



AGENDA
CITY OF NORCO
CITY COUNCIL/SUCCESSOR AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
AUGUST 1, 2012

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Mayor Kevin Bash
Mayor Pro Tem Kathy Azevedo
Council Member Berwin Hanna
Council Member Herb Higgins
Council Member Harvey C. Sullivan

PLEDGE OF ALLEGIANCE: Council Member Sullivan

INVOCATION: Calvary Chapel – Norco
Pastor Louie Monteith

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

1. CITY COUNCIL CONSENT CALENDAR 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.2 of the Agenda)*
 - A. City Council Minutes:
Regular Meeting of July 18, 2012
Recommended Action: **Approve the City Council Minutes** (City Clerk)
 - B. Recap of Actions Taken at the Planning Commission Regular Meeting of July 25, 2012. **Recommended Action: Receive and File** (Planning Director)
 - C. Adoption of Policy Guidelines for the Santa Ana River Trail and Parkway Project for Signage Policy, Public Art Policy and Minimum Maintenance Guidelines **Recommended Action: Adopt the Policy Guidelines for the Santa Ana River Trail and Parkway Project for Signage Policy, Public Art Policy and Minimum Maintenance Guidelines.** (Director of Parks, Recreation and Community Services)
 - D. Approval of the Project and Capacity Agreement for the Expansion of the Western Riverside County Regional Wastewater Authority (“WRCRWA”) Treatment Plant. **Recommended Action: Approve the Project and Capacity Agreement for the expansion of the WRCRWA Treatment Plant, subject to non-substantial changers and approval by all WRCRWA Member Agencies; and authorize the Mayor to execute the Agreement.** (Director of Public Works)

- E. Acceptance of the Second Street Improvement Project as Complete. **Recommended Action: Accept the Second Street Improvement Project as complete and authorize the City Clerk to file the Notice of Completion with the County Recorder's Office.** (Deputy Public Works Director/Senior Engineer)
 - F. Approval of Amendment No. One to the Economic Incentive Agreement with Excel Hotel Group. **Recommended Action: Approve Amendment No. One to the Economic Incentive Agreement with Excel Hotel Group.** (Deputy City Manager/Director of Finance)
 - G. Acceptance of the Dedication of an Easement for Underground Public Utility Purposes at Mt. Rushmore Drive. **Recommended Action: Accept a property dedication of a 20 foot easement for public utility purposes at 367 Mt. Rushmore Drive, authorize staff to execute an exemption of the sewer connection fee and the water meter fee agreement with the property owner, and authorize the City Clerk to record the easement grant deed.** (Public Works Director)
2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
3. CITY COUNCIL DISCUSSION/ACTION ITEMS:
- A. Discussion of Code Compliance Program. **Recommended Action: That the City Council review and discuss code compliance policies and practices and provide any desired direction.** (City Manager)
4. PUBLIC COMMENTS OR QUESTIONS - THIS IS THE TIME WHEN PERSONS IN THE AUDIENCE WISHING TO ADDRESS THE CITY COUNCIL REGARDING MATTERS NOT ON THE AGENDA MAY SPEAK. PLEASE BE SURE TO COMPLETE THE CARD IN THE BACK OF THE ROOM AND PRESENT IT TO THE CITY CLERK SO THAT YOU MAY BE RECOGNIZED.

CITY COUNCIL AGENDA -- ACTING AS THE GOVERNING BODY OF THE SUCCESSOR AGENCY TO THE NORCO COMMUNITY REDEVELOPMENT AGENCY AS FOLLOWS:

5. SUCCESSOR AGENCY CONSENT CALENDAR ITEM:
- A. Successor Agency Minutes:
Regular Meeting of July 18, 2012
Recommended Action: **Approve the Successor Agency Minutes.**
(Secretary)

6. OTHER MATTERS – CITY COUNCIL, CITY MANAGER AND STAFF:

- A. City Council Updates from Regional Boards and Commissions
- B. City Council Other Matters
- C. Staff Other Matters

7. ADJOURNMENT:

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

Staff reports are on file in the Office of the City Clerk. 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.

/bj-81493



MINUTES
CITY OF NORCO
CITY COUNCIL/SUCCESSOR AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
JULY 18, 2012

CALL TO ORDER: Mayor Bash called the meeting to order at 7:00 p.m.

ROLL CALL: Mayor Kevin Bash, **Present**
Mayor Pro Tem Kathy Azevedo, **Present**
Council Member Berwin Hanna, **Present**
Council Member Herb Higgins, **Present**
Council Member Harvey C. Sullivan, **Present**

PLEDGE OF ALLEGIANCE: Council Member Higgins

INVOCATION: Council Member Sullivan

PROCLAMATIONS: United Way
Allen Villalobos, Executive Director

Mayor Bash and Mayor Pro Tem Azevedo presented Mr. Villalobos with a certificate of appreciation recognizing the United Way's contributions to the UNLOAD Committee and the events that they hold.

Parks Make Life Better Month
Month of July

Mayor Bash recognized the City's Parks, Recreation & Community Services Department and proclaimed the month of July 2012 as Parks Make Life Better Month.

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

M/S Higgins/Sullivan to approve the items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:

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

- A. City Council Minutes:
Regular Meeting of June 20, 2012
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)

Agenda Items 1.A. & 5.A.

- C. Ratification of the Fiscal Year 2012-2013 Western Riverside County Regional Wastewater Authority Budget. **Recommended Action: Adopt Resolution No. 2012-59, approving the 2012-2013 Western Riverside County Regional Wastewater Authority Budget.** (Director of Public Works)
- D. Acceptance of Bids and Award of Contract for the Hamner Avenue Widening Project and Related Construction Services. **Recommended Action: Accept bids submitted for the widening of Hamner Avenue and award a contract to Griffith Company in the amount of \$4,133,320.25 for the Base Bid and \$1,188,610.00 for Add Alternate Bid No. 1; and additional related construction services in the amount of \$238,031, and authorize the City Manager to approve contract change orders up to 10 percent of the base bid and construction service contract amounts.** (Deputy Public Works Director/Senior Engineer)
- E. Acceptance of Hemborg Ford's Low Bid to Replace Vehicle No. 432. **Recommended Action: Approval** (Deputy City Manager/Director of Finance)
- F. Ratification of a Change Order in the amount of \$3,000 to an Existing Contract for Environmental Services with Michael Brandman & Associates to Complete the Revised Scope of Work Related to the Widening of Hamner Avenue. **Recommended Action: Approval** (Planning Director)
- G. Award of Professional Services Contract to RKA Consulting Group for City Engineering Services through June 30, 2013. **Recommended Action: Approval** (Director of Public Works)
- H. Approval of Addendum No. 7 to the Western Riverside County Regional Wastewater Authority ("WRCRWA") Joint Exercise of Powers Agreement. **Recommended Action: Approve Addendum No. 7 to the WRCRWA Joint Exercise of Powers Agreement, subject to non-substantive changes and approval by all WRCRWA Member Agencies; and authorize the Mayor to execute the Amendment.** (Director of Public Works)
- I. Quarterly Investment Report for Quarter Ended June 30, 2012 **Recommended Action: Receive and File** (Deputy City Manager/Director of Finance)

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

3. CITY COUNCIL DISCUSSION/ACTION ITEMS:

- A. Designation of Voting Delegate and Alternate for the 2012 League of California Cities Annual Conference. **Recommended Action: Appoint one Voting Delegate and one Alternate Voting Delegate to represent the City of Norco at the 2012 League of California Cities Annual Conference.** (City Clerk)

M/S Azevedo/Bash to appoint Council Member Sullivan to serve as the City's voting Delegate at the 2012 League of California Cities Annual Conference. The motion was carried by the following roll call vote:

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE**

M/S Bash/Higgins to appoint Council Member Hanna as the City's Alternate voting Delegate at the 2012 League of California Cities Annual Conference. The motion was carried by the following roll call vote:

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE**

- B. Appointment of Two Council Members to Serve on the Zoning and Development Issues Working Group **Recommended Action: Appoint Two City Council Members to serve on a Zoning and Development Issues Working Group.** (City Manager)

City Manager Groves presented the item for Council discussion.

M/S Hanna/Higgins to appoint Council Member Sullivan and Mayor Pro Tem Azevedo to serve on the Zoning and Development Issues Working Group. The motion was carried by the following roll call vote:

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE**

- C. Approval of the Striping of Certain Streets for Bikeway as Part of the Santa Ana River Trail and Parkway Program. **Recommended Action: That the City Council approve the striping of a Class II bikeway along Corydon Avenue/Norco Drive from River Road to Cedar Avenue; a Class III bikeway from Cedar Avenue to Crestview Drive along Alhambra Street, Taft Street, Old Hamner Road, Detroit Street, Sierra Avenue, Pedley Avenue and River Drive as part of the Santa Ana River Trail and Parkway Program and provide direction on the Alternative "By-Pass" Route.** (Deputy Public Works Director/Senior Engineer)

Deputy Public Works Director/Senior Engineer Askew presented the item for Council discussion.

Rod Holland. Mr. Holland commented as an avid cyclist and noted his concerns regarding numerous City locations and streets.

Public Works Director Thompson stated that there will be capital improvements made to the streets involved in the bike routes. He also noted that all of the Class III bikeways are temporary.

Parks, Recreation & Community Services Director Petree stated that there will be many organizations, including bicycle clubs, involved in this process and Mr. Holland's comments will be passed on for review.

Mayor Pro Tem Azevedo commented on her concerns regarding the signs being placed in the right-of-way on lawns, noting the residents that are being impacted. She further asked if any of the bike lanes will be in conflict with the NEV lanes. In response, City Manager Groves stated that only the plan was developed and there is no funding for the lanes. Mayor Pro Tem Azevedo stated that she concurs with the Commission on not using Sixth Street as an alternate route.

Council Member Hanna commented on the block between Sierra and Woodward and the traffic that moves fast through that area and further asked if the street will be widened. Staff responded that the bicyclists will be in the vehicular travel lane and not on the horse trail side, noting the improvements that will be made to the City's trails and the grant funding that will be available.

Council Member Higgins commented on his concerns regarding the speed of travel for bikes, horses and autos; noting the congestions added from parking on the streets. He stated that he is assuming that this is temporary and asked how much say the Council has in the improvements. Staff responded that all improvements would be brought back to the Council for its approval.

M/S Azevedo/Hanna to approve the striping of a Class II bikeway along Corydon Avenue/Norco Drive from River Road to Cedar Avenue; a Class III bikeway from Cedar Avenue to Crestview Drive along Alhambra Street, Taft Street, Old Hamner Road, Detroit Street, Sierra Avenue, Pedley Avenue and River Drive as part of the

Santa Ana River Trail and Parkway Program with the exception of Sixth Street as the Alternative "By-Pass" Route.

Under Discussion: Council Member Higgins received confirmation that any change to this plan would be brought back to Council

The motion was carried by the following roll call vote:

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

4. CITY COUNCIL PUBLIC HEARING:

- A. Public Hearing Ordering the Continuation of Landscape Maintenance Districts and Confirming a Diagram and Assessment and Providing for an Annual Assessment Levy for Districts No. 1 - Beazer, Tract 28765; No. 2 – Western Pacific, Tract 25779; No. 3 – Centex, Tract 28626; No. 4 – Norco Ridge Ranch, Tracts 29588 and 29589; and No. 5 – Hawk's Crest, Tract 30230

The "Landscaping and Lighting Act of 1972 requires an Engineer's Report for existing landscape maintenance districts (LMDs) must be reviewed and approved annually to continue assessments for the districts. The formation of the five districts allows for an annual increase not to exceed the Consumer Price Index (CPI). The CPI ending March 31, 2012 adjustment per parcel assessment in all districts is 2.0%.

Recommended Actions: That the City Council open the Public Hearing and if no more than 50 percent of the property owners within the District protest, it would be appropriate to adopt Resolution No. 2012-___, (Beazer); Resolution No. 2012-___, (Western Pacific); Resolution No. 2012-___, (Centex); Resolution No. 2012-___, (Norco Ridge Ranch); Resolution No. 2012-___, (Hawk's Crest), Ordering the Continuation of a Landscaping Maintenance District and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy. (City Engineer)

City Engineer Milano presented the public hearing item. He noted that all five LMDs had the consumer price index adjustment applied to them, as allowed by each of them, and varies from district to district. He commented on the future use of the reserve for LMD No. 4 and the need for a reserve for future maintenance. He stated that staff recommends keeping the LMD No. 4 fund balance there and once the fencing begins to fail, the plans and project will be brought back to the Council. He further stated that the other districts do not have the same reserve for these types of repairs.

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

Lance Gregory. Mr. Gregory spoke in opposition of any increase in the fees assessed for all of the LMDs. He noted the inconsistent services of Valley Crest.

Rosa Green. Ms. Green spoke in support of the additional tax and noted that she is pleased with Valley Crest. She noted that she is opposed to giving funds back to the residents.

Jodie Webber. Ms. Webber spoke in opposition of the proposed resolutions and commented specifically on LMD No. 4. She noted that the budget for this year is less than last year and commented on the surplus, which was not noted in the engineer's report. She stated that she did her own research regarding what should be included in the report and commented on what needs to be included, noting that the surplus amount is required to be included. She requested that a resolution be adopted stating the use of the reserves before they are used.

Roy Hungerford. Mr. Hungerford commented on the assessments and stated that he would like the reserves kept for future improvements and added to the line item budget. He noted that he would like to see the second phase of drains completed. He commented on Valley Crest, noting that he would like to see the weeds in the streets addressed. He further suggested holding community meetings with LMD No. 4 residents. Lastly, he stated that he would like to see LMDs spread throughout the entire City.

Bill Green. Mr. Green commented on the amount of money designated for water and asked if there is any consideration for reclaimed water to reduce the costs.

Mayor Bash CLOSED the public hearing.

Mayor Pro Tem Azevedo commented on waiving the CPI for one year.

Council Member Higgins commented on reserves, noting that if there is a reserve, it needs to be designated for a specific project. City Engineer Milano stated that in LMD No. 4, the reserve has been identified as trail fencing reserve and not a traditional surplus. City Attorney Harper stated that there is no statutory requirement to identify the use of the reserve. Council Member Higgins stated that he wants to see the reserve listed in the engineer's report.

Council Member Sullivan noted the comments made about the dead trees. He also commented on the comment made regarding LMDs in the City and stated that he would not have a problem with an LMD and would be in favor of that.

Mayor Bash commented on the lack of dead trees in the hills. He added that the Council is assessable for residents to forward any concerns, which will then be forwarded to staff to be addressed. He added that he is in favor of an assessment to maintain the trails.

M/S Higgins/Sullivan to adopt Resolution No. 2012-60, (Beazer); Resolution No. 2012-61, (Western Pacific); Resolution No. 2012-62, (Centex); Resolution No. 2012-63, (Norco Ridge Ranch); Resolution No. 2012-64, (Hawk's Crest), Ordering the Continuation of a Landscaping Maintenance District and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy, and further to amend the Engineer's Reports to reflect the reserves and identify the purpose for those reserves. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE-

ABSTAIN: NONE

5. PUBLIC COMMENTS OR QUESTIONS:

Dave Henderson. Mr. Henderson commented on the Horsetown USA Hall of Fame Casino Night to be held on Saturday, August 18th.

Karen Leonard. Ms. Leonard commented on a theft in her neighborhood, noting that items that were stolen were located at a business in Norco.

Danny Azevedo. Mr. Azevedo spoke as President of the NHA noting the ride that was held the past weekend and the proceeds that were received that will be donated for the Corydon Staging Area.

Roy Hungerford. Mr. Hungerford thanked the Public Works Department for its assistance with the back yard cleanup. Partnership between the Norco Regional Conservancy and the City.

Vern Showalter. Mr. Showalter noted that the Streets, Trails and Utilities Commission has brought up LMDs throughout the rest of the City at different times, further noting that if there is support now, they will pursue it again.

RECESSED: Mayor Bash recessed the meeting at 9:05 p.m.

RECONVENE Mayor Bash reconvened the meeting at 9:15 p.m.

