



**CITY OF NORCO
CITY COUNCIL REGULAR MEETING AGENDA**

**Wednesday, April 1, 2015
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 6:00 p.m.

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

The City Council will recess to Closed Session (Section 54954) to consider the following matters:

CLOSED SESSION:

§54956.8 – Conference with Real Property Negotiators:

Property: 119-020-015, 119-020-022

City Negotiator: City Manager Andy Okoro, City Attorney John Harper

Negotiating Party: Realty Bancorp Equities

Under Negotiation: Price and conditions for acquisition of property

§54956.9(c) – Conference with Legal Counsel – Anticipated Litigation:

Three Potential Cases

RECONVENE PUBLIC SESSION: 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION - §54957.1: (City Attorney)

PLEDGE OF ALLEGIANCE: Mayor Herb Higgins

INVOCATION: Pastor Vernie Fletcher, Grace Fellowship Church

PROCLAMATION: National Donate Life Month – April 2015

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. Presentation on the Hamner Avenue Bridge Improvement Project by Tayfun Saglam, P.E., Engineering Project Manager, County of Riverside
2. City Council Communications / Reports on Regional Boards and Commissions

2. CITY COUNCIL 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 Minutes of March 18, 2015
Recommended Action: Approve the City Council regular meeting minutes. (City Clerk)
 - B. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
 - C. **Resolution No. 2015-10**, Denying Conditional Use Permit 2014-24 (Yandoc): A Request for the Development of a Contractors Construction Office and Storage Building at 633 Sixth Street in the C-4 Commercial Zone.
Recommended Action: Adopt Resolution No. 2015-10, denying Conditional Use Permit 2014-24. (Planning Director)
 - D. City Council Appointments to Southern California Association of Governments (SCAG) General Assembly Meeting to be Held May 7-8, 2015.
Recommended Action: Appoint Mayor Herb Higgins as the delegate and Council Member Kathy Azevedo as the alternate to the Southern California Association of Governments General Assembly meeting to be held May 7 – 8, 2015. (City Clerk)
 - E. Acceptance of Bids and Award of Contract for the Third Street Improvement Project.
Recommended Action: Accept bids submitted for the Third Street Improvement Project and award the contract to Lee & Stires, Inc. in the amount of \$1,126,341.75, and authorize the City Manager to approve contract change orders up to 10 percent of the total bid contract amount; and award contracts to Kelsoe & Associates, Inc. in the amount of \$34,200.00 for surveying services, and Heider Engineering Services, Inc. for geotechnical services in the amount of \$13,890.00. (Director of Public Works)
 - F. **Waiver of Fee Request:** Application Fees for Variance 2015-01 (Blackwood) at 1586 First Street.
Recommended Action: Deny the waiver request. (Planning Director)
 - G. **Waiver of Fee Request:** Transportation Uniform Mitigation Fee for Site Plan 2013-17 (Parkridge Avenue 517 Corp.) at 517 Parkridge Avenue.
Recommended Action: 1. Deny the waiver request; 2. Deny the appeal of the building classification. (Planning Director)
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 items listed.*

- A. **Ordinance No. 986, Second Reading. Zone Code Amendment 2015-01 (City):** An Amendment to Chapter 18.23 – C-4 (Commercial) Zone of the Norco Municipal Code to Add Armories, Weapon and Ammunition Sales, and Weapon Smithing as Permitted Uses. (Planning Director)

Zone Code Amendment 2015-01 is required by the Norco Municipal Code since Similar Use Finding 2014-01 was approved finding that a proposed gun and ammunition store was similar enough to other permitted uses and similar to the intended use and purpose of the C-4 zone.

Recommended Action: Adopt Ordinance No. 986, for second reading.

6. DISCUSSION/ACTION ITEM:
 - A. Appointments to the Ad-Hoc Committee on Infrastructure Needs and Funding Options (City Clerk)

At its meeting held on March 18, 2015, the City Council suggested the replacement of the two City Council appointees, Mayor Higgins and Mayor Pro Tem Bash, with the appointment of two (2) residents to serve on the Ad-Hoc Committee. The City Council suggested and is recommended to make its appointments from a list of residents who frequently attended the Ad-Hoc meetings since June 2014.

Recommended Action: 1. Appoint two (2) residents to the Ad-Hoc Committee on Infrastructure Needs and Funding Options; or 2. Not fill the two Council appointee vacancies and continue with the Ad-Hoc Committee as a 7-member committee.

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

ADJOURNMENT

In compliance with the Americans with Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in this meeting, please contact the City Clerk's office, (951) 270-5623, at least 48 hours prior to the meeting to make reasonable arrangements to ensure accessibility.

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 Counter in City Hall located at 2870 Clark Avenue during normal business hours.



**CITY OF NORCO
CITY COUNCIL REGULAR MEETING MINUTES**

**Wednesday, March 18, 2015
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 7:05 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 Greg Newton

INVOCATION: Deacon Joe Vela, St. Mel's Catholic Church

RECOGNITION: Inland Empire Economic Partnership Award for Business Retention and Expansion

Council Member Kathy Azevedo provided an overview of the specifics in applying for the award, commending Roger Grody, Economic Development Specialist, for nominating the City of Norco. She shared that the City was acknowledged as runner up for the 2015 Turning Red Tape into Red Carpet Award for the "Destination Norco Project" in the category of Business Retention and Expansion.

PROCLAMATION: Council Member Kathy Azevedo, Birthday Committee Chair

Council Member Berwin Hanna, as he was Mayor in 2014, presented Council Member Kathy Azevedo with a proclamation for her dedication and hard work on the 50th Birthday Committee, and commended the special events throughout the year in celebration of the City's historic milestone.

SPECIAL APPEARANCE: In Memory of Robert Samsøe

Sabrina Samsøe, daughter of Robert Samsøe, addressed the City Council and all those present to share memories of all that her father had done not only for his family, but for the youth sports in the City of Norco. She shared that at times he was the loudest cheerleader at the Norco High School football games. Other sports he assisted with included basketball, girls softball, and wrestling at Norco High School.

Becky Buffington, close friend of the family, shared that she, and others, were in the process of getting the necessary signatures to request that a field at Wayne Makin Park be dedicated to Mr. Samsøe.

Teran Robinson, sister of Mr. Samsøe, read a message from Chris Upton, Huntington Beach journalist and author, in which he speaks of his encounter with Mr. Samsøe approximately a year prior, noting Mr. Samsøe's devotion to his family, community, and friends. Mr. Upton also gave his support in naming a field in his honor.

Council Member Azevedo invited all present to attend a candle vigil taking place on Friday, March 20, 2015, at Wayne Makin Sports Complex, from 8:00 p.m.-9:00 p.m.

In response to Council Member Newton, Parks, Recreation and Community Services Director Brian Petree stated that the required 75 signatures can be waived by the City Council, noting that the regular process is to forward the request and signatures to the Parks and Recreation Commission, which then is forwarded with a recommendation to the City Council.

M/S NEWTON/HANNA to waive the required signatures to request the field dedication and have the item moved directly to the Parks and Recreation Commission. The motion was carried by the following roll call vote:

AYES: Higgins, Bash, Azevedo, Hanna, Newton

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

M/S BASH/HIGGINS to add the field dedication to the agenda by urgency. The motion was carried by the following roll call vote:

AYES: Higgins, Bash, Azevedo, Hanna, Newton

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

M/S BASH/HANNA to dedicate and name Wayne Makin Field 5 for Robert Samsøe. The motion was carried by the following roll call vote:

AYES: Higgins, Bash, Azevedo, Hanna, Newton

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Mayor Pro Tem Bash:

- No report given

Council Member Hanna:

- Attended a Riverside County Transit Commission (RCTC) meeting. Reported that the 91 freeway is under construction within the City of Corona. Shared that funding for road improvements are on the decline, the revenue for the City of Norco this fiscal year is \$784,000, and next fiscal year it will drop to \$585,000.
- Attended a Riverside Transit Authority (RTA) meeting. Reported that ridership is on the rise, new busses will be ordered at the end of the year; shared that each bus will travel approximately 2,500 miles a day; buses are serviced in 22 minutes each night and are back on the road.

Council Member Newton:

- No report given

Council Member Azevedo:

- Attended Western Riverside Cities of Government (WRCOG) meeting. Noted that the Annual General Assembly is scheduled in June, all City Council and staff are invited to attend, at WRCOG's cost. Shared that the keynote featured speaker is Rick Perry, former Governor of Texas.
- Attended League of California Cities' monthly General Meeting and met the new Riverside County District Attorney, Mike Hestrin.

Mayor Higgins:

- Spoke with a waste disposal company in Hemet that uses manure in energy program which the City of Norco can participate in and has contacted Waste Management to share the information.

2. CITY COUNCIL CONSENT ITEMS:

Council Member Hanna pulled Item 2.C.; Council Member Newton pulled Item 2.D., and Item 2.E. was pulled to allow for public comment

M/S AZEVEDO/BASH to approve the remaining consent calendar 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 Minutes of March 4, 2015 and Study Session Minutes of January 21, 2015. **Action: Approved the Regular meeting minutes of March 4, 2015 and the Study Session minutes of January 21, 2015.** (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 March 11, 2015. (Planning Director) **Pulled for discussion.**
- D. Approval of the Annual Designation of April 16th as Rose Eldridge Day in the City of Norco. (Deputy City Manager/Director of Parks, Recreation and Community Services) **Pulled for discussion.**
- E. Cooperative Agreement with Caltrans for Second Street and Interstate 15. (Director of Public Works) **Pulled for discussion.**

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

- 2.C. Recap of Actions Taken by the Planning Commission at its Meeting Held on March 11, 2015. (Planning Director)

Council Member Hanna pulled the report to appeal Planning Commission Agenda Item 5.A. for consideration by City Council.

M/S HANNA/BASH to receive and file the remaining items noted on the Recap of Actions Taken by the Planning Commission. The motion was carried by the following roll call vote:

AYES: Higgins, Bash, Azevedo, Hanna, Newton
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- 2.D. Approval of the Annual Designation of April 16th as Rose Eldridge Day in the City of Norco. (Deputy City Manager/Director of Parks, Recreation and Community Services)

Council Member Greg Newton pulled the item to formally ask Ms. Rose Eldridge if she approves of April 16th being designated as Rose Eldridge Day in the City of Norco annually.

Ms. Eldridge graciously approved, and thanked the City Council for its kind consideration. She shared a few memories of her days in Norco.

