CITY OF NORCO
CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, April 6, 2016
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860

CALL TO ORDER:	7:00 p.m.
ROLL CALL:	Kevin Bash, Mayor Greg Newton, Mayor Pro Tem Robin Grundmeyer, Council Member Berwin Hanna, Council Member Ted Hoffman, Council Member
PLEDGE OF ALLEGIANCE:	Mayor Kevin Bash
INVOCATION:	Pastor Rene Parish, Beacon Hill Assembly of God
RECOGNITIONS:	City Attorney John Harper – 25 Years of Service

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. 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 Regular Meeting Minutes of March 16, 2016. **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. Approval of a Two-Year Extension of the Cooperative Agreement with County of Riverside to Provide Fire Protection, Fire Prevention, Rescue and Medical Emergency Services for the City of Norco. **Recommended Action: Approve a two-year extension of the Cooperative Agreement with the County of Riverside to provide fire protection, fire prevention, rescue and medical emergency services for the City of Norco.** (City Manager)

D. Approval to Reallocate Funds from Two 20-Hour Part-Time Positions and Establish a Full-Time Position in the Public Works Department as an Administrative Compliance Coordinator. **Recommended Action: Approve the Administrative Compliance Coordinator job specification and reallocate funding from two 20-hour part-time positions to fund a full-time position.** (Public Works 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. 1001, Second Reading**. A request to amend Chapter 9.90 revising sub-section B "Smoking" of the Norco Municipal Code to include language for E-Cigarettes. Code Change 2016-01. (City Clerk)

This Ordinance addresses the use of electronic cigarettes in parks.

Recommended Action: Adopt Ordinance No. 1001 for second reading.

6. DISCUSSION / ACTION ITEMS:

A. Video Recording of City Council Meetings. (City Clerk)

At the November 18, 2015 Council meeting, staff was directed to research the feasibility of recording videos of the City Council meetings. Since that time, staff members have reviewed and evaluated several options The purpose of this report is to provide the City Council with the most cost effective options that promote broader access to meetings.

Recommended Action: Provide direction to staff.

B. Sheriff's Department Annual Report Presentation for 2015 (Sheriff Lieutenant)

The 2015 Annual Report Presentation includes a comparative overview of the Norco Sheriff's Office, which includes statistical information on Part 1 crimes, based on the Uniform Crime Reporting Program (UCR). In addition, the report includes a review of the response and performance of patrol operations, traffic enforcement and special enforcement team deputies.

Recommended Action: Receive and file.

7. PUBLIC NUISANCE HEARING:

A. Fees and Costs of Abating a Public Nuisance at 3216 Corona Avenue. (City Attorney)

Pursuant to Norco Municipal Code Section 6.22.110, subdivision (a), the City Attorney seeks City Council approval of the costs associated with abating a public nuisance at 3216 Corona Avenue in the City of Norco.

Recommended Action: Adopt Resolution No. 2016-15, affirming the costs of abating a public nuisance at 3216 Corona Avenue, Norco and assess the abatement costs as a lien on the real property.

8. APPEAL HEARING:

A. **Conditional Use Permit 2014-33** (Core/Verizon Wireless): An appeal of the Planning Commission's approval of a request to allow the installation of an unmanned wireless telecommunication facility at 3659 Corona Avenue located within the A-1-20 (Agricultural Low-Density) Zone. (Planning Director)

The request for Conditional Use Permit (CUP) 2014-33 was approved by the Planning Commission on March 9, 2016, but that decision has been appealed to the City Council based on concerns of radio frequency (RF) emissions. It needs to be noted that telecommunication facilities are regulated by the Federal Communications Commission and that Section 704 of the Telecommunications Act prohibits a local government from regulating "the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of RF emissions to the extent that such facilities comply with FCC regulations concerning such emissions."

9. 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
SUCCESSOR AGENCY TO THE NORCO COMMUNITY REDEVELOPMENT AGENCY/ CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, March 16, 2016
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860

CALL TO ORDER: 7:00 p.m.

ROLL CALL:
Kevin Bash, Mayor/Chair, **Present**
Greg Newton, Mayor Pro Tem/Vice Chair, **Present**
Robin Grundmeyer, Council Member/Board Member, **Present**
Berwin Hanna, Council Member/Board Member, **Present**
Ted Hoffman, Council Member/Board Member, **Present**

PLEDGE OF ALLEGIANCE: Council Member Ted Hoffman

INVOCATION: Pastor Fred Griffin, Corona Church of the Open Doors

PROCLAMATION: Norco College 25th Anniversary

Mayor Bash presented the proclamation to Dr. Diane Dieckmeyer, Vice President of Public Affiairs of Norco College, and Janet Green, Board of Trustees of Riverside Community College District.

RECOGNITIONS: Melanie Oliver, 2016 Woman of the Year – Assembly District 60

Mayor Bash presented a certificate of commendation to Ms. Oliver for her dedication and commitment to the youth at Highland Elementary.

Evita Tapia-Gonzalez, Riverside County Classified Administrator of the Year

Mayor Bash presented a certificate of appreciation to Ms. Tapia-Gonzalez and thanked her for her contributions to the community.

BUSINESS APPRECIATION HONOREE: Tractor Supply Company

Mayor Bash and Economic Development Advisory Council Chair Patrick Malone presented a certificate to Tractor Supply and thanked them for their investment in Norco.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Council Member Hanna:

- Attended a Vector Control meeting and commented that there are reports of Zika Virus in Orange County.
- Attended a Riverside Transit Agency (RTA) meeting and reported that RTA celebrated 1,000 days of being accident free. He also commented that ridership continues to increase

Council Member Grundmeyer:

- Attended the Norco Girls Softball opening ceremonies on March 12th.
- Attended Norco College 25th Anniversary event on March 12th. Also attended the Riverside City College 100th Anniversary event on March 13th.
- Attended the League of California Cities Riverside Division General Meeting on March 14th.

Council Member Hoffman:

- Attended the League of California Cities Riverside Division General Meeting on March 14th.
- Toured the CR&R Anaerobic digester in the City of Perris as part of the Leads on Manure-to-Energy Committee.
- Attended a Riverside County Transportation Committee meeting on March 9th.
- Attended a quarterly meeting with the Navy meeting on March 9th
- Attended a Veterans Committee meeting and commented on the Welcome Home Vietnam Veterans Day Event on March 29 at 9:00 a.m. at the George Ingalls Veterans Memorial Plaza.

Mayor Pro Tem Newton:

- Attended the Youth Basketball Awards Ceremony on March 15th.

Mayor Bash:

- Attended Norco College 25th Anniversary Event on March 12th.
- Attended the League of California Cities Riverside Division General Meeting on March 14th.
- Commented that the Measure L project – homes in the La Sierra area of Riverside – is not moving forward at the moment.

2. CONSENT ITEMS:

City Clerk Cheryl Link requested that the Council pull item 2.C. to allow for public comments.

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

AYES: GRUNDMEYER, HANNA, HOFFMAN, NEWTON, BASH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

A. City Council Regular Meeting Minutes of March 2, 2016. **Action: Approved the City Council regular meeting minutes.** (City Clerk)

B. Procedural Step to Approve Ordinance after Reading of Title Only. **Action: Approved.** (City Clerk)

C. Recap of Actions Taken by the Planning Commission at its Meeting Held on March 9, 2015. **Pulled for discussion.** (Planning Director)

D. Amendment of the Application for Use of the Horsetown USA Logo to Include the Use of the Horsetown USA Name. **Action: Received and filed.** (Deputy City Manager/Director of Parks, Recreation, and Community Services)

E. Domain Names, Fictitious Business Names or DBA's and Entity Name Reservations. **Action: To not operate or use, and allow to expire the donated Domain Names, Fictitious Business Names or DBA's and Entity Name Reservations, continue to issue disclaimers when the City of Norco name is used for a non-sanctioned City events.** (Deputy City Manager/Director of Parks, Recreation and Community Services)

F. Acceptance of the Sixth Street Gateway Sign Project as Complete. **Action: Accepted the Sixth Street Gateway sign project as complete and authorized the City Clerk to file a Notice of Completion with the County Recorder's Office.** (Economic Development Consultant)

3. ITEM(S) PULLED FROM CONSENT CALENDAR

2.C. Recap of Actions Taken by the Planning Commission at its Meeting Held on March 9, 2015. (Planning Director)

Cindy Kindred commented that she and her husband have lived in Norco for over 40 years. Recently, she became involved with item 4.C., the Conditional Use Permit for Verizon for a wireless telecommunication facility at 3659 Corona Avenue. This location is just south of her property. The Planning Commission approved the Conditional Use Permit at their meeting last week and Ms. Kindred requested that the City Council appeal the action taken by the Planning Commission. Ms. Kindred expressed her concerns about possible health issues resulting from the installation of the telecommunication facility.

Valerie Burt commented that her property backs up to the proposed location for the telecommunication facility. Ms. Burt concurred with the comments made by Ms. Kindred.

M/S BASH/NEWTON to appeal Planning Commission Item 4.C. from the March 9, 2016 meeting. The motion was carried by the following roll call vote:
AYES: GRUNDMEYER, HANNA, HOFFMAN, NEWTON, BASH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

4. PUBLIC COMMENTS: None

5. PUBLIC HEARINGS:

A. **Ordinance No. 1001, First Reading.** A request to amend Chapter 9.90 revising sub-section B "Smoking" of the Norco Municipal Code to include language for E-Cigarettes. Code Change 2016-01 (Deputy City Manager/Director of Parks, Recreation, and Community Services)

Deputy City Manager Brian Petree reported that Ordinance No. 922 was adopted by City Council at the April 21, 2010 City Council meeting, thus adding Chapter 9.90 "Regulation of Smoking in Public Parks" to the Norco Municipal Code. This proposed Ordinance would prohibit the use of e-cigarettes and vapes in parks.

Deputy City Manager Petree stated that at the July 1, 2014 Youth Sports Advisory Meeting, discussions took place regarding the use of e-cigarettes in parks, specifically at Wayne Makin Shearer Sports Complex. Each organization including Norco Little League (NLL), Norco Girls Softball League (NGSL), Norco Junior All-American Football (NJAAF) and American Youth Soccer Organization (AYSO) stated that they are opposed to their use at their playing fields and some include a ban of vapor cigarettes or other vapor devices in each group's by-laws. Staff suggested that we share this subject with the Parks and Recreation Commission for further discussion, which, if supported, could possibly amend the current City ordinance which covers only traditional methods of consuming tobacco.

At the September 8, 2014 Parks and Recreation Commission meeting, additional information and education was provided by Health Education Consultant Rachel Martin from Corona Norco Unified School District's Tobacco Prevention Programs on e-cigarettes and other electronic devices. Commission concurred that they support an amendment to the Norco Municipal Code and that the new ordinance wording should include e-cigarettes, nicotine and any devices used for nicotine and tobacco.

Council Member Hoffman asked if this proposed Ordinance is in line with the new state law. In response, City Attorney John Harper indicated that Hoffman the state law has not been approved yet.

Mr. Petree added that there is a subsection in the Municipal Code that allows for a designated area at Ingalls Parks for smoking.

In response to Mayor Pro Tem Newton, Deputy City Manager Petree indicated that this will be enforced in the same manner in which no smoking is enforced. The youth sports organizations have the no smoking rule in their policies and assist with enforcement. The Sheriff's Department assists as well.

Michelle Rodriguez spoke on her expertise on this issue. The proposed ordinance will generally reduce the amount of use.

Council Member Hoffman suggested posting no smoking signs that include no e-cigarettes and no vapes.

M/S BASH/NEWTON to adopt Ordinance No. 1001 for first reading and schedule the second reading for April 6, 2016. The motion was carried by the following roll call vote:

AYES: GRUNDMEYER, HANNA, HOFFMAN, NEWTON, BASH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

B. **Resolution No. 2016-12**, Approving the Economic Development Subsidy Report for Paul Blanco's Good Car Company Pursuant to Government Code Section 53083 (AB 562) *(Economic Development Consultant)*

Economic Development Consultant Roger Grody reported that pursuant to Assembly Bill 562, codified as California Government Code Section 53083, the City is required to hold a public hearing on the terms of any agreement that provides subsidies to local businesses in the amount of $100,000 or more. In accordance with that statute, a written Economic Development Subsidy Report detailing the terms of a proposed agreement has been made available to the public. The subsidy is provided to advance the public interest, including increased employment, an enhanced local tax base and the retention of revenue-generating businesses. Mr. Grody expressed that Paul Blanco's Good Car Company will provide new jobs in the community and revenue, which are essential to public funding.

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

Karen Leonard expressed her concern that the previous businesses at that property have not been successful in the past. Ms. Leonard asked if the business were to close or go into default, how those issues would be addressed. She also expressed concerns that Paul Blanco's Good Car Company is entering this agreement without any funding.

With no one else wishing to speak, Mayor Bash closed the public hearing bringing the discussion back to the Council Members.

City Manager Okoro addressed some of the concerns raised. In regards to the concern that Paul Blanco's Good Car Company will not achieve success, the company is the second largest used car company in California and is significantly different than the previous two dealerships that occupied the property. The additional parking space on the property will allow Paul Blanco to sell as many cars as possible. Paul Blanco has significant experience

in other cities in California. City staff looked at Paul Blanco's financials and sales tax returns and feel confident of their success in Norco. In regards to the concern that Paul Blanco's Good Car Company is not bringing money to table, Mr. Okoro indicated that the company is making significant tenant improvements, buying new equipment, and other activities in order to open the business. If Paul Blanco should go out of business, the City will take possession of the property for resale.

Council Member Grundmeyer asked how many of the 65 new jobs proposed to be created by Paul Blanco are from the existing facility in Riverside and how many would be from Norco. In response, Mr. Grody indicated that the 65 jobs are new positions being created. Norco will be the flagship dealership in California and the primary site for reconditioning cars as well as setting up a call center.

Kevin Knox, representing Paul Blanco, spoke briefly about the structure of the company. The Norco dealership will be the center for reconditioning, call center, and sales. Paul Blanco's Good Car Company has outgrown its Riverside location and there are a greater number of positions versus the number of employees available.

In response to Mayor Pro Tem Newton, Ms. Blanco spoke on behalf of her husband stating that the primary resource to fill positions will be from Norco. Paul Blanco's Good Car Company prefers to hire local personnel.

Mayor Pro Tem Newton commented on past Council's mistakes but that Mr. Okoro has put together a great package and he and his staff have done their due diligence. Mr. Newton thanked Mr. Okoro for his forward thinking.

Council Member Grundmeyer expressed that this current Council is very cautious and thoughtful in their decision-making process and stated the need to weigh risk and reward.

M/S HANNA/BASH to adopt Resolution No. 2016-12, approving the attached report as presented City Council. The motion was carried by the following roll call vote:
AYES: GRUNDMEYER, HANNA, HOFFMAN, NEWTON, BASH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

6. DISCUSSION / ACTION ITEMS:

A. Approval of Economic Incentive Agreement – Sales Tax Sharing with Paul Blanco's Good Car Company Inland Empire. (City Manager)

City Manager Andy Okoro reported that Paul Blanco's Good Car Company Inland Empire (Paul Blanco) has a lease agreement with Bob Hemborg for 2000 Hamner Avenue where they are proposing to establish a major used car dealership capable of generating over $300,000 annually in City sales tax. In order to operate a major used car business at this location with future potential to add new car sales, Paul Blanco needs additional lot to park vehicles. To meet this need, Paul Blanco is asking for City for assistance to help the company to purchase Successor Agency vacant real parcel located on Four Wheel Drive. The requested assistance consists of partial/full credit for City sales tax it generates above

$200,000 annually. The sales tax credit will be for a period of five years and credits received by Paul Blanco will be applied towards the $805,000 purchase price of the Successor Agency parcel.

Mr. Okoro addressed another concern regarding why the City is acting as a bank. Mr. Okoro stated that this arrangement provides economic incentive, which is one of the tools available to attract development that enhances the City's economic base. Another concern raised was why the City did not take an offer from another dealership in town. Mr. Okoro stated that in making this decision, staff looked at the best economic value for the City. Also, based on the estimated revenue and job creation, staff believes this is the better option.

Karen Leonard commented on the dealership being the primary location for reconditioning and asked if the City should be looking into recovering some of the sales tax for the vehicles coming out of the Norco facility and being sold elsewhere. Ms. Leonard asked about the process of the Successor Agency selling the property to the City, which in turn is sold to Paul Blanco. Ms. Leonard said that eliminating the City in the process, it would save the City some brokerage costs. Mr. Okoro indicated that the sale from the Successor Agency to the City is subject to approval by the Oversight Board. If approved, the City can then sell the property. Mr. Harper indicated that there are no additional brokerage fees for the second transaction. Ms. Leonard expressed her concern that Paul Blanco is already in business. City Attorney Harper indicated that the dealership is leasing their property from Hemborg Ford.

M/S HANNA/BASH to approve the Economic Incentive Agreement for sales tax sharing with Paul Blanco's Good Car Company Inland Empire and authorize the City Manager to execute the agreement. The motion was carried by the following roll call vote:

AYES: GRUNDMEYER, HANNA, HOFFMAN, NEWTON, BASH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

B. Approval of Purchase and Sale of Successor Agency Owned 1.63 Acres of Vacant Real Property Parcel Located on Four Wheel Drive Subject to the Approval of the Successor Agency Oversight Board. (City Manager/Executive Director)

City Manager Okoro presented that In 2008, the former Norco Community Redevelopment Agency acquired 1.63 acres of vacant real property located on Four Wheel Drive with the goal of attracting a new auto dealership or expanding the Auto Mall. Following dissolution of all redevelopment agencies in the state by the state legislature pursuant to the provisions of ABx1 26 and AB 1484 effective February 1, 2012, the City was required to develop Long Range Property Management Plan (LRPMP) that describes how properties owned by the former Norco Community Redevelopment Agency were to be disposed. Based on the offers received and in order to maintain the intent for which this property was acquired by the former Norco Community Redevelopment Agency, staff is recommending that the City Council approve the execution of Purchase and Sale Agreements including escrow instructions as necessary to finalize the sale of this property to the City of Norco subject to

the approval of the Oversight Board (OB) and then to Paul Blanco's Good Car Company of Inland Empire. It is further recommended that the City Council approve a resolution appropriating $805,000 from the Special Asset Revenue Fund for the purchase of the aforementioned property.

M/S BASH/HOFFMAN to adopt Successor Agency Resolution No. 2016-01, approving a Purchase and Sale Agreement and Escrow Instructions between the Successor Agency and the City of Norco for the purchase of 1.63 acres of vacant real property, APN 126-120-038, located on Four Wheel Drive subject to the approval of the Successor Agency Oversight Board. The motion was carried by the following roll call vote:
AYES: GRUNDMEYER, HANNA, HOFFMAN, NEWTON, BASH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

M/S BASH/HOFFMAN to adopt Resolution No. 2016-13, approving a Purchase and Sale Agreement and Escrow Instructions between the City of Norco and Paul Blanco's Good Car Company of Inland Empire for the sale of 1.63 acres of vacant real property, APN 126-120-038 located on Four Wheel Drive. The motion was carried by the following roll call vote:
AYES: GRUNDMEYER, HANNA, HOFFMAN, NEWTON, BASH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

M/S BASH/HOFFMAN to adopt Resolution No. 2016-14, approving an appropriation in the amount of $805,000 from Special Asset Revenue Fund for the Purchase of Successor Agency owned 1.63 acres of vacant real property parcel located on Four Wheel Drive. The motion was carried by the following roll call vote:
AYES: GRUNDMEYER, HANNA, HOFFMAN, NEWTON, BASH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

C. Verbal Update on the Naval Surface Warfare Center – Norco Detachment Photovoltaic System Project. (Mayor Bash)

Mayor Bash commented that in order to get to the point to install the solar panels, the Navy must go through a process. Mayor Bash expressed concern that the information submitted to the State Historic Preservation Officer has not been read. Mayor Bash said that he suspects it may be the same issue on the environmental side. Another concern Mayor Bash noted is that the photovoltaic project comparisons used by the Navy are not comparable to the Norco site.

Mayor Bash indicated that he would like to see the Fish and Game findings. He also requested a Council resolution in opposition of the photovoltaic project. Mayor Bash also wants to ask Congressman Calvert why he is voting against the incentives, and in favor of

the Norco Navy base project. Mayor Bash introduced Dr. Stan Tyler to provide information on solar panels.

Dr. Stan Tyler commented on his background in earth science and his experience as a college chemistry professor. Dr. Tyler stated that he attended a presentation at the Navy base about two years ago. His comments were based on the notes he had taken at that meeting. He reported statistics on fixed versus track panels, aviary mortalities, and comparisons to other projects. Dr. Tyler noted that at that time, the Navy was not sure how much electrical power they were going to generate from the panels, but that there would be no effect on ground life. He expressed his surprise to hear that no environmental impact report was done. Dr. Tyler talked about the migratory bird route and what is happening at other locations nearby. Dr. Tyler questioned what the Navy is willing to do to alleviate some of the problems.

There was some discussion between Council regarding what specifics Mayor Bash was requesting from the Council. Mayor Pro Tem Newton indicated that numerous letters have already been sent to various agencies and elected officials. Council Member Hoffman stated that he is accepting the Navy's report. Council Member Grundmeyer commented that she needs to do more research on information presented from both sides and asked for clarification from Mayor Bash. Council Member Hanna stated that it is the Navy's property and they have orders to install the project. Mr. Hanna said that he cannot support spending additional staff time preparing more letters and resolutions. Mayor Bash stated that a resolution may not help but can bring attention to the issue. Mayor Pro Tem Newton and Council Member Grundmeyer prefer to see a draft letter or resolution that the Council can review before making a decision.

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Sheriff Lt. Eric Briddick briefly reported to the Council on upcoming news and events. The Sheriff's Office uses Facebook as one way to keep residents informed. Lt. Briddick commented on the St. Patrick's Day safety tips available on Facebook. Also, there will be a DUI checkpoint on Saturday, March 19th in compliance with the Office of Traffic Safety grant. As of Monday, March 14th, the Sheriff's Office has reintroduced bicyle patrol into field operations. Bicycle patrol affords deputies more opportunities to ineract with the public and can provide access to areas of the City where traditional patrol vehicles cannot maneuver.

ADJOURNMENT

Mayor Bash adjourned the meeting at 9:47 p.m.

_____
Cheryl L. Link, CMC, City Clerk

CITY OF NORCO
STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager

DATE: April 6, 2016

SUBJECT: Approval of a Two-Year Extension of the Cooperative Agreement with County of Riverside to Provide Fire Protection, Fire Prevention, Rescue and Medical Emergency Services for the City of Norco

RECOMMENDATION: Approve a two-year extension of the Cooperative Agreement with the County of Riverside to provide fire protection, fire prevention, rescue and medical emergency services for the City of Norco.

SUMMARY: On October 5, 2011 the City Council approved a Cooperative Agreement with the County of Riverside to provide fire protection, fire prevention, rescue and emergency medical services. The initial contract ran from January 1, 2012 to June 30, 2013. On July 11, 2013, the City Council extended the terms of the agreement to June 30, 2016. Staff is recommending that the City Council approve a two-year extension of the agreement through June 30, 2018. Other than costs, which are determined annually, there are no other substantive changes to the recommended agreement.

BACKGROUND/ANALYSIS: The current Agreement between the City of Norco and the County of Riverside for Fire Protection, Fire Prevention, Rescue and Medical Emergency Services expires June 30, 2016. The recommended amendment will extend the existing Agreement to June 30, 2018 with the same terms and conditions except that annual contract costs are subject to changes as mutually agreed to between the City and County depending on the level of services the City contracts.

FISCAL IMPACT: The total estimated cost (Exhibit A) for FY 2016-2017 is $3,958,203 including a $50,662 contribution for replacement of two (2) fire engines. For FY 2017-2018, the estimated total contract is $4,171,655 including a $54,208 contribution for replacement of two (2) fire engines. Total actual cost for FY 2014-2015 was $3,404,530 including $46,400 contribution for fire engine replacement; the estimated cost for FY 2015-2016 is $3,548,988 including $50,662 for fire engine replacement. Historically, actual contract costs have been lower than the estimate provided by the County under Exhibit A.

Attachments: Cooperative Agreement
Exhibit A FY 2016-2017, FY 2017-2018 Budget Estimates

Agenda Item: 2.C.

A COOPERATIVE AGREEMENT TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE AND MEDICAL EMERGENCY SERVICES FOR THE CITY OF NORCO

THIS AGREEMENT, made and entered into this 6th day of April, 2016, by and between the County of Riverside, a political subdivision of the State of California, on behalf of the Fire Department, (hereinafter referred to as "COUNTY") and the City of Norco a duly created city, (hereinafter referred to as "CITY"), whereby it is agreed as follows:

SECTION I: PURPOSE

The purpose of this Agreement is to arrange for COUNTY, through its Cooperative Fire Programs Fire Protection Reimbursement Agreement ("CAL FIRE Agreement") with the California Department of Forestry and Fire Protection ("CAL FIRE") to provide CITY with fire protection, disaster preparedness and response, fire prevention, rescue, hazardous materials mitigation, technical rescue response, medical emergency services, and public service assists (hereinafter called "Fire Services"). This Agreement is entered into pursuant to the authority granted by Government Code Sections §55600 et seq., and will provide a unified, cooperative, integrated, and effective fire services system. COUNTY's ability to perform under this Agreement is subject to the terms and conditions of the CAL FIRE Agreement.

SECTION II: DESIGNATION OF FIRE CHIEF

A. The County Fire Chief appointed by the Board of Supervisors, or his designee, (hereinafter referred to as "Chief") shall represent COUNTY and CITY during the period of this Agreement and Chief shall, under the supervision and direction of the County Board of Supervisors, have charge of the organization described in Exhibit "A", attached hereto and made a part hereof, for the purpose of providing Fire Services as deemed necessary to satisfy the needs of both the COUNTY and CITY, except upon those lands wherein other agencies of government have responsibility for the same or similar Fire Services.

B. The COUNTY will assign an existing Chief Officer as the Fire Department Liaison ("Fire Liaison"). The Chief may delegate certain authority to the Fire Liaison, as the Chief's duly authorized designee and the Fire Liaison shall be responsible for directing the Fire Services provided to CITY as set forth in Exhibit "A".

C. COUNTY will be allowed flexibility in the assignment of available personnel and equipment in order to provide the Fire Services as agreed upon herein.

SECTION III: PAYMENT FOR SERVICES

A. CITY shall annually appropriate a fiscal year budget to support the Fire Services designated at a level of service mutually agreed upon by both parties and as set forth in Exhibit "A" for the term of this Agreement. This Exhibit may be amended in writing by mutual agreement by both parties or when a CITY requested increase or reduction in services is approved by COUNTY.

B. COUNTY provides fire personnel, equipment and services through its CAL FIRE Agreement. In the event CITY desires an increase or decrease in CAL FIRE or COUNTY civil service employees or services assigned to CITY as provided for in Exhibit "A," CITY shall provide one hundred twenty (120) days written notice of the proposed, requested increase or decrease. Proper notification shall include the following: (1) The total amount of increase or decrease; (2) The effective date of the increase or decrease; and (3) The number of employees, by classification, affected by the proposed increase or decrease. If such notice is not provided, CITY shall reimburse COUNTY for relocation costs incurred by COUNTY because of the increase or decrease, in addition to any other remedies available resulting from the increase or decrease in services. COUNTY is under no obligation to approve any requested increase or decrease, and it is expressly understood by the parties that in no event will COUNTY authorize or approve CITY's request to reduce services below the COUNTY Board of Supervisors approved staffing level for any fire station, or to reduce services to the extent that the services provided under this Agreement are borne by other jurisdictions. COUNTY shall render a written decision on whether to allow or deny the increase or decrease within thirty (30) _days of the notice provided pursuant to this section.

C. CITY shall pay COUNTY actual costs for Fire Services pursuant to this Agreement. COUNTY shall make a claim to CITY for the actual cost of contracted services, pursuant to Exhibit "A," on a quarterly basis. The COUNTY is mandated per Government Code Section §51350 for full cost recovery. CITY shall pay each claim, in full, within thirty (30) days after receipt thereof.

D. Any changes to the salaries or expenses set forth in Exhibit "A" made necessary by action of the Legislature, CAL FIRE, or any other public agency with authority to direct changes in the level of salaries or expenses, shall be paid from the funds represented as set forth in Exhibit "A." The CITY is obligated to expend or appropriate any sum in excess of Exhibit "A" increased by action of the Legislature, CAL FIRE, or any other public agency with authority to direct changes. If within thirty (30) days after notice, in writing, from COUNTY to CITY that the actual cost of maintaining the services specified in Exhibit "A" as a result of action by the Legislature, CAL-FIRE, or other public agency will exceed the total amount specified therein, and CITY has not agreed to make available the necessary additional funds, COUNTY shall have the right to unilaterally reduce the services furnished under this Agreement by an appropriate amount and shall promptly notify CITY, in writing, specifying the services to be reduced. Any COUNTY or CAL-FIRE personnel reduction resulting solely due to an increase in employee salaries or expenses

occurring after signing this Agreement and set forth in Exhibit "A" that CITY does not agree to fund, as described above, shall not be subject to relocation expense reimbursement by CITY. If CITY desires to add funds to the total included herein to cover the cost of increased salaries or services necessitated by actions described in this paragraph, such increase shall be accomplished by an additional appropriation by the City Council of CITY, and an amendment to Exhibit "A" approved by the parties hereto.

E. Chief may be authorized to negotiate and execute any amendments to Exhibit "A" of this Agreement on behalf of COUNTY as authorized by the Board of Supervisors. CITY shall designate a "Contract Administrator" who shall, under the supervision and direction of CITY, be authorized to execute amendments to Exhibit "A" on behalf of CITY.

F. _____ _____ [ ] (Check only if applicable, and please initial to acknowledge) Additional terms as set forth in the attached Exhibit "B" are incorporated herein and shall additionally apply to this agreement regarding payment of services.

G. _____ [x] (Check only if applicable, and please initial to acknowledge) Additional terms as set forth in the attached Exhibit "C" are incorporated herein and shall additionally apply to this agreement regarding payment for the Fire Engine Use Agreement.

H. Notwithstanding Paragraph F herein if applicable, additional terms as set forth are incorporated herein and shall additionally apply to this agreement regarding payment of services. In the event that a fire engine, owned and maintained by the CITY has a catastrophic failure, the COUNTY Fire Chief may allow use of a COUNTY fire engine, free of charge up to one hundred twenty (120) days. After the initial one hundred twenty (120) days, a rental fee will be applied to the CITY invoice for use of said COUNTY fire engine. The rental fee shall be Nine Hundred Forty Four Dollars ($944.00) per day; or Six Thousand Six Hundred Eight Dollars ($6,608.00) per week.