CITY COUNCIL AGENDA -- ACTING AS THE GOVERNING BODY OF THE SUCCESSOR AGENCY TO THE NORCO COMMUNITY REDEVELOPMENT AGENCY AS FOLLOWS:

6. SUCCESSOR AGENCY CONSENT CALENDAR ITEM:

- A. Former Norco Community Redevelopment Agency Housing Program Subordination Agreements. **Recommended Action: That the Successor Agency authorize the execution by the Executive Director of subordination agreements in the event of refinancing which do not increase principal sum of trust deeds in a superior position to the Agency's trust deed and do not result in a cash out to the borrower.** (Successor Agency Legal Counsel)

M/S Sullivan/Hanna to authorize the execution by the Executive Director of subordination agreements in the event of refinancing which do not increase principal sum of trust deeds in a superior position to the Agency's trust deed and do not result in a cash out to the borrower. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

7. OTHER MATTERS – CITY COUNCIL, CITY MANAGER AND STAFF:

- A. City Council Updates from Regional Boards and Commissions/Other Matters:

Council Member Hanna:

- Provided an update on the 91 Freeway Widening Project.
- Stated that it is noted on the next Northwest Mosquito Abatement District Agenda that there are cases of West Nile in California.
- Reported on two (2) NART calls responded to.

Mayor Pro Tem Azevedo:

- Commented on calls she has received regarding mosquitos along the river and the West Nile threat.
- Reported on the WRCOG General Assembly and the WRCOG-sponsored HERO Program, which is the most successful in state.
- Commented on Master Chef program that aired.
- Asked Lt. Hedge to look into the business allegations reported during public comments.
- Commented on the Day of the Cowboy events to be held on Saturday, July 28th.

Council Member Higgins:

M/S Higgins/Bash to place an item on a future City Council agenda to discuss revisions to the code compliance regulations for the City. The motion was carried by the following roll call vote:

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

M/S Higgins/Bash to place an item on a future City Council agenda to discuss revising the Mission Statement for the Norco Citizens on Patrol to be able to write parking citations and parking on the trail enforcement regulations. The motion was carried by the following roll call vote:

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

Council Member Sullivan:

- Reported on the potential week-long event for the next Extreme Mustang Makeover. He noted that they are working to secure the date.

Mayor Bash:

- Reported on a telephone call he received regarding the sale of bunny rabbits, noting that the City may want to look at revising the fees for the sale of bunny rabbits.
- Requested that the speed sign be fixed on Sixth Street.
- Stated that there will be a 90th Birthday Party for Bob Allen on Saturday at the Hillside Farm.
- Received confirmation from Parks, Recreation & Community Services Director Petree that enough donations have been received to order the Rose Eldridge Senior Center monument sign.

M/S Bash/Higgins to hold a Council study session to receive information on and discuss the existing PERS retirement and health care plans, as well as existing laws. The motion was carried by the following roll call vote:

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

B. Staff Other Matters

City Manager Groves:

- Reported that she spoke at RURAL and will be speaking at the NHA meeting on Thursday, July 19th.

Public Works Director Thompson:

- Reported that the telephone number for the Northwest Vector Control District is on the City's website.

Lt. Hedge:

- Commented on the request to investigate the alleged business incident noted during public comments and stated that the specifics of investigations are not revealed and may take some time to complete.

8. ADJOURNMENT: There being no further business to come before the City Council, Mayor Bash adjourned the meeting at 9:40 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK

/bj-81508



RECAP OF ACTIONS TAKEN
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
JULY 25, 2012

CALLED TO ORDER: 7:00 p.m.

ROLL CALL: **Chair Wright, Vice-Chair Henderson, Commissioners Hedges, Jaffarian and Leonard**

STAFF PRESENT: **Planning Director King, Deputy City Clerk Germain**

PLEDGE OF ALLEGIANCE: **Commission Member Leonard**

1. ELECTION OF NEW CHAIR AND VICE CHAIR: **Robert Wright elected as Chair, Dave Henderson elected as Vice-Chair**
2. APPEAL NOTICE: **Read by staff.**
3. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA:
None
4. APPROVAL OF MINUTES:
 - ❖ Special Joint City Council/Planning Commission Minutes dated May 30, 2012
 - ❖ Planning Commission Minutes of June 13, 2012Recommended Action: Approval (Deputy City Clerk): **Approved 5-0, Jaffarian abstained from approving Special Joint Minutes dated May 30, 2012, due to absence.**
5. CONTINUED ITEM: **None**
6. PUBLIC HEARINGS:
 - A. Resolution 2012-___; Zone Change 2012-08 (City of Norco): A Request for Approval to Change the Zoning from A-1 (Agricultural Low-Density) to H-D (Hospitality Development) Including the Adoption of a Specific Plan for Regulations on about 6.76 Acres Located at 1510 and 1550 Second Street (APNs 125-180-007 and -010).
Recommended Action: Recommend Approval (PD King)
Action: Revised elements of the Draft Specific Plan contained in Resolution 2012-30; Voted to recommend denial of the proposed negative declaration and resolutions to approve the zone change.

(Status: This item was a City-initiated project and will be withdrawn unless the City Council directs an appeal hearing.)

AGENDA ITEM 1.B.

7. BUSINESS ITEMS:

- A. Appointment of Two Commission Members to serve on the Zoning and Development Issues Working Group. Recommended Action: Appoint Two Planning Commission Members to serve on a Zoning and Development Issues Working Group. (PD King); **Commission Members Henderson and Leonard appointed to the Working Group.**

8. CITY COUNCIL: **Received and Filed**

- ❖ Recap of Actions Taken at the July 18, 2012 City Council Meeting
- ❖ City Council Minutes dated June 6, 2012 (Special Meeting)
- ❖ City Council Minutes dated June 6, 2012
- ❖ City Council Minutes dated June 20, 2012

9. PLANNING COMMISSION: Oral Reports from Various Committees: **None**

10. STAFF: Current Work Program dated July 19, 2012, **Received and Filed**

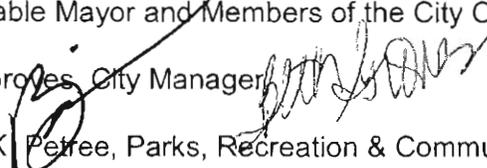
11. OTHER MATTERS

- **Commission Member Hedges asked for a status of a residence and whether there were code enforcement actions being taken.**
- **Commission Member Hedges asked how “starting gate stalls” got approved for a new delicatessen going in on Sixth Street.**

12. ADJOURNED: **9:35 p.m.**

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Brian K. Petree, Parks, Recreation & Community Services Director

DATE: August 1, 2012

SUBJECT: Adoption of Policy Guidelines for the Santa Ana River Trail and Parkway Project for Signage Policy, Public Art Policy and Minimum Maintenance Guidelines

RECOMMENDATION: Adopt Policy Guidelines for the Santa Ana River Trail and Parkway Project for Signage Policy, Public Art Policy and Minimum Maintenance Guidelines.

SUMMARY: The City Council adopted the Master Plan for the Santa Ana River Trail and Parkway (SARTP) on March 7, 2012, The Policy Advisory Group (PAG) is asking agencies along the Santa Ana River to adopt the Policy for Signage, Public Art and Minimum Maintenance Guidelines. The goal is to standardize operations of the trail between the three counties of Riverside, San Bernardino and Orange and all related jurisdictions.

BACKGROUND/ANALYSIS: On March 7, 2012 the City Council Adopted the Master Plan for the Santa Ana River Trail and Parkway (SARTP) along with the Riverside County Board of Supervisors who adopted it on April 10, 2012. The County of Riverside is asking the Norco City Council to join with the other jurisdictions of Riverside, San Bernardino and Orange Counties along the Santa Ana River Trail and Parkway to adopt the attached policies (Exhibit "A") for Signage, Public Art and Minimum Maintenance Guidelines with the goal to standardize operations of the trail between all three counties.

A Memorandum of Understanding between all 3 counties involved provides for a Policy Advisory Group (PAG), made up of elected officials, and the Technical Advisory Committee (TAC), made up of staff from all jurisdictions and key stake holders along the Santa Ana Watershed, to support the goal of completing the Santa Ana River Trail. The aforementioned policies have been developed and vetted by the TAC and PAG groups with the understanding that each City or jurisdiction is allowed to exercise its autonomy and uniqueness while maintaining a minimum standard.

These guidelines have been reviewed by the Streets, Tails and Utilities Commission and the Parks and Recreation Commission at their regular meetings on June 4, 2012 and June 18, 2012 respectively. Both Commissions have recommended, and staff is also recommending, that the City Council adopt the policies for Signage, Public Art and Minimum Maintenance Guidelines.

FINANCIAL IMPACT: All signage is part of the Riverside County partnership for the SARTP and will be implemented into the construction project by grants funded by Prop 80 and Prop 51 through the Riverside County Parks and Open Space District. The Riverside County Parks and Open Space District will take the lead on development of the trail system working with each jurisdiction in close cooperation. Wilderness open space trail areas and bike trails will be evaluated between the partnerships and maintained by each jurisdiction as needed and funding is available.

/bp- 80925
Attachment: Exhibit "A"

Santa Ana River Parkway

Minimum Sign Guidelines



October 2011

TABLE OF CONTENTS

Title sheet.....	1
Table of Contents.....	2
Background, Purpose, Goals and Tasks.....	3
Wayfinding and Name Signs.....	4, 5
Mileage Markers.....	6, 7
Map and Exhibit Signs.....	8, 9
Regulatory Signs.....	10, 11
Arterial Roadway Name Signs.....	12
Parkway Condition and Public Safety Signs.....	13
Bikeway Marking Template	14
Maintenance.....	15
Glossary of Terms.....	16
Mileage Marker Information Template.....	17
Parkway Sign Post Template.....	18
Parkway Mileage Striping Template.....	19
Regulatory Sign Template Example	20

SANTA ANA RIVER PARKWAY MINIMUM SIGNAGE GUIDELINE

Background

The Santa Ana River Technical Advisory Committee (TAC) has prepared a draft Minimum Sign Guideline (Guideline) for use along the Santa Ana River Parkway. The Guideline was prepared at the request of the Santa Ana River Policy Advisory Group (PAG). The Guideline includes information from local agencies and from other sign guidelines.

Purpose

To communicate important Wayfinding, Interpretation, Safety and Regulation and Branding information about the Santa Ana River Parkway through cost-efficient methods agreeable to the Santa Ana River Parkway Partners.

Goals

1. Create a Guideline which unifies and recommends Wayfinding, Interpretation, Safety and Regulation and Branding signs for use along the Santa Ana River Parkway.
2. Adopt the draft Guideline
3. Implement the Wayfinding portion of the Guideline as a first step.

Tasks

1. Develop minimum Wayfinding, Interpretation, Safety and Regulation and Branding signs with emphasis initially given to Wayfinding signs.
2. Expand the Guideline to include additional Interpretation, Safety and Regulation and Branding signs in a subsequent revision.
3. Recommend a modular sign system that is readily available, easily implemented, expandable and inexpensive.
4. Remove old or outdated Parkway signs as appropriate

WAYFINDING

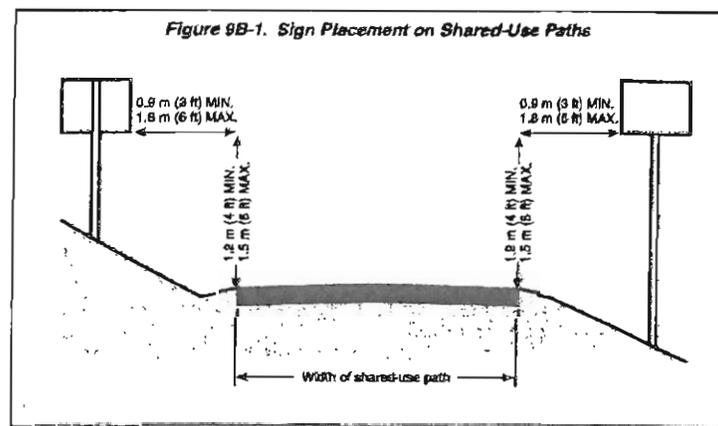
NAME SIGNS

Wayfinding signs are an important device to convey key information to Parkway visitors. Signs can direct, place emphasis, inform and warn. Signs can also create a sense of place and create value and significance.

Wayfinding name signs should clearly identify the Santa Ana River Parkway and its Riding and Hiking Trail and Class I (off-road paved) Bikeway. Name signs are commonly placed on vertical posts with a sign affixed to its top. Another option is to affix the name sign (as a sticker) on the post itself. Stickers affixed to sign posts (on 2 or more vertical edges) allow signs to face bicyclists from multiple directions.

Signs should be located where the visitor enters the Parkway right-of-way and begins to interact with other trail users. Name signs should be installed at least 3 feet from the edge of the trail or bikeway.

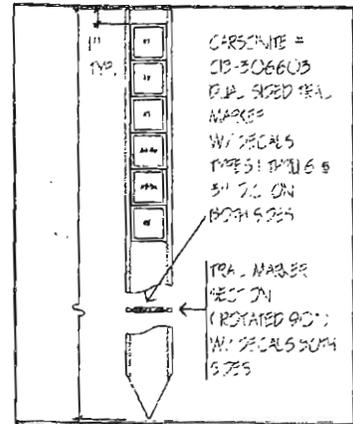
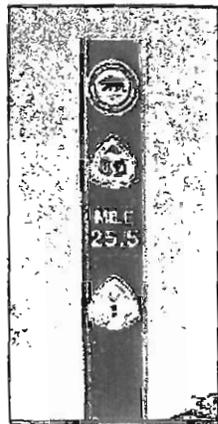
Suggestion #1: Install name signs at locations just outside of the Parkway right-of-way and into other public right-of-way as a way to suggest an alternative route of travel. Signs may be placed where road right-of-way adjoin Parkway right-of-way and/or along road right-of-way as cyclists approach the connection to the Parkway (similar to signs used to alert motorists to an approaching road intersection.)



Suggestion #2: Consider a modular sign post that addresses:

- Post and materials
- Signs and stickers
- Wording and information order
- Sign Placement
- Durability
- Easily obtainable sign materials and processes to install and maintain.

Examples of Flexible Sign Posts and Decals



Optional Name Sign Treatments

Option #1:

In the future consider using color and symbols (combined) to further emphasize the Parkway name and user location along the Parkway. Limit the types of signs to reduce cost. An example of a bikeway sign from San Mateo, California is below.



MILEAGE MARKERS

Mileage Markers can provide the following benefits:

- Designate where users can enter and exit the Parkway,
- Identifies the path of the bikeway and trail
- A point or destination along the Parkway
- Useful to plan rides and hikes
- Measure distance between 2 or more points
- Serves Parkway operators
- Wayfinding for emergency service staff

Mileage Markers should have the following characteristics:

- Visible and easy to read from the surrounding space
- Accurately placed (beginning at a fixed point along the Parkway)
- Installed at regular intervals (between $\frac{1}{4}$ and $\frac{1}{2}$ mile) and where users may be expected to stop and rest
- Contain useful information organized in a uniform manner
- Of a height and scale to not be a hazard.
- Include features (such as a reflective surfaces) that allow the marker to be seen day and night
- Easy to maintain and to replace
- Made of readily available materials that are durable and economical.

Develop a Sign Post Template (see Mileage Marker and Sign Post Templates) that addresses:

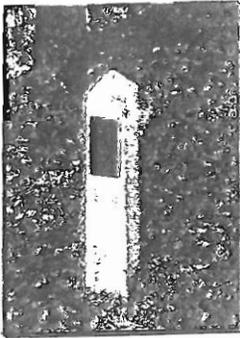
- Acceptable public uses of the Parkway
- Post shape
- Seals and Logo
- Mileage Number
- Installation

Suggestion #1: Prepare a map of the Mile Markers as part installation. The map will identify marker sites (estimated to be about 250 to 300) with unique mileage designations.

Suggestion #2: Coordinate the following Mileage Marker activities:

- Agreement on a modular post and sign palette
- Purchase of posts, stickers, and other sign materials
- Installation of the signs along the river
- Removal of unnecessary posts and signs

Examples of Mileage Markers



Optional Marker Treatments

- Option #1: Use color and symbol codes (if useful) to emphasize the user's location along the Parkway.
- Option #2: Use 2 or 4 sided posts to communicate multi-directional travel information.
- Option #3: Consider painting a bar across the bikeway that corresponds to the location of the marker as a way to highlight the post.

