



AGENDA
CITY OF NORCO
CITY COUNCIL

December 18, 2013

City Council Chambers
2820 Clark Avenue, Norco, CA 92860

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

CALL TO ORDER: 6:00 p.m.

ROLL CALL:

THE CITY COUNCIL WILL RECESS TO CLOSED SESSION (SECTION 54954) TO CONSIDER THE FOLLOWING MATTERS:

Conference with Legal Counsel

Existing Litigation

Name of Case: Jack Mohl, Jr. *versus* City of Norco et al.
Case Number: RIC1306419

Name of Case: Mike Mandahl, et al. *versus* City of Norco et al.
Case Number: RIC 1313153

Initiation of Litigation Pursuant to Section 54956.9(c):

Number of Potential Cases: Two (2)

RECONVENE PUBLIC SESSION: 7:00 p.m.

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

PLEDGE OF ALLEGIANCE: Mayor Hanna

INVOCATION: Norco Foursquare Church, *Pastor Jared Vieyra*

PRESENTATIONS:

Presentation of Navy in Norco Pennant -- *Captain Eric Ver Hage, Commanding Officer, Norco Naval Surface Warfare Center*

Recognition of Eagle Scout Project -- *City of Norco Mass Care Trailer-47, Michael Porter, Troop 33*

Welcome Home War Hero – Sgt. Trent Pontes, U.S. Army

Recognition of the Norco High School Agriculture Department Students for Receiving the Golden Bell Award given by the California State School Boards Association

Norco High School Agriculture Department evenly incorporates the three circles of agricultural education; classroom instruction, supervised agricultural experience, and leadership development. The students served by the program are as diverse as the course offerings. Classes are structured so that students will learn the theory of the topic at hand and apply their learning through projects based in the classroom or in the field.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. CITY COUNCIL COMMUNICATIONS / REPORTS ON REGIONAL BOARDS AND COMMISSIONS:
2. CITY COUNCIL CONSENT ITEMS: *(All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Council, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Council or the audience request specific items be removed from the Consent Calendar. Items removed from the Consent Calendar will be separately considered under Item No.3 of the Agenda.)*
 - A. City Council Minutes:
Regular Meeting of December 4, 2013
Special Meeting of December 3, 2013
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)
 - C. City Council Appointments to Regional Boards, Standing Committees and Other City Council-Appointed Committees for Calendar Year 2014.
Recommended Action: Approve the recommended City Council appointments for the 2014 calendar year. (City Clerk)
 - D. Resolution Approving the Extension of the Contract and Terms of the Existing Franchise Agreement with USA Waste of California, Inc. for the Provision of Integrated Waste Management Services and Approval of the Annual CPI and Disposal Adjustment Increase Retroactive Back to July 1, 2013. **Recommended Action: Adopt Resolution No. 2013-65, approving Amendment No. 2 to the Agreement between the City of Norco and USA Waste of California, Inc. for the Collection, Transportation, Recycling and Disposal of Solid Waste for an additional six months and allow for the annual CPI and disposal adjustment increase, retroactive back to July 1, 2013 pursuant to Section 18 of the franchise agreement.** (City Manager)
 - E. Ratification of Appointments to an Ad Hoc Committee to Review a New Contract with USA Waste of California, Inc. **Recommended Action: Approve the appointment of members to serve on an ad-hoc committee to review a new contract with Waste Management.** (City Manager)

- F. Recap of Actions Taken by the Planning Commission at its Meeting held on December 11, 2013. **Recommended Action: Receive and File** (Planning Director)
3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
4. CITY COUNCIL DISCUSSION / ACTION ITEMS:
- A. Discussion Regarding the City of Norco General Municipal Election Cycle. **Recommended Action: No staff recommendation – information presented for discussion and City Council recommendation purposes only.** (City Clerk).
- B. Consideration of Reducing the Number of Members on the Streets, Trails and Utilities Commission from Seven to Five. **Recommended Action: Staff recommends that the City Council direct staff to not fill the current unscheduled vacancy on the Streets, Trails and Utilities Commission; and, prepare an Ordinance establishing the number of members on the Streets, Trails and Utilities Commission at Five.** (City Clerk)
- C. Consideration to Install STOP Signs on Valley View Avenue at Willow Drive. **Recommended Action: Staff is not recommending installation of STOP signs on Valley View Avenue at Willow Drive.** (Director of Public Works)
- D. Consideration to Install Speed Tables at Two Test Areas. **Recommended Action: City Council direction.** (Director of Public Works)
5. CITY COUNCIL PUBLIC HEARINGS:
- A. **Code Change 2013-06 (City of Norco):** Ordinance regarding the applicability of prevailing wage requirement to State funded or assisted Public Works contracts.
- Senate Bill 7 was adopted adding Section 1782 to the California Labor Code and requires that, in order to receive State funding or financial assistance for Public Works projects, contracts for such projects shall be subject to California Labor Code Section 1720, et. seq., the Prevailing Wage Law. This Bill specifically applies to charter cities, such as Norco, notwithstanding the provisions in charters making the Prevailing Wage Law inapplicable to City Public Works projects. This Ordinance does not apply to Public Works projects funded without State assistance and does include projects funded by revenues required by the California Constitution to be received by cities; i.e., State gas tax.*
- Recommended Action: Adopt Ordinance No. 971 for first reading.**
(City Attorney)

- B. **Code Change 2013-07 (City of Norco):** Ordinance replacing Title 15, Chapters 15.01-15.08 and 15.90 of the Norco Municipal Code, adopting by reference the 2013 edition of the California Building Standards Code including the 2013 California Building Code; 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Residential Code, and 2013 Green Building Code.

State law allows local governments to amend the California Model Codes, providing the amendments are more restrictive and are necessary in order to provide the highest level of life-safety standards. The proposed ordinance will adopt and amend the 2013 editions of the California Building Code, the California Electrical Code, California Mechanical Code, California Plumbing Code, California Residential Code and the California Green Building Code. State law requires that local government enforces these code editions beginning January 1, 2014.

Recommended Action: Adopt Ordinance No. 972 for first reading.
(City Engineer)

- C. **Zone Code Amendment 2013-03 (City of Norco):** A City-initiated proposal to amend Title 18 "Zoning" of the Norco Municipal Code, Chapter 18.02 – Definitions", Section 18.31.08 - "Yard Requirements – Walls, Fences and Structures in Setback Areas" and Section 18.38.22 -"On-site Location of Parking Facilities", to address/revise the definitions of non-commercial vehicle and trailer parking in residential zones.

Zone Code Amendment 2013-03 is a City-initiated proposal to amend Title 18 (Zoning) of the Norco Municipal Code to address or revise the definitions pertaining to recreational vehicles, trailers, and parking areas, and to address the regulation of on-site parking in residential zones.

Recommended Action: Adopt Ordinance No. 964 for first reading.
(Planning Director)

- D. **Appeal Hearing 2013-02 (Lakeville Retail Group, LLC):** 1) An appeal of a condition of approval from Planning Commission approval of Conditional Use Permit 2013-13: A request for a temporary modular unit for use as a construction office and interim sales office for an existing RV rental business located at 2185 Hamner Avenue in the Norco Auto Mall Specific Plan; 2) A request for waiver of application fees.

On November 13, 2013, the Planning Commission adopted Resolution 2013-48 approving Conditional Use Permit 2013-13 for a temporary modular unit to be used as a construction office for Tractor Supply Co., and an interim sales office for an existing RV rental business located at 2185 Hamner Avenue in the Norco Auto Mall Specific Plan. The Planning Commission approval included Condition No. 13 with a time restriction on the unit to the earlier of either, one year, or the issuance of an occupancy permit for Tractor Supply Co. This condition was appealed to the City Council by the applicant. Along with the appeal the applicant has requested a refund of application fees.

Recommended Action: The City Council is recommended to 1) hear the applicant and make a final determination regarding the appeal; and, 2) deny the waiver of fee request. (Planning Director)

6. 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.
7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:
8. 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.

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



MINUTES
CITY OF NORCO
CITY COUNCIL

December 4, 2013

City Council Chambers
2820 Clark Avenue, Norco, CA 92860

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

CALL TO ORDER: Mayor Azevedo called the meeting to order at 6:05 p.m.

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

THE CITY COUNCIL WILL RECESS TO CLOSED SESSION (SECTION 54954) TO CONSIDER MATTERS:

Section 54957(b)(4) – Evaluation of Performance City Attorney

RECONVENE PUBLIC SESSION: Mayor Azevedo reconvened the meeting at 7:05 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1): Mayor Azevedo stated that there was a performance review completed for the City Attorney and she noted that this will be completed annually in the future.

PLEDGE OF ALLEGIANCE: Council Member Bash

INVOCATION: Grace Fellowship Church
Pastor Vernie Fletcher

PRESENTATIONS:

The committee that put on the USO kick-off fundraising event for the George Ingalls Veterans Memorial Plaza presented the City with a check in the amount of \$31,025.39.

