Per Unit / Per Month	\$ 3.30
--	---------

The storm drain maintenance fee applies to all utility accounts in the City of Hemet unless exempt by an annexation agreement. Storm drain maintenance includes regular inspection and cleaning of storm drain inlets, maintenance of road side drainages, maintenance of retention and detention basins, and street sweeping throughout the City. Street sweeping is performed twice per month and contributes to the City's compliance with Environmental Protection Standards. The number of units billed per account is based on the City of Hemet sewer unit calculation for each property use. EMWD and LHMWD bill residential customers in thier areas by interagency agreement and remit funds monthly to the City.



Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Jessica A. Hurst, Deputy City Manager/Administrative Services
Gary Thornhill, Interim City Manager *GA*

DATE: September 22, 2015

RE: Ordinance Amending Hemet Municipal Code Section 2-379

RECOMMENDATION:

It is recommended that the City Council introduce, read by title only and waive further reading of the proposed ordinance amending Section 2-379 of the Hemet Municipal Code relating to User Fees.

BACKGROUND:

Section 2-379 of the Hemet Municipal Code lists the fees that may be collected by the City to recover the cost of certain services from the users of those services. The amount of each fee is set by a separate resolution of the Council. Section 2-379 was last revised in January 2015 as a part of the City's Comprehensive User Fee Update. Willdan Financial Services prepared a document entitled "Comprehensive User Fee Study Report" in September 2014 that defined the fees and provided a methodology for the user fee formulas.

Section 2-379 allows the city manager, finance director, and each department head, under the direction of the city manager, to periodically review the fees and make recommendations to the City Council as to whether any fees should be removed or added to the list.

ANALYSIS:

The proposed Ordinance amends Section 2-379 by adding Building User Fees and one Engineering User Fee that were unintentionally omitted when Section 2-379 was last revised. The added fees are as follows:

- I. Building Fees:
 1. Photovoltaic
 2. Parking Lot Restripe

3. Signs
4. Screen Room
5. Special Event
6. Storage
7. Tent Sale
8. Trash Enclosure - City of Hemet Standard

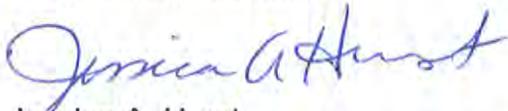
II. Engineering Fees:

1. General

FISCAL IMPACT:

The addition of these fees will generate revenue in the General Fund at an amount equal to 100% of the cost to provide the service.

Respectfully submitted,



Jessica A. Hurst
Deputy City Manager/Administrative Services

Attachments: Ordinance Bill No 15-047

**CITY OF HEMET
NOTICE OF PUBLIC
HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council of the City of Hemet at its regular meeting on Tuesday September 22, 2015, at 7:00 P.M., in the Council Chambers 450 E. Latham Ave Hemet, California, to consider adoption of the following:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, APPROVING PROPOSED UPDATES TO THE CITY'S USER FEE SCHEDULE

and

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA AMENDING SECTION 2-379 OF THE HEMET MUNICIPAL CODE REGARDING USER FEES

Those persons who wish to testify either for or against the adoption of said Ordinance will have the opportunity to do so at this time. The Resolution, Ordinance and Fee Schedule are available for inspection at the office of the City Clerk, 445 E. Florida Avenue, Hemet, California.

**PUBLISHED IN THE
VALLEY CHRONICLE
09/10/2015 AFF#14781**



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**CITY OF HEMET
Hemet, California
ORDINANCE BILL NO. 15-047**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, AMENDING SECTION 2-379 OF THE HEMET MUNICIPAL CODE REGARDING USER FEES.

WHEREAS, the City Council has determined that it is appropriate to recover the costs of certain services through fees charged to the individuals and entities receiving those services, and

WHEREAS, Section 2-379 of the Hemet Municipal Code, which was last revised in January 2015 as a part of the City's Comprehensive User Fee Update, authorizes certain fees to be collected by the City, and

WHEREAS, the City Council desires to amend Section 2-379 to include several Building Department fees that were unintentionally omitted from Section 2-379, and to add a new general fee for the Engineering Department.

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

SECTION 1: AMEND SECTION 2-379. Section 2-379 of the HMC is hereby amended to read as shown in Exhibit "A" to this Ordinance.

SECTION 3: SEVERABILITY.

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

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

4 **SECTION 4: EFFECTIVE DATE.**

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

7 **SECTION 5: PUBLICATION.**

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

14 **INTRODUCED** at the regular meeting of Hemet City Council on September 22nd, 2015.

15
16 **APPROVED AND ADOPTED** this ____ day of ____, 2015.

