



**AGENDA
CITY OF NORCO**

**CITY COUNCIL
SUCCESSOR AGENCY TO THE NORCO COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING**

February 4, 2015

**City Council Chambers
2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Herb Higgins, Mayor
Kevin Bash, Mayor Pro Tem
Kathy Azevedo, Council Member
Berwin Hanna, Council Member
Greg Newton, Council Member

PLEDGE OF ALLEGIANCE: Council Member Berwin Hanna

INVOCATION: Pastor Rene Parish, Beacon Hill Assembly of God

PRESENTATION: Horse Town Brew N' Que Festival, May 2015

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. A. City Council Communications/Reports on Regional Boards and Commissions
- B. Update of Streets, Trails, and Utilities Commission Discussion Regarding Trail Fence Material (Director of Public Works)
2. **CITY COUNCIL/SUCCESSOR AGENCY CONSENT ITEMS:** *All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Council, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Council or the audience request specific items be removed from the Consent Calendar. Items removed from the Consent Calendar will be separately considered under Item No.3 of the Agenda.*
 - A. City Council Minutes: Regular Meeting of January 21, 2015;
Successor Agency Minutes: Special Meeting January 26, 2015
Recommended Action: Approve the City Council regular meeting minutes and the Successor Agency special meeting minutes. (City Clerk)
 - B. Procedural Step to Approve Ordinance after Reading of Title Only. **Recommended Action: Approval** (City Clerk)

- C. Acceptance of Bids and Award of Contract for the Vine Street and Sagetree Lane Waterline Improvements. **Recommended Action: Accept bids submitted for the installation of waterlines and various appurtenances for Vine Street and Sagetree Lane, award contract to C.P. Construction Co, Inc. in the amount of \$538,495, authorize the City Manager to approve contract change orders up to 10 percent of the total bid contract amounts, and adopt Resolution No. 2015-03 approving an additional expenditure and appropriation in the amount of \$342,345 for the completion of the project.** (Director of Public Works)
- D. Acceptance of Bids and Award of Contract for the 2014/15 Equestrian Trail Fencing Project at Various Locations. **Recommended Action: Accept bids and award contract to Valley Cities/Gonzales Fence, Inc. in the amount of \$126,000 and authorize the City Manager to approve contract change orders up to 10 percent of the total bid contract amounts.** (Director of Public Works)

3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR

4. PUBLIC COMMENTS - *This is the time when persons in the audience wishing to address the City Council regarding matters not on the agenda may speak. Please complete the speaker card in the back of the room and present it to the City Clerk so that you may be recognized.*

5. LEGISLATIVE MATTER: *No new evidence will be heard from the public as the public hearing has been closed regarding the item listed.*

- A. **Ordinance No. 985, Second Reading.** Code Change 2014-09 (City of Norco): A City-Initiated Request for Recommendation of Approval on a Proposed Code Change to Amend the City's Grading Permit Process **Recommended Action: Adopt Ordinance No. 985.** (City Clerk)

6. DISCUSSION/ACTION ITEMS:

- A. Unpermitted Encroachments into the Public Right-of-Way on Caballeros Road. **Recommended Action: Uphold Norco Municipal Code Section 12.08.020 and require removal unpermitted improvements and landscaping from the public right-of-way including walls, chain-link fence, concrete bollards, trees, and shrubs along the frontage of 2170, 2190, and 2210 Caballeros Road.** (Director of Public Works)

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office, (951) 270-5623. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

Staff reports are on file in the City Clerk's Office. Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be available for public inspection at the City Clerk's Office at 2870 Clark Avenue.

This meeting is being recorded. In accordance with Roberts Rules of Order, Norco City Council meeting minutes are a record of the actions taken, not what was said. The names of persons who spoke during the public comments section and their topics will be listed on the Minutes. Recordings of meetings may be purchased for a minimal cost by contacting the City Clerk's Office.



**MINUTES
CITY OF NORCO**

**CITY COUNCIL
REGULAR MEETING**

January 21, 2015

**City Council Chambers
2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 7:04 p.m.

ROLL CALL: Herb Higgins, Mayor, **Present**
Kevin Bash, Mayor Pro Tem, **Present**
Kathy Azevedo, Council Member, **Present**
Berwin Hanna, Council Member, **Present**
Greg Newton, Council Member, **Present**

PLEDGE OF ALLEGIANCE: Council Member Newton

INVOCATION: Mayor Herb Higgins

INTRODUCTION: Adriana P. Mendoza, Region Manager,
Southern California Edison

Outgoing SCE Region Manager Louis Davis thanked the Council for the opportunity to serve the City and introduced the new Region Manager Adriana Mendoza.

RECOGNITIONS: Elena DeNunzio, Certificate of Appreciation for
Community Service

Council Member Hanna presented a certificate of appreciation to 9-year-old Elena for her service of picking up trash on trails along with her donkey.

PRESENTATIONS: "A Year in Review" - City of Norco 50th Birthday
Celebrations

Director of Parks, Recreation and Community Services Brian Petree presented a photo presentation of the City's 50th birthday celebrations in 2014. Representatives from the offices of Congressman Calvert, Senator Roth, Assembly Member Linder, and Supervisor Tavaglione presented the City with certificates and proclamations.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. A. AD-HOC COMMITTEE ON INFRASTRUCTURE NEEDS AND FUNDING
OPTIONS UPDATE (Chair Webber)

Chair Jodie Webber presented a brief update on the Ad-Hoc Committee. Chair Webber indicated that the Committee has completed their study of all infrastructure needs and reviewed alternative funding solutions. The Committee is now working to complete the final report for the City Council. The report is anticipated to come before the Council in March.

B. CITY COUNCIL COMMUNICATIONS / REPORTS ON REGIONAL
BOARDS AND COMMISSIONS

Mayor Pro Tem Bash:

- Attended the Senior Advisory Council meeting. Suggested a “Rose Eldridge Day” in commemoration of her service.

Council Member Hanna:

- Attended the Riverside County Transportation Commission meeting. The meeting included discussion on the freeway expansions and construction.
- Attended the Riverside Transit Agency meeting. Ridership continues to increase.
- Attended the Vector Control meeting. Discussion included the construction of a new office.

Council Member Newton:

- Attended the Chino Basin Desalter Board meeting on January 8th. Discussion included project statuses, program statistics, and an update to the Santa Ana River boring project might be available by the end of the month.