South Coast Air Quality Management District
Wood Stove & Fireplace Change-Out Incentive
Program

Tracy Goss and Todd Warden were present representing the South Coast AQMD and presented information regarding the Program. Ruthanne Taylor Berge, representing WRCOG, was also present.

REORGANIZATION OF CITY COUNCIL:

A. Election of Mayor

M/S Azevedo/Higgins to elect Berwin Hanna as Mayor. The motion was carried by the following roll call vote:

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

Mayor Hanna presented Council Member Azevedo with a plaque and thanked her for her service to the City. He cited several City Council accomplishments that took place during her Mayoral term.

B. Election of Mayor Pro Tem

M/S Hanna/Bash to elect Herb Higgins as Mayor Pro Tem. The motion was carried by the following roll call vote:

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

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. A. SILVERLAKES EQUESTRIAN & SPORTS PARK UPDATE:

R.J. Brandes, representing Balboa Management Group, LLC, provided an update regarding the Silverlakes Equestrian & Sports Park. He stated that he was hoping that he would have the commitment tonight from the bank, but the bank did speak with City Manager Okoro noting that the loan was approved. He believes that the only thing holding it up was the approval from the bank board of directors, noting that they do not believe there will be any problem. His intent is to begin mobilizing all the different parties involved sometime in the next month to start back the construction job (next 30 – 45 days) and open from six to nine months. He further stated that the Grand opening will be held sometime in January of 2015. He concluded that he believes that 2014 is the year of Silverlakes.

In response to questions from the City Council, Mr. Brandes stated that he should have the financing confirmed in the next four to five days. City Manager Okoro confirmed this response following his conversation with the President of the bank today. Mr. Brandes further stated that they want to build the property and make it a success. He also noted that the trails are in place and some of the aspects of the parking for trailers should be in place. He added that the phasing will be a continuous project.

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

Council Member Bash:

- Reported on the Riverside Conservation Authority meeting he attended. Noted that there is a lot going on at this time.
- Stated that he is going to be appointed to help chose the new Chancellor for Riverside Community College.
- Commented on the December 7th Norco Pearl Harbor event, noting that the theme is "Passing the Torch."

Mayor Hanna:

- Commented on the ground breaking ceremony for the 91 Freeway expansion project to be held on December 11th.
- Reported on the Northwest Mosquito Abatement District Board he is on, noting that they just purchased two new vehicles from Hemborg Ford.
- Recognized the Animal Control Division for its assistance with the NART rescue and the arrests made regarding the cock fighting.

Council Member Azevedo:

- Reminded everyone to attend the December 7th Parade of Lights and Winter Festival events which begin at 2 p.m. with the parade beginning at 5 p.m.

2. CITY COUNCIL CONSENT ITEMS:

M/S Bash/Higgins to adopt 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, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NEWTON ON ITEM 2.A.

A. City Council Minutes:
Regular Meeting of November 20, 2013
Recommended Action: **Approve the City Council Minutes** (City Clerk)
NEWTON ABSTAINED

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

- C. Approval of the Annual Reports for Community Facilities Districts 2001-1 and 2002-1 for the Fiscal Year Ended June 30, 2013. **Recommended Action: Receive and file.** (City Manager)
- 3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
- 4. CITY COUNCIL DISCUSSION / ACTION ITEMS:
 - A. Discussion Regarding the Corona-Norco Unified School District Consideration of Trustee Area Scenarios and Election Method Change.

City Manager Okoro presented information regarding this item, noting that he spoke with Superintendent Michael H. Lin from the Corona-Norco Unified School District (CNUSD) regarding the process and he graciously sent two representatives in order to provide information and answer any questions. A representative from the Dolinka Group and Evita Gonzolez, CNUSD Communications Manager, were present to answer any questions and provide additional information. CNUSD will be meeting on December 10, 2013 to pick one of the scenarios to adopt to become effective by the November 2014 election.

The Council Members commented positively regarding Scenario 1A.

Council Member Azevedo recommended that the Council support herself and Council Member Bash, who will both be attending the CNUSD Board meeting, in recommending Trustee Area Scenario 1A.

M/S Azevedo/Bash to formally recommend Trustee Area Scenario 1A to the Corona-Norco Unified School District School Board. The motion was carried by the following roll call vote:

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

- B. Discussion Regarding Refuse Collection and Disposal Services.

City Manager Okoro presented information as provided in the staff report, noting that this is a follow-up item from the last City Council meeting. He stated that in an effort to continue services in Norco, staff has met with Waste Management, adding that the staff report was written based on communications with Waste Management to that date. He further stated that a letter was received from Waste Management today stating that they will extend the contract and terms of the existing franchise agreement for an additional six (6) months with the following exception: allow for the annual CPI and disposal adjustment increase, retroactive back to July 1, 2013 pursuant to Section 18 of the franchise agreement. City Manager Okoro stated that if the City Council agrees to this, a resolution would be brought back to the Council for approval. He added that staff is committed to fulfilling the direction given in regards to the RFP process.

City Attorney Harper stated that if the ad-hoc committee approach is taken, it will be subject to the Brown Act.

Mayor Pro Tem Higgins stated that he liked the ad-hoc committee idea.

Council Member Newton commented that he is glad to see that Waste Management is working with the option to complete an RFP. He asked about the RFP process and if the City would be tied to the lowest bid. He further questioned if it can be structured so that the lowest responsible bid would be accepted. In response, City Attorney Harper stated that there is no legal obligation to select a proposal based solely on what the cost is, unless it is bid that way. Council Member Newton noted that he believes that staff is capable of completing the RFP and a consultant could be used to refine it. He further asked if the RFP could include the requirement that the disposal landfill fees stay in Riverside County. In response, City Attorney Harper stated the RFP could require that each bidder indicate their disposal location and that the City could consider the impacts of the location in analyzing the proposals.

Council Member Azevedo asked Julie Reyes, Public Sector Services Manager for Waste Management, about the ad-hoc committee and asked if the franchise fee and rates could still be discussed. In response, Ms. Reyes stated that there needs to be a lot more transparency to the community and there is room for this discussion. She added that her thought is that we go through this as a team.

City Attorney Harper stated that there will be another Prop 218 hearing following this process.

Julie Reyes, Public Sector Services Manager for Waste Management, confirmed that the trash will be picked up on January 1st.

M/S Azevedo/Higgins to go with an ad-hoc committee option to attempt to negotiate a new contract. Higgins withdrew his second to the motion.

Under Discussion:

Council Member Bash stated that people need to understand what a franchise fee is, noting how important the franchise fees are to the City.

Mayor Pro Tem Higgins commented on his issue regarding the transparency of the entire document and how it affected the residents and also how it was presented.

Council Member Newton asked for clarity on the motion, noting the short time left for the option of an RFP.

Julie Reyes, Public Sector Services Manager for Waste Management, stated that she concurs with what is being said, noting their concerns with the timeline. She stated that they are ready to sit down next week.

City Manager Okoro commented on the timeline for the RFP process, noting that 180 days is the minimum number of days necessary for this process, including the mobilization process, adding that this would require transparency.

Substitute M/S Azevedo/Higgins to go with the ad-hoc committee option and begin the RFP process. The motion was carried by the following roll call vote:

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

M/S Azevedo/Higgins that the appointments to an ad-hoc committee and a resolution implementing the Waste Management proposal regarding the contract extension be brought back for formal approval by the City Council. The motion was carried by the following roll call vote:

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

RECESS: Mayor Hanna recessed the meeting at 9:00 p.m.

RECONVENE: Mayor Hanna reconvened the meeting at 9:07 p.m.

5. CITY COUNCIL PUBLIC HEARING:

- A. Zone Code Amendment 2013-16 (City):** A request to amend Title 18 (Zoning) of the Norco Municipal Code regarding the definitions and/or regulations for second units, emergency shelters, transitional housing, and supportive housing in accordance with State Government Code requirements.

Zone Code Amendment 2013-16 and Code Change 2013-05 (Item 5.B.) are the final implementation measures of the 2008-2014 Housing Element Update that was certified by the state last year with certain conditions that needed to be met before the next update could be certified. The 2014-2021 update has been approved by the City and the City has received a pre-certification letter from the Department of Housing and Community Development (HCD) pending finalization of the follow-up measures from the 2008-2014 document.

Recommended Action: Adopt Ordinance No. 969 for first reading.
(Planning Director)

Planning Director King stated that the public hearing has been cancelled.

- B. **Code Change 2013-05 (City):** Code Change 2013-05 (City of Norco): Adding Section 9.95 "Reasonable Accommodations" to the Norco Municipal Code.