17
18
19 _____
Linda Krupa, Mayor

20 **ATTEST:**

APPROVED AS TO FORM:

21
22 _____
Sarah McComas, City Clerk

23 _____
Eric S. Vail, City Attorney

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

4 I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the
5 foregoing Ordinance was introduced and first read on the 22nd day of September 2015,
6 and had its second reading at the regular meeting of the Hemet City Council on the
7 ____ day of ____, 2015, and was passed by the following vote:

- 8 **AYES:**
- 9 **NOES:**
- 10 **ABSTAIN:**
- 11 **ABSENT:**

12
13 _____
14 Sarah McComas, City Clerk

EXHIBIT "A"

Sec. 2-379. Schedule of fees and service charges.

(a) The City is authorized to collect fees for the services listed in this subsection. The amount of each fee shall be set by resolution of the City Council.

BUILDING FEES

Plan Check & Plan Review
Building Permit
Inspections
Assembly Vanilla (Empty): Shell to TI
Addressing
Residential Carport - Standard City of Hemet Handout
Deck & Balcony – Standard Plan
Block Wall – Standard Plan
Certificates of Occupancy
Change of Occupancy Use
Demolition Permit
Drywall repair permit
Electrical Meter Pedestal
Electrical Panel Upgrade
EVR Upgrade
Fence
Fire Damage Assessment
HVAC Replacement
Training Fee
Computer Fee
Plan Storage
Microfilm/Scanning
Parking Lot Restripe
Patio Cover - Standard Nationally Recognized Approved Plan
Photovoltaic
Re-roofing
Residential Siding
Screen Room
Sewer hookup
Sewer repair
Signs
Spa/hot tub permit
Special Event
Spray booth permit
Storage
Stucco – Application to existing home
Residential swimming pools
Temporary utilities
Tent Sale
Trash Enclosure- City of Hemet Standard

Underground utilities to shed
Replacement wall heater
Replacement water heater
Replacement windows
Mechanical permits
Plumbing permits
Electrical permits

CITY CLERK FEES

Copying and Printing Service
Clerk Certification
Research Service
Minute/Agenda Mailing Service - With Stamped Envelope Provided
Minute/Agenda Mailing Service - Without Stamped Envelope Provided
City Clerk Document Research
City Clerk Documents Covered Under Fair Political Practices Commission Regulations
(electronic or hard copy)
Faxing of City Documents per Statute
Municipal Code Update Service
Title 17 Packet Service
Electronic document request (Technology)
City Clerk Documents Covered Under Fair Political Practices Commission Regulations
(Research fee)

ENGINEERING FEES

Plan Checking: Grading (Clear & Grub - Stockpile - Mass – Rough)
Plan Checking: Precise Grading
Plan Checking: Erosion & Sediment Control Plans
Plan Checking: Storm Water Pollution Prevention Plan (SWPPP)
General
Grading Permit issuance
Grading Permit extensions and renewals
Grading Plan revisions
Traffic Control Plans
Encroachment Permits
Improvement Plan reviews
Permit issuance for on/off-site improvements
Improvement Plan revisions
Plan storage and scanning
Easement dedication
Easement vacation
Summary street vacation
Parcel maps
Parcel map waiver
Reversion to acreage
Final maps
Subdivision improvement agreements and bond processing

Bond replacement/reduction
Record of Survey
Amended map
Certificate of Compliance
Certificate of Correction
Centerline Ties Review
Landscape and Lighting Maintenance District (LLMD) Formation
LLMD Processing
Traffic Impact Analysis
Conditional Letter of Map Revision
Letter of Map Revision
Letter of Map Amendment
Elevation Certificate
Flood Zone Clearance Letter/FIRmette
Hydrology and Hydraulics study
Water Quality Management Plan (WQMP) - Preliminary and Final
Inspections: Grading (Clear & Grub - Stockpile - Mass – Rough)
Inspections: Precise Grading
Inspections: Erosion and Sediment Control Plans
Special Inspections
Improvements Inspections
Traffic control inspections
SWPPP Inspection
WQMP Facilities Inspection
WQMP Annual Inspection
Driveways
Curb and Core
Block Party
Excavations
Transportation Permits
Documents/Plans Research

FINANCE FEES

Returned Check Processing
Copying and Printing

FIRE FEES

Scanning of Submitted Documentation and File Retention
Technology Support
Plan Check Residential Fire Alarm & Life Safety Systems
Permit/Inspection Residential Fire Alarm & Life Safety Systems
Plan Check New Fire Alarm System
Inspection New Fire Alarm System
Plan Check Tenant Improvement Fire Alarm
Inspection Tenant Improvement Fire Alarm
Plan Check Fire Sprinkler System
Inspection Fire Sprinkler System

