



Citizen Advisory Committee (CAC) Meeting
Hemet Public Library- 2nd Floor
Thursday, April 25, 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 3:35 p.m.

STAFF PRESENT: Dave Brown – Police Chief
 Deanna Elliano – Community Development Director
 Erica Vega – Assistant City Attorney

CAC PRESENT: Jim Connell Norm Kyriss
 Gary Fowler Mary Ann Mari
 John Gifford Robert Masson
 Dan Goodrich Shellie Milne
 Frank Gorman Stefany Nelson
 Eric Gosch Michael Ramirez
 Mona Groff

CAC ABSENT: Patti Drusky Sharon McComb
 Eva Gifford Carlos Navarro
 Connie Hall

2. Comments or corrections to the March 28, 2013 CAC Agenda Recap (distributed via e-mail to CAC members)- *CAC members*

It was MOVED by CAC Member Robert Masson, SECONDED by CAC Member Mary Ann Mari, and unanimously agreed to approve the March 28, 2013 Agenda Recap as presented.

3. Overview of Sample Rental Registration and Crime Free Housing Ordinances

Community Development Director Elliano and City Attorney

a. Overview of Ordinances from other cities and recommended concepts

Community Development Director Deanna Elliano gave a PowerPoint presentation regarding the proposed Rental Registration and affiliated programs, noting that the purpose of such programs was to address sub-standard housing, maintenance and living conditions at rental properties that impact the general welfare of the residents and neighborhoods, and ultimately lower property values. The multi-layered, collaborative programs, which would apply to non-owner occupied residential properties (rental units) would hold absentee or poor landlords accountable for their properties.

General exemptions to the Rental Registration Program would include condominiums with an HOA for common area maintenance; hotels, motels, and similar commercial uses, newly constructed rental housing (within 1 – 2 years), and State Licensed Mobile Home Parks, which are inspected under a separate process per Title 25.

The program would include annual exterior (unless interior is warranted) inspections to identify sub-standard or unsafe housing conditions or lack of property maintenance. Advance mailed notice would be provided to the property owner and tenant, usually seven days prior to the inspection. An interior inspection would require additional notification unless entry is permitted by the tenant. A written notice would be provided to both the property owner and tenant regarding any violations, the required corrective action, and the timeframe for completion. A re-inspection would be scheduled to determine compliance, and non-compliance would result in the issuance of Administrative Citations, the payment of any re-inspection fees, and the required corrective actions with timeframe to comply. Failure to comply could result in additional citations, and/or criminal or civil actions, including: liens, nuisance abatement, reporting and collection through the State Franchise Tax Board, or receivership actions by the Superior Court.

Properties that prove to be non-problematic would be eligible for inclusion in the “Good Landlord Program.” In the City of Grand Terrace, well-maintained, problem free properties that pass their initial inspections are eligible for fee reductions, while the City of San Jacinto offers the “Good Neighbor Investment Commitment Program,” which is a voluntary program (requiring an enrollment fee) for pre-inspection prior to the start of a rental agreement.

The Crime Free Housing Program is a nationally used and recognized program that is based on educating landlords to properly screen and manage tenants and care for their property in a way that does not increase opportunities for crime. There is typically a one-day training of owners or managers, which results in certification if their inspection passes. This program usually applies to Multi-Family Housing, but can also be utilized for Single-Family rentals. It can be voluntary or mandatory, and can be implemented as part of the Rental Registration ordinance, or a separate ordinance.

Typical fees for the Rental Registration or Crime Free Housing program would be charged in addition to the annual Business License fee for rental units, and can only be charged to recover the costs of implementing the program(s). Fees may range from \$50/unit to \$185/unit – the average fee among cities surveyed was \$88/unit. Some cities reduced or waived the fee if a property was certified under the Crime Free Housing Program or the property had a history of being well-maintained and problem free.