Code Change 2013-05 is a requirement of state and federal fair housing laws to make reasonable accommodations for the development of housing for persons with disabilities. Reasonable accommodations are minor deviations to requirements of the Norco Municipal Code (NMC) and the intent is to reduce the procedural requirements that can be constraints to the development of housing for this group of people. All jurisdictions in the state are required to comply with the regulations.

Recommended Action: Adopt Ordinance No. 970 for first reading.
(Planning Director)

Planning Director King stated that the public hearing has been cancelled.

6. PUBLIC COMMENTS OR QUESTIONS:

Karen Leonard. Ms. Leonard commented on the Mayor and Mayor Pro Tem selection portion of the agenda, noting that she does not agree with the decision, adding that the decision was not made based on ethical decisions made in the past.

Glen Hedges. Mr. Hedges commented that he misses the City Newsletter that was on the website in the past and requested that it be brought back.

Lance Gregory. Mr. Gregory thanked staff for resolving issues quickly. He further thanked the Sheriff's Department for taking care of the homeless and pan handling problem. He asked the Council to reconsider a traffic officer when money allows. Mr. Gregory stated that he would like to see Council send copy of Resolution No. 2005-09 to commission members regarding the code of ethics, noting disrespect shown to staff and fellow commission members. He asked that respect be shown to those who speak at the podium at Council meetings. Lastly, he would like to see the "great wall" next to the freeway painted.

Ronald Mugar. Mr. Mugar commented in regards to an issue he has at his residence with the water being shut off. He noted that the water bill has been paid every month and he has completed the required City application. He stated that he has provided proof that he does live at the residence and the water remains shut off.

Don Bowker. Mr. Bowker commented on the City Council installation meeting held, noting the comments made by Council Member Azevedo regarding Norco's 50th Birthday and its lifestyle, adding that the City commission members should all be reviewed to find out if they are in support of the Norco lifestyle or removed.

Roy Hungerford. Mr. Hungerford noted that Tony Mauro needs to be removed from the Streets, Trails and Utilities Commission immediately; noting his comments at the meetings and how he insulted staff and other fellow commission members. He added that all commission members should be reviewed.

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

M/S Bash/Higgins to agendize a discussion on the City trails and review the existing Code. The motion was carried by the following roll call vote:

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

M/S Bash/Higgins to agendize a discussion regarding the City's Water Master Plan. The motion was carried by the following roll call vote:

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

M/S Bash/Azevedo to remove Tony Mauro and Dave Henderson from their respective commissions; and, review the attendance records of all of the City commission members. The motion was carried by the following roll call vote:

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

Lt. Hedge commented on several grants that the Sheriff's Department has received from the California Office of Traffic Safety, noting the latest \$80,000 grant received to be used for an anti-DUI program aimed at preventing deaths and injuries on Norco roadways. The other grant is for \$85,000 which will fund additional deputy's hour wage for traffic programs.

8. **ADJOURNMENT:** There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 9:33 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK



MINUTES
CITY OF NORCO
CITY COUNCIL SPECIAL MEETING
December 3, 2013
Norco City Hall – Conference Rooms A and B
2870 Clark Avenue, Norco, CA 92860

CALL TO ORDER: Mayor Azevedo called the meeting to order at 5:00 p.m.

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

PLEDGE OF ALLEGIANCE: Mayor Azevedo

1. CITY COUNCIL CONSENT CALENDAR ITEM:

- A. Adoption of a Resolution Reciting the Fact of the Regular Municipal Election held in said City on Tuesday, November 5, 2013, Declaring the Results Thereof and Such other Matters as Provided by Law. **Recommended Action: Adopt Resolution No. 2013-64.** (City Clerk)

M/S Sullivan/Higgins to adopt Resolution No. 2013-64. The motion was carried by the following roll call vote:

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

2. ISSUANCE OF THE OATH OF OFFICE:

- A. Oath of Office Issued to Kevin Bash and Greg Newton.(City Clerk)

City Clerk Jacobs issued the Oath of Office to Kevin Bash and Greg Newton.

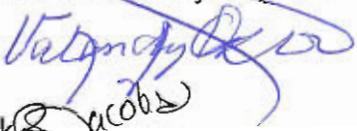
3. PUBLIC COMMENTS: **Member of the public in attendance, along with City Council Members, offered their congratulations to Kevin Bash and Greg Newton.**

4. ADJOURNMENT: There being no further business to come before the City Council/Successor Agency, Mayor/Chairman Azevedo adjourned the meeting at 5:15 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: December 18, 2013

SUBJECT: City Council Appointments to Regional Boards, Standing Committees and Other City Council-Appointed Committees for Calendar Year 2014

RECOMMENDATION: Approve the City Council appointments to the various standing committees and other governmental agencies for the 2014 calendar year.

BACKGROUND/ANALYSIS: Each calendar year, City Council appointments are made to various standing committees and other governmental agencies. The appointments to these standing committees and other governmental agencies for the 2014 calendar year, as stated in Exhibit "A", are presented for approval by the City Council to become effective January 1, 2014.

In May 2012, the Fair Political Practice Commission adopted amendments to Regulation 18705.5, which allowed public officials to make, participate in making, or use their official positions to influence decisions concerning their own appointments to positions as officers of the bodies of which they are members, committees, boards or commissions of public agencies, special districts, joint powers agencies or authorities, joint powers insurance agencies or authorities, or metropolitan planning organizations if the appointments are required to be made by either state law, local law or a joint powers agreement and are required to be made by the bodies on which the officials are members. As a safeguard, the bodies making such appointments must adopt and post on their websites a form (Form 806) that lists each appointed position, the name of the public official appointed to each position (including alternates) and the salary or stipend paid for the appointed position. Form 806 is currently posted on the City's website reporting for calendar year 2013 City Council appointments and will be updated upon the approval of the 2014 calendar year City Council appointments.

Attachment: Exhibit "A" – 2014 City Council Appointments

Exhibit "A"

CITY COUNCIL APPOINTMENTS – 2014

REGIONAL BOARDS

Chino Basin Desalter Authority Board (Appoint 1 and 1 Alternate)

Greg Newton
Public Works Director Bill Thompson (Alternate)

Northwest Mosquito Abatement District (Appoint 1)

Berwin Hanna

Riverside Conservation Authority (Appoint 1 and 1 Alternate)

Kevin Bash
Berwin Hanna (Alternate)

Riverside County Free Library (Appoint 1)

Advisory Committee

Kevin Bash

Riverside County Transportation Commission (Appoint 1 and 1 Alternate)

Berwin Hanna
Kathy Azevedo (Alternate)

Riverside Transit Agency (Appoint 1 and 1 Alternate)

Berwin Hanna
Greg Newton (Alternate)

Western Riverside Council of Governments (Appoint 1 and 1 Alternate)

Kathy Azevedo
Berwin Hanna (Alternate)

Western Riverside County (Appoint 1 and 1 Alternate)

Regional Wastewater Authority

Greg Newton
Berwin Hanna (Alternate)

STANDING COMMITTEES

City Audit Committee

(Appoint 2)

Berwin Hanna
Herb Higgins

Corona-Norco Schools Committee

(Appoint 2)

Kathy Azevedo
Kevin Bash

Economic Development Advisory Council

(Appoint 2)

Kevin Bash
Kathy Azevedo

U.N.L.O.A.D.

(Appoint 2)

Kathy Azevedo (Chair)
Herb Higgins (Vice Chair)

OTHER CITY COUNCIL APPOINTED COMMITTEES

George Ingalls Veterans Memorial Plaza Committee

Kevin Bash
Berwin Hanna

City 50th Birthday Committee

Kathy Azevedo
Berwin Hanna

Leads on Manure-to-Energy Issues

Berwin Hanna
Greg Newton

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

DATE: December 18, 2013

SUBJECT: Resolution Approving an Extension to the Contract and Terms of the Existing Franchise Agreement between the City of Norco and USA Waste of California, Inc. for the Provision of Integrated Waste Management Services

RECOMMENDATION: Adopt **Resolution No. 2013-65**, approving Amendment No. 2 to the Agreement between the City of Norco and USA Waste of California, Inc. for the Collection, Transportation, Recycling and Disposal of Solid Waste for an additional six months and allow for the annual CPI and disposal adjustment increase, retroactive back to July 1, 2013 pursuant to Section 18 of the franchise agreement.

SUMMARY: At its meeting held on December 4, 2013, the City Council voted to move forward with the proposal made by Waste Management in a letter dated December 4, 2013. The letter stated that Waste Management will extend the contract and terms of the existing franchise agreement for an additional six (6) months with the following exception: Allow for the annual Consumer Price Index (CPI) and disposal cost adjustment increase, retroactive back to July 1, 2013 pursuant to Section 18 of the franchise agreement. This resolution formally adopts the extension of the contract, as well as the new rates reflecting the CPI and disposal pass-through cost increases through June 30, 2014.

