



Citizen Advisory Committee (CAC) Meeting
Hemet Public Library- 2nd Floor
Thursday, February 28, 2013 - 3:30 PM to 5:30 PM

AGENDA RECAP

OPPORTUNITY FOR PUBLIC COMMENT: *Members of the public may be given an opportunity to comment on agenda items at the conclusion of each discussion item, as time permits.*

1. Call to Order- *Chairman Dan Goodrich*

Chair Dan Goodrich called the meeting to order at 3:30 p.m.

Staff Present: Deanna Elliano – Community Development Director
Mark Orme – Assistant City Manager
Steve McEwen – Assistant City Attorney

CAC Present: Jim Connell
Eva Gifford
Daniel Goodrich
Mona Groff
Norm Kyriss
Mary Ann Mari
Sharon McComb
Shellie Milne
Carlos Navarro
Stefany Nelson
Michael Ramirez

CAC Absent: Patti Drusky
Gary Fowler
John Gifford
Frank Gorman
Eric Gosch
Larry Graves
Robert Masson
Connie Hall
Robert Youssef

**2. Comments or corrections to the January 24, 2013 CAC Agenda Recap
(distributed via e-mail to CAC members)-** *CAC members*

It was MOVED by CAC Member Mona Groff, SECONDED by CAC Member Sharon McComb and unanimously agreed to approve the January 24, 2013 Agenda Recap as presented.

3. Review of Draft Social Host Ordinance – *Community Development Director Elliano and City Attorney*

Community Development Director Deanna Elliano distributed copies of the Draft Social Host Ordinance to the CAC Members and provided a brief background, noting that it was related to the recently adopted Alcoholic Beverage Ordinance, and had come forward with assistance from CAC Member Michael Ramirez, and his organization, the Community Action Network. Staff has worked closely with the City Attorney to come up with the proposed draft, which had originally started off as a “Social Host” ordinance, but then had “Loud & Unruly Gatherings” added to use as an additional tool of enforcement. Efforts were coordinated with the Police Department to ensure that it is something they can utilize. Page A-1 begins the ordinance verbiage that will appear in the Hemet Municipal Code.

CDD Elliano discussed various aspects of the ordinance, providing detailed explanations of some of the purposes and definitions of both “loud and unruly gatherings” as well as “social hosts.” She explained that it would not only be an enforcement tool for the Police Department, but would allow for the City to recover costs.

CAC Member Ramirez inquired about the fine for violations of the ordinance.

Assistant City Attorney Steve McEwen advised that violations could be imposed as an infraction, which would include a \$100 fine for the first offense, \$250 for the 2nd offense, and \$500 for the 3rd offense; or as a misdemeanor, which is subject to a maximum fine of \$1,000 or jail time. Administrative Citation penalties are also applicable.

CAC Member Ramirez asked what criteria would differentiate between an infraction and a misdemeanor, and what guidelines there were to determine this.

Assistant City Attorney McEwen explained that it would be a judgment call on the part of the responding officer, depending on the severity of the circumstances and whether there had been prior violations. If charged as a misdemeanor, the City Attorney’s office would retain the discretion to reduce to the charge to an infraction. Sometimes an agreement for reduction can be reached in a court of law.

CAC Member Mary Ann Mari noted that within Mobile Home Parks (MHP), most residents are homeowners but there may also be some renters. If a violation occurs within a MHP, will the homeowner be cited or the park owner?

Assistant City Attorney McEwen indicated that the person responsible for creating the problem would be the person cited.

CAC Member Mari asked for clarification that the landowner would not be held responsible.

Assistant City Attorney McEwen explained that typically the landowner would not be held responsible, but if there is a problem that continues repeatedly for an extended period of time, and the property owner has been notified but does nothing to rectify the situation, the property owner could then be held responsible under certain circumstances.

CAC Member Jim Connell asked if this was similar to the Chronic Nuisance Ordinance.