CDD Elliano concluded her presentation by asking for feedback, suggestions and questions on the proposed ordinances, and whether the CAC felt the Crime Free Housing Program should be voluntary or mandatory.

b. CAC member comments and questions

Gary Fowler commented on the Good Landlord Program being similar to the “disappearing fee” programs that some of the insurance companies now have, and suggested that this could provide incentive and motivation.

Maryann Mari was pleased that the MHP’s would be exempted, as they are regulated by so many other agencies on various different levels. She passed out some copies of the Title 25 Civil Code Provisions to share with some of the CAC Members who might not be familiar with the code.

CAC Member Gorman inquired regarding how much additional staff would be needed to run the program if it were adopted, and what kind of requirements that additional staff would need to have. Would they need to be educated in police activity, code enforcement, or the Building code?

CDD Elliano responded that those factors had not yet been assessed, but that ultimately she thought a team would be needed that is similar to the current ROCS task force. Staff would be coordinating with the Police Department regularly, and one of the determining factors related to the Good Landlord Program is the number of police calls received.

CAC Member Eric Gosch pointed out that with the current number of rentals in the City, this would be approximately 50 inspections per day.

CDD Elliano noted that since the Rental Registration Program is an annual program, there would be an expectation that we would have to inspect all of the rental properties each year, but some communities do the inspections every other year, or every 3rd year, which may be something we have to consider with the limited amount of staff that we have.

CAC Member Groff asked if volunteers could be utilized.

CDD Elliano responded that due to liability issues the inspections would need to be performed by staff members.

Chair Goodrich noted that staff was hoping for voluntary compliance with interior inspections for those properties where it was deemed necessary. He wondered if it would end up being a normal practice to do interior inspections.

CDD Elliano replied that staff would have to follow due process and would only go inside if it was determined that there was a need to do so. She referred to the Town & Country Mobile Home Park as an example, advising that with the level of external deterioration of the coaches it was deemed probable that there were safety issues on the inside, and so it was determined that interior inspections were necessary.

Chair Goodrich noted that his reason for asking was related to scheduling 8,000 units for an annual inspection.

CDD Elliano responded that, to leave no misconception, staff would not be able to complete inspections of all rentals in a year, so we are trying to approach the task proactively and inspect the worst properties first.

Chair Goodrich asked if there were a way to tie a business license to the rental property owner having passed the Crime Free Housing Certification Program.

Discussion ensued regarding this concept.

CDD Elliano explained that this was tricky, as the business license is a tax rather than a fee. She noted that the Rental Registration Program would be the best mechanism to require property owners to participate in the Crime Free Housing Program.

Gary Fowler suggested that, even knowing that staff may not be able to complete all rental inspections in one, two or even three years, if the inspections are being prioritized with those units having the most police calls being inspected first, something like an 80/20 rule will apply quickly. Those who are put to the top of the list for good reasons are going to be the biggest base of the most problems and the program will be effective long before the last 20 percent are even inspected.

CDD Elliano discussed the possibility of having a voluntary program that would allow property owners to sign their properties up for inspections that would enable them to be placed on the Good Landlord program and avoid future inspections.

CAC Member Gorman inquired regarding how many violations there had to be before a unit could be deemed uninhabitable.

CDD Elliano discussed the types of violations that would cause a unit to be red-tagged and vacated.

CAC Member Mari noted that there are a lot of good landlords out there who do maintain their homes. Out of the 8,000 rentals in the City, how many are really so bad that we need to target them?

CAC Member Connell asked how the bad units might be targeted without the good units being penalized. He wondered if there was a way that, between the Police Department and the Code Enforcement Division, a list of units could be established that should be inspected initially.

Discussion ensued regarding the Code Enforcement Field Volunteer Program that was up and coming.

CDD Elliano advised that two vehicles had been donated for this program and were in the process of being painted and readied for use.

CAC Member John Gifford inquired as to how staff anticipated collecting the fee for the annual Rental Registration Program.

CDD Elliano advised that the rental unit database already requires payment of a business license fee for rental units. The Rental Registration Program will be tied to that process.