Council Member Azevedo:

- Commented that the President of RURAL, Pat Overstreet, is preparing a time capsule to be opened on the City’s 100th birthday. A celebration for the time capsule will take place in the Spring.
- Met with Corona-Norco Unified School District on January 12th. Discussion included the joint use of the Norco High School pool, which is not likely this summer due to construction and other scheduling conflicts.
- Attended Western Regional Council of Governments meeting.
- Commented on the upcoming UNLOAD meeting on January 26th and encouraged the public to attend.

Mayor Higgins:

- Thanked the 50th Birthday Committee members, coordinators, and volunteers for their service and efforts in making the 2014 events successful.

2. CITY COUNCIL CONSENT ITEMS:

Mayor Higgins pulled Item 2.G. to allow for public comment. Council Member Newton pulled Items 2.E. and 2.F.

M/S AZEVEDO/BASH to approve the remaining items as recommended. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- A. City Council Minutes: Regular Meeting of December 17, 2014
Action: Approved the City Council Minutes (City Clerk)
- B. Procedural Step to Approve Ordinance after Reading of Title Only.
Action: Approved (City Clerk)
- C. Recap of Actions Taken by the Planning Commission at its Meeting Held on January 14, 2015. **Action: Received and Filed.** (Planning Director)
- D. Quarterly Investment Report for Quarter Ended December 31, 2014.
Action: Received and filed. (City Manager)
- E. Report on Fiscal Year 2014 Audited Financial Reports. (City Manager)
Pulled for discussion.
- F. Award of Annual Service Maintenance Agreements for As-Needed Potable Water, Reclaimed Water and Wastewater System Repairs and Rehabilitations. (Water and Sewer Manager). **Pulled for discussion.**
- G. Acceptance of Bids and Award of Contract for the 2014/15 Equestrian Trail Fencing Project at Various Locations. (Director of Public Works)
Pulled for discussion.

3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR

- 2.E. Report on Fiscal Year 2014 Audited Financial Reports. (City Manager)

Council Member Newton pulled item to thank City Manager Okoro and staff for the financial wisdom they bring to the City. In response to Council Member Newton, City Manager Okoro stated that it is difficult to project the City's financial health in 1-2 years. Mr. Okoro added that last fiscal year ended very well and the reports indicate that the financial condition of the City has improved. At this time, the City is meeting the budget adopted and the City is not expected to be worse off next fiscal year.

M/S NEWTON/BASH to receive and file the report on Fiscal Year 2014 Audited Financial Reports. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- 2.F. Award of Annual Service Maintenance Agreements for As-Needed Potable Water, Reclaimed Water and Wastewater System Repairs and Rehabilitations. (Water and Sewer Manager)

Council Member Newton commented on previous Council discussion about piggybacking on the City of Corona's bid and the Council's direction was to send this project out to bid. Council Member Newton inquired if the action to go out to bid saved the City money. In response, Water and Sewer Manager Bill Thompson indicated that by going out to bid, the process saved the City 7-8%.

M/S NEWTON/BASH to award the Maintenance Service Agreement to Trautwein Construction, Inc., TK Construction, and T.E. Roberts, Inc., and adopt Resolution No. 2015-01 appropriating additional funds in the total amount of \$200,000. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- 2.G. Acceptance of Bids and Award of Contract for the 2014/15 Equestrian Trail Fencing Project at Various Locations. **Action: Accept bids and award contract to Valley Cities/Gonzales Fence, Inc. in the amount of \$126,000 and authorize the City Manager to approve contract change orders up to 10 percent of the total bid contract amounts.** (Director of Public Works)

This item was pulled to allow for public comment.

Glenn Hedges commented on the \$126,000 amount for trail fencing maintenance. Mr. Hedges noted the unit cost for fencing maintenance and calculated it with the total linear feet of fencing. Mr. Hedges asked for clarification on the list of streets noted in the staff report since it indicated "various locations." Mayor Higgins read the list of streets that are part of the project.

Linda Dixon, as a member of the Ad-Hoc Committee on Infrastructure, commented that the Committee has received a significant amount of information on trails. Ms. Dixon noted that Public Works Director Askew presented a matrix of the City's trail system and fencing. Ms. Dixon commented that she was shocked at the cost of wooden fencing in comparison to its life span. Ms. Dixon asked the City Council to consider longer-lasting options.

Council Member Azevedo commented that she supports vinyl fencing since it lasts longer and is more visible to motorists. Mayor Pro Tem Bash concurred with Ms. Dixon.

Mayor Higgins indicated that the Ad-Hoc Committee compared various types of fencing and discussed what has been talked about over the years by the Commissions. Mayor Higgins commented on the costs compared to the life span of the various types of trail fencing.

Council Member Newton inquired about the cost break-down in the staff report and asked what the plans and specifications are for the trail material. In response, Director Askew indicated that the plans and specifications are per City standard, which is the wood fencing. Council Member Newton also asked if staff has already started the process of removing trail fencing. Ms. Askew noted that some removal has taken place. Only minor parts have been removed so as to not significantly impact neighborhoods.

Council Member Newton suggested continuing this item if there is a possibility of the City considering a different material.

Mayor Pro Tem Bash cautioned to not postpone this item too long.

Director Askew suggested having the Streets, Trails, and Utilities Commission review this subject. Mayor Higgins added that the Commission discuss the price comparison with the wood inside the PVC that will sustain weight on the top rail. City Manager Okoro added that the trail replacement fund in the Capital Improvement Program is running out of funds. It is not likely that the City will be doing a lot of trail replacement over the next couple of years. Mr. Okoro cautioned spending funds on trail fencing that would be different from the current standard.

Director Askew noted that the bid documents do allow the City to hold the bids for up to 45 days.

Council Member Azevedo commented that the City could start saving money now and install alternative fencing material on isolated trail sections.

M/S NEWTON/BASH to continue this item to the February 4, 2015 Council meeting to allow the Streets, Trails, and Utilities Commission the opportunity to discuss and provide recommendations regarding alternative fencing materials at their February 2, 2015 meeting.

Substitute motion: HIGGINS/HANNA to accept bids and award contract to Valley Cities/Gonzales Fence, Inc. in the amount of \$126,000 and authorize the City Manager to approve contract change orders up to 10 percent of the total bid contract amounts. The substitute motion failed by the following roll call vote:

AYES: HANNA, HIGGINS

NOES: AZEVEDO, BASH, NEWTON

ABSENT: NONE

ABSTAIN: NONE

The original motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HIGGINS, NEWTON

NOES: HANNA

ABSENT: NONE

ABSTAIN: NONE

4. PUBLIC COMMENTS:

Linda Dixon commented on the Lake Norconian Club Foundation Speakeasy event on February 14, 2015.