SECTION IV: INITIAL TERM AND AMENDMENT

A. The term of this Agreement shall be from July 1, 2016, to June 30, 2018.

B. One (1) year prior to the date of expiration of this Agreement, CITY shall give COUNTY written notice of whether CITY intends to enter into a new Agreement with COUNTY for Fire Services and, if so, whether CITY intends to request a change in the level of Fire Services provided under this Agreement.

C. If CITY and COUNTY are actively negotiating the terms to a new agreement, the parties may enter into an amendment of this agreement to extend the term up to an additional one year period. During this extended term, the level of service will remain as set forth in this Agreement.

SECTION V: TERMINATION

During the terms of this Agreement, this Agreement may only be terminated by the voters of either the COUNTY or the CITY pursuant to Government Code §55603.5.

SECTION VI: COOPERATIVE OPERATIONS

All Fire Services contemplated under this Agreement shall be performed by both parties to this Agreement working as one unit; therefore, personnel and/or equipment belonging to either CITY or COUNTY may be temporarily dispatched elsewhere from time to time for mutual aid.

SECTION VII: MUTUAL AID

Pursuant to Health and Safety Code Sections 13050 et seq., when rendering mutual aid or assistance, COUNTY may, at the request of CITY, demand payment of charges and seek reimbursement of CITY costs for personnel, equipment use, and operating expenses as funded herein, under authority given by Health and Safety Code Sections 13051 and 13054. COUNTY, in seeking said reimbursement pursuant to such request of CITY, shall represent the CITY by following the procedures set forth in Health and Safety Code Section 13052. Any recovery of CITY costs, less actual expenses, shall be paid or credited to the CITY, as directed by CITY.

In all such instances, COUNTY shall give timely notice of the possible application of Health and Safety Code Sections 13051 and 3054 to the officer designated by CITY.

SECTION VIII: SUPPRESSION COST RECOVERY

As provided in Health and Safety Code Section 13009, COUNTY may bring an action for collection of suppression costs of any fire caused by negligence, violation of law, or failure to correct noticed fire safety violations. When using CITY equipment and personnel under the terms of this Agreement, COUNTY may, on request of CITY, bring such an action for collection of costs incurred by CITY. In such a case CITY appoints and designates COUNTY as its agent in said collection proceedings. In the event of recovery, COUNTY shall apportion to CITY its pro-rata proportion of recovery, less the reasonable pro-rata costs including legal fees.

In all such instances, COUNTY shall give timely notice of the possible application of Health and Safety Code Section 13009 to the officer designated by CITY.

In the event the CITY elects to use COUNTY funded Fire Marshal services, the services will be provided at a cost outlined in COUNTY Ordinance 671(Establishing Consolidated Fees For Land Use and Related Functions).

SECTION IX: PROPERTY ACCOUNTING

All personal property provided by CITY and by COUNTY for the purpose of providing Fire Services under the terms of this Agreement shall be marked and accounted for in such a manner as to conform to the standard operating procedure established by the COUNTY for the segregation, care, and use of the respective property of each.

SECTION X: FACILITY

CITY shall provide Fire Station(s), strategically located to provide standard response time within City of Norco from which fire operations shall be conducted. If the Fire Station(s) are owned by the CITY, the CITY shall maintain the facilities at CITY's cost and expense. In the event CITY requests COUNTY to undertake repairs or maintenance costs or services, the costs and expenses of such repairs or maintenance shall be reimbursed to COUNTY through the Support Services Cost Allocation, or as a direct Invoice to the CITY.

SECTION XI: INDEMNIFICATION AND HOLD HARMLESS

To the fullest extent permitted by applicable law, COUNTY shall and does agree to indemnify, protect, defend and hold harmless CITY, its agencies, districts, special districts and departments, their respective directors, officers, elected and appointed officials, employees, agents and representatives (collectively, **"Indemnitees"**) for, from and against any and all liabilities, claims, damages, losses, liens, causes of action, suits, awards, judgments and expenses, attorney and/or consultant fees and costs, taxable or otherwise, of any nature, kind or description of any person or entity, directly or indirectly arising out of, caused by, or resulting from (1) the Services performed hereunder by COUNTY, or any part thereof, (2) the Agreement, including any approved amendments or modifications, or (3) any negligent act or omission of COUNTY, its officers, employees, subcontractors, agents, or representatives (collectively, **"Liabilities"**). Notwithstanding the foregoing, the only Liabilities with respect to which COUNTY's obligation to indemnify, including the cost to defend, the Indemnitees does not apply is with respect to Liabilities resulting from the negligence or willful misconduct of an Indemnitee, or to the extent such claims do not arise out of, pertain to or relate to the Scope of Work in the Agreement.

To the fullest extent permitted by applicable law, CITY shall and does agree to indemnify, protect, defend and hold harmless COUNTY, its agencies, departments, directors, officers, agents, Board of Supervisors, elected and appointed officials and representatives (collectively, **"Indemnitees"**) for, from and against any and all liabilities, claims, damages, losses, liens, causes of action, suits, awards, judgments and expenses, attorney and/or consultant fees and costs, taxable or otherwise, of any nature, kind or description of any person or entity, directly or indirectly arising out of, caused by, or resulting from (1) the services performed hereunder, by CITY, or any part thereof, (2) the Agreement, including any approved amendments or modifications, or (3) any negligent act or omission of CITY its officers, employees, subcontractors, agents, or representatives

(collectively, **"Liabilities"**). Notwithstanding the foregoing, the only Liabilities with respect to which CITY's obligation to indemnify, including the cost to defend, the Indemnitees does not apply is with respect to Liabilities resulting from the negligence or willful misconduct of an Indemnitee, or to the extent such claims do not arise out of, pertain to or relate to the Scope of Work in the Agreement.

SECTION XII: AUDIT

A. COUNTY and CITY agree that their designated representative shall have the right to review and to copy any records and supporting documentation of the other party hereto, pertaining to the performance of this Agreement. COUNTY and CITY agree to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated or as required by law, and to allow the auditor(s) of the other party access to such records during normal business hours COUNTY and CITY agree to a similar right to audit records in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).

B. Each party shall bear their own costs in performing a requested audit.

SECTION XIII: DISPUTES

CITY shall select and appoint a "Contract Administrator" who shall, under the supervision and direction of CITY, be available for contract resolution or policy intervention with COUNTY, when, upon determination by the Chief that a situation exists under this Agreement in which a decision to serve the interest of CITY has the potential to conflict with COUNTY interest or policy. Any dispute concerning a question of fact arising under the terms of this Agreement which is not disposed of within a reasonable period of time by the CITY and COUNTY employees normally responsible for the administration of this Agreement shall be brought to the attention of the Chief Executive Officer (or designated representative) of each organization for joint resolution. For purposes of this provision, a "reasonable period of time" shall be ten (10) calendar days or less. CITY and COUNTY agree to continue with the responsibilities under this Agreement during any dispute. Disputes that are not resolved informally by and between CITY and COUNTY representatives may be resolved, by mutual agreement of the parties, through mediation. Such mediator will be jointly selected by the parties. The costs associated with mediator shall be shared equally among the participating parties. If the mediation does not resolve the issue(s), or if the parties cannot agree to mediation, the parties reserve the right to seek remedies as provided by law or in equity. The parties agree, pursuant to *Battaglia Enterprises v. Superior Court* (2013) 215 Cal.App.4th 309, that each of the parties are sophisticated and negotiated this agreement and this venue at arm's length. Pursuant to this Agreement, the parties agree that venue for litigation shall be in the Superior Court of Riverside County. Should any party attempt to defeat this section and challenge venue in Superior Court, the party challenging venue stipulates to request the Court change venue to San Bernardino County and shall not ask for venue in any other County.

Any claims or causes of actions, whether they arise out of unresolved disputes as specified in this Section or claims by third parties that are made against the COUNTY, shall be submitted to the Office of the Clerk of the Board for the County of Riverside in a timely manner. For claims made against the COUNTY that involve CalFire employees, to the extent permissible under the COUNTY's contract with CalFire, the claims will be forwarded on to CalFire for processing.

SECTION XIV: ATTORNEY'S FEES

If CITY fails to remit payments for services rendered pursuant to any provision of this Agreement, COUNTY may seek recovery of fees through litigation, in addition to all other remedies available.

In the event of litigation between COUNTY and CITY to enforce any of the provisions of this Agreement or any right of either party hereto, the unsuccessful party to such litigation agrees to pay the prevailing party's costs and expenses, including reasonable attorneys' fees, all of which shall be included in and as a part of the judgment rendered in such litigation.

SECTION XV: DELIVERY OF NOTICES

Any notices to be served pursuant to this Agreement shall be considered delivered when deposited in the United States mail and addressed to:

COUNTY	CITY OF NORCO
County Fire Chief	City Manager
210 W. San Jacinto Ave.	City of Norco
Perris, CA 92570	2870 Clark Avenue
	Norco, CA 92860

Provisions of this section do not preclude any notices being delivered in person to the addresses shown above. Delivery in person shall constitute service hereunder, effective when such service is made.

SECTION XVI: ENTIRE CONTRACT

This Agreement contains the whole contract between the parties for the provision of Fire Services. It may be amended or modified upon the mutual written consent of the parties hereto where in accordance with applicable state law. This Agreement does NOT supplement other specific agreements entered into by both parties for equipment or facilities, and excepting those equipment or facilities agreements, this Agreement cancels and supersedes any previous agreement for the same or similar services.

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[Signature Provisions on following page]

IN WITNESS WHEREOF, the duly authorized officials of the parties hereto have, in their respective capacities, set their hands as of the date first hereinabove written.

Dated: _____

CITY OF NORCO

By: _____

Title: Kevin Bash, Mayor

ATTEST:

By: _____

Title: Cheryl L. Link, City Clerk

(SEAL)

APPROVED AS TO FORM:

_____

Title: John R. Harper, City Attorney

Dated: _____

COUNTY OF RIVERSIDE

By: _____
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM:
GREGORY P. PRIAMOS,
County Counsel

By: _____
ERIC STOPHER
Deputy County Counsel

TEMPLATE COOPERATIVE 2YR AGREEMENT 20160316.docx

EXHIBIT "A"

TO THE COOPERATIVE AGREEMENT
TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
AND MEDICAL EMERGENCY SERVICES FOR THE CITY OF NORCO
ESTIMATE DATED MARCH 8, 2016 FOR FY 2016/2017 THROUGH 2017/2018

ESTIMATED CITY EXHBIT "A" BUDGET

FISCAL YEAR 2016/2017	$3,958,203
FISCAL YEAR 2017/2018	$4,171,655
TOTAL CITY BUDGET **ESTIMATES** FOR 2016/2017 THROUGH 2017/2018	$8,129,859

FY 2017 ESTIMATE

TO THE COOPERATIVE AGREEMENT
TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
AND MEDICAL EMERGENCY SERVICES FOR THE CITY OF NORCO
ESTIMATE DATED MARCH 8, 2016 FOR FY 2016/2017

	CAPTAIN'S		ENGINEER'S		FF II MEDICS		TOTALS	
STA #47								
Medic Engine	408,888	2.0	349,618	2.0	339,571	2.0	1,098,077	6.0
STA #57								
Medic Engine	408,888	2.0	349,618	2.0	339,571	2.0	1,098,077	6.0
Fixed Relief	204,444	1.0	174,809	1.0	169,785	1.0	549,038	3.0
SUBTOTALS	1,022,221		874,044		848,926		2,745,191	
SUBTOTAL STAFF		5		5		5		15

BATTALION CHIEF	244,156	each	244,156	1.0
FIRE SAFETY SPECIALIST (PCN 00006919)	140,759	each	70,379	0.5
FIRE SYSTEMS INSPECTOR (PCN 00051714)	122,031	each	61,015	0.5
(FSS & FSI Positions Split Funded with City of Eastvale)				
SUBTOTAL			$375,551	16
SUPPORT SERVICES				
Administrative/Operational	20,805	per assigned Staff **	332,881	16.0
Volunteer Program	7,658	Per Entity Allocation	7,658	1.0
Medic Program		Medic FTE/Defib Basis	36,077	5.0
Fleet Support	54,970	per Fire Suppression Equip	109,940	2.0
ECC Support		Calls/Station Basis	98,937	
Comm/IT Support		Calls/Station Basis	168,149	
Hazmat Support			15,909	
SUPPORT SERVICES SUBTOTAL			769,552	
FIRE ENGINE USE AGREEMENT	25,331	each engine	50,662	2
ESTIMATED DIRECT CHARGES			17,247	
TOTAL STAFF COUNT				16
TOTAL ESTIMATED CITY BUDGET			$3,958,203	

SUPPORT SERVICES

Administrative & Operational Services
- Finance
- Training
- Data Processing
- Accounting
- Personnel

- Public Affairs
- Procurement **
- Emergency Services
- Fire Fighting Equip.
- Office Supplies/Equip.

16.0	Assigned Staff
0.00	Battalion Chief Support
16.00	Total Assigned Staff
2	Fire Stations
2,180	Number of Calls
5	Assigned Medic FTE
2	Monitors/Defibs
2	Hazmat Stations
5	Number of Hazmat Calls

Medic Program - Support staff, Training, Certification, Case Review & Reporting, Monitor/ Defibrillator replacement cycle.

Fleet Support - Support staff, automotive costs, vehicle/engine maintenance, fuel costs

Emergency Command Center Support - Dispatch services costs

Communications / IT Support - Support staff, communications, radio maintenance, computer support functions

Hazmat Program - Support staff, operating costs, and vehicle replacement

FY 16/17 POSITION SALARIES TOP STEP

304,607	DEPUTY CHIEF
300,511	DIV CHIEF
244,156	BAT CHIEF
204,444	CAPT
227,317	CAPT MEDIC
174,809	ENG
196,043	ENG/MEDIC
158,260	FF II
169,785	FF II/MEDIC
146,829	FIRE SAFETY SUPERVISOR
140,759	FIRE SAFETY SPECIALIST
122,031	FIRE SYSTEMS INSPECTOR
71,843	OFFICE ASSISTANT III
72,531	SECRETARY I
116,074	COUNTY EMERGENCY SERVICES COORDINATOR

25,331	FIRE ENGINE
20,805	SRVDEL
7,658	VOL DEL
6,425	MEDIC FTE
1,975	MEDIC MONITORS/DEFIBS REPLACEMENT
75,164	BATT DEL
16,626	ECC STATION
30.13	ECC CALLS
54,970	FLEET SUPPORT
28,255	COMM/IT STATION
51.21	COMM/IT CALLS
2,404	FACILITY STATION
646.77	FACILITY FTE
3,731	HAZMAT STATION
1,294.48	HAZMAT CALLS
1,974	HAZMAT VEHICLE REPLACEMENT

FY 16/17 DIRECT BILL ACCOUNT CODES

520230	Cellular Phone
520300	Pager Service
520320	Telephone Service
520800	Household Expense
520805	Appliances
520815	Cleaning and Custodial Supp
520830	Laundry Services
520840	Household Furnishings
520845	Trash
521380	Maint-Copier Machines
521440	Maint-Kitchen Equipment
521540	Maint-Office Equipment
521600	Maint-Service Contracts
521660	Maint-Telephone
521680	Maint-Underground Tanks
522310	Maint-Building and Improvement
522360	Maint-Extermination
522860	Medical-Dental Supplies
522870	Other Medical Care Materials
522890	Pharmaceuticals
523220	Licenses And Permits
523680	Office Equip Non Fixed Assets
526700	Rent-Lease Bldgs
526940	Locks/Keys
527280	Awards/Recognition
529500	Electricity
529510	Heating Fuel
529550	Water
537240	Interfnd Exp-Utilities
542060	Improvements-Building

FY 2018 ESTIMATE

TO THE COOPERATIVE AGREEMENT
TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
AND MEDICAL EMERGENCY SERVICES FOR THE CITY OF NORCO
ESTIMATE DATED MARCH 8, 2016 FOR FY 2017/2018

	CAPTAIN'S		ENGINEER'S		FF II MEDICS		TOTALS	
STA #47								
Medic Engine	429,333	2.0	367,098	2.0	356,549	2.0	1,152,980	6.0
STA #57								
Medic Engine	429,333	2.0	367,098	2.0	356,549	2.0	1,152,980	6.0
Fixed Relief	214,666	1.0	183,549	1.0	178,275	1.0	576,490	3.0
SUBTOTALS	1,073,332		917,746		891,373		2,882,451	
SUBTOTAL STAFF		5		5		5		15

BATTALION CHIEF	256,364	each	256,364	1.0
FIRE SAFETY SPECIALIST (PCN 00006919)	147,796	each	73,898	0.5
FIRE SYSTEMS INSPECTOR (PCN 00051714)	128,132	each	64,066	0.5
(FSS & FSI Positions Split Funded with City of Eastvale)				
SUBTOTAL			$394,328	16
SUPPORT SERVICES				
Administrative/Operational	22,261	per assigned Staff **	356,183	16.0
Volunteer Program	8,194	Per Entity Allocation	8,194	1.0
Medic Program		Medic FTE/Defib Basis	38,603	5.0
Fleet Support	58,818	per Fire Suppression Equip	117,636	2.0
ECC Support		Calls/Station Basis	105,863	
Comm/IT Support		Calls/Station Basis	179,920	
Hazmat Support			17,022	
SUPPORT SERVICES SUBTOTAL			823,421	
FIRE ENGINE USE AGREEMENT	27,104	each engine	54,208	2
ESTIMATED DIRECT CHARGES			17,247	
TOTAL STAFF COUNT				16
TOTAL ESTIMATED CITY BUDGET			$4,171,655	

SUPPORT SERVICES

Administrative & Operational Services
- Finance
- Training
- Data Processing
- Accounting
- Personnel
- Public Affairs
- Procurement **
- Emergency Services
- Fire Fighting Equip.
- Office Supplies/Equip.

16.0	Assigned Staff
0.00	Battalion Chief Support
16.00	Total Assigned Staff
2	Fire Stations
2,180	Number of Calls
5	Assigned Medic FTE
2	Monitors/Defibs
2	Hazmat Stations
5	Number of Hazmat Calls

Medic Program - Support staff, Training, Certification, Case Review & Reporting, Monitor/ Defibrillator replacement cycle.

Fleet Support - Support staff, automotive costs, vehicle/engine maintenance, fuel costs

Emergency Command Center Support - Dispatch services costs

Communications / IT Support - Support staff, communications, radio maintenance, computer support functions

Hazmat Program - Support staff, operating costs, and vehicle replacement

FY 17/18 POSITION SALARIES TOP STEP

319,838	DEPUTY CHIEF
315,537	DIV CHIEF
256,364	BAT CHIEF
214,666	CAPT
238,682	CAPT MEDIC
183,549	ENG
205,845	ENG/MEDIC
166,173	FF II
178,275	FF II/MEDIC
154,171	FIRE SAFETY SUPERVISOR
147,796	FIRE SAFETY SPECIALIST
128,132	FIRE SYSTEMS INSPECTOR
75,435	OFFICE ASSISTANT III
76,158	SECRETARY I
121,877	COUNTY EMERGENCY SERVICES COORDINATOR

27,104	FIRE ENGINE
22,261	SRVDEL
8,194	VOL DEL
6,875	MEDIC FTE
2,113	MEDIC MONITORS/DEFIBS REPLACEMENT
80,426	BATT DEL
17,789	ECC STATION
32.24	ECC CALLS
58,818	FLEET SUPPORT
30,233	COMM/IT STATION
54.79	COMM/IT CALLS
2,573	FACILITY STATION
692.05	FACILITY FTE
3,992	HAZMAT STATION
1,385.09	HAZMAT CALLS
2,112	HAZMAT VEHICLE REPLACEMENT

FY 17/18 DIRECT BILL ACCOUNT CODES

520230	Cellular Phone
520300	Pager Service
520320	Telephone Service
520800	Household Expense
520805	Appliances
520815	Cleaning and Custodial Supp
520830	Laundry Services
520840	Household Furnishings
520845	Trash
521380	Maint-Copier Machines
521440	Maint-Kitchen Equipment
521540	Maint-Office Equipment
521600	Maint-Service Contracts
521660	Maint-Telephone
521680	Maint-Underground Tanks
522310	Maint-Building and Improvement
522360	Maint-Extermination
522860	Medical-Dental Supplies
522870	Other Medical Care Materials
522890	Pharmaceuticals
523220	Licenses And Permits
523680	Office Equip Non Fixed Assets
526700	Rent-Lease Bldgs
526940	Locks/Keys
527280	Awards/Recognition
529500	Electricity
529510	Heating Fuel
529550	Water
537240	Interfnd Exp-Utilities
542060	Improvements-Building

CITY OF NORCO
STAFF REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Andy Okoro, City Manager
PREPARED BY:	Chad Blais, Public Works Director
DATE:	April 6, 2016
SUBJECT:	Approval of an Administrative Compliance Coordinator Full-Time Position and Job Specification
RECOMMENDATION:	Approve the Administrative Compliance Coordinator job specification and full-time position

SUMMARY: In December 2015, the Executive Secretary for the Public Works Department retired. The position responsibilities were distributed to a full-time and part-time Permit Technician already on staff. Current staffing level is inadequate to provide satisfactory implementation of the Backflow Program, Automated Water Meter Program and provide administrative support to the Public Works Department. The City currently employs a part-time Permit Technician with primary duties is maintaining the City's Backflow Program for compliance with State regulations. Reallocating funding from this part-time Permit Technician position and a currently unfilled part-time Intern position to a full-time Administrative Compliance Coordinator will enable the Public Works Department to satisfactorily meet current departmental demands and be in compliance with State regulations.

BACKGROUND/ANALYSIS: The City is required to be in compliance with State regulations (Title 17 of the California Administrative Code) governing the safe keeping of water. Specifically, the Public Works Department is responsible for establishing policies, procedures and staffing levels to ensure proper adherence to applicable codes, rules and regulations intended to provide reasonable and required protection for the City of Norco's Water Supply System against contamination and/or pollution resulting from cross-connections and/or controlled plumbing connections. In addition, the City has invested significant financial resources transitioning from a manual read to an automated read water meter program. This change was intended to provide for greater accuracy in meter reads, provided real-time information regarding leaks and reduce staff time necessary to collect such data. However, the Maintenance Worker II that was responsible for maintaining the Meter Program retired last year and those duties of monitoring the meter program went unfilled. As a result, the Meter Program duties need to be assigned to an appropriate staff member. Therefore, the Public Works Department is seeking to create a new full time Public Works Administrative Compliance Coordinator position that will perform technical, analytical and administrative duties in support of the City's water meter reading and cross-connection programs.

Agenda Item: 2.D.

FINANCIAL IMPACT: The funding for this new full-time position will be mostly funded by eliminating two part-time positions (Permit Technician and Intern) that are currently included in the Public Works budget. The additional costs related to the proposed budget will be funded by existing Water, Sewer and NPDES revenues. This new position would likely be filled in May or June and thus have a minimal impact on the current budget for Fiscal Year 2015-16. The full year costs for the full-time position will be included in the FY 2016-2017 Operating Budget.

Attachment: Public Works Administrative Compliance Coordinator Job Description

Administrative Compliance Coordinator
Public Works Department

DEFINITION:

Under varying levels of supervision performs a range of complex, technical, analytical and administrative duties in support of a City department or program area; assumes responsibility for program/project activities; assists in policy, procedure, work methods and budget development and implementation for area of assignment; coordinates assigned activities with other divisions, outside agencies and the general public. Performs a variety of moderate and specialized duties related to the City's water meter reading and cross-connection programs and performs related work as required.

ESSENTIAL FUNCTIONS:

Essential functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills and other characteristics. This list of tasks is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class.

TYPICAL DUTIES & RESPONSIBILITIES:

Plans, coordinates, implements, promotes and oversees assigned programs and projects. Performs a range of duties involved in the identification, planning, development and implementation of new and/or modified programs/projects.

Participates in the development and implementation of program/project goals, objectives, policies, procedures and priorities related to City's water meter reading and cross-connection programs.

Monitors program/project success using appropriate tracking and feedback systems such as XC2 and Aqua-Metrics. Checks for abnormalities in water meter readings, makes corrections/adjustments.

Compiles and maintains a procedure manual for the water meter reading system and backflow devices. Reviews and evaluates forms and manuals and recommends changes.

Coordinates with Public Works staff regarding changed/repaired water meters. Requests issuance of meter related work orders. Provides information and assistance as appropriate.

Compiles and produces various reports from the water metering system for use by other City departments/divisions. Maintains and updates project status reports and related records. Researches, analyzes and makes recommendations for management review.

Ensures the work of service providers is performed in compliance with contracts and agreements. Coordinates services and activities with other City departments/divisions and with outside agencies and organizations. Interacts with City personnel, the public and representatives of other agencies in the review, analysis, adjustment and implementation of City programs and policies.

Administrative Compliance Coordinator
Public Works Department

Ensures that assigned City programs/projects, activities and services comply with relevant federal, state and local laws, policies and regulations. Keeps abreast of new trends and innovations in related field and issues related to field of expertise. Researches and analyzes relevant legislation and proposals and prepares reports concerning potential impact on assigned program/project.

Conducts field inspections to investigate discrepancies related to water meter reading and backflow devices.

CLASS CHARACTERISTICS:

This is a general employee position throughout the City. This position normally works under the general supervision of a department or division head. Incumbents perform a variety of technical and recordkeeping duties related specifically to the water meter reading system and cross-connection program of the City. Tasks require judgment, discretion, and initiative. Position has technical, analytical and administrative duties and responsibilities.

CONTACTS AND RELATIONSHIP:

This position has the majority of their interaction with the public and other City employees. Establishes and maintains contact with staff within his/her assigned department and staff of other City departments. Additional contact will occur with professional and technical consultants, a variety of individuals, public and private representatives, contractors, and vendors.

QUALIFICATION GUIDELINES:

The knowledge and abilities which are required to perform the duties and responsibilities of this class are as follows:

DESIRABLE QUALIFICATIONS:

Experience: Two years of progressive responsibility; experience in public contact work, preferably involving the enforcement of laws, ordinances, and regulations. Experience in water and sewer operations, water quality testing and control, backflow prevention, or a closely related area, preferred. One year experience in the administration, testing, and inspection of backflow prevention devices and cross connection control surveys; or an equivalent combination of education and experience is required.

Education: Associate's degree from an accredited college or university in a closely related field to the area assigned preferred. Minimum High School Diploma or equivalent is required, supplemented by college course work or specialized training related to water science, including cross connection control programs. Some areas of assignment may require additional certification(s). Backflow Prevention Assembly General Tester Certification, Cross-Connection Control Specialist, Grade I Distribution System Operator or Grade I Water Treatment Plant Operator Certificate desirable.

Administrative Compliance Coordinator
Public Works Department

Knowledge: Principles, operations and practices related to area assigned. Principles of public administration, organization and management. Systems and techniques of project/program management and monitoring. Techniques and methods of administrative analysis and research. Negotiation and conflict resolution techniques. English usage, spelling, grammar and punctuation. Computer applications as they relate to area assigned. Customer relations techniques. Knowledge of Federal, State, County and City Building codes regarding public water systems and backflow prevention programs. Knowledge of the installation, testing and maintenance of all types of backflow prevention assemblies.

Ability: Plan, organize and manage project, program and/or activity. Use independent judgment and initiative. Interpret and apply applicable laws, rules and regulations. Review contracts, agreements, plans and work specifications. Conduct effective, responsible research and analysis. Communicate effectively orally and in writing. Establish and maintain effective relationships with those contacted in the course of work. Interact effectively with others in the workplace. Meet and serve the public with professionalism, courtesy and tact. Handle job stress and maintain composure in public settings. Operate a personal computer and use applicable software. Skill in responding to routine inquiries and complaints from citizens; analyze, assemble information and statistical data; type 45 WPM; maintain complex manual and computerized records and prepare reports. Continue to learn, understand & stay current on regulations, procedural updates, backflow prevention, and water quality issues. Must be able to work a flexible schedule to accommodate City needs with prompt and regular attendance.

License Required: Valid and appropriate California Driver License and acceptable driving record at time of appointment and throughout employment in this position. Employees in this classification will be enrolled in the Department of Motor Vehicles government Employer Pull Notice Program.

PHYSICAL REQUIREMENTS

Work is performed in an office environment and on-site at various locations depending on the assignment/project. Office work requires sitting for periods of time and the use of a computer keyboard and screen. When on-site, the incumbent may be exposed to the elements and vehicular traffic and may walk on slippery/uneven surfaces or slopes. The incumbent stands, kneels, bends, couches, twists and may grasp, lifts water meter lids, carry, push, pull and drag boxes of files and records weighing 50 pounds or less and, depending on area assigned, drive a vehicle on City business. The incumbent must be able to meet the physical requirements of the class and have mobility, vision, hearing and dexterity levels appropriate to the duties to be performed.

SUPERVISION RECEIVED Department Director or designee

SUPERVISION EXERCISED None

FAIR LABOR STANDARDS ACT DESIGNATION Non-Exempt

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 6, 2016
SUBJECT:	**Ordinance No. 1001, Second Reading.**
RECOMMENDATION:	Adopt **Ordinance No. 1001** for second reading.

SUMMARY: The first reading of Ordinance No. 1001 was held on March 16, 2016 and adopted by the City Council with a 5-0 vote. Ordinance No. 1001 approves Code Change 2016-01, which includes language for e-cigarettes in Chapter 9.90 of the Norco Municipal Code "Regulation of Smoking in Public Parks."

Attachment: Ordinance No. 1001

Agenda Item: 5.A.

ORDINANCE NO. 1001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, AMENDING CHAPTER 9.90 OF THE NORCO MUNICIPAL CODE "REGULATION OF SMOKING IN PUBLIC PARKS" TO INCLUDE LANGUAGE FOR E-CIGARETTES. CODE CHANGE 2016-01.

WHEREAS, the City of Norco is an equestrian community known as Horsetown USA; and

WHEREAS, a high priority of the City is to protect its residents and promote health and safety; and

WHEREAS, the City recognizes that secondhand smoke increases the risk for lung cancer and coronary heart disease in non-smokers; and

WHEREAS, as a result of the harmful primary and secondary effects associated with smoking and the current threat such effects pose to the public health, safety and welfare, the City wishes to prohibit smoking in its public parks as authorized by Health and Safety Code Sections 118910 and 118940.

NOW, THEREFORE, the City Council of the City of Norco does hereby find, determine, order, and resolve as follows:

SECTION 1: Norco Municipal Code Section 9.90 (Regulation of Smoking in Public Parks) is hereby established to read as follows:

Chapter 9.90
REGULATION OF SMOKING IN PUBLIC PARKS

Sections:

9.90.010 Intent and purpose.
9.90.020 Definitions.
9.90.030 Prohibitions.
9.90.040 Posting of signs.
9.90.050 Violation and penalties.