BACKGROUND/ANALYSIS: The City Council was presented with options in regards to how to move forward with Waste Management in order to ensure uninterrupted service prior to a potential new exclusive franchise agreement at its meeting held on December 4, 2013. One option that was discussed with Waste Management was to grant the City a six (6) month contract extension through June 30, 2014 in order to allow sufficient time for the City to complete the RFP process. In exchange, Waste Management would be allowed to adjust their rates during the extension to include the consumer price index adjustment and pass-through disposal cost adjustment which would have been implemented on July 1, 2013 but were not implemented due to the ongoing contract negotiations. Franchise fee would remain at the current rate of 10%. This option was accepted by Waste Management in a letter addressed to the City Manager prior to the commencement of City Council Meeting. The City Council voted to accept this option along with appointing an Ad-Hoc Committee consisting of two (2) staff members, two (2)

council members, and three (3) members from the community to assist with the negotiation of a potential new contract agreement with Waste Management over the next 90 days. The City Council further directed staff to move forward in preparing a Request for Proposal (RFP) in the case that the decision would be made to issue it.

The following is a summary of the proposed adjustments:

- **CPI** –The change in the CPI for the effective twelve-month period, March to March, was 1.7%. This percentage increase will be applied to all service components and ancillary fees in the rate exhibit retroactive back to July 1, 2013.
- **Solid Waste Disposal Cost** – Effective July 1st, the Riverside County tipping fee increased by 1.9% for the 2013/2014 fiscal year (see attached letter). The solid waste disposal component of the rates will increase from \$35.11 to \$35.80 per ton.
- **Green Waste Disposal Cost** – Effective July 1st, green waste disposal fees increased by 16.5% for the 2013/2014 fiscal year (see attached letter). The green waste disposal component of the rates will increase from \$24.00 to \$28.75 per ton.
- **Manure Disposal Cost** – Effective July 1st, manure disposal fees increased by 12.7% for the 2013/2014 fiscal year (see attached letter). The manure disposal component of the rates will increase from \$17.25 to \$19.75 per ton.

The attached resolution confirms the new rates effective January 1, 2014 through June 30, 2014, which reflect the CPI and disposal pass-through cost increases.

FINANCIAL IMPACT: Estimated \$10,000 in additional annual franchise revenues to the General Fund due to these rate adjustments.

Attachment: Letters from Waste Management regarding 2013/2014 rate adjustments
Resolution No. 2013-65
Amendment No. 2 to the USA Waste of California Agreement



December 9, 2013

Mr. Andy Okoro
City Manager
City of Norco
2870 Clark Avenue
Norco, CA 92860

RE: 2013/2014 Rate Adjustment

Dear Andy,

Pursuant to Section 18 of our current franchise agreement, Waste Management of Inland Empire respectfully requests your favorable consideration of the enclosed annual rate adjustment. Our adjustment is comprised of the changes in the Consumer Price Index (CPI) and disposal costs for green waste and municipal solid waste.

Based on the current methodology outlined in the agreement, we would like to propose the following adjustments:

Summary of Proposed Adjustments

- **CPI** –The change in the CPI for the effective twelve-month period, March to March, was 1.7%. This percentage increase will be applied to all service components and ancillary fees in the rate exhibit retroactive back to July 1, 2013.
- **Solid Waste Disposal Cost** – Effective July 1st, the Riverside County tipping fee increased 1.9% for the 2013/2014 year. The solid waste disposal component of the rates will increase from \$35.11 to \$35.80 per ton.
- **Green Waste Disposal Cost** – Effective July 1st, green waste disposal fees increased 16.5% for the 2013/2014 year. The green waste disposal component of the rates will increase from \$24.00 to \$28.75 per ton.
- **Manure Disposal Cost** – Effective July 1st, manure disposal fees increased 12.7% for the 2013/2014 year. The manure disposal component of the rates will increase from \$17.25 to \$19.75 per ton.

Waste Management respectfully requests your approval of our proposed rate adjustment that will be applied to all service and disposal components effective July 1, 2013. Thank you in advance for your review and consideration. If you have any additional questions, please contact me at (951) 232-7123.

Sincerely,

A handwritten signature in black ink that reads 'Julie Reyes'.

Julie Reyes
Manager of Community Relations

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Waste Management Department

SUBMITTAL DATE:
March 26, 2013

SUBJECT: Introduction of Ordinance No. 779.14, Amending Ordinance No. 779, Relating to County Solid Waste Facilities and Establishing Fees

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and set for public hearing those changes set forth in Ordinance No 779.14; and
2. Direct the Clerk of the Board to publish a notice of the public hearing date of April 30, 2013, and the proposed Waste Management Department charges as provided in Government Code Section 6066; and
3. Adopt Ordinance No. 779.14 at the close of public hearing on April 30, 2013, with the changes to the appendices to be effective July 1, 2013.

BACKGROUND: Ordinance No. 779 outlines the General Manager-Chief Engineer's authority to manage the disposal sites and transfer stations in Riverside County. In addition to establishing fees and penalties, this ordinance includes the basis for operation regulations including waste inspection, salvaging and safety. (continued)

Hans W. Kernkamp, General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	FY 13/14

SOURCE OF FUNDS: Waste Management Department Disposal Fees	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**
BY:
Alex Gann
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of reading, and is set for public hearing on Tuesday, April 30, 2013, at 10:30 a.m.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: April 9, 2013
xc: Waste, Auditor, COB

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: | **District:** All | **Agenda Number:** **12-1**

FISCAL PROCEDURES APPROVED
 PAUL LANGUO, CPA, AUDITOR-CONTROLLER
 BY:
 RUSSELL S. DOMINSKI D-26-13

 FORM APPROVED COUNTY COUNSEL
 BY:
 NEAL R. KIPNIS
 DATE: 3/26/13
 Departmental Concurrence

**SCHEDULE OF WASTE DISPOSAL FEES
FOR RIVERSIDE COUNTY WASTE MANAGEMENT DEPARTMENT
EFFECTIVE July 1, 2013**

SITE NAME	ADDRESS	OPERATING HOURS*
Badlands	31125 Ironwood Avenue, Moreno Valley, CA 92555	6:00 am to 4:30 pm Monday through Saturday
Blythe	1000 Midland Road, Blythe, CA 92225	8:00 am to 4:00 pm Monday through Friday and the first Saturday of the month
El Sobrante	10910 Dawson Canyon Road, Corona, CA 92883	Open to the public 6:00 am to 6:00 pm Monday through Saturday
Lamb Canyon	16411 Lamb Canyon Road, Beaumont, CA 92223	6:00 am to 4:30 pm Monday through Saturday

Landfill Sites are Closed on the Following Days:
New Years Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day

WASTE GROUP DESCRIPTIONS	RATE
1. Any vehicle hauling: (a) 2 or less large trash bags, or (b) up to 2 cathode ray tube (CRT) devices (e.g. TVs or computer monitors) per day (c) 3 holiday trees for recycling (residential customers only)	No Charge
2. Vans, pickup trucks or any vehicle pulling a two-wheel trailer or any other vehicle: (a) hauling miscellaneous waste not exceeding .4 ton	\$ 8.00 /load
(b) hauling 50% or more wood or yard waste not exceeding .4 ton	\$ 11.00 /load
(c) hauling Hard to Handle refuse waste not exceeding .25 ton	\$ 11.00 /load
(d) hauling miscellaneous waste exceeding .4 ton	\$ 35.80 /ton**
(e) hauling 50% or more wood waste or yard waste exceeding .4 ton	\$ 45.80 /ton**
3. Added to the charges listed herein will be a charge of: (a) \$1.00 per tire up to 9 tires (passenger and light duty truck tires not to exceed 4' in diameter)	\$ 1.00 /tire
(b) \$5.20 per tire up to 9 tires (semi-truck and Off-the-Road (OTR) not to exceed 4' in diameter)	\$ 5.20 /tire
(c) \$10.00 per uncovered load of refuse which has exposed material which in the opinion of the General Manager-Chief Engineer or designee may litter access routes to the landfill	\$ 10.00 /load
(d) \$5.00 per ton for out of county incidental amounts of refuse	\$ 5.00 /ton***
4. Vehicles hauling loads of more than 9 tires (Tires cannot exceed 4 feet in diameter or weigh more than 200 pounds each.) Tire Manifest Required	\$ 100.87 /ton****
5. All other vehicles carrying wastes requiring special handling or immediate burial and all end dump type vehicles (Hard-to-Handle)	\$ 47.73 /ton**
6. All vehicles not described in any other provision of this fee schedule	\$ 35.80 /ton**
7. For customers unloading: (a) 16 to 30 minutes past closing	\$ 60.00
(b) 31 minutes or more past closing	\$ 120.00
8. Sale of Orange Polyester Safety Vest to landfill visitors	\$ 9.00 /ea
9. Sale of Orange Safety Vest to landfill visitors	\$ 0.75 /ea
10. Emergency towing services: (a) 10 minutes or less	\$ 20.00
(b) over 10 minutes	\$ 35.00
11. Bottom ash from an approved biomass facility Any vehicle hauling greenwaste material which has been recognized by the General Manager-Chief	\$ 19.50 /ton
12. Engineer or designee as Alternative Daily Cover	\$ 10.00 /ton

* Gates close promptly at stated closing time.