Ted Hoffman thanked Lt. Briddick and Sgt. Dekker for their work on solving the case of the stolen lion statue at the Norco Bird and Animal Hospital. Mr. Hoffman also thanked the Parks and Recreation Department for their work with the horse show this past weekend.

Kevin Button, President of NEST (Norco Educational Support Team), commented on several events including the Norco Festival of Films on February 28 and the Corona/Riverside Navy League event on January 23rd.

Pat Overstreet thanked staff for the improvements of the Horsetown USA wall. Ms. Overstreet also commented on the Norco Regional Conservancy fundraising project for the George Ingalls Veterans Memorial Plaza.

James Carey thanked the Council for the prompt attention to flooding issues on Crestview Drive.

Melissa Roskos thanked Director Askew and Associate Engineer Nelson for taking the time to look at her property regarding drainage issues. Ms. Roskos noted that she has asked for the copy of the letter the City sent to her neighbor, but has not yet received it.

Gail Gibbons commented on the new noise ordinance and thanked the Sheriff's Department for their assistance with an issue she is having with a neighbor who has hauled in dirt and created a dirt bike track on his property.

Reyna Zavala commented on the letter she received from the City informing her of an encroachment that needs to be removed. The encroachment is a fence that was unknowingly built in the City's right-of-way. Ms. Zavala asked the Council for options to taking down the fence.

Daniel Foster commented on the same issue as Ms. Zavala. Removal of his fence would create a financial hardship and is requesting an alternative.

Gib Tipton also commented that he received a letter from the City because his fence is in the City's right-of-way. Mr. Tipton asked if the City would consider a hold harmless agreement. He also asked for an encroachment permit or more time to relocate his fence.

Geoff Kahan reminded the public of the 21 Seconds Now program and asked that the Council adjourn the meeting with 21 seconds of silence to honor our veterans.

5. LEGISLATIVE MATTER:

- A. **Ordinance No. 984, Second Reading.** Code Amendment 2014-11. A City-Initiated Code Amendment Amending Chapter 2.26, Section 2.26.040 of the Norco Municipal Code Pertaining to Qualifications for the Historic Preservation Commission. (City Clerk)

M/S HIGGINS/NEWTON to adopt Ordinance No. 984 for second reading. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

6. DISCUSSION/ACTION ITEMS:

- A. Approval of the First Amendment to the Ground Lease for the Silverlakes Equestrian and Sports Park Project. (City Attorney)

City Attorney Harper reported that the attached First Amendment to Ground Lease reflect modifications necessary as a result of both the passage of time and the finalization of the project financing by the Balboa Management Group, LLC. The Amendment provides clarification to the existing Exhibit G related to the initial list of tenant improvements, and is consistent with the existing Ground Lease. The additional amendments to Section 7.2(d) clarify the rights and obligations of the City, Balboa and the Leasehold Mortgagee in the event of default by Balboa as to its obligations to either the City or the Leasehold Mortgagee.

In response to Council Member Newton, Mr. Harper stated that this amendment is a clarification to the initial list of tenant improvements. Council Member Newton referenced Page 2 of Section 1.02 and asked if that is to include the \$5.7 million. Mr. Harper stated that it is not included. The loan obligation is defined as the obligation to the leasehold mortgagee. This loan obligation takes the first leasehold mortgage position, which would not be affected by the \$5.7 million infrastructure funding.

Council Member Newton expressed his concerns with the language in Exhibit G with the "shall include" and the "up to" wording for the facility amenities and asked why the City cannot be more specific. Council Member Newton stated that he cannot accept this language as clarification because it is too open-ended. Mayor Pro Tem Bash and Council Member Azevedo commented that the venue is flexible. The property and field sizes change depending on the event.

M/S AZEVEDO/BASH to approve the First Amendment to the Ground Lease between the City of Norco and Balboa Management Group, LLC for the Silverlakes Equestrian and Sports Park project. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS

NOES: NEWTON

ABSENT: NONE

ABSTAIN: NONE

- B. Approval of a Memorandum of Understanding Regarding Revision of Performance Schedule for the Silverlakes Equestrian and Sports Park Project.(City Attorney)

City Attorney Harper reported that based upon the passage of time, the performance schedule and initial improvements are required to be revised to reflect the current proposed schedule for the development of Silverlakes Equestrian and Sports Park.

M/S HANNA/BASH to approve the Memorandum of Understanding between the City of Norco and Balboa Management Group, LLC for the Silverlakes Equestrian and Sports Park project. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS

NOES: NEWTON

ABSENT: NONE

ABSTAIN: NONE

7. PUBLIC HEARINGS:

- A. **Ordinance No. 985, First Reading.** Code Change 2014-09 (City of Norco): A City-Initiated Request for Recommendation of Approval on a Proposed Code Change to Amend the City's Grading Permit Process. (Planning Director)

Planning Director Steve King presented information as stated in the staff report. Director King indicated that the proposed Code Change will amend the City's grading permit process and regulations to prevent excessive grading operations and to provide an enforcement penalty for projects that exceed their stated termination date on the permit approval.

Mayor Pro Tem Bash commented on various grading operations throughout the City and asked if this code amendment will protect the City from these types of grading operations. Director King stated that this code amendment will protect the City because the bond that is posted with the City for grading operations requires re-establishment of the condition of the land if the grading operation is abandoned.

In response to Council Member Newton, Director King indicated that this code amendment pertains to residential and commercial. Council Member Newton commented on a commercial grading operation on Hamner Avenue which is not adhering to best management practices and asked why the City is not enforcing.

Director Askew indicated that the State Water Resources Control Board issues the permits and handles the inspections. Once the contractor encroaches in the City's right-of-way, then the City can inspect and monitor.

In response to Council Member Azevedo's question about grandfathering in current grading operations, Director King indicated that the one control the City has is when the existing permit reaches its termination date, then the new guidelines apply. Council Member Azevedo expressed her concerns with fees. Director King commented that the Planning Commission will recommend a fee structure for the City Council to review and approve.

Mayor Higgins opened the public hearing indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Johan Joseph asked if the City would pursue enforcing violations for illegal grading that occurred in the past. If the City will enforce retroactively, Mr. Joseph asked if the City would notify neighbors of the enforcement. City Attorney Harper stated that the City cannot pass an ex post facto law.