9.90.010 Intent and purpose.

The purpose of this chapter is to protect the public health, welfare and safety of the community and to recognize the need to breathe clean air by regulating smoking in public parks. In addition, the City acknowledges that where there is conflict between the desires of persons who smoke and the need of nonsmokers to breathe smoke-free air, the needs of the nonsmoker shall have priority. (Ord. 922 Sec. 1, 2010)

9.90.020 Definitions.

For the purposes of this chapter, the following words are defined:

A. "Public park" means all park areas, including the parking lots, driveways, access roads and pedestrian/equestrian trails adjacent to or within the park area. "Public park" does not include public roadways or pedestrian/equestrian trails not within or adjacent to a public park.

B. "Smoking" means carrying or holding a lighted pipe, cigar or cigarette, or any other lighted smoking product or equipment used to burn any tobacco products, weed, plant or combustible substance or any electronic nicotine delivery system. Smoking includes emitting or exhaling the fumes of any pipe, cigar, cigarette, or any other lighted smoking equipment used for burning any tobacco product, weed, plant or any combustible substance or emitting or exhaling the fumes or vapors of any electronic nicotine delivery system.

C. "Tobacco product" means any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, or any other preparation of tobacco. (Ord. 922 Sec. 1, 2010)

9.90.030 Prohibitions.

Smoking is prohibited in all areas of all public parks. In the case of the George Ingalls Equestrian Event Center, smoking is prohibited in the bleachers, and any other areas that may be identified by the Director of Parks and Recreation and posted as a "No Smoking" area. (Ord. 922 Sec. 1, 2010)

9.90.040 Posting of signs.

In order to provide reasonable notice to the public, signs shall be posted in one or more conspicuous and visible area(s) of public parks. No smoking signs with letters of not less than one-inch height, or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly, sufficiently and conspicuously posted at or near the entry of public parks or the event center. (Ord. 922 Sec. 1, 2010)

9.90.050 Violation and penalties.

Except as otherwise provided, a violation of any of the provisions of this chapter shall be punishable pursuant to Section 1.04.010. (Ord. 922 Sec. 1, 2010)

SECTION 2. EFFECTIVE DATE: This Ordinance shall become effective thirty (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.

PASSED AND ADOPTED by the City Council at a regular meeting held on April 6, 2016.

_____
Kevin Bash, Mayor
City of Norco, California

ATTEST:

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

I, CHERYL LINK, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on March 16, 2016 and thereafter at a regular meeting of said City Council duly held on the April 6, 2016, it was duly passed and adopted by the following vote of the City Council, to-wit:

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 6, 2016.

_____
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 Gina Schuchard, Finance Officer
DATE:	April 6, 2016
SUBJECT:	Video Recording of City Council Meetings
RECOMMENDATION:	Provide direction to staff.

SUMMARY: At the November 18, 2015 Council meeting, staff was directed to research the feasibility of recording videos of the City Council meetings. Since that time, staff members have reviewed and evaluated several options. The purpose of this report is to provide the City Council with the most cost effective options that promote broader access to meetings.

BACKGROUND/ANALYSIS: The formal record of any Norco City Council public meeting is its minutes and agendas, which are required to be maintained for a number of years and have been readily available to the public. The City has encouraged residents to participate in local government and, at its November 18, 2015 meeting, the City Council expressed the need to explore options for filming Council meetings, which would give members of the public the opportunity to view and listen to meetings without having to attend in person. Filming of City Council meetings also promotes the City's commitment in conducting its meetings in an open and transparent manner. The following is a list of options researched by staff:

Option 1: Webcam: This option would provide for placement of a webcam and laptop in a designated area to allow for a broad focus of the dais and some City staff members. This option requires less than $50 upfront costs, minimal staff time, and the lowest quality video. The footage of the meeting would be uploaded to the City's website on the following business day. The cost for the software to upload the video is $200 annually.

Option 2: Single Preset Camera: A single video camera can be set up and focused where it covers as much of the meeting as possible. A single camera can record a panoramic view of the dais and some of the meeting events. This option requires inexpensive upfront costs of approximately $1,300 and low quality video (does not pan, tilt, or zoom). The footage of the meeting would be uploaded to the City's website on the following business day. The cost for the software to upload the video is $200 annually.

Option 3: One (1) or Two (2) Cameras Directed by IT Staff: Up to two cameras can be placed and focused to record the dais, City staff, the public speaker, and the video screen with presentations on it. A staff member will then coordinate which camera is recording, and pan, tilt, and zoom to the area of interest. This option provides a higher quality video and better coverage of the meeting. This option would also require that IT staff be responsible for the production of the video, which includes costs for staff time and editing software. Staff could edit the recording to the extent of inserting names, agenda item titles, and blending the two camera recordings into one final product. Editing software costs range from $115 - $250 annually. The approximate annual cost of one IT staff member to be present at the Council meetings is $5,800. The recording of the meeting would be uploaded to the City's website the following business day.

Option 4: Webcasting: This option is similar to the set up for Option 3. With this option, however, the video would be time stamped and linked to the agenda on the City's website. This option would provide the highest quality video. The approximate cost for this option is $5,800 - $7,100, which includes $4,500 in up-front, one-time software costs and $1,300 – $2,600 in up-front equipment depending on the number of cameras purchased. There is also a $400 monthly software support fee for webcasting.

As a general note, filming and audio recording would commence when the presiding officer opens the meeting and will end when the meeting is formally adjourned. If there is a recess during the meeting, the filming and audio equipment will be switched off for the duration of that recess. Anything that is outside the scope of the meeting will not be filmed. However, depending on the option, the recording may capture images of those who stand or sit in some front parts of the public area, such as the speaker podium and/or the front row seats.

FINANCIAL IMPACT: The cost estimates are noted in Exhibit "A." If the City Council decides to fund an option presented above, funding would be appropriated from the Information Technology Fund.

Attachment: Exhibit A

Options	Upfront Costs	Staff Required	1st Year Cost	Annual Cost	Features
#1: Webcam	Less than $50	IT staff to set-up prior to meeting. City Clerk to record during meeting.	$250 ($40 webcam; $200 Vimeo subscription)	$200	Minimal upfront equipment costs.
#2: Single Preset Camera	$1,300 equipment	IT staff to set-up prior to meeting. City Clerk to record during meeting.	$1,500 ($1,300 equipment; $200 Vimeo subscription)	$200	Minimal upfront equipment costs.
#3: One or Two Camera System	$1,300 - $2,600 equipment; and $115 - $250 software	IT staff to be present during meeting.	$1,750 -$3,050 ($1,300 equipment; $200 Vimeo subscription; $115 - $250 Editing software)	$6,250	Higher quality video. Editing will provide a better viewing experience for the public.
#4: Webcasting	$1,300 - $2,600 equipment; and $4,800 software	IT staff to be present during meeting.	$5,800 - $7,100 ($1,300 - $3,000 equipment; $4,800 webcasting vendor annual cost)	$11,050	Highest quality video. Time stamped, indexed video to agenda.

EXHIBIT A

CITY OF NORCO
STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager

PREPARED BY: Eric Briddick, Lieutenant

DATE: April 6, 2016

SUBJECT: Sheriff's Department Annual Report Presentation for 2015

RECOMMENDATION: Receive and file

SUMMARY: The 2015 Annual Report Presentation will include a comparative overview of the Norco Sheriff's Office, which includes statistical information on Part 1 crimes, based on the Uniform Crime Reporting Program (UCR). In addition, the report will include a review of the response and performance of patrol operations, traffic enforcement and special enforcement team deputies.

BACKGROUND/ANALYSIS: The UCR program collects data on certain offenses, termed Part 1 offenses, reported to law enforcement. These are categorized as violent offenses and property offenses. This includes murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson.

The Norco Sheriff's Office, in conjunction with the Jurupa Valley Station, utilized two methods to evaluate and measure crime within the community.

Crime Impact Report (CIR) is short for Computer or Comparative Statistics. The CIR is a well-known management model that focuses on crime reduction. It facilitates accurate and timely analysis of crime, which is used to identify crime patterns and problems over a two-week period and is more of a "snap shot" to assist with strategic enforcement.

These are **unofficial** statistics used for the daily operation of the station and deployment of personnel.

Uniform Crime Report (UCR) was established by the FBI in the 1930's in order to measure the scope of crime that occurs throughout the Nation.

These are the **official** statistics reported by the Sheriff's Department and used for this presentation.

The Norco Sheriff's Office will continue to serve the community based on the high standards of the Riverside County Sheriff's Department. We will continue utilizing available resources to meet the needs of the community and continue using the Crime Impact Report. By meeting with Jurupa Valley Station deputies and administrators on a bi-weekly basis to discuss crime trends and deployment and continue using the station Crime Analyst to map crime and identify trends.

FINANCIAL IMPACT: None

Agenda Item: 6.B.

CITY OF NORCO
STAFF REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Andy Okoro, City Manager
PREPARED BY:	John R. Harper, City Attorney
DATE:	April 6, 2016
SUBJECT:	Fees and Costs of Abating a Public Nuisance at 3216 Corona Avenue
RECOMMENDATION:	Adopt **Resolution No. 2016-15**, affirming the costs of abating a public nuisance at 3216 Corona Avenue, Norco, California and assess the abatement costs as a lien on the real property.

SUMMARY: Pursuant to Norco Municipal Code section 6.22.110, subdivision (a), the City Attorney seeks City Council approval of the costs associated with abating a public nuisance at 3216 Corona Avenue in the City of Norco, California.

The City conducted an Administrative Public Nuisance Abatement action on a residential property located at 3216 Corona Avenue, Norco, California (hereafter "Property") to revoke a building permit and declare a partially constructed wall a public nuisance. From January 2015 to November 2015, the wall had remained in a state of partial construction. At hearing on November 30, 2015, the hearing officer found for the City. Construction of the wall was completed on January 5, 2016.

Under Norco Municipal Code Section 6.22.110, the City is entitled to recover all costs (including incidental expenses) of abating a nuisance by imposing a special assessment lien against the Property. With assistance from the City Attorney, staff prepared the attached resolution (Attachment 1) which includes a report of recoverable costs incurred in this action (Exhibit "A" to Attachment 1) for the City Council's confirmation and approval. The City incurred $7,110.95 of recoverable costs. If the City Council confirms the report by adopting the attached resolution, staff and the City Attorney will commence the special assessment lien process to ensure the City can ultimately recover these costs. The special assessment would remain on the Property until the earlier of the following: (1) the full repayment of the assessment amount through the bi-annual property tax payment process, or (2) the transfer of the Property which would require the City's lien is paid in full as a condition of the transfer.

AGENDA ITEM: 7.A.

BACKGROUND / ANALYSIS: The owner of the Property is Miguel Askar. Robert Was, a neighbor, informed the City Attorney that Mr. Askar lives in Mexico. According to Mr. Was, the wall at the Property was constructed by Mr. Was and a tenant of Mr. Askar.

On February 4, 2014, a building permit was issued to Miguel Askar for the construction of a garden & retaining wall. Construction began on the wall, but stopped. The permit expired by its own terms on November 11, 2014. On January 27, 2015, an extension of the permit was granted until March 31, 2015.

Between January 2015 and November 10, 2015, the wall remained in a state of partial construction and the building permit expired. Photographs from April 13, 2015 to November 10, 2015 show the wall remained exactly the same during that time. On April 16, 2015, code enforcement issued an administrative citation in the amount of $100.00 for construction without a valid building permit under Norco Municipal Code Section 15.01.100. On June 9, 2015, a second administrative citation in the amount of $200.00 was issued for the same violation.

On June 23, 2015, the City Attorney sent a demand to abate a public nuisance, requesting that the wall be completed and a valid building permit obtained. On September 14, 2015, another demand was sent by the City Attorney, requesting that the wall be completed or removed from the Property. On September 30, 2015, the City Attorney granted a 30-day extension for compliance.

On November 16, 2015, the City Attorney noticed a hearing to declare the partially constructed wall a public nuisance and revoke the building permit. A hearing was held on November 30, 2015 in front of a hearing officer. The property owner, Miguel Askar, did not appear and the hearing officer found for the City.

On November 19, 2015, after the City Attorney noticed the hearing, construction began on the wall, but it was still unfinished at the time of the hearing. After the hearing, construction continued and the wall was completed on January 5, 2016. The wall has been approved by the building inspector and code enforcement has closed the file.

DISCUSSION: Throughout the abatement action, staff maintained an accounting of the City's recoverable costs which include code enforcement costs, unpaid administrative citations, and attorney fees. The costs are itemized in a report (Exhibit A to the attached Resolution). The City incurred $430.95 in costs from Code Enforcement, $300.00 in unpaid administrative citations, and $6,380.00 in attorney fees for a total amount of $7,110.95. The report was prepared by staff with assistance from the City Attorney and represents a true and correct accounting of all recoverable costs.

Pursuant to Norco Municipal Code Section 6.22.010, subdivision (a), the City can recover the costs to abate a public nuisance by keeping an itemized record of all costs and submitting a report of the costs to the City Council. The City Council sets the matter

for hearing to determine the correctness and reasonableness of the costs.[1] At the hearing, the City Council listens to all evidence and any objections to the costs and may make any revision, correction, or modification to the report.[2] Upon confirmation by the City Council that the itemized accounting is a true and accurate report of the actual and reasonable reimbursable costs incurred in abating the public nuisance, the City may recover those costs by imposing a special assessment lien to be recorded against the Property.[3]

The City Council's confirmation of the report would be effectuated by adopting the attached resolution (Attachment 1) which was prepared by the City Attorney. Under Norco Municipal Code Section 6.22.130, the total recoverable nuisance abatement costs, as confirmed by the City Council, will constitute a special assessment lien against the Property upon recordation by the County Recorder's Office. The special assessment lien will operate in two ways. First, the $7,110.95 assessment will be added to next year's secured tax roll, and the Property owner, Miguel Askar, must pay the assessment in two installments like ordinary property taxes. Should the Mr. Askar fail to pay the assessment, Mr. Askar will be subject to the same penalties imposed by the Riverside Tax Collector for failing to pay property taxes. Second, the special assessment will also serve as a lien on the Property which means Mr. Askar's lenders and any potential buyers of the Property will be put on notice that the City has recorded a special assessment against the Property in the amount of $7,110.95. This serves to protect the City in that the seller, buyer, or lender, should there be one, would be required to pay the lien in full as condition of the transfer of the Property, assuming the lien amount has not already been paid through the property tax assessment process.

FISCAL IMPACT: The $7,110.95 assessment will be added to next year's secured tax rolls to be collected by the Riverside County Tax Collector, and any amount the County collects will be remitted to the City.

ALTERNATIVES:

Alternative No. 1: Affirm the costs of abating the public nuisance at the Property by adopting the attached Resolution and at the conclusion of the public hearing, authorize the filing of a special assessment lien against the Property to enable the City to recoup its recoverable costs for the abatement.

Alternative No. 2: Revise, modify, or correct the costs of abating the public nuisance at the Property, adopt a modified version of the attached Resolution that reflects the changes made to the costs, and at the conclusion of the public hearing, authorize the filing of a special assessment lien against the Property to enable the City to recoup its recoverable costs for the abatement.

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[1] Norco Municipal Code Section 6.22.110, subdivision (b).
[2] Norco Municipal Code Section 6.22.120.
[3] Norco Municipal Code Section 6.22.130; Government Code Section 53069.4.

Alternative No. 3: Do not affirm the costs of abating the public nuisance at the Property and do not authorize the filing of a special assessment lien against the Property.

ATTORNEY REVIEW: The City Attorney's Office prepared this Council Action Request, Resolution, and Notice of Lien

RECOMMENDATION: Affirm the costs of abating the public nuisance at the Property by adopting the attached Resolution and at the conclusion of the public hearing, authorize the filing of a special assessment lien against the Property to enable the City to recoup its recoverable costs for the abatement.

Reviewed By:	Code Enforcement, Javier Rodriguez
Reviewed By:	Planning Director, Steve King
Approved By:	City Manager – Finance Director, Andy Okoro

Attachments: Resolution Confirming the Report of Costs Incurred (includes Exhibit A - itemized accounting of reimbursable costs incurred)
Notice of Lien

RESOLUTION NO. 2016-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO CONFIRMING THE COSTS TO ABATE THE PUBLIC NUISANCE AT THE PRIVATE PROPERTY LOCATED AT 3216 CORONA AVENUE IN THE CITY OF NORCO AND ORDERING THE COLLECTION OF COSTS AS A SPECIAL ASSESSMENT LIEN ON SUCH PROPERTY

WHEREAS, pursuant to Norco Municipal Code (NMC) Sections 6.22.020 and 6.22.030 and Government Code Sections 38773 and 38773.5, the City of Norco ("City") is authorized to commence nuisance abatement proceedings in the City;

WHEREAS, on November 30, 2015, an administrative hearing was held to revoke a building permit and declare the property located at 3216 Corona Avenue, Norco, California 92860, APN # 127-120-003 ("Property") a public nuisance and the administrative hearing officer found for the City; and

WHEREAS, the nuisance conditions at the Property were abated on January 5, 2016; and

WHEREAS, pursuant to NMC Section 6.22.110 and 6.22.130, the owner of the Property is liable to the City for all costs to abate the nuisances on the Property, including the administrative costs and attorney fees; and

WHEREAS, pursuant to the provisions of NMC 6.22.110, the City Attorney has submitted to the City Council an itemized report of costs incurred in the abatement action at the Property, which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the total cost to abate the nuisance on the Property includes code enforcement costs, unpaid administrative citations, and attorney fees incurred from the nuisance abatement action; and

WHEREAS, the City Council desires by this Resolution to place a special assessment and lien upon the Property to recover the City's nuisance abatement costs in this matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. Confirmation of Costs Incurred. In accordance with NMC Section 6.22.120, the City Council hereby confirms the itemized report attached as Exhibit "A" as the total cost to abate the public nuisance on the Property.

SECTION 3. Order of Special Assessment Lien. The City Council hereby finds and determines that the itemized report is a true and accurate report of the actual and reasonable costs incurred by the City in abating the public nuisance on the Property and the same are hereby charged and placed as a special assessment lien upon the Property pursuant to NMC Section 6.22.130 and Section 38773.5 of the Government Code.

SECTION 4. Transmittal to Auditor-Controller. The City Council hereby directs the City Manager to send a certified copy of this Resolution with the itemized report attached as Exhibit "A" to the Auditor-Controller of Riverside County for collection on the County tax roll. The special assessment shall be collected at the same time and in the same manner as ordinary property taxes are collected, and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ordinary municipal taxes.

SECTION 5. Service. The City Clerk shall serve the owner of the Property with a certified copy of this Resolution. Service shall be by registered or certified mail addressed to the last known address of the Property owner.

SECTION 6. Severability. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

SECTION 7. Effective Date. This Resolution shall become effective upon its adoption.

SECTION 8. Certification. The Mayor shall sign this Resolution and the City Clerk shall certify the adoption thereof.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Norco at a regular meeting held on April 6, 2016.

_____
Kevin Bash, Mayor
City of Norco, California

ATTEST:

_____
Cheryl L. Link, 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 adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on April 6, 2016 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 6, 2016.

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

Exhibit "A"
Itemized Report of Total Abatement Costs

CITY OF NORCO
CODE ENFORCEMENT DIVISION

TO: FINANCE
FROM: CODE ENFORCEMENT

DATE: 1/6/2016

PLEASE INVOICE: 3216 CORONA AVENUE, NORCO, CALIFORNIA, 92860

in the amount of: $ $430.95 for the following work: MUNICIPAL CODE VIOLATION CASE # 2015CE0093

The exact charges are listed below:

LABOR:		HOURS	x	HOURLY RATE	=	TOTAL COST
SR. CODE ENFORCEMENT OFC.	INVESTIGATION	3.75		$114.92		$430.95
		0		$0.00		$0.00
		0		$0.00		$0.00
		0		$0.00		$0.00
		0		$0.00		$0.00
					SUB TOTAL:	$430.95

EQUIPMENT:	HOURS			
	0	$0.00		$0.00
	0	$0.00		$0.00
	0	$0.00		$0.00
	0	$0.00		$0.00
	0	$0.00		$0.00
			SUB TOTAL:	$0.00

MATERIALS:	UNIT	QUANTITY	PRICE/UNIT	
		0	$0.00	$0.00
		0	$0.00	$0.00
		0	$0.00	$0.00
		0	$0.00	$0.00
		0	$0.00	$0.00
			SUB TOTAL:	$0.00

SUB TOTAL: $430.95

TOTAL COST: $ 430.95

BILLING PREPARED BY: JAVIER RODRIGUEZ

EXHIBIT A-1

CHRONOLOGICAL CASE HISTORY

ADDRESS OF VIOLATION: 3216 Corona Avenue, Norco, CA. 92860

PROPERTY OWNER: Miguel Guevara Askar **APN#127-120-003**

- 4/13/2015- This case was forwarded to Code Enforcement by the Building Department for an expired permit. Photos were taken and copies attached to this file. (30 min.)
- 4/16/2015 - The property owner was issued a citation (cite #02930) at the 1st level for one violation totaling $100.00. (15 min.)
- 6/9/2015- The property owner was issued a citation (cite #02967) at the 2nd level for one violation totaling $200.00. (15 min.)
- 6/24/15- City attorney sent a demand letter via certified mail to Abate a Public Nuisance. (10 min.)
- 11/10/15- A follow up inspection was done and observed the wall still incomplete and also observed a section of wall broken to give access to the gas meter. Photos taken. (20 min.)
- 11/12/15- An appeal hearing was set up through Dataticket for 11/30/15 @ 3pm at City Hall for Mr. Askar, requested by the City attorney. (20 min.)
- 11/16/15- The property was posted and also the property next door at 3192 Corona Avenue for Mr. Robert Was, was hand delivered a copy to advise of the hearing set up for 11/30/15 at City Hall. A proof of posting document was also created and sent to the City attorney. Photos were taken. (30 min.)
- 11/30/15- A follow up inspection was done prior to the hearing set up for later today. The wall is still incomplete. See photos. (20 min.)
- 11/30/15- hearing set up for today at 3pm, City Hall, with hearing Officer Julie Robbins of Dataticket. Mr. Askar did not show and the hearing was dismissed and decision was upheld in favor of the City. (15 min.)
- 12/1/15- The hearing results were mailed out certified mail to Mr. Askar by the hearing officer from Dataticket. (10 min.)
- 12/14/15- A follow up inspection was done to see the reported work being done to try to complete the wall. Photos were taken. (20 min.)
- 1/5/16 – A follow up inspection was done and observed that the wall was now completed, photos were taken, case closed. (20 min.)

CITY OF NORCO
ADMINISTRATIVE CITATION

CITATION NO. 02930
Case No. _____

DATE:	TIME:	DAY OF WEEK:
4-16-15	11:35 (AM) PM	THURSDAY

BUSINESS NAME:	TYPE:	LICENSE #:
—	—	—

NAME: (First, Middle, Last) ☒ Owner ☐ Tenant ☐ Other
MIGUEL GUEVARA ASKAE

RESIDENCE OR MAILING ADDRESS:
3216 CORONA AVE, NORCO, CA 92860

LOCATION OF VIOLATION:	STATE:	ZIP:
3216 CORONA AVE, NORCO	CA	92860

DL # OR STATE ID #:	STATE:	CLASS:	BIRTHDATE:
—	—	—	—

SEX:	HAIR:	EYES:	HEIGHT:	WEIGHT:
— M F	—	—	—	—

NORCO MUNICIPAL CODE VIOLATION

		1ST PENALTY $100.00	2ND PENALTY $200.00	3RD PENALTY $500.00
6.12.130(6)	Leash Law			
6.45.040	Excess Manure			
Title 18	Excessive Animal Units [Section 18._____]			
6.22.010	Public Nuisance Violation (Sect. A-Q) [ ][ ][ ]			
18.37.08(B)	Prohibited Signs (Sect. 1-13) [ ][ ]			
5.32.020	Yard Sale Permit Required			
5.04.060	Business License Required			
5.16.010(a)	Solicitors Permit Required			
6.48.030	Illegal Dumping (Rubbish)			
15.09.210	Nuisance Alarm			
9.04.030	Curfew Violations ○ 14&Under 10pm-6am ○ 15&16 11pm-6am ○ 17 12am-6am			
9.06.020 9.06.030	Drinking Alcohol Beverage in Public ○ On Public Property ○ On Private Property (open to public)			
9.56.030	Equine Animal Rider Under 18 Must Wear Helmet			
9.10.030	Social Host – Alcohol Served to, Consumed or Possessed by Underage Person			
OTHER:				
15.01.060(105.1.1)	Building Permit Required	✓		
	Administrative Fee			

OFFICERS SIGNATURE	BADGE #	Due within 20 Days
RODRIGUEZ	219	

RECEIVED BY:	TOTAL PENALTY
U.S. MAIL	$ 100.—

OFFICER – White DEFENDANT – Yellow AGENCY - Manila

EXHIBIT A-3

CITY of NORCO

CITY HALL • 2870 CLARK AVENUE • NORCO CA 92860 • (951) 735-3900 • FAX (951) 270-5622

APN: 127-120-003
Re: **3216 CORONA AVENUE**
ADMINISTRATIVE CITATION LEVEL 1

April 16, 2015

Miguel Guevara Askar
3216 Corona Avenue
Norco, CA. 92860

Dear property owners,

This letter and accompanying Administrative Citation is the latest attempt by the City of Norco to achieve compliance with the laws and ordinances of this City. As a result, you have been issued an Administrative Citation for the following violation(s):

15.01.060 Amendment—Section 105.1.1.
Section 105.1.1 is amended in its entirety to read as follows:
105.1.1 Permits Required. No person, firm or corporation shall erect, re-erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or other structure in the city, without obtaining a valid building permit prior to commencement of any work.

If you have any questions regarding this notice or the violations, please contact me at **(951) 270-5688**. If the City does not receive compliance within 7 days of this issued citation, continued Administrative Citations may be issued, and all fees incurred by the City may be assessed against your property as a lien.

Respectfully,

Javier Rodriguez
Sr. Code Compliance Officer

CITY COUNCIL

HERB HIGGINS, Mayor | KEVIN BASH, Mayor Pro Tem | KATHY AZEVEDO, Council Member | BERWIN HANNA, Council Member | GREG NEWTON, Council Member

EXHIBIT A-4

CITY OF NORCO
ADMINISTRATIVE CITATION

CITATION NO. 02967
Case No. _____

DATE:	TIME:	DAY OF WEEK:
6/9/15	3:30 AM PM	TUESDAY

BUSINESS NAME:	TYPE:	LICENSE #:
—	—	—

NAME: (First, Middle, Last) ☒ Owner ☐ Tenant ☐ Other
MIGUEL GUEVARA ASKAR

RESIDENCE OR MAILING ADDRESS:
3216 CORONA AVE, NORCO, CA 92860

LOCATION OF VIOLATION:	STATE:	ZIP:
3216 CORONA AVE, NORCO	CA	92860

DL # OR STATE ID #:	STATE:	CLASS:	BIRTHDATE:
—	—	—	—

SEX:	HAIR:	EYES:	HEIGHT:	WEIGHT:
M F —	—	—	—	—

NORCO MUNICIPAL CODE VIOLATION

		1ST PENALTY $100.00	2ND PENALTY $200.00	3RD PENALTY $500.00
6.12.130(6)	Leash Law			
6.45.040	Excess Manure			
Title 18	Excessive Animal Units [Section 18.___.___]			
6.22.010	Public Nuisance Violation (Sect. A-Q) [ ][ ][ ]			
18.37.08(B)	Prohibited Signs (Sect. 1-13) [ ][ ]			
5.32.020	Yard Sale Permit Required			
5.04.060	Business License Required			
5.16.010(a)	Solicitors Permit Required			
6.48.030	Illegal Dumping (Rubbish)			
15.09.210	Nuisance Alarm			
9.04.030	Curfew Violations ○ 14&Under 10pm-6am ○ 15&16 11pm-6am ○ 17 12am-6am			
9.06.020 9.06.030	Drinking Alcohol Beverage in Public ○ On Public Property ○ On Private Property (open to public)			
9.56.030	Equine Animal Rider Under 18 Must Wear Helmet			
9.10.030	Social Host – Alcohol Served to, Consumed or Possessed by Underage Person			
OTHER:				
15.01.060(105.1.1)	Building Permit Required		✓	
	Administrative Fee			

OFFICERS SIGNATURE	BADGE #	Due within 20 Days
RODRIGUEZ	219	

RECEIVED BY:	TOTAL PENALTY
U.S. mail	$ 200.00

OFFICER – White DEFENDANT – Yellow AGENCY - Manila

EXHIBIT A-5

CITY of NORCO

CITY HALL • 2870 CLARK AVENUE • NORCO CA 92860 • (951) 735-3900 • FAX (951) 270-5622

APN: 127-120-003
Re: **3216 CORONA AVENUE**
ADMINISTRATIVE CITATION LEVEL 2

June 9, 2015

Miguel Guevara Askar
3216 Corona Avenue
Norco, CA. 92860

Dear property owners,

This letter and accompanying Administrative Citation is the latest attempt by the City of Norco to achieve compliance with the laws and ordinances of this City. As a result, you have been issued an Administrative Citation for the following violation(s):

15.01.060 Amendment—Section 105.1.1.
Section 105.1.1 is amended in its entirety to read as follows:
105.1.1 Permits Required. No person, firm or corporation shall erect, re-erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or other structure in the city, without obtaining a valid building permit prior to commencement of any work.

If you have any questions regarding this notice or the violations, please contact me at **(951) 270-5688**. If the City does not receive compliance within 7 days of this issued citation, continued Administrative Citations may be issued, and all fees incurred by the City may be assessed against your property as a lien.