Plan Check Tenant Improvement Fire Sprinkler
Inspection Tenant Improvement Fire Sprinkler
Plan Check ESFR System
Plan Check Standpipe Piping
Inspection Standpipe Piping
Plan Check Underground Piping
Inspection Underground Piping
Plan Check Hood & Duct Systems
Inspection Hood & Duct Systems
Plan Check Fire Pump
Inspection Fire Pump
Plan Check Special Suppression System
Inspection Special Suppression System
Plan Check Medical Gases
Inspection Medical Gas Systems
Plan Check Industrial Gases
Industrial Gases Inspection
Plan Check Expedite Request
Inspection Expedite Request
Plan Review Special Event
Special Event Expedite Request
Off-Hours Inspection Request
Weekend Or Holiday Inspection Request
Special Event, Pre-Event Inspection Services
Occupant Load
New Occupancy
New construction plan review and inspection
Pre-submittal Review
Fire, Life Safety Or Special Hazard Consultation
Closure Report Review
RMPP Consultation Review
Fire Lane Plan Review (Fire Master Plan)
Fuel Modification Plan Revision Review (Change to Existing Plan)
Appeal for Alternate Methods and Materials
Appeal of Alternate Methods and Materials to the Board of Appeals
Appeal of a ruling by the Fire and/or Building Code Official
Plan Check Tank Installation Or Removal Above Or Below Ground
Inspection Tank Installation Or Removal Above Or Below
Plan Check Hazardous Materials Piping
Inspection Hazardous Materials Piping
Initial Plan Review Hazardous Processes Or Occupancies
Annual Permit Hazardous Processes Or Occupancies
Hazardous Processes Or Occupancies, Single Event Permit
State Mandated Inspections
Hazardous Materials Business Plan, Inventory Disclosure And Applicable Permit
Incident Response Recovery, Motor Vehicle Accidents

Incident Response Recovery, Hazardous Materials
Incident Response Recovery, Pipeline and Power Line Incidents
Incident Response Recovery, Fire/Fire Investigation
Incident Response Recovery, Water Incidents
Incident Response Recovery, Special Rescue
Incident Response Recovery, Chief Officer Response
Incident Response Recovery, Skilled nursing facilities non-emergency situations
Mobile Home Park inspection
Engine Company inspection
Fire Report
Hazardous Materials Review and Inspection
Fire False Alarm Response
Weed Inspection/Abatement
Private Fire System Flow test
Fire Suppression Stand-By
Community Care Facility Pre-Inspection
CA Fire Code/International Fire Code Required Permits

LIBRARY FEES

Late fees for all materials
Replacement fees
Copies and printing
Public fax
Collection agency fees
Replacement Card
Visitors Card
Buying computer time
Passport processing
Conference Room Rental
Main Hall/ Kitchen Rental
Half Hall/ No Kitchen Rental
Preparation
Cleanup

PLANNING AND CODE ENFORCEMENT FEES

ABC Review- Finding of Public Convenience and Necessity (Director Review)
Administrative Use Permit Modification
Administrative Use Permit
Administrative Adjustment
Adult Business Permit
Airport Influence Area Review
Airport Compatibility Study Review
Annexation
Appeal of Community Development Director Decision
Appeal of Planning Commission Decision
Auto Center Plan Review - Site Development Review
CEQA: Environmental Impact Report

CEQA: Initial Study w/Mitigated Negative Declaration
CEQA: Initial Study w/Negative Declaration
CEQA: Categorical Exemption
Certificate of Compliance (Not Including Lot Line Adjustment)
City attorney review/meetings
Amendment to conditions of Approval
Conversion from Senior Housing Permit
Conversion to condominiums
CUP – major
CUP – minor
CUP – modification
Density Bonus Agreement
Determination of Use
Development Agreement
Development Agreement Amendment
Downtown Project Review- major
Downtown Project Review-minor
Extension of Time – director review
Extension of Time – planning commission review
Foreclosure Registration and re-registration
Garage Sale Permit
General Plan Amendment
GIS Mapping Fee
Habitat Acquisition & negotiation Strategy (HANS) Application
Home Occupation Permit
Homemade Food Operator Permit
Homemade Food Operator Permit Annual Renewal
Lot Line Adjustment
Environmental Mitigation Monitoring
Mobile Home Park conversion
Model home plan complex
Parcel map waiver
Planned Community Development
Planned Community Development Amendment
Planned Unit Development
Planned Unit Development Amendment
Planning Research fee
Preliminary Review (DRC)
Public Hearing Notice Publication fee (Newspaper ad)
Public Hearing Notice Property Radius Mailing (mailed notice)
Residential rental registration and inspection program fees
Shopping cart impound fee (public works)
Shopping cart plan containment plan review
Site Development Review - Minor
Site Development Review - Major
Site Development Review Modification- Minor

