



Citizen Advisory Committee (CAC) Meeting
Hemet Public Library- 1st Floor Meeting Room
Thursday, July 26, 2012 - 3:30 PM

AGENDA RECAP

1. Call to Order- Vice Chair Connie Hall – 3:30 pm

Vice Chair Connie Hall called the meeting to order at 3:34 p.m.

Staff Present: Police Chief Dave Brown
Community Development Director Deanna Elliano
Assistant City Manager Mark Orme
Assistant City Attorney, Erika Ball

CAC Present:	Jim Connell	Patty Drusky	Gary Fowler
	Eva Gifford	John Gifford	Mona Groff
	Connie Hall	Norm Kyriss	Robert Masson
	Sharon McComb	Stefany Nelson	Larry Smith

CAC Absent:	Daniel Goodrich	Frank Gorman	Eric Gosch
	Linda Krupa	Mary Ann Mari	

2. Comments or corrections to the June 28th CAC Agenda Recap (distributed via e-mail to CAC members)- Vice Chair Connie Hall and CAC members

No changes.

3. Introduction of new Code Compliance Manager – Community Development Director Deanna Elliano

Community Development Director (CDD) Elliano introduced new Code Compliance Manager, Todd Morris, whom she noted would be very involved with the Hemet ROCS program. She provided some background information regarding Mr. Morris, and stated that she was looking forward to his enthusiasm inspiring great things in the Code Enforcement Division.

Mr. Morris expressed thanks for the warm welcome, and stated that he was very excited to be involved in the Hemet ROCS program.

4. Update Report from Government Agency Liaison:

a. City of San Jacinto– Assistant City Manager Mike Emberton

Assistant City Manager Mark Orme distributed a Hemet ROCS ordinance status sheet, which included the City of San Jacinto's ordinance statuses. He explained the coordination efforts that had been taking place with the City of San Jacinto and other agencies.

Mike Emberton, Assistant City Manager for the City of San Jacinto advised regarding San Jacinto's efforts to implement similar ROCS efforts.

Larry Smith: As you brought items before your City Council did you get the sense that ordinances would need tweaking?

Mike Emberton: We wanted the ordinances to be as similar as possible to those of Hemet, so that violators would find that they could not simply cross City lines and get away with things in San Jacinto that they could not get away with in Hemet.

Discussion ensued regarding the variety of efforts being implemented, and the problems that San Jacinto was encountering in their part of the valley.

Assistant City Manager Orme discussed some of the regular coordination efforts that both Hemet and San Jacinto have been undergoing.

Vice Chair Hall: Where's the County at in all of this?

Assistant City Manager Orme: We are expecting two representatives from Riverside County at the next meeting who are working on a ROCS effort in the unincorporated areas. Riverside County has a much larger area to cover, so their efforts may be slightly different.

Norm Kyriss to Mike Emberton: Do you see any items on Hemet's list that your city might prioritize?

Mike Emberton: A moratorium on smoke shops will likely be the next ordinance that we work on, and we are excited that Hemet has already addressed this issue.

5. Update on Public Outreach Concepts – Assistant City Manager Mark Orme

Assistant City Manager Orme acknowledged the regular discussions of outreach efforts and advised that the Council had adopted a few. We want to start getting the word out. The problem has been how to accomplish this with the number of individuals in different

sectors. A great first effort is by utilizing a city-wide newsletter that will go to all residents in the valley. The newsletter will include an insert that is packed with usable information and contact information for various community clean-up efforts, such as the graffiti hotline, etc.

Stefany Nelson: The newsletter should also provide resources regarding shopping carts, and how people might obtain a personal cart.

Gary Fowler: Phone numbers that are being provided in the newsletter should be tested. Hours of being on hold and placed with the wrong people can be very frustrating and would make the effort ineffective.

Jim Connell: Will this be a one-shot newsletter?