Assistant City Attorney McEwen indicated that it was, but that Staff thought it was necessary for this to be included as an additional ordinance.

CAC Member Ramirez noted that there is a State Ordinance that prohibits adults from providing alcohol to minors. He discussed a new law in Ventura where property owners are held responsible for “house parties” which is the most common situation in which minors consume alcohol. He noted that such a violation was taken from a criminal offense to a civil offense.

CAC Chairman Goodrich asked for clarification regarding portions of the ordinance, referring to Page 46-A-5, which imposes responsibility for law enforcement cost.

Assistant City Attorney McEwen explained that if there are three social hosts, each of them can be individually cited. If they are responsible for law enforcement costs, they could pool their resources to pay for those costs.

CAC Member Ramirez commended CDD Elliano for her efforts in putting the draft ordinance together.

CAC Chairman Goodrich offered recognition to CAC Member Ramirez, as well, for his diligence and assistance in the establishment of the ordinance.

CDD Elliano stated that if having the ordinance on the books will at least somewhat discourage people from participating in this type of activity, it would be a benefit to the community.

CAC Member Connell suggested that a synopsis be put together and provided as a handout at the ROCS booth at the Farmer’s Market so that this important information can be conveyed throughout the community.

CAC Member Ramirez agreed that it is important for the information to be conveyed to the public, and to the parents of teenagers particularly. The CAN Coalition can assist to make this happen.

It was MOVED by CAC Member Mari, SECONDED by CAC Member Nelson, and unanimously agreed to recommend approval of the ordinance to the City Council.

4. Review of Draft Amendment to the Abandoned or Foreclosed Property Ordinance- *Community Development Director Elliano and City Attorney*

CDD Elliano advised the CAC that she did not have a draft copy of the amended Abandoned or Foreclosed Property ordinance yet, but hoped to have one at the next meeting. The City already has one on the books that was adopted in 2008 with provisions that are helpful, but it lacks a main component regarding the requirement for the lien holder or bank to notify the City that there is a foreclosure action taking place. The City does not tend to find out until someone has complained, and by that time the property is often problematic.

What the new version of the ordinance would do is establish a requirement that at the time of the Notice of Default, the bank would give the City an early warning that would identify the responsible party for the property. Currently in our Code Enforcement efforts there are many occasions where a great deal of time is spent simply trying to determine who is responsible for a property. Also, when a property is boarded up the new ordinance will require that it be rehabilitated within 180 days (6 months). Requirements are currently in place regarding maintenance of the property, such as dealing with stagnant pools, removal of graffiti, etc.

While the main issue is with the notification process, the other concern is imposing a requirement that the property management company perform weekly inspections and maintenance. We would also like to spell out a process for the ultimate resolution of receivership, if that becomes necessary.

CDD Elliano advised the CAC that in coordination with Planning Commissioner Michael Perciful, she would be meeting with the Board of Realtors for a discussion regarding getting some of the vacant properties back in shape. Overall, the City of Hemet is much healthier than it was even one year ago. Today's statistics include 137 Notices of Default, which means that the property owner is behind in their payments. There are 141 homes at auction/trustee sale, and 360 that are bank owned/REO properties. Code Enforcement staff has a list of approximately 25 boarded-up properties that are active code cases. A foreclosed property is not necessarily a boarded up property, since the board up process happens only when vagrants break in and/or nobody is maintaining the property. The City wants to work with the Real Estate industry to resolve some of the foreclosure issues, and would like to see foreclosed properties either sold or put into receivership wherever possible. Behind this ordinance is a much larger enforcement program, which will be the next piece of this effort.

CAC Member Mari mentioned that everything the ROCS Committee is working on seems to address the negative side of the community. She wondered if there could be some focus on what might be done to rejuvenate as well, and bring some positive things to the City. How do we get into the mode of switching gears to focus on improvement rather than addressing the negative aspects?