Mayor Higgins closed the public hearing, bringing the discussion back to Council Members.

M/S BASH/NEWTON to adopt Ordinance No. 985 for first reading. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- B. Code Change 2015-01 (City of Norco): Consideration for Approval of a Proposed Code Change to Amend the Regulations and the Issuance of Business Licenses for the Operation of Massage Establishments. (Planning Director)

Code Change 2015-01 and the public hearing were cancelled.

8. APPEAL HEARING:

- A. Appeal 2014-02 Reconsideration (City of Norco): A Reconsideration of the City Council Decision to Uphold the Planning Commission's Denial of Conditional Use Permit 2011-28, Modification 1: A Request for Approval to Allow a 528 Square-Foot Patio Cover Addition to an Existing Detached Accessory Building at 3067 Pacer Drive Located Within the A-1-20 Zone. (Planning Director)

Planning Director Steve King presented a brief report as stated in the staff report. On October 29, 2014, the Planning Commission denied Conditional Use Permit 2011-28, Modification No. 1 and the applicant appealed the decision to the City Council. On

November 19, 2014 the City Council upheld the Planning Commission action. On December 3, 2014 the City Council did not establish the maximum amount of concrete that can be installed without a permit which asserted that concrete coverage would not be included in lot coverage analysis for accessory building permit requests. The amount of concrete (later determined to be pavers) was one of the issues that the Planning Commission based its denial on. Subsequently, on December 17, 2014, the City Council voted to reconsider Appeal 2014-02.

M/S BASH/HIGGINS to approve Conditional Use Permit 2011-28, Modification No. 1, allowing a 528 square foot patio cover addition to an existing detached accessory building at 3067 Pacer Drive located within the A-1-20 zone. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HIGGINS, NEWTON
NOES: HANNA
ABSENT: NONE
ABSTAIN: NONE

9. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Mayor Pro Tem Bash requested to implement "Rose Eldridge Day" to honor her for her service to the community. Director Petree stated he would work with Mayor Pro Tem Bash on this.

Council Member Azevedo commented on a letter she received from Kris Brooks regarding tumbleweeds in the City and Mr. Brooks asking the City to be proactive with weed abatement. Council Member Azevedo requested that City Clerk Cheryl Link provide the Council and Cal Fire Division Chief Lanzas with copies of the letter.

Council Member Azevedo requested an update with regards to the flooding issues on Corona Avenue at Frontier. Director Askew stated that the project has been surveyed and is under design. Ms. Askew suggested that residents call in for updates.

Council Member Newton reminded the public of Flag Day on June 14th, which is also the day of the Founder's Day Ride.

Council Member Newton requested to agendize discussion of the Caballeros Road encroachments.

M/S NEWTON/BASH to agendize discussion of the Caballeros Road encroachments. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Council Member Hanna requested to agendize discussion of the encroachments on Crestview Drive between Sixth Street and North Drive.

M/S HANNA/HIGGINS to agenda discussion of the encroachments on Crestview Drive between Sixth Street and North Drive. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Mayor Pro Tem Bash commented on an upcoming meeting with the State Historic Preservation Officer in Sacramento regarding historical resources concerns on the Navy base.

Mayor Pro Tem Bash requested declaring a Rose Eldridge Day. Staff will work with Mayor Pro Tem Bash.

Mayor Higgins commented on having all signals at an intersection turn to red for a horse to cross. Director Askew stated that she would research on what this would entail for all signaled intersections.

Mayor Higgins requested to agenda discussion of code enforcement procedures.

M/S HIGGINS/HANNA to agenda discussion of code enforcement procedures. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ADJOURNMENT

Mayor Higgins adjourned the meeting at 9:32 p.m. with 21 seconds of silence for the 21 Seconds Now Program in honor of veterans.

Cheryl L. Link, CMC, City Clerk



**MINUTES
CITY OF NORCO
SUCCESSOR AGENCY TO THE NORCO COMMUNITY REDEVELOPMENT AGENCY
SPECIAL MEETING**

January 26, 2015

Norco City Hall, Conference Room A, 2870 Clark Avenue, Norco, CA 92860

CALL TO ORDER: 8:00 a.m.

ROLL CALL: Herb Higgins, Chair, **Present**
Kevin Bash, Vice Chair, **Present**
Kathy Azevedo, Board Member, **Present**
Berwin Hanna, Board Member, **Present**
Greg Newton, Board Member, **Present**

PLEDGE OF ALLEGIANCE: Board Member Berwin Hanna

1. BUSINESS ITEM:

A. Approval of the January 15, 2015 Special Meeting Minutes. (Secretary)

M/S NEWTON/HANNA to approve the January 15, 2015 special meeting minutes. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

B. A Resolution of the Successor Agency Approving a Revision to the Long-Range Property Management Plan Adding Certain Property (Silverlakes) to the Plan, Reformatting the Revision, and Including More Detail as Directed by the California Department of Finance. (Agency Counsel)

Agency Counsel John Harper reported that the Department of Finance requested that the Long-Range Property Management Plan be reformatted with additional information about the Silverlakes project.

In response to Board Member Newton, Mr. Harper indicated that this is a result of the Department of Finance requesting information to fulfill a checklist although the format being requested is not in the statute.

M/S HANNA/NEWTON to adopt SA Resolution No. 2015-02, approving the revision to the Long-Range Property Management Plan for the Successor Agency to the Norco Community Redevelopment Agency as directed by the Department of Finance. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

2. PUBLIC COMMENTS

None

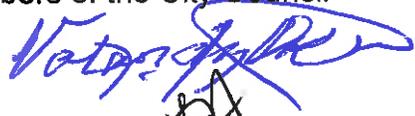
ADJOURNMENT

Chair Higgins adjourned the meeting at 8:05 a.m.

Cheryl L. Link, Secretary

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Lori J. Askew, Director of Public Works 

DATE: February 4, 2015

SUBJECT: Acceptance of Bids and Award of Contract for the Vine Street and Sagetree Lane Waterline Improvements

RECOMMENDATION: Accept bids submitted for the installation of waterlines and various appurtenances for Vine Street and Sagetree Lane, award a contract to C.P Construction Co., Inc. in the amount of \$538,495, authorize the City Manager to approve contract change orders up to 10 percent of the total bid contract amounts, and adopt **Resolution No. 2015-03**, approving an additional expenditure and appropriation in the amount of \$342,345 for the completion of the project.