M/S NEWTON/AZEVEDO to adopt Resolution No. 2015-08, designating April 16th annually as Rose Eldridge Day in the City of Norco. The motion was carried by the following roll call vote:

AYES: Higgins, Bash, Azevedo, Hanna, Newton
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- 2.E. Cooperative Agreement with Caltrans for Second Street and Interstate 15.
Recommended Action: Approve and authorize staff to enter into a Cooperative Agreement with Caltrans. (Director of Public Works)

Ted Hoffman asked the Council to reconsider the agreement as the cost is inflated to just have dirt removed, adding that it should have been done at the time of construction.

Council Member Newton thanked Public Works Director Lori Askew and City Manager Andy Okoro for their time to allow him to express his concerns prior to the meeting. He asked Director Askew to share details of their discussion, noting that he cannot support this amount of money. He further asked staff on the possibility of going back to Caltrans for further discussions and ask them to take responsibility as the pile of dirt is in its right-of-way.

Public Works Director Askew noted that this item was previously brought forth to the Council, and staff was asked to have the berm removed. It was determined that Caltrans would require that the area be brought to current standards and that it could be very costly. Director Askew stated that after discussions with a Caltrans Director, it was determined that if the berm is to be removed, the signal lights are required to be brought to current standards which includes adding a signal for bikes, as well as other new requirements. Caltrans has offered to assist with funding, and although the estimated cost on the staff report appears inflated, it was suggested by Caltrans to estimate high in order to get the most contribution from funds available from Caltrans. She emphasized that there is no commitment with this agreement should the City decide not to do the project.

In response to Council Member Newton, City Attorney John Harper stated that there is no liability to the City by signing this agreement if the project is not started.

In response to Council Member Hanna, Public Works Director Askew stated that the estimate is based on all that would be required to bring the area up to code, it is staff's best estimate; she confirmed that Measure A money would be used should the project be higher than the \$250,000 funds available to the City. He noted his concern that the Measure A funds are not enough since it is also allocated for the eventual Corona Avenue closure.

Mayor Pro Tem Bash noted his concern of potential danger to individuals walking the subject area, adding that it is the State's problem. Public Works Director Askew stated that the south side of Second Street, at Valley View Avenue, has been closed to access and pedestrians are directed to the north side of the street where there is a sidewalk. Mayor Pro Tem Bash exclaimed that he cannot support the agreement.

In response to Council Member Azevedo, City Attorney Harper stated that per this agreement, the City is guaranteed at least \$250,000, adding that after the project has gone to bid the City can request additional funds from Caltrans, although not guaranteed. Council Member Azevedo agreed that the cost is too high and may require too much of the Measure A funds.

Director Askew clarified that the pile of dirt was pushed aside and left in its current place when the widening of Second Street project occurred, as a request for permits to fix at the time, from Caltrans, would have delayed the widening project by 18 months.

Mayor Higgins was troubled with the City putting the project out for bid, then not going forth with the project due to cost, as it may cause undue expenses to contractors who decide to bid on the project.

Council Member Newton suggested that the City speak to Assemblyman and other Representatives to get assistance to get Caltrans to pay for entire balance.

City Manager Andy Okoro stated that staff did its best to get Caltrans to share the cost; he doesn't believe that Caltrans will offer more money. He noted that, most likely, Caltrans will not fix this problem on its own. He noted that \$20,000 for preparation of a request for quotes (RFQ) for this project to go to bid, is not too much to correct this error and to firm up the amount Caltrans would fund.

M/S AZEVEDO/BASH to approve the agreement, and follow up with our Representatives to assist in getting more funds from Caltrans for the project. The motion failed as a result of the following roll call vote:

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

M/S HIGGINS/HANNA asked that the trail access be closed and pedestrian be directed to cross the street to the north side of Second Street to safe passage on the side walk. The motion was carried by the following roll call vote:

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

Under discussion: Mayor Higgins asked that the City place a sign directing pedestrian, as a risk management step, to place burden on Caltrans should an incident occur.

Council Member Azevedo noted that we may be creating an unsafe passage.

Council Member Newton added that staff pursues additional contact with Caltrans and State Representatives.

Public Works Director Askew explained what is currently in place to deter foot traffic in the unsafe area, and suggested that pedestrians can then safely cross back to the south side of Second Street at Hamner Avenue.

4. PUBLIC COMMENTS:

Ted Hoffman thanked all who attended Norco Horsemen's Association (NHA) Bingo Night. He requested an update on the Auto Mall sign renovations. He commended Lt Briddick and the Sheriff Department on the amount of citations issued recently. Mr. Hoffman invited everyone to the NHA meeting on Thursday, March 19, noting that the guest speaker is Mayor Higgins.

Harvey Sullivan commented on the Norco egg ranch property, asked that City Council review moneys generated by the usage of the egg ranch. He suggested that the property located on the south side of Second Street and the I-15 be rezoned to commercial so that a project can be brought in to generate funds.

Carol Koozman spoke against placing businesses in a residential area.

Mayor Higgins recessed the meeting at 8:25 p.m. and reconvened the meeting at 8:38 p.m.

5. DISCUSSION/ACTION ITEMS:

- A. Review of the Final Report of the Ad-Hoc Committee on Infrastructure Needs and Funding Options. (Ad-Hoc Committee Chair)

Ad-Hoc Committee Chair Jodi Webber presented the final report of the Ad-Hoc Committee on Infrastructure Needs and Funding Options, on file in the City Clerk's Office. She noted goals set by the Committee, first was to review where the needs were, such as streets, trails, storm drains, etc. There were fifteen meetings held, all noticed and agendaized. Chair Webber commented on three issues raised after the publication of the report that may not be clear, 1 – the Committee wanted to have open discussions on potentially changing the City's current standards and recognized that recommendation for alternatives was needed; 2 – the Committee looked at alternative funding options, such as endowments, adopt a trail program, and concluded that these types of programs could not pay for the amount needed for trail maintenance; 3 – the general consensus of the Committee was that the final decision of how the funding and resources are to be made or done is outside their purview. In conclusion, she asked City Council for direction or questions.

Council Member Azevedo was impressed with the comprehensive report. She suggested that the information be shared with residents through town hall meetings, possibly a survey; as a tax initiative can only be brought to and approved by residents. She thanked the Ad-Hoc Committee for their time and hard work.

Council Member Newton commended Chair Webber and the Ad-Hoc Committee for a good job. He questioned if discussions occurred regarding funding sources, contributions by public or commercial or other tactical options, such as closing parks, etc. In response, Chair Webber stated that it had not as it was not within the Committee's purview.

Council Member Hanna thanked the Ad-Hoc Committee for all its work and time spent. In reference to the tax review done, as noted on page 18 of the report, he asked as to why

two taxes recommendations. City Manager Okoro stated that the Committee reviewed how much different levels of tax assessments would provide in revenue. In response to Council Member Hanna, City Manager Okoro explained that the sales tax from car leases would come to the City as it follows where the vehicle is registered; reiterating that a sales tax must be approved by residents' vote.

Mayor Pro Tem Bash asked City Manager Okoro to read the report summary for the benefit of the audience. Mayor Pro Tem Bash stated that he would like to avoid one time taxes.

City Manager Okoro added that the City doesn't owe any money and is not liable for the money used by the Redevelopment Agency.

Chair Webber thanked all the members of the committee and the attendees to the numerous meetings.

Mayor Higgins commended on an outstanding and tedious job. He explained the Committee's mission statement, and the guidelines it was to follow. He noted that the City is in for difficulty when budgeting time is here, which is just a few weeks away. He addressed the infrastructure needs, and stated that although the information is good, it is not ready for a final decision. He suggested that it be sent back to the Ad-Hoc Committee with direction to review all of the elements needed, separately, then provide a recommendation.

Council Member Hanna agreed to receive and file the report, and use to as a bible to begin the next phase.

Council Member Newton agreed with sending the report back to the Committee, suggesting that the Council Members be removed, since recommendations will come back for a final full Council vote.

Mayor Higgins and Mayor Pro Tem Bash concurred.

Chair Webber stated that she did not want to create more work for the Committee and Staff, since there are commissions that make these types of decision and recommendations she suggested that the report be broken down and provided to the respective Commissions for continued discussions.

Vice Chair Corinne Holder suggested that it continue to look at options and outreach with the residents as they need to know what they will lose if things are cut, must educate the public.

Mayor Higgins asked for those who wish to speak.

Ted Hoffman, attended all the meetings, he agreed that the report be looked at during budget time; and that the Council Members should abstain to be on the committee.

Lance Gregory stated that he is against any additional tax, and that the committee should be allowed to explore further options.

John Padilla, an Ad-Hoc Committee Member, agreed that the residents need to be educated about everything.

Harvey Sullivan questioned the final vote by the committee and why there was no recommendation made.

Linda Dixon, an Ad-Hoc Committee Member, stated that the committee was not provided bottom line figures, expressed that the committee wasn't given authority to make changes, and opposed having the report sent back to the committee unless specific guidelines with meaning are given.

Pat Hedges concurred with Mrs. Dixon, also a Member of the Committee, its responsibility was not clear, would like to have had the opportunity to review all departments' budget for potential changes.

Mayor Higgins brought discussions back to the Council.

Council Member Azevedo stated that she does not agree in closing parks as there are too many benefits to the use of parks. She agreed with Chair Webber that the report be forwarded to the respective Commission, and provide accurate information to educate the public.

Council Member Newton preferred that the report be sent back to the Ad-Hoc Committee, allowing them to approach the Commissions separately. Town hall meetings are a good idea in order to communicate with the public, and agreed that the Committee should be given more leeway to make changes. He stated that he doesn't care for additional taxes, the City needs to tighten up its own budget; adding that there are potential properties that can be used to bring in additional point of sale.

Council Member Hanna concurred with sending portions of the report to the respective Commission and liked the town hall meeting idea to share information with the public.

Mayor Pro Tem Bash stated that he is impressed with the outcome with the Ad-Hoc Committee, and concurred that the information needs to be shared.

Mayor Higgins reiterated that the charge of the Committee was to look at options for funding; as such a tax option had to be looked at. Funding mechanism is decided by the City Council, which then sends it to the voting residents for a final approval. The residents do need to be educated on the issues the City is facing, through all avenues available.

In response to Council Member Newton, Deputy City Manager/Parks, Recreation and Services Director Petree stated that the Parks and Recreation and the Streets, Trails, and Utilities Commissions meet every other month, but have the option to schedule special meetings.

M/S AZEVEDO/HANNA to separate the report and forward to the respective Commissions for their recommendations to be sent back to the Ad-Hoc Committee whom can then make a recommendation to the City Council, and recommends appoint of two residents to replace the two Council Members on the Ad-Hoc Committee. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

In response to Mayor Higgins, Ms. Webber recommended the following for appointment on the Ad-Hoc Committee, Ted Hoffman, Lance Gregory and Glenn Hedges, based on their continued attendance at each meeting.