** Cash customers prorated to the nearest \$.25.

*** Exception - El Sobrante Landfill. Incidental OOC rate established by WMInc.

**** Cash customers prorated to the nearest \$.25 with a minimum charge of \$20.00 per vehicle.

For services/complaints contact the Riverside County Waste Management Department at (951) 486-3200 or via website www.rivnowm.org

LANDFILL RULES

- Obey County personnel and signs. It is for your safety.
- Anyone under 16 years of age and pets must remain in vehicle.
- High visibility safety vest must be worn at all times.
- Stay within 5 feet of your vehicle while unloading and 15 feet away from heavy equipment.
- No alcohol, drugs, weapons, smoking, salvaging, or loitering.
- Commercial refuse vehicles must have an operational back-up alarm.

County is not responsible for damage to customer's vehicle and/or equipment due to customer's negligence or failure to follow site rules and reserves the right to deny access to anyone violating said rules or creating a safety hazard. Landfills are dangerous construction zones. Disposal is at customer's own risk.

All loads subject to inspection. Disposal of hazardous, toxic, flammable, corrosive, explosive and radioactive waste/materials may be prosecuted under Health and Safety Code 25189.5 and Penal Code 374.B



17130 Hellman Ave. Corona, CA 92880
Phone (909) 597-7232 • FAX (909) 597-6473
E-mail: ViramontesXpress@msn.com

April 23, 2013

Julie Reyes
Waste Management of the Inland Empire
800 S. Temescal Street
Corona, CA 92879

Dear Julie,

It's been a pleasure servicing Waste Management these past years. Thanks so much for the opportunity to recycle your curbside green waste and horse manure.

As you may know, we have not increased your tipping rates for the past five years. Unfortunately, the cost of living, fuel, oil, steel, worker's compensation, medical insurance, and wages have all increased affecting our operational costs. Unfortunately, due to these rising costs we will be increasing our rates effective July 1, 2013. The green waste tipping rate will increase from \$24 per ton to \$28.75 per ton. Horse manure will increase from \$16.50 per ton to \$19.75 per ton.

Our first aim is always to please our customers. However, we will not be able to serve you if our business incurs losses therefore we are left with no other alternative but to increase our rates. We are confident that you will find the quality of our services even in light of these new rates to be reasonable and competitive within the market.

As always, we are committed to providing Waste Management with excellent recycling services and look forward to continued business together.

Sincerely,

A handwritten signature in black ink that reads "Henry S. Viramontes". The signature is written in a cursive style with a long horizontal line extending to the right.

Henry S. Viramontes
President

RESOLUTION NO. 2013-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, APPROVING AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE CITY OF NORCO AND USA WASTE OF CALIFORNIA, INC. FOR THE COLLECTION, TRANSPORTATION, RECYCLING AND DISPOSAL OF SOLID WASTE FOR AN ADDITIONAL SIX MONTHS AND ALLOW FOR THE ANNUAL CPI AND DISPOSAL ADJUSTMENT INCREASE, RETROACTIVE BACK TO JULY 1, 2013 PURSUANT TO SECTION 18 OF THE FRANCHISE AGREEMENT

WHEREAS, the City's Franchise Agreement with USA Waste of California, Inc., DBA Waste Management of the Inland Empire, ("USA Waste") is set to expire on December 31, 2013; and

WHEREAS, USA Waste proposed to extend the contract and terms of the existing franchise agreement for an additional six (6) months; and

WHEREAS, USA Waste proposed to allow for the annual CPI and disposal adjustment increase, retroactive back to July 1, 2013 pursuant to Section 18 of the Franchise Agreement; and

WHEREAS, the following summarizes the rate adjustments:

- **CPI** –The change in the CPI for the effective twelve-month period, March to March, was 1.7%. This percentage increase will be applied to all service components and ancillary fees in the rate exhibit retroactive back to July 1, 2013.
- **Solid Waste Disposal Cost** – Effective July 1st, the Riverside County tipping fee increased 1.9% for the 2013/2014 year. The solid waste disposal component of the rates will increase from \$35.11 to \$35.80 per ton.
- **Green Waste Disposal Cost** – Effective July 1st, green waste disposal fees increased 16.5% for the 2013/2014 year. The green waste disposal component of the rates will increase from \$24.00 to \$28.75 per ton.
- **Manure Disposal Cost** – Effective July 1st, manure disposal fees increased 12.7% for the 2013/2014 year. The manure disposal component of the rates will increase from \$17.25 to \$19.75 per ton.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Norco does hereby resolve as follows provided that a majority of property owners in the City do not protest against these rates:

SECTION 1. The City Council agrees to the extension of the contract and terms of the existing franchise agreement for an additional six (6) months through June 30, 2014 as stated in the attached Amendment No. 2 to the Agreement between the City of Norco and USA Waste of California, Inc. for the collection, transportation, recycling and disposal of solid waste.

SECTION 2. The rates for solid waste/manure removal and disposal services as described in the attached Exhibit "A" and including the annual CPI and disposal adjustment increase, retroactive back to July 1, 2013, are hereby approved and shall become effective on January 1, 2014 and continue through June 30, 2014.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on December 18, 2013.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, CMC, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, City Clerk of the City of Norco, California, do hereby certify that the foregoing Resolution was adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on December 18, 2013 by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on December 18, 2013.

Brenda K. Jacobs, CMC, City Clerk
City of Norco, California

Attachment: Exhibit "A"
Amendment No. 2 to the USA Waste of California, Inc. Agreement

AMENDMENT NO. 2 TO AGREEMENT BETWEEN THE
CITY OF NORCO AND USA WASTE OF CALIFORNIA,
INC. FOR THE COLLECTION, TRANSPORTATION,
RECYCLING AND DISPOSAL OF SOLID WASTE

This Amendment No. 2 to the Agreement between the City of Norco and USA Waste of California, Inc. for the Collection, Transportation, Recycling and Disposal of Solid Waste is made and entered into this 18th day of December, 2013, by and between the City of Norco ("City"), and USA Waste of California, Inc., a Delaware corporation, a Waste Management company dba Waste Management of the Inland Empire ("Grantee").

RECITALS

City and Grantee entered into an Agreement for the Collection, Transportation, Recycling and Disposal of Solid Waste, dated April 15, 1998 ("Agreement"), with a term expiring on June 30, 2013.

Amendment No. 1 to the Agreement, dated June 19, 2013, extended the term to December 31, 2013

City desires to form an Ad-Hoc Committee of the City Council to evaluate City's future options for collection, transportation and recycling and disposal of solid waste, which may include a franchise agreement with Grantee, but that evaluation and implementation process will not be completed prior to the current expiration date of the Agreement.

As a result, the parties desire to enter into a second short extension of the Agreement, in order to provide adequate time for the Ad Hoc Committee to evaluate and implement future arrangements for the collection, transportation and recycling and disposal of solid waste.

AGREEMENT

In consideration of the promises and mutual covenants and agreements hereinafter contained, and for good and valuable consideration, receipt of which is hereby acknowledged, City and Grantee agree as follows:

Section 1. The term of the Agreement is hereby extended up to any including June 30, 2014.

Section 2. Effective January 1, 2014, the rates for services shall be adjusted in order to provide Grantee the CPI rate adjustment it would have received effective July 1, 2013 in accordance with Section 18.A of the Agreement, which was deferred. This rate adjustment shall include both the CPI adjustment percentage and an additional amount to compensate Grantee for the delay in implementing the rate adjustment, so that Grantee will be placed in the same economic position it would have occupied had the CPI rate adjustment taken effect on July 1, 2013.

The rates to go into effect on January 1, 2014 are set forth in Exhibit A hereto. Approval and execution this Amendment No. 2 constitutes the approval of this rate adjustment by the City Council in accordance with Section 18.A of the Agreement.

Section 3. Except as provided herein, the terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, City and Grantee have executed this Amendment No. 1 as of the date set first herein above.

CITY:
CITY OF NORCO

By: _____
Berwin Hanna, Mayor

ATTEST:

Brenda K. Jacobs
City Clerk

APPROVED AS TO FORM

John Harper
City Attorney

GRANTEE:
USA WASTE OF CALIFORNIA, INC.