Site Development Review Modification- Major
Sign permit review
Sign Program review
Sign Program amendment
Small Group Home Permit
Specific Plan
Specific Plan Amendment
Sphere of Influence amendment
Subdivision – Reversion to acreage or lot merger
Subdivision- Amended Final Map
Substantial Conformance Determination- Subdivision/SDR/CUP
Technical Study Review
Temporary Sign/Banner Permit
Temporary Use Permit
Tentative Map Revision/Resubmitted Map
Tentative Tract Map
Tentative Tract Map - Vesting
Tentative Parcel Map
Variance
Zone Change
Zoning/Planning letter
Zoning Ordinance amendment
Code Compliance reinspection

POLICE FEES

Animal Control Services - Dog License, Neutered
Animal Control Services - Dog License, Non Neutered
Animal Control Services - Disposal
Animal Control Services - Shelter
DUI Accident Investigation
Abandoned Vehicle Removal
Crime Scene Photo Reproduction
Concealed Weapons Investigation
False 911 calls
Civil Subpoenas
Massage Establishment Inspection
Firearms Dealers
Photographs
Other Agency Citation: Non-Resident/Resident. HPD Citation
Duplicate Citations
Towing Fee
Massage Technician/Establishment Hearing
Gun Storage Admin Fee
Police Report (Non-Collision Report)
Call for Service
Traffic Collision w / injury Report
Traffic Collision without injury Report

Agency Live-scan fee
Subpoena Fee: Clerical Retrieval
Subpoena Fee: Copies up to 8.5 x 14
Bicycle License
Repossession Fee
VIN Verification
Vehicle Impound Fee
Statistical Report (per location)
Clearance Letter
Witness Fee (Civil)
Taxi Vendors HPD Inspection/admin processing
Ice Cream Vendors HPD Inspection/admin processing
Second Hand Dealer / Pawn Broker HPD Clerical/Admin DOJ License Processing
Recovery

(b) The fees listed in this section shall be as defined in that certain document entitled "Comprehensive User Fee Study Report" dated September 2014, prepared by Willdan Financial Services and approved by the City Council.

(c) The city manager, finance director and each city department head, under the direction of the city manager, shall periodically review the fees listed in subsection (a) and make recommendations to the City Council as to whether any fees should be removed or added to subsection (a)."



Staff Report

TO: Honorable Mayor Krupa and Members of the Hemet City Council
FROM: Gary Thornhill, Interim City Manager *GT*
DATE: September 22, 2015
RE: Technology Enhancements at the Hemet Public Library

RECOMMENDED ACTION:

That City Council approve the use of \$70,000 from Development Impact Fees for the purchase of two additional self-checkout machines, update existing self-checkout machines bringing them to current Windows 7 standards and to purchase two additional sorting modules.

BACKGROUND:

The Hemet Public Library began using patron self-checkout machines in 2006. Since 2013, our two oldest self-check machines have not had maintenance agreements due to their age and the inability to upgrade the outdated NT operating system. They are also incompatible with the new RFID (**R**adio **F**requency **I**dentification) gates that were installed earlier this year. 90% of all circulation occurs with patron self-checkout machines. The Library will upgrade the existing two self-check machines from Windows XP to Windows 7 and purchase two new RFID checkout machines using Windows 7 technology. This purchase will improve the patron experience by speeding up the check-out process through the use of RFID technology and will allow patrons to scan their library cards from their smart phones using the new optical barcode readers. The new and upgraded checkout machines will allow us to offer the option to email receipts further saving money and have the ability to accept credit or debit card payments without staff involvement.

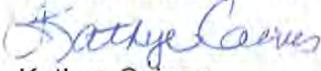
In 2010, the Council approved the use of the Interest from the La Salle Endowment and a gift from the Friends of the Hemet Public Library to purchase a 3M automated sorting system in order to improve the efficiency of the Hemet Public Library. Our current system has four modules and can be enlarged to seven modules. The Library Board and Library Manager feel that it is time to add two additional modules in order to better sort material, which expedites the return of material to the shelves for more patron accessibility.

This project will be coordinated by Staff and 3M, with their technicians installing the equipment when the Library is closed causing minimal disruption of service to the community.

FISCAL IMPACT:

Increase General Fund account number 363-6100-5400 by \$70,000 for purchase of equipment, sales tax and shipping. The increased appropriation will be offset by a transfer of funds using Development Impact Fees.

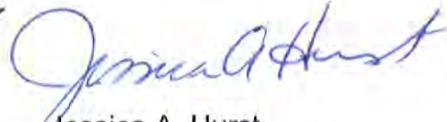
Respectfully submitted,



Kathye Caines
Sr. Librarian/ Library Manager



Eric S. Vail
City Attorney



Jessica A. Hurst
DCM/Finance Director

Attachment(s): Quote