CDD Elliano indicated that this would require making a recommendation back to the City Council. What the Committee has been directed to address is the establishment of these ordinances as tools to deal with the problems in the community. She deferred to Assistant City Manager Mark Orme.

Assistant City Manager Orme noted that, currently, the CAC needs to fulfill the obligations for which it was established, although the concept of moving forward with rejuvenation is a great idea. The CAC Liasons can advise the balance of the City Council regarding the recommendations, ideas and thoughts of the CAC. We are on a limited time schedule at this point, and need to move forward with the ordinances as directed by the Council.

CAC Liasion Shellie Milne stated that she did not think most residents just sit and watch their homes waste away because they want to, but rather because they don't have the money to save them. She suggested a long term goal of investing more focus on positive concepts, noting that the negative output needed to stop. She noted that there are a lot of normal, hardworking families in the City of Hemet, and that they should not have to be scared by all of the negativity.

CAC Member Mari suggested that the City needed a tourism group to be put in place again.

Regarding the ordinance on foreclosure, CAC Chairman Goodrich stated that he had been advised by his Council that there is a blanket recording for all of the APN's in the County, through which you can be notified when a property trades hands. This is something that the HOA industry has pushed for. He stated that he would provide the information to CDD Elliano regarding this process, which is in the David Sterling Act.

Assistant City Attorney McEwen stated that his office could take a look at this. Whenever we record something against a property it clouds the title, so we try to be very careful where this is involved, and provide the proper notification to the property owner, whomever that may be.

CAC Member Norm Kyriss noted that he had a very responsible client foreclose on a property recently, and that they were in the process of foreclosure of another of their investment properties, which had been abandoned. It takes time and money to clean up these acquired foreclosures that were left abandoned and blighted. When property owners take their properties back as a result of foreclosure, they often act responsibly. The foreclosure process itself is what often takes the most time, and by the time the investor or bank gets the property back, it is often quite a mess. Sometimes there are already liens against the property by that point. The liens have to be removed after the bank acquires the property before a new buyer can take it on. We are attacking an entity because we have a homeowner in a home that is not behaving responsibly. Receivership is often an option when it is a multi-unit apartment complex that is in foreclosure, but less of one for single-family residences.

CDD Elliano acknowledged that there has to be enough value in a property to make it worthwhile for a receivership to come in. When a bank takes back a property, what the City expects is maintenance. When there is an abandoned property that is taking an excessive amount of time to restore, if the property owner comes into the City and shows that they are making reasonable efforts to deal with the matter, the City will work with them.

CAC Member Kyriss noted that another issue on the other side of the coin is that there are homeowners abandoning properties. During this time, there are weeds growing, vagrants taking over, etc. I try to encourage homeowners to stay in their homes until the very end, but often they choose to leave because it is too emotional for them to try to stay in a home that they know is going into foreclosure when they've lost their job and they have no way out. There is high inventory that has been in place for years, and is getting larger. This is a great place for low-income people to live because of this inventory, and it is unfortunate that a lot of negativity comes with that.

CDD Elliano explained that if the City has a property on a watch list because they've been notified that it's in default, there is a better chance of dealing with it before it becomes excessively blighted.

5. Overview and Prioritization of work regarding remaining Hemet ROCS ordinances – *Community Development Director Elliano and Assistant City Manager Orme*

CDD Elliano provided an update regarding the Hemet ROCS task force, noting that the Police Department had been able to do a series of stings through utilization of grant money, and has made various arrests of people selling alcohol to minors.

Inspections are continuing at the Town & Country Mobile Home Park, where 375 violations were found. Some units were so substandard that they have been removed, and a couple more are pending removal. A number of surrounding parcels are owned by the County, who has recently demolished several of the abandoned buildings.

An inspection of the Hemet Motel was performed recently, and the Budget Motel just yesterday, where a parolee was arrested. With the Florida First program there were some prostitution arrests made, as well as vehicle citations and towing.