MAP AND EXHIBIT SIGNS

Prepare regional and local maps of the Parkway. Regional maps should include the entire Parkway. Local maps should depict sections of the Parkway with sufficient detail of the surrounding area. Parkway maps should be designed to serve:

- The widest visitor population.
- Parkway staff and their contractors
- Emergency services staff
- Other stakeholders

Parkway maps should be easy to read, accurate, allow visitors to find their position, show destinations and features along the Parkway and occur at regular intervals. Parkway maps should contain the following information:

- Entire Parkway as the primary map or as an insert to a map
- Parkway information where the exhibit is located
- Agency jurisdictions
- Key staging and entry points to the Parkway
- Major destinations along the Parkway - parks, commercial, educational and residential areas.
- Provide information where to download Parkway maps

Parkway maps should be located at:

- Intersections with other local and regional trails and bikeways
- Parkway end points and key entries to cities and communities as requested by each Partner.
- Staging and major rest areas.
- Significant interpretative features (as needed)
- Where visitors can safely pull off the bikeway to access and read the map.

Parkway maps should be designed to also include:

- Disabled parking
- Step-free access points
- Facilities for those with disabilities.
- Scan-able icons to download a regular and large-print version of the Parkway map

Suggestion #1: Consider developing a Parkway Kiosk Template (example below)

REGULATORY SIGNS

Regulatory signs impart official information about permitted uses and activities within the Parkway. Regulatory signs are commonly located at entrances to the Parkway (mostly at intersections with public roadways), staging lots and information kiosks.

Regulatory Signs:

Rules and Regulation: Explain the operation and use of a facility including information about the operator, hours of operation and approved uses. Seals or logos often accompany this type of sign. (See Template for larger example)



Yield/Courtesy: Identify acceptable Parkway uses and user right-of-way.



Animal Ordinance: Consider unifying the different animal control signs into one sign in a subsequent amendment to the Guideline.

Closure/Detour: These signs inform the user about a change to the public's use of the Parkway when:

- There is a closure or interruption of the public's use of the Parkway
- Alternative routes are available through or around affected areas.





M4-9a



M4-9c

Regulatory signs should be installed where the visitor enters the Parkway right-of-way and where the adopted rules and regulations apply. Sign posts should be installed a minimum of 3' off the edge of the trail or bikeway tread.

Suggestion #1:

Compare existing Rules and Regulations signs of the Parkway partners. Possible differences may include:

- Seasonal operating hours
- Acceptable activities within the Parkway
- Use of paved and soft treads by different users
- Sections of the Parkway where only the trail or bikeway are open and both groups must share a single path.

Suggestion #2:

Consider developing a Minimum Regulatory Sign Template to be used by the Parkway partners (see Regulatory Sign Template). Consider adopting one or two Minimum Regulatory Signs that:

- Are uniform in appearance and content
- Provide key information
- Made of inexpensive and readily obtainable sign materials which are easy to install and maintain.
- Can be modified or expanded

Suggestion #3:

- Consider including Rules and Regulations information in the Parkway kiosk.

Optional Regulatory Sign Treatments

Option #1: Use colors and symbols to highlight the Parkway's rules and regulations where emphasis is needed.

Option #2: Consider a sign template which groups signs to reduce cost and clutter

Option #3: Design a Regulation Sign to also include the Parkway logo and local seal

ARTERIAL ROADWAY NAME SIGNS

Roadway name signs are an indispensable type of guidance sign common to every highway system in the nation. As the popularity of cycling grows roadway name signs can provide the same location and decision-making benefit for the non-motorized Parkway user.

Arterial Roadway Name signs would be used to identify arterial highways which overcross the Parkway. Roadway signs are popular and often requested by cyclists.

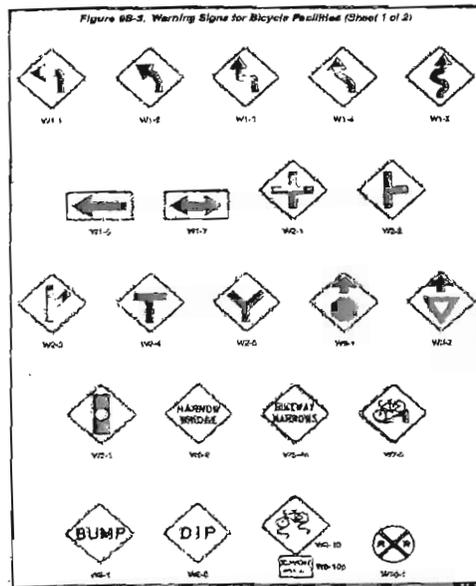
Roadway name signs should be prominently displayed on the upstream and downstream sides of a bridge soffit (2 signs per bridge). Lettering should be sufficiently large to insure cyclists can easily read the signs before reaching the undercross.

Suggestion #1: Develop an Arterial Roadway Name Template employing large, reflective lettering.

PARKWAY CONDITION AND PUBLIC SAFETY SIGNS

Safety signs call attention to those areas of the Parkway where additional information is to be provided to the visitor. Safety signs alert users to:

- Route conditions (such as a curve, a climb or descent)
- Shared use (where trail and bikeway merge)
- Edges or seams in the tread
- Transitions to a bridge or other crossing or from concrete pavement to asphalt



Safety Signs: Alerts users to locations where:

- The Parkway is not open for public use (the channel invert or a plant restoration area)
- Riders are asked to slow (such as a narrow area)
- Line of sight is reduced (at undercrossings)
- The Parkway is in need of repair or maintenance
- The Parkway is closed or is detoured

Condition and Safety signs installation sites: Should be located at or near the site where the information is needed and on the approach to the site (if advance notice is needed.)

Suggestion #1: Condition and safety signs should be easy to identify and read. Consider colors that are appropriate such as yellow or other strong color.

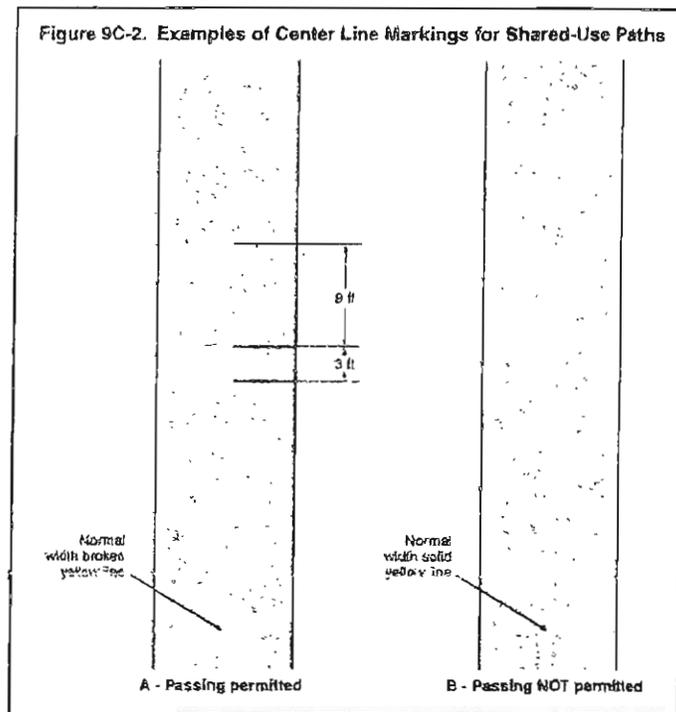
Suggestion #2: Limit Condition and Safety signs to only those areas where additional information is needed.

BIKEWAY MARKING TEMPLATE

Background: These markings denote bidirectional travel and provide information for turning, passing and crossing maneuvers.

Bikeway Marking: Where shared-use paths are of sufficient width to designate two minimum width lanes, a solid yellow line may be used to separate the two directions of travel where passing is not permitted, and a broken yellow line may be used where passing is permitted. Broken lines should have a 1-to-3 segment-to-gap ratio. A nominal 0.9 m (3 ft) segment with a 2.7 m (9 ft) gap should be used.

Striping sites: Bikeway markings should conform to the Caltrans Highway Design Manual Chapter 1000. Chapter 1000 refers the reader to California Manual on Uniform Traffic Control Devices for Streets and Highways.



Suggestion #1: Adopt a uniform Bikeway Marking Template

Suggestion #2: Strip both edges of the Class I Bikeway with a 4" wide reflective white line to identify the edge of pavement.

MAINTENANCE

Condition: Maintain Parkway signs, markers and kiosks in a manner that:

- Establishes the Parkway theme
- Wayfinding signs are up-to-date
- Provides sufficient Wayfinding information for the Parkway visitor

Inspection: Inspect Parkway signs annually (or more regularly as needed) as part of routine service.

Repair: Repair or replace damaged signs as soon as possible. Keep a supply of signs for easy replacement.

Routine Maintenance: Replaces missing or damaged signs, posts, cleans signs and replaces stickers or reflective decals. Inspect all Parkway signs annually. Keep a 20-30% stock of replacement signs until a pattern of replacement is established.

Remedial Maintenance: Where a majority of Parkway signs are upgraded or replaced.

GLOSSERY

Wayfinding - Methods used to arrange indicators to guide people to their destinations.

Sign Post – A post that bears a sign showing the way along a route or path

Mile Marker – A post or sign that indicates miles measured from a fixed point along a route or path.

Miles in County (aka postmiles) – Miles beginning at zero at the western or southern end of the parkway or at the western or southern boundary of the county through which the route is traveling. Mileage increases as you travel north or east and then restarts at zero at the next county line.

Miles from Ocean – Miles beginning at zero at the point where the Santa Ana River Class I Bikeway travels upstream from the Pacific Ocean.

Kiosk - A small structure with one or more sides used to post information.

Bikeway – A designated place for bicycle passage

Parkway – A broad landscaped thoroughfare

Riding and Hiking Trail – A recreational route or path

Santa Ana River Trail & Parkway Mileage Marker Information Template

Face
View

Edge
View

Parkway Logo



Trail Courtesy Logo



Mileage in direction of travel

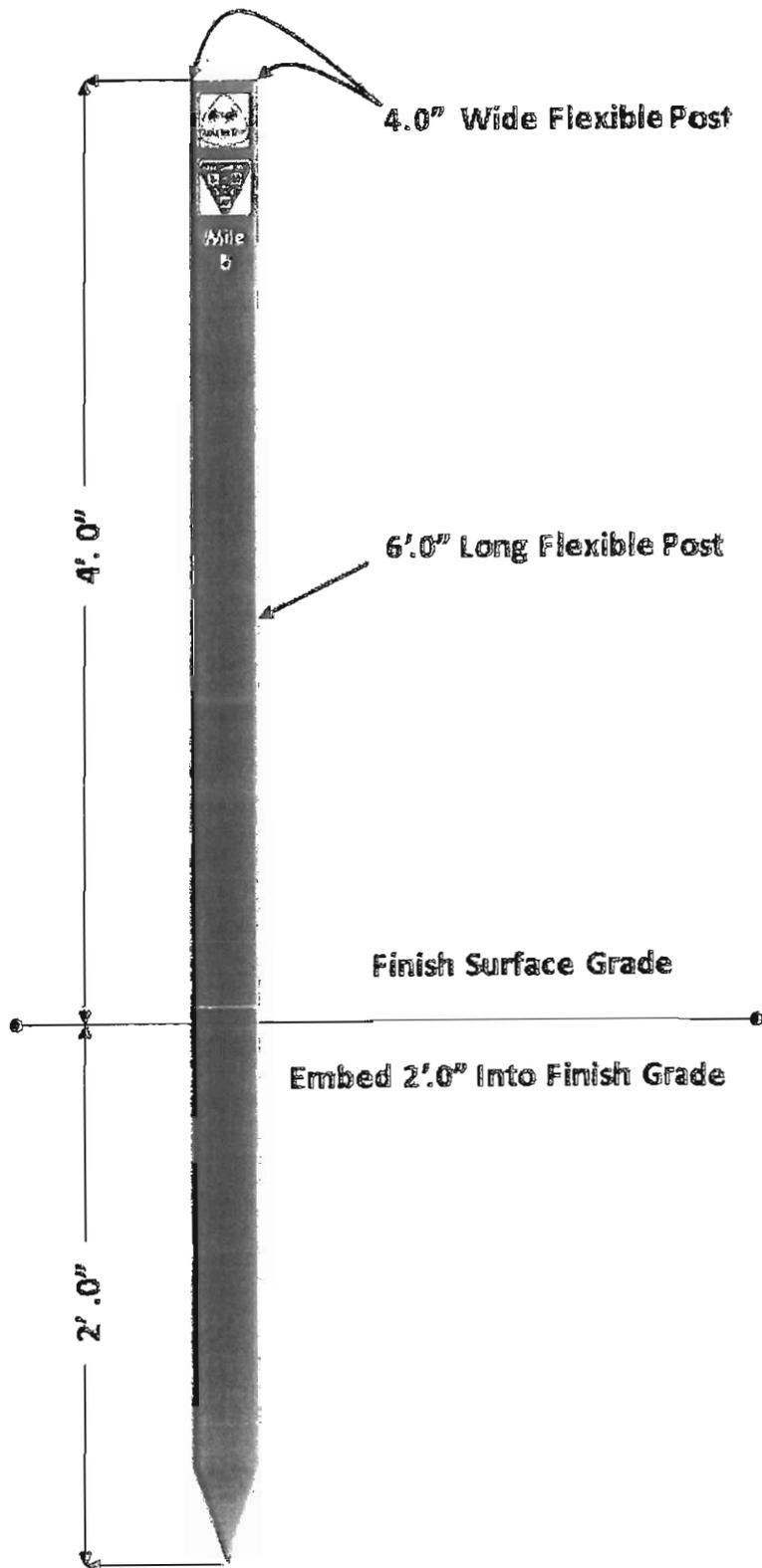


Mile
5

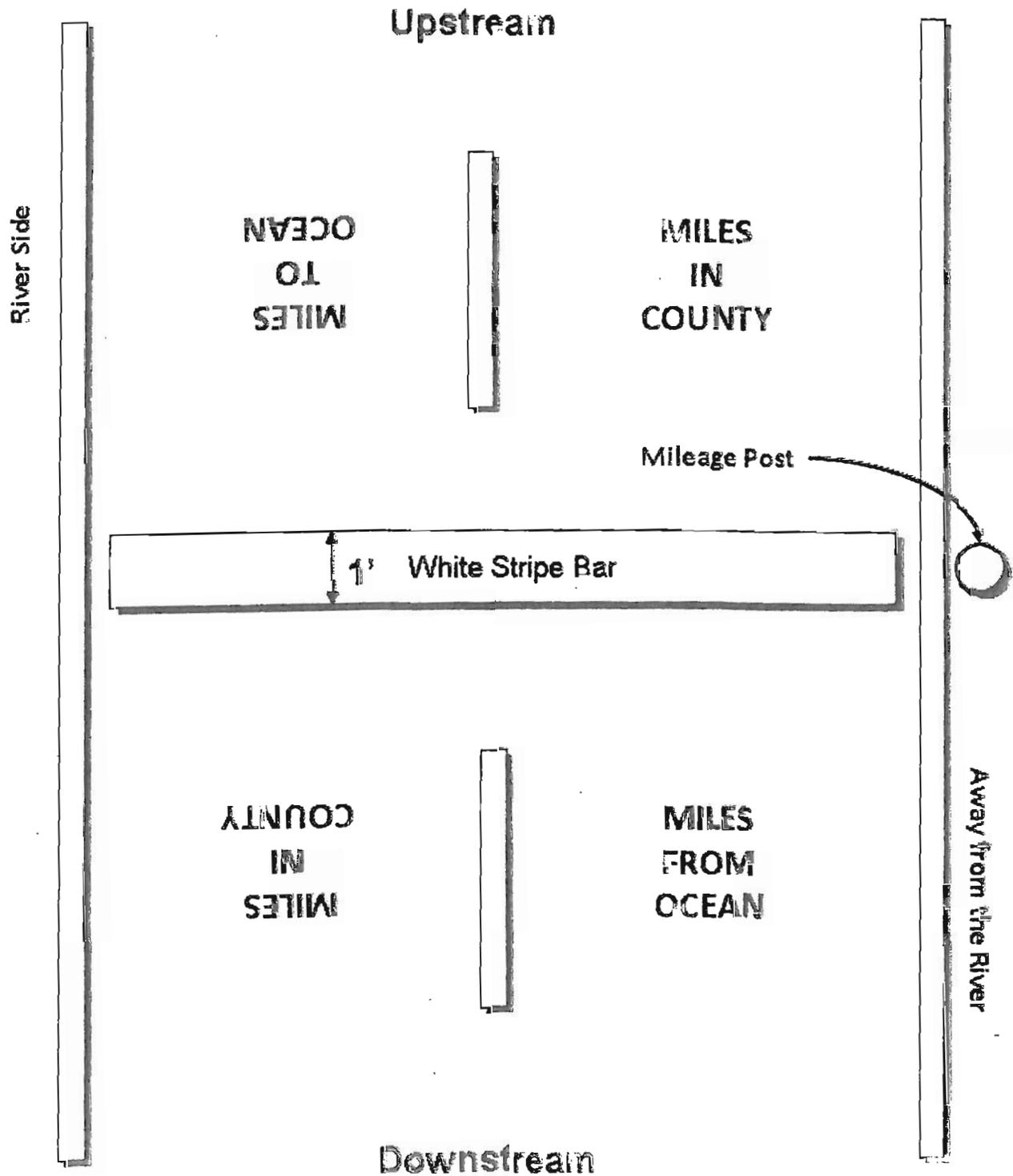


Santa Ana River Trail & Parkway Sign Post Template

Install posts every ½ mile



Santa Ana River Trail & Parkway One-Mile Mileage Striping Template



Example of a Santa Ana River Trail and Parkway
Regulatory Sign Template

Trail Regulations

Trail Hours

November 1st - February 28th 7:00 a.m. - 6:00 p.m.