By: _____
Name: _____
Title: _____

EXHIBIT A

RATES FOR SERVICE EFFECTIVE JANUARY 1, 2014

Residential Service

	Current Mo. Rate	Proposed Mo. Rate
<u>Basic Service</u>		
Residential Curbside	\$20.36	\$21.21
Senior/Disabled 96 gal	\$16.27	\$17.02
Senior/Disabled 64 gal	\$14.05	\$14.63
<u>Commingled</u>		
2 yard	\$113.03	\$115.52
Extra P/U	\$47.02	\$48.12
3 yard 1x week	\$158.97	\$162.47
3 yard 2x week	\$295.54	\$301.98
3 yard 3x week	\$432.11	\$441.49
3 yard 4x week	\$568.67	\$581.01
3 yard 5x week	\$705.25	\$720.53
Extra P/U	\$65.27	\$66.80
<u>Other Residential Fees</u>		
E Waste P/U p/item	\$23.44	\$23.68
Extra 96 gal Trash Cart	\$7.33	\$7.41
Extra 96 gal Greenwaste Cart	\$4.75	\$4.80
Extra 96 gal Recycling Cart	\$2.29	\$2.31
Bulky Waste Pick Up (p/item after 3 free)	\$20.96	\$21.49

	Current Mo. Rate	Proposed Mo. Rate
<u>Manure Service</u>		
96 gal	\$23.80	\$25.83
2 yard 1x week	\$83.01	\$90.82
2 yard 2x week	\$149.58	\$164.78
2 yard 3x week	\$216.13	\$238.73
2 yard 4x week	\$282.67	\$312.67
2 yard 5x week	\$349.23	\$386.63
Every Other Week	\$52.48	\$56.66
Extra Pick Up	\$33.88	\$36.05

Roll-Off Service

Open Top with 5.9 tons/p load	\$449.01	\$458.96
Compactor with 8 tons p/load	\$640.34	\$654.62
Open Top with 5.9 tons/p load. Hard to Handle	\$514.53	\$520.07
Compactor with 8 tons p/load. Hard to Handle	\$729.47	\$737.78
Delivery/Relocation Trip Fee	\$68.89	\$70.61

Manure Bin-10 yards(Haul + disposal @ \$19.17 ton)	\$218.78	\$224.27
Locked Lid	\$13.94	\$14.05

Commercial Services

	Current Mo. Rate	Proposed Mo. Rate
<u>Can Service</u>		
2-35 Gal Carts per wk	\$27.73	\$28.26
<u>Trash Service</u>		
2 yard 1x week	\$95.65	\$97.89
2 yard 2x week	*	\$195.79
2 yard 3x week	*	\$293.68
2 yard 4x week	*	\$391.58
2 yard 5x week	*	\$489.47
2 yard 6x week	*	\$587.37
Extra P/U	\$41.97	\$42.86

	Current Mo. Rate	Proposed Mo. Rate
<u>Compactors</u>		
2 yard 1x week	\$190.67	\$194.99
2 yard 2x week	\$377.15	\$385.68
2 yard 3x week	\$577.21	\$590.29
2 yard 4x week	*	\$779.95
2 yard 5x week	*	\$974.93
2 yard 6x week	*	\$1,169.92
Extra P/U	*	\$128.58

* Represents new service offerings

Trash Service Cont.

3 yard 1x week	\$131.73	\$134.80
3 yard 2x week	\$263.45	\$269.59
3 yard 3x week	\$395.18	\$404.39
3 yard 4x week	\$526.89	\$539.18
3 yard 5x week	\$658.60	\$673.96
3 yard 6x week	\$790.32	\$808.74
Extra P/U	\$59.16	\$60.40

6 yard 1x week	\$239.78	\$245.33
6 yard 2x week	\$479.59	\$490.69
6 yard 3x week	\$719.38	\$736.03
6 yard 4x week	\$959.17	\$981.37
6 yard 5x week	\$1,198.96	\$1,226.70
6 yard 6x week	\$1,438.77	\$1,472.06
Extra P/U	\$110.74	\$113.05

Recycle Services Cont.

4 yard 1x week	*	\$112.14
4 yard 2x week	*	\$224.29
4 yard 3x week	*	\$336.43
4 yard 4x week	*	\$448.58
4 yard 5x week	*	\$560.72
4 yard 6x week	*	\$672.87
Extra P/U	*	\$66.86

6 yard 1x week	\$142.40	\$145.97
6 yard 2x week	\$284.99	\$292.14
6 yard 3x week	\$427.40	\$438.12
6 yard 4x week	\$569.91	\$584.21
6 yard 5x week	\$706.26	\$723.98
6 yard 6x week	\$858.62	\$880.16
Extra P/U	*	\$92.66

Commercial Scout Services

Bin Scout Service (p/month p/bin p/service)	\$34.80	\$35.08
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Compoctors Cont.

3 yard 1x week	\$268.56	\$274.60
3 yard 2x week	\$528.62	\$540.48
3 yard 3x week	\$792.93	\$810.72
3 yard 4x week	\$1,057.24	\$1,080.96
3 yard 5x week	\$1,329.00	\$1,358.84
3 yard 6x week	\$1,585.86	\$1,621.45
Extra P/U	*	\$181.21

6 yard 1x week	\$388.30	\$396.64
6 yard 2x week	\$771.33	\$787.88
6 yard 3x week	\$1,157.02	\$1,181.85
6 yard 4x week	\$1,542.68	\$1,575.78
6 yard 5x week	\$1,928.34	\$1,969.72
6 yard 6x week	\$2,314.02	\$2,363.67
Extra P/U	*	\$339.14

Recycle Service

2 yard 1x week	\$61.58	\$63.12
2 yard 2x week	*	\$126.25
2 yard 3x week	*	\$189.37
2 yard 4x week	*	\$252.50
2 yard 5x week	*	\$315.62
2 yard 6x week	*	\$378.75
Extra P/U	*	\$35.98

3 yard 1x week	\$82.05	\$84.11
3 yard 2x week	\$164.03	\$168.15
3 yard 3x week	\$246.11	\$252.28
3 yard 4x week	\$328.24	\$336.47
3 yard 5x week	\$410.23	\$420.52
3 yard 6x week	\$490.85	\$503.17
Extra P/U	*	\$50.15

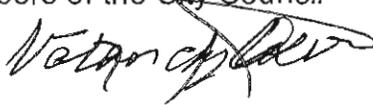
Additional Services

Temp Bin Service 3 yd	\$205.44	\$210.37
Temp Bin Service 3 yd 1 p/u (72 hours)	\$101.16	\$103.65
Bin Overage Fee (per bin/per service)	\$40.60	\$40.92

* Represents new service offerings

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

DATE: December 18, 2013

SUBJECT: Ratification of Appointments to an Ad-Hoc Committee to Review a Potential New Contract with USA Waste of California, Inc.

RECOMMENDATION: Approve the appointment of members to serve on an ad-hoc committee to review a potential new contract with USA Waste of California

SUMMARY: At its meeting held on December 4, 2013, the City Council voted to appoint an ad-hoc committee consisting of two (2) staff members, two (2) City Council members, and three (3) members from the community to assist with the negotiation of a potential new contract agreement with USA Waste of California. Mayor Hanna and City Manager Okoro have met to discuss and nominate members to serve on this committee. All nominees have been contacted in regards to their interest in serving on the ad-hoc committee and all have agreed to serve.

BACKGROUND/ANALYSIS: Following the vote by the City Council to appoint an ad-hoc committee to assist in negotiating a potential new contract agreement with USA Waste Management of California, the Mayor and the City Manager met to consider potential members of the committee. The ad-hoc committee will be subject to the requirements of the Brown Act and will hold its meetings in the conference rooms at City Hall. The following individuals have agreed to and are recommended to serve on the ad-hoc committee:

City Council:

Council Member Kathy Azevedo
Council Member Greg Newton

City Staff:

City Manager Andy Okoro
Public Works Director Lori Askew

Members of the Community:

Linda Dixon
Patrick Malone
Paul Ryan

FISCAL IMPACT: None



RECAP OF ACTIONS TAKEN CITY OF NORCO

PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
DECEMBER 11, 2013

CALL TO ORDER: 7:05 p.m.