B. Approval of Sixth Street Electronic Gateway Sign Design and Contract (Economic Development Specialist Grody)

Economic Development Specialist Grody presented the staff report from the Economic Development Advisory Council (EDAC), on file in the City Clerk's Office. He stated that this project has been an item of review for many years for EDAC. YESCO is a company leader in the industry, the design was chosen based on its rustic look which complimented the Sixth Street / Norco landscape. He noted that this is an excellent option to the overhead banners that have been used by many non-profits which can be costly; the chosen location is not intrusive to traffic and is a gateway to the City and Sixth Street. Staff and EDAC recommend approval.

Mayor Higgins invited those who wish to speak.

Ted Hoffman recommended approval.

Myrna Paltza stated that the sign was wonderful but that the town should be cleaned up first.

Lance Gregory stated that the gateway areas should be promoted, the south end at Hidden Valley Parkway; more advertising is needed there. He also kindly declined an appointment on the Ad-Hoc Committee.

Ed Dixon, as a Member of EDAC Subcommittee, this sign is part of cleaning up Sixth Street, and will advertise all of the City's events. He asked for the Council's approval.

Harvey Sullivan suggested that, at this cost, the City should get two separate signs at both ends of town; and asked Council to reconsider its approval.

Kathleen Cramer questioned the sign's proposed location, noting the duplicate sign at Jack in the Box business; and suggested that more advertisement is needed in the bluff area.

Lou Paltza contradicted the number of cars that travel throughout the corridor along Sixth Street; concurred with the idea of advertising in other areas throughout Norco; doesn't care for the sign, stating that there would not be enough pay back from a sign in that location.

Mayor Higgins brought discussions back to the City Council.

Council Member Azevedo explained how the available RDA funds can be spent. She indicated that the sign was approved by the California Department of Finance, which must give its approval before funds are distributed; adding that the City does not own the sign at Jack in the Box, it is owned by the business, and included the Horse town USA logo upon its remodeling. Council Member Azevedo further stated that the bluff area, or other parts of town, has minimal traffic compared to Sixth Street. She added that the sign will enhance the City, not take away overhead banners entirely, and the location couldn't be better based on the successful businesses located along Sixth Street. She fully supports the sign.

Council Member Newton commended the Subcommittee on the sign. He questioned if a business plan was in place to take care of maintenance costs, and recover its cost. In response, Specialist Grody stated that the EDAC will reconvene to create policies, rates for rental, guidelines, costs to be covered, after which will be returned to City Council for approval. Council Member Newton asked about an overall look for Sixth Street once the sign is added; Specialist Grody stated that this was not within the purview of the EDAC but would welcome the challenge. Council Member Newton noted concerns of the overall cost of the sign, engineer drawings cost, traffic control cost, deputy engineer costs, and the final engineer drawings; Mr. Grody stated that a representative was present to answer questions, and that the overall cost is region competitive.

Paul Whitehead, YESCO representative, addressed the engineer's cost concerns, noting that due to the sign's substantial size, wind loads and soil conditions, it required the overview of a Civil Engineer. In response to Council Member Newton, Mr. Whitehead stated that the company has an in-house Civil Engineer, which allows them to offer a competitive bid for the service at a rock bottom price.

Council Member Hanna thanked the EDAC for their hard work; adding that this is a great draw for City events.

Mayor Pro Tem Bash inquired about a company that had offered a free monument LED sign; in response, Specialist Grody stated that one had been constructed at a school location in Corona. He added that the company had offered to do a small street sign for the City, but that the process has slowed down tremendously and no further offers were made. Mayor Pro Tem Bash indicated that Sixth Street has improved in the last six years, based on photos he has taken over the years. He elaborated that this sign is a great idea; it has designated funds, and will avoid nailing of signs on City trees.

Under discussion: Council Member Newton stated that he is happy with the sign but not cost, he cannot support the cost.

Council Member Azevedo, as an EDAC Member, explained that this was the most affordable and most reliable company.

M/S BASH/AZEVEDO to approve and authorize the staff to enter into a contract with YESCO for the Sixth Street Electronic Gateway Sign. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS

NOES: NEWTON

ABSENT: NONE

ABSTAIN: NONE

6. PUBLIC HEARING:

- A. Ordinance No. 986, First Reading. Zone Code Amendment 2015-01 (City):** An Amendment to Chapter 18.23 – C-4 (Commercial) Zone of the Norco Municipal Code to Add Armories, Weapon and Ammunition Sales, and Weapon Smithing as Permitted Uses. (Planning Director)

Planning Director King presented the staff report on file in the City Clerk's Office. This is recommended for approval by the Planning Commission.

Mayor Higgins OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, Mayor Higgins CLOSED the public hearing.

M/S AZEVEDO/BASH to approve for first reading, Zone Code Amendment 2015-01 to amend Chapter 18.23 – C-4 (Commercial) Zone of the Norco Municipal Code to add armories, weapon and ammunition sales, and weapon smithing as permitted uses. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

7. APPEAL HEARING:

- A. Conditional Use Permit 2014-24 (Yandoc):** An Appeal of the Planning Commission Approval of a Request to Allow the Development of a Contractor's Construction Office and Storage Building at 633 Sixth Street (APN 133-150-027) Located within the C-4 (Commercial) Zone.

Planning Director King presented the staff report on file in the City Clerk's Office. He noted that the Planning Commission had approved this project, but was appealed by City Council. He provided an overview of the project and discussions by Council asking for a performance and completion bond if the project becomes abandoned prior to completion. Director King stated that the CUP is with the business not the property, so if the property is sold the CUP expires. This business would not contribute as primary sales tax revenue, but as a secondary sales tax, if its customers eat or shop in town.

Council Member Newton asked for more details concerning the bond, how the amount is determined and when it is released. In response, Director King stated that the Public Works Department determines the amount of the bond based on the project, and it's released at project's completion; adding that a time limit is set for the removal of the existing temporary building and storage container within the conditions of approval.

Mayor Higgins OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, Mayor Higgins CLOSED the public hearing.

M/S AZEVEDO/HIGGINS to overturn the Planning Commission decision and deny Conditional Use Permit 2014-24, based on the business not being conducive to the area as it does not generate sales tax, and is not western-themed retail. The motion was carried by the following roll call vote:

AYES: HIGGINS, BASH, AZEVEDO, HANNA, NEWTON

NOES: NEWTON

ABSENT: NONE

ABSTAIN: NONE

8. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Mayor Higgins asked staff to bring forth an agenda item to recommend the transfer of ownership of the street light at Corona Avenue and Hidden Valley Parkway, to the City of Corona for \$1.00.

M/S HIGGINS/HANNA to agendize discussion of the transfer of ownership of the street light at Corona Avenue and Hidden Valley Parkway to the City of Corona for \$1.00. The motion was carried by the following roll call vote:

AYES: HIGGINS, BASH, AZEVEDO, HANNA, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Deputy City Manager/Director of Parks, Recreation and Community Services Brian Petree shared information about, and invited everyone to attend, the Alpaca Show at the George Ingalls Equestrian Center this weekend.

ADJOURNMENT: Mayor Higgins adjourned the meeting in memory of Robert Samsoe, a longtime resident and advocate to Youth Sports, at **11:04 p.m.**

Diane Germain, Deputy City Clerk

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager

PREPARED BY: Steve King, Planning Director

DATE: April 1, 2015

SUBJECT: **Resolution No. 2015-10**, Denying Conditional Use Permit 2014-24 (Yandoc): A Request for the Development of a Contractor's Construction Office and Storage Building at 633 Sixth Street in the C-4 Commercial Zone.

RECOMMENDATION: Adopt **Resolution No. 2015-10**, denying Conditional Use Permit 2014-024 (Yandoc).

BACKGROUND: Conditional Use Permit (CUP) 2014-24 was denied by the City Council on appeal of the Planning Commission approval. The adoption of the denial resolution was continued to April 1, 2015 to allow for the resolution to be prepared.

Per the Norco Municipal Code, a project which has been denied cannot be re-applied for until one year has expired after the denial. If the City Council determines that it wants to allow the applicant to re-apply before the end of the one-year restriction then the denial will have to be changed to "denial without prejudice." If that is the direction of the City Council then the item needs to be pulled from the Consent Agenda for discussion and in that discussion the Resolution can be changed.

The attached Resolution, however, is for a straight denial with which the applicant would have to wait one year before applying for the same project again.

Attachment: City Council Resolution No. 2015-10

RESOLUTION NO. 2015-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO OVERTURNING THE PLANNING COMMISSION APPROVAL AND DENYING CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF CONTRACTOR'S CONSTRUCTION OFFICE AND STORAGE BUILDING AT 633 SIXTH STREET (APN 133-150-027) LOCATED WITHIN THE C-4 (COMMERCIAL) ZONE. CONDITIONAL USE PERMIT 2014-24, APPEAL HEARING

WHEREAS, ED YANDOC submitted an application for a conditional use permit to the City of Norco, California, under the provisions of Chapter 18.45, Title 18 of the Norco Municipal Code, to allow the development of a contractor's office and storage building on property generally described as:

The easterly 252 feet of Lot(s) 15 in Block 41 of Norco Farms Tract No.2, as shown by map on file in Book 11 Pages(s) 56, of Maps, Records of Riverside County, California;

More generally described as a rectangular-shaped area of about .48 acres, having a frontage on the north side of Sixth Street of about 73.5 feet, a maximum depth of 280 feet, and being further identified at 633 Sixth Street (Assessor's Parcel Numbers 133-150-027); and

WHEREAS, notice of public hearing on said petition was given in the manner and for times required by law; and

WHEREAS, at the time set at 7 p.m. on February 11, 2015, within the Council Chambers at 2820 Clark Avenue, Norco, California, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the Planning Commission adopted Resolution 2015-07 approving Conditional Use Permit 2014-24; and

WHEREAS, said action by the Planning Commission to approve said project was appealed by the City Council for the City of Norco; and

WHEREAS, notice of public appeal hearing on said petition was given in the manner and for times required by law; and

WHEREAS, at the time set at 7 p.m. on March 18, 2015, within the Council Chambers at 2820 Clark Avenue, Norco, California, said appeal petition was heard by the City Council for the City of Norco; and

WHEREAS, at said time and place, said City Council heard and considered both oral and written evidence; and

WHEREAS, the City Council overturned the Planning Commission approval and denied Conditional Use Permit 2014-24; and

WHEREAS, the action to deny was continued to April 1, 2015 to allow for the preparation of a denial resolution.

NOW, THEREFORE, the City Council of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

A. The requested Conditional Use Permit does not support the intent and purpose of the C-4 zone and may adversely affect the General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof.