March 1st - October 31st 7:00 a.m. - 9:00 p.m.

(ORD. SEC. 2-6-15)
(RES. 72 1597)

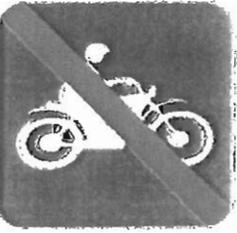
This is a regional riding & hiking trail. Please exercise safety towards all users.



DOMESTIC ANIMALS MUST BE
RESTRAINED BY LEASH NOT TO
EXCEED SIX (6) FEET IN LENGTH
(ORD. SEC. 2-5-39 (B))

CLEAN UP AFTER YOUR PET
(ORD. SEC. 2-6-36 (1))

(ORD. SEC. 2-9-24)



AUTHORIZED VEHICLES ONLY
NO MOTOR SCOOTERS /
MOTORCYCLES
(ORD. SEC. 2-5-25 (1))

NO SKATEBOARDS,
ROLLERSKATES OR IN-LINE
SKATES
(ORD. SEC. 2-5-30 (1)(A))

NO ALCOHOL
(ORD. SEC. 2-8-32)



OC parks
Regional Riding & Hiking Trail

For information, please call
(866) 627-2757

Santa Ana River Partnership



Minimum Maintenance Guidelines

February 20, 2008

Table of Contents

Santa Ana River Parkway Background

Early Planning Efforts

In 1990 a number of agencies participated in an interagency agreement to prepare the Santa Ana River Corridor Trail System Master Plan (also known as the EDAW Plan). These agencies included:

- Counties of Orange, Riverside, and San Bernardino.
- Cities of San Bernardino, Highland, Redlands, Loma Linda, Colton, Rialto, Corona, Anaheim, and Huntington Beach.
- Orange County Water District.
- State of California – Department of Parks and Recreation.
- US Forest Service.
- National Park Service – Rivers, Trails and Conservation Assistance Program.

The plan was never adopted; however, it addressed several planning objectives important to the counties and cities, including the creation of a continuous trail along the entire Santa Ana River with linkages to feeder-trail systems.

Coordinated Parkway Planning

Since the EDAW Plan, the counties, cities, and other agencies continued to meet, to share information regarding their efforts to plan and implement a parkway and trail system along the river. Eventually, with the ever-increasing demand for public recreation along the Santa Ana River, the counties, the Santa Ana Watershed Project Authority (SAWPA), and the Wildlands Conservancy agreed to jointly coordinate the planning of the Santa Ana River “Parkway”, a linear open space corridor with trails and amenities. As part of this coordinated effort, the Parkway partnership created a Policy Advisory Group (PAG), to monitor the progress of the Santa Ana River Parkway, and to coordinate decision making. The PAG is composed of elected city and county officials, and representatives from SAWPA and the Wildlands Conservancy. To assist the PAG regarding trail signage installation and operations and maintenance, a Technical Advisory Committee (TAC) was created.

Operations and Maintenance Subcommittee – Minimum Maintenance Guidelines

The TAC created the Operations and Maintenance Subcommittee (Committee) to develop a set of Minimum Maintenance Guidelines (Guide) for use by the counties and cities along the Parkway. In early 2007 the Committee began to review local, regional, and national guidelines and standards for trail, bikeway, and parkway operations and maintenance. By early 2008, the Committee had finished a draft version of the Guide for TAC review and approval. The Guide is not intended as an

absolute standard for parkway maintenance, but instead as a set of recommendations acceptable to the PAG. Included in the Guide is a list of maintenance recommendations for:

- Riding and hiking trails
- Class I (paved off-road) bikeways
- Parkway landscaping
- Fixed facilities
- Security
- Work schedule
- Maintenance log
- Trail and bikeway closures for maintenance purposes

Guide Terminology

The following words and phrases are used throughout the Guide, and warrant clarification:

Class I bikeway – a paved, off-road thoroughfare for bicyclists and pedestrians.

Fixed facility - defined herein as any permanent, parkway-related facility (such as a restroom).

Inspection – the act of a monitoring authority to check or test something against established standards.

Operations and maintenance – the safe operation of a facility combined with routine and remedial maintenance.

Remedial maintenance – When routine maintenance is no longer sufficient and extensive repairs are needed.

Riding and hiking trail – An unpaved path for equestrians, pedestrians, and mountain bicyclists.

Routine maintenance – A repeated set of maintenance procedures which provide for a desired result. The desired result, for this purpose, is to provide a safe and useful river parkway.

Minimum Maintenance Guidelines – Riding and Hiking Trails

Condition: Keep trail surfaces even and free of erosion damage.

Inspection: Inspect Trail surfaces annually.

Repair: Grade and replace the trail surface as needed determined by regular inspections. If repairs are conducted annually perform repairs soon after the conclusion of the rainy season. Ensure that trails are at least 10 feet wide.

Routine Maintenance: Includes cleaning the trail, incidental repairs to address minor erosion, preventive erosion control (installing or maintaining sand bags, water bars, rolling grade dips and spoons) and weed management.

Remedial Maintenance: Includes regrading, resurfacing or repairing a trail.

Note: Clean, native, compacted soil provides the ideal trail surface. Where a trail also serves as a maintenance road, shape the trail surface so water sheet-flows to a location where it can safely leave the trail. Design a trail with a center crown or uniform cross-flow as a simple and effective way to reduce erosion and therefore costs. Use soil cement as a way to stabilize native soil on grades exceeding 6 percent.

Minimum Maintenance Guidelines – Class I Bikeways

Condition: Keep bikeway surfaces smooth and even, and free of cracks or holes of 1 inch width or wider.

Inspection: Inspect bikeway surfaces annually.

Repair: Unlike trails, bikeways require a smooth and clean surface to ensure safe use.

Routine Maintenance: Includes minor repairs (or patching) to asphalt or concrete surfaces and edges.

Remedial Maintenance: Includes major repairs, such as replacing large areas of the bikeway, filling-in eroded sections, re-stripping, re-surfacing, and asphalt sealing.

Note: Re-stripe annually. Re-seal every 2-3 years or when the eroded surface exposes the underlying aggregate. Bikeway re-surfacing (re-covering with asphalt) is performed 7 - 10 years. Consult your Transportation Operations Department for recommendations about their routine and remedial maintenance. Use durable materials and processes as a way to extend the usable life of a bikeway surface.

Minimum Maintenance Guidelines – Trail and Bikeway Closures

Trails and Bikeways, like any other facility, must periodically close for maintenance or repair. It is the goal of the partnering agencies to provide a detour so as not to interrupt the public's use of the bikeway or trail. Include detours as a budgeted, programmed part of a Parkway construction or maintenance project.

Some closures are unanticipated. When a closure must occur, the agency or its contractor is requested to provide at least one safe alternate off-road route. Where an off-road route is not feasible, an on-road route should instead be provided.

The Santa Ana River Trail is frequently constructed on Flood Control District or Water district property. Other agencies such as utility companies may have easements on or across the trail which require periodic inspection or maintenance. Those agencies shall provide warning signage and detour while working on or adjacent to the trail.

Off-road Detour

Off-Road detours are generally more desirable than an on-road detour. Off-road detours are comparable to the original Class I Bikeway, in that users remain separated from roadway vehicle traffic. Off-road cyclists and trail users may have less experience riding on-road parallel to vehicle traffic.

On-Road Detour

Where an off-road detour is not possible provide an on-road detour. Coordinate the on-road detour with the regional or local roadway department. Where possible, provide on-road detours through other public right of way including local or neighborhood streets, parks or along other flood control facilities. Develop a Detour Plan, to be approved by the appropriate jurisdiction that provides the route of the detour, detour signage, barricades, flag-persons (as needed), illumination, enclosed boxes (see Caltrans) and other protective measures.

Full Trail or Bikeway Closure

When neither an off-road or on-road trail nor bikeway detour is possible, it is advisable to develop a trail closure policy with pre-arranged steps to inform the public, and others, about the closure prior to the closure.

Basic inform steps may include, but are not limited to:

- Install information signs at least one month prior to the start of work alerting users to the pending closure
- Include dates when the closure is to begin and when the route is to reopen. If a reopening date is expected to be change, notify users as soon as possible of that change
- Provide project information for the contractor and the agency
- Provide notification on the agencies web site
- Where appropriate mail notices to key user groups or businesses

Note:

When a maintenance project requires the closure of a portion of the bikeway or trail, structure the maintenance or repair work in such a way that only one travel lane of the bikeway or trail is closed. Segregate users from the repair work with temporary dividers such as a wood fence, a plywood partition or bollards. Temporary surfaces, like heavy metal plates, allow users the ability to ride over trenches or other excavated work areas.

Keep detours on-site and within public right of way. Obtain a temporary construction easement from an adjacent private property owner if there is insufficient public right of way.

Minimum Maintenance Guidelines – Parkway Landscaping

Turf

Condition: Maintain turf so that it is not long or weed-like. Turf should not be brown or spotty unless the grass is seasonal.

Inspection: Inspect Turf areas quarterly.

Repair: Monitor damaged turf as part of a regular maintenance schedule to avoid brown spots, invasive weeds, and over-watering.

Routine Maintenance: Mow turf (every 1 – 2 weeks), fertilize and re-seed as needed.

Remedial Maintenance: Replace large areas of turf, may include removing weed infested turf.

Note: Turf is an expensive Parkway amenity. Turf requires regular maintenance and inspection, often through contracted labor. Turf and other plants requiring a high volume of water should not be planted adjacent to the Parkway.

Recommendation:

Remove turf and other plants that require a high volume of water. It is also recommended that new turf not be installed; instead install native plants.

Trees

Condition: Parkway trees are a particularly valuable resource and an important amenity. Properly maintain trees that line the Parkway or are found at rest stops and entry locations.

Repair: Trim trees properly. Assess and treat sick or damaged trees. Remove dead or dying trees unless the tree serves as habitat and does not pose a threat to public safety.

Inspection: Inspect Parkway trees annually. Monitor trees for damage from wind, age, and disease. Remove damaged trees within 24 hours or as soon as possible. Inspect Parkway trees regularly, especially where the public may gather.

Routine Maintenance (for younger trees) includes watering, proper pruning, and removal of damaged or diseased branches. Remove fallen leaves and limbs as needed. Stake and replace trees where needed. Monitor tree health to avoid loss. Treat damaged trees to avoid loss. Take corrective measures as needed. Maintain Parkway trees in a good condition except those trees which succumb to natural causes.

Remedial Maintenance include expanded pruning of larger branches and tree removal or replacement. May also include larger reforestation efforts and landscape planning.

Note: Use native trees in the Parkway. Line the trail and bikeway with trees and provide shade where access points and rest stops are planned. When a tree is removed replace with palette-approved trees. Install new trees in locations as part of a larger landscape plan. Introduce new trees so they are at least 10 feet from the edge of the trail or bikeway. Use root-barriers and deep watering techniques to protect infrastructure. Use drought-tolerant and native trees in the Parkway to provide habitat along the Santa Ana River.

Adopt basic tree care techniques such as those promulgated by the International Society of Arboriculture. Properly pruned young trees will require less maintenance while producing full and attractive trees. Parkway trees are an important Parkway resource. Trees moderate climate, provide shade, improving air quality, conserve water, and harbor wildlife.

Note:

By adopting a plant palette the partners will help reduce the use of non-native and other invasive plants along or near the Parkway. A Parkway Plant Palette will also act as a Guide for future Parkway planners to ensure that undesirable plants are always excluded from the Parkway.

Where feasible, recreate the historic riverine plant community of the river. Use the recreated plant areas to develop public/private partnerships, expand volunteerism and provide for opportunities for interpretation. The historic riverine plant community and native plant palette will change with elevation changes and localized micro environments along the length of the river. Enhance localized conditions and changes in habitat whenever possible.

Minimum Maintenance Guidelines – Fixed Facilities

Fixed facilities are defined (herein) as any permanent parkway-related facility. Fixed facilities will include both above-ground facilities and related subsurface infrastructure. Common above-ground facilities are the trail and bikeway, restrooms, signs, and trail-related amenities. Common below-ground facilities include irrigation lines, valves, and electric lines and buried footings. Fixed facilities will likely be owned and managed by the local or regional Parkway provider.

The Committee does not recommend which of these facilities are to be provided along the Parkway. The Committee does however list what it believes are a range of common facilities found along Parkways. Fixed Facilities and their corresponding maintenance tasks are discussed below. It is recommended that the Parkway planners also agree where fixed facilities will be located.

Install fixed facilities (when and where appropriate) which can be maintained to the Minimum Maintenance Guidelines. Parkway operators, individually or cooperatively, may decide to expand their fixed facilities when resources are available.

Signs

Condition: Maintain Parkway signs in good repair so they are useful to the visitor.

Inspection: Inspect Parkway signs quarterly or as part of other routine inspection.

Repair: Repair or replace damaged signs as soon as possible especially if they are minimally placed. As with other Parkway items, keep a ready supply of different signs for easy replacement.

Routine Maintenance: includes replacing missing or damaged signs, cleaning signs and adding or replacing stickers or reflective decals.

Remedial Maintenance: includes upgrading or replacing a substantial part of Parkway signage.

Note: Install signs only where needed. Place signs at all entry locations to the Parkway and junctures along the Parkway. Design Parkway signs to be sturdy and vandal resistant.

Use a unified sign design, expressed perhaps as a small decal or plastic sign that can be inexpensively produced and easily installed.

Incidental repairs from damage and fading is as needed determined by regular inspection. If periodic inspection is not possible, ensure that all signs are inspected annually. Keep signs and sign materials in stock for immediate repairs. Keep a 20-30% stock of material initially until a pattern of replacement is established.

All bikeway signs should conform to the Caltrans Traffic Manual and/or the Manual of Uniform Traffic Control Devices (MUTCD) as appropriate.

Graffiti Removal

Condition: Keep Parkway facilities free of graffiti.

Inspection: Inspect Parkway facilities for graffiti as part of other routine inspection.

Repair: Repair or replace damaged signs as soon as possible especially if they are minimally placed. As with other Parkway items, keep a ready supply of different signs for easy replacement.

Routine Maintenance: includes repainting graffiti covered or scratched surfaces. Match paint so the repair does not further mar the appearance of the facility.

Remedial Maintenance: includes removing or relocating facilities that are prone to excessive graffiti. Replace with facilities that have smaller surfaces or posts to limit exposure.

Note: Where feasible, design Parkway facilities with a clear-coat that resists graffiti. Where graffiti is a problem use clear protective coats on signs and painted walls. Limit large flat surfaces.

Document Graffiti and “tagging art”, where appropriate. Contact Local Police before the graffiti is removed or covered.

Access Gates/Locations

Condition: Parkway access gates must be in good repair and be able to properly close and lock.