Assistant City Manager Orme: People who receive the letter can submit their comments and suggestions online. The amount of interest derived from the initial letter will dictate future city-wide efforts.

Jim Connell: Information should be included in the newsletter regarding ordinances that have been adopted and any positive results that have occurred because of those ordinances.

Eva Gifford: What about social networking, such as Facebook?

Assistant City Manager Orme: The City does not currently have the resources to maintain a Facebook page.

Vice Chair Hall: Would the City allow a volunteer to maintain one?

Council Member Smith: The more the word can be spread, the better the chance of word getting back to the trouble-makers.

John Gifford: Noted that the City has a very nice website that could be utilized for Hemet ROCS information.

Assistant City Manager Orme: Advised that the City does not have a page that is exclusively dedicated to Hemet ROCS.

Patty Drusky: Suggested the inclusion of information in their Chamber magazine.

Jim Connell: Suggested having people at shopping centers to help distribute information to shoppers.

Assistant City Manager Orme: Explained that it is a matter of resources and coordinating groups, and discussed the concept of utilizing the local cable channel to disseminate information. He thanked Council Member Smith for the idea.

Eva Gifford: Suggested utilizing bus drivers with RCTC to pass out flyers to bus riders.

6. Donation to Hemet ROCS Program – *Police Chief Dave Brown*

Police Chief Dave Brown advised the CAC of a donation that had been presented to the Hemet ROCS program by former City Council member Jerry Franchville. He noted that the main issue preventing Hemet ROCS from flourishing has always been funding, and that Mr. Franchville's donation has assisted in the identification of a possible vehicle to utilize for Hemet ROCS efforts. He advised that the Police Department has an old armored truck that is no longer being utilized by the Hemet SWAT team, which could be vamped up for Hemet ROCS, and solicited ideas from the CAC on how the vehicle should be equipped and what it should look like. He further noted that money had been set aside during the prior year, from a state grant, to utilize for the Hemet ROCS effort.

Vice Chair Hall: How would such a vehicle be utilized?

Police Chief Brown provided some ideas, such as the truck being decorated as sort of a “community watch” vehicle, which might include camera equipment, etc., to get visuals on things that are happening in various parts of the community that the truck visits.

Mona Groff: Crime seems to be recurring most prevalently within the same areas. Something such as the presence of this vehicle might be a deterrent.

Jim Connell: Such a vehicle might be interesting for kids to come and look at, which could be beneficial as kids tend to talk, and could provide a lot of information that might be otherwise difficult to come by. He referred to this as “Community Action Policing.”

Patty Drusky: Wondered if there were any other thoughts for the vehicle.

Police Chief Brown: Noted how some other communities were utilizing similar vehicles.

Council Member Smith: Do you visualize this vehicle being able to be utilized by the Police volunteers.

Police Chief Brown: Volunteers could be trained for this, but I could also see a team of City representatives going out to a fair or other community event, to attract people and discuss the Hemet ROCS program. There is no longer any tactical use for this vehicle, but I can see it being used for outreach.

John Gifford: I could think of places along Florida Avenue where it could be parked, which may not stop crime, but would let the community know that they are being watched. He suggested giving the vehicle a name, such as “Vigilance.”

Stefany Nelson: When the vehicle goes into a neighborhood do the volunteers remain in the vehicle?

Police Chief Brown: The vehicle is designed to be unmanned. It could be used as a set of eyes to watch various neighborhoods, and would establish a presence. I would also love to have community members get involved.

Vice Chair Hall: Referred to a past Police Department effort using a decoy car with a dummy in the driver's seat, which effectively served as a speeding deterrent.

Police Chief Brown: Noted that the final outcome of that effort was quite embarrassing, as the vehicle had been left a day too long, and citizens took pictures of the car with the dummy and posted it on YouTube.

Eva Gifford: Wondered if the vehicle could also be used at schools.

Police Chief Brown: Absolutely. It does not have to be a "city thing", but rather a community use.