Respectfully,

Javier Rodriguez
Sr. Code Compliance Officer

CITY COUNCIL

HERB HIGGINS, Mayor | KEVIN BASH, Mayor Pro Tem | KATHY AZEVEDO, Council Member | BERWIN HANNA, Council Member | GREG NEWTON, Council Member

LAW OFFICES OF
HARPER & BURNS LLP
A LIMITED LIABILITY PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

JOHN R. HARPER*

ALAN R. BURNS
COLIN R. BURNS
ALEX M. HALFMAN

453 SOUTH GLASSELL STREET
ORANGE, CALIFORNIA 92866

TELEPHONE (714) 771-7728
FACSIMILE (714) 744-3350

jrharper@harperburns.com

*A PROFESSIONAL CORPORATION

ASKAR STATEMENT
(3216 Corona Avenue)

Research and analyze of Norco Building Codes and case law and property rights regarding building permits and expired building permits, (8/28/15).	3.00
Research and analyze case law regarding when a building permit becomes a vested right, (8/31/15).	1.50
research and analyze Norco Municipal Code for nuisance per se violations; research and analyze case law regarding abandonment of vested rights in a building permit, (9/2/15).	3.50
Revise status update to Norco City Council regarding this case, (9/3/15).	.25
Prepare letter regarding demand for a response regarding plans for construction of the wall, (9/18/15).	1.00
Email code enforcement officer regarding finalizing a new address for property owner, (9/30/15).	.25
Email code enforcement officer regarding property ownership of 3216 Corona Avenue plus thirty (30) day extension; telephone call with R. Wade regarding property ownership, (10/1/15).	.25
Telephone call with code enforcement officer; email code enforcement officer regarding property and ownership of 3216 Corona Avenue plus thirty (30) day extension; telephone call with R.Wade regarding property ownership, (11/1/15).	.50
Prepare email to code enforcement officer and review responses regarding status of fence, (11/2/15).	.25
Research building permits expiration cases regarding incomplete fence, (11/3/15).	.75
Research and analyze procedure for administrative hearing and comply with due process; review pictures taken by code enforcement of current condition of fence and compare to pictures taken in past, (11/10/15).	3.00
Research and analyze Norco Municipal Code 6.22.00 et. seq., regarding public nuisance hearing procedure and nuisance violation; prepare a notice of hearing; prepare brief in support of order to revoke building permit and	5.00

declare fence a public nuisance; telephone call with code enforcement officer Rodriguez, regarding an administrative hearing; review and respond to email from Code Enforcement Officer Rodriguez regarding notice of nuisance hearing and date ticket, (11/12/15).	
Revise and finalize notice of hearing; prepare proof of posting for Code Enforcement Officer; prepare email to and revise response from Code Enforcement Officer regarding address for posting notice of hearing; (11/16/15).	1.25
Telephone call with interested property owner regarding construction of finishing fence; email Code Enforcement Officer regarding attempted completion of fence and follow-up with property in one week, (11/19/15).	.50
Telephone call and prepare email to Code Enforcement Officer regarding status of fence, (11/23/15).	.25
Telephone call with Assistant City Manager regarding fence completion; (11/24/15).	.25
Prepare case for November 30th administrative hearing and research and analyze notice requirement of due process, (11/25/15).	3.25
Telephone call and follow-up telephone call with parks and recreation executive assistant regarding status of fence; review evidence and correspondence issue for administrative hearing; meet with code enforcement officer to prepare for hearing; final preparation for hearing; review administrative order, attend hearing; telephone call with building inspector regarding possible code violation due to a gas meter in the middle of a fence, (11/30/15).	5.75
Telephone call with Robert Was regarding construction of fence and moving gas meter by gas company, (12/4/15).	.25
Review and analyze administrative decision from hearing officer, (12/8/15).	.25
Review file; prepare memorandum regarding case status to City Council, (12/10/15).	.25

Harper & Burns LLP | 453 South Glassell Street, Orange, California 92866 | Telephone (714) 771-7728 | Facsimile (714) 744-3350 | www.harperburns.com

EXHIBIT A-8

ASKAR STATEMENT
(3216 Corona Avenue, pg. 3)

Research and analyze regarding procedure for obtaining attorney fees and code enforcement costs; email code enforcement regarding itemized bill to code enforcement costs, (12/14/15).	.25
Research and analyze regarding procedure for obtaining posts of nuisance abatement, (1/26/16)	.50
Gather evidence of costs incurred by abating the public nuisance at the Property; Prepare staff report to City Council for hearing re affirming costs to abate the public nuisance at the property; Research and analyze re creating a lien pursuant to Government Code Section 53069.4 and Norco Municipal Code Section 6.22.010 *et seq*. (3/10/16)	3.0
Prepare memo re status update of case. (3/19/16)	.5
Revise staff report to City Council regarding report of costs incurred abating a public nuisance at the Property; Prepare resolution confirming costs of abating a public nuisance at the Property; Prepare notice of lien. (3/21/2016).	5.50
Research and analyze re procedure for imposing abatement cost liens and special assessments under the Government Code and Norco Municipal Code; Research and analyze notice requirements under Norco Municipal Code for hearing re confirmation of costs and imposing a special assessment; Revise and finalize resolution confirming costs to abate a public nuisance at the property and imposing a special assessment; Revise and finalize Council action request re confirmation of costs to abate a public nuisance at the property and impose a special assessment; Prepare notice of hearing.	3.00
TOTAL HOURS:	44.00
@$145.00 per hour:	
TOTAL AMOUNT DUE:	$6,380.00

Harper & Burns LLP | 453 South Glassell Street, Orange, California 92866 | Telephone (714) 771-7728 | Facsimile (714) 744-3350 | www.harperburns.com

EXHIBIT A-9

NOTICE OF LIEN.

(Claim of City of Norco).

Pursuant to the authority vested by the provisions of Sections 6.22.010 et seq., of the Norco Municipal Code, the City Manager of the City of Norco (or his designated agents) did, on or about the November 30, 2015 cause the premises hereinafter described to be rehabilitated, or the building or structure on the property hereinafter described to be repaired or demolished, in order to abate a public nuisance on said real property; and the City Council of the City of Norco did, on the 6th day of April, 2016, access the cost of such rehabilitation, repair or demolition upon said real property hereinafter described; and the same has not been paid nor any part thereof; and that said City of Norco does hereby claim a lien on such rehabilitation, repair or demolition in the amount of said assessment, to wit: the sum of $_____; and the same shall be a lien upon said real property until the same has been paid in full and discharge of record.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Norco, County of Riverside, State of California, and more particularly described as follows:

3216 Corona Avenue, Norco, California 92860, APN #127-120-003

DATED: This 6th day of April, 2016.

(Acknowledgement)

_____

Andy Okoro
City Manager
City of Norco

CITY OF NORCO
STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager

PREPARED BY: Alma Robles, Senior Planner

DATE: April 6, 2016

SUBJECT: **Appeal Hearing: Conditional Use Permit 2014-33 (Core/Verizon Wireless):** An appeal of the Planning Commission's approval of a request to allow the installation of an unmanned wireless telecommunication facility at 3659 Corona Avenue located within the A-1-20 (Agricultural Low-Density) Zone.

SUMMARY: The request for Conditional Use Permit (CUP) 2014-33 was approved by the Planning Commission on March 9, 2016, but that decision has been appealed to the City Council based on concerns of radio frequency (RF) emissions. It needs to be noted that telecommunication facilities are regulated by the Federal Communications Commission and that Section 704 of the Telecommunications Act prohibits a local government from regulating "the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of RF emissions to the extent that such facilities comply with FCC regulations concerning such emissions."

PROPERTY DESCRIPTION: The project site is located at 3659 Corona Avenue and is a rectangular-shaped area consisting of about 2.34 acres/101,929 square feet. The site has a frontage of about 165 feet on the east side of Corona Avenue, and a maximum depth of about 612 feet (ref. Exhibit "A" – Location Map and Exhibit "B" – APN Map). There is an existing church on the property and it is surrounded by existing residential development on all sides in the A-2-20 zone.

PROJECT DESCRIPTION: The project is the installation of two unmanned wireless telecommunication facilities on the subject property (ref. Exhibit "D" – Site Plan, Building Elevations and Project Details) within an existing tower feature of the church (to be raised) plus an additional tower feature on the opposite corner of the building for an additional telecommunication facility. Both towers would be 35 feet tall and would match the architecture of the church building
(ref. Exhibit "E" – Photo Simulations).

Associated equipment is proposed on the ground behind the church building (on the east side), within a leased area consisting of about 888 square feet. All of the equipment is proposed to be secured within a seven-foot tall block wall enclosure (293 square feet) with a stucco finish to match the existing church building. The proposed wireless facilities are both

unmanned and maintenance personnel will visit the site every four to six weeks to ensure the site is functioning properly and being maintained.

ANALYSIS: The subject property is located in the A-1-20 Zone. The Norco Municipal Code (NMC) makes provision to allow building mounted telecommunications facilities in an A-1 (residential) Zone, subject to the approval of a conditional use permit.

When reviewing building mounted antennas, the following is required to be analyzed per the Chapter 18.57 – Wireless Telecommunication Facility Regulations, in the NMC:

- **Antennas and the equipment rooms must comply with the regulations of the underlying zone.** The property is located within the A-1-20 Zone. Upon development, the church use was found to be in compliance with all required development standards (i.e., setbacks, building height, lot coverage, etc.). For this project, it would need to be determined if the proposed height of the towers and the associated ground mounted equipment within the block wall enclosure meet pertinent development standards discussed below.

  Both towers will not exceed the maximum height of 35 feet allowed in the A-1 Zone. Setbacks and lot coverage do not apply to the towers since they are on an existing building.

  The maximum height of a solid wall outside of the front setback area in an A-1 Zone is six feet. The proposed block wall enclosure around the equipment is proposed at a height of seven feet which exceeds the maximum height, but was approved at the by the Planning Commission since the height will adequately screen the equipment. The south side of the block wall enclosure is proposed up to the south property line, but a minimum setback is not required for walls. Furthermore, building setbacks and lot coverage do not apply to the equipment or enclosure since they are not structures with a roof.

- **Building/Roof mounted antennas in residential and agricultural zones shall be allowed only on structures not used for residential purposes, such as churches, schools, park structures, and water tanks, and shall not be permitted on any residential building.** The project complies with this requirement being that the project site is developed with a church land use and the antennas will be on the church building.

- **The total height of the building and the antenna shall not exceed the height limit of the underlying zone. Antenna exceeding the allowed height limit shall be required to obtain a variance**. Both tower elements will not exceed the maximum height of 35 feet allowed in the A-1 Zone.

- **Building mounted antennas must be screened from adjacent properties and adjacent public rights-of-way. The screening may include parapets, walls, or**

similar architectural elements provided that it is painted and textured to integrate with the architecture of the building. The proposed antennas will be completely screened within the walls of the towers and therefore not visible to adjacent properties and adjacent public rights-of-way.

- **The associated equipment rooms may be located in either an interior space in the existing building or in an attached or detached exterior building. Exterior equipment buildings constructed on premises shall be architecturally similar to the existing building and screened.** The intent of this requirement is to ensure that the equipment is screened from public view. The associated equipment is proposed on the ground and behind the church building on the east side, and will be screened within a seven-foot tall block wall enclosure. For architectural compatibility, the wall will be finished with stucco to match the existing church building. The equipment enclosure is not a building with a roof, but the Planning Commission approved the enclosure since it was compatible with the building.

The Federal Communications Commission (FCC) regulates Radio Frequency (RF) emissions from wireless facilities to ensure public safety. Verizon Wireless performed a RF compliance pre-construction evaluation for the project and based on the results of the evaluation, will be compliant with FCC guidelines (ref. Exhibit "F" – FCC Compliance Letter and Exhibit "G" – Radio Frequency Exposure Pre-Installation FCC Compliance Assessment).

Environmental Review: The project has been determined by staff to be exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines pursuant to Class 32 (Infill Development Projects).

As proposed, and approved by the Planning Commission, the project meets the requirements of the underlying zone and the requirements of building-mounted antennas. The project was approved on a 2-1-1 vote (Commissioner Rigler voted no and Vice Chair Leonard abstained since he was the contractor that constructed the church building on the project site) (ref. Exhibit "H" – Planning Commission Approval Resolution 2016-09 and Exhibit "I" – Planning Commission Excerpt, Regular Meeting March 9, 2016). Commissioner Rigler voted no due to his concerns over RF emissions in a residential area.

Maps showing the improvement in wireless coverage were provided to the Planning Commission, and have also been included for review by the Council (ref. Exhibit "J" – Coverage Maps). The green areas on the maps represent optimal wireless coverage. Page One shows existing coverage with an existing wireless facility at the Maverick's Steak House (Identified as Pedley on the Map), but without the proposed facility. Page Two shows improved coverage by adding the proposed facility (identified as Road Apple on the Map). Page three shows coverage with only the proposed facility. The proposed project is going to cover the area from Corona Avenue east to Hillside Avenue and from Fifth Street north to Sixth Street.

If the City Council chooses to uphold the decision of the Planning Commission then a roll call vote is all that is needed. If the City Council chooses to approve the request but change conditions then a new resolution needs to be adopted. A resolution for approval with the same conditions approved by the Planning Commission is attached to incorporate any changes by the City Council. If the City Council chooses to overturn the action of the Planning Commission and thereby deny Conditional Use Permit 2014-33, then a Resolution for denial is also attached.

Attachments:

Resolution No. 2016-16 (for approval)
Resolution No. 2016-17 (for denial)
Exhibit "A" – Location Map
Exhibit "B" – APN Map
Exhibit "C" – Aerial and Site Photos
Exhibit "D" – Site Plan, Building Elevations and Project Details
Exhibit "E" – Photo Simulations
Exhibit "F" – FCC Compliance Letter
Exhibit "G" – Radio Frequency Exposure Pre-Installation FCC Compliance Assessment
Exhibit "H" – Planning Commission Approval Resolution 2016-09
Exhibit "I" – Planning Commission Excerpt, Regular Meeting March 9, 2016
Exhibit "J" – coverage Maps

RESOLUTION NO. 2016-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF AN UNMANNED WIRELESS TELECOMMUNICATION FACILITY AT 3659 CORONA AVENUE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW-DENSITY) ZONE. CONDITIONAL USE PERMIT 2014-33

WHEREAS, VERIZON WIRELESS/CORE 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 on property generally described as:

The Northerly 82.50 feet of the Westerly 330.0 feet of Lot 7, Block 34, of Norco Farms Tract No. 1, in the City of Norco, County of Riverside, State of California, as per Map recorded in Book 11, Page 3 of Maps, in the Office of the County Recorder of said County (APN 131-260-008),

The Northerly 165.00 feet of Lot 7, Block 34, Norco Farms Tract No. 1, in the City of Norco, County of Riverside, State of California, as per map recorded in Book 11, Page 3, of Maps, in the Office of the County Recorder of said County (APN 131-260-037),

Except the Northerly 82½ feet of the Westerly 330.00 feet thereof; also except that portion granted to Riverside County Flood Control and Water Conservation District recorded February 14, 1986 as Instrument No. 36028 of Official Records,

More generally described as a rectangular-shaped area of about 2.34 acres, having a frontage of about 165 feet on the east side of Corona Avenue, having an maximum lot depth of about 612 feet and being further identified as 3659 Corona Avenue, (Assessor's Parcel Numbers 131-260-008 and 037); and

WHEREAS, at the time set, at 7 p.m. on March 9, 2016 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, on March 9, 2016 the Planning Commission approved Conditional Use Permit 2014-33; and

WHEREAS, said approval was appealed by the City Council of the City of Norco and scheduled for a public hearing before the City Council on April 6, 2016 ; and

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

WHEREAS, at the time set, at 7 p.m. on April 6, 2016 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said appeal 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 pertaining to said application; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is exempt from environmental assessment.

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

A. The requested conditional use permit will not adversely affect the General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof, by reason that the Norco General Plan has designated the site as Residential Agricultural, and the A-1-20 zoning designation of the site is consistent with the General Plan. The nature of the proposed land use is conditionally permitted in the zone and subject to conditions. The use can be operated in a manner so as to be consistent with surrounding uses and will therefore not have any significant effects. The land use is passive and will not create any noticeable traffic, noise, induce growth, or impact facilities in any way.

B. The requested use will not adversely affect the adjoining land uses and the growth and development of the area given that the proposed wireless telecommunication facility will not change the existing church use on the site. The proposed improvements will not inhibit or induce growth or development on any of the adjacent properties. The proposed facility will not create any other environmental impacts to the adjacent properties. The land use, when operated in compliance with the conditions of approval, will be compatible with surrounding properties and therefore will not have an adverse effect on adjoining properties.

C. The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area, as the proposed project meets applicable development standards. The facility as conditioned and designed will minimize potential visual impacts.

D. The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area. The subject wireless facility is

unmanned, with maintenance personnel only visiting the site every four to six weeks to ensure the site is functioning properly and being maintained.

E. The City has determined that the project is categorically exempt from environmental assessment and the provisions of the Norco Environmental Guidelines pursuant to Class 32 (Infill Development Projects).

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

SECTION 1: the City Council of the City of Norco, California, in session assembled April 6, 2016 has determined that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "D" – Site Plan, Building Elevations and Project Details dated and Exhibit "E" – Photo Simulations dated March 3, 2016 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.

2. The applicant or recorded owner of the property shall submit to the Planning Division, for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.

3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.

4. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.

5. The subject use shall be conducted in accordance with the approved plans and stipulations, on file in the Norco Planning Division.

6. This is not approval to begin work. The applicant shall apply and obtain all necessary permits from the Building Division and pay all applicable City of Norco fees prior to issuance of any permits.

7. Plans submitted to the Building Division shall include but not be limited to: a complete construction submittal for all aspects of the project, complete structural

design including analysis of existing structure supporting loads from new construction, and complete electrical plans and specifications.

8. The telecommunications facility approved with this resolution consists of the installation of antennas inside the tower (that will be raised to a maximum height of 35) of the existing church building, the installation of antennas inside a second tower that will be added at the rear, southeast corner of the church building, and the required support equipment on the ground.

9. The outside of the walls of the towers/cupolas that will be raised and added to all allow the transmission of radio signals from the antennas, shall consist of colors, patterns and textures that match the existing building.

10. The applicant shall be responsible for obtaining a legal agreement for access to the site and/or subject leased areas.

11. All lease and usage agreement details are between the applicant, property owner, and the owner of the existing telecommunications facility; however, they shall in no way violate the conditions of this approval.

12. It is hereby established that it shall be grounds for revocation of this conditional use permit if the permittee, his agent or assigns, or employee(s) of his establishment, or any person who is exercising managerial authority of the business establishment has:

A. Violated any rule, regulation of condition of approval adopted by the Planning Commission relating to the conditional use permit; or

B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.

13. Any future modification/co-location on the subject telecommunication facility shall be reviewed and approved by the Planning Division, but may also require approval by the Planning Commission at the discretion of Planning Staff.

14. All cables, condensers and any other equipment proposed on the roof shall not extend past the height of the existing building parapet wall. All cables, electrical and power shall be underground and vertical cables on the building shall be shrouded.

15. This project shall only be served by underground utilities. All utility locations shall be incorporated into the public improvements plans and shall be prepared

on standard size sheets by a registered civil engineer for approval by the City Engineer. A plan check deposit per sheet shall be posted prior to checking and standard fees paid prior to plan approval.

16. A City of Norco Public Works encroachment permit shall be taken out for all work in the public right-of-way prior to the start of work. All work shall be done in accordance with, City Standards, and/or otherwise specified to the satisfaction of the City Engineer and completed prior to certificate of occupancy.

17. Ground level equipment shall not extend above the walls of the equipment enclosure approved with the project.

18. The applicant shall meet all standards, requirements and conditions of the Planning, Engineering/Public Works, Building and Safety Divisions, the Fire Department, and all other applicable departments and agencies.

19. Any stop work order caused by failure to make application for building permits with the City of Norco will cause a revocation hearing to be agendized at the next regularly scheduled meeting of the Planning Commission.

20. No construction activity work shall be permitted before 7 a.m. or after 6 p.m. or on Saturdays, Sundays or holidays without prior written approval from the City.

21. Access to the equipment and antennas shall be locked and secured.

22. The equipment enclosure must be graffiti coated and maintained graffiti free/clean by the applicant.

23. The owner of the antennas shall obtain a City of Norco business license and pay all applicable business license fees.

24. The wireless communication provider shall abide by all the requirements Federal Communications Commission (FCC).

25. The owner/operator of the business, regardless of any changes in ownership, shall provide a self-audit of compliance with the conditions of approval to the Planning Commission on a form or in a manner determined by the Planning Division, and inclusive of the payment of any fees as may be set by the City Council. Said report shall demonstrate that the project is in compliance with all the conditions of approval and shall be submitted for review no later than six months from the approval date of said project and/or after the project is built and finaled by the Building Division, and then by December 31 of every year from date of approval thereafter. The owner/operator shall be responsible for all staff and attorney fees that may be incurred in the enforcement of the terms of the

conditions of approval, whether they are annual inspections or compliance hearings.

26. The underground coax/power conduit or any other cables along the south property line shall not be installed on top of the 15 inch storm drain pipe in that same area, unless approved by the Engineering Division

27. The Verizon access easement shall not extend into the public right-of way which includes the horse trail.

SECTION 2: EFFECTIVE DATE. This resolution shall become effective upon approval by the City Council of the City of Norco.

APPROVED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on April 6, 2016.

_____
Kevin Bash, Mayor
City of Norco, California

ATTEST:

_____
Cheryl L. Link, 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 adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on April 6, 2016 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 6, 2016.

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

RESOLUTION NO. 2016-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO CALIFORNIA, DENYING A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF AN UNMANNED WIRELESS TELECOMMUNICATION FACILITY AT 3659 CORONA AVENUE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW-DENSITY) ZONE. CONDITIONAL USE PERMIT 2014-33

WHEREAS, VERIZON WIRELESS/CORE 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 on property generally described as:

The Northerly 82.50 feet of the Westerly 330.0 feet of Lot 7, Block 34, of Norco Farms Tract No. 1, in the City of Norco, County of Riverside, State of California, as per Map recorded in Book 11, Page 3 of Maps, in the Office of the County Recorder of said County (APN 131-260-008),

The Northerly 165.00 feet of Lot 7, Block 34, Norco Farms Tract No. 1, in the City of Norco, County of Riverside, State of California, as per map recorded in Book 11, Page 3, of Maps, in the Office of the County Recorder of said County (APN 131-260-037),

Except the Northerly 82½ feet of the Westerly 330.00 feet thereof; also except that portion granted to Riverside County Flood Control and Water Conservation District recorded February 14, 1986 as Instrument No. 36028 of Official Records,

More generally described as a rectangular-shaped area of about 2.34 acres, having a frontage of about 165 feet on the east side of Corona Avenue, having an maximum lot depth of about 612 feet and being further identified as 3659 Corona Avenue, (Assessor's Parcel Numbers 131-260-008 and 037); and

WHEREAS, at the time set, at 7 p.m. on March 9, 2016 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 pertaining to said application; and

WHEREAS, said Planning Commission approved Conditional Use Permit 2014-33; and

WHEREAS, said approval was appealed to the City Council of the City of Norco and was scheduled for a public hearing before the City Council on April 6, 2015; and

WHEREAS, notice of a 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 April 6, 2016 within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said appeal was heard by the City Council for the City of Norco; and

WHEREAS, at said time and place set, said City Council considered both oral and written evidence pertaining to said application; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the proposed project is exempt from environmental assessment.

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

A. The requested Conditional Use Permit will adversely affect the general welfare of persons residing or working in the neighborhood thereof.

B. The requested use will adversely affect the adjoining land uses.

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

SECTION 1: the City Council of the City of Norco, California, in session assembled April 6, 2016 has determined that the aforesaid application for a conditional use permit is denied.

SECTION 2: EFFECTIVE DATE. This resolution shall become effective upon approval for denial of the project by the City Council of the City of Norco.

APPROVED AND ADOPTED by the City Council at a regular meeting held on April 6, 2016.

_____
Kevin Bash, Mayor
City of Norco, California

ATTEST:

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

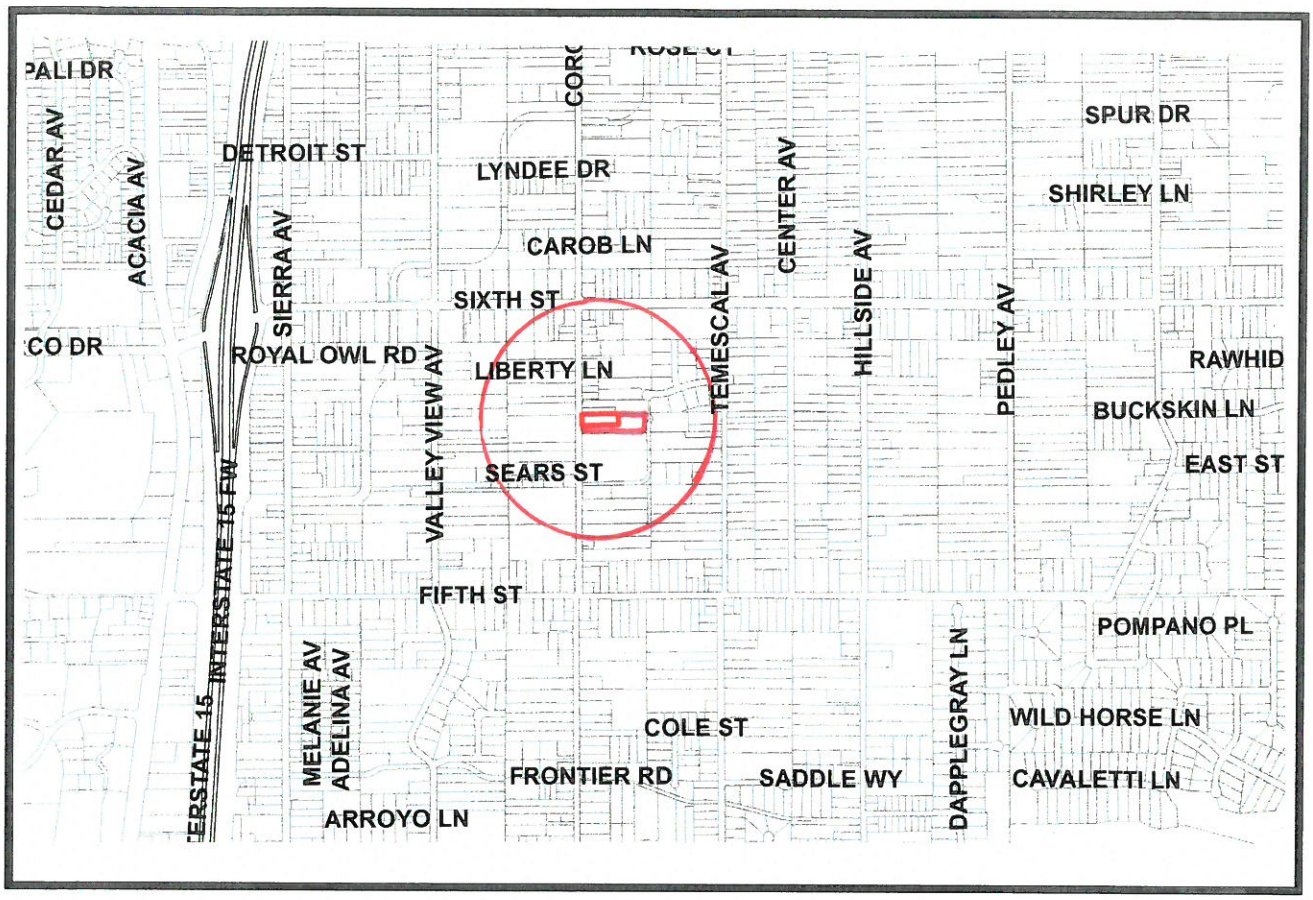
I, CHERYL L. LINK, City Clerk of the City of Norco, California, do hereby certify that the foregoing Resolution was adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on April 6, 2016 by the following vote of the City Council:

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 6, 2016.