Inspection: Inspect Parkway gates quarterly or as part of annual inspection.

Repair: Repair or replace damaged gates as soon as possible. Keep a ready supply of materials to repair or replace as needed.

Routine Maintenance: includes inspecting and adjusting gates so they properly close. Where needed replace signs, decals or reflective tape that are affixed to the gate. As needed provide aggregate base to the entry and exit area of the access to the gate to avoid creating low or muddy areas.

Remedial Maintenance: includes repairing, replacing or relocating a gate or major components of a gate.

Note: Where possible avoid painting gates. Use materials that will withstand exposure and weathering. Adopt a standard gate design. Design the gate so locks cannot be removed without keyed access. Ensure that additional locks can be added to the gate.

Lighting Repair

Condition: Parkway lighting (where provided) is to be kept in good working repair. Footings, poles and fixtures must function properly to provide the necessary illumination.

Inspection: Inspect Parkway lighting at least quarterly or as appropriate. Include any recommendations for maintenance and repair as part of an annual inspection.

Repair: Repair Parkway lighting as soon as possible. Keep a supply of materials to repair or replace lighting as needed. Use readily available products.

Routine Maintenance: includes cleaning globes, replacing bulbs and adjusting lights as needed.

Remedial Maintenance: includes replacing missing or damaged poles and fixtures, wiring and footings. Anticipate these cyclical steps be following product manufacturer guidelines.

Note: Installing and maintaining lighting is expensive. Use artificial lighting only where it supports Parkway policy such as night time use. Carefully review the purposes artificial lighting serves (including route illumination, public safety and facility illumination) before installing lighting. Explore the benefits and liabilities to allow after hours use and the lighting that may be needed to support such use.

Recommendation: Discuss the role of lighting as part of Parkway planning

Trash receptacles

Condition: Parkway trash receptacles are to be maintained in good condition free of damage except incidental wear. Keep footings, posts and lids secure and in good working order.

Inspection: Inspect Parkway lighting at least quarterly or as appropriate. Include any recommendations for maintenance and repair as part of an annual inspection.

Repair: Repair or replace trash cans when the device shows visible and un-repairable damage. Keep a supply of cans, lids, footings and other components in stock.

Routine Maintenance: includes replacing trash can liners, cleaning and adjusting cans as needed.

Remedial Maintenance: includes replacing missing or damaged trash cans, footings, posts or foundations.

Note: Use trash cans that are durable and easily maintained. Determine what types of receptacles are needed at different locations along the Parkway. Provide maintenance vehicle turn-outs where trash cans are located.

Recommendation:

Tables & Benches

Condition: Maintain Parkway tables and benches so they are free from damage except incidental wear. Benches and tables are to be sound and usable. Securely fix components together.

Inspection: Repair and clean as needed, inspect twice per month.

Repair: Repair or replace bench and table surfaces that show visible and un-repairable damage. Keep a supply of wood or appropriate material and other components in stock.

Routine Maintenance: includes inspecting and tightening all nuts and bolts as needed.

Remedial Maintenance: includes replacing missing or damaged table tops and benches as needed.

Note: Use semi-gloss or high gloss paint instead of a flat or pearl finish to extend the surface life of wood. Use colored and recycled plastic wood instead of real wood.

Recommendation:

Drinking Fountains and Animal Waters

Condition: Fountains should work properly, have adequate water pressure and be clean and free of foreign objects.

Inspection: Inspect Parkway fountains monthly or as appropriate. Include recommendations for remedial maintenance as part of an inspection.

Repair: Damaged or non-working fountains are to be repaired, replaced or removed as soon as possible. Keep a supply of pipe valves and fittings in stock. Alert the public when potable water is no longer provided.

Routine Maintenance: includes cleaning fountains head and bowls, adjusting the water stream and water pressure.

Remedial Maintenance: includes replacing missing or damaged fountain heads, bowls, footings and water lines or pumps.

Note: Ensure drinking fountains are all-access. Select simple but durable fountains components that are readily available and easy to install. Locate fountains where they best serve the public. Alert the public where potable is not available.

Recommendation:

Restrooms

Condition: Maintain rest rooms in good operating condition showing only minimal wear. Operators will determine which restroom features are to be provided. Common features include a permanent restroom building, flush toilets, urinals, sinks, soap dispensers, hand dryers or towels dispensers, lighting and signage.

Inspection: Inspect Parkway restrooms daily or as needed unless contracted then once per week

Repair: Repair or replace damaged or non-working restroom as soon as possible.

Routine Maintenance: includes cleaning, minor repairs, and general servicing.

Remedial Maintenance: includes replacing missing or damaged features such as sinks, toilets bowls, entrance doors and water lines.

Note: Unlock and open the restroom in the morning and close and lock at dusk (unless the facility is continuously open). Use waterless urinals where appropriate. Locate restrooms where they best serve the public. Provide maintenance vehicles turn-outs to allow for servicing of the restroom. Indicate restroom locations on all kiosk maps and brochure graphics.

Temporary Restrooms (Portables)

Condition: Maintain portable rest rooms in good, operating condition showing only minimal wear. Common portable features include a moveable single or a double facility, chemical toilet, urinal, and sink.

Inspection: Inspection: Inspect Parkway restrooms daily or as needed unless contracted then once per week

Repair: Repair or replace damaged restrooms as soon as possible.

Routine Maintenance: includes daily cleaning, minor repairs, and general servicing.

Remedial Maintenance: includes replacing missing or damaged restroom features, skirting (if any).

Note: Use portable restrooms as a way to provide inexpensive restroom service. Unlock and open the restroom in the morning and close and lock at dusk (unless the facility is continuously open). Locate portable restrooms where cost or other factors preclude installing a permanent restroom. Where possible, provide maintenance vehicles turn-outs to allow for servicing of the restroom. Indicate portable restroom locations on all kiosk maps and brochure graphics.

Design Parkway facilities to use portable restrooms where appropriate. The design might include a concrete pad, lattice enclosure, bike rack and horse tie. Use ADA-approved all-access portable restrooms where needed.

Staging and Rest Areas

Condition: Parkway staging facilities are an entry (and therefore a face) to the entire Parkway. Staging facilities often receive intensive use by the public, particularly where vehicle parking is permitted. As such, a staging facility may require a higher level of inspection and maintenance to avoid becoming overused.

Inspection: Inspect staging facilities daily.

Repair: Replace or repair staging amenities as soon as they become worn or damaged.

Routine Maintenance: includes trash removal and general cleaning and minor repairs. Replace sign boards or kiosk maps as needed.

Remedial Maintenance: includes regrading and repaving parking surfaces, adding aggregate rock and correcting improper drainage.

Note: Well designed staging facilities should include parking for at least 15 vehicles including 5 vehicles with horse trailers. Basic features include signage, kiosk k board, horse ties and parking barriers. Other amenities may include potable water, benches, shelters and a restroom.

Use durable, easily replaced staging facility components. Design the site surface to have proper drainage. Install a bio-swale to collect and drain water into the ground.

Bollards

Condition: Maintain bollards in good working repair so they function properly.

Inspection: Inspect bollards quarterly or as part of other routine inspection.

Repair: Damaged bollards are to be repaired or replaced as soon as possible especially at access locations to the river. Keep a supply of bollards for replacement as needed.

Routine Maintenance: includes replacing missing or damaged bollards, painting bollards and/or replacing stickers or reflective decals.

Remedial Maintenance: includes adding new bollards or replacing heavily damaged bollards of their footings.

Note: Install bollards only where needed. Design bollards with sturdiness in mind. Install the correct number of bollards Ensure that bollards are highly visible. Use different types of bollards where appropriate. Place bollards on the outside of the fog lines (right and left paint stripes) and on the trail center line. Do not place bollards within the bicycle/pedestrian path of travel.

Fences

Condition: Maintain Parkway fences in good condition. Remove old or unnecessary fences and footings.

Inspection: Inspect fences quarterly or as part of other routine inspection.

Repair: Replace or repair Parkway fences as soon as possible especially where the public must be separated from known hazards.

Routine Maintenance: Clean or paint fence boards and posts, reaffixing loose boards and resetting old footings.

Remedial Maintenance: Replace or adding new lengths of fence, installing foots, constructing and painting or staining the new fence.

Note: Use materials that require the least maintenance. Fence materials should compliment the Parkway. Use fences only as needed. Use fences to identify the trail and bikeway particularly at curves or near slopes.

Bikeway Sweeping/Debris Removal

Condition: Bikeway sweeping shall be performed weekly to monthly or as needed. Bikeway is best swept by machine sweepers. Bikeways that require only spot sweeping can be done by hand or with blowers.

Inspection: Inspect surfaces as part of other routine inspection.

Repair: Sweep bikeway and other hard-surfaces as needed. Where appropriate patch small holes or cracks. Avoid allowing debris to accumulate on the bikeway or trail surfaces.

Routine Maintenance: Sweep surfaces as appropriate. Remove accumulated debris away from the bikeway or trail surface.

Remedial Maintenance: May require the use of mechanized equipment to remove thick, accumulated debris or large items such trees which might result from flooding or other storm activity. Check paved surfaces following heavy rains or flooding to ensure the paved surface remains sound and usable.

Note: Mud and other sediment, leaves and branches should also be removed from the bikeway and trail since they may impact rider safety. Removing debris may also increase the life expectancy of the bikeway and trail. Debris removal should follow mowing and other maintenance operations.

Some areas of the Parkway in Orange County quickly become littered with debris where there are homeless encampments. Review Maintenance Logs periodically to correctly schedule sweeping in these areas. Allow for flexibility in the sweeping schedule.

For Inland areas, inspect and sweep and clean the bikeway following the Santa Ana winds.

Weed and Brush Removal

Condition: Brush and weeds, particularly along the bikeway or at entry location to the Parkway should not become unsightly or present a hazard. In habitat restoration areas, invasive plants should not be allowed to become established. Brush and grass that grow along trails should not be allowed to grow to excessive heights within two feet of the edge of the trail surface. Environmentally safe weed removal methods such as hand and mechanical shall be used especially along the waterway.

Inspection: Inspect public areas monthly or as needed.

Repair: Brush and weeds should not be allowed to impact Parkway facilities such as the bikeway, fences or signs. Brush or weeds should not obscure signs, entries, block line-of-sight or create prey areas.

Routine Maintenance: Includes the use of approved herbicides and pre-emergent chemicals. Focus work on areas where the public may gather such as staging and entry areas.

Remedial Maintenance: Remove large areas of invasive or overgrown plants.

Note: Set a priority to this work that includes removal of damaging and fast-spreading plants. When removing large areas of invasive plant materials replant with approved native plants to begin to reestablish local flora. Install a 2-foot-wide clear shoulder parallel the edge of the trail and bikeway. Construct the shoulder of compacted soil and aggregate as a way to reduce weed and grass growth.

All-access

Condition: Safe use of the Parkway includes providing access to all Parkway visitors.

Inspection: Inspect Parkway annually, or as needed, to document and remedy inconsistencies in Parkway access.

Repair: Maintain Parkway entries, pathways and facilities in usable condition so as not to limit the public's access.

Routine Maintenance: Making minor repairs to Parkway facilities that promote or encourage public access.

Remedial Maintenance: Improves or expands all-access type Parkway facilities. Common improvements include staging and entry areas, pathways and restroom facilities, access to water and kiosk information.

Note: Parkway facilities should meet or exceed ADA requirements. Identify for improvement those facilities which do not meet ADA requirements. Seek certification for those areas and lengths of the

Parkway that can meet ADA standards. As part of routine and remedial maintenance and other future Parkway projects, expand All-access to as much of the Parkway as possible.

MAINTENANCE LOG

Develop and implement a Maintenance Log process to record routine and remedial maintenance activities. Maintenance Logs should cover all Parkway facilities.

MAINTENANCE SCHEDULE

Create a Maintenance Schedule for Parkway facilities. When new fixed facilities are built in the Parkway add these facilities to the Maintenance Schedule.

Minimum Maintenance Guidelines – Public Safety and Security

Parkway security is a common concern for users and those living next to a trail. Security, for this Guide, refers to general public safety. As the 1990 EDAW study noted, the river is a natural attraction with or without a trail. Public Safety and Security, in its broadest expression, may include:

- A safe Parkway experience through well-designed facilities
- Useful information about the Parkway and its setting
- Policies appropriate to the use, restrictions, and operation of the Parkway
- Law enforcement
- A Safety Plan

Parkway Use

It is recommended that the Santa Ana River Parkway remain non-motorized. Except for authorized maintenance or public safety vehicles. The general public's use of the Parkway is limited to walking, running, jogging, horseback riding, mountain and road bicycle uses. If motorized or other uses are proposed, create a Parkway Usage (or similar) Committee to examine the proposal. Non-traditional uses of the Parkway may increase maintenance and operation costs as well as affect the design of new Parkway improvements to accommodate new uses.

Public Access

It is recommended that Parkway access be managed. Direct the public's access through approved locations. Examine the need, opportunity, safety and setting when planning a new Parkway access.

Parkway Hours of Operation

Use of the Parkway is limited to day-time hours only (sunrise to sunset). Inviting the public to use the Parkway after hours may require agencies monitor these after-hour uses.

Private Access to the Parkway

Private access to the Parkway (other than by public rights-of-way) is generally discouraged. Where future commercial or residential developments are proposed adjacent to the Parkway, the agency and the applicant may want to allow access where it serves the public's interest.

Note: As the Parkway develops, its use and development linkages will increase. To address future requests for access, create an entry design to include signs, landscaping and other appropriate amenities, to improve the river through the development entitlement process.

Agency Coordination

In addition to the developing a common Minimum Design Guidelines, it may prove useful for the partners to also develop a nomenclature of terms and words used to describe the Parkway. It may also benefit the partners to create a single Parkway map, common signage and patrol programs. By creating a single Parkway map, the partners will see their vision begin to grow and unify. A common Parkway map will serve as a base for discussion for future Parkway meetings. A map may also serve public safety departments in their routine patrols and emergency service calls to the

Parkway. This same map can be incorporated into public information displays, brochures and on-line web sites.

Locator Signage

In addition to the previously discussed signage, Parkway planners may use locator signage that allows visitors to find themselves along the Parkway. Locator signage may include over or undercrossing roadway signs, distance markers to roadways and Parkway entrances, and mileage markers.

Parkway Patrols

Patrol the Parkway on a daily basis or as needed. Service providers may include regional, local or volunteer organizations. Patrols should focus on areas where the public gather particularly at staging areas, rest areas and restrooms.

Minimum Maintenance Guidelines – General Parkway Design Considerations

Parkway operators should discourage the uncontrolled use of the river's edge.

Give attention to identifying and protecting the cultural, historical and natural resources of the Parkway.

Parkway facilities should grow when the means to maintain those facilities exist.

New lengths of the Parkway trail or bikeway should not dead-end, but instead link to another section of existing trail, public road, or Public Park. Unconnected lengths of the Parkway may create a setting that may affect public safety.

Design Parkway facilities and landscaping so as to provide the visitor the maximum visibility along the Parkway and to its closet exit.

Where possible, eliminate prey areas.

Santa Ana River Parkway

Public Art Policy



October 2011

Approved by the Policy Advisory Committee

11/16/11

Introduction

Public art, art in any media, sited or staged in a publicly accessible space, can enhance the public's experience of the outdoors. This artwork can create a sense of place associated with the Santa Ana River Trail and enrich the experience of those using the Parkway. Public art may be produced professionally or be planned and executed by community members. It may be installed permanently, temporarily or may be performance based, as in dance or a musical performance. In all cases, public art provides an opportunity to complement the natural beauty, history and cultural resources found along the Parkway.

Although placement of art is often a local decision, the following policy considerations will provide guidance of the use of public art along the Santa Ana River Parkway.

1. Consistency

Any public art installed or performed along the Santa Ana River Trail should be:

- Consistent with any Public Art Policy adopted by the local jurisdiction
- Developed, vetted, and adopted by the community to reflect their preference and values

2. Permissions

Installation or performance of Public Art along the Santa Ana River Trail requires the expressed written permission of the entity operating and maintaining the Parkway at that location. Permission should explicitly provide:

- A term for which the installation or performance is permitted
- Identify a responsible party
- Address insurance and liability requirements
- Secure any required permits

3. Accessibility and Safety

Public art installed or performed within the boundary of the Parkway should be placed in such a manner where it is accessible and safely viewed or enjoyed by trail users. Public access and safety should be considered in the placement of art and the location of a performance. Consideration should also be given to the safety of those otherwise making use of the Santa Ana River Trail. An art installation should be placed in such a manner where the art may be enjoyed by all Parkway visitors and normal recreation activity on the trail can continue.