B. The requested use may negatively impact adjoining land uses, and the growth and development of the area in which it is located

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Norco, California, in session assembled on April 1, 2015 that the aforesaid application for a conditional use permit is denied.

Resolution No. 2015-10
Page 3
April 1, 2015

PASSED AND ADOPTED by the City Council at a regular meeting held on April 1, 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 regular meeting held on April 1, 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 April 1, 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: Cheryl L. Link, City Clerk

DATE: April 1, 2015

SUBJECT: City Council Appointments to Southern California Association of Governments (SCAG) General Assembly Meeting to be Held on May 7-8, 2015

RECOMMENDATION: Appoint Mayor Herb Higgins as the delegate and Council Member Kathy Azevedo as the alternate for the Southern California Association of Governments General Assembly meeting on May 7-8, 2015.

BACKGROUND/ANALYSIS: The Southern California Association of Governments (SCAG) General Assembly meeting will be held in May of 2015 and, as a member of SCAG, the City Council is recommended to select a delegate and alternate to represent the City of Norco at this annual meeting.

BACKGROUND/ANALYSIS: SCAG will be holding its General Assembly meeting on May 7 – 8, 2015 in Palm Desert, California. Each year, SCAGs member cities select a delegate and alternate to represent their city to participate in this annual meeting.

Mayor Herb Higgins has declared an interest in attending as the delegate and Council Member Kathy Azevedo has shown interest as the alternate. Therefore, it is recommended that the City Council approve the appointment of Mayor Higgins as the delegate and Council Member Azevedo as the alternate. Following approval, the City Clerk will prepare a minutes action excerpt and submit it to SCAG.

FINANCIAL IMPACT: No financial impact as a result of this action.

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: April 1, 2015

SUBJECT: Acceptance of Bids and Award of Contract for the Third Street Improvement Project and Related Construction Services

RECOMMENDATION: Accept bids submitted for the Third Street Improvement Project and award a contract to Lee & Stires, Inc. in the amount of \$1,126,341.75, and authorize the City Manager to approve contract change orders up to 10 percent of the total bid contract amount; and award contracts to Kelsoe & Associates, Inc. in the amount of \$34,200.00 for surveying services, and Heider Engineering Services, Inc. for geotechnical services in the amount of \$13,890.00.

SUMMARY: Bids for the Third Street Improvement Project were opened on March 18, 2015 with Lee & Stires, Inc. of Ontario, CA being the lowest responsible bidder. The project will also require construction staking and various geotechnical testing, both of which is not part of the mentioned bid. Proposals were submitted by Kelsoe & Associates Inc. of Corona, CA to provide construction staking services in the amount of \$34,200, and Heider Engineering Services, Inc. of Ontario, CA to provide geotechnical testing and compaction services in the amount of \$13,890. Therefore, it is recommended that contracts be awarded to Lee & Stires, Inc. in the amount of \$1,126,341.75; Kelsoe & Associates, Inc. in the amount of \$34,200; and Heider Engineering Services, Inc., in the amount of \$13,890.

BACKGROUND/ANALYSIS: Staff completed plans and specifications for reconstruction of Third Street between Valley View Avenue and Corona Avenue. This portion of Third Street will be improved to its ultimate right of way with curb, gutter, pedestrian-equestrian trail, asphalt pavement and storm drain improvements. Reservoir Drive is approximately 100 feet north and 100 feet south of Third Street will also be improved with curb and gutter and storm drain improvements, with the storm drain continuing an additional 700 feet south in Reservoir Drive. The plans and specifications were advertised on February 11, 2015 with a bid opening date of March 18, 2015. One Addendum was issued on March 11, 2015, clarifying potential bidder questions. A total of 12 bids were received with proposals ranging in value from \$1,126,541.75 to \$1,447,503.00. The low bid of \$1,126,541.75, submitted by Lee & Stires, Inc. of Ontario, CA, was 11% lower than the engineer's estimate of \$1,252,300.00. As staff reviewed the proposals and input data into the bid summary, it was noticed the "total" of \$13,504 for bid item #9 was wrong. The correct total for bid item #9 should be \$13,304. This error does not change the final placing of the low bidder. The bid

Acceptance of Bid and Award of Contract for Third Street Improvement Project and Related Construction Services

Page 2

April 1, 2015

summary sheet has been attached for Council's review.

The specifications indicate that the City of Norco will provide surveying and construction staking as required for the construction of the project. In addition, a Geotechnical Engineer is provided by the City to perform necessary density testing of base material prior to placing asphalt and testing of bedding for pipe installations. Kelsoe & Associates, of Corona, CA has submitted a proposal with a "not to exceed" amount of \$34,200 to provide construction staking and any necessary survey work associated with building the project. Heider Engineering Services, Inc. of Ontario, CA has submitted a not to exceed proposal of \$13,890 to provide Soils, Material Testing and Special Inspection Services associated with constructing this project.

In 2005, Parcel Map 30648 subdivided the property address of 1372 Third Street, which is within the limits of this project. A deposit of \$11,550 guaranteeing construction of public improvement was deposited with the City in place of the property owner constructing the public improvements himself. This money will be applied toward the construction of the Third Street Improvement Project.

FINANCIAL IMPACT: Funds for this project are included in the FY 2015-2019 Capital Improvement Program Budget and are itemized as follows:

Storm Drain Fund 129 - \$350,877.33
Measure "A" Projects Fund 137 - \$507,468.53
Trail Improvement Fund 143 - \$21,000
Water Improvement Fund 144 - \$107,745.14
Street Improvement Fund – 149 - \$299,974

Attachment: Bid Summary



BID SUMMARY SHEET

Third Street Improvements

Lee & Stires, Inc.

Sully-Miller Contracting Co.