Mike Emberton: Suggested that West Coast Customs in Pomona may be willing to outfit the vehicle. He offered to contact them.

Norm Kyriss: I would like to see it used as a surveillance vehicle. If it were to be used as such, who would monitor it?

Police Chief Brown: I believe that this vehicle would create a positive image for Hemet ROCS, and would be a useful resource and crime deterrent, but I don't necessarily see it as a surveillance vehicle.

7. CAC Discussion Topic: Proposed Ordinance regarding Smoke Shops and Hookah Lounges - *Community Development Director Deanna Elliano*

A copy of the Smokeshop ordinance provisions were distributed to the CAC members.

CDD Elliano discussed the smokeshop ordinance that was to be presented to the Planning Commission at their August 21st meeting, and subsequently to the City Council for adoption in September. She explained how the ordinance had come to be, and that an interim urgency ordinance, which prohibits smoke shops and smoking lounges, and was adopted two years ago, was about to expire in October. Staff is bringing these provisions to the CAC prior to drafting the ordinance, so that we can get the CAC's input. The major purpose of this ordinance is to protect public health and safety. She discussed the ill effects of smoking on children and the elderly, and noted that there is a tendency for drug paraphernalia to be sold in these types of facilities. Smoke shops

have also been targets for burglaries, and while criminal activity may not be the focal point of the ordinance, there is a potential for it.

CDD Elliano referred to a chart that had been distributed regarding land use comparisons with surrounding cities for hookah lounges/smoking lounges. She discussed various aspects that would be included in the ordinance, noting that it would not affect stores, such as grocery stores or markets that sell cigarettes, but rather the shops whose inventory includes 15% or greater of their floor area for smoking related supplies. She noted that anyone selling tobacco must have a state license, and a local license can also be required. While enforcement for licensing provisions would be under the jurisdiction of the County of Riverside, this would not prevent our local Police Department from enforcing the regulations as well. Licensing fees would be approximately \$400 to \$500 annually.

CDD Elliano discussed local land use regulations, which would dictate the zones that could allow smoke shop and hookah lounge uses. The current code requires conditional use permits for both smoke shop and hookah lounge uses in the C-1 and C-2 zones. At one time they were also permitted in the D-1 and D-2 (Downtown) zones, but that was prohibited as part of the recent update to the Downtown zones. A number of C-1 zones back up to residential areas, which is a cause for concern with the existing code. In reviewing other cities, we found that several allow these uses without a permit in certain zones. Few surrounding cities have adopted development standards relative to these uses. To our knowledge, there are no hookah lounges within the City of Hemet, however there is one in San Jacinto. An inventory shows that the City of Hemet does have five smoke shops – three located in the C-2 zone and two in the C-1 – which were all established prior to 2006, and therefore do not have a Conditional Use Permit.

CDD Elliano cited a number of suggestions based on a review of various ordinances, in the event that the City wishes to regulate smoke shops and hookah lounges, including the following options:

1. Continue to require Conditional Use Permits (CUP's) in the C-2 and C-M zones and prohibit the use in all other zones. This use would no longer be allowed in the C-1 zones, which are the Neighborhood-Commercial zones that are often adjacent to residential areas.
2. Prohibit hookah lounges in all zones. They are currently permitted in specific zones with a CUP.
3. Prohibit head shops as well as the sale of drug paraphernalia, and products containing synthetic drugs. The problem is determining what products contain such drugs.
4. Prohibit the location of this type of use within 1,000 feet of public or private schools as well as where children under 18 are present.
5. Prohibit the location of this type of use within 500 feet of a park, library, recreation area, church, game arcade, or other facility where children are regularly present.
6. Require a 1,000 foot separation between similar facilities.