4. Maintenance

Art installed permanently or temporarily along the Santa Ana River Trail should be regularly maintained in such a manner that the public may continue to enjoy it for the duration of the installation. Site clean-up should be part of the planning for performance art and other temporary events.

5. Community Standards

The Santa Ana River Trail serves a diverse community. Public art that is offensive or derogatory to any age, ethnicity or cultural group is discouraged. It should be noted, that viewing art in a public place is not a discretionary act and consideration should be given for all users.

6. Amendment of the Public Art Policy

From time to time it may be necessary to amend the Public Art Policy document. Amendments to this document will require the approval of the Santa Ana River Policy Advisory Group.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: William R. Thompson, Director of Public Works

DATE: August 1, 2012

SUBJECT: Project and Capacity Agreement for the Expansion of the Western Riverside County Regional Wastewater Authority Treatment Plant

RECOMMENDATION: Approve the Project and Capacity Agreement for the Expansion of the Western Riverside County Regional Wastewater Authority Treatment Plant, subject to non-substantive changes and approval by all WRCRWA Member Agencies; and authorize the Mayor to execute the Amendment.

SUMMARY: The City of Norco is a member of WRCRWA, which jointly exercises powers to own, operate, convey, treat and maintain wastewater treatment facilities, commonly referred to as the Western Riverside County Wastewater Authority. The WRCRWA Board of Directors at their March 8, 2012 Board meeting approved the proposed Project and Capacity Agreement for the Expansion of the Western Riverside County Regional Wastewater Authority Treatment Plant. The governing bodies of each of the Member Agencies must now also approve proposed project and capacity agreement in order for it to become effective.

BACKGROUND/ANALYSIS: The City of Norco is a member of WRCRWA, which jointly exercises powers to own, operate, convey, treat and maintain wastewater treatment facilities, commonly referred to as the Western Riverside County Wastewater Authority. The treatment facility was constructed to operate as a regional wastewater conveyance, treatment and disposal system to serve its member agencies: Home Gardens, Jurupa Community Services District (JCSD), Western Municipal Water District (WMWD), and Santa Ana Watershed Project Authority (SAWPA), and the City of Norco. The WRCRWA wastewater facility was originally designed to treat 8 million gallons of wastewater per day (MGD). Norco's existing WRCRWA conveyance capacity is 2.5 mgd and the treatment capacity is 2.2 mgd.

The WRCRWA Board of Directors at their March 8, 2012 Board meeting approved the proposed Project and Capacity Agreement for the Expansion of the Western Riverside County Regional Wastewater Authority Treatment Plant.

Staff has determined that increasing the incremental treatment capacity is necessary to insure adequate capacity is available to provide wastewater treatment to future development. The proposed expansion would provide the City with an additional 500,000 gallons per day of treatment capacity.

The purpose of the Project and Capacity agreement is to provide:

- An agreement and project budget pursuant to Section 7 of the Authority's Joint Powers Agreement.
- A cost allocation plan to determine contributions of all members, expanders and non-expanders.
- The terms and conditions for the admission of the City of Corona as a member of the Authority.
- Indemnification for financial liability and responsibility associated with the project.
- Reallocation of Existing and Ultimate Capacity upon completion of the Project.

FINANCIAL IMPACT: Expenditure of \$5,000,000 from the Sewer Capital Improvement Program Fund (147)

Attachments: Project and Capacity Agreement for the Expansion of the Western Riverside County Regional Wastewater Authority

**PROJECT AND CAPACITY AGREEMENT FOR THE EXPANSION OF THE
WESTERN RIVERSIDE COUNTY REGIONAL WASTEWATER AUTHORITY
TREATMENT PLANT**

THIS AGREEMENT is made and entered into this 8th day of March, 2012, (the "effective date") by and between the HOME GARDENS SANITARY DISTRICT, a sanitary district (hereinafter "Home Gardens"), the CITY OF CORONA, a municipal corporation (hereinafter "Corona"), the CITY OF NORCO, a municipal corporation (hereinafter "Norco"), JURUPA COMMUNITY SERVICES DISTRICT, a community services district (hereinafter "Jurupa"), SANTA ANA WATERSHED PROJECT AUTHORITY, a joint powers public agency (hereinafter "SAWPA"), and WESTERN MUNICIPAL WATER DISTRICT OF RIVERSIDE COUNTY, a municipal water district (hereinafter "Western") (sometimes hereinafter collectively referred to as the "Parties"), and is effective only upon adoption by all of the PARTIES.

RECITALS

A. WHEREAS, Western Riverside County Regional Wastewater Authority (hereinafter "the Authority") was formed as a Joint Powers Authority in 1992 to construct and operate a regional wastewater conveyance, treatment and disposal system to serve its member agencies: Home Gardens, Norco, Jurupa, SAWPA and Western.

B. WHEREAS, the Authority's existing treatment plant is currently being upgraded to ensure it will have the capability of treating and disposing 8 million gallons per day ("mgd"), but will need to be expanded by 4 mgd to meet the near term needs of some member agencies.

C. WHEREAS, this Project and Capacity Agreement is intended to address the construction of such a 4 mgd treatment plant expansion from its current upgraded capacity of 8 mgd to the proposed capacity of 12 mgd (the "Project") and to memorialize capacity allocation upon completion of the Project, with "Capacity" being defined as "average daily flow."

D. WHEREAS, the Parties needing the Project include Jurupa, Norco, and Corona, and are known collectively as the "Expanders." Jurupa and Norco are "Member Expanders."

E. WHEREAS, the Authority's member agencies with sufficient capacity rights that have no need for further expansion are Western and Home Gardens and are known as the "Non-Expanders."

O. WHEREAS, examples of facilities with unused Existing Capacity include solids handling, the administration building, and facilities with unused Ultimate Capacity include land and outfall.

P. WHEREAS, after developing all inclusive "go forward" costs estimated at approximately \$42 million for the Project (including final design, contract documents, bidding, engineering support during construction, construction management services, inspection, construction costs and contingency), Webb/Aqua developed a preliminary cost allocation plan for the Project based on findings that expansion improvements will improve efficiency and lower annual operation and maintenance costs.

Q. WHEREAS, the Authority's member agencies appointed a Technical Advisory Committee (TAC) to review the work of the engineers.

R. WHEREAS, the conclusion of the TAC was that Expanders and Non-Expanders should contribute to the Project because all will reap Operational Benefits through lower annual Operational Costs. One alternative was the contribution of capital by the Non-Expanders. A second alternative was for the Non-Expanders to make an In-Kind contribution of unused Existing Capacity and Ultimate Capacity, excess to the needs of the Non-Expanders.

S. WHEREAS, the purpose of this Project Agreement is to provide:

- a. An agreement and budget for the Project pursuant to Section 7 of the Authority's Joint Exercise of Powers Agreement;
- b. A cost allocation plan for the Project;
- c. The terms and conditions for the admission of Corona as a member of the Authority;
- d. Indemnification for financial liability and responsibility associated with the Project; and
- e. Reallocation of Existing and Ultimate Capacity upon completion of the Project.

- Corona shall deposit its Buy-In into the Authority's work order account established for the Project (the "Project Work Order Fund") in the following installments.

<u>Installment Number</u>	<u>Date the Installment is due and payable</u>	<u>Installment Amount</u>
First:	no later than 60 days after the Authority approves the JPA Addendum admitting Corona to the Authority	\$ 700,000.00
Second:	no later than 180 days after the Authority approves the JPA Addendum admitting Corona to the Authority	\$1,300,000.00
Third:	no later than 30 days after the Authority opens bids for construction of The Project	\$2,000,000.00
Corona's Total Buy-In		\$4,000,000.00

- A portion of Corona's Buy-In shall reduce the actual final cost of the Project for the Expanders and allow Corona to share Existing and Ultimate Capacity. The distribution and reallocation of Existing and Ultimate Capacity after the Project has been completed is shown on the attached Exhibit C under the heading "After the Project." Such distribution and reallocation of Existing and Ultimate Capacity hereby supersedes all prior agreements and resolutions allocating Existing and Ultimate Capacity to the Authority's member agencies.
- Member Expanders shall provide an initial cash deposit to commence final design no later than 30 days after the Authority's award of the final design contract. The initial deposit shall be accounted for as a part of the Member Expanders total cost for the Project.

<u>Member Expander</u>	<u>Initial Deposit for Final Design</u>
Jurupa	\$225,000
Norco	<u>\$ 75,000</u>
Total	\$300,000

- Expanders shall contribute unused Existing Capacity and Ultimate Capacity to the Project and shall contribute capital to the Project in proportion to the Expanders' share of the 4 mgd expansion. All Expanders shall pay the same per gallon cost, calculated by first reducing the actual total cost of the Project by Corona's Buy-In amount and then dividing the remainder by 4 mgd, as shown in Exhibit E, attached hereto and made a part of this Agreement.

15. In the event the Project Work Order Funds are being depleted and additional amounts are needed to complete the Project and the additional amounts do not cause the total anticipated expenditures to exceed the budget in Exhibit B, the Authority finance staff shall invoice the Expanders the amount deemed necessary to complete construction of the Project. The invoice shall show the total amount needed and each Expander's proportionate share calculated by dividing the individual Expander's requested Capacity by the total capacity (4 mgd) for the expansion and multiplying the quotient by the total amount needed in The Project Work Order. The Expanders shall pay any balance due the Authority based on actual cost incurred for the Project, no later than 40 days from receipt of the Authority's invoice.

Example based on a total Capacity expansion of 4 mgd:

<u>Expander</u>	<u>Requested Capacity</u>	<u>Requested Fraction of total Capacity</u>
Norco	0.5 mgd	0.125
Jurupa	1.5 mgd	0.375
Corona	<u>2.0 mgd</u>	<u>0.500</u>
	4.0 mgd	1.0

16. Extra work requests from service providers may be approved by the Administrator if the extra work is less than 12% of the service provider's original contract amount.
17. In the event that the aggregate of all service provider extra work requests exceeds 10% of the aggregate amount of all service provider contracts, each subsequent request for extra work shall be forwarded to the Executive Committee for approval.
18. Construction change orders requested by the Construction Contractor shall be reviewed by the Construction Manager after consulting with the inspector.
19. Construction change orders may be approved by the Authority's Administrator if less than \$100,000.
20. Construction change orders of \$100,000 or more and less than \$500,000 shall be considered by the Authority Executive Committee. The Executive Committee may approve the change order or elect to forward the change order to the Authority Board of Directors for consideration.
21. Construction change orders forwarded from the Executive Committee and change orders of \$500,000 or more shall be considered by the Authority Board of Directors.

28. Expanders hereby specifically agree to fully assume and solely bear all financial liability and responsibility of whatever kind or nature for the Project and its appurtenant facilities, including, but not limited to, all costs, expenses, debt repayment obligations and any and all other claims, demands, lawsuits, liabilities, and/or damages arising from, pertaining to, or occasioned by the construction, operation, and/or implementation of the Project and its appurtenant facilities, either directly or indirectly; provided, however, that Expanders shall not be obligated to indemnify Non-Expanders and/or SAWPA if the complained-of act or omission results from Non-Expanders and/or SAWPA sole negligence, and provided further that Expanders shall not provide such indemnification for any obligations, claims, demands, lawsuits, liabilities or other damages to the extent covered by the Authority's liability insurance, if any. This proviso is not intended to, and shall not affect the subrogation rights, if any, of the Authority's liability insurer.
29. Nothing herein is intended to create, nor shall anything herein be construed as creating, any rights in, benefits for or obligations to, any person or entity other than the parties to this Agreement. Nothing herein shall be construed to provide that the Expanders are contracting for or assuming responsibility for any debts, liabilities or obligations of the Authority, and the obligations of the Expanders hereunder shall be limited to the indemnity provided to the Non-Expanders and SAWPA.
30. In the event that a dispute arises under this Agreement, the Parties shall submit the dispute to non-binding mediation before a retired judge or justice paid for by each of the Parties equally.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the day and year hereinafter indicated.

HOME GARDENS SANITARY DISTRICT

Date: _____

By _____
President

Date: _____

By _____
Secretary

CITY OF CORONA

Date: _____

By _____
Mayor

Date: _____

By _____
City Clerk

CITY OF NORCO

Date: _____

By _____
Mayor

Date: _____

By _____
City Clerk

JURUPA COMMUNITY SERVICES DISTRICT

Date: _____

By _____
President

Date: _____

By _____
Secretary

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City Clerk

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City Clerk

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Mayor

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By _____
City Clerk

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By _____
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City Clerk

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Secretary

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Mayor

Date: _____

By _____
City Clerk

CITY OF NORCO

Date: _____

By _____
Mayor

Date: _____

By _____
City Clerk

JURUPA COMMUNITY SERVICES DISTRICT

Date: _____

By _____
President

Date: _____

By _____
Secretary

**SANTA ANA WATERSHED PROJECT
AUTHORITY**

Date: _____

By _____
Chair

Date: _____

By _____
Secretary

**WESTERN MUNICIPAL WATER DISTRICT
OF RIVERSIDE COUNTY**

Date: _____

By _____
President

Date: _____

By _____
Secretary

Exhibit A

WRCRWA Project and Capacity Agreement 4 MGD EXPANSION

Funds Advanced for The Project

June 2009

At its June 2009 meeting, the Board of Directors approved Memorandum No. 676 and its funding concept for expenditures related to the Carollo Engineering contract of \$440,000 for preliminary design for treatment plant upgrade and expansion, subsequently amended by the Board May 10, 2010 with an additional \$41,406 to evaluate drop in aerators for a total contract of \$481,406. The contract was terminated with an unused balance of \$17,993 yielding a total expenditure of \$463,413. The Board approved funding on the basis of Existing Capacity owned with final cost to be reconciled after the expansion cost allocation study was complete.

WRCRWA Member Agency	Existing Capacity (mgd)	Percent of total	Pre-Design Allocation 2009	Amended Allocation 2010	Total Contract	Allocation Based on Total Paid
WMWD	1.93	24.125	\$106,150	\$ 9,989	\$116,139	\$111,798
JCSD	3.25	40.625	\$178,750	\$16,821	\$195,571	\$188,261
Norco	2.20	27.500	\$121,000	\$11,387	\$132,387	\$127,439
HGSD	<u>0.62</u>	<u>7.750</u>	<u>\$ 34,100</u>	<u>\$ 3,209</u>	<u>\$ 37,309</u>	<u>\$ 35,915</u>
Total	8.00	100.00	\$440,000	\$41,406	\$481,406	\$463,413

Final reconciliation based on Board Memorandum No. 676 and this Project Agreement provides a credit to JCSD and Norco from The Project Work Order as shown in Exhibits E and F and a refund to WMWD and HGSD payable after construction commences. The Carollo Engineering costs shall become a part of The Project Work Order for purposes of final cost allocation purposes.

Agency	Refund	Agency	Credit
WMWD	\$ 111,798	JCSD	\$188,261
HGSD	<u>\$ 35,915</u>	Norco	<u>\$127,439</u>
Total	\$ 147,713	Total	\$315,700

Exhibit A continued

August 2009

At its August 12, 2009 meeting, the Board of Directors approved Memorandum No. 686 and its funding concept for expenditures related to the EIR for treatment plant enhancement and expansion. Funding was initially based on Existing Capacity owned with final cost to be reconciled after the expansion cost allocation study was complete.

WRCRWA Member Agency(mgd)	Existing Capacity	Percent of total	EIR Cost Allocation 2009	EIR Added Allocation 2010	Total EIR Cost 2011
WMWD	1.93	24.125	\$ 14,475	\$1,428	\$15,903
JCSD	3.25	40.625	\$ 24,375	\$2,405	\$26,780
Norco	2.20	27.500	\$ 16,500	\$1,628	\$18,128
HGSD	<u>0.62</u>	<u>7.750</u>	<u>\$ 4,650</u>	<u>\$ 459</u>	<u>\$ 5,109</u>
Total	8.00	100.00	\$ 60,000	\$5,920	\$65,920

Final reconciliation based on Board Memorandum No. 686 and this Project Agreement provides a refund to WMWD and HGSD after construction commences and a credit to JCSD and Norco from The Project Work Order as shown in Exhibits E and F. The EIR costs shall become a part of The Project Work Order for final cost allocation purposes.