SUMMARY: Bids for the Vine Street and Sagetree Lane Waterline Improvements were opened on January 20, 2015 with C.P. Construction Co., Inc. of Ontario, CA being the lowest responsible bidder. Therefore, it is recommended that a contract be awarded to C.P. Construction Co., Inc. in the amount of \$538,495.

BACKGROUND/ANALYSIS: The Vine Street Waterline project is included in the current Capital Improvement Program with an estimated budget of \$250,000. Initial design was to increase the existing 8" waterline to 10". In the design preparation for the project it was determined that several municipalities are moving away from 10" waterlines because obtaining fittings for 10" pipe is becoming more challenging. Staff also decided to expand the scope of the project to include the replacement of the 6" waterline at Sagetree Lane to 8" after recording recent waterleaks on this line. Plans and specifications for the installation of 8" and 12" waterlines and various appurtenances for Vine Street and Sagetree Lane was advertised on December 2, 2014 with a bid opening date of January 20, 2015. A total of eight bids were received with proposals ranging in value from \$538,495 to \$957,460. The low bid of \$538,495 was 14.5% higher than the engineer's estimate of \$470,000. The bid summary sheet has been attached for Council's review.

FINANCIAL IMPACT: Funds for the Vine Street Waterline project, in the amount of \$250,000, are included in the FY 2014-2015 Water Capital Improvement Program Budget using Water Fund bond proceeds. Additional appropriation of \$342,345 is requested to fund the project and complete the additional scope of work. The estimated balance of Water Capital Projects Improvement Fund bond proceeds at June 30, 2015 is \$1,467,164.

Attachment: **Resolution No. 2015-03**
Bid Summary

Agenda Item: 2.C.

RESOLUTION NO. 2015-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, APPROVING AN ADDITIONAL EXPENDITURE AND APPROPRIATION OF \$342,345 TO FUND THE VINE STREET AND SAGETREE LANE WATERLINE IMPROVEMENTS

WHEREAS, the City of Norco has an adopted Capital Improvement Program;
and

WHEREAS, the Water Capital Projects Improvement Fund includes the Vine Street Waterline project with estimated budget of \$250,000; and

WHEREAS, during design of the Vine Street Waterline, staff decided to increase the size of the existing 8" waterline at Vine Street from 10" to 12" and include the replacement of the 6" waterline at Sagetree Lane with an 8" waterline; and

WHEREAS, plans and specifications were advertised for bid on December 2, 2014; and

WHEREAS, bids were opened on January 20, 2015, with bids ranging in price from \$538,495 to \$957,460, and the lowest responsible bidder being C.P. Construction co., Inc. of Ontario, CA; and

WHEREAS, the low bid was 14.5% higher than the engineer's estimate of \$470,000; and

WHEREAS, in order to construct the project as bid, additional funds are required;
and

NOW THEREFORE, be it resolved by the City Council of the City of Norco that the City approve an additional expenditure and appropriation in the amount of \$342,345 from the Water Capital Projects Improvement Fund for the construction of the Vine Street and Sagetree Lane Waterline Improvement Project.

Resolution No. 2015-03

Page 2

February 4, 2015

PASSED AND ADOPTED by the City Council of the City of Norco at a meeting held on February 4, 2015.

Herb Higgins, Mayor
City of Norco, California

ATTEST:

Cheryl L. Link, CMC, City Clerk
City of Norco, California

I, CHERYL L. LINK, City Clerk of the City of Norco, California do hereby certify that the foregoing Resolution was introduced and adopted by the City Council of the City of Norco at a meeting held on February 4, 2015 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California on February 4, 2015.

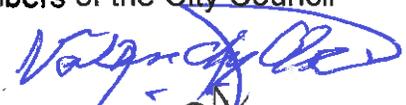
Cheryl L. Link, CMC, City Clerk
City of Norco, California

City of Norco
Vine Street and Sagetree Lane Waterline Improvements
 January 20, 2015 @ 9:00 A.M.

Company Name / Address	BID
Ferreira Construction Co., Inc. 15188 Vista Del Rio Ave Chino CA 91710	\$ 793,644.00
J A Salazar Construction & Supply Corp. 613 N. Harbor Blvd. La Habra CA 90631	\$ 864,990.00
EAR Engineering, Construction, & Support Services 4097 Trail Creek Rd. Riverside CA 92505	\$ 743,875.00
C. P. Construction Co., Inc. P.O. Box 1206 Ontario CA 91762-0206	\$ 538,495.00
Norstar Plumbing & Engineering 8780 19th Street #310 Alta Loma, CA 91701	\$ 693,382.00
Utah Pacific Construction Co. 40940 Eleanora Way Murrieta CA 92562	\$ 957,460.00
Trautwein Construction, Inc. PO Box 349 Rancho Cucamonga, CA 91739	\$ 860,468.00
Weka, Inc. 27075 5th Street Highland, CA 92346	\$ 736,286.00

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Lori J. Askew, Director of Public Works 

DATE: February 4, 2015

SUBJECT: Acceptance of Bids and Award of Contract for the 2014/2015 Equestrian Trail Fencing Project at Various Locations

RECOMMENDATION: Accept bids submitted for the installation of equestrian trail fencing and award a contract to Valley Cities/Gonzales Fence, Inc. in the amount of \$126,000, and authorize the City Manager to approve contract change orders up to 10 percent of the total bid contract amounts.

SUMMARY: At the request of the City Council, this is a continued item from the January 21, 2015 Council meeting to allow for review and discussion of trail materials by the Streets, Trails, and Utilities Commission. Bids for the Fiscal Year 2014-2015 Equestrian Trail Fencing Project at Various Locations were opened on December 18, 2014 with Valley Cities/Gonzales Fence, Inc. of Norco being the lowest responsible bidder. Therefore, it is recommended that a contract be awarded to Valley Cities/Gonzales Fence, Inc. in the amount of \$126,000.

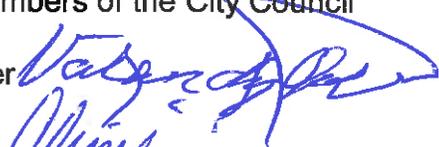
BACKGROUND/ANALYSIS: Staff completed plans and specifications for the installation of trail fence improvements at various locations within the City. The plans and specifications were advertised on November 19, 2014 with a bid opening date of December 18, 2014. A total of 7 bids were received with proposals ranging in value from \$126,000 to \$450,000. The low bid of \$126,000 was 5% higher than the engineer's estimate of \$120,000. The bid summary sheet has been attached for Council's review.