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

LOCATION MAP



Not to Scale

N

PROJECT:	Conditional Use Permit 2014-33
APPLICANT:	Core/Verizon Wireless
LOCATION:	3659 Corona Avenue

Exhibit "A"

ASSESSOR'S PARCEL MAP

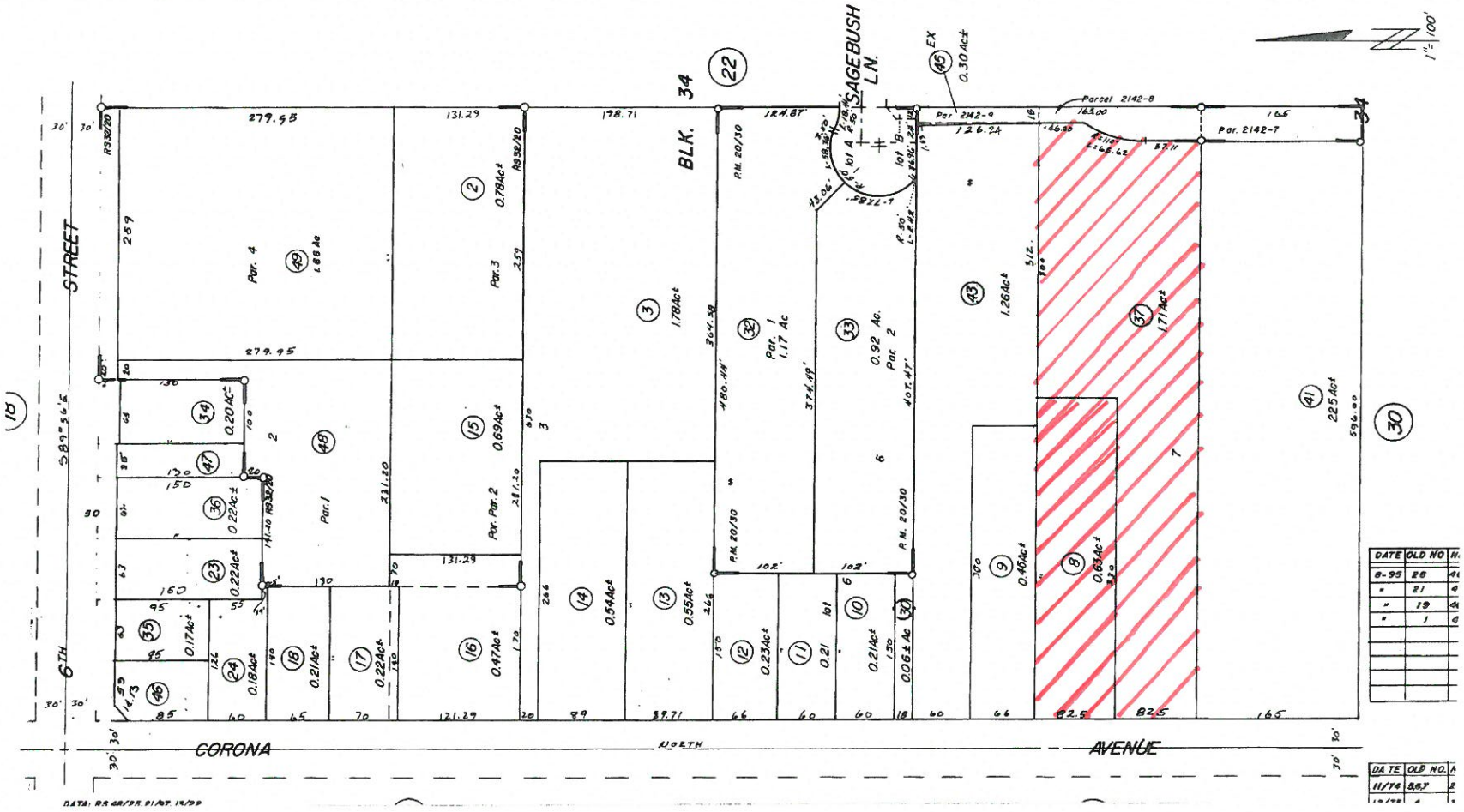


Exhibit "B"

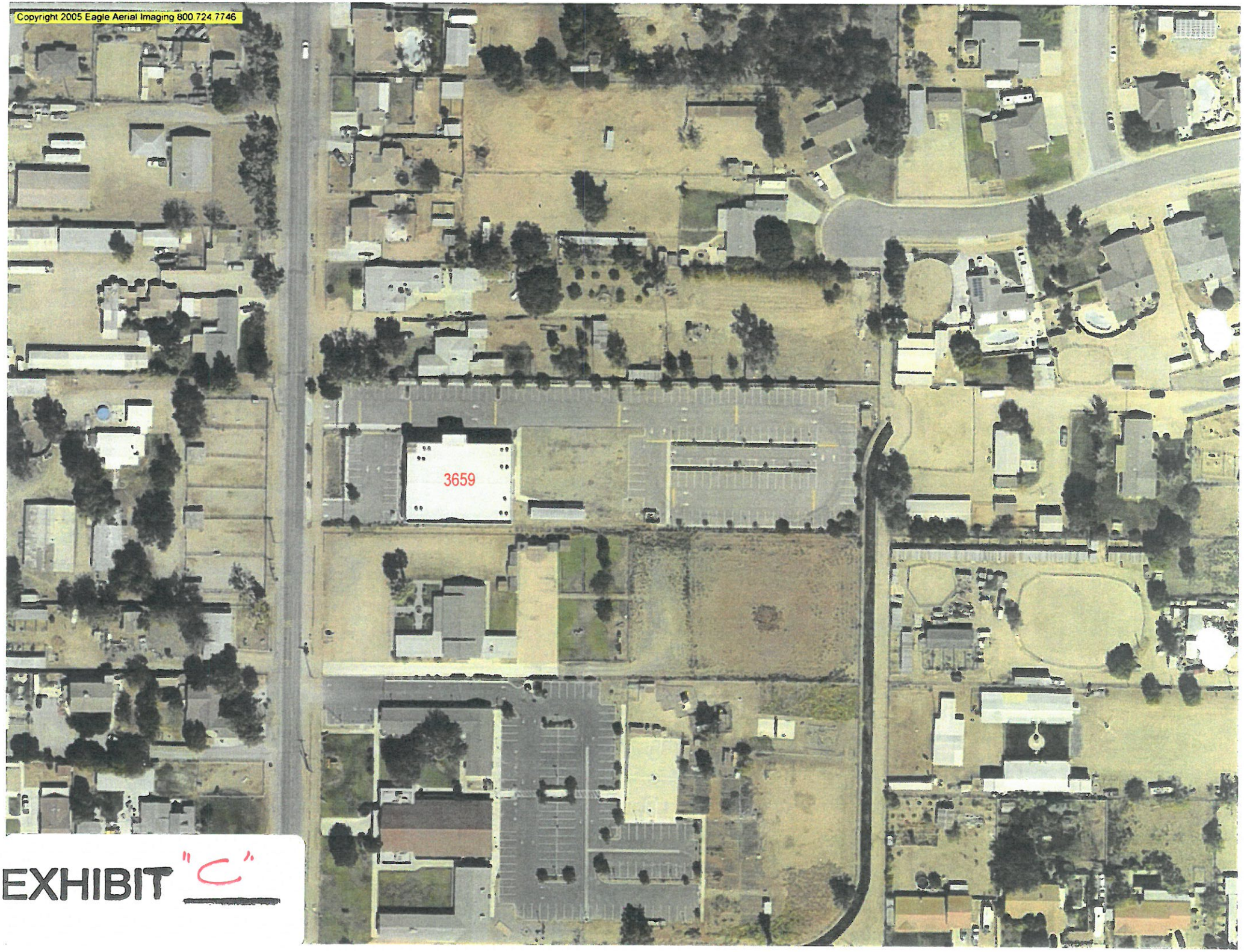


EXHIBIT "C"

PHOTOS

EXHIBIT "C"

ROAD APPLE

3659 CORONA AVE.
NORCO, CA 92860

EXHIBIT "D"
3-3-16

OVERALL BUILDING HEIGHT 35ft

PROJECT TEAM

SITE ACQUISITION
CORE
2749 SATURN ST
BREA, CA 92821
CONTACT: HANNAH LEE (LM)
TELEPHONE: (714) 986-6372

PLANNING
CORE
2749 SATURN ST
BREA, CA 92821
CONTACT: ELAINE YANG
TELEPHONE: (714) 0054

ARCHITECT:
SAC WIRELESS, LLC.
NESTOR POPOWYCH, AIA
5015 SHOREHAM PLACE
SAN DIEGO, CA 92112
CONTACT: JULIAN BRIANO
TELEPHONE: (619) 736-3766
FAX: (619) 736-3721

SURVEYOR:
BERT HAZE AND ASSOCIATES, INC.
3188 AIRWAY AVENUE, STE K1
COSTA MESA, CA 92626
TELEPHONE: (714) 557-1567

UTILITY COORDINATOR:
VINCULUMS SERVICES, INC.
CONTACT: SCOTT CLOUGH
TELEPHONE: (949) 633-6351

VERIZON WIRELESS SIGNATURE BLOCK

DISCIPLINE:	SIGNATURE:	DATE:
RE VENDOR:		
A&E VENDOR:		
A&E COORDINATOR:		
UTILITY VENDOR:		
RF:		
RE:		
CE:		
EE:		
TRANSPORT:		

PROJECT DESCRIPTION

THIS PROJECT IS A VERIZON WIRELESS UNMANNED TELECOMMUNICATION WIRELESS FACILITY. IT WILL CONSIST OF THE FOLLOWING:

- NEW VERIZON WIRELESS 24'-0" x 37'-0" LEASE AREA
- NEW VERIZON WIRELESS 7'-0" HIGH CMU WALL
- (1) NEW VERIZON WIRELESS DC GENERATOR
- (1) NEW VERIZON WIRELESS MAIN CABINET
- (1) NEW VERIZON WIRELESS SPARE CABINET
- (2) NEW VERIZON WIRELESS GPS ANTENNAS
- (1) TOWER EXTENSION TO 35'-0" TALL
- (12) NEW VERIZON WIRELESS RRUS UNITS
- (12) NEW VERIZON WIRELESS PANEL ANTENNAS
- (2) NEW VERIZON WIRELESS RAYCAPS
- (24) NEW VERIZON WIRELESS COAX CABLES
- (2) NEW VERIZON WIRELESS HYBRID CABLES

VICINITY MAP

DRIVING DIRECTIONS

FROM: 15505 SAND CANYON AVENUE
IRVINE, CA 92618

TO: 3659 CORONA AVE.
NORCO, CA 92860

1. GET ON CA-133 N FROM SAND CANYON AVE
2. MERGE ONTO CA-241 N, TAKE EXIT TO CA-91 E,
3. TAKE I-15 N AND EXIT ON 6TH ST
4. ARRIVE AT 3659 CORONA AVE., NORCO, CA 92860

PROJECT SUMMARY

APPLICANT/LESSEE
verizon
15505 SAND CANYON AVENUE
IRVINE, CA 92618
OFFICE: (949) 286-7000

ASSESSOR'S PARCEL NUMBER
131-260-008-9 & 131-260-037-5

APPLICANT'S REPRESENTATIVE
CORE
2749 SATURN ST
BREA, CA 92821
CONTACT: ELAINE YANG
TELEPHONE: (714) 0054

PROPERTY OWNER:
OWNER: NORCO ASSEMBLY OF GOD, INC.
ADDRESS: 3659 CORONA AVE.
NORCO, CA 92860
CONTACT: ALFREDO SOMOZA
TELEPHONE: (951) 735-4210

PROPERTY INFORMATION:
SITE NAME: ROAD APPLE
SITE ADDRESS: 3659 CORONA AVE.
NORCO, CA 92860
JURISDICTION: CITY OF NORCO

CONSTRUCTION INFORMATION
LEASE AREA: 24'-0" x 37'-0" = 888 SQ FT
OCCUPANCY: U
TYPE OF CONSTRUCTION: V-B
CURRENT ZONING: A-I-20 (AGRICULTURAL)
ADA COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. MACHINERY SPACES ARE EXEMPT FROM ACCESSIBILITY REQUIREMENTS PER THE CBC SECTION 11B-203.5.

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS IF NOT FULL SIZE (24 X 36)

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.

CODE COMPLIANCE

- 2013 CALIFORNIA ENERGY CODE
- 2013 CALIFORNIA BUILDING CODE
- 2013 CALIFORNIA ELECTRICAL CODE
- 2013 CALIFORNIA FIRE CODE
- 2013 CALIFORNIA GREEN BUILDING CODE
- 2013 CALIFORNIA MECHANICAL CODE
- 2013 CALIFORNIA PLUMBING CODE
- SHELTER IS STATE OF CALIFORNIA APPROVED AND INSPECTED, NOT FOR LOCAL INSPECTION.

SHEET	DESCRIPTION	REV
T-1	TITLE SHEET	0
C-1	TOPOGRAPHIC SURVEY	0
C-2	TOPOGRAPHIC SURVEY	0
A-1	SITE PLAN	0
A-2	EQUIPMENT & ANTENNA LAYOUT	0
A-3	SOUTH & WEST ELEVATIONS	0
A-4	NORTH & EAST ELEVATIONS	0

ZONING DRAWINGS

811 Know what's below. Call before you dig.

TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN CALIFORNIA (SOUTH), CALL DIG ALERT
TOLL FREE: 1-800-227-2600 OR
www.digalert.org
CALIFORNIA STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	02/17/16	100% ZONING	Jb.

SAC WIRELESS
ENGINEERING GROUP
5015 SHOREHAM PLACE
SAN DIEGO, CA 92112
www.sacw.com
619.378.3766

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED

verizon
15505 SAN CANYON AVENUE
IRVINE, CA 92618

ROAD APPLE
3659 CORONA AVE.
NORCO, CA 92860

SHEET TITLE:
TITLE SHEET

T-1

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE BASED ON 36" IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES

SCALE: 1" = 30'

30' 0 15' 30' 60'

BASIS OF BEARINGS:

THE EASTERLY R.O.W. LINE OF CORONA AVENUE BEING NORTH 00°00'48" WEST PER RECORD OF SURVEY, R.S.B. 74/21-25, RECORDS OF RIVERSIDE COUNTY.

ASSESSOR'S IDENTIFICATION:

RIVERSIDE COUNTY A.P.N. 131-260-008 & 037

AREA:

2.34± ACRES PER RIVERSIDE COUNTY ASSESSOR

BENCH MARK REFERENCE:

U.S.G.S. BENCH MARK "BM 642"

UNITED STATES GEOLOGICAL SURVEY BENCH MARK "BM 642" AS SHOWN ON THE "CORONA NORTH" 7.5 MINUTE QUADRANGLE MAP.

ELEVATION: 644.5 FEET A.M.S.L. (NAVD88) (DATUM VERIFIED IN FIELD TO BE WITHIN 1-A ACCURACY STANDARDS)

DATE OF SURVEY:

JUNE 30, 2014

LIVING PLANTS STATEMENT:

THE HEIGHTS AND ELEVATIONS FOR THE TREES, BUSHES AND OTHER LIVING PLANTS SHOWN HEREON, SHOULD BE CONSIDERED APPROXIMATE (+/-) AND ONLY VALID FOR THE DATE OF THIS SURVEY. THEY ARE PROVIDED AS A GENERAL REFERENCE AND SHOULD NOT BE USED FOR DESIGN PURPOSES.

TITLE REPORT IDENTIFICATION:

COMMONWEALTH LAND TITLE COMPANY PRELIMINARY TITLE REPORT; FILE NO. 08022683, DATED AS OF JUNE 5, 2014.

LEGAL DESCRIPTION:

PARCEL 1:

THE NORTHERLY 165.00 FEET OF LOT 7, BLOCK 34, NORCO FARMS TRACT NO. 1, IN THE CITY OF NORCO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 3 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THE NORTHERLY 82 ½ FEET OF THE WESTERLY 333.00 FEET THEREOF.

ALSO EXCEPT THAT PORTION CONVEYED TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED FEBRUARY 14, 1986 AS INSTRUMENT NO. 36028 OF OFFICIAL RECORDS.

PARCEL 2:

THE NORTHERLY 82.50 FEET OF THE WESTERLY 330.00 FEET OF LOT 7 IN BLOCK 34 OF NORCO FARMS TRACT NO. 1, IN THE CITY OF NORCO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 3 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EASEMENT NOTES:

EASEMENT(S) SHOWN HEREON ARE PER COMMONWEALTH LAND TITLE COMPANY PRELIMINARY TITLE REPORT; FILE NO. 08022683, DATED AS OF JUNE 5, 2014.

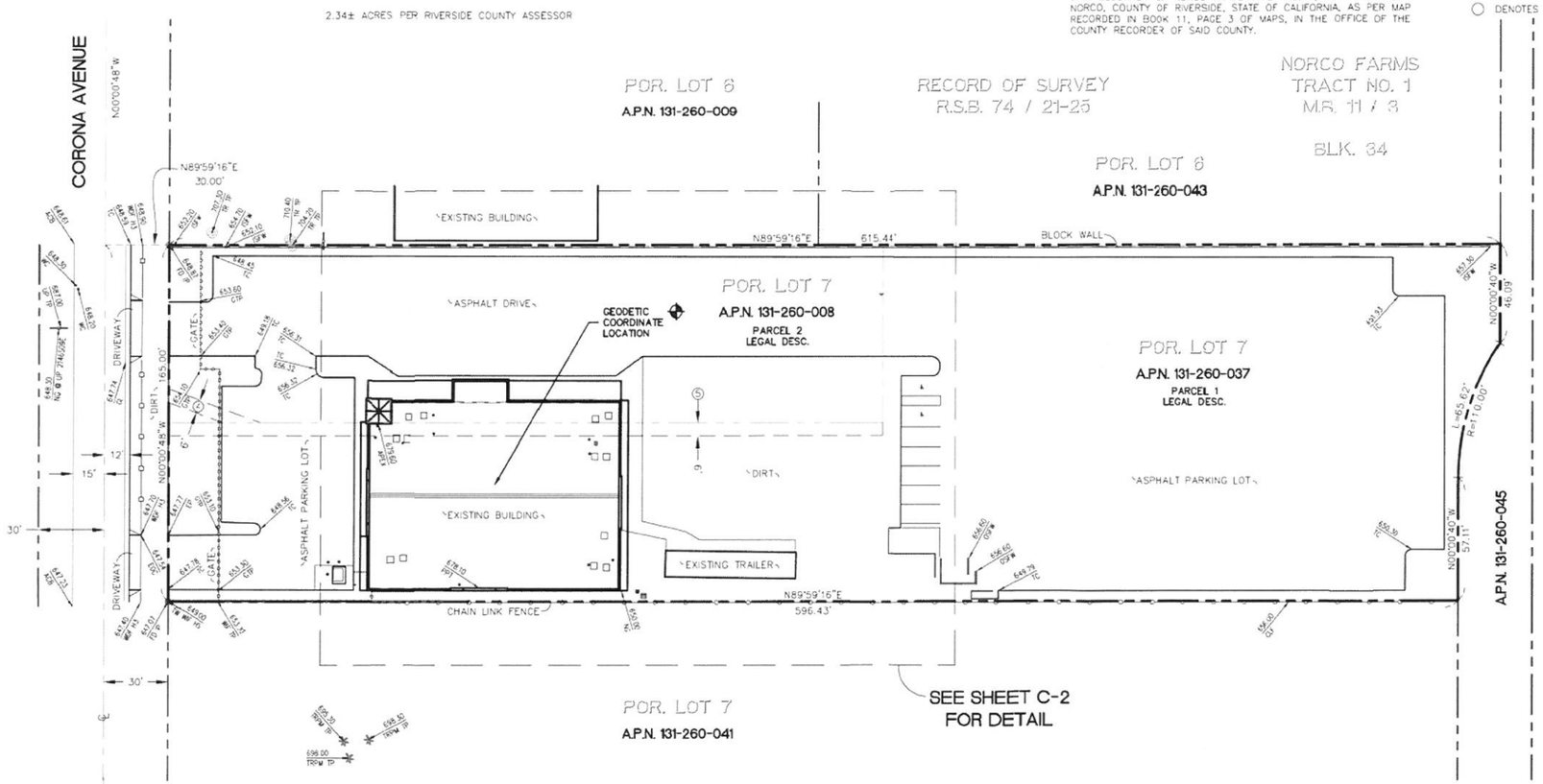
2 AN EASEMENT TO DEVELOP, TAKE, USE AND DISTRUBUTE WATER, RECORDED FEBRUARY 1, 1910 IN BOOK 295, PAGE 392 OF DEEDS AND FOR DITCHES, WATER PIPES, RECORDED MARCH 9, 1918 IN BOOK 476, PAGE 351 OF DEEDS. ***(THE EXACT LOCATION AND EXTENT OF SAID EASEMENTS ARE NOT DISCLOSED OF RECORD)***

3 AN EASEMENT FOR PIPE LINE, RECORDED MARCH 22, 1926 IN BOOK 666, PAGE 469 OF DEEDS. ***(CONTAINED WITHIN CORONA AVE.; WITH THE RIGHT TO MAKE SERVICE CONNECTIONS ONTO SITE PROPERTY. EXACT LOCATION OF CONNECTIONS NOT GIVEN IN DOCUMENT)***

④ AN EASEMENT FOR PUBLIC UTILITIES, RECORDED SEPTEMBER 5, 1956 AS INSTRUMENT NO. 61499, IN BOOK 1966, PAGE 506 OF OFFICIAL RECORDS.

⑤ AN EASEMENT FOR PUBLIC UTILITIES, RECORDED OCTOBER 18, 1956 AS INSTRUMENT NO. 71979, IN BOOK 1987, PAGE 416 OF OFFICIAL RECORDS.

○ DENOTES ITEM PLOTTED HEREON



LEGEND:

AC	ASPHALT CONCRETE	HCP	HANDICAP PARKING	TWR	TOWER		HANDICAP PARKING
ACB	ASPHALT CONCRETE BERM	HSE	HOUSE	UP	UTILITY POLE		IRRIGATION CONTROL VALVE
ACU	AIR CONDITIONING UNIT	ICV	IRRIGATION CONTROL VALVE	VT	VENT		ROOF VENT
BD	BOLLARD	IN	INCHES	WC	WATER CAN		UTILITY POLE
BTM	BOTTOM	IP	IRON PIPE	WOF	WOOD FENCE		WATER CAN
CLF	CHAIN LINK FENCE	ISFW	INSIDE FACE OF WALL	WIF	WROUGHT IRON FENCE		WOOD FENCE
CPD	CONCRETE PAD	NG	NATURAL GROUND	WNDW	WINDOW		WROUGHT IRON FENCE
DK	DECK	OH	OVERHANG		BLOCK WALL		
DKL	DECK LINE	OSFW	OUTSIDE FACE OF WALL		BOLLARD		
DR	DOOR	PPT	PARAPET		CHAIN LINK FENCE		
EOC	EDGE OF CONCRETE	RFL	ROOF LINE		CENTERLINE		
EP	EDGE OF PAVEMENT	S/W	SPIKE AND WASHER		FIRE HYDRANT		
FD	FOUND	SZS	SAFETY ZONE STRIP		FIRE SERVICE		
FF	FINISHED FLOOR	TC	TOP OF CURB		FOUND MONUMENT		
FH	FIRE HYDRANT	TG	TOP OF GRATE		GAS VENT		
FS	FINISHED SURFACE	TP	TOP		GRATE		
FSR	FIRE SERVICE	TR	TREE				
GL	GUTTER LIP	TRLR	TRAILER				
GTP	GATE POST	TRN	TRANSFORMER				
GV	GAS VENT	TRPM	PALM TREE				
H	HEIGHT	TW	TOP OF WALL				

PROFESSIONAL LAND SURVEYOR BERT HAZE No. 7211 Exp. 3-31-16 STATE OF CALIFORNIA

SEE SHEET C-2 FOR SITE DETAILS

REV:	DATE/BY:	REVISION DESCRIPTION:
1	07/08/14 CWW	ISSUED FOR REVIEW
2	07/08/14 CWW	ADDED TITLE INFO.

ENGINEER/CONSULTANT:

BERT HAZE AND ASSOCIATES, INC.
LAND SURVEYING & MAPPING
3188 AIRWAY AVENUE, SUITE K1
COSTA MESA, CALIFORNIA 92626
714 557-1567 OFFICE
714 557-1568 FAX
JN. 1307.005

SITE BUILDER:

verizon wireless
15505 SAND CANYON AVE.
BUILDING 'D' 1st. FLOOR
IRVINE, CA. 92618
PHONE (949) 286-7000

A&E DEVELOPMENT

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD:		
VZW SITE ACQ.:		
ZONING:		
VZW RF:		
VZW INTERCONNECT:		
VZW UTILITY COOR:		
VZW CONST MGR:		
VZW PROJECT MGR:		

SITE INFO:

SITE NAME:

ROAD APPLE

SITE ADDRESS:

3659 CORONA AVE
NORCO, CA 92860

SHEET TITLE:

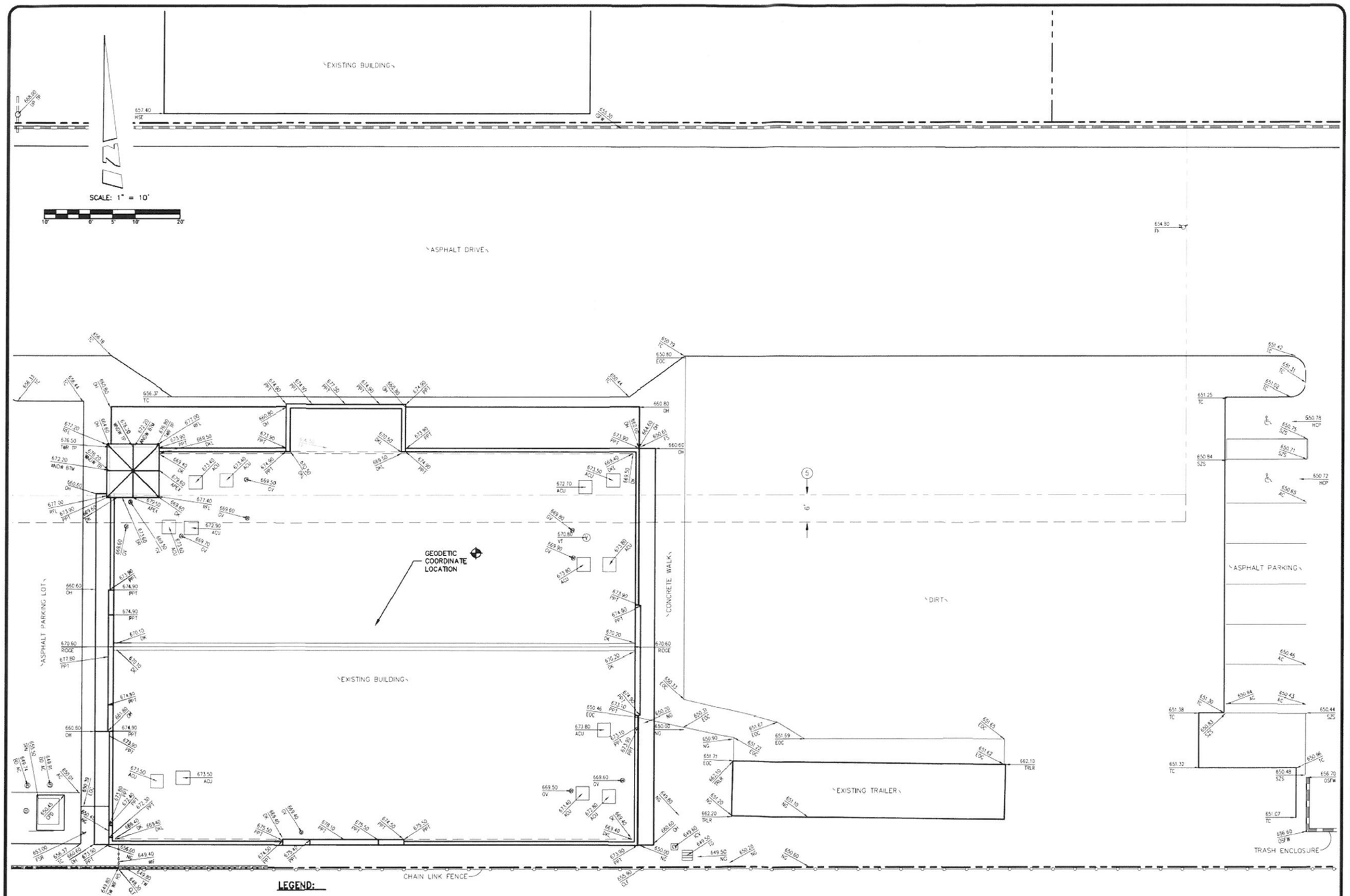
TOPOGRAPHIC SURVEY

DRAWING INFO:

DWG. NAME:	DRAWN BY:	DATE:
ROAD APPLE	CWW	07/08/14

SHEET NUMBER:

1 OF 2 | C-1



LEGEND:

AC	ASPHALT CONCRETE	FF	FINISHED FLOOR	ISFW	INSIDE FACE OF WALL	TRN	TRANSFORMER		CHAIN LINK FENCE		ROOF VENT
ACB	ASPHALT CONCRETE BERM	FH	FIRE HYDRANT	NG	NATURAL GROUND	TRPM	PALM TREE		CENTERLINE		UTILITY POLE
ACU	AIR CONDITIONING UNIT	FS	FINISHED SURFACE	OH	OVERHANG	TW	TOP OF WALL		FIRE HYDRANT		WATER CAN
BD	BOLLARD	FSR	FIRE SERVICE	OSFW	OUTSIDE FACE OF WALL	TWR	TOWER		FIRE SERVICE		WOOD FENCE
BTM	BOTTOM	GL	GUTTER LIP	PPT	PARAPET	UP	UTILITY POLE		FOUND MONUMENT		WROUGHT IRON FENCE
CLF	CHAIN LINK FENCE	GTP	GATE POST	RFL	ROOF LINE	VT	VENT		GAS VENT		
CPD	CONCRETE PAD	GV	GAS VENT	S/W	SPIKE AND WASHER	WC	WATER CAN		GRATE		
DK	DECK	H	HEIGHT	SZS	SAFETY ZONE STRIP	WCF	WOOD FENCE		HANDICAP PARKING		
DKL	DECK LINE	HCP	HANDICAP PARKING	TC	TOP OF CURB	WIF	WROUGHT IRON FENCE		IRRIGATION CONTROL VALVE		
DR	DOOR	HSE	HOUSE	TG	TOP OF GRATE	WNDW	WINDOW				
EOC	EDGE OF CONCRETE	ICV	IRRIGATION CONTROL VALVE	TP	TOP		BLOCK WALL				
EP	EDGE OF PAVEMENT	IN	INCHES	TR	TREE		BOLLARD				
FD	FOUND	IP	IRON PIPE	TRLR	TRAILER						

PROFESSIONAL LAND SURVEYOR BERT HAZE No. 7211 Exp. 3-31-16 STATE OF CALIFORNIA

SEE SHEET C-1 FOR BOUNDARY AND TITLE INFO.

REV:	DATE/BY:	REVISION DESCRIPTION:
1	07/08/14 CWW	ISSUED FOR REVIEW
2	07/08/14 CWW	ADDED TITLE INFO.

ENGINEER/CONSULTANT:

BERT HAZE AND ASSOCIATES, INC.
LAND SURVEYING & MAPPING
3188 AIRWAY AVENUE, SUITE K1
COSTA MESA, CALIFORNIA 92626
714 557-1567 OFFICE
714 557-1568 FAX
JN. 1307.005

SITE BUILDER:

verizon wireless
15505 SAND CANYON AVE.
BUILDING 'D' 1st. FLOOR
IRVINE, CA. 92618
PHONE (949) 286-7000

A&E DEVELOPMENT

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD:		
VZW SITE ACQ.:		
ZONING:		
VZW RF:		
VZW INTERCONNECT:		
VZW UTILITY COOR:		
VZW CONST MGR:		
VZW PROJECT MGR:		

SITE INFO:

SITE NAME:

ROAD APPLE

SITE ADDRESS:

3659 CORONA AVE
NORCO, CA 92860

SHEET TITLE:

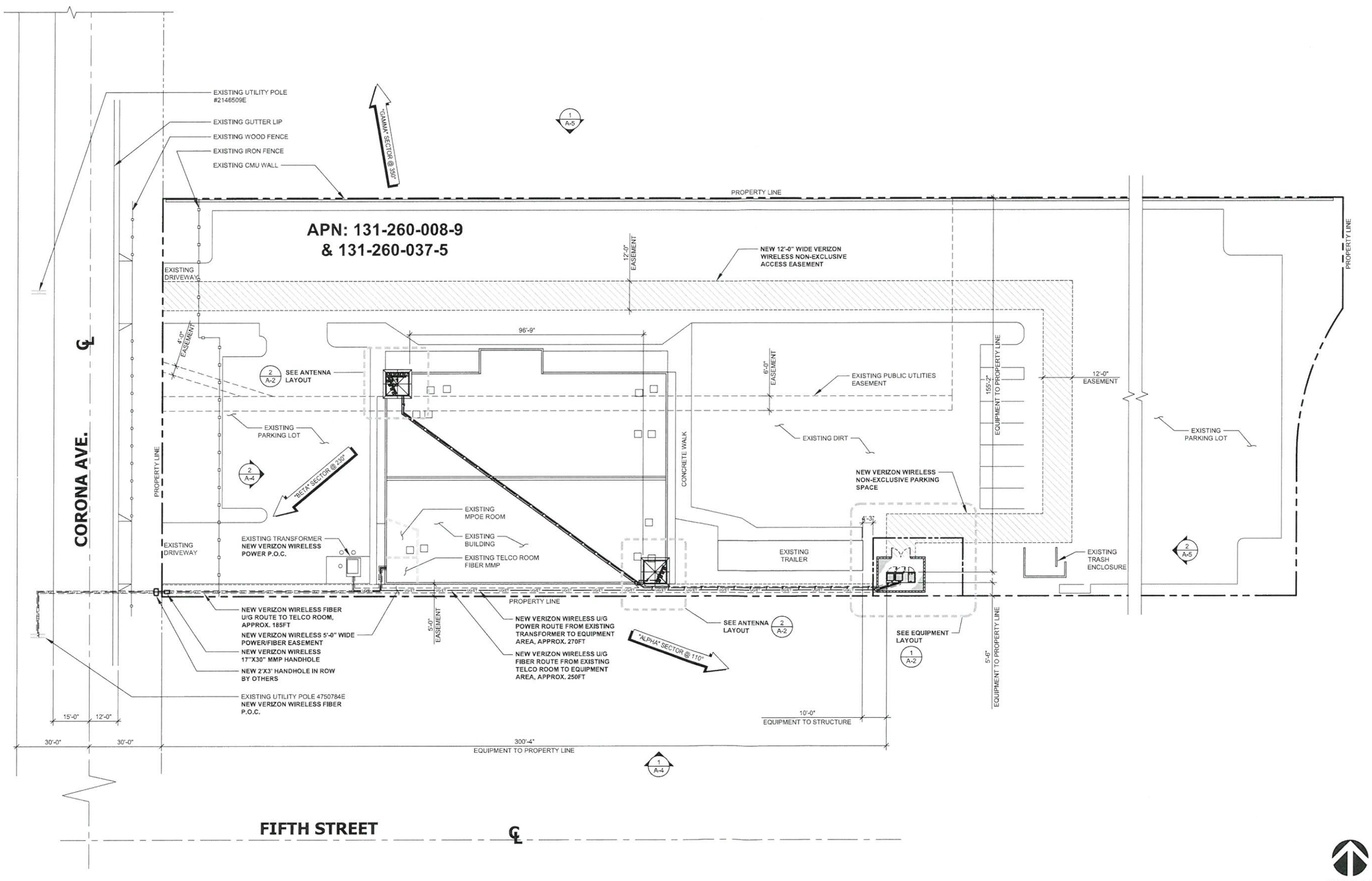
TOPOGRAPHIC SURVEY

DRAWING INFO:

DWG. NAME:	DRAWN BY:	DATE:
ROAD APPLE	CWW	07/08/14

SHEET NUMBER:

2 OF 2 | C-2



SITE PLAN

20' 0 10' 20'

SCALE: 1" = 20'-0" (24x36)
(OR) 1/2" = 20'-0" (11x17)

1

NOTE: THE ORIGINAL SIZE OF THIS PLANS IS 24" X 36". SCALE RATED IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	02/17/16	100% ZONING	Jb.