Agency	Refund	Agency	Credit
WMWD	\$15,903	JCSD	\$26,780
HGSD	<u>\$ 5,109</u>	Norco	<u>\$18,128</u>
Total	\$ 21,012	Total	\$44,908

March 2011

At its March 31, 2011 meeting the Board of Directors approved Memorandum No. 723 and its funding concept for the first \$500,000 of expenditures for preliminary design to a level of 10% and consideration of at least two alternatives: a 2 mgd expansion and a 4 mgd expansion. Although, due to an oversight, there was no provision for reconciliation of the cost distribution in Memorandum No. 723, reconciliation was intended; therefore, this Agreement provides for that reconciliation based on Expanders deposits, as shown by Exhibits E and F of this Agreement.

	Percent Of total	Initial Maximum	Webb/Aqua Contracts
HGSD	0	0	0
WMWD	0	0	0
SAWPA	0	0	0
JCSD	80%	\$400,000	\$326,537
Norco	10%	\$ 50,000	\$ 40,817
Corona	<u>10%</u>	<u>\$ 50,000</u>	<u>\$ 40,817</u>
	100%	\$500,000	\$408,171

Exhibit B

WRCRWA Project and Capacity Agreement 4 MGD EXPANSION

The Project Budget

Construct additional facilities and utilize unused Existing Capacity and Ultimate Capacity to expand the existing, upgraded 8 mgd treatment plant by 4 mgd in Capacity to a 12 mgd treatment plant Capacity based on average daily flow (ADF) rates. These are Project estimates as of March 2012, and may be adjusted as the Project progresses with WRCRWA Board of Directors approval.

Construction Total	\$30 million
Contingency & EIR	\$ 8 million
Design, CM etc	<u>\$ 5 million</u>
Total "Go Forward" Budget for the Project	\$43 million
Cash Advances prior to approval of this Project Agreement	\$ 1 million
Total Estimated Budget	\$44 million

Exhibit C

WRCRWA Project and Capacity Agreement 4 MGD EXPANSION

Distribution of Existing and Ultimate Capacity

Before the Project

	<u>Upgraded Existing Capacity</u>	<u>Previous Ultimate Capacity</u>	<u>Ultimate Capacity Defined Herein</u>
HGSD	.62	.75	.78
JCSD	3.25	3.23	3.33
Norco	2.20	2.50	2.58
WMWD	1.93	5.15	5.31
Corona	0	0	0
SAWPA	<u>0</u>	<u>0</u>	<u>0</u>
Total	8.0	11.63*	12.00**

*Ultimate Capacity by Previous agreements.

**Ultimate Capacity defined herein as 12.00 MGD.

After the Project

	<u>Existing Capacity</u>	<u>Ultimate Capacity</u>
HGSD	.62	.62
JCSD	4.75	4.75
Norco	2.70	2.70
WMWD	1.93	1.93
Corona	2.00	2.00
SAWPA	<u>0</u>	<u>0</u>
Total	12.00	12.00

Exhibit D WRCRWA Project and Capacity Agreement 4 MGD EXPANSION

COST ALLOCATION DIAGRAM

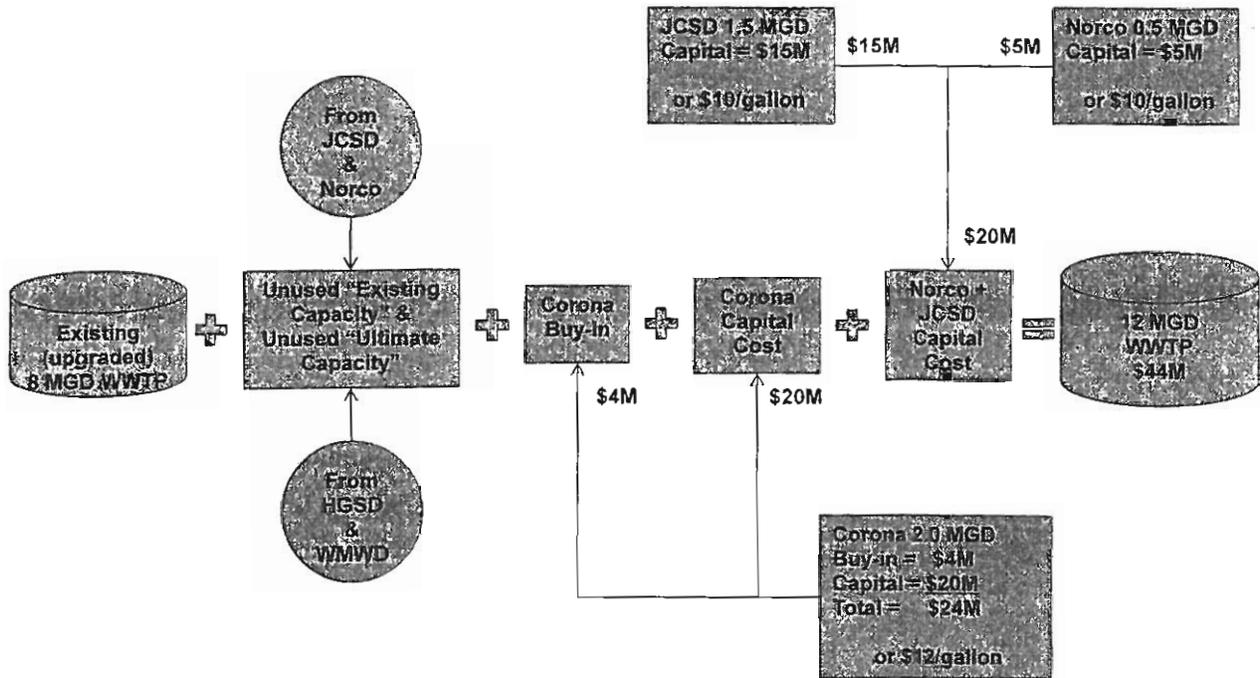


Exhibit E

WRCRWA Project and Capacity Agreement 4 MGD EXPANSION

Expanders Capital Cost Allocation Plan

Expanders shall pay the same cost per gallon, calculated by first reducing the actual cost of The Project by Corona's Buy-In amount and then dividing the remainder by 4 mgd of Capacity.

The following example calculation uses \$42,000,000 as the "go forward" cost of The Project, an estimated project cost (construction costs & soft costs related to construction) for new facilities after fully utilizing Existing Capacity and Ultimate Capacity associated with the existing 8 mgd.

Corona's Buy-In (to become a member of WRCRWA) \$ 4,000,000

Capital Contributions from Expanders

\$42,000,000 Total Estimated "Go Forward" Cost of The Project
\$ 1,167,918 Total Cash Advances from Expanders
 \$43,167,918 Approximate Project Total Cost
\$ 4,000,000 Less Corona Buy-In
 \$39,167,918 Approximate Total to Share Among Expanders

Approximate Cost Per Gallon

$(\$38,000,000 + \$1,167,918 = \$39,167,918 / 4 \text{ mgd} = \$9.79/\text{gallon})$

Expanders Share of Cost: (Requested Capacity multiplied by \$9.792/gallon)

Expander	Requested Capacity	Expanders Approximate Share of Costs	Expanders Early Deposits	Expanders Go-Forward Deposit Estimate
JCSD	1.5 mgd	\$14,687,969	\$ 847,351	\$13,840,618
Norco	0.5 mgd	\$ 4,895,990	\$ 270,567	\$ 4,625,433
Corona	2.0 mgd	<u>\$19,583,959</u>	<u>\$ 50,000</u>	<u>\$19,533,959</u>
Sub total		\$39,167,918	- \$1,167,918 =	\$38,000,000
Corona's Buy-In		<u>\$ 4,000,000</u>		
Reconciled Total:		\$43,167,918		

For budget purposes, the total has been rounded to \$44,000,000 in accordance with Exhibit "B".

Exhibit F WRCRWA Project and Capacity Agreement 4 MGD EXPANSION

Expanders Early Capital Deposits and Final Credits

June 2009 Carollo Planning Work

Expander	Carollo Contract Allocation	Distribution of Funds Paid Out	Credit Due the Expander	*If the Expander deposited the full amount of the Carollo Contract Allocation the Credit Due shall be:
JCSD	\$195,571	\$188,261	\$188,261*	\$195,571
Norco	\$132,387	\$127,439	\$127,439*	\$132,387
Corona	0	0	0	0

August 2009 Dunbar EIR Work

Expander	Dunbar Contract Allocation	Distribution of Funds Paid Out	Credit Due the Expander
JCSD	\$26,780	\$26,780	\$26,780
Norco	\$18,128	\$18,128	\$18,128
Corona	0	0	0

March 2011 Webb/Aqua Preliminary Design Work

Expander	Board Max Budget Allocation March 2011 Memo 723	Estimated Funds Paid Out Based on Webb/Aqua Contract	Credit due the Expander	*If the Expander deposited the full amount of the Board Max Budget Allocation, the credit due shall be:
JCSD	\$400,000	\$326,537	\$326,537 *	\$400,000
Norco	\$ 50,000	\$ 40,817	\$ 40,817 *	\$ 50,000
Corona	<u>\$ 50,000</u>	<u>\$ 40,817</u>	<u>\$ 40,817 *</u>	<u>\$ 50,000</u>
	\$500,000	\$408,171	\$408,171	\$500,000

Exhibit F continued

2012 Deposit of funds needed for Final Design

Expander	Webb/Aqua Final Design Contract Allocation	Distribution of Funds to be Paid Out	Credit Due the Expander
JCSD	\$225,000	\$225,000	\$225,000 **
Norco	\$ 75,000	\$ 75,000	\$ 75,000 **
Corona	0	0	0

** As these are "Go Forward" funds needed to start Final Design, they are already a part of the overall budget cost estimate. However, the amounts shall be credited as shown in Exhibit E, in The Project Work Order to JCSD and Norco for redistribution using the final cost allocation.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Lori J. Askew, Deputy Director of Public Works/Senior Engineer 

DATE: August 1, 2012

SUBJECT: Acceptance of the Second Street Improvement Project as Complete

RECOMMENDATION: That the City Council Accept the Second Street Improvement Project as complete and authorize the City Clerk to file the Notice of Completion with the County Recorder's Office.

SUMMARY: The Second Street Improvement Project consisted of installation of roadway widening improvements including AC pavement, PCC curb and gutter, sidewalk and driveways, minor traffic signal modifications, dg horsetrails and fencing, and relocation of water and sewer utilities on Second Street to between the I-15 Freeway and Corona Avenue in addition to placing asphalt overlay on Second Street from Corona Avenue to Hillside Avenue.

BACKGROUND/ANALYSIS: On January 19, 2011, the City Council awarded a public works contract to All American Asphalt for the Second Street Improvement Project in the amount of \$1,050,000.00 with an additional 10% contingency for change orders, for a total of \$1,155,000.00. The project scope consisted of two parts. The first was roadway widening of Second Street from the I-15 Freeway to Corona Avenue. Improvements in this area included AC pavement, PCC curb, gutter, access ramps, swales, spandrels, sidewalks and driveway aprons, minor traffic signal modifications, storm drain improvements, installation of dg horsetrails and fencing, construction of masonry block walls with chain link fencing or wrought iron fencing, installation of 8" CML & C waterline and installation of pavement striping, legends, markers and street signs. The second part of the project had limits on Second Street from Corona Avenue to Hillside Avenue. This portion included dig-outs of asphalt pavement failures, cold milling pavement edges and intersections and overlaying the entire area with asphalt pavement.

The Contractor submitted a total of nine change orders. Eight were accepted by staff. The change orders included relocation of unmarked utilities, additional tree removals, installation of additional fencing, storm drain revisions and striping and marking revisions. The change orders totaled \$77,799.10.

All American Asphalt has completed all scheduled and additional work, including change orders within the required working days for a total cost of \$1,154,518.70.

Work on the project has been completed to the satisfaction of the City Engineer and a Notice of Completion has been prepared. Staff is requesting that the City Council accept the work

Acceptance of Second Street Improvement Project
Page 2
August 1, 2012

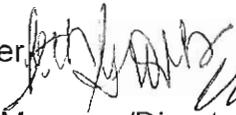
performed by All American Asphalt., and authorize the City Clerk to record the Notice of Completion with the County Recorder's Office.

FINANCIAL IMPACT: None.

/lja-81549

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Andy Okoro, Deputy City Manager/Director of Finance 

DATE: August 1, 2012

SUBJECT: Approval of an Amendment to the Economic Incentive Agreement with Excel Hotel Group

RECOMMENDATION: Approve Amendment No. 1 to the Economic Incentive Agreement with Excel Hotel Group

SUMMARY: Excel Hotel Group is requesting an amendment to the existing Economic Incentive Agreement with the City that would facilitate the development of a 96-unit Fairfield by Marriot Inn and Suites in the City of Norco. The proposed amendment to the existing Economic Incentive Agreement would change the timing of the share of transient occupancy tax (TOT) revenues to be retained by Excel Hotel Group in exchange for a commitment by Excel Hotel Group to complete the project no later than July 30, 2014. The substance of the original agreement, including the duration of time for which Excel Hotel Group will share in TOT revenues and the total amount of TOT revenues to be received by Excel Hotel Group, will remain unchanged.

BACKGROUND/ANALYSIS: On November 17, 2010, the City Council adopted a resolution approving a TOT sharing agreement with Excel Hotel Group. The following outlines the key revenue sharing points in the existing agreement.

1. The City will retain the first \$100,000 of Hotel TOT generated by the hotel;
2. After the first \$100,000 of annual TOT, the City will rebate sixty-five percent (65%) of the remaining amount to Excel Hotel Group through the 10th year from the date the Hotel commences operation or until Excel Hotel Group has received \$1,081,000 of total TOT revenues, whichever comes first; and
3. Beginning from the 11th year, the City will retain all TOT generated from the hotel.

The project developer, Excel Hotel Group, is extremely motivated to develop this project, even in the mist of one of the most challenging economic conditions the country has ever experienced. As a result of this continuing challenging economic environment

which has depressed hotel occupancy rates especially along the I-15 Corridor, the developer has not been able to secure necessary funding to commence the project. Potential lenders are concerned that the hotel may not generate enough revenues, especially in the first five years of operation, to make the required debt service payment. Excel Hotel Group has already invested over \$3.5 million of their own money in land acquisition, permits and other pre-development costs. In order to alleviate some of the concerns of potential lenders, Excel Hotel Group has requested that the City re-structure the existing agreement in a way that would allow them to retain a large share of TOT revenues over the first five years operation in order to stabilize the hotel's financial performance. The proposed amendment would not increase the length of the TOT sharing agreement or the maximum amount that would be received by the hotel under the existing agreement. The key financial terms of the amended agreement would be as follows:

1. The City and Excel Hotel Group will share the first five years of TOT revenues on a 50/50 split;
2. Beginning from the 6th year through the end of the 10th year after the hotel commences operation, the City would retain the first \$125,000 of TOT revenues generated each year. Any TOT revenue generated in excess of \$125,000 each year will be split 65% to Excel and 35% to the City.
3. Beginning from the 11th year, the City will retain all TOT revenues generated from the project.
4. The maximum amount of TOT revenues to be rebated to Excel during the entire ten year term of the agreement shall not exceed \$1,081,000
5. Excel Hotel Group agrees to begin construction of the hotel project by May of 2013, and complete the hotel project no later than July 30, 2014.

Staff believes that the proposed amendment presents a favorable situation to both parties by facilitating the timely completion of the project and generation of TOT revenues. It would also improve the ability of Excel to secure the needed funding to commence the project. Staff is recommending that the City Council approve the proposed amendment and authorize the City Manager to execute Amendment No. one to the Economic Incentive Agreement.

FISCAL IMPACT: The project is estimated to generate \$2,664,000 in TOT over the term of this Agreement. Of that amount, the City's share is estimated to be \$1,583,000, while the project owner will be paid a maximum of \$1,081,000. TOT revenues are General Fund revenues which are used to pay for general City services.