The task force is also aggressively moving forward to address problem properties. Several inspections have been performed recently at local, small apartment complexes, where various violations have been found and are being addressed.

Police Lieutenant Duane Wisheart further discussed some of the efforts of the Florida First program, and some of the inspections that had been completed via the task force.

CAC Member Mona Groff wondered when Chief Brown would be coming to report on grants that he had mentioned in the past.

Assistant City Manger Orme noted that Chief Brown was at a meeting today, but was expected to be present for the March meeting.

CDD Elliano shared a success story, which, she noted, was not related to a ROCS task force inspection but rather a nuisance property in a residential neighborhood. Many complaints were received and addressed via the chronic nuisance ordinance, and the residence has now been vacated and the nuisance removed. She likes to share this as a success story, since without the tools that were achieved through the ROCS Program and the support from the neighborhood, we would not have been able to deal with this property as quickly as we did.

CAC Member Groff discussed a member of the public that had spoken at the last City Council meeting, stating that the ROCS Program had not accomplished anything. She expressed frustration with people who do not attend the meetings and then speak negatively in a public forum regarding something that they really know nothing about.

CDD Elliano distributed a summary chart outlining the Hemet ROCS Ordinances that had been adopted and implemented from January 2012 to January 2013, and listing the pending ordinances and items. The Social Host ordinance is moving forward shortly, and the foreclosure ordinance will be up next, followed by the Administrative Citation Ordinance update, and update to the Nuisance Abatement Ordinance, City-Wide Landscaping & Property Maintenance Standards (also to be reviewed by the Planning Commission), and the Rental Registration and Crime-Free Housing Programs. Staff will do their best to review all of these items with the CAC in the time frame prior to the final meeting in May.

CAC Member Groff asked if the Landscape standards would also apply to businesses.

CDD Elliano responded that there would be a commercial portion of the document that would address businesses.

CAC Chairman Goodrich wondered if it was the intent of Staff that the CAC would not receive the Foreclosure Ordinance, but that it would move directly forward to the City Council.

CDD Elliano indicated that Staff could send it out via email for the CAC to review, if so desired.

Discussion ensued regarding this thought, and the CAC agreed that they would like to take a look at the ordinance via email, but that it could then be moved forward to the City Council without coming back to another CAC meeting for a recommendation.

CDD Elliano discussed the Rental Unit Registration Ordinance, which would require property owners to register their rental properties and participate in the Crime-Free Multi-Family Housing Program. There will obviously be discussion regarding this. Some representatives of the Apartment Owners Association have contacted me, and I will be meeting with them at a future time. This will not pertain to Mobile Home Parks, but may pertain to Mobile Home Subdivisions that function in the capacity of single-family homes on privately owned lots, such as in the Sierra Dawn community. The City of Grand Terrace has been mentioned by several sources as being a great success model, so we are in communication with them regarding their program.

CAC Member Nelson asked if the City planned on making this a mandatory program.

CDD Elliano affirmed that this was correct.

CAC Member McComb suggested that once implemented, she thought that rental property owners would find the program to be a very valuable tool.

CAC Member Mari noted that she had recently hosted a presentation regarding the Crime-Free Housing program at her Mobile Home Park, where she served pizza. She had a large turnout and a lot of valuable information was provided to her residents, who had a better feeling about how they could help themselves by the time the meeting was over. Many residents thought that Park Managers should be policing the parks, but we are limited regarding what we can actually do.

6. Update on Public Outreach Program and Hemet ROCS Booth – Assistant City Manager Orme

Assistant City Manager Orme advised the CAC that Staff is in need of a break with coordination of the ROCS Booth at the Hemet Farmer's Market, so we are pausing the booth for a month, but will kick it back on in April. He expressed thanks to those who have assisted, and those with pending offers of assistance. Feedback has been tremendous.

7. CAC Roundtable – CAC Chair & Committee Members

CAC Chair Goorich asked if there were any CAC members who had comments to share.