SDC WIRELESS
ENGINEERING GROUP
5015 SHOREHAM PLACE
SAN DIEGO, CA 92112
www.sacw.com
619.376.3766

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verizon
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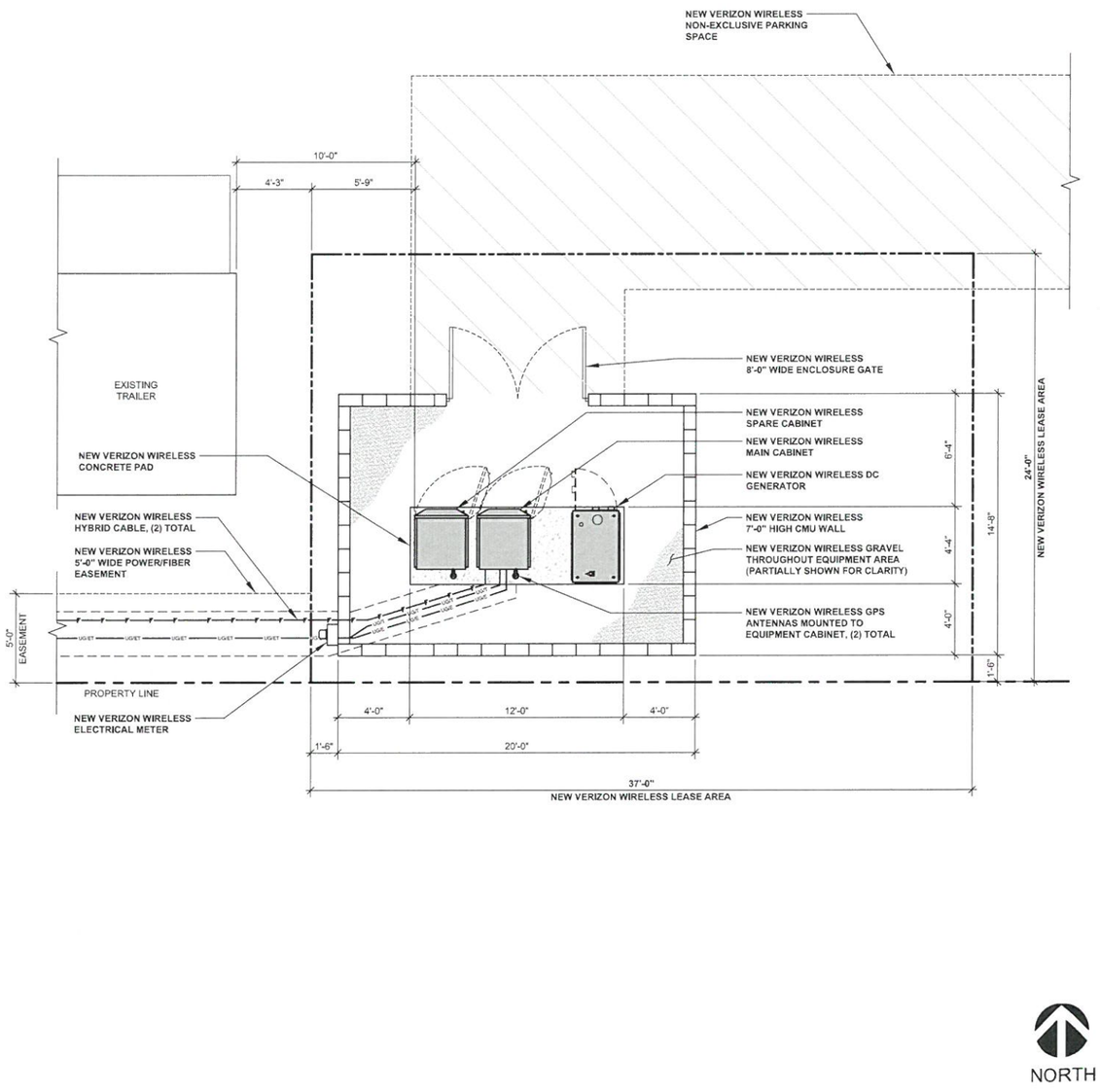
IRVINE, CA 92618

ROAD APPLE
3659 CORONA AVE.
NORCO, CA 92860

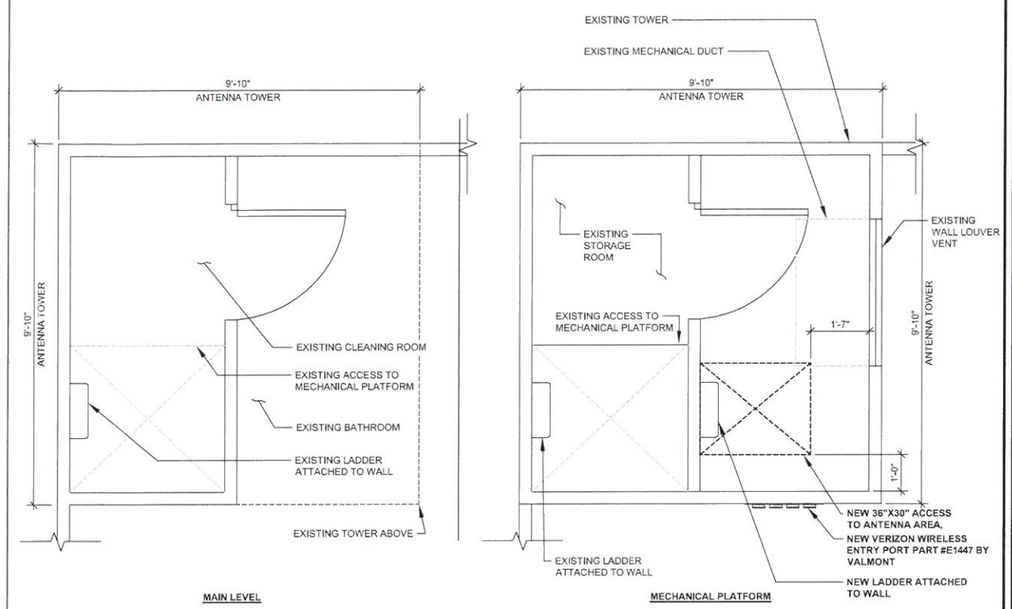
SHEET TITLE:
SITE PLAN

A-1



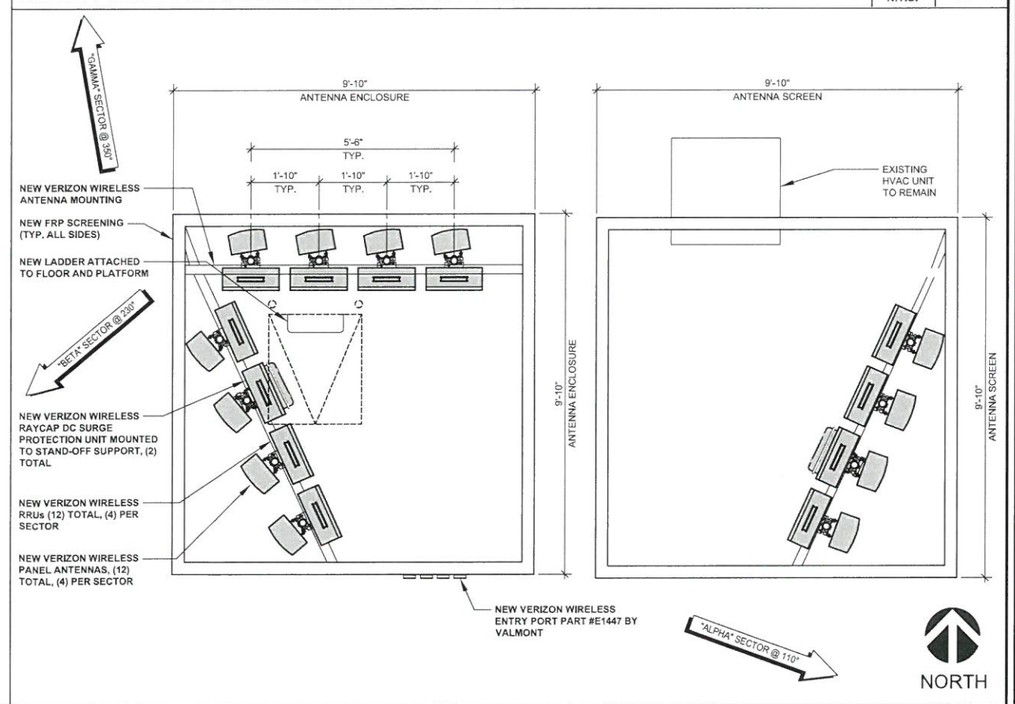
EQUIPMENT LAYOUT

0 1' 2' 4' | SCALE: 1/4" = 1'-0" (24x36) (OR) 1/8" = 1'-0" (11x17) | 1



MAIN LEVEL & MECHANICAL PLATFORM

SCALE N.T.S. | 3



ANTENNA LAYOUT

0 6" 1' 2' | SCALE: 1/2" = 1'-0" (24x36) (OR) 1/4" = 1'-0" (11x17) | 2

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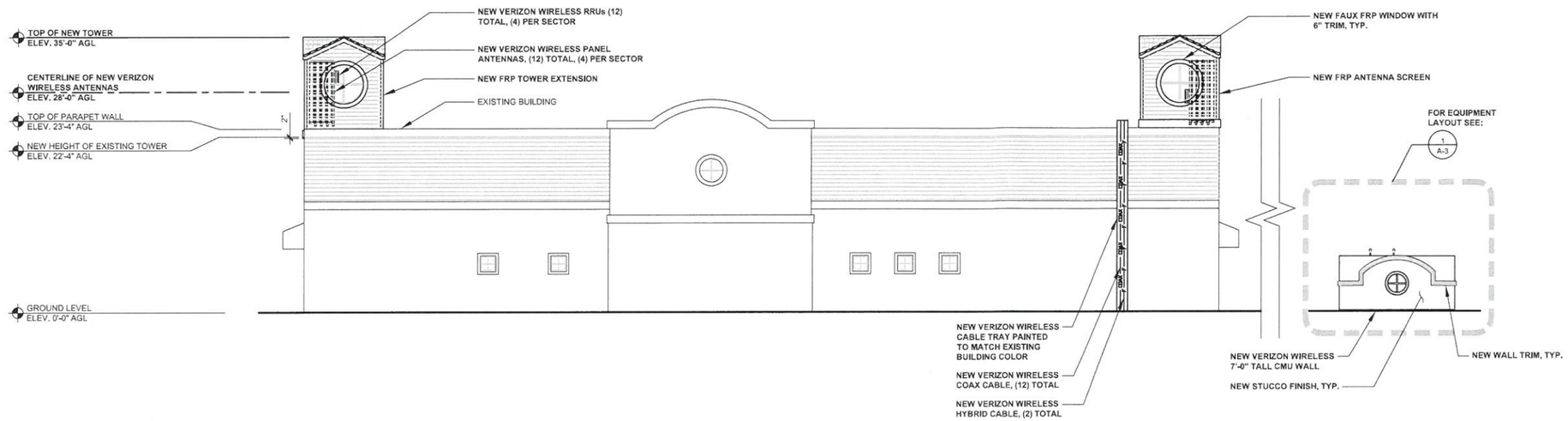
3659 CORONA AVE.
NORCO, CA 92860

SHEET TITLE:
EQUIPMENT & ANTENNA LAYOUT

A-2

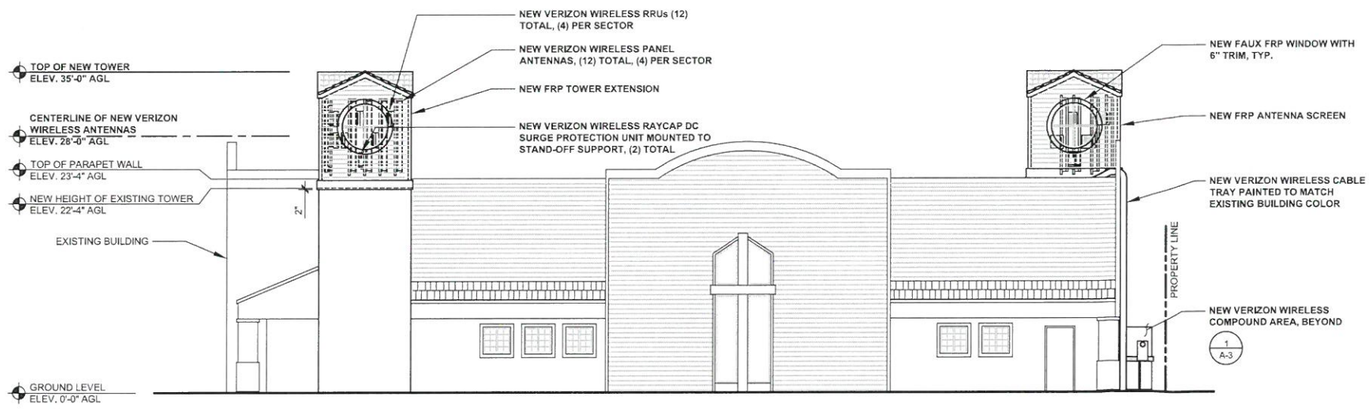


SOUTH ELEVATION

0 2' 4' 8'

SCALE: 1/8" = 1'-0" (24x36)
(OR) 1/16" = 1'-0" (11x17)

1

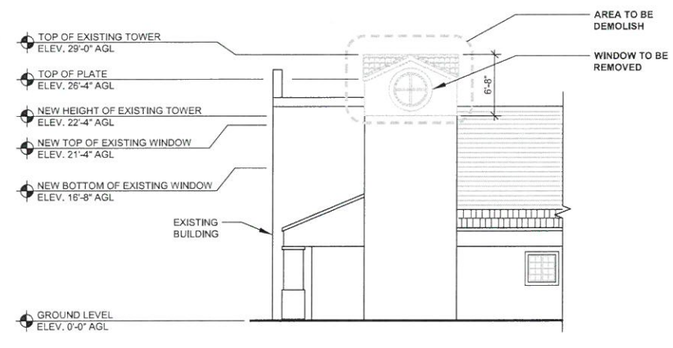


WEST ELEVATION

0 2' 4' 8'

SCALE: 1/8" = 1'-0" (24x36)
(OR) 1/16" = 1'-0" (11x17)

3



EXISTING WEST ELEVATION

0 2' 4' 8'

SCALE: 1/8" = 1'-0" (24x36)
(OR) 1/16" = 1'-0" (11x17)

2

NOTE: THE ORIGINAL SIZE OF THIS PLANS IS 24" X 36". SCALE STATED IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	02/17/16	100% ZONING	Jb.

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ROAD APPLE

3659 CORONA AVE.
NORCO, CA 92860

SHEET TITLE:
SOUTH & WEST ELEVATION

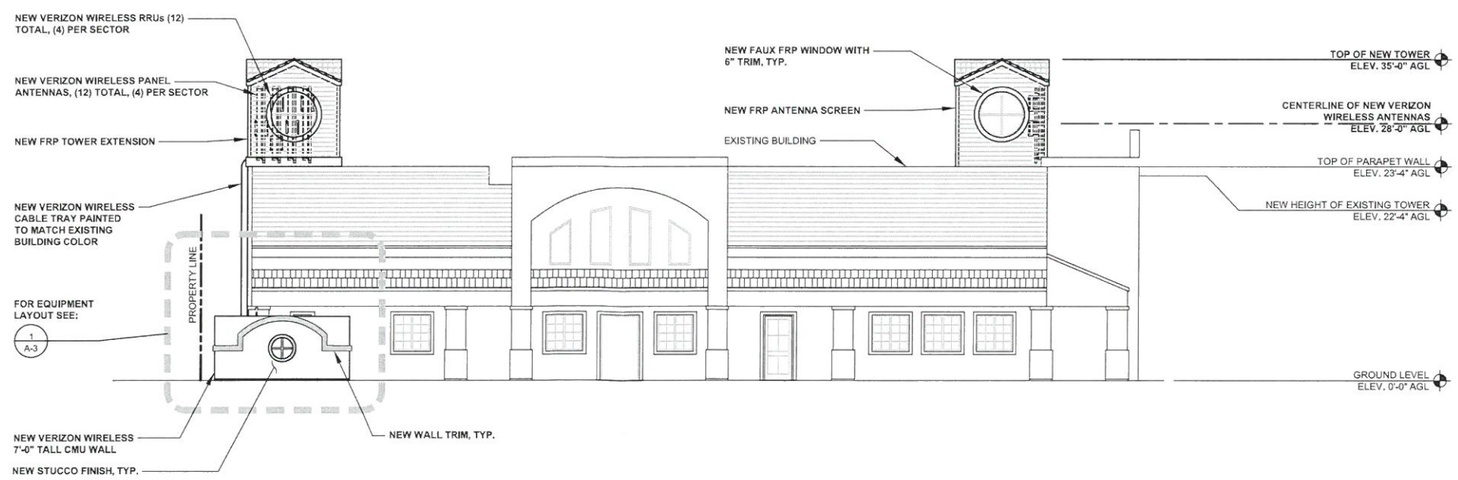
A-3

NORTH ELEVATION

0 2' 4' 8'

SCALE: 1/8" = 1'-0" (24x36)
(OR) 1/16" = 1'-0" (11x17)

1



EAST ELEVATION

0 2' 4' 8'

SCALE: 1/8" = 1'-0" (24x36)
(OR) 1/16" = 1'-0" (11x17)

2

NOTE: THE ORIGINAL SIZE OF THIS PLANSET IS 24" X 36". SCALE: 1/4 IS 1/2 NOT VALID FOR REPRINTED OR ENLARGED SHEET SIZES

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	02/17/16	100% ZONING	Jb.

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ROAD APPLE

3659 CORONA AVE.
NORCO, CA 92860

SHEET TITLE:
NORTH & EAST ELEVATION

A-4

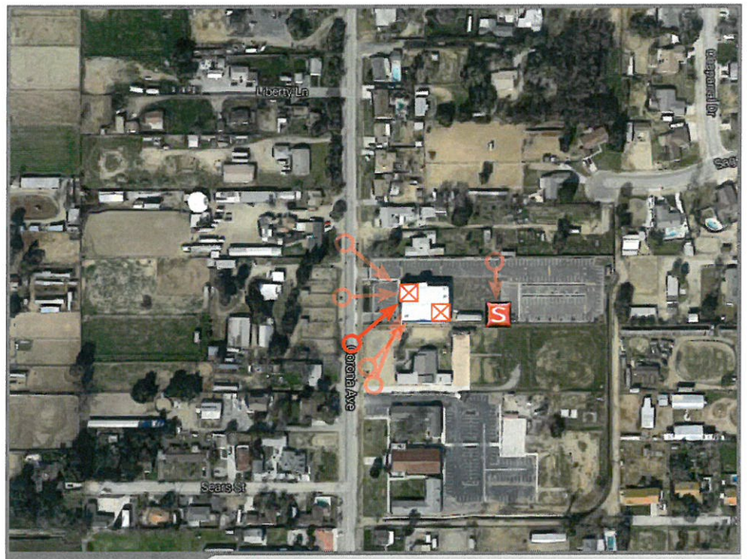
verizon

ROAD APPLE

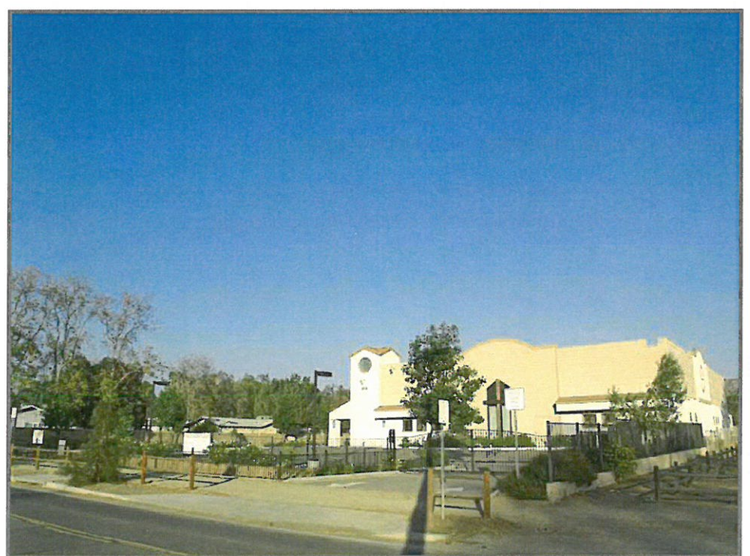
3659 CORONA AVENUE NORCO CA 92860

ARTISTIC engineering
AEsims.com
877.9AE.sims

VIEW 1



LOCATION ©2014 Google Maps



EXISTING

PROPOSED LOOKING NORTHEAST FROM CORONA AVENUE

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

EXHIBIT "E"
3-3-16

verizon

ROAD APPLE

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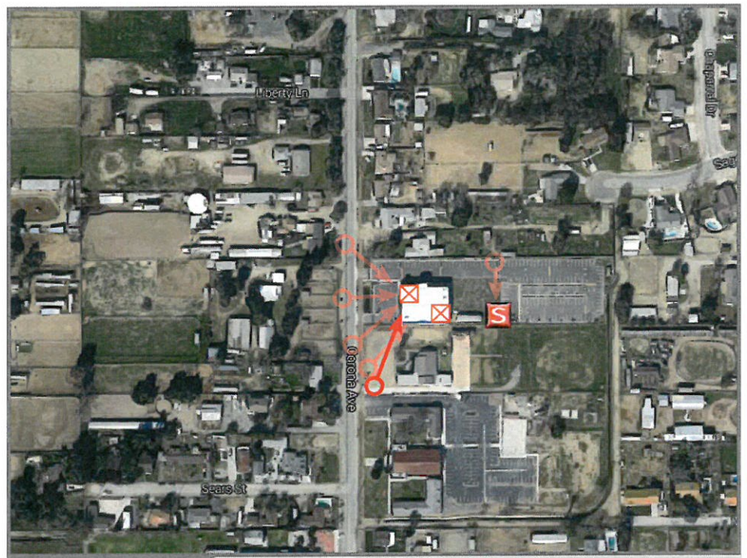
VIEW 2



LOCATION

©2014 Google Maps

EXISTING

PROPOSED LOOKING NORTHEAST FROM CORONA AVENUE

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

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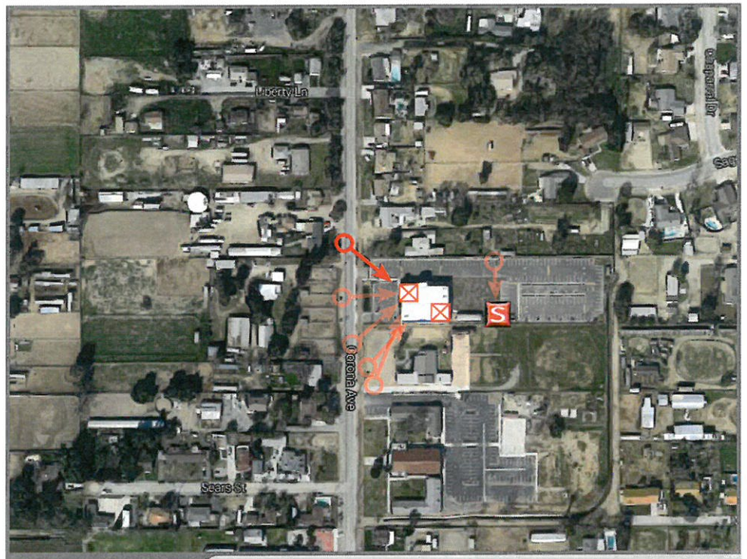
VIEW 3



LOCATION ©2014 Google Maps

EXISTING

PROPOSED LOOKING SOUTHEAST FROM CORONA AVENUE

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

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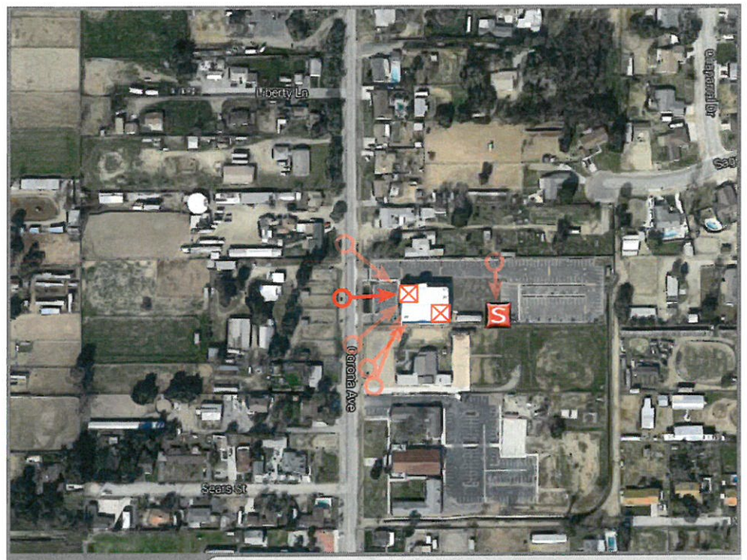
VIEW 4



LOCATION ©2014 Google Maps

EXISTING

PROPOSED LOOKING EAST FROM CORONA AVENUE

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

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VIEW 5

LOCATION ©2014 Google Maps

EXISTING

PROPOSED LOOKING SOUTH FROM PARKING LOT

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

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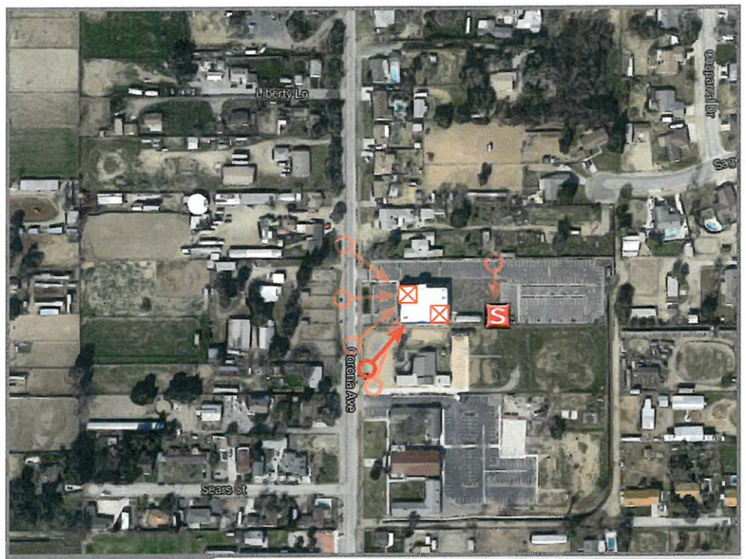
VIEW 6



LOCATION

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EXISTING

PROPOSED LOOKING NORTHEAST FROM CORONA AVENUE

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

November 19, 2014

RE: Verizon Wireless Flamingo Site Located at: 3659 Corona Ave, Norco, CA 92860

To Whom It May Concern,

We write to inform you that Verizon Wireless has performed a radio frequency (RF) compliance pre-construction evaluation for the above-noted proposed site and based on the result of the evaluation, will be compliant with FCC Guidelines.

The FCC has established safety guidelines relating to potential RF exposure from cell sites. The FCC developed the standards, known as Maximum Permissible Exposure (MPE) limits, in consultation with numerous other federal agencies, including the Environmental Protection Agency, the Food and Drug Administration, and the Occupational Safety and Health Administration. The FCC provides information about the safety of radio frequency (RF) emissions from cell towers on its website at: http://www.fcc.gov/oet/rfsafety/rf-faqs.html

Please refer to the FCC Office of Engineering and Technology Bulletin 65 for information on RF exposure guidelines. Policy questions should be directed to VZWRFCompliance@verizonwireless.com. Contact your local Verizon Wireless resource below if you have additional site-specific questions.

Contact Name	Contact Email	Contact Phone
Diana Scudder	WestSoCalNetworkCompliance@VerizonWireless.com	949-243-4849

Sincerely,

Tim O'Malley
Manager-RF System Design
Verizon Wireless

EXHIBIT "F"

WATERFORD
COMPLIANCE...FROM START TO SIGNAL

Radio Frequency Exposure Pre – Installation FCC Compliance Assessment

verizonwireless

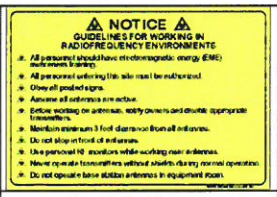
Site Specific Information			
Site Name	Road Apple	Categorically Excluded?	No
Street Address	3659 Corona Avenue	5% Contributor To Areas Requiring Mitigation?	Yes
City, State, Zip	Norco, CA 92860		
Multi-Licensee Facility	No	Max % MPE (Predictive)*	136.98% Occupational
Structure Type	Rooftop	Max % MPE (Measured)	N/A
Broadcast Equipment	No	Assessment Date	January 30, 2016
# of Access Points	1	Assessment Purpose	New Site Build
Compliance Status	Mitigation Required		

Compliance Statement

Based on information provided by Verizon Wireless, predictive modeling and the implementation of the mitigation requirements specified herein, the installation proposed by Verizon Wireless at 3659 Corona Avenue, Norco, California will be compliant with Radiofrequency Radiation Exposure Limits of 47 C.F.R. § § 1.1307(b)(3) and 1.1310. No member of the General Public will be exposed to hazardous levels of RF energy at accessible areas at ground level or adjacent buildings. At the antennas, delineating rooftop areas that are predicted to exceed the FCC MPE limits with indicative markings and RF alerting signage and restricting access to these areas to authorized personnel that have completed RF safety training is required for Occupational environment compliance.