Palp, Inc. dba Excel Paving Company

Griffith Company

All American Asphalt

Shawnan

ITEM	QUANTITY	UNITS	DESCRIPTION	UNIT BID	TOTAL	UNIT BID	TOTAL						
BASE BID													
1	1	LS	Clearing & Grubbing, Mobilization, Traffic Control and NPDES/SWPPP Requirements (Including BMP's)	\$195,950.00	\$195,950.00	\$194,000.00	\$194,000.00	\$186,500.00	\$186,500.00	\$179,535.02	\$179,535.02	\$0.00	\$0.00
2	1	LS	General Earthwork and Grading	\$110,000.00	\$110,000.00	\$89,770.00	\$89,770.00	\$122,000.00	\$122,000.00	\$85,000.00	\$85,000.00	\$65,000.00	\$65,000.00
3	2	EA	Construct Local Depression No. 3 per RCFC (LD202, Case C - Sump)	\$792.00	\$1,584.00	\$900.00	\$1,800.00	\$1,680.00	\$3,360.00	\$870.00	\$1,740.00	\$850.00	\$1,700.00
4	1	EA	Construct Local Depression No. 3 per RCFC (LD202, Case A - Flowby)	\$792.00	\$792.00	\$900.00	\$900.00	\$1,680.00	\$1,680.00	\$870.00	\$870.00	\$850.00	\$850.00
5	2	EA	Construct Local Depression per SPPWC (313-3, Case G - Flowby)	\$792.00	\$1,584.00	\$900.00	\$1,800.00	\$1,680.00	\$3,360.00	\$1,000.00	\$2,000.00	\$1,000.00	\$2,000.00
6	5	EA	Construct Manhole No. 1 per RCFC (MH251)	\$4,220.00	\$21,100.00	\$4,900.00	\$24,500.00	\$6,725.00	\$33,625.00	\$4,500.00	\$22,500.00	\$4,500.00	\$22,500.00
7	2	EA	Construct Junction Structure No. 2 per RCFC (JS227)	\$2,216.00	\$4,432.00	\$2,000.00	\$4,000.00	\$1,770.00	\$3,540.00	\$1,400.00	\$2,800.00	\$1,500.00	\$3,000.00
8	3	EA	Construct Grated Catch Basin No. 4 per RCFC (CB101)	\$6,752.00	\$20,256.00	\$3,300.00	\$9,900.00	\$6,170.00	\$18,510.00	\$4,800.00	\$14,400.00	\$4,800.00	\$14,400.00
9	2	EA	Construct Grated Catch Basin per SPPWC (301-9)	\$6,652.00	\$13,304.00	\$8,400.00	\$16,800.00	\$8,813.00	\$17,626.00	\$8,000.00	\$16,000.00	\$8,000.00	\$16,000.00
10	1	EA	Construct Grated Inlet (Outlet) Type X per RCFC (CB108)	\$5,275.00	\$5,275.00	\$2,200.00	\$2,200.00	\$5,235.00	\$5,235.00	\$3,300.00	\$3,300.00	\$3,300.00	\$3,300.00
11	51	LF	Construct Modified Concrete Sewer Encasement per L.A.C.D.P.W. (2023+1) and Detail	\$75.95	\$3,873.45	\$31.00	\$1,581.00	\$28.00	\$1,428.00	\$19.00	\$969.00	\$25.00	\$1,275.00
12	160	LF	Install 18" HDPE Drain Pipe w/Tracer Wire	\$42.20	\$6,752.00	\$125.00	\$20,000.00	\$112.00	\$17,920.00	\$125.00	\$20,000.00	\$125.00	\$20,000.00
13	70	LF	Install 24" HDPE Drain Pipe w/Tracer Wire	\$73.84	\$5,168.80	\$125.00	\$8,750.00	\$184.00	\$12,880.00	\$130.00	\$9,100.00	\$135.00	\$9,450.00
14	376	LF	Install 30" HDPE Drain Pipe w/Tracer Wire	\$100.21	\$37,678.96	\$120.00	\$45,120.00	\$150.00	\$56,400.00	\$150.00	\$56,400.00	\$150.00	\$56,400.00
15	131	SF	Trench Repair per City of Norco Std. 155	\$6.15	\$805.65	\$10.00	\$1,310.00	\$30.00	\$3,930.00	\$25.00	\$3,275.00	\$50.00	\$6,550.00
16	30	LF	Install 4" PVC Drain Pipe per City of Norco Std. 300B	\$68.57	\$2,057.10	\$54.00	\$1,620.00	\$65.00	\$1,950.00	\$40.00	\$1,200.00	\$50.00	\$1,500.00
17	215	LF	Install 8" PVC Schedule 80 Drain Pipe w/Tracer Wire	\$52.74	\$11,339.10	\$46.00	\$9,890.00	\$49.00	\$10,535.00	\$50.00	\$10,750.00	\$52.00	\$11,180.00
18	1	EA	Install 30"x30"x18" HDPE "WYE" w/Tracer Wire	\$2,216.00	\$2,216.00	\$2,700.00	\$2,700.00	\$1,950.00	\$1,950.00	\$1,000.00	\$1,000.00	\$1,100.00	\$1,100.00
19	1	EA	Install 8" PVC Schedule 80 - 22.5 Degree Elbow	\$370.00	\$370.00	\$300.00	\$300.00	\$320.00	\$320.00	\$120.00	\$120.00	\$200.00	\$200.00
20	1	EA	Abandon Existing 2" Water Service & Install New 2" Water Service	\$4,220.00	\$4,220.00	\$3,600.00	\$3,600.00	\$5,950.00	\$5,950.00	\$3,700.00	\$3,700.00	\$3,700.00	\$3,700.00
21	697	LF	Install 30" HDPE (Double Wall) Drain Pipe w/Tracer Wire	\$116.00	\$80,852.00	\$130.00	\$90,610.00	\$124.00	\$86,428.00	\$160.00	\$111,520.00	\$155.00	\$108,035.00
22	57.335	SF	Roadway Excavation (Plan Construction Note No. 9) to a depth of 10"	\$0.50	\$28,667.50	\$0.50	\$28,667.50	\$1.00	\$57,335.00	\$0.40	\$22,934.00	\$0.90	\$51,601.50
23	2.910	LF	Construct 6" PCC Curb and Gutter per City of Norco Std. 200, Type C	\$16.45	\$47,869.50	\$19.00	\$55,290.00	\$17.00	\$49,470.00	\$17.00	\$49,470.00	\$22.00	\$64,020.00
24	1.706	TON	Construct 4" AC Pavement	\$59.10	\$100,824.60	\$65.00	\$110,890.00	\$58.00	\$98,948.00	\$63.00	\$107,478.00	\$61.50	\$104,919.00
25	2.234	TON	Construct 6" Class II Base	\$14.75	\$32,951.50	\$21.00	\$46,914.00	\$22.50	\$50,265.00	\$18.00	\$40,212.00	\$16.00	\$35,744.00
26	29.020	SF	Construct New Equestrian Trail (DG) per City of Norco Std. 700	\$3.35	\$97,217.00	\$3.00	\$87,060.00	\$1.65	\$47,883.00	\$3.40	\$98,668.00	\$2.50	\$72,550.00
27	1.700	LF	Construct New 42" PVC Equestrian Trail Fencing per Appendix (Standard Plans)	\$15.86	\$26,962.00	\$31.00	\$52,700.00	\$15.00	\$25,500.00	\$19.50	\$33,150.00	\$29.00	\$49,300.00
28	3.916	SF	Construct Residential Driveway Approach per City of Norco Std. 240 and 245	\$6.05	\$23,691.80	\$6.00	\$23,496.00	\$5.00	\$19,580.00	\$7.50	\$29,370.00	\$9.50	\$37,202.00
29	80	LF	Construct Masonry Retaining Wall to Match Existing	\$196.00	\$15,680.00	\$200.00	\$16,000.00	\$140.00	\$11,200.00	\$150.00	\$12,000.00	\$140.00	\$11,200.00
30	1.610	SF	Construct Cross Gutter per City of Norco Std. 225	\$13.97	\$22,491.70	\$8.50	\$13,685.00	\$7.50	\$12,075.00	\$10.00	\$16,100.00	\$20.00	\$32,200.00
31	120	LF	Construct 6" AC Curb Only per SPPWC (120-2, D1-150)	\$7.78	\$933.60	\$21.00	\$2,520.00	\$8.50	\$1,020.00	\$7.50	\$900.00	\$15.00	\$1,800.00
32	720	LF	Construct 1.5' Mountable AC Berm per Detail on Sheet 2	\$7.78	\$5,601.60	\$21.00	\$15,120.00	\$6.00	\$4,320.00	\$7.50	\$5,400.00	\$25.00	\$18,000.00
33	1.000	LF	Construct 6" PCC Curb & Gutter (W=1) per SPPWC No. 120-2 (A3-6)	\$16.42	\$16,420.00	\$15.00	\$15,000.00	\$18.00	\$18,000.00	\$17.00	\$17,000.00	\$22.00	\$22,000.00
34	4.870	SF	Construct New Equestrian Trail (DG) per City of Norco Std. 700	\$9.66	\$47,044.20	\$8.00	\$38,960.00	\$8.00	\$38,960.00	\$6.50	\$31,655.00	\$9.25	\$45,047.50
35	240	SF	Construct 4" AC Driveway over Compact Native	\$4.50	\$1,080.00	\$4.00	\$960.00	\$8.00	\$1,920.00	\$1.50	\$360.00	\$15.00	\$3,600.00
36	5.430	SF	Construct 6" PCC Driveway	\$6.05	\$32,851.50	\$5.50	\$29,865.00	\$5.00	\$27,150.00	\$7.50	\$40,725.00	\$9.50	\$51,585.00
37	1	EA	Construct Curb Outlet per Detail "A" on Sheet 7	\$1,215.00	\$1,215.00	\$1,100.00	\$1,100.00	\$550.00	\$550.00	\$4,500.00	\$4,500.00	\$3,700.00	\$3,700.00
38	1	LS	Install Thermoplastic Traffic Striping, Legends, Markings & Signage	\$8,063.00	\$8,063.00	\$8,900.00	\$8,900.00	\$8,000.00	\$8,000.00	\$5,000.00	\$5,000.00	\$8,000.00	\$8,000.00
39	4	EA	Relocate Existing Water Line per Detail "A" & "B" on Plans	\$11,393.00	\$45,572.00	\$6,600.00	\$26,400.00	\$9,650.00	\$38,600.00	\$18,000.00	\$72,000.00	\$26,000.00	\$104,000.00
40	12	EA	Adjust Manhole to Grade per City of Norco Std. 535	\$897.00	\$10,764.00	\$800.00	\$9,600.00	\$515.00	\$6,180.00	\$600.00	\$7,200.00	\$750.00	\$9,000.00
41	6	EA	Adjust Water Meter Box to Grade per City of Norco Std. 405	\$422.00	\$2,532.00	\$165.00	\$990.00	\$725.00	\$4,350.00	\$600.00	\$3,600.00	\$550.00	\$3,300.00
42	13	EA	Relocate Existing Water Meter per City of Norco Std. 405	\$1,583.00	\$20,579.00	\$1,200.00	\$15,600.00	\$1,825.00	\$23,725.00	\$2,500.00	\$32,500.00	\$2,500.00	\$32,500.00
43	2.109	SF	Cold Mill 1.5" Existing Pavement and Overlay 1.5" AC	\$2.91	\$6,137.19	\$3.50	\$7,381.50	\$3.00	\$6,327.00	\$2.00	\$4,218.00	\$2.00	\$4,218.00
44	1	EA	Install Clean-out w/PVC Sch. 80 Connection	\$1,583.00	\$1,583.00	\$750.00	\$750.00	\$1,380.00	\$1,380.00	\$3,400.00	\$3,400.00	\$3,500.00	\$3,500.00

BID TOTAL FOR BASE BID **\$1,126,341.75** **\$1,139,000.00** **\$1,147,865.00** **\$1,184,019.02** **\$1,117,127.00** **\$1,255,902.00**

vs **\$1,126,541.75** vs **\$1,252,725.00** vs **\$1,255,905.00**

Sub-Contractors	Concrete:	Storm Drain Structures:	Masonry:	Clearing:	Tree Smith, Anaheim
Fencing:	Westbrook Fence, San Bernardino	Fencing:	Alcorn Fence, Riverside	Concrete:	CL Concrete, Azusa
Masonry:	CMCI Masonry, Riverside	Masonry:	Granstrom Masonry, Torrance	Masonry:	Granstrom, Torrance
Clearing:	ADLC, Alta Loma	Clearing:	JV Land Clearing, San Dimas	Striping:	Superior Pavement, Cypress
Cold Mill:	Pavement Recycling Sys., Riverside	Manholes & Water Valves:	EBS Utilities, Corona		
AC Berms:	A.C. Dike Co., Lincoln	Striping/Signage	OC Striping, Orange		
Wet Utilities:	TBU, Inc.				
Striping/Signage:	Orange County Striping, Orange				



BID SUMMARY SHEET

Third Street Improvements

Roadway Engineering & Contracting, Inc.

Hillcrest Contracting

GMC Engineering, Inc.

CS Legacy Construction, Inc.

Los Angeles Engineering, Inc.

GRFCO, Inc.