CAC Member Gifford suggested that if the City is going to charge an annual fee for all rental units, but not inspect them all in the year the fee is collected, he could see a

lot of people showing up at City Council meetings to complain that they are paying for something that hasn't happened. How will this be addressed?

Discussion ensued regarding how the fee might be broken down, spread out, and tracked so that an annual fee was not being collected from property owners who had already paid but had not yet been inspected.

CDD Elliano explained that this had not entirely been worked out yet, but that other cities' mechanisms were being researched.

CAC Member Gosch, asked for clarification that the fees listed on the spreadsheet were annual fees rather than inspection fees for the actual inspection.

CDD Elliano responded that the fees were actually a mixture of both as it is an annual registration fee that includes the initial inspection. There would only be an separate, additional inspection fee if there are violations that require re-inspection.

Eric Gosh referred to Data Quick – a national company that gathers and analyzes data – to compile information on the City's rentals. He noted that Grand Terrace had utilized them to formulate their data and ultimately to justify their Rental Registration Program. He wondered if staff had contacted Data Quick.

CDD Elliano advised that the City had utilized Data Quick along with Core Logic, and some others. The downside is that their data is formed using census tract information, so the information that you get is not always completely useful for determining properties only within the City limits.

Discussion ensued regarding what the City is doing to compile their database.

CDD Elliano commended CAC Member Sharon McComb (not present) for her efforts in working with the Business License unit to help establish the database. When asked about the status of the rental unit inventory, she advised that the success of these efforts was at approximately 80%. She went on to advise that the most elusive rentals are the single-family homes, since they may be owner occupied one day and rented out the next.

CAC Member Gosch suggested that the ROCS Program may have a lot of good ordinances, but it is restricted by a lack of funding. The ordinances and programs are only as good as the funding available to implement them, and the good thing is that this program will provide a good source of revenue to do that. It's important to have staffing on board to make the program work, and the City Council needs to

understand that whatever front-loaded costs there are, the program should be viewed as an investment in the future of our valley.

CAC Member Kyriss noted the exemption of condominiums because they have Home Owner Associations (HOA's). He suggested that there are also some very nice senior communities that are single-family housing rather than condominiums, but have HOA's and are very well-maintained. Perhaps an exemption should be considered for these types of properties as well.

CDD Elliano indicated that while there should probably be some kind of initial inspection to make sure that everything is up to par, with no illegal construction, etc., she agreed that exemption for these types of properties, with active HOA's that are basically already doing the job this program would be trying to accomplish, was an idea to consider.

Discussion ensued regarding what type of inspection would enable a rental to be added to the Good Landlord Program.

CAC Member Kyriss noted that there are only certain circumstances under which even a landlord is able to gain entrance to a rental. How would the City propose to do interior inspections?

CDD Elliano advised that in extreme cases an inspection warrant may have to be obtained, and in such cases it would need to be proven to the judge that there is probable cause to enter the unit.

CAC Member Stefany Nelson stated that the Rental Registration Program and Crime-Free Housing Program participation should be mandated.

CAC Liasion Shellie Milne referred back to the funding situation, noting that an earlier suggestion to utilize code enforcement volunteers was a good idea. She wondered if there was a way to transition some of the Police volunteers to Code Enforcement so that they could be involved in the rental registration inspections or if there was something that could be done to facilitate getting additional volunteers for Code Enforcement.

CAC Member Mari suggested that if there was any way to get welfare or unemployment recipients who have some of the necessary skill sets to volunteer, it might be worth it to give them an incentive.

CDD Elliano passed around an inspection sheet utilized by the City of Moreno Valley for the CAC to review.

CAC Member Connell suggested that a more simplified cheat sheet could be created from this list that could be used by the volunteers.

Discussion ensued regarding tying the Rental Registration Program to the business license that is required for rentals.