FINANCIAL IMPACT: Funds for this project in the amount of \$143,500 are included in the FY 2015-2019 Trail Capital Improvement Program Budget Fund 143.

Attachment: Bid Summary

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Cheryl L. Link, City Clerk 

DATE: February 4, 2015

SUBJECT: **Ordinance No. 985, Second Reading:** Code Amendment 2014-09. A City-Initiated Code Change Amending the City's Grading Permit Process.

RECOMMENDATION: Adopt **Ordinance No. 985** for second reading.

SUMMARY: The first reading of Ordinance No. 985 was held on January 21, 2015 and adopted unanimously by the City Council. Ordinance No. 985 amends the City's grading permit process and regulations to prevent excessive grading operations and to provide an enforcement penalty for projects that exceed their stated termination date on the permit approval.

Attachment: Ordinance No. 985

ORDINANCE NO. 985

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO AMENDING THE CITY GRADING PERMIT PROCEDURES, WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED. CODE CHANGE 2014-09.

WHEREAS, THE CITY initiated Code Change 2014-09, an amendment to Norco Municipal Code Title 18 (Zoning Code) to amend regulations regarding grading permit procedures; and

WHEREAS, the Code Change was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, the Code Change was scheduled for public hearing on November 12, 2014 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the Planning Commission held a public hearing and received both oral and written testimony pertaining to the Code Change; and

WHEREAS, the Code Change was continued after the public hearing was closed to December 10, 2014; and

WHEREAS, on December 10, 2014, the Planning Commission adopted Resolution 2014-56 recommending that the City Council approve Code Change 2014-09; and

WHEREAS, the Code Change was duly submitted to said City's City Council for decision at a public meeting for which proper notice was given; and

WHEREAS, the Code Change was scheduled on January 21, 2015 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the City Council received both oral and written testimony pertaining to the Code Change; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project is exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines.

NOW, THEREFORE, the City Council of the City of Norco does hereby find as follows:

- A. The proposed Code Change will not be inconsistent with, or contrary to, the General Plan or the Zoning Code since the project amends the procedures for the issuance of a grading permit and the change will not create cause for amendment, or create impact to, the General Plan.

B. The project has been determined to be exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines.

NOW, THEREFORE, the City Council of the City of Norco does hereby approve as follows:

SECTION 1:

Chapter 15.02 Building Code

Section 15.02.020 Adoption of the Building Code

D. Appendix "J" is adopted as currently amended by Chapter 15.90

15.90.040 Exemptions (J103.2 Exemptions)

A grading permit shall not be required for the following:

8. An excavation that does not exceed 60 cubic yards (45.8 m³) and complies with one of the following conditions:

Chapter 6.32 Excavations

Chapter 6.32.030 Definitions

- (9) "Mining Operation" means any grading operation that exceeds the maximum amount of grading allowed without a grading permit and is done without an approved building development plan. A mining operation as a land use is subject to all zoning prohibitions, restrictions, and regulations of the applicable zone.
- (10) "Owner" means the owner of the land affected.
- (11) "Soil Engineer" means a civil engineer, registered in the state of California, with a specialty and experience in the analysis of soils.

6.32.060 Exceptions

- (2) Notwithstanding anything to the contrary stated in this code, including Chapter 15.04, hereof, grading by excavation to a depth two feet or less; grading by fill to a height not exceeding one foot; grading by excavation or fill involving material which does not exceed a volume of sixty cubic yards, which grading is conducted on a lot or parcel established by a recorded deed or a recorded final subdivision or parcel map;

6.32.050 Permit Required

A permit from the public works department is required, except as set forth in Section 6.32.060, before the commencement of any physical work to raise or lower the existing grade of any lot, parcel or portion thereof, or for any excavation or filling which changes the grade of the natural slope of the surface of any lot, parcel or portion thereof so that it will not take natural runoff of water from adjacent lots or parcels as before the excavation or fill, or so that the surface drainage of the lot,

parcel or portion thereof is concentrated or collected and discharges unto another lot or parcel in a different location or in greater quantity, or at an accelerated rate, or in such a way that it will probably result in damage, or in a way that creates a hazard to the public health, safety, or public property. Any permit issued hereunder shall be valid for the period specified, but shall not exceed one year. Unless the earth movement is commenced within the time specified in the permit, the permit shall expire; and if work upon such earth movement, after being started, ceases for a period of ninety days, the permit shall expire. Permits may be renewed by the public works department upon payment of the renewal fee provided for in Section 6.32.140; however, any grading project that has exceeded the original termination date on the originally-issued grading permit, regardless of any approved renewals, is deemed a nuisance and a negative impact to the community. An impact mitigation fine schedule to be determined by the City Council shall be due and payable by the owner. Failure to pay any impact mitigation fines will result in the levy of the fines against the property as a lien.

6.32.220 Cash Deposit—Security Bond

The applicant for a permit pursuant to Section 6.32.050 shall deposit with his application a cash deposit or surety bond in a form satisfactory to the city and sufficient to cover the cost of all matters involving expense to the city arising out of the permit application and its use, such as inspection and the services of the city engineer, and the amount needed to adequately re-vegetate a graded site that has been abandoned before re-vegetation is completed. The amount of such deposit or bond shall be determined by the city engineer. All costs incurred by the city in connection with the permit and the work covered by such permit shall be charged to and paid by the moving permit grantee.

SECTION 2: EFFECTIVE DATE: This Ordinance shall become effective 30 days after final passage thereof.

SECTION 3: SEVERABILITY: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, and phrase, hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases hereof be declared invalid or unconstitutional.

SECTION 4: POSTING: The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall cause the same within 15 days of its passage to be posted at no less than five public places within the City of Norco.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on February 4, 2015.

Herb Higgins, Mayor
City of Norco, California

ATTEST:

Cheryl L. Link, CMC, City Clerk
City of Norco, California

I, CHERYL LINK, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on January 21, 2015 and thereafter at a regular meeting of said City Council duly held on February 4, 2015, it was duly passed and adopted by the following vote of the City Council:

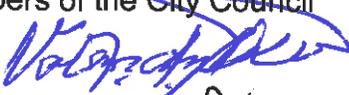
AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on February 4, 2015.