ITEM	QUANTITY	UNITS	DESCRIPTION	UNIT BID	TOTAL	UNIT BID	TOTAL	UNIT BID	TOTAL	UNIT BID	TOTAL	UNIT BID	TOTAL		
BASE BID															
1	1	LS	Clearing & Grubbing, Mobilization, Traffic Control and NPDES/SWPPP Requirements (including BMP's)	\$68,000.00	\$68,000.00	\$225,000.00	\$225,000.00	\$285,000.00	\$285,000.00	\$248,401.00	\$248,401.00	\$250,000.00	\$250,000.00	\$30,000.00	\$30,000.00
2	1	LS	General Earthwork and Grading	\$70,000.00	\$70,000.00	\$37,000.00	\$37,000.00	\$80,925.00	\$80,925.00	\$12,344.00	\$12,344.00	\$85,000.00	\$85,000.00	\$250,000.00	\$250,000.00
3	2	EA	Construct Local Depression No. 3 per RCFC (LD202, Case C - Sump)	\$880.00	\$1,760.00	\$3,200.00	\$6,400.00	\$2,900.00	\$5,800.00	\$1,522.00	\$3,044.00	\$1,000.00	\$2,000.00	\$1,200.00	\$2,400.00
4	1	EA	Construct Local Depression No. 3 Per RCFC (LD202, Case A - Flowby)	\$880.00	\$880.00	\$3,200.00	\$3,200.00	\$1,450.00	\$1,450.00	\$1,522.00	\$1,522.00	\$1,000.00	\$1,000.00	\$1,200.00	\$1,200.00
5	2	EA	Construct Local Depression per SPPWC (313-3, Case G - Flowby)	\$1,050.00	\$2,100.00	\$3,200.00	\$6,400.00	\$1,450.00	\$2,900.00	\$1,522.00	\$3,044.00	\$1,000.00	\$2,000.00	\$1,200.00	\$2,400.00
6	5	EA	Construct Manhole No. 1 per RCFC (MH251)	\$4,800.00	\$24,000.00	\$5,400.00	\$27,000.00	\$4,005.00	\$20,025.00	\$4,399.00	\$21,995.00	\$3,500.00	\$17,500.00	\$5,000.00	\$25,000.00
7	2	EA	Construct Junction Structure No. 2 per RCFC (JS227)	\$1,500.00	\$3,000.00	\$4,900.00	\$9,800.00	\$1,755.00	\$3,510.00	\$1,874.00	\$3,748.00	\$1,200.00	\$2,400.00	\$2,000.00	\$4,000.00
8	3	EA	Construct Grated Catch Basin No. 4 per RCFC (CB101)	\$5,100.00	\$15,300.00	\$4,800.00	\$14,400.00	\$2,660.00	\$7,980.00	\$3,636.00	\$10,908.00	\$2,700.00	\$8,100.00	\$7,000.00	\$21,000.00
9	2	EA	Construct Grated Catch Basin per SPPWC (301-3)	\$8,400.00	\$16,800.00	\$9,500.00	\$19,000.00	\$6,050.00	\$12,100.00	\$11,034.00	\$22,068.00	\$7,500.00	\$15,000.00	\$7,000.00	\$14,000.00
10	1	EA	Construct Grated Inlet (Outlet) Type X per RCFC (CB108)	\$3,500.00	\$3,500.00	\$4,800.00	\$4,800.00	\$3,025.00	\$3,025.00	\$6,133.00	\$6,133.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00
11	51	LF	Construct Modified Concrete Sewer Encasement per L.A.C.D.P.W. (2023-1) and Detail	\$20.00	\$1,020.00	\$44.00	\$2,244.00	\$55.00	\$2,805.00	\$47.00	\$2,397.00	\$20.00	\$1,020.00	\$50.00	\$2,550.00
12	160	LF	Install 18" HDPE Drain Pipe w/Tracer Wire	\$132.00	\$21,120.00	\$89.00	\$14,240.00	\$140.00	\$22,400.00	\$132.00	\$21,120.00	\$260.00	\$41,600.00	\$140.00	\$22,400.00
13	70	LF	Install 24" HDPE Drain Pipe w/Tracer Wire	\$140.00	\$9,800.00	\$164.00	\$11,480.00	\$152.00	\$10,640.00	\$156.00	\$10,920.00	\$265.00	\$18,550.00	\$150.00	\$10,500.00
14	376	LF	Install 30" HDPE Drain Pipe w/Tracer Wire	\$156.00	\$58,656.00	\$67.00	\$25,192.00	\$157.00	\$59,032.00	\$176.00	\$66,176.00	\$250.00	\$94,000.00	\$160.00	\$60,160.00
15	131	SF	Trench Repair per City of Norco Std. 155	\$25.00	\$3,275.00	\$15.00	\$1,965.00	\$13.00	\$1,703.00	\$23.00	\$3,013.00	\$13.00	\$1,703.00	\$7.00	\$917.00
16	30	LF	Install 4" PVC Drain Pipe per City of Norco Std. 300B	\$43.00	\$1,290.00	\$52.00	\$1,560.00	\$45.00	\$1,350.00	\$68.00	\$2,040.00	\$75.00	\$2,250.00	\$120.00	\$3,600.00
17	215	LF	Install 8" PVC Schedule 80 Drain Pipe w/Tracer Wire	\$55.00	\$11,825.00	\$43.00	\$9,245.00	\$65.00	\$13,975.00	\$58.00	\$12,470.00	\$45.00	\$9,675.00	\$170.00	\$36,550.00
18	1	EA	Install 30"x30"x18" HDPE "WYE" w/Tracer Wire	\$1,130.00	\$1,130.00	\$2,100.00	\$2,100.00	\$2,365.00	\$2,365.00	\$5,385.00	\$5,385.00	\$2,000.00	\$2,000.00	\$3,000.00	\$3,000.00
19	1	EA	Install 8" PVC Schedule 80 - 22.5 Degree Elbow	\$150.00	\$150.00	\$300.00	\$300.00	\$350.00	\$350.00	\$371.00	\$371.00	\$200.00	\$200.00	\$500.00	\$500.00
20	1	EA	Abandon Existing 2" Water Service & Install New 2" Water Service	\$3,900.00	\$3,900.00	\$7,000.00	\$7,000.00	\$3,100.00	\$3,100.00	\$9,699.00	\$9,699.00	\$4,000.00	\$4,000.00	\$2,500.00	\$2,500.00
21	697	LF	Install 30" HDPE (Double Wall) Drain Pipe w/Tracer Wire	\$165.00	\$115,005.00	\$154.00	\$107,338.00	\$165.00	\$115,005.00	\$176.00	\$122,672.00	\$230.00	\$160,310.00	\$160.00	\$111,520.00
22	57,335	SF	Roadway Excavation (Plan Construction Note No. 9) to a depth of 10"	\$2.00	\$114,670.00	\$1.53	\$87,722.55	\$1.55	\$88,869.25	\$1.70	\$97,469.50	\$1.20	\$68,802.00	\$1.00	\$57,335.00
23	2,910	LF	Construct 6" PCC Curb and Gutter per City of Norco Std. 200, Type C	\$22.00	\$64,020.00	\$19.00	\$55,290.00	\$22.70	\$66,057.00	\$27.00	\$78,570.00	\$22.00	\$64,020.00	\$29.00	\$84,390.00
24	1,706	TON	Construct 4" AC Pavement	\$86.00	\$146,716.00	\$71.00	\$121,126.00	\$70.75	\$120,699.50	\$85.00	\$145,010.00	\$70.00	\$119,420.00	\$90.00	\$153,540.00
25	2,234	TON	Construct 6" Class II Base	\$22.50	\$50,265.00	\$24.00	\$53,616.00	\$24.00	\$53,616.00	\$32.00	\$71,488.00	\$50.00	\$111,700.00	\$28.00	\$62,552.00
26	29,020	SF	Construct New Equestrian Trail (DG) per City of Norco Std. 700	\$2.00	\$58,040.00	\$2.76	\$80,095.20	\$2.15	\$62,393.00	\$1.73	\$50,204.60	\$2.00	\$58,040.00	\$5.00	\$145,100.00
27	1,700	LF	Construct New 42" PVC Equestrian Trail Fencing per Appendix (Standard Plans)	\$16.00	\$27,200.00	\$14.50	\$24,650.00	\$16.00	\$27,200.00	\$17.91	\$30,447.00	\$31.00	\$52,700.00	\$25.00	\$42,500.00
28	3,916	SF	Construct Residential Driveway Approach per City of Norco Std. 240 and 245	\$6.50	\$25,454.00	\$8.50	\$33,286.00	\$8.20	\$32,111.20	\$9.00	\$35,244.00	\$7.00	\$27,412.00	\$12.00	\$46,992.00
29	80	LF	Construct Masonry Retaining Wall to Match Existing	\$205.00	\$16,400.00	\$165.00	\$13,200.00	\$255.00	\$20,400.00	\$264.00	\$21,120.00	\$160.00	\$12,800.00	\$125.00	\$10,000.00
30	1,610	SF	Construct Cross Gutter per City of Norco Std. 225	\$8.00	\$12,880.00	\$17.00	\$27,370.00	\$9.00	\$14,490.00	\$18.00	\$28,980.00	\$8.00	\$12,880.00	\$12.00	\$19,320.00
31	120	LF	Construct 6" AC Curb Only per SPPWC (120-2, D1-150)	\$15.00	\$1,800.00	\$20.00	\$2,400.00	\$41.00	\$4,920.00	\$30.00	\$3,600.00	\$30.00	\$3,600.00	\$25.00	\$3,000.00
32	720	LF	Construct 1.5' Mountable AC Berm per Detail on Sheet 2	\$15.00	\$10,800.00	\$8.00	\$5,760.00	\$10.00	\$7,200.00	\$15.00	\$10,800.00	\$12.00	\$8,640.00	\$10.00	\$7,200.00
33	1,000	LF	Construct 6" PCC Curb & Gutter (W=1) per SPPWC No. 120-2 (A3-6)	\$22.00	\$22,000.00	\$17.00	\$17,000.00	\$20.50	\$20,500.00	\$26.20	\$26,200.00	\$21.00	\$21,000.00	\$29.00	\$29,000.00
34	4,870	SF	Construct New Equestrian Trail (DG) per City of Norco Std. 700	\$12.00	\$58,440.00	\$6.70	\$32,629.00	\$6.35	\$30,924.50	\$10.00	\$48,700.00	\$7.00	\$34,090.00	\$10.00	\$48,700.00
35	240	SF	Construct 4" AC Driveway over Compact Native	\$5.00	\$1,200.00	\$15.00	\$3,600.00	\$11.30	\$2,712.00	\$13.00	\$3,120.00	\$12.00	\$2,880.00	\$7.00	\$1,680.00
36	5,430	SF	Construct 6" PCC Driveway	\$6.50	\$35,295.00	\$8.50	\$46,155.00	\$8.20	\$44,526.00	\$10.00	\$54,300.00	\$7.00	\$38,010.00	\$9.00	\$48,870.00
37	1	EA	Construct Curb Outlet per Detail "A" on Sheet 7	\$3,900.00	\$3,900.00	\$2,100.00	\$2,100.00	\$500.00	\$500.00	\$2,219.00	\$2,219.00	\$1,500.00	\$1,500.00	\$6,000.00	\$6,000.00
38	1	LS	Install Thermoplastic Traffic Striping, Legends, Markings & Signage	\$8,500.00	\$8,500.00	\$10,000.00	\$10,000.00	\$8,650.00	\$8,650.00	\$9,221.00	\$9,221.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00
39	4	EA	Relocate Existing Water Line per Detail "A" & "B" on Plans	\$27,500.00	\$110,000.00	\$19,000.00	\$76,000.00	\$7,755.00	\$31,020.00	\$8,298.00	\$33,192.00	\$6,000.00	\$24,000.00	\$9,000.00	\$36,000.00
40	12	EA	Adjust Manhole to Grade per City of Norco Std. 535	\$750.00	\$9,000.00	\$770.00	\$9,240.00	\$825.00	\$9,900.00	\$1,160.00	\$13,920.00	\$700.00	\$8,400.00	\$500.00	\$6,000.00
41	6	EA	Adjust Water Meter Box to Grade per City of Norco Std. 405	\$125.00	\$750.00	\$150.00	\$900.00	\$165.00	\$990.00	\$291.00	\$1,746.00	\$350.00	\$2,100.00	\$400.00	\$2,400.00
42	13	EA	Relocate Existing Water Meter per City of Norco Std. 405	\$2,700.00	\$35,100.00	\$3,300.00	\$42,900.00	\$660.00	\$8,580.00	\$1,113.00	\$14,469.00	\$1,000.00	\$13,000.00	\$800.00	\$10,400.00
43	2,109	SF	Cold Mill 1.5" Existing Pavement and Overlay 1.5" AC	\$5.00	\$10,545.00	\$3.50	\$7,381.50	\$6.65	\$14,024.85	\$5.00	\$10,545.00	\$2.50	\$5,272.50	\$3.00	\$6,327.00
44	1	EA	Install Clean-out w/PVC Sch. 80 Connection	\$4,000.00	\$4,000.00	\$800.00	\$800.00	\$1,325.00	\$1,325.00	\$1,018.00	\$1,018.00	\$750.00	\$750.00	\$1,000.00	\$1,000.00
BID TOTAL FOR BASE BID					\$1,259,486.00		\$1,288,885.25		\$1,327,048.30		\$1,381,053.10		\$1,416,824.50		\$1,447,503.00
Sub-Contractors															

vs \$1,381,364.5

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager

PREPARED BY: Steve King, Planning Director

DATE: April 1, 2015

SUBJECT: **Waiver of Fee Request:** Application Fees for Variance 2015-01 (Blackwood) at 1586 First Street.