Verizon Wireless Contribution: * Walking Surfaces

☐	Worst-case RF power density levels are BELOW the MPE for General Population/Uncontrolled Environments in accessible areas.
☐	Worst-case RF power density levels are ABOVE the MPE for General Population/Uncontrolled Environments but BELOW the MPE for Occupational/Controlled environments.
☒	Worst-case RF power density levels are ABOVE the MPE for Occupational/Controlled Environments but BELOW 10x the MPE for Occupational/Controlled environments.
☐	Worst-case RF power density levels are ABOVE 10x the MPE for Occupational/Controlled environments.

Compliance Requirements						
	Guidelines	Notice	Caution	Warning	NOC Information	Demarcation
Access Point	☒[1]	☐[#]	☐[#]	☐[#]	☒[1]	☐
Alpha	☒[1]	☐[#]	☒[1]	☐[#]	☐[#]	☐
Beta	☒[3]	☐[#]	☒[3]	☐[#]	☐[#]	☒
Gamma	☒[1]	☐[#]	☒[1]	☐[#]	☐[#]	☐

Additional Compliance Requirement(s):

Waterford Consultants, LLC recommends coordinating with all transmitting licensees before performing services around RF emitters.

Consultant Legal Name:	Waterford Consultants, LLC	**Phone/Fax:**	703.596.1022
Address:	201 Loudoun Street Southeast Suite 300, Leesburg, Virginia 20175		

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EXHIBIT "G"

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1. Executive Summary

Verizon Wireless has contracted with Waterford Consultants, LLC, an independent Radio Frequency consulting firm, to conduct a Radio Frequency Exposure (RFE) Compliance **Pre-Installation Assessment** of the Road Apple cell site. The following report contains a detailed summary of the Radio Frequency environment as it relates to Federal Communications Commission (FCC) and Occupational Safety & Health Administration (OSHA) Rules and Regulations for all individuals.

The **Verizon Wireless antenna data** was provided by:

Name:	Lynne Zablocki
Title:	RF Engineer
Date:	January 13, 2016
Region:	Verizon Wireless Southern California

This **Pre–Installation** compliance assessment and the report has been prepared and reviewed by:

	Preparer	**Reviewer**
Name:	Salman Saeed	Thomas Tessier
Title:	RF Technical Analyst	Technical Staff Engineer
Date:	January 30, 2016	February 2, 2016

This report utilizes the following for predictive modeling of the ambient RF environment:
MPE Modeling Program: Roofmaster ™ (See Section 7)
Required Modeling Assumptions: 100% Duty Cycle and Maximum Total Power Output.

Additional Modeling Assumptions:
Antenna radiation pattern files that characterize directivity and energy suppression values have been utilized to model each RF emitter at this location. If a manufacturer's antenna pattern is not available or the actual antenna model is unknown, Waterford Consultants, LLC has utilized a generic antenna pattern from a library of panel, omnidirectional, microwave and broadcast patterns that are representative of the actual antenna. Similarly, the effective radiated power values for each antenna, if not provided, has been assumed based on antenna type, carrier and region. Refer to the antenna inventory table for a listing of the emitter properties utilized in this report.

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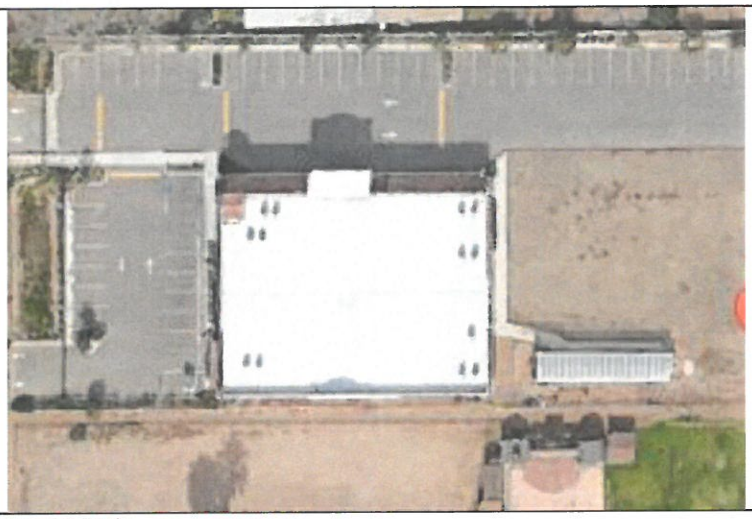
2. Proposed Site Characteristics

a. Structure

Physical Description	
Site Latitude (NAD 83)	33.93528
Site Longitude (NAD 83)	-117.54433
Site Elevation (AMSL)	656'
Structure Height (AGL)	N/A
Overall Structure Height	N/A

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b. Antenna Inventory

Roof Master™ Antenna Inventory

Ant #	Operator	Antenna Make	Antenna Model	Type	Frequency (MHz)	Az (deg)	Downtilt (deg)	Horizontal Beam width	Ant (ft)	Antenna Gain (dBd)	Total ERP (watts)	Total EIRP (watts)	X (ft)	Y (ft)	Antenna Centerline Main Level (ft)
1	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	850	110	0	66	6.0	11.20	1198	1964	185	6	6
1	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	1900	110	0	66	6.0	17.00	0	0	185	6	6
2	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	700	110	0	68	6.0	11.20	1410	2313	184	4	6
3	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	1900	110	0	66	6.0	17.00	4356	7144	183	2	6
4	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	2100	110	0	63	6.0	17.00	4356	7144	183	0	6
5	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	850	230	0	66	6.0	11.20	1198	1964	72	73	6
5	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	1900	230	0	66	6.0	17.00	0	0	72	73	6
6	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	700	230	0	68	6.0	11.20	1410	2313	72	75	6
7	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	1900	230	0	66	6.0	17.00	4356	7144	71	77	6
8	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	2100	230	0	63	6.0	17.00	4356	7144	71	78	6
9	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	850	350	0	66	6.0	11.20	1198	1964	71	80	6
9	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	1900	350	0	66	6.0	1700	0	0	71	80	6
10	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	700	350	0	68	6.0	11.20	1410	2313	74	80	6
11	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	1900	350	0	66	6.0	17.00	4356	7144	76	80	6
12	Verizon Wireless	Andrew	SBNHH-1D65B	Panel	2100	350	0	63	6.0	11.20	4356	7144	79	80	6

Note: As indicated in Section 1, "Additional Modeling Assumptions", Waterford Consultants has assumed transmission parameters for Unknown RF emitters based on similar installations found at other radio communications sites. Generic antenna models have been used where existing antenna part numbers or radiation patterns are not available. The frequencies presented in this table may have been assumed in order to represent the approximate band of operation and to support a worst-case calculation of power density.

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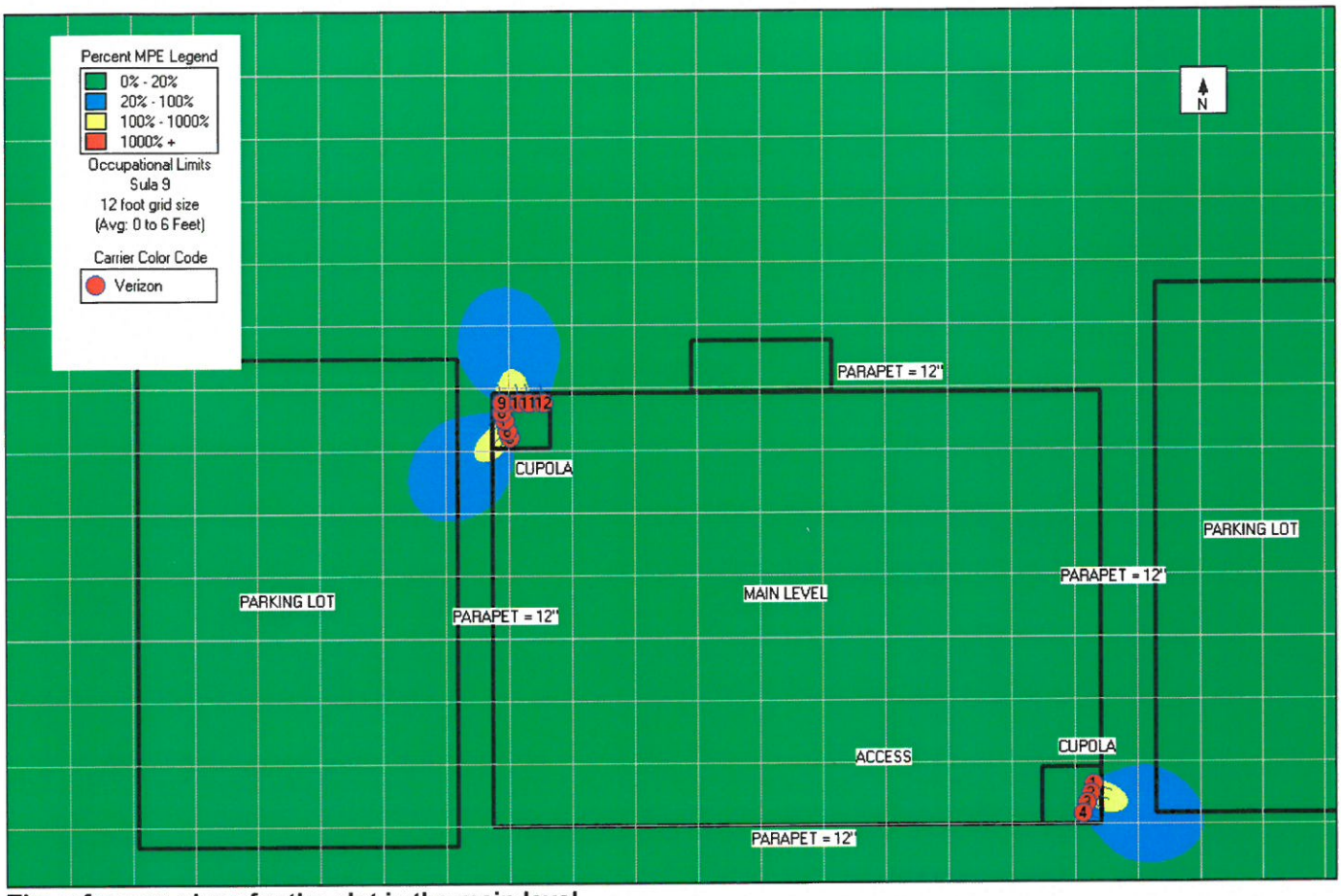
3. Analysis
a. Predictive Model: All Transmitters



The reference plane for the plot is the main level

At the main roof level, the maximum predicted power density level resulting from all proposed Verizon Wireless operations is 136.98% of the FCC Occupational limits (684.9% of the FCC General Population limits).

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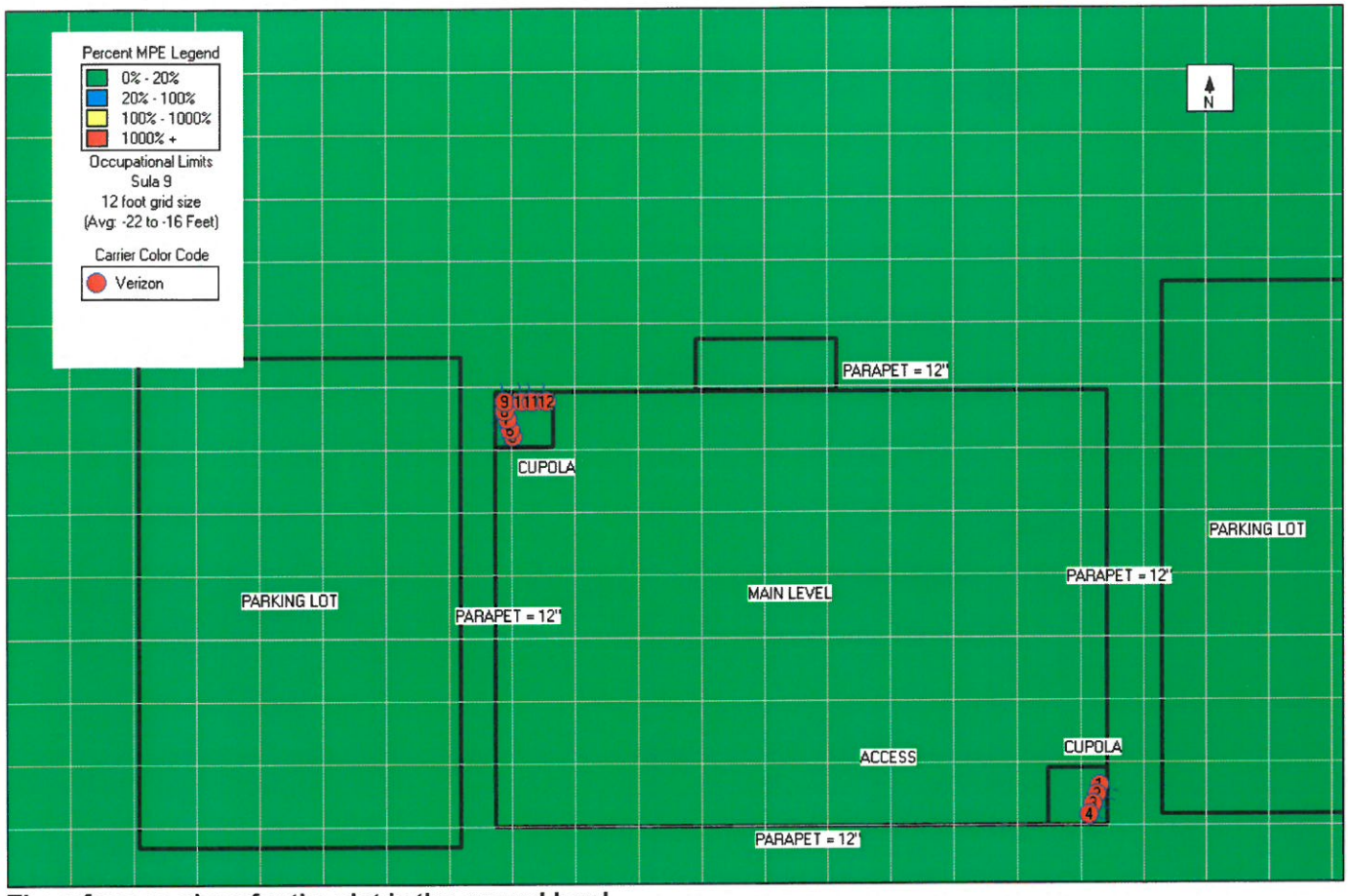

The reference plane for the plot is the ground level

For accessible areas at the ground level, the maximum predicted power density level resulting from all proposed Verizon Wireless operations is 0.806% of the FCC Occupational limits (4.031% of the FCC General Population limits).

Adjacent buildings are located at least 75 feet north and south of the proposed antenna mounting locations. At these rooftops, the maximum predicted power density level resulting from all proposed Verizon Wireless operations is 0.6438% of the FCC Occupational limits (3.219% of the FCC General Population limits).

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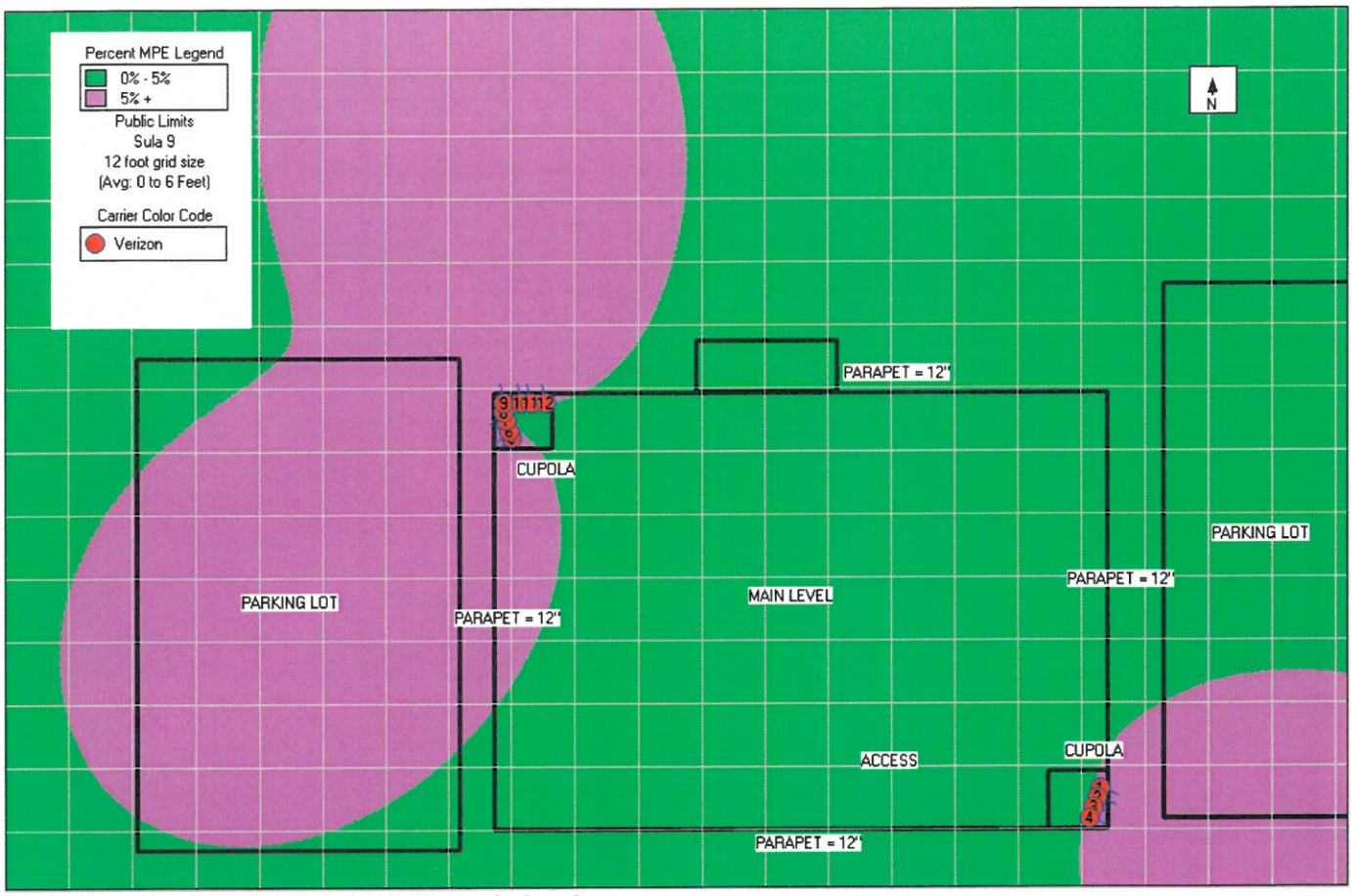
b. Predictive Model: Significant Contribution of Verizon Wireless



The reference plane for the plot is the main level.

Verizon Wireless contributes greater than 5% of the FCC General Population limits to western portions of the rooftop. No wireless operators are known to be operating in the vicinity of this site.

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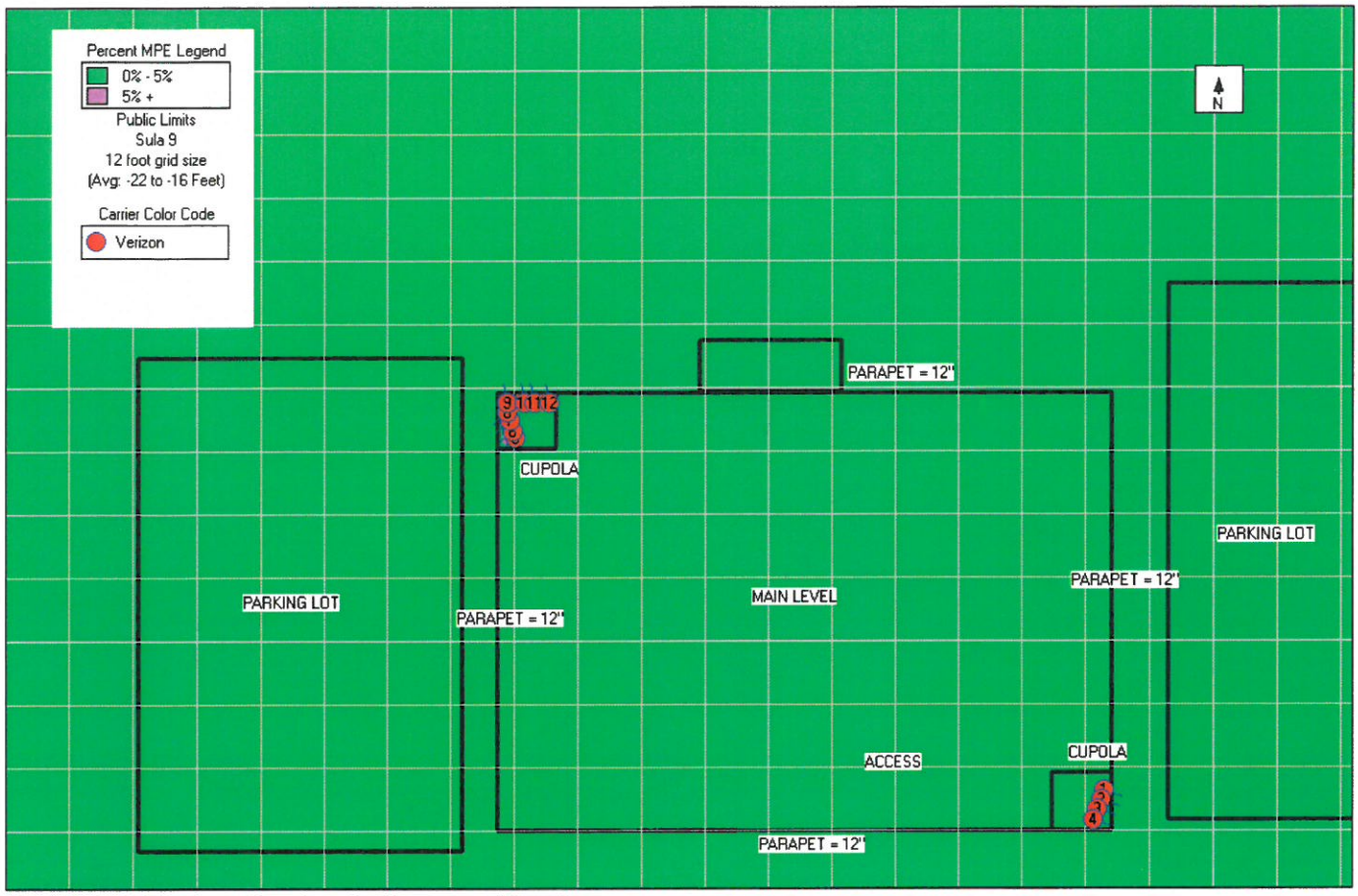

The reference plane for the plot is ground level.

Verizon Wireless contributes less than 5% of the FCC General Population limits at ground level. No wireless operators are known to be operating in the vicinity of this site.

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4. Conclusion

a. Conclusion Narrative

Description of MPE – Limit Exceeding Areas:

Main Level Assessment

Verizon Wireless Antenna #1 through #12

- Above Occupational limits

Ground Level Assessment

- Below General Population limits

Verizon Significant Contribution Areas:

Verizon Wireless Alpha Sector

- Contribution exceeds 5% (GP) of predicted MPE at main level

Verizon Wireless Beta Sector

- Contribution exceeds 5% (GP) of predicted MPE at main level

Verizon Wireless Gamma Sector

- Contribution exceeds 5% (GP) of predicted MPE at main level

Co – Locator Significant Contribution Areas:

N/A

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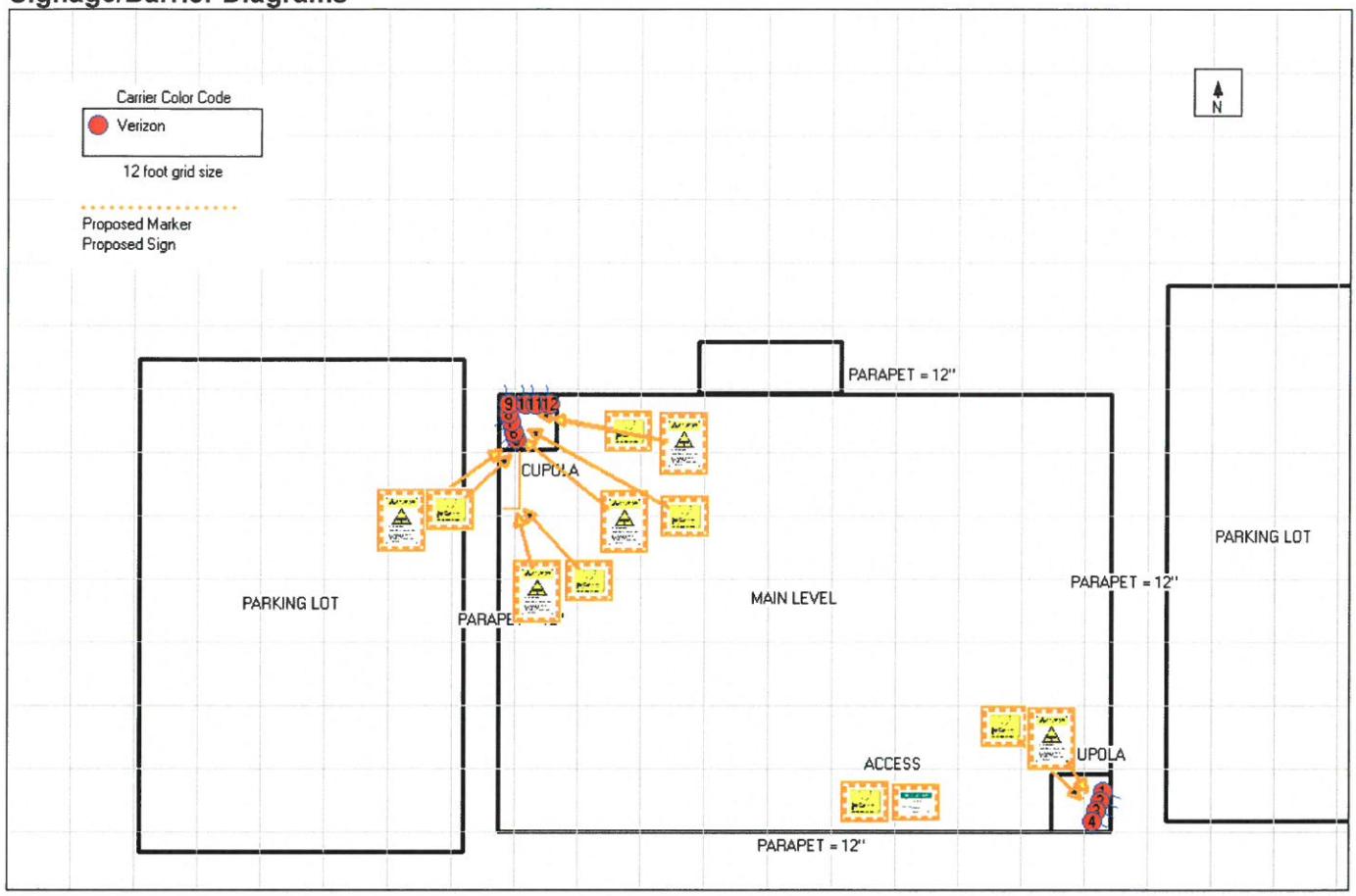
b. Compliance Requirements
Signage/Barrier Diagrams



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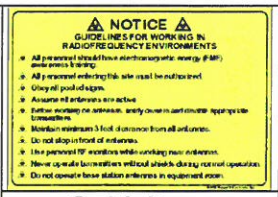
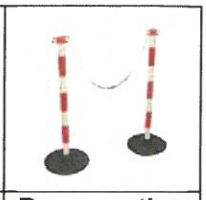
Compliance Requirements						
	Guidelines	**Notice**	**Caution**	**Warning**	**NOC Information**	**Demarcation**
Access Point	☒[1]	☐[#]	☐[#]	☐[#]	☒[1]	☐
Alpha	☒[1]	☐[#]	☒[1]	☐[#]	☐[#]	☐
Beta	☒[3]	☐[#]	☒[3]	☐[#]	☐[#]	☒
Gamma	☒[1]	☐[#]	☒[1]	☐[#]	☐[#]	☐

Signage/Barrier Installation Detail

Site Access Point

- NOC Information sign required
- RF Guidelines sign required

Verizon Wireless Alpha Sector

- Guidelines and Caution signs required at back of antenna array

Verizon Wireless Beta Sector

- Guidelines and Caution signs required at perimeter of indicative markings
- Guidelines and Caution signs required at back of antenna array and on cupola wall

Hybrid barrier required as portions of the area predicted to exceed 100% MPE of the General Population limits are within 6 feet of the roof edge where the parapet is less than 39 inches. The Compliance Diagram presented herein depicts the recommended placement of the indicative markings. If any element of the hybrid barrier cannot be implemented, Verizon Wireless should establish an RF Safety Plan with site management to ensure that maintenance activity on the rooftop near antennas is coordinated with Verizon Wireless. (See Network Regulatory Group: Radiofrequency (RF) Compliance policy and RFE Letter Matrix)

Verizon Wireless Gamma Sector

- Guidelines and Caution signs required at back of antenna array

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5. Appendix A: RF Consultant Certifications

a. Prepare Certification

I, Salman Saeed, the preparer of this report, am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation. I am also fully aware of and familiar with the Verizon Wireless Signage & Demarcation Policy. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.

Salman Saeed

b. Reviewer Certification

I am the reviewer and approver of this report, am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation. I am also fully aware of and familiar with the Verizon Wireless Signage & Demarcation Policy. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.

