



CITY OF HEMET
Hemet, California
RESOLUTION NO. 4495

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET
APPROVING AN ARMED FORCES BANNER PROGRAM TO HONOR
THE CURRENT ACTIVE DUTY MILITARY SERVICE OF HEMET
RESIDENTS OR FAMILY MEMBERS

WHEREAS, the City Council of the City of Hemet honors those Hemet residents serving in the United States Armed Forces; and

WHEREAS, the City Council of the City of Hemet wishes to honor those residents serving in the United States Army, Marine Corps, Navy, Air Force, Coast Guard, National Guard and active military branch reserve forces; and

WHEREAS, the City Council of the City of Hemet wishes to implement an Armed Forces Banner Program to honor Hemet residents and their family members serving in the active duty armed forces; and

WHEREAS, the City Council of the City of Hemet conducted a Work Study session on March 27, 2012 to outline the parameters of an Armed Forces Banner Program as shown in the "Armed Forces Banner Program", as Exhibit A.

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

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

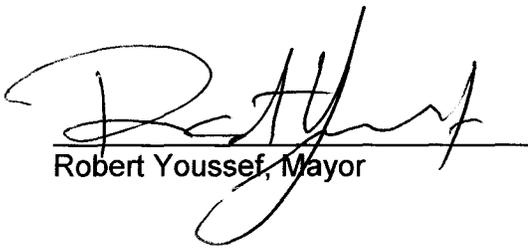
Section 2. Approval of Armed Forces Banner Program. The City of Hemet approves of the "Armed Forces Banner Program" in substantially the form attached hereto as Exhibit "A" is hereby approved.

Section 3. Fees. The total cost per banner is \$190, which includes \$150 to purchase the banner and a \$40 fee to cover review of applications, administration, accounting and installations costs. Following full payment, should an application be denied or found ineligible, only the \$150 cost for banner production shall be refunded.

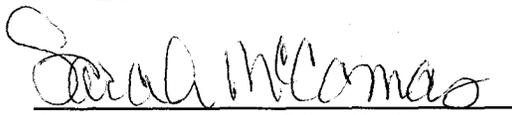
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Section 4. Technical, Non-Substantive Revisions. The City Manager is hereby authorized and directed to use his discretion to make necessary revisions to the Armed Forces Banner Program documents so long as any such revisions are considered technical and non-substantive revisions to the documents, and which imposes no additional financial obligation on the City.

PASSED, APPROVED, AND ADOPTED this 10th day of April, 2012.



Robert Youssef, Mayor

ATTEST:

Sarah McComas, City Clerk

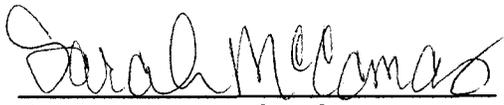
APPROVED AS TO FORM:

Eric S. Vail, City Attorney

1 State of California)
2 County of Riverside)
3 City of Hemet)
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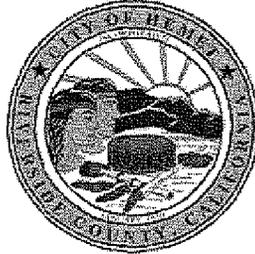
5 I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the
6 foregoing Resolution is the actual Resolution adopted by the City of Hemet and was
7 passed at a regular meeting of the City Council on the 10th day of April, 2012 by the
8 following vote:
9

10 AYES: Council Members Franchville, Krupa and Smith, Mayor Pro Tem
11 Foreman and Mayor Youssef
12 NOES:
13 ABSTAIN:
14 ABSENT:
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Sarah McComas, City Clerk

DRAFT

Exhibit A



CITY OF HEMET

ARMED FORCES BANNER PROGRAM

I. INTRODUCTION:

Pursuant to Resolution No. _____ the City Council of the City of Hemet has established the Armed Forces Banner Program to be administered by the City in accordance with the terms and provisions set forth in this Program.

The City reserves the right to revise this Program, discontinue the Armed forces Banner program, and/or revise applicable fees without prior notice.

II. PURPOSE:

To recognize and honor the City of Hemet ("City") residents or their immediate family members who are currently serving in the United States Armed Forces (Air Force, Army, Coast Guard, Marines, Navy or Active National Guard or Reserves).

The display of Armed Forces Banners on City light poles owned by the City of Southern California Edison is permitted only in accordance with the Program. Selection of banner locations will be on a first come, first serve basis, except that the City reserves to itself the right to place specified Armed Forces Banners in positions of special visibility. No advertisements or other commercial speech shall be permitted on Armed Forces Banners. In establishing this Program, the City does not intend in any manner to create a public forum or other means by which messages may be conveyed or by which public discourse, exchange of opinions or discussion on issues of any nature may occur. Instead, the sole and limited purpose of the Armed Forces Banner Program is to recognize and honor

the contribution of eligible active duty military personal by permitting the uniform display of banners containing the serviceperson's name, photo and service division.

III. COMMUNITY GROUPS:

The City may from time to time, and at the sole discretion of the City Council, accept assistance in administering, funding, and other aspects of the program from community groups including the American Legion Post 53, including those support activities as described in Section VII of the Program.