CAC Member Eva Gifford, expanding on the earlier discussion of positive aspects of the community, noted that if she were a stranger driving into Hemet, in looking around, she would not want to locate here. She wondered if clean up efforts could be expedited, and what the CAC could do to assist the city in expediting such efforts.

CDD Elliano responded that one of the things everyone could do is put forth concerted efforts regarding education and enforcement. She explained the limitations that City staff faces, under Planning & Zoning codes, in terms of signage, etc.

CAC Member Mari noted that she used to be the owner of several blighted properties, which she sold and has since watched deteriorate. I know that a lot of cities are taking back properties with receivership, and maybe this is the way to go. Regarding signage, how about requiring maintenance of signs? Require business owners to either maintain or remove them. As a property owner, investor, and developer, I know that a lot of the blighted buildings will ultimately need to be demolished.

CAC Liason Milne advised that in reviewing the Community Development Block Grants (CDBG) the City Council proposed that a large amount be invested in Code Enforcement and the related entities that can legally address these blighted properties.

CAC Member Connell recalled that years ago there was state or federal rehabilitation money available. He wondered if any funds of this type were still accessible.

CDD Elliano explained that most grant funds available now are for energy conservation. Redevelopment funds are no longer available.

Regarding businesses in Hemet, CAC Member Kyriss noted that he'd been advised on numerous occasions that working with the City of Hemet to open a business is a nightmare. With the amount of unemployment here, he suggested that it would be nice to see more businesses open here to help bring that rate down.

CDD Elliano responded that she would be interested to know who is having difficulty, since City staff has gone out of their way to assist people with opening new businesses. Sometimes there are health & safety issues that must be addressed, particularly in various older buildings, and there is no way around the Certificate of Occupancy issues that pop up in those cases, but staff is motivated to make the process a better and easier one.

CAC Member Nelson asked if Olive Garden was planning to locate in Hemet.

CDD Elliano responded that they have expressed interest in the past, but thus far she had not seen any plan come forward.

CAC Chair Goodrich suggested that focus should be directed to manufacturing and industrial businesses rather than restaurants.

CAC Member Ramirez requested an update on collaboration with the City of San Jacinto and the County of Riverside regarding the sharing of ROCS Ordinances and efforts, etc.

CDD Elliano discussed the efforts that she was aware of, and noted that a car was in the process of being received from the County under the program that had been discussed at a prior CAC meeting. The car will be utilized for a code enforcement field volunteer.

CAC Member Eva Gifford inquired regarding whether Code Enforcement volunteers were still needed.

CDD Elliano noted the volunteer efforts that were currently in place, but stated that additional volunteers were always needed and could be accommodated.

Discussion ensued regarding the various types of volunteer efforts that could be used.

CAC Member Groff advised that she often takes care of various issues herself, such as removing garage sale signs, etc., that are posted on telephone poles or other locations where they should not be.

Assistant City Manager Orme advised regarding one aspect of improvement as it relates to communication, stating that Southern California Edison had shared a phone number with the City which can be called regarding graffiti, signs, etc. on their poles. The number is 866-421-4688. Southern California Edison will come out to remove these items from their poles if they are reported via this number.

CDD Elliano also suggested use of the ROCS hotline for remedies to complaints throughout the City.

8. Comments from the Public regarding items not on the agenda – Chairman

Goodrich (This is an optional portion of the agenda at the discretion of the Chair, and allowed as time permits.)

Kathleen Marquez – Member of the Public, inquired about the medical marijuana issue, and whether it would be addressed under the Social Host Ordinance.

CDD Elliano responded that one of the first ordinances to be completed under the Hemet ROCS Program prohibits medical marijuana.

Lieutenant Wisheart noted that there is no longer any criminal prosecution for such cases, so it's difficult to fight. The Police Department can cite someone but there are no true enforcement remedies.

Discussion ensued regarding this matter.