Assistant City Attorney Erika Vega explained that the problem with that is that the City's business license program is a tax program rather than a regulatory program. Making any adjustment to it would require a 2/3 vote, and would open up the entire program, which would be extremely risky. Unless you are willing to take that risk, the current business license program needs to be left alone.

c. Public comments regarding this item

Tim Johnson addressed the CAC as the Executive Director for the California Apartment Association (CAA). He stated that he wished to offer the CAA's assistance to the CAC, the City and the Council. He cited some of the various cities and communities that his organization works with and what they do. He suggested a rental registration program that is proactive for rental property owners, with a fee that is waived if the owner or manager goes through the Crime-Free Housing Program (CFHP). He noted that, like San Diego and Moreno Valley, the thing to do is go after the habitual violators. Once a certain number of police calls have been hit, a property owner is required to go through the CFHP and submit to the Rental Registration Program. If you go after the decent landlords who are already following the law, you are now charging them for following the law.

Bob Jungsbluth expressed appreciation for the time and effort of the CAC, and indicated that he was in favor of the Rental Registration Program. He commended Code Enforcement Officer Rod Fuller as being exemplary. He also commended the Police Action Program that was presented by Police Chief Brown, but voiced his disappointment over the fact that not many members of the public were present to express their support.

CDD Elliano asked for consensus regarding the Rental Registration and Crime Free Housing Programs.

Several CAC Members voted for mandatory implementation.

CAC Member Mari stated that what Mr. Johnson had said made sense regarding the fact that charging decent landlords to participate in the program would be a penalty.

CAC Member Gosch suggested that the Crime-Free Housing Program be applied to single-family rentals as well as multi-family. He agreed that it should be mandatory, noting that there are many taxes that he pays even though he doesn't violate the law that it covers, and that the fee for this program would be attributed to the cost of doing business.

CAC Member Gifford indicated that he would prefer to go for something voluntary, using the Crime Free Housing Program as an incentive for owners to comply, and have that in lieu of the fee. This would not penalize those who are already in the program.

CAC Member Connell suggested making it mandatory for those who have had a certain number of violations in a certain period of time.

CAC Member Gorman concurred with CAC Member Gosch. We all pay taxes for a number of things that don't apply to us. The fee is just a small portion of what these landlords are making on their rentals, and the fee could perhaps decrease as years pass and no violations have occurred. Landlords should welcome this because they will end up with decent tenants who pay their bills on time. Just the maintenance aspect of that will save them money in the long run. He voted for a mandatory program.

CAC Member Michael Ramirez did not like the concept of penalizing good landlords with a fee, but acknowledged that if it were a voluntary program nobody would sign up. It needs to be mandatory.

CAC Member Kyriss liked Mr. Johnson's idea about waiving the fee for those who participate in the Crime Free Housing Program.

Chair Goodrich noted that waiving the fee might be a good idea, but how do you get past the initial inspection cost? And how do you address the inventory stock of homes that are currently in the rental pool?

CAC Member Kyriss suggested that the initial inspection needed to take place, and that once the inspection was passed and the property owner registered for the Crime Free Housing Program their future fee could be waived. If down the line they begin to get multiple calls regarding their property, the fee is no longer waived and they are required to have the annual inspection.

Discussion ensued regarding the ups and downs of the program.

CAC Liason Milne suggested that it must be made mandatory, because if it's voluntary or you are picking and choosing who must register, the City will end up being accused of playing favorites.

It was determined that the consensus of the CAC was that the program should be mandatory with incentives that could reduce fees.

Peggy Crockett addressed the CAC as a local property manager. She noted that her company completes annual inspections of their units and has already taken a number of the noted steps, and made extensive efforts to clean up the properties that they manage. We have raised our rents and are doing both interior and exterior improvements. To penalize those of us who are doing things the way that they should be done is unfair, and we would ultimately have to pass the costs on to the tenants. When asked, she noted that her company managed the Amberwood Villas and Vista Gardens Apartments.

CAC Member Groff stated that it was great that her company was being proactive, but too many others are not.