7. Require that a CUP for this use does not “run with the land” as is typical with most CUP’s, and is not transferrable to another location. A new operator would be required to obtain a new CUP for an establishment.
8. Require that security bars placed over the windows must be rolled back and opened during operating hours.
9. Require compliance with all licensing provisions as well as federal, state, and local laws regarding tobacco sales, signage, display, products, smoking etc., or CUP can be revoked.

CDD Elliano noted that the questions for the CAC included policy considerations. Should these uses be regulated? Should they be prohibited in certain zones? Should they be permitted by a CUP in other zones, and if so, which ones? Are there any other suggestions for considerations regarding smoke shops?

Discussion ensued regarding the definition of what smoke shops are, and what they are “supposed” to be.

Assistant City Attorney Erika Vega explained that there is a fine line that needs to be walked. If the ordinance is defensible the City can proceed with it, but a definition of the use needs to be established.

Mona Groff: What is a head shop?

CDD Elliano: Responded that a head shop is generally a facility where drug paraphernalia is sold along with tobacco.

Discussion regarding grandfathering ensued, and it was clarified that when the business ceases, the grandfather clause ceases with it.

Assistant City Attorney Vega discussed some of the legalities of grandfathering, explaining that existing CUP’s run with the land, and if the use is abandoned and not re-established within six months, the CUP is also abandoned. She suggested that this would be a good way to phase out some of the existing shops, though it might take awhile. New regulations would apply to new shops.

John Gifford: Suggested that the limitation of smoke shops might work if tied to a number, such as population. He asked Police Chief Brown’s opinion of smoke shops, and whether he would support this ordinance.

Chief Brown: Responded that the ordinance would provide an additional enforcement mechanism, which is always helpful. Smoke shops, depending on what they sell, can be places that promote criminal activity.

Discussion ensued regarding exactly what a hookah lounge is, and what can be smoked there.

Stefany Nelson: Inquired regarding whether alcohol was sold at the hookah lounge in San Jacinto.

Mike Emberton: Responded that he could not recall any license to sell alcohol being issued for the hookah lounge in San Jacinto, but noted that a smoke shop eventually opened within close proximity. These uses often go hand-in-hand.

Council Member Smith: Referred to the cities researched, and noticed that Menifee has prohibition.

CDD Elliano: Responded that a number of cities prohibit hookah lounges, which she did not think was challengeable.

The CAC concurred that smoke shops are not needed in the City of Hemet, but that the existing shops should be grandfathered.

CDD Elliano to Patty Drusky: As a member of the Chamber of Commerce, do you see any issues from the community regarding this subject?

Patty Drusky: Stated that she could see the owners of the existing businesses and prospective businesses coming to her to discuss the matter, and suggested that she would need to have some really good answers to give both. A majority of business owners in the valley are looking for clean-up. We just need to develop good responses to the questions that are bound to be asked. The topic is likely to be heated.

CDD Elliano suggested taking public comments regarding this issue.

Vice Chair Hall indicated that she would like to complete the roundtable discussion first.

8. CAC Roundtable – CAC Vice Chair & Committee Members

(CAC Roundtable is the opportunity for the CAC to state topics of primary concern or interest to CAC members and suggested topics or speakers for future meetings.)

Mona Groff: Advised that she had spoken with the manager of the Stater Bros. on Stetson Avenue, since she had been told that wheel locks were going to be installed on their shopping carts. She was told that they are working on both the shopping cart issues as well as security. In about a week, the shopping center will begin a trial run with on-site security for a one month period. She also noted that the Mayor had asked her about the status of the alcohol ordinance, and inquired regarding who was working on it.

CDD Elliano: Responded that there were a number of different aspects related to the alcohol ordinance, which would be discussed at the next Hemet ROCS meeting.

Eva Gifford: Stated that she had seen a marked decrease in shopping carts throughout the valley, and commended the City's efforts. She added that she would like to see signage for businesses discussed at a future meeting.

Discussion ensued regarding the existing code for signage.