ROLL CALL: Chair Hedges, Vice Chair Leonard, Commission Members Henderson and Hoffman; Commission Member Jaffarian absent

STAFF PRESENT: Planning Director King, Senior Planner Robles and Deputy City Clerk Germain

PLEDGE OF ALLEGIANCE: Vice Chair Leonard

1. APPEAL NOTICE: Read by Staff
2. PUBLIC COMMENTS: Received and Filed
3. APPROVAL OF MINUTES:
 - ❖ Minutes of Regular Meeting on November 13, 2013
 - Recommended Action: Approval (Deputy City Clerk): Continued to the next scheduled meeting due to lack of quorum**
4. PUBLIC HEARINGS: None
5. BUSINESS ITEMS:
 - A. Site Plan 2013-18, Modification 1 (Espinosa): A request for approval to allow an accessory building consisting of an 864 square-foot garage/workshop at 2114 First Street located within the Commercial District of the Gateway Specific Plan. **Recommended Action: Approval (Senior Planner): Approved 4-0, with a condition added. This action is final unless appealed to the City Council within 10 calendar days.**
 - B. Site Plan 2013-26 (Di Benedetto): A request for approval to allow a detached accessory building consisting of a 480 square-foot Recreational Vehicle (RV) garage at 199 Wild Horse Lane located within the Norco Ridge Ranch Specific Plan (NRRSP) **Recommended Action: Approval (Senior Planner): Approved 4-0, with a condition added. This action is final unless appealed to the City Council within 10 calendar days.**
 - C. Site Plan 2013-24 (Giovannetti): A request for approval to allow a detached accessory building consisting of an 864 square-foot barn at 3017 Ponderosa Lane located within the A-1-20 (Agricultural Low-Density) Zone. **Recommended Action: Approval (Senior Planner): Approved 4-0, with a condition added. This action is final unless appealed to the City Council within 10 calendar days.**

D. Site Plan 2013-25 (McLucky): A request for approval to allow an accessory building consisting of a 400 square-foot freestanding patio cover at 3498 California Avenue located within the A-1-20 (Agricultural Low-Density) Zone. **Recommended Action: Approval (Senior Planner): Approved 4-0. This action is final unless appealed to the City Council within 10 calendar days.**

6. CITY COUNCIL MINUTES: **Received and Filed**

- City Council Special Meeting Minutes of November 6, 2013
- City Council Regular Meeting Minutes of November 20, 2013

7. PLANNING COMMISSION:

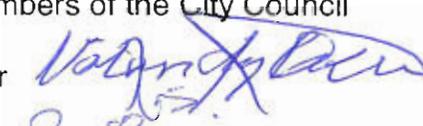
- a. Oral Reports from Various Committees: **None**
- b. Request for Items on Future Agenda (within the purview of the Commission):
None

8. ADJOURNMENT: **7:40 p.m.**

/di/adr

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: December 18, 2013

SUBJECT: Discussion Regarding the City of Norco General Municipal Election Cycle

RECOMMENDATION: No staff recommendation – information presented for discussion and City Council recommendation purposes only.

SUMMARY: The City Council voted to place an item on the agenda regarding the City's General Municipal Election cycle. Currently, the election is held during odd-numbered calendar years. Information provided has been included for informational purposes for this discussion.

BACKGROUND/ANALYSIS: At its November 6, 2013 meeting, the City Council voted to place an item on a future agenda to discuss the city's General Municipal Election cycle.

Some brief history in regards to the City' election year cycle is as follows (additional information is attached for the City Council's review):

- In 1993, the City of Norco moved the election date from even to odd-numbered years stating concerns regarding the ballot and voting system.
- In 2004, an ordinance was proposed to the City Council to amend the Municipal Code requiring that the General Municipal Elections of the City of Norco be held on the first Tuesday after the First Monday of November in each even-numbered year. The staff report provided to the Council at that time stated:
 - Moving the General Municipal Election back to even-numbered years would likely result in better voter turnout.
 - The ballot system should be able to accommodate the move and there is no difference in cost. As the ballot will be larger and more complex, there is a possibility that candidates for local offices will experience less campaign attention as the elections are not centered on local candidates and issues.
 - There is a chance of "drop-off" voting with the larger ballots as the voters may choose not to vote the entire ballot.

The December 17, 2004 proposed ordinance would have extended the term of office for all City Council members by one year. Ballot Measure F (Changing the Election Date) was then placed on the November 8, 2005 ballot and was not approved by the voters.

The cost to conduct a General Municipal Election in even numbered years is the same as the current cost incurred in conducting elections in odd-numbered years (approximately \$35,000). If the election cycle is changed back to even years, there is an added cost of \$6,000 paid to the County of Riverside to notify residents of the new election date and the extension of existing City Council terms.

Information is provided in the attachments regarding the voter turnout and ballots cast through 2009. Following is additional information as received from the Riverside County Registrar of Voters:

Voter Turnout and Ballots Cast:

<u>Year</u>	<u>Registration</u>	<u>Ballots Cast</u>	<u>Turnout</u>
2010	11,651	7,175	61.58%
2011	11,225	2,699	24.04%
2012	12,274	9,178	74.78%
2013	11,426	2,625	22.97%

If the City Council votes to change the General Municipal Election back to even years, the City Council can either adopt an ordinance, or bring it to the voters as an advisory measure. The terms for the City Council Members would be affected by either being extended by one year, or reduced by one year, as stated for the California Elections Code Section 10403.5(b):

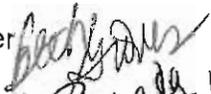
As a result of the adoption of an ordinance pursuant to this section, no term of office shall be increased or decreased by more than 12 months.

The ordinance approving the change needs to be formally approved by the Riverside County Board of Supervisors based upon a report to them of the cost effectiveness (note that as confirmed by the County of Riverside, the cost remains the same whether the election is held on odd or even years), as stated for the California Elections Code Section 10403.5(a):

(1) Any city ordinance requiring its general municipal election to be held on a day specified in subdivision (b) of Section 1301 shall be approved by the board of supervisors unless the ballot style, voting equipment, or computer capability is such that additional elections or materials cannot be handled. Prior to adoption of a resolution to either approve or deny a consolidation request, the board or boards of supervisors shall each obtain from the elections official a report on the cost-effectiveness of the proposed action.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: March 3, 2010

SUBJECT: City of Norco General Municipal Election Cycle

RECOMMENDATION: This report is for information and discussion purposes only.

SUMMARY: At the February 3, 2010 City Council Meeting, a Council Member requested that discussion be held at a future Council Meeting regarding the rotation for the City's General Municipal Election. Currently, the election is held during odd-numbered calendar years. Information was requested from the County of Riverside, which has been included for informational purposes for this discussion. Information also is included regarding past decisions made by the City Council regarding changing the election date from odd to even-numbered years.

BACKGROUND/ANALYSIS: In 1993, the City of Norco moved the election date from even to odd-numbered years stating concerns regarding the ballot and voting system. In 2004, an ordinance was proposed to the City Council to amend the Municipal Code requiring that the General Municipal Elections of the City of Norco be held on the first Tuesday after the First Monday of November in each even-numbered year (attached as Exhibit "A"). The staff report provided to the Council at that time stated:

- Moving the General Municipal Election back to even-numbered years would likely result in better voter turnout.
- The ballot system should be able to accommodate the move and there is no difference in cost. As the ballot will be larger and more complex, there is a possibility that candidates for local offices will experience less campaign attention as the elections are not centered on local candidates and issues.
- There is a chance of "drop-off" voting with the larger ballots as the voters may choose not to vote the entire ballot.

The December 17, 2004 proposed ordinance would have extended the term of office for all City Council members by one year. The cost to conduct a General Municipal Election in even-numbered years was stated as the same as the current cost incurred in conducting elections in odd-numbered years, with an added cost of \$6,000 to the County of Riverside to notify residents of the new election date and the extension of existing City Council terms. That proposed ordinance failed to pass with 2 yes votes, 2 no votes and 1 vote to abstain (Minutes attached as Exhibit "B").

The following information was recently provided by the Riverside County Registrar of Voters:

Voter Turnout and Ballots Cast:

Year	Registration	Ballots Cast	Turnout
Nov-90	9,828	5,469	55.64713065
Nov-91	N/A	N/A	N/A
Nov-92	10,713	7,973	74.4235975
Nov-93	10,439	3,079	29.49516237
Nov-94	10,772	6,346	58.91199406
Nov-95	11,017	2,841	25.78741944
Nov-96	11,721	6,796	57.9814009
Nov-97	11,676	2,683	22.97875985
Nov-98	11,300	5,766	51.02654867
Nov-99	9,209	2,309	25.07329786
Nov-00	10,082	7,420	73.59650863
Nov-01	10,232	2,360	23.06489445
Nov-02	10,531	4,662	44.26930016
Nov-03	10,716	3,399	31.71892497
Nov-04	11,678	8,788	75.25261175
Nov-05	11,665	5,650	48.43549078
Nov-06	11,378	5,844	51.36227808
Nov-07	10,892	2,677	24.57767169
Nov-08	11,793	9,208	78.08021708
Nov-09	11,212	2,777	24.7681056

Financial Information:

There would be a one-time charge of approximately \$6,000 to send out the Change of Election Date Notice required by the California Elections Code if a change was made from odd to even-numbered years for the City's General Municipal Election. A postcard is mailed to all the registered voters in the jurisdiction. The cost paid to the Riverside County Registrar of Voters to conduct the General Municipal Election would not substantially change.