Chair Goodrich advised that what Ms. Crockett's company is doing is exactly what we hope to achieve with this program.

Ms. Crockett suggested that the nature of the calls should also be considered when determining the number of calls that are made to the police.

CAC Member Gosch suggested to Ms. Crockett that if everyone were to do what her company was doing it would be great. A one year investment by your property owner, that could then be reduced if the property were entered into the Good Landlord Program, would be an excellent investment.

Ms. Crockett agreed that this was a good point, but she can also see the owner's point.

CAC Member Nelson stated that she was a resident of one of those apartment complexes, and it could definitely use an inspection.

CDD Elliano noted that the plan was to come back to the CAC at the next meeting with a draft ordinance regarding this program.

4. **Status Report regarding the Hemet ROCS Ordinances – Community Development**
Director Elliano

CDD Elliano shared the door hanger that is being utilized by the Public Works / Hemet ROCS clean-up crew, and then handed out an updated Hemet ROCS Program

Status Sheet. She noted that the CAC has assisted in the adoption of 12 ordinances to date that are now being implemented. If you look at Item Nos. 13, 14 and 15, you will see the ordinances that are currently in progress. We are fine-tuning the abandoned/vacant property ordinance that was reviewed at the last meeting. Item Nos. 16, 17 and 18 are actively being researched with draft ordinances under preparation, and Item No. 19 is an update to the business license ordinance, which would require a 2/3 vote of the residents and is not being considered at the present time.

With only one meeting of the CAC remaining, our goal is to get as much input as possible. The Property Maintenance and Landscaping ordinance will probably be the one that will lag, but it will be going to the Planning Commission for approval. Incidentally, CAC Member John Gifford is also a member of the Planning Commission.

5. Suggested Agenda items for the May 23rd Final CAC Meeting:

- a. Status Update on ROCS Ordinances and Programs
- b. The Next Phase of Hemet ROCS- where do we go from here?
- c. Final CAC Report & Recommendations to the City Council
- d. Other Agenda topics requested by the CAC

CDD Elliano thanked the CAC for hanging on for the additional six month extension that was granted to the Committee by the Council, noting that the May meeting marked the end of that extension. She discussed what she was hoping to accomplish at that final meeting, noting that the Hemet ROCS program would not end with that meeting.

CAC Member Groff suggested that something should be shared with the public that outlines all of the ROCS ordinances.

6. CAC Roundtable – CAC Chair & Committee Members

CAC Member Mari referred the ROCS door hanger that CDD Elliano had passed around earlier in the meeting. She thinks that every property management company should have a pile of these door hangers to hang on the doors of their problem tenants.

Several members of the CAC concurred that the door hangers were wonderful and would be very useful.

CDD Elliano noted that she would pass the commendations along to the Public Works Director.

CAC Member Groff stated that it was her understanding that there weren't very many calls coming in on the ROCS hotline.

CDD Elliano confirmed that initially there were quite a few calls, but there are now only a handful of them.

CAC Member Gorman asked if the banner that is currently displayed across Florida Avenue was utilized every week of the year. He suggested that the City put up a banner regarding the ROCS program with the hotline number in a bold font.

CDD Elliano was uncertain, but noted that she thought there were a three or four locations, with banner content requiring Council approval.

CAC Member Ramirez noted that he had sent out an email to the CAC regarding volunteers for the Hemet ROCS booth on Saturday, May 4th for the annual Teen Prevention Fair that is being held at the Hemet Valley Mall. We would love to have the booth present to help in getting the word out to the community. Unfortunately, if we cannot gather any volunteers we will not be able to have the booth at the fair. We would like to park the ROCS vehicle right in the front of the event.

Discussion ensued regarding the possibility of volunteers.

CDD Elliano indicated that she would touch base with Public Works since a driver for the ROCS truck would be necessary.

CAC Member Ramirez then passed around a letter that had been written by CAC member Carlos Navarro (not present) regarding Measure "O" and his perceived reasons for its failure. He requested that it be added as an item to the next CAC agenda.