/ao-81567

Attachments: Amended Economic Incentive Agreement

ECONOMIC INCENTIVE AGREEMENT AMENDMENT NO. 1

This Economic Incentive Agreement, Amendment No. 1 (this "Amendment to the Agreement"), dated as of August 1, 2012 hereinafter is entered into by and between the City of Norco, a municipal corporation (herein after referred to as the "City") on the one hand, and Excel Hotel Group (hereinafter referred to as the "Project Developer"), a California limited liability company on the other (collectively, the "Parties"), with reference to the following facts:

RECITALS

A. WHEREAS, the Parties to this Agreement have heretofore entered into Economic Incentive Agreement, dated as of November 17, 2010 with regard to making it economically feasible to develop a 96-unit Fairfield by Marriot Inn and Suites in the City of Norco; and

B. WHEREAS, the continuing economic challenging environment has had a negative impact on the ability of the Project Developer to secure financing and commence the project; and in order to make the project economically feasible and meet the financing concerns of potential lenders, it has become necessary to re-structure the Agreement to provide more cash flows to the Project Developer during the first five years of hotel operation;

NOW THEREFORE, in consideration of the foregoing Recitals and the following mutual covenants, agreements, conditions and representations, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend Section 2 as follows:

2. Remittance and Project Completion.

a. Manner. Pursuant to the City TOT Ordinance, the Project Developer shall collect and remit to the City eleven percent (11%) of the total room revenue levied on Hotel occupants, on a calendar monthly basis ("Hotel TOT"). Said remittance shall be made within thirty (30) days following the end of the calendar month. Upon receipt of the remittance for the last month of each calendar quarter, City shall have thirty (30) days to review and audit, at its own expense, all amounts so received during that calendar quarter and shall remit the following amounts to the Project Developer.

- Beginning from the date of hotel operation to the end of the 5th year, City shall rebate 50% of all TOT revenues to the Project Developer;
- Beginning from the 6th year to the end of the 10th year, the City shall retain the first \$125,000 of each year's TOT revenues and shall rebate sixty-five (65%) of any remaining amount to the Project Developer
- Beginning from the 11th year, the City will retain all TOT generated from the project

- The maximum amount of TOT revenues to be rebated to Excel during the entire ten year term of the agreement shall not exceed \$1,081,000
- The Parties expressly acknowledge that this Agreement does not create a debt of the City to the Project Developer, but rather an obligation to pay Incentive Payments only upon City's receipt of Hotel TOT in accordance with the Ordinance and the terms of this Agreement.
- The Project Developer agrees to begin construction of the hotel project by May of 2013 and complete the project and commence operations no later than July 30, 2014.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the City and the Project Developer have executed this Agreement effective as of the date first written above.

CITY:

CITY OF NORCO,
a municipal corporation

By: _____

Printed Name: Beth Groves

ITS: City Manager

PROJECT DEVELOPER:

EXCEL HOTEL GROUP,
a California limited liability company

By: _____

Printed Name: _____

ITS: _____

Attest:

Brenda K. Jacobs, City Clerk

Approved as to form:

John R. Harper, Agency Counsel

/jk-81573

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: William R. Thompson, Director of Public Works

DATE: August 1, 2012

SUBJECT: Acceptance of a Dedication of Easement for Underground Public Utility Purposes at Mt. Rushmore Drive

RECOMMENDATION: That the City Council accept a property dedication of a 20 foot easement for public utility purposes at 367 Mt. Rushmore Drive, authorize staff to execute an exemption of the sewer connection fee and the water meter fee agreement with the property owner, and authorize the City Clerk to record the easement grant deed.

SUMMARY: The owner of the property located at 367 Mt. Rushmore Drive has submitted a request to build a single family residence on their property. The City of Norco has water pipeline the traverses the property which requires a public utility and access easement in order to operate and maintain the facilities. The property owners have agreed to dedicate the public utility easement to the City of Norco in exchange for a sewer connection exemption and water meter fee exemption.

BACKGROUND/ANALYSIS: The City of Norco owns and operates potable water storage reservoir located at 357 Mt. Rushmore Drive. The owner of the property, located at 367 Mt. Rushmore Drive, has submitted a request to build a single family residence on their property. The two properties share a common driveway, constructed by the city when the reservoir was built and underground pipeline was installed. The property owners have agreed to grant 20 foot easement to the City of Norco for underground utility purposes.

Staff has met with the property owners and offered to grant an exemption of the sewer connection fee and the water meter fee in exchange for the public utility easement. Staff is requesting that the City Council authorize staff to execute the exemption agreement.

FINANCIAL IMPACT: Minimal revenue loss from the Sewer Capital Improvement Program Fund (147) and Water Capital Improvement Program Fund (144).

/81582

Attachments: Sewer Easement with Exhibits A and B (367 Mt. Rushmore Drive)

**Legal Description of
Utility Easement Exhibit "A"**

**Proposed Easement for Utility Purposes
Portion of APN: 168-030-008**

That portion of Lot 67 in the City of Norco, County of Riverside, State of California as shown on the map of Tract No. 2648 filed in Book 49, pages 19 through 22 inclusive of Maps in the Office of the County Recorder of said County, more particularly described as follows:

A 20.00 foot wide strip of land, the easterly and northerly sideline of which is described as follows:

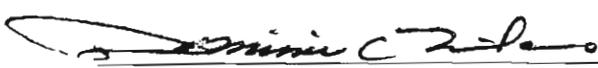
BEGINNING at the point of intersection of the east line of said Lot 67 and the northerly and easterly right of way line of Mt. Rushmore Drive as shown on said map of Tract No. 2648; thence North 24°19'47" East along said east line a distance of 119.91 feet to an angle point said east line; thence leaving said east line and continuing North 24°19'47" East, a distance of 43.76 feet; thence North 65°40'13" West, a distance of 50.35 feet to a point in the west line of said Lot 67, said point lying North 00°06'00" East, a distance of 60.57 feet from the northeast corner of Lot 68 of said Tract No. 2648;

The sidelines of said strip shall be shortened or lengthened to terminate in the west line of said Lot 67 as well as the northerly and easterly right of way line of said Mt. Rushmore Drive.

Prepared by:



398 Lemon Creek Drive, Suite E
Walnut, California 91789
Tel (909) 594-9702 • Fax (909) 594-2658

 6/7/12

Dominic C. Milano, R.C.E. 27172 Date



67

N65°40'13"W 50.35'

N0°06'00"E
60.57'

N24°19'47"E
43.76'

66

68

N24°19'47"E 119.91'

P.O.B.

MT. RUSHMORE DRIVE

TRACT NO. 2648
MB 49 PG. 19-22

69

LEGEND



PROPOSED 20' UTILITY EASEMENT



RKA
CONSULTING GROUP
398 E. LEMON CREEK DRIVE, SUITE E, WALNUT, CA 91789
(909) 594-6702 • (925) 231-8323 • FAX (909) 594-2556
WWW.RKAGROUP.COM

EXHIBIT 'B'
PLAT
UTILITY EASEMENT

DATE: 6/6/12	SCALE: 1" = 50'	DRAWN BY: MLEE	SHEET: 1 OF 1
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CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

DATE: August 1, 2012

SUBJECT: Discussion of the Code Compliance Program

RECOMMENDATION: That the City Council review and discuss code compliance policies and practices and provide any desired direction.

SUMMARY: At its July 18, 2012 meeting, the City Council voted to have an item placed on a future agenda to discuss code enforcement in the City.

BACKGROUND/ANALYSIS: Since December of 2009, Code compliance efforts in the City are handled by one part-time Code Compliance Officer who works up to 20 hours per week. The Code Compliance Officer is supervised by the Planning Director. Additionally, there are six trained code compliance volunteers who work at the direction of the Code Compliance Officer, primarily on enforcement of the sign ordinance.

On October 28, 2009, the City Council held a study session on code compliance issues and preparing to transition of the function from the Fire Department to the Planning Division. Changes to the Administrative Policy were made at that time to identify responsibilities within the code compliance process. The Policy went into effect on December 1, 2009.

The City's code compliance procedures differ between residential and commercial zones. For example, a violation in in a residential or agricultural zone is not acted upon without a written complaint. A written complaint is not required in commercial and industrial zones; however, due to our limited resources, violations in these zones are currently responded to on a complaint basis, rather than through a pro-active process.

A visible, immediate health and safety issue can be responded to regardless of a formal complaint if it is witnessed by, or reported to, the Code Compliance Officer. Also, a code enforcement violation in the public right-of-way or that is viewable by City staff from the public right-of-way, can be acted upon without a written complaint. Animal keeping-related code cases are handled directly by Animal Control and are not processed through code compliance unless other code issues are also involved. (See attached Code Compliance Policies and Procedures for details.)

In the Fall of 2010, the City began a trained volunteer code enforcement program. Five volunteers work 4 hour shifts each week. The volunteers do not have citation authority; rather, they leave door-hanger notices at locations where manure ordinance or sign code ordinance violations are found. If the situation is not corrected, administrative citations could be issued by the Code Compliance Officer.

/81580

Attachment: Administrative Policy – Code Compliance Policies and Procedures

Agenda Item 3.A.



CITY OF NORCO ADMINISTRATIVE POLICY STATEMENT

SUBJECT: CODE COMPLIANCE POLICIES AND PROCEDURES
POLICY NUMBER: 105
DATE ISSUED: February 22, 2006
DATE REVISED: December 1, 2009

PURPOSE: To establish and standardize policies and procedures by which municipal code violations are investigated and corrected by City departments and divisions.

GENERAL POLICY: As a general rule, the following principles and procedures will govern the City's actions toward gaining code compliance. City personnel, representatives and agents are authorized to follow different procedures in order to protect or preserve public health, safety or welfare, when, in the judgment of the City, the circumstances in a particular instance merit or require such procedures.

A. "Decentralized" approach.

The City will seek to correct code violations using a **decentralized** approach. This means that various City departments and divisions are responsible for obtaining compliance with the City's codes in their respective areas of jurisdiction. Examples of common code violations and the respective department or division responsible for gaining compliance include:

1. Parking issues
 - a. Commercial vehicle parked on private property (Planning Division)
 - b. Vehicles parked in horse trails or public streets (Sheriff Department)
2. Abandoned vehicles on private property (Fire Department)
3. Encroachments into the public right-of-way (Public Works Department and Engineering Division)
4. Zoning violations
 - a. Non-permitted structures (Planning Division and Building & Safety Division)
 - b. Illegal modifications, garage conversions, etc. (Planning Division and Building & Safety Division)
 - c. Street food vendors in residential zones (Fire Department and Sheriff Department)
 - d. Business uses not permitted in residential zones (Planning Division)
5. Illegal signs (Planning Division)
6. Graffiti
 - a. Public right-of-way (Public Works Department)
 - b. Private Property (Public Works Department)
 - c. Parks and public buildings (Parks & Recreation Department)

7. Excessive weeds, debris, fire hazards (Fire Department and Public Works Department)
8. Animal-keeping violations or non-permitted uses (Animal Control Division and Planning Division)
9. Manure violations (Engineering Division)
10. Foreclosures abatement and cleanup (Fire Department)

Each department or division will keep records of its respective code compliance actions, including data entry into the City's centralized computer system.

- B. Action on reported or observed code violations.
City staff will identify and seek to gain voluntary abatement by responsible persons of reported or observed code violations of any kind in commercial or industrial areas of the City as well as in the public rights-of-way in all areas of the City. In these cases it is not necessary to obtain a signed written complaint from any member of the public before initiating compliance efforts.
- C. Written complaints on **residential** code violations.
Generally, City staff will not proactively look for or seek to identify code violations on residential properties. Rather, in most cases, City staff will react to complaints that have been made concerning residential code violations. A complaint made by a resident or other interested or concerned person about a potential code violation on a residential property will require the filing of a written, signed complaint before compliance measures are pursued. (The identity of the complainant will not initially be revealed by City staff; however, the identity of a complainant may be discovered at some point in the code compliance process.) No verbal complaints will be accepted as a method of reporting a complaint. Exceptions to the requirement of the filing of a written, signed complaint are: 1) a code violation (in the form of a prohibited condition or activity) that could constitute a health and safety hazard or that might otherwise be detrimental to public welfare; 2) a structure (including, but not limited to, buildings, roofs, fences and walls) constructed, altered, repaired or demolished without building permits and City inspections; 3) mechanical, electrical or plumbing work or installations that were done, or that are reportedly being done, without the required technical code permits, approvals and City inspections; 4) grading work that was done, or is reportedly being done, without a grading permit; 5) a code violation reportedly being committed or maintained by a responsible person who had previously committed a code violation as determined or confirmed by City staff, 6) a code violation in the public right-of-way or that is viewable by City staff from a public right-of-way, or 7) deemed a fire or life safety hazard..
- D. "Centralized" tracking and coordination.
Many violations are linked to the City's Zoning Codes. Therefore, the code compliance functions will be supervised in the Planning Division.

PROVISIONS: The following procedures will generally be followed by City departments and divisions in correcting code violations. (Exceptions to these procedures specified in other code or policy documents, or unique circumstances, may result in alternative actions.)

PROCEDURES

1. An employee either receives a complaint or observes a violation of the Municipal Code. If the complaint is made by a resident or other interested or concerned person about an alleged code violation on a residential property, the complainant should be instructed to file a written complaint. (Written complaints are to be submitted on Attachment "A" – Code Violation Complaint Form.) This requirement of filing a written complaint can be waived only if the reported condition or activity involves or concerns: 1) a code violation that could constitute a health and safety hazard or that might otherwise be detrimental to public welfare; 2) a structure (including, but not limited to, buildings, roofs, fences and walls) constructed, altered, repaired or demolished without building permits and City inspections; 3) mechanical, electrical or plumbing work or installations that were done, or that are reportedly being done, without the required technical code permits, approvals and City inspections; 4) grading work that was done, or is reportedly being done, without a grading permit; 5) a code violation reportedly being committed or maintained by a responsible person who had previously committed a code violation as determined or confirmed by City staff, or 6) a code violation in the public right-of-way or that is viewable by City staff from a public right-of-way.
2. Except in cases that may involve imminent fire and life safety hazard, personal contact will always be made or attempted with the violating party, if possible, by the responsible City department or division. For code violations, a "Notice of Corrections Form (Attachment "B") or First Notice Letter" (Attachment "C") should be hand-delivered to the violator (if a resident of Norco) that will allow ten (10) days or maximum of thirty (30) days for resolution of the violation. If the responsible department or division cannot make personal contact with the property owner, a "Notice of Corrections Form" (Attachment "B") should be left at the property and a picture taken for documentation purposes with a date. If the violator or responsible person does not reside in Norco, City staff may issue a Notice of Corrections to that person by first class mail. If mailed notice is returned by sender, posting the property shall be conducted and a picture shall be provided for documentation purposes with a date.
3. Staff of the department or division with responsibility for enforcing the particular code will enter pertinent tracking information into the City's computer system and Inspection/Investigation Log Sheet (Attachment "E") if the violation requires ongoing attention or follow-up actions. Responsible departments/divisions involved in the case will generate periodic reports on progress of the violations for review by the respective department heads to ensure that timely follow-up is being completed.
4. If a violation is not fully resolved or arrangements are not made that are acceptable to City staff for a violator to fully resolve the violation in a timely manner with all required City permits, approvals and inspections, a "Request for Compliance / Final Notice" letter (Attachment "F") may be sent by the department or division dealing with the violation. The letter may allow for an additional five (5) day minimum to fourteen (14) day maximum to resolve the violation. City staff need not take the action stated in this section if the violator or responsible person is a repeat violator or if the violation constitutes, or may constitute, a hazard or detriment to public health, safety or welfare.

5. If violations are not thereafter fully corrected in a timely manner with all required City permits, approvals and inspections the Code Compliance Coordinator, or another City department or division, may exercise any of the City's remedies to obtain code compliance or cause the abatement of code violations, via the citation process.

Attachments: "A" – Code Violation Complaint Form
"B" – Notice of Corrections Form
"C" – Sample First Notice Letter
"D" – Standardized Door Hanger Notice
"E" – Inspection/Investigation Log Sheet
"F" – Sample Request for Compliance / Final Notice Letter
"G" – Standardized "Citation" Form

City Manager
/bj-76509



Date 12-1-2009