Cheryl L. Link, CMC, City Clerk
City of Norco, California

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Lori J. Askew, Director of Public Works 

DATE: February 4, 2015

SUBJECT: Unpermitted Encroachments into the Public Right-of-Way on Caballeros Road

RECOMMENDATION: Uphold Norco Municipal Code Section 12.08.020 and require removal of unpermitted improvements and landscaping from public right-of-way including walls, chain-link fence, concrete bollards, trees and shrubs along the frontage of 2170, 2190 and 2210 Caballeros Road.

SUMMARY: City staff recently discovered that three property owners along the west side of Caballeros Road have constructed unpermitted improvements within the street right-of-way and on top of a City 6" waterline in violation of Norco Municipal Code (NMC) Section 12.08.020. Staff has requested that these private improvements be removed in order to ensure public safety, but the residents have asked the City Council for re-consideration. Staff is requesting that the City Council uphold NMC Section 12.08.020 and require the residents to remove the unpermitted improvements. If necessary, additional time will be allowed for the residents to comply with the provisions of NMC.

BACKGROUND/ANALYSIS: On December 22, 2014, the resident located at 2210 Caballeros contacted Public Works to report a water leak in front of her home. Field crews responded to perform the necessary repairs. The initial locating of the mainline was hindered as staff looked for the waterline, per record map, to be located approximately 5' off of property line. The assumption staff took was that the existing wall constructed on the subject property was located at property line. Hand digging commenced within the dirt portion of the street to locate the waterline. When it became apparent that the waterline was on the opposite side of the wall, staff incorporated the vactor machine to expose the waterline as they were unable to get a backhoe over the wall in order to expose the waterline. Subsequent repairs were made with an ultimate delay of approximately two hours due to the location of the private improvements. The following day, office staff was requested to look into the location of the waterline in relation to the street right-of-way.

Tract 2994 was recorded in July of 1964 with the dedication of 60 feet of right-of-way for Caballeros Road for street purposes. The dedication was accepted. The 6" waterline was constructed prior to 1972 and was located approximately 5' off of the west right-of-way of Caballeros Road. Staff did an approximation of locating right-of-way versus private

Unpermitted Encroachments Into the Public Right-of-Way on Caballeros Road

Page 2

February 4, 2015

improvements using aerials and when it did appear the private improvements significantly encroached into the street right-of-way, a licensed land surveyor was contracted to do an exact locating of property line/right-of-way. It was concluded that residents at 2170, 2190 and 2210 Caballeros Road had constructed private improvements within the public right-of-way consisting of concrete block walls, chain link fence, metal bollards and installation of trees. These improvements extend between 2 to 7 feet into the right-of-way. Staff researched records to determine if permits had been issued to construct these improvements but was unable to locate any such permits.

On January 8, 2015, letters were sent to these three residents informing them of the unpermitted encroachments in the right-of-way and requesting that they be removed by January 28, 2015. The residents have asked the City Council re-consider the staff's proposed action to ensure public safety by gaining compliance to NMC Section 12.08.020. The residents have questioned the necessity for removing the improvements and have offered up solutions such as "hold harmless" letters and removal if the waterline needs future repairs.

Staff does not believe that "hold harmless" letters by a private resident is sufficient to mitigate potential risk to public safety and the liabilities that have been created by these encroachments that negatively impact the City's ability to respond to public emergencies. The City's ability to timely access waterlines is critical in protecting life and property. If necessary, staff would provide additional time for the residents to remove these encroachments. Residents who are income eligible may seek financial assistance from the City's Housing Programs to help pay for the cost of removing these encroachments.

The relocation of this waterline into Caballeros Road is a possibility, at an approximate cost of \$150,000.

FINANCIAL IMPACT: None if residents remove their private improvements. \$150,000 from Water Fund 144 if City relocates waterline.

Attachment: Norco Municipal Code Section 12.08.020
Pictures

Chapter 12.08 ENCROACHMENTS--EXCAVATIONS

Sections:

- 12.08.010 General.
- 12.08.020 Encroachments--Excavations.
- 12.08.021 Prohibitions.
- 12.08.030 Exceptions.
- 12.08.040 Tree removal.
- 12.08.050 Application.
- 12.08.060 Fees.
- 12.08.070 Exemptions.
- 12.08.080 Blanket permits.
- 12.08.090 Violation--Penalties.
- 12.08.100 Signs within the public right-of-way.

12.08.010 General.

Subject to the control of the city council there is delegated to the superintendent of streets the administration of the use of city streets for excavations and encroachments, the maintenance, planting and removal of trees, and the issuance, modification and revocation of permits for such uses. (Ord. 37 Sec. 1, 1965)

12.08.020 Encroachments--Excavations.

No person, including firm, corporation, public district, public agency or political subdivision, shall make any excavation in, or construct, install or maintain any improvement, structure or encroachment in, on, over or under, any city street or the right-of-way thereof without first obtaining from the superintendent of streets a permit there for, or maintain the same without such permit or in violation of the terms or conditions thereof. Such a permit shall be issued by the superintendent of streets only upon written application therefor and payment of the required fee or fees. Such permit shall be issued only if the applicant is a public utility holding a current franchise from the city, or a public district or public utility or public service agency having lawful authority to use the right-of-way or street for the purpose specified, or the owner or an easement for such purpose within the street right-of-way, or if the superintendent of streets is satisfied that the use proposed is in the public interest and that there will be no substantial injury to the street or impairment of its use as the result thereof and that the use is reasonably necessary for the performance of the functions of the applicant. Every such permit shall be revocable and the uses and installations thereunder shall be subordinate to any prior right of the city to use the right-of-way for public street purposes. Every such permit shall be conditioned upon the right of the city to require the permittee to relocate or remove the structure or encroachment at the permittee's expense for the benefit of the city or to relocate the structure or encroachment at the permittee's expense, wherein the opinion of the city superintendent of streets such action is reasonably necessary to avoid a crossing conflict, for the benefit of any public district, public agency or political subdivision or of any other person or agency having a right to use the city streets for the purpose proposed; but the acceptance of a permit shall not be deemed a waiver by the permittee of any contractual or statutory right against any party for reimbursement of the expense of such removal

or re location. Every such permit shall be subject to such conditions as the superintendent of streets determines are necessary to assure the safety of the traveling public and the restoration of service of the street and the foundations thereof, and of the portions outside the traveled roadway. The city superintendent of streets may require such surety bond or deposit of money as in his judgment may be necessary to secure performance of the conditions of the permit and the replacement and restoration of the surface and the subsurface of the street and the right-of-way, and any survey monuments or other improvements that may have been disturbed. The superintendent of streets may, where convenient to road work he has programmed or for other reasons of city convenience, arrange to do the work of replacement to pavement or restoration of the roadway at the expense of the permittee. If any permittee fails to refill any excavation or to restore the city street or right-of-way to its condition prior to the excavation, the city superintendent of streets shall have the right to perform the work and collect in the name of the city the cost thereof. (Ord. 37 Sec. 2, 1965)