Steven Baier-Anderson, PE
2016-02-02 14:06:11

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6. Appendix B: Reference Information

a. FCC Rules & Regulations

The Federal Communications Commission (FCC) has established safety guidelines relating to RF exposure from cell sites. The FCC developed those standards, known as Maximum Permissible Exposure (MPE) limits, in consultation with numerous other federal agencies, including the Environmental Protection Agency, the Food and Drug Administration, and the Occupational Safety and Health Administration. The standards were developed by expert scientists and engineers after extensive reviews of the scientific literature related to RF biological effects. The FCC explains that its standards "incorporate prudent margins of safety." The following represents explanations of the most applicable information:

Two Classifications for Exposure Limits

Occupational – Applies to situations in which persons are "exposed as a consequence of their *employment*" and are "*fully aware* of the potential for exposure and can *exercise control* over their exposure".	General Population – Applies to situations in which persons are "exposed as a consequence of their employment *may not be made fully aware* of the potential for exposure or *cannot exercise control* over their exposure". Generally speaking, those without significant and documented RF Safety & Awareness training would be in the General Population classification.

Environment Classification

Controlled – Applies to environments that are restricted or "controlled" in order to prevent access from members of the General Population classification.	Uncontrolled – Applies to environments that are unrestricted or "uncontrolled" that allow access from members of the General Population classification.

Limits for Occupational/Controlled Exposure		
Frequency Range (MHz)	**Power Density (S) (mW/cm^2)**	**Averaging Time $\|E\|^2$, $\|H\|^2$, or S (minutes)**
300-1500	f/300	6
1500-100,000	5	6
Limits for General Population/Uncontrolled Exposure		
Frequency Range (MHz)	**Power Density (S) (mW/cm^2)**	**Averaging Time $\|E\|^2$, $\|H\|^2$, or S (minutes)**
300-1500	f/1500	30
1500-100,000	1	30
f = frequency in MHz		

Significant Contribution to the RF Environment

Any carrier contributing an aggregate MPE percentage of 5 or more (to the applicable RF Environment Classification) is defined as a significant contributor. This means that if any area is determined to be out of compliance with FCC rules, all significant contributors are jointly responsible for correcting any deficiencies.

b. Occupational Safety and Health Administration (OSHA) Requirements

A formal adopter of FCC Standards, OSHA stipulates that those in the Occupational classification must complete training in the following: RF Safety, RF Awareness, and Utilization of Personal Protective Equipment. OSHA also provides options for Hazard Prevention and Control:

Hazard Prevention	Control
• Utilization of good equipment • Enact control of hazard areas • Limit exposures • Employ medical surveillance and accident response	• Employ Lockout/Tag out • Utilize personal alarms & protective clothing • Prevent access to hazardous locations • Develop or operate an administrative control program

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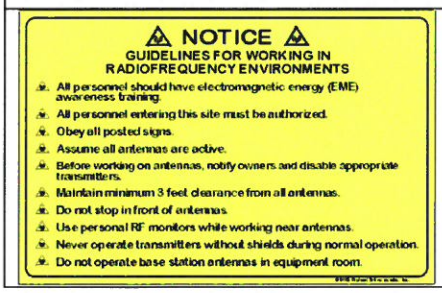
c. RF Signage

Areas or portions of any transmitter site may be susceptible to high power densities that could cause personnel exposures in excess of the FCC guidelines. These areas must be demarcated by conspicuously posted signage that identifies the potential exposure. Signage MUST be viewable regardless of the viewer's position.

Guidelines	Notice	Caution	Warning
Used anytime hazard signage is employed to achieve FCC compliance. This sign will inform visitors of the basic precautions to follow when working around radiofrequency equipment.	Used to distinguish the boundary between the General Population /Uncontrolled and the Occupational/Controlled areas. The limits associated with this notification must be less than the Occupational/Controlled MPE.	Identifies RF controlled areas where RF exposure can exceed the Occupational /Controlled MPE but below 10 x the Occupational/Controlled MPE.	Denotes the boundary of areas with RF levels substantially above the FCC limits, normally defined as those greater than ten (10) times the Occupational /Controlled MPE.
			

Information Sign	
Information signs are used as a means to provide contact information for any questions or concerns. They will include specific cell site identification information and the Verizon Wireless Network Operations Center phone number.	

d. Barriers

A barrier is any physical demarcation employed as a preventative and/or notification measure that one is entering into an area with RF power density levels greater than the General Population/Uncontrolled limit.

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7. Appendix C: Roofmaster™

RoofMaster™ is the software package that Waterford Consultants created to model RF environments associated with multiple emitters where the potential exists for human exposure. Based on the computational guidelines set forth in OET Bulletin 65 from the Federal Communications Commission (FCC), RoofMaster™ considers the operating parameters of specified RF sources to predict the overall Maximum Permissible Exposure possible at a given location. These theoretical results represent worst-case predictions as emitters are assumed to be operating at 100% duty cycle.

From the FCC document:

> *"The revised OET Bulletin 65 has been prepared to provide assistance in determining whether proposed or existing transmitting facilities, operations or devices comply with limits for human exposure to radiofrequency (RF) fields adopted by the Federal Communications Commission (FCC). The bulletin offers guidelines and suggestions for evaluating compliance."*

http://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet65/oet65.pdf

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8. Appendix D: Qualifications of Waterford Consultants, LLC

With more than 100 team-years of experience, Waterford Consultants, LLC [Waterford] provides technical consulting services to clients in the Radio Communications and antenna locating industry. Waterford retains professional engineers who are placed in responsible charge of the processes for analysis.

Waterford is familiar with 47 C.F.R. § § 1.1307(b)(3) and 1.1310 along with the general Rules, Regulations and policies of the FCC. Waterford work processes incorporate all specifications of FCC Office of Engineering and Technology, Bulletin 65 ("OET65"), from the website: www.fcc.gov/oet/rfsafety and follow criteria detailed in 47 CFR § 1.1310 "Radiofrequency radiation exposure Limits".

Within the technical and regulatory framework detailed above, Waterford developed tools according to recognized and generally accepted good engineering practices. Permissible exposure limits are band specific, and the Waterford computerized modeling tools correctly calculate permissible exposure based on the band(s) specified in the input data. Only clients and client representatives are authorized to provide input data through the Waterford web portal. In securing that authorization, clients and client representatives attest to the accuracy of all input data.

Waterford Consultants, LLC attests to the accuracy of the engineering calculations computed by those modeling tools. Furthermore, Waterford attests that the results of those engineering calculations are correctly summarized in this report

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9. Appendix E: Statement of Limiting Conditions

Waterford Consultants has received data pertaining to RF environment provided by the client. Waterford Consultants will not be responsible for matters of a legal nature that affect the site or property. The property has been analyzed under the premise that it is under responsible ownership and management and our client has the legal right to conduct business at this facility.

Due to the complexity of some wireless sites, Waterford Consultants has created this report utilizing best industry practices and due diligence. Waterford Consultants cannot be held accountable or responsible for anomalies or discrepancies due to actual site conditions (i.e., mislabeling of antennas or equipment, inaccessible cable runs, inaccessible antennas or equipment, etc.) or information or data supplied by Wireless Carrier, the site manager, or their affiliates, subcontractors or assigns.

Waterford Consultants has provided the results of a computer generated model in this MPE Site Compliance Report to show approximate dimensions of the site, and the model results is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Waterford Consultants' recommendations.

Waterford Consultants will not be responsible for any existing conditions or for any engineering or testing that might be required to discover whether adverse safety conditions exist. Because Waterford Consultants is not an expert in the field of mechanical engineering or building maintenance, this MPE Site Compliance Report must not be considered a structural or physical engineering report.

Waterford Consultants obtained information used in this MPE Site Compliance Report from sources that Waterford Consultants considers reliable and believes them to be true and correct. Waterford Consultants does not assume any responsibility for the accuracy of such items that were furnished by other parties.

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RESOLUTION NO. 2016-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NORCO, CALIFORNIA, GRANTING WITH CONDITIONS A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF AN UNMANNED WIRELESS TELECOMMUNICATION FACILITY AT 3659 CORONA AVENUE LOCATED WITHIN THE A-1-20 (AGRICULTURAL LOW-DENSITY) ZONE. CONDITIONAL USE PERMIT 2014-33

WHEREAS, VERIZON WIRELESS/CORE 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 on property generally described as:

The Northerly 82.50 feet of the Westerly 330.0 feet of Lot 7, Block 34, of Norco Farms Tract No. 1, in the City of Norco, County of Riverside, State of California, as per Map recorded in Book 11, Page 3 of Maps, in the Office of the County Recorder of said County (APN 131-260-008),

The Northerly 165.00 feet of Lot 7, Block 34, Norco Farms Tract No. 1, in the City of Norco, County of Riverside, State of California, as per map recorded in Book 11, Page 3, of Maps, in the Office of the County Recorder of said County (APN 131-260-037),

Except the Northerly 82½ feet of the Westerly 330.00 feet thereof; also except that portion granted to Riverside County Flood Control and Water Conservation District recorded February 14, 1986 as Instrument No. 36028 of Official Records,

More generally described as a rectangular-shaped area of about 2.34 acres, having a frontage of about 165 feet on the east side of Corona Avenue, having an maximum lot depth of about 612 feet and being further identified as 3659 Corona Avenue, (Assessor's Parcel Numbers 131-260-008 and 037); and

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

WHEREAS, said application was scheduled for a public hearing on August 12, 2015; and

WHEREAS, at the time set at 7 p.m. on August 12, 2015, 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

EXHIBIT "H"

WHEREAS, said application was continued off-calendar and was re-advertised for the meeting of February 10, 2016;

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

WHEREAS, said application was not heard, but continued to the meeting of March 9, 2016 due to lack of quorum; and

WHEREAS, at the time set at 7 p.m. on March 9, 2016, within the Council Chambers at 2820 Clark Avenue, Norco, California, 92860, said petition was heard again 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 City of Norco, acting as the Lead Agency, has determined that the proposed project is categorically exempt from environmental assessment.

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

I. FINDINGS:

A. The requested conditional use permit will not adversely affect the General Plan or the public convenience or general welfare of persons residing or working in the neighborhood thereof, by reason that the Norco General Plan has designated the site as Residential Agricultural, and the A-1-20 zoning designation of the site is consistent with the General Plan. The nature of the proposed land use is conditionally permitted in the zone and subject to conditions. The use can be operated in a manner so as to be consistent with surrounding uses and will therefore not have any significant effects. The land use is passive and will not create any noticeable traffic, noise, induce growth, or impact facilities in any way.

B. The requested use will not adversely affect the adjoining land uses and the growth and development of the area given that the proposed wireless telecommunication facility will not change the existing church use on the site. The proposed improvements will not inhibit or induce growth or development on any of the adjacent properties. The proposed facility will not create any other environmental impacts to the adjacent properties. The land use, when operated in compliance with the conditions of approval, will be compatible with surrounding properties and therefore will not have an adverse effect on adjoining properties.

C. The size and shape of the site proposed for the use is adequate to allow the full development of the proposed use in a manner not detrimental to the particular area, as the proposed project meets applicable development standards. The facility as conditioned and designed will minimize potential visual impacts.

D. The traffic generated by the proposed use will not impose an undue burden upon the streets and highways in the area. The subject wireless facility is unmanned, with maintenance personnel only visiting the site every four to six weeks to ensure the site is functioning properly and being maintained.

E. The City has determined that the project is categorically exempt from environmental assessment and the provisions of the Norco Environmental Guidelines pursuant to Class 32 (Infill Development Projects).

II. DETERMINATION:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Norco, California, in session assembled March 9, 2016 that the aforesaid application for a conditional use permit is granted, subject to the conditions provided in Section 18.45.14 of the Municipal Code of Norco, including, but not limited to the following conditions:

1. Approval is based on Exhibit "D" – Site Plan, Building Elevations and Project Details dated and Exhibit "E" – Photo Simulations dated March 3, 2016 and incorporated herein by reference and on file with the Planning Division. Development shall occur as shown unless otherwise noted in these conditions.

2. The applicant or recorded owner of the property shall submit to the Planning Division, for record purposes, written evidence of agreement with all conditions of this approval before said permit shall become effective.

3. The project shall be in compliance with all City of Norco Municipal Codes, Ordinances and Resolutions. Non-compliance with any provisions of the Norco Municipal Code (NMC) not specifically waived in compliance with City procedures shall constitute cause for revocation and/or termination of the approvals granted under authority of permit.

4. In the event conditions for approval by the Planning Commission, or City Council (as the case may be) require the revision of plans as submitted, the applicant shall submit four copies of the approved plan (revised to incorporate conditions for approval) to the Planning Division for record purposes for approval of any grading and/or building permits.

5. The subject use shall be conducted in accordance with the approved plans and stipulations, on file in the Norco Planning Division.

6. This is not approval to begin work. The applicant shall apply and obtain all necessary permits from the Building Division and pay all applicable City of Norco fees prior to issuance of any permits.

7. Plans submitted to the Building Division shall include but not be limited to: a complete construction submittal for all aspects of the project, complete structural design including analysis of existing structure supporting loads from new construction, and complete electrical plans and specifications.

8. The telecommunications facility approved with this resolution consists of the installation of antennas inside the tower (that will be raised to a maximum height of 35) of the existing church building, the installation of antennas inside a second tower that will be added at the rear, southeast corner of the church building, and the required support equipment on the ground.

9. The outside of the walls of the towers/cupolas that will be raised and added to all allow the transmission of radio signals from the antennas, shall consist of colors, patterns and textures that match the existing building.

10. The applicant shall be responsible for obtaining a legal agreement for access to the site and/or subject leased areas.

11. All lease and usage agreement details are between the applicant, property owner, and the owner of the existing telecommunications facility; however, they shall in no way violate the conditions of this approval.

12. It is hereby established that it shall be grounds for revocation of this conditional use permit if the permittee, his agent or assigns, or employee(s) of his establishment, or any person who is exercising managerial authority of the business establishment has:

A. Violated any rule, regulation of condition of approval adopted by the Planning Commission relating to the conditional use permit; or

B. Conducted the operation permitted hereunder in a manner contrary to the peace, health, safety and general welfare of the public or in a manner which either generates or contributes to noise and/or health/sanitation nuisances, or which results in undesirable activities or creating an increased demand for public services.

13. Any future modification/co-location on the subject telecommunication facility shall be reviewed and approved by the Planning Division, but may also require approval by the Planning Commission at the discretion of Planning Staff.

14. All cables, condensers and any other equipment proposed on the roof shall not extend past the height of the existing building parapet wall. All cables, electrical and power shall be underground and vertical cables on the building shall be shrouded.

15. This project shall only be served by underground utilities. All utility locations shall be incorporated into the public improvements plans and shall be prepared on standard size sheets by a registered civil engineer for approval by the City Engineer. A plan check deposit per sheet shall be posted prior to checking and standard fees paid prior to plan approval.

16. A City of Norco Public Works encroachment permit shall be taken out for all work in the public right-of-way prior to the start of work. All work shall be done in accordance with, City Standards, and/or otherwise specified to the satisfaction of the City Engineer and completed prior to certificate of occupancy.

17. Ground level equipment shall not extend above the walls of the equipment enclosure approved with the project.

18. The applicant shall meet all standards, requirements and conditions of the Planning, Engineering/Public Works, Building and Safety Divisions, the Fire Department, and all other applicable departments and agencies.

19. Any stop work order caused by failure to make application for building permits with the City of Norco will cause a revocation hearing to be agendized at the next regularly scheduled meeting of the Planning Commission.

20. No construction activity work shall be permitted before 7 a.m. or after 6 p.m. or on Saturdays, Sundays or holidays without prior written approval from the City.

21. Access to the equipment and antennas shall be locked and secured.

22. The equipment enclosure must be graffiti coated and maintained graffiti free/clean by the applicant.

23. The owner of the antennas shall obtain a City of Norco business license and pay all applicable business license fees.

24. The wireless communication provider shall abide by all the requirements Federal Communications Commission (FCC).

25. The owner/operator of the business, regardless of any changes in ownership, shall provide a self-audit of compliance with the conditions of approval to the Planning Commission on a form or in a manner determined by the Planning Division, and inclusive of the payment of any fees as may be set by the City Council. Said report shall demonstrate that the project is in compliance with all the conditions of approval and shall be submitted for review no later than six months from the approval date of said project and/or after the project is built and finaled by the Building Division, and then by December 31 of every year from date of approval thereafter. The owner/operator shall be responsible for all staff and attorney fees that may be incurred in the enforcement of the terms of the conditions of approval, whether they are annual inspections or compliance hearings.

26. The underground coax/power conduit or any other cables along the south property line shall not be installed on top of the 15 inch storm drain pipe in that same area, unless approved by the Engineering Division

27. The Verizon access easement shall not extend into the public right-of way which includes the horse trail.

##

APPROVED AND ADOPTED by the Planning Commission at a regular meeting held on March 9, 2016.

Patricia Hedges, Chair
Planning Commission
City of Norco, California

ATTEST:

Steve King, Secretary
Planning Commission
City of Norco, California

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Norco at a regular meeting thereof held on March 9, 2016 by the following roll call vote:

AYES: HEDGES, AZEVEDO
NOES: RIGLER
ABSENT: JAFFARIAN
ABSTAIN: LEONARD

Steve King, Secretary
Planning Commission
City of Norco, California

/adr

4. CONTINUED PUBLIC HEARINGS:

C. **Conditional Use Permit 2014-33** (Core/Verizon Wireless): A request for approval to allow the installation of an unmanned wireless telecommunication facility at 3659 Corona Avenue located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)

Vice Chair Leonard recused himself due to his relation with the project.

Senior Planner Robles presented the staff report on file in the Planning Department. she noted that the previous request was for a height of 42 feet, but the variance was denied without prejudice allowing the applicant to redesign and bring back. The new plan shows the redesigned tower at 35 feet, adding a second tower also at 35 feet; both towers will complement the existing building. Planner Robles provided a map showing the telecommunication coverage that the two towers will provide. The Architectural Review Subcommittee (ARC) has reviewed the new plan and is agreeable with its setting. All zoning requirements are met; staff recommends approval.

Chair Hedges OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Maree Hoeger, representative for Verizon Wireless, reviewed the new design for the Commission, noting it is better than previously presented. All equipment will be out of sight, and have a smaller foot print. In response to Member Rigler, these towers will not cover entire area all the way to Ingalls Park; Ingalls Park tower overlaps with the Pedley tower location, which is a different coverage area. She also noted that it is the same equipment as previous presented in August, in two cupolas to provide the needed coverage.

Cindy Kindred stated she has two homes North of the Church, and has concerns with this project based on its location in a residential area; adding health issues come to mind.

Terry Briggs also spoke in opposition to the project; stating her concerns with health and radiation from the towers.
Valerie Burt stated she opposes the project; the Church backs up to her property. She asked the Commission to reconsider and not approve it.

Chair Hedges CLOSED the public hearing, bringing the discussion back to the Commission.

Member Azevedo shared that in his job he inspects these types of towers, and acknowledged there are pros and cons on this issue; but has never heard of any issues happening to individuals.

Member Rigler stated that he doesn't care for cell towers as a whole and noted his concerns due to a lot of unknowns; adding that although reports are good, he still has concerns due to its location in a residential area.

Chair Hedges asked staff if there were other cell towers in residential areas; in response, Planner Robles confirmed that Parmenter Park has one, it is located in a residential area, and there are also one on El Paso and Sixth Streets which back up to residential properties. No issues have been reported to date

M/S Azevedo/Hedges to adopt Resolution 2016-09, to approve Conditional Use Permit 2014-33, to allow the installation of an unmanned wireless telecommunication facility on the property located at 3659 Corona Avenue.

Motion Passed

AYES: **Hedges, Azevedo**
NOES: **Rigler**
ABSENT: **Jaffarian**
ABSTAIN: **Leonard**

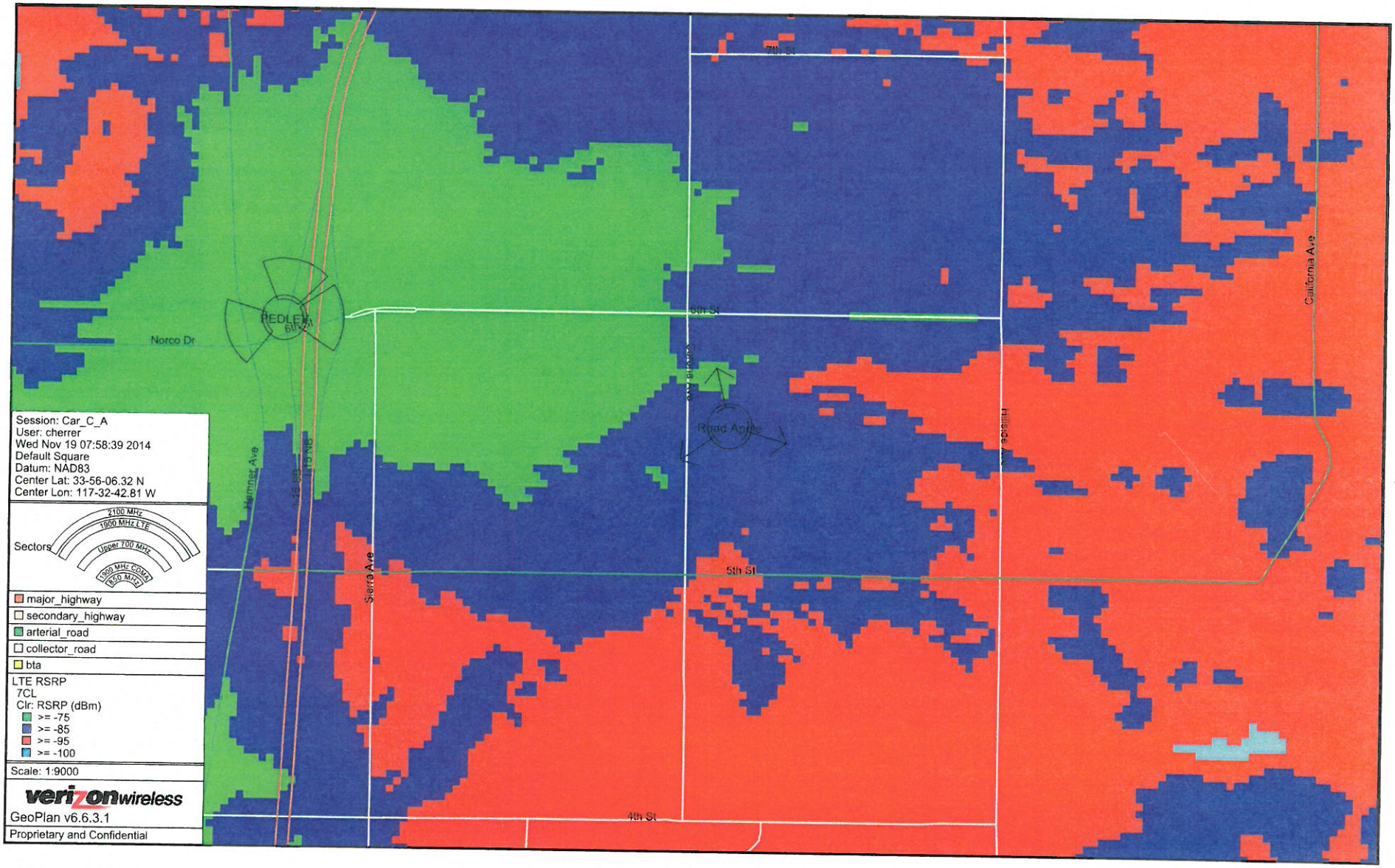

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EXHIBIT J

1 of 3

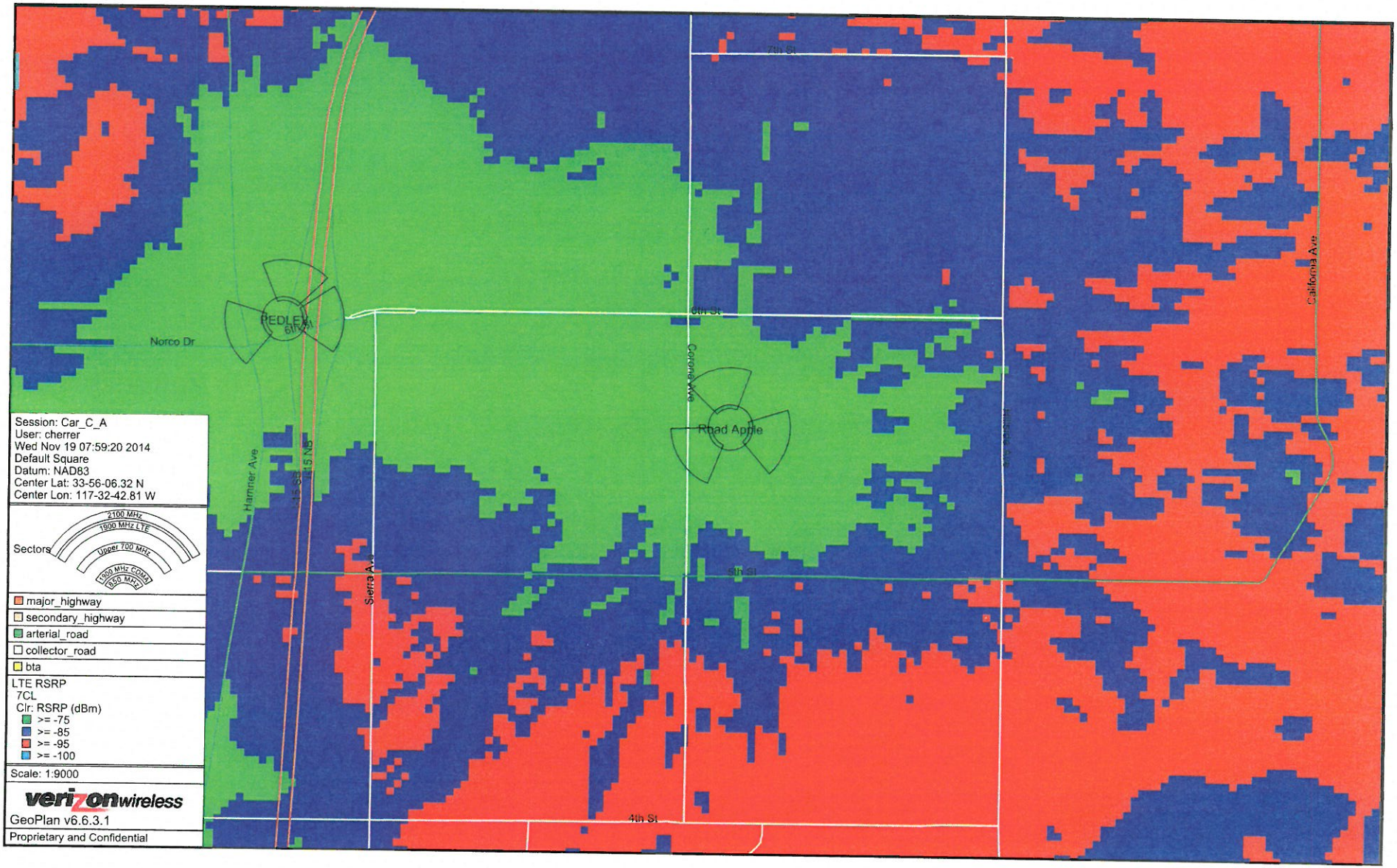

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EXHIBIT "J"

2 OF 3

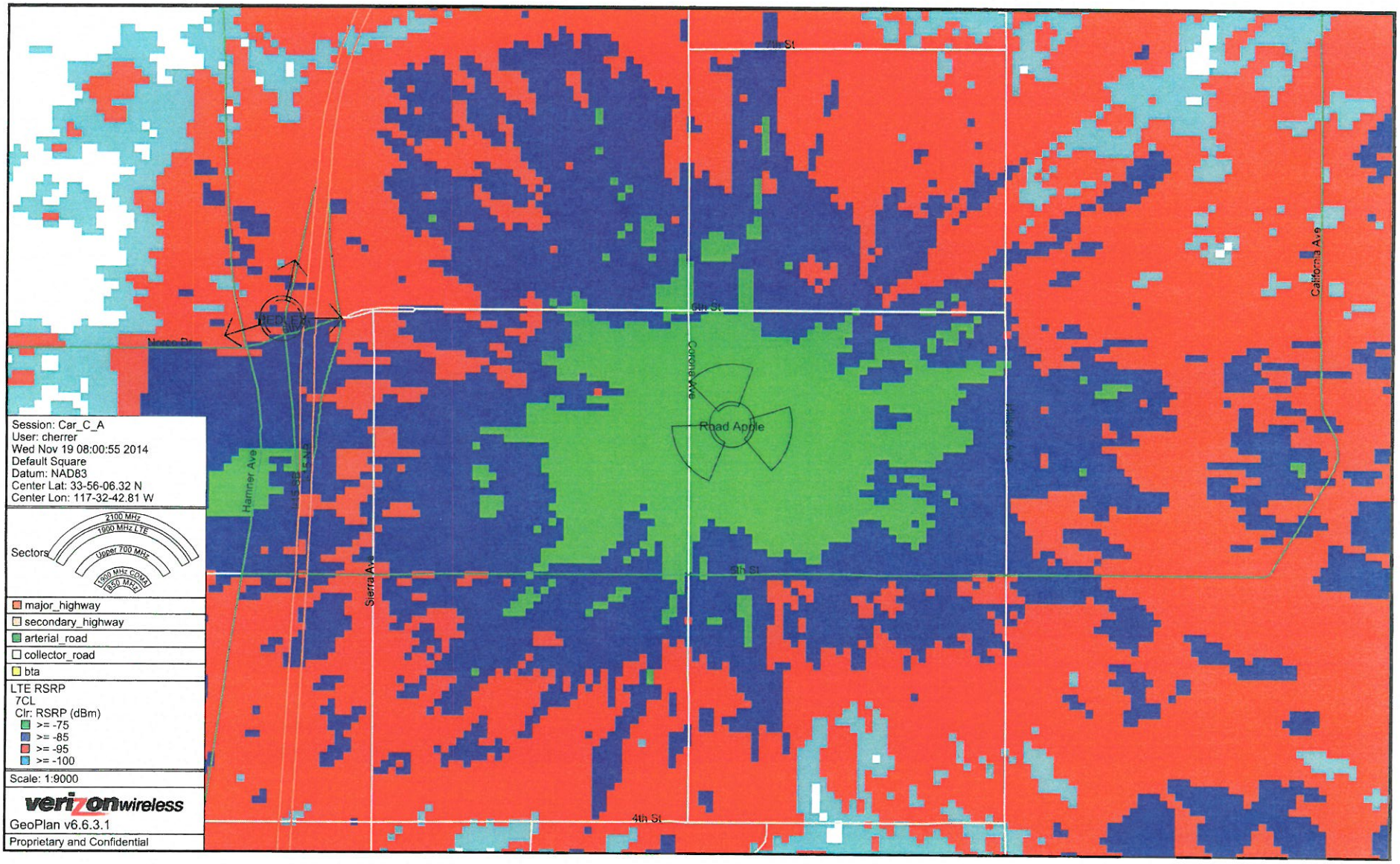

EXHIBIT "J"

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