Ms. Marquez discussed the issue of graffiti, suggesting that if she could be provided with more information regarding the hotline numbers that can be called she would gladly pass it out to the people that she works with.

CDD Elliano advised that much of the ROCS Outreach materials were located on the City's website. We can add the Valley-Wide Graffiti hotline to the website for public access.

Ms. Marquez expressed concern with the issue of boundaries and the fact that the ROCS Ordinances do not apply to properties in the unincorporated County area.

CDD Elliano stated that, unfortunately, the City of Hemet has no jurisdiction outside of its boundaries.

CAC Member Mari advised that the Riverside County Code Enforcement can be contacted via their website at www.riversidecounty.gov. If multiple people submit complaints regarding the same issue at the same property, the County will respond and address the issue.

CAC Chair Goodrich suggested the Ms. Marquez search for a neighborhood watch program on the County website as well.

Ms. Marquez noted that schools now require that students complete a certain amount of community service, and suggested that the City contact the School District regarding utilizing students who are subject to this obligation.

Marcia Scott – Member of the Public, discussed a booth at the Hemet Farmer’s Market with a vendor that was selling knives. She noted that she had expressed concern regarding this to those manning the ROCS booth, but had been summarily dismissed. She then contacted Chief Brown, and the knife vendor is no longer there. She noted her frustration with the fact that it took so much effort to have them removed, in light of all of the violence that has been occurring in the valley.

Lieutenant Wisheart advised that it is not illegal to sell knives, and that there is nothing within the City Code that prevents people from doing so.

CAC Member Ramirez suggested that the one who should address this issue is the person signing up the vendors.

CDD Elliano noted that the Farmer’s Market had been approved under an Administrative Use Permit, and that the goods being sold there are supposed to fit into this setting, such as produce and handmade goods. She stated that she would follow up with Staff regarding the list of vendors that is supposed to be provided to the City on a regular basis as part of their conditions of approval.

Gene Hikel – Member of the Public, read a prepared statement for the CAC, offering various suggestions for improvement to the community and restoration of the City. He suggested that the City’s General Plan be considered, and that focus should be on building a warm and welcoming community environment, which would reduce many of the causes of crime. There should be respect for all people, as a climate of tolerance can do wonders to reduce crime and revive a community. He suggested that the valley needs to be self sufficient with its own business industry. A strong Economic Development Department is needed, as is

improvement to infrastructure and services that will revitalize the City. Businesses are not going to invest in our community if we are not investing in it ourselves. Staff has been cut dramatically, and if we continue cutting, things will only get worse. For long term success we need to invest in our community by increasing taxes, which could be supported by the citizens if there is a plan and they know how their money will be spent. A plan should be established to address economic development, social services, crime, housing and revenue. He recommended that an Advisory Committee be established to work on such a plan, or that the CAC be appointed to work on it. Hemet is at a fork in the road. He suggested that the path of investment and revitalization be the chosen one.

Terri Straubinger – Member of the Public, asked if the Foreclosure Ordinance addresses those homes which are still privately owned but have been abandoned. She referred to the house on the corner of Carmalita and Kimball Avenues that had been vacant and unfinished for decades, and asked how long this property owner would be allowed to leave his home in this condition.

CDD Elliano responded that this is a home which is categorized under unfinished construction. There is a current code case on the property, so it would be inappropriate to discuss it in a public forum.

Ms. Straubinger expressed her hope that this home would be addressed under the proposed ordinance, or some other, and that certain property owners would not be given preferential treatment.

Assistant City Manager Orme stated that staff was just as frustrated as the public regarding properties that have been boarded up for extended periods of time.

9. Adjournment to the meeting of March 28, 2013- *Chairman Goodrich*

It was MOVED by CAC Member Mari, SECONDED by CAC Member Groff, and unanimously agreed to adjourn the meeting at 5:29 p.m. to the March 28, 2013 Meeting of the Hemet ROCS CAC.