RECOMMENDATION: Deny the waiver request

SUMMARY: A property owner is requesting a waiver of application fees for a variance that was granted by the Planning Commission on March 11, 2015.

BACKGROUND: The approval of Variance 2015-01 granted a reduction of the 60-foot rear yard setback and the side yard setback requirements of the A-1 Zone, to allow an addition to the rear and side of an existing residence. The existing residence is located at 1586 First Street. The subject property is substandard and non-conforming being only 12,632 square feet with a maximum width of 75 feet and a depth of 180 feet. The Planning Commission concurred that the lot configuration met the needed findings for a variance and approved the request. If the waiver of fees is approved the applicant would be reimbursed the cost which has already been paid.

Application fees cover the cost of staff time and materials needed to process an application to the appropriate hearing body. The fees are established through periodic studies conducted by an outside consulting firm that determines the full cost to the City for providing specified user paid services. The fees, with any changes deemed necessary, are ultimately adopted by the City Council.

To waive the fees means that the cost of providing service to the applicant has to come out of the City's General Fund, basically being subsidized by the citizens of Norco.

Attachments: Exhibit "A" – Letter Request from Applicant

February 16, 2015

Nancy Misenhelter
1586 1st Street
Norco, CA 92860

Norco Planning Department
2870 Clark Ave
Norco, CA 92860

Re: Variance application fees for 2015BD0040

Request for return of variance fees.

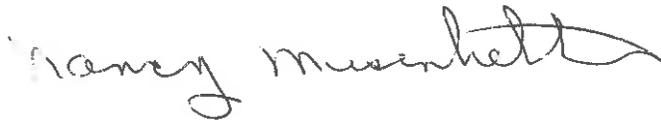
In the matter of the proposed room addition project at the above address, I respectfully request an appeal for return of the fees assessed for the application of a variance for the following reasons:

The fee required constitutes a hardship as I am a senior citizen and all monies for this addition come from a fixed income. All fee money takes away from the money set aside for construction. I feel that I am being asked to conform to a standard that is not what my property entails.

My property is considered a substandard lot in area, width, and depth. The A-1-20 zoning requires a minimum 20,000 sq. ft. lot with a minimum width of 80'-0", however my property is only 12,632 sq. ft. and due to the shape has an effective width of 68'-6 between the side yard property lines.

Regardless of the outcome of the hearing, I will pay the variance application fee. However, it doesn't seem fair that the City can exact fees for this process when the subject property is substandard and cannot meet all the requirements of the zoning ordinance.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Misenhelter". The signature is written in black ink and is positioned above the printed name.

Nancy Misenhelter

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager

PREPARED BY: Steve King, Planning Director

DATE: April 1, 2015

SUBJECT: **Waiver of Fee Request:** Transportation Uniform Mitigation Fee for Site Plan 2013-17 (Parkridge Avenue 517 Corp.) at 517 Parkridge Avenue.

RECOMMENDATION: 1. Deny the waiver request
2. Deny the appeal of the building classification

SUMMARY: The project developer for an office building at 517 Parkridge Avenue where the County Department of Social Services will be a tenant is appealing the application of Transportation Uniform Mitigation Fees (TUMF) on two fronts. The first part of the appeal is that the TUMF should not have been applied in the first place because government buildings are exempt. The second part of the appeal is the classification of the building as a “Service” building as opposed to a “Class B” office building.

BACKGROUND: Site Plan 2013-17 was approved by the Planning Commission on October 9, 2013 for the development of a 1-story, 50,000 square-foot office building. The project is under construction and the developer has paid project impact fees. Along with City impact fees the City collects the Transportation Uniform Mitigation Fee (TUMF) on behalf of the Western Riverside Council of Governments (WRCOG) which is passed directly through to that agency. If the City does not collect the TUMF for a project where it should have been applied, then the City becomes responsible for paying the fee. City collection of TUMF is subject to annual audit by independent certified public accountants hired by WRCOG. If the waiver of the TUMF is approved by City Council, WRCOG will review the basis of City approval and will make the final decision as to whether the fee is ultimately waived. If the fee is ultimately waived, the applicant will be reimbursed the fee from WRCOG since the fee has already been transferred to them.

The City determined that the TUMF applies because the property and building is privately owned, regardless of who it is leased to:

NMC 3.50.030 Establishment of the Transportation Uniform Mitigation Fee.

F. Applicability. The TUMF shall apply to all new development within the City, unless otherwise exempt hereunder.

- G. *Exemptions. The following new development shall be exempt from the TUMF:*
2. *Government/public buildings, public schools and public facilities.*

The City agreed to participate in the TUMF program to cover the cost of regional transportation improvements. As stated above all new development is subject to the payment of the fees in the participating cities and all cities in western Riverside County are participating cities. If the TUMF is not collected correctly then the jurisdiction (City of Norco) is responsible for the fee whether it can get it from the project developer or not.

The first step for appealing the TUMF is for a developer to communicate with staff and see if there is reasonable support to pursue a reimbursement or reduction of the fee. The City Council ultimately makes the determination as to whether the fee should be reimbursed or not. The decision of the City Council is then given by letter to the Director of WRCOG who can uphold or overturn it. Ultimately a property owner/developer can appeal the decision of the Director to the WRCOG Executive Committee who makes the final decision.

The second part of the appeal being considered with this report is the classification of the building. In an attempt to not deter the development of prime office space in western Riverside County, a reduced TUMF rate was adopted for Class A and Class B office projects. All other office projects fall under a "Service" category which has a higher fee. To qualify as Class A or Class B an office project needs to meet the following criteria:

CLASS A: "typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, on-site support services/maintenance, and often include full service ancillary uses such as, but not limited to a bank, restaurant/coffee shop, health club, printing shop, reserved parking, etc.

The minimum requirements for an office building to classify as a Class A shall be the following items:

1. *Minimum 3 stories*
2. *Minimum 10,000 square feet per floor*
3. *Steel frame construction*
4. *Central Interior lobby*
5. *Access to suites shall be from inside the building unless the building is located in a Central Business District with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/exits for commercial uses within the building."*

CLASS B: "typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, on-site support services/maintenance, and often include full service ancillary uses such as, but

not limited to a bank, restaurant/coffee shop, health club, printing shop, reserved parking, etc.

The minimum requirements for an office building to classify as a Class B shall be the following items:

- 1. Minimum 2 stories*
- 2. Minimum 15,000 square feet per floor*
- 3. Steel frame, concrete, or masonry shell construction*
- 4. Central Interior lobby*
- 5. Access to suites shall be from inside the building unless the building is located in a Central Business District with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/exits for commercial uses within the building.”*

The project being constructed is only one story and does not have any of the ancillary uses listed that characterize a Class A or B office (e.g. bank, restaurant/coffee shop, health club, printing shop, reserved parking, etc.). For this reason it was appropriately classified as a “Service” building.

In summary staff is recommending that the City Council deny the appeal since the building is not a government building and the building does not meet the qualifications to be classified as a Class “B” building.

Attachment: Exhibit “A” – Letter Request from Applicant

Supplemental Letter of Justification for Appeal of TUMF Fees Related to County
Department of Public Social Services Building, 517 Parkridge Ave., Norco

Parkridge Avenue 517 Corp. (the “Developer”) submits this supplemental letter of justification for its appeal of the TUMF fee being imposed by the City of Norco (the “City”) on the Developer’s project located at 517 Parkridge Avenue, Norco (the “Project”).

As discussed more fully, below, the Developer has met with the City and attempted to resolve the issues informally, but has been unsuccessful. Accordingly, the Developer has submitted this appeal of the City’s determination to apply TUMF Fees and the calculation of those fees on the grounds that (1) the Project qualifies for the government facility exemption under Norco Municipal Code Section 3.50.030.G.1 and (2) in the event that TUMF Fees may be imposed on the Project, it qualifies as a Class B building.

1. The Project Qualifies as a Government Building and is Exempt from Payment of TUMF Fees

The Project is being developed for exclusive use and occupancy by the Riverside County Department of Public Social Services pursuant to a long-term lease between the Developer and the County of Riverside (the “County”).

The City’s TUMF ordinance expressly exempts “Government/public buildings, public schools and public facilities” from payment of fees under the TUMF program. Norco Municipal Code § 3.50.030.G.1. Here, the building being constructed will be operated as a government building upon its completion and thereafter for the term of the lease – ten years plus two five-year options. Indeed, the lease precludes any uses other than governmental uses. Lease § 3.1. As explained in the WRCOG TUMF Fee Calculation Handbook, the calculation of fees under the TUMF program is “based on the predominate use of the building or structure associated with the new development and may be related to the underlying land use zoning of the new development site, as prescribed in the respective TUMF ordinances.” TUMF Handbook § 2.2. Here, the new development to be constructed on the Property will be used exclusively for County Government purposes throughout the term of the lease – anticipated to be 20 years, at least. Given the nature of the use, the development is exempt from payment of any fees under the TUMF program, and the City mistakenly imposed a TUMF requirement on this Project.

2. The Project Qualifies as a Class B Building

Though we contend that no payment can be imposed under the TUMF program, to the extent that a TUMF Fee may be imposed, we also appeal the City’s determination that the Project does not qualify as a “Class B” office building under the City’s TUMF Ordinance. The City’s TUMF Ordinance defines a Class B office building as:

“an office building that is typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, on-site support services/maintenance, and often includes full service ancillary uses such as, but not limited to, a bank, restaurant/office coffee shop, health club, printing

shop, and reserved parking. The minimum requirements of an office building classified as class “B” office shall be as follows: (1) minimum of two stories; (2) minimum of 15,000 square feet per floor; (3) steel frame, concrete or masonry shell construction; (4) central, interior lobby; and (5) access to suites shall be from inside the building unless the building is located in a central business district with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/exits for commercial uses within the building.”