The American Legion will assist the City with this program; reviewing applications, marketing, fundraising, annual verification of eligibility and program participation cost assistance to families and individuals.

IV. ELIGIBILITY CRITERIA:

1. Any person or organization can apply for a banner for a serviceperson. The serviceperson must be serving on active duty. For the purpose of this program, "active duty" is defined as 12 months of continuous service in the United States Armed Forces.
2. The serviceperson must be a resident of the City of Hemet or the spouse, mother, father, daughter, son, brother, sister, grandson or granddaughter of a current City of Hemet resident or within zip codes 92543, 92544 or 92545. Residency must be verified with a recent utility bill, driver's license, or other form of identification listing a current City of Hemet address.

V. ANNUAL ELIGIBILITY DETERMINATION

1. On an annual basis, the City will request from all banner applicants written verification that the serviceperson continues to meet the Eligibility Criteria. Banner applicants will be contacted at their last known address listed on their application form. Any banner no longer meeting the Eligibility Criteria shall be removed and the location reassigned.
2. It shall be the responsibility of each banner applicant to promptly update his or her information on file with the City, as needed. The City shall not be responsible in the event it does not receive any updated contact information that is not personally delivered to the City.

VI. DISPLAY TERM:

1. The banner will be displayed continuously (with the exception of hanging of Ramona Pageant, Holiday banners or other City promotional banner campaigns). The banner will be removed if:
 - a. The banner becomes damaged due to wind, age, or other reasons as solely determined by the City;

- b. The military serviceperson no longer meets the eligibility criteria;
- c. In the event the Armed Forces banner program is discontinued for any reason at the discretion of the City Council;
- d. In the event all banner locations become filled, the City shall have the right to rotate banners every year thereby allowing those interested to participate.

VII. PROCESS:

1. Applications will be submitted to the City on a form provided by the City, and shall include the name of the serviceperson, branch of service, photo, contact information or applicant, and a form of identification in order to verify City of Hemet residency of either the serviceperson or the applicant. Verification of active duty status must also be submitted. Applications must include payment of the total fee approved by the City Council (as of April 10, 2012 -\$190), paid in full, at the time of submission. Following application review, should an application be deemed ineligible, then only the banner cost (\$150) will be refunded to applicant, but the administrative fee (\$40) will be forfeited by the Applicant and retained by the City.
2. Applications will be accepted on an on-going basis, but banners will be installed twice each calendar year during May and September space permitting. Applicants acknowledge that the City has limited space for the placement of banners and space is assigned to approved applications on a first come, first serve basis. Not all applicants may be assigned space. Applicants not assigned space at the time of their approval shall be placed on a waiting list for spaces as they become available.
3. The City will verify that the application meets all eligibility requirements including residency.
4. Once the application has been processed, the City will create the banner. Only one banner per serviceperson is allowed. The lettering of the name and branch of the serviceperson will be sized to fit the personalization area on the banner. Spelling of the name will be taken directly from the application.
5. Installation and removal of banners are at the City's sole discretion.
6. The number of, and specific banner locations shall be determined solely by the City, and may be revised without prior notice. An applicant may not select a specific location.
7. The City is not responsible for replacing banners that are stolen, damaged, or destroyed due to age, vandalism, or any acts of nature including high winds.

8. Annual re-verification of the serviceperson's active duty status will be required.
9. Removed banners will be returned to the applicant.
10. In the event a serviceperson is killed in the line of duty, his or her banner will be removed and given to applicant and serviceperson's name will be added to the Veteran's Memorial wall located at Gibbel Park.
11. Approval of a banner application only entitles the applicants banner to be hung and displayed by the City pursuant to this policy. The City shall have no obligation to perform any maintenance to a banner or in conjunction with the display of any banner. Once installed, a banner applicant shall have no right of access to the banner, provided, however, that a banner applicant may request the removal of the applicant's banner. Once a banner is removed following such a request, the banner applicant shall have no further rights pursuant to this policy.

VIII. COST/SPONSORSHIP

1. The current cost for banner and installation is \$190. Fee to be paid at time application is submitted and payable to the City of Hemet.
2. The City will accept donations on an on-going basis to support the Program.
3. As City receives general donations in support of the program, applicants may be awarded up to 50% of the cost to participate from the City's general Program fund. Applicants seeking assistance will be required to obtain the remaining portion of the cost from a sponsor or community group, i.e.; American Legion or other organizations.
4. The American Legion Post 53 will actively pursue donations/sponsorships to assist the program and periodically have fundraisers for same.

IX. INDEMNIFICATION AND HOLD HARMLESS:

By applying for and receiving approval to sponsor a banner, each banner applicant agrees to indemnify and hold the City of Hemet, and each of its elected officials, officers, employees, agents and volunteers free and harmless with respect to any and all liabilities, claims, lawsuits and/or damages of any nature whatsoever that allegedly arise from or are connected to the approval of the applicant's banner application, including the display of, and/or damage to or loss of any banner or banners.

END