Eva Gifford: Expressed concerns with signage and the appearance of the City, particularly along Florida Avenue.

Vice Chair Hall: Stated that she was torn, because you want people to be successful, but there has to be a line.

Patty Drusky: Noted that whenever anything comes up about signage she is bombarded with angry business owners, so if we are going to be aggressive regarding this, we need to stay aggressive and not back down, as has often happened in the past. She added that she did not know that a great job was being done of policing the existing sign code.

Vice Chair Hall: A lot of businesses play by the rules, and it's unfair to those businesses to not enforce the rules for those who do not.

Gary Fowler: Would like to see discussion regarding landscaping.

CDD Elliano: Indicated that the alcohol discussion would come first, then signage, and then landscaping at future meetings.

Jim Connell: Referred to a Press Enterprise article where it was mentioned that Hemet had done something to turn it into a welfare area. He stated that he did not know what Hemet could've done to make this happen, but that he did wonder how the demographics could be changed. He mentioned the low rents in the City attracting undesirable tenants.

Council Member Smith: Advised that the Hemet did not deliberately choose to degrade the community.

Discussion ensued regarding how to modify the existing demographics.

CDD Elliano explained how Hemet ROCS could help clean up the community which would promote more desirable demographics.

Robert Masson: Suggested that the great plans that had been discussed needed to be acted upon.

Discussion of resources for this, and how various things could be accomplished with existing resources ensued, such as code enforcement sweeps, special project days, etc. Coordination with the City of San Jacinto to do a monthly sweep could be helpful.

CDD Elliano discussed the efforts that the City is currently taking towards implementation of the program, but also noted that resources are very thin.

Stefany Nelson: Wondered if the Crime Free Multi Housing Program was going to be mandatory, as discussed at the last meeting.

CDD Elliano: Responded that this issue was still under review.

Mona Groff: Wondered if the Police Department would be getting the three additional police officers that she had heard about.

Police Chief Brown: Advised that the grant which would support the three additional police officers was being proposed to the City Council at their August 14th meeting. The issue with the grant is that we need to make sure it's not a risk that will get us in trouble a few years down the line. We believe that we have a good argument in favor of accepting the grant, and encourage the presence of the CAC at the Council meeting. He clarified that once the City Council gives the authority to move forward, the next day would not be implementation day, but rather it would take time to train the new officers and get things in place.

9. Comments from the Public regarding items not on the agenda–CAC Vice Chair
(This is an optional portion of the agenda at the discretion of the Chair, and allowed as time permits. The Chair may also limit the number of comments and the length of time for each speaker)

Emery Papp: Clarified that until recently there had been seven smoke shops in town, but that there were now only five, so it is possible that there is not enough demand to support an excessive number of shops.

Member of the Public: Inquired whether the city-wide newsletter would go to all of Hemet, or just the incorporated area.

Assistant City Manager Orme: Responded that the newsletter would only be distributed to the incorporated area.

Member of the Public: Inquired regarding what grant had been referred to that would support three police officers.

Police Chief Brown: the COPs Grant.

Discussion ensued regarding the \$50,000 that was reserved in the budget for the Hemet ROCS program. It was noted that this was “seed money” to assist in the dissemination of information.

Member of the Public: Suggested that flyers be placed in local business offices with a web address to the Hemet ROCS website.

Jim Connell: Suggested utilization of volunteers to police neighborhoods.

Assistant City Manager Orme: Advised that the ultimate vision for Hemet ROCS was to have the community reporting back to the City regarding issues in their neighborhoods. We are working on getting that network going, and establishing the resources to get there, but it will take time.

10. Identification of Action Items for Next Meeting- *CAC Vice Chair and City Staff*

It was noted that future meetings would include discussions of the alcohol ordinance, the sign code, and landscaping, in that order.

11. Adjournment to the meeting of August 23, 2012- *CAC Chair*

It was unanimously agreed to adjourn the meeting at 5:27 p.m.