Norco Municipal Code § 3.50.020.B.

Here, the new County building exceeds all of these standards, with the exception of the minimum two-story criterion. Although this facility is a single story building, the Project meets the intent of the City’s definition of Class “B” Office building for the following reasons:

- The County facility is a high quality design with concrete construction and metal canopies over the fenestration;
- The facility incorporates state of the art voice and data systems;
- Although there are public services provided, the majority of the facility is used for office space including conference rooms, break rooms, private offices, file rooms, etc.;
- The facility includes a large central lobby space; and
- The majority of the parking is secured for non-public use.

Finally, the only reason that the Project is not two stories is that the County’s Department of Public Social Services’ programming requirements required that all departments interact on the same floor. Therefore, the County required the development of a single 50,000 square foot floor plate rather than two floors each of approximately 25,000 square feet.

3. The Developer has Attempted to Resolve this Dispute with City Staff Informally.

The Developer has attempted repeatedly to address the issues raised in the appeal with the City. The following is an overview of the major interactions between the Developer and the City.

On September 25, 2014, Mr. Dubbs had a teleconference with the City’s permit technician in which the Developer’s representative explained the issues presented in the appeal. The technician insisted that the TUMF classification was accurate, and she stated that the Developer “would need to take it up with WRCOG.” Following this conversation, the Developer’s representative attempted, unsuccessfully, to contact the Planning Director by telephone on several occasions to discuss the issues being raised in the appeal.

Having been unsuccessful in its attempts to have the City engage in further discussion, the Developer prepared an appeal letter that Developer intended to submit to WRCOG. Prior to submitting the letter, however, on October 22, 2014, the Developer left another message for the Planning Director and delivered a draft of the appeal letter via e-mail in which Developer stated

that it would like to discuss these issues and asked the Planning Director to inform the Developer when the City would be available. The Developer received no response from the City to these messages or the draft appeal letter.

On November 3, 2014, the Developer's representative sent another e-mail to the Planning Director asking if the City had had a chance to review the draft appeal and requesting an opportunity to meet with the City on November 6th regarding these issues. Having been unsuccessful in resolving these issues with staff in these communications and other follow up messages, on November 17, 2014, the Developer concluded that the City was not interested in discussing these matters further and elected to submit the appeal to WRCOG.

The City permit technician informed the Developer that the appeal to WRCOG was the proper course, and the City has never stated that it had any other official process for filing appeals of TUMF related issues. Consistent with this approach, the Norco Municipal Code states that "Appeals shall be filed with WRCOG in accordance with the provisions of the TUMF Administrative Plan. Appealable issues shall be the application of the fee, application of credits, application of reimbursement, application of the legal action stay and application of exemption." NMC § 3.50.050(D) (emphasis added). There is nothing in the local TUMF ordinance regarding the filing of appeals locally.

Having received no response from the City, Developer submitted the appeal letter to WRCOG. On December 22, 2014, Developer received a letter from WROG stating that Developer would need to file an appeal with the City. Because there is nothing in the City Code regarding TUMF appeals, Developer is submitting this general appeal for the City's consideration.

4. Conclusion.

The City improperly concluded that the Project does not qualify for the exemption under Norco Municipal Code Section 3.50.030.G.1 in that the Project will be used exclusively for governmental purposes upon its establishment and for the following 20 years, at least. As such, no TUMF Fees may be imposed on this Project.

Additionally, to the extent that TUMF Fees may be imposed on this Project, a point which is strongly disputed, the City acted improperly in determining that the Project does not qualify as a Class B office building. The Project meets or exceeds all elements needed for Class B office buildings under the City's Ordinance except that it has been developed as a single story building. The County required this standard, however, in order to meet the specific needs of the government functions that will occupy the Project. But for these specific governmental service requirements, the Project would have been constructed as a two-story building. Accordingly, the City acted improperly in failing to determine that the Project qualifies as a Class B office building.

The Developer respectfully submits that no TUMF Fees should be imposed on this Project pursuant to Municipal Code Section 3.50.030.G.1 or, alternatively, that the Project's TUMF Fees should be assessed using the Class B office building rate.

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: April 1, 2015

SUBJECT: **Ordinance No. 986, Second Reading:** Zone Code Amendment 2015-01. A City-Initiated Zone Code Amendment to Amend Chapter 18.23, "C-4 Commercial Zone" of the Norco Municipal Code to Add Armories, Weapon and Ammunition Sales, and Weapon Smithing as Permitted Uses.

RECOMMENDATION: Adopt **Ordinance No. 986** for second reading.

SUMMARY: The first reading of Ordinance No. 986 was held on March 18, 2015 and adopted by the City Council with a 5-0 vote. Ordinance No. 986 amends Chapter 18.23 "C-4 Commercial Zone" to add armories, weapon, and ammunition, sales, and weapon smithing as permitted uses. Zone Code Amendment 2015-01 is required by the Norco Municipal Code since Similar Use Finding 2014-01 was approved finding that a proposed gun and ammunition store was similar enough to other permitted uses and similar to the intended use and purpose of the C-4 Commercial zone.

Attachment: Ordinance No. 986

ORDINANCE NO. 986

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING ZONE CODE AMENDMENT 2015-01 AMENDING CHAPTER 18.23 “C-4” (COMMERCIAL) ZONE, WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED TO ADD ARMORIES, AND GUN AND AMMUNITION SALES, AND WEAPON SMITHING AS PERMITTED USES. ZONE CODE AMENDMENT 2015-01.

WHEREAS, THE PLANNING COMMISSION, initiated an application for a similar use finding for a proposed gun and ammunition store in the C-4 Zone; and

WHEREAS, said application for Similar Use Finding 2014-01 was duly submitted to said City’s Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set at 7 p.m. on December 10, 2014, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the Planning Commission adopted Resolution 2014-61 approving Similar Use Finding 2014-01; and

WHEREAS, the City Council upheld the Planning Commission action as presented to it as a Consent Agenda Item at its meeting on December 17, 2014; and

WHEREAS, the Norco Municipal Code requires within one year of approval of a Similar Use Finding the processing of a zone code amendment to add the use approved with the Similar Use Finding as a permitted use in the affected zone; and

WHEREAS, said application for Zone Code Amendment 2015-01 was duly submitted to said City’s Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set at 7 p.m. on February 11, 2015, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92960, said petition was heard by the Planning Commission for the City of Norco; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence; and

WHEREAS, the Planning Commission adopted Resolution 2015-06 recommending that the City Council approve Zone Code Amendment 2015-01; and

WHEREAS, said application for Zone Code Amendment 2015-01 was duly submitted to said City's City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set at 7 p.m. on March 18, 2015, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92960, said petition was heard by the City Council for the City of Norco; and

WHEREAS, at said time and place, said City Council heard and considered both oral and written evidence; 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 per Class 1.

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

- A. Similar Use Finding 2014-01 was approved establishing that the proposed use is: 1) consistent with the purposes and intent of the C-4 Zone; 2) similar to one or more uses permitted in the C-4 Zone; 3) that the operation of the proposed use is compatible with other permitted uses in the C-4 Zone; 4) that the proposed use will not be detrimental to the public health, safety, convenience or welfare of the community; 5) that the proposed use will not generate substantial additional traffic congestion over other permitted uses in the C-4 Zone; and 6) that the proposed use will not adversely affect the intent of the City's General Plan.
- B. The City of Norco has been determined to be the lead agency for environmental reporting purposes pursuant to State and local environmental guidelines, and has determined that the project is exempt pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines (Class 1).

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

SECTION 1:

18.23.04 Permitted Uses.

S. Artcrafts. Uses typically include, but are not limited to:

4. Blacksmithing and weapon smithing;

V. Specialty Retail, Uses include, but are not limited to:

1. Armories, gun and ammunition sales

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.

Ordinance No. 986

Page 4

April 1, 2015

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held April 1, 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 Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on March 18, 2015 and thereafter at a regular meeting of said City Council duly held on April 1, 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 April 1, 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: Cheryl L. Link, City Clerk

DATE: April 1, 2015

SUBJECT: Appointments to the Ad-Hoc Committee on Infrastructure Needs and Funding Options

RECOMMENDATIONS: 1. Appoint two (2) residents to serve on the Ad-Hoc Committee; or 2. Not fill the two Council appointee vacancies and continue with the Ad-Hoc Committee as a 7-member committee.

SUMMARY: At its meeting held on March 18, 2015, the City Council suggested the replacement of the two City Council appointees, Mayor Higgins and Mayor Pro Tem Bash, with the appointment of two (2) residents to serve on the Ad-Hoc Committee. The City Council also suggested to make its appointments from a list of residents who frequently attended the Ad-Hoc meetings since June 2014.

BACKGROUND/ANALYSIS: Currently, the Ad-Hoc Committee on Infrastructure Needs and Funding Options consists of the following members:

Herb Higgins - Mayor
Kevin Bash - Mayor Pro Tem
Cathey Burt - Street, Trails and Utilities Commissioner
Patricia Hedges - Planning Commissioner
Corinne Holder - Parks, Recreation and Community Services Commissioner
Bill Schwab – Economic Development Advisory Council
Linda Dixon – Resident
John Padilla – Resident
Jodie Webber – Resident

At a regular meeting held on March 18, 2015, the City Council suggested the replacement of the two City Council appointments on the Ad-Hoc Committee on Infrastructure Needs and Funding Options with two resident member appointments. It was also suggested to replace the appointments of Mayor Higgins and Mayor Pro Tem Bash with two residents who attended the Ad-Hoc Committee meetings regularly since June 2014.

The minutes of the meetings contain the names of attendees that spoke. A list of all persons in attendance at every meeting was not kept. The list of attendees that spoke at the Ad-Hoc Committee meetings is as follows:

Ted Hoffman
Geoff Kahan
Glenn Hedges
Lance Gregory
Mike Thompson
Ed Dixon
Vern Showalter
Lou Paltza
Myrna Paltza
Bonnie Slager
Lisa Campbell
Dan Folek
Amy Folek
Cindy Judd
Randy Burt
Lauren Barnes

The names in bold print represent those residents that have attended the Ad-Hoc Committee meetings on a regular basis. However, Mr. Lance Gregory, Mr. Geoff Kahan, and Mr. Vern Showalter have indicated that they are unable to serve on the Committee. Also, please note that Mr. Glenn Hedges, Mr. Ed Dixon, and Mr. Randy Burt have spouses currently serving on the Ad-Hoc Committee.

Another option is to not to fill the two vacancies left by the removal of the Council Member appointees, and continue the Ad-Hoc Committee as a 7-member committee.

FINANCIAL IMPACT: Not applicable.