12.08.021 Prohibitions.

In order to provide a walkway for pedestrian traffic, no encroachment permit shall be granted to construct a fence or similar structure within four feet of the curb line of any street located in the RI zone. The superintendent of streets shall require the walkway to be kept free and clear of any and all obstructions and shall allow only the planting of grass therein. (Ord. 261 Sec. 2 (part), 1973)

12.08.030 Exceptions.

An excavation or encroachment may be made without first obtaining a permit for repair or replacement of a facility previously installed only when necessary for the immediate protection or preservation of a life or property, and provided that such a permit is obtained on the first business day thereafter, and further provided that the excavation is made in such manner as to give full protection to the users of such street and the city. (Ord. 37 Sec. 3, 1965)

12.08.040 Tree removal.

No person, firm, corporation, public district, public agency or political subdivision shall remove or severely trim any tree planted in the right-of-way of any city street without first obtaining a permit from the superintendent of streets to do so. Such permit shall be issued without fee, if the city superintendent of streets is satisfied that such removal or trimming is in the public interest or is necessary for the improvement of the right-of-way or the construction of improvements on adjacent land. He may impose such conditions as he deems reasonable or necessary, including requirements for the work to be done only by a qualified tree surgeon or tree trimmer actually engaged in that business, and for bond, insurance or other security to protect person and property from injury or damage. The provisions limiting trimming of trees shall not apply to any public utility maintaining overhead power or communication lines pursuant to franchise, where necessary to prevent interference of a tree with such installation. A permit for removal of a tree may be conditioned upon its relocation or replacement by one or more other trees of a kind or type to be specified in the permit. (Ord. 37 Sec. 4, 1965)

12.08.050 Application.

Each application for a permit under this chapter shall be in writing in the name of the person or agency owning the encroachment and controlling the excavation and shall be signed by such person

or agency, or by his or its agent authorized in writing. The application shall be submitted on a form supplied by the city superintendent of streets and shall contain or be accompanied by such information as he may require. Each permit shall be written on a form furnished and signed by the superintendent of streets or his duly authorized representative and shall specify and/or refer to the conditions of granting such permit including the condition that such permit shall be recorded in the office of the recorder for Riverside County. (Ord. 261 Sec. 2 (part), 1973; Ord 37 Sec. 5, 1965)

12.08.060 Fees.

The permit fees and inspection fees required by this chapter shall be paid at or after the time the application is filed, but in any event before the permit is issued. The fees for permits, which shall not be refundable, and for inspections shall be established by Resolution of the City Council.

A series of concurrent excavations in the same immediate neighborhood involving a single inspection procedure shall be considered a single excavation for the purpose of determining the inspection fee;

The Director of Public Works may waive the inspection fee when in his opinion the public safety or convenience does not require inspection of an excavation or encroachment. (Ord. 665, 1993; Ord. 37 Sec. 6, 1965)

12.08.070 Exemptions.

(a) The following shall be exempted from payment of the permit fee for an excavation or encroachment:

- (1) A public utility which holds and at the time of application for the permit has held for at least five years a franchise from the city or the county of Riverside or the state of California authorizing the use of public highways for a public utility installation;
- (2) Every public district, public agency or public subdivision having lawful authority to use the right-of-way or highway for the purpose specified;
- (3) Street improvements under special assessment or improvement district proceedings conducted by the city council;
- (4) Public utility and public service facilities installed pursuant to specified contract with the city and under the control thereof for an agency thereof.

(b) The following shall be exempted from payment of the inspection fee for an excavation or encroachment:

- (1) A public utility which holds and at the time of application for the permit has held for at least five years, a franchise from the city, the county of Riverside or the state of California authorizing the use of public highways and streets for:
 - (A) A public utility installation not involving excavation in a city street or right-of-way, other than as usual and necessary for the installation of poles, guys and anchors at locations entirely outside the traveled portion of the right-of-way or established sidewalks, improved or unimproved, or

- (B) For a public utility installation involving only a bellhole excavation to install, repair or replace a consumer service connection;
- (2) Street improvements under special assessment or improvement district proceedings conducted by the city council;
- (3) Public utility and public service facilities installed pursuant to a specific contract with the city and under the control thereof, or a city agency.
- (c) Subdivision improvements to be constructed pursuant to agreement with the city are exempt from this chapter. (Ord. 37 Sec. 7, 1965)

12.08.080 Blanket permits.

The superintendent of streets may issue to any applicant a blanket permit for a series of excavations or encroachments of the same type or types. This provision shall be broadly applied to reduce administrative costs of both city and applicant. (Ord. 37 Sec. 8, 1965)

12.08.090 Violation--Penalties.

(Repealed Ord. 634, 1991) (Ord. 527 Sec. 4 (part), 1984: Ord. 417 Sec. 3 (part), 1978)

12.08.100 Signs within the public right-of-way.

Official signs of any public or governmental agency, such as traffic regulating signs, trespassing signs, signs indicating danger, equestrian trail designation signs, signs providing directions to public services or facilities, signs providing direction to hospitals or emergency health clinics, or signs used as aids to service or safety are permitted and are exempt from the provision of this chapter. Privately financed signs that provide overall community service such as city entrance signs, sponsored by service organizations, crime prevention watch groups, may be permitted upon approval of the city council provided the signs will not cause safety problems or conflict with on-site signs or nearby uses. Strictly prohibited in the city right-of-way except as provided above, are signs sponsored by private individuals or organizations that provide directions to specific privately owned and operated facilities such as clubs, service organization meeting halls, churches, or other religious organizations. (Ord. 491 Sec. 5, 1983)

The Norco Municipal Code is current through Ordinance 979, passed August 20, 2014.

Disclaimer: The City Clerk's Office has the official version of the Norco Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.



2210 CABALLEROS RD



2240 CABALLEROS RD.



2210 CABALLEROS RD



2210 CABALLEROS RD



2210 CABALLEROS RD



2170 CABALLEROS RD.



2170 CABALLEROS RD



2190 CABALLEROS RD



2210 CABALLEROS RD



2190 CABALLEROS RD.



2190 CABALLEROS RD