It was **MOVED** by CAC Member Mari, **SECONDED** by CAC Member Gorman and unanimously agreed that a discussion of the letter written by CAC Member Navarro be added to the May 23, 2013 CAC Agenda.

CAC Member Gary Fowler asked if Police Chief Brown had any more updates.

Police Chief Brown expressed thanks for the tremendous amount of community and Council support for the Police Action program that he presented at the last City Council meeting. He was pleased to advise that Council had authorized the re-hire of several retired police officers. ROCS is definitely one of the items that they may be working on.

CAC Member Groff asked when the California Highway Patrol was supposed to begin patrolling Florida Avenue.

Police Chief Brown responded that the goal was for them to begin patrolling on July 1st.

CAC Member Gorman stressed that when the Rental Registration ordinance is compiled it is very important that there is multi-agency support – particularly with Fire, Police and Code Enforcement – that allows everything to be done right the first time so that weeks do not lapse in getting one rental to pass an inspection.

Chair Goodrich stated that he would be interested in knowing whether there has been any economic return on the program's efforts since ROCS started, and what is anticipated as an end result? We're always addressing police, safety, clean-up, etc. How can we relate this back to the public?

CDD Elliano replied that thus far, the economic return of the program hasn't been quantified. There are short term direct economic effects, and then are long term indirect effects. The short-term effects are more of a cost recovery mode, as we're out there enforcing citations, doing abatements, etc. The long-term, real effects include increased property values, a greater quality of life in the City, and the desire of businesses to invest here, etc.

Chair Goodrich wondered if administrative relief could be anticipated based on this program, so that we are not spending as much time, administratively, addressing the issues that are currently so time consuming. Is there any way to address that?

CAC Member Groff asked Chief Brown if he had seen any difference since the program began.

Police Chief Brown noted that with the excellent task force that is in place, there has been great success at several properties in the City. As CAC Member Gosch mentioned earlier, the ordinances are useless if we don't implement them, but it has made a difference in those instances where we have been able to implement them.

CAC Member Gosch suggested that the future of the ROCS program was the issue of how it would be paid for. I think ROCS is a great foundation to reverse the fear of crime in our community, and I think this needs to be one of its initial successes.

CAC Member Groff reiterated that the word about the efforts and successes of ROCS needs to be conveyed to the public.

CAC Member Ramirez advised that Chief Brown had attended the last CAN Coalition meeting. He noted that for 18 months the Coalition had worked to get the Social Host ordinance in place, and we are now charged with implementing it. So now it comes to the CAC's doorstep to get the awareness of these ordinances, as well as their consequences, out to the public.

CDD Elliano noted that the Mayor had recently advised her of a church group with 200 volunteers who are eager and willing to help throughout the community. The pastor will be contacting us regarding ways that we can galvanize his congregation. She referred to a suggestion that had been made several months ago regarding having block captains and using small groups of people to cover specific areas, and thought this might be something to consider for this group.

CAC Member Groff asked if the calls that go to Code Enforcement get picked up the day that they are made, noting that if they are not picked up on the weekend, the City will not be able to catch those having garage sales.

CDD Elliano advised that if the report of a yard sale has been made, the Code staff can check the following week to see if they had a permit, and a citation can still be issued if they did not.

7. 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.)*

Fire Department representative Teri Waters suggested that the word be put out to some of the various churches in the community, as many of the churches aren't even aware of the Hemet ROCS program. There may be a number of church members that would volunteer to assist in certain areas.

Chair Goodrich suggested that the service organizations could also be included. The potential for this type of outreach is huge.

8. Adjournment to the meeting of May 23, 2013- Chairman Goodrich

It was MOVED by CAC Member Gorman, SECONDED by CAC Member Groff and unanimously agreed to adjourn the meeting at 5:32 p.m. to the May 23, 2013 scheduled meeting of the Hemet ROCS Citizens Advisory Committee.