If a new ordinance was proposed to amend the Municipal Code requiring that the General Municipal Elections of the City of Norco be held on even-numbered years, the term of office for all City Council members would be extended by one year.

/bj-74913

Attachment: Exhibit "A" – 2004 Proposed Ordinance
Exhibit "B" – City Council Minutes of November 17, 2004

Exhibit "A"

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA AMENDING CHAPTER 2.44, GENERAL MUNICIPAL ELECTIONS, OF THE MUNICIPAL CODE AND REQUIRING THAT THE GENERAL MUNICIPAL ELECTIONS OF THE CITY OF NORCO BE HELD ON THE FIRST TUESDAY AFTER THE FIRST MONDAY OF NOVEMBER IN EACH EVEN-NUMBERED YEAR. CODE CHANGE 2004-07

WHEREAS, pursuant to the terms of Elections Code 1301(b)(1) cities are authorized to change the date of general municipal elections to coincide with the elections date of the statewide direct primary and the statewide general election; and,

WHEREAS, the City Council has determined that its goals of encouraging maximum voter turn out and participation will be promoted by changing the general municipal election date of the City from the first Tuesday, after the first Monday of November in each odd-numbered year to the first Tuesday, after the first Monday of November in each even-numbered year; and,

WHEREAS, if approved by the Riverside County Board of Supervisors, this change will not have the effect of extending any term of office by more than twelve months.

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

SECTION 1: Chapter 2.44 (General Municipal Elections) is hereby amended to read as follows:

2.44.010 (Held When):

- (a) **This Council requires that the general municipal elections scheduled to occur in November 2005 will not be held so that elections may be held in even-numbered years, and that commencing with the general municipal elections to occur during 2006, the general municipal elections for the City shall be held on the first Tuesday after the first Monday of November in each even-numbered year. ~~for the City of Norco shall be held on the same day as the statewide general elections currently held in November in odd-numbered years.~~**
- (b) **Those elected municipal officers of the City whose terms of office would have, prior to the adoption of this Ordinance, expired following the November 2005 general municipal election shall, instead, continue in their offices until the day of the November 2006**

general municipal election of the City, and until their successors are elected and qualified. ~~The ordinance codified in this section is enacted pursuant to California Government Code Section 36503.5 and is effective as of November 3, 1993, at the Request of the Riverside County Board of Supervisors.~~

- (c) **Those elected municipal officers of the City whose terms of office would have, prior to the adoption of this Ordinance, expired following the November 2007 general municipal election shall, instead, continue in their offices until the day after the November 2008 general municipal election of the City, and until their successors are elected and qualified.** ~~This change will take place with the November 7, 1995 general election.~~
- (d) **This Ordinance shall become effective 30 days after its second reading and operative upon approval by the Riverside County Board of Supervisors.** ~~Those elected city officers whose four year terms of office would have expired in November 1994 will continue in office until November 1995.~~

SECTION 2: TRANSMITTAL TO THE BOARD OF SUPERVISORS. The City Clerk is hereby directed to transmit a copy of this Ordinance to the Clerk of the Board of Supervisors of Riverside County, together with the request that said Board approve this Ordinance and provide the City with notice of such approval.

SECTION 3: NOTICE TO REGISTERED VOTERS. Within 30 days after approval of this Ordinance by the Board of Supervisors of Riverside County, the City Clerk shall cause a notice to be mailed to all registered voters in the City of Norco informing them of the change in the general municipal election date and Council members terms affected by this Ordinance, which notice shall be in accord with the requirements specified in Elections Code 10403.5(e).

SECTION 4: SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, and phrase, hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases hereof be declared invalid or unconstitutional.

SECTION 5: POSTING. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall cause the same within 15 days of its passage to be posted at no less than five public places within the City of Norco.

Ordinance No.
Page 3
November 17, 2004

APPROVED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on December 1, 2004.

Mayor of the City of Norco, California

ATTEST:

Debra L. McNay, City Clerk
City of Norco, California

I, Debra McNay, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on November 17, 2004, and thereafter at a regular meeting of said City Council duly held on December 1, 2004, it was duly passed and adopted by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on December 1, 2004.

Debra L. McNay, City Clerk
City of Norco, California

dm/-53975

Exhibit "B"

- I. Action Agenda for Planning Commission Meeting of November 10, 2004.
Recommended Action: Receive and File (Director of Community Development) – **Received and filed.**

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS:

- A. **Ordinance No. ____, First Reading.** An Ordinance of the City Council of the City of Norco, California Amending Chapter 2.44, General Municipal Elections, of the Municipal Code and Requiring that the General Municipal Elections of the City of Norco be Held on the First Tuesday after the First Monday of November in each Even-Numbered Year. Code Change 2004-07. **Resolution No. 2004-____**, Appropriating \$6,000 to Pay for Notice to be Mailed to all Registered Voters in the City. **Recommended Action: Adoption** (City Clerk)

The City Clerk reported that staff was directed to prepare the necessary documentation for the City Council to change the General Municipal Election date from odd to even-numbered years. An Ordinance enacting this change and a Resolution appropriating monies to notify voters has been prepared. The City Clerk indicated that moving the General Municipal Election back to even-numbered years would likely result in better voter turnout. The ballot system should be able to accommodate the move and there is no difference in cost. As the ballot will be larger and more complex, there is a possibility that candidates for local offices will experience less campaign attention as the elections are not centered on local candidates and issues. There is also a chance of drop-off voting with the larger ballots as the voters will sometimes choose not to vote the entire ballot. In conclusion, she recommended approval.

Mayor Hall declared the public hearing open, indicated that proper notification had been made and asked for the appearance of those wishing to speak.

Vernon Slowalter, 2345 Corona Avenue, noted that large elections do not attract a large local voter turnout. He did not support extending the Council member's terms and suggested that if the Council wanted to change the election date that each of them resign at the conclusion of their original term and run for election again.

Mayor Hall closed the public hearing.

Mayor Pro Tem Higgins addressed surveys that have been conducted which address various issues and how the voter turnout corresponded to each issue. He indicated that

this information can be found at www.icount.com and noted that the whole idea is to increase the voter turnout. If the election date is changed, there tends to be a larger voter turnout and there is a greater chance of the voters voting on local issues. He recognized the concern with extending his term and did not mind stepping down from the Council after four years with the Council making an appointment for the remaining year.

Council Member Clark concurred with the importance of increasing voter turnout. It was interesting how many municipalities did not change their election date in 1993 when the County requested it. He noted the importance of keeping local representation on the school board and strongly supported changing the date.

Council Member Sullivan noted that there are different issues in Norco and did not see an advantage to combining municipal elections with the gubernatorial or presidential election. He noted that if we had changed the election date previously, we would not have gotten these two Norco seats on the School Board. Corona residents vote at that time and Corona greatly outnumbers the Norco voters. He was opposed to extending the term and noted that there would be another cost to changing the election date as Council Member Azevedo would become vested in PERS.

Council Member Azevedo indicated that the School Board has changed to even number years so the voters in Norco will be voting at the same time as Corona voters regardless of what the Council decides. She indicated that she will be abstaining from voting due to the fact that she would become vested in PERS if her term was extended.

Mayor Hall indicated that this issue should appropriately be put to the voters. He noted that there is a question as to whether or not this is legal but indicated that there is time to research this question. Addressing the vesting concern, Council Member Clark noted that the Council has the authority to exclude an automatic benefit package until Council Member Azevedo starts a second term.

Council Member Azevedo stated for the record that she did raise this issue at the previous Council meeting and reiterated her intention to abstain from the vote. Discussion was held.

M/S Clark/Higgins to adopt Ordinance No. 830 for first reading and Resolution No. 2004-87 changing the election date from odd to even-numbered years and appropriating money to notify the voters, motion did not carry by the following roll call vote:

City Council/CRA Minutes
November 17, 2004
Page No. 7

AYES: CLARK, HIGGINS
NOES: SULLIVAN, HALL
ABSENT: NONE
ABSTAIN: AZEVEDO

M/S Azevedo/Hall to direct staff to agendize a Resolution adding a measure to the ballot. The motion carried by the following roll call vote:

AYES: AZEVEDO, SULLIVAN, HALL
NOES: CLARK
ABSENT: NONE
ABSTAIN: HIGGINS

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager

PREPARED BY: Brenda K. Jacobs, City Clerk

DATE: March 3, 2010

SUBJECT: **Additional Information** -- City of Norco General Municipal Election Cycle

RECOMMENDATION: This report is for information and discussion purposes only.

Attached is some additional information regarding the November 8, 2005 Election. The City Council placed on that ballot, by resolution, Measure F as an *Advisory Vote* – “Shall the General Municipal Election date be changed from odd-numbered to even-numbered years.”

As stated previously, the Council voted not to adopt an ordinance making that change from odd to even-numbered years, but instead sent it to the voters for their input. Measure F failed with 1,622 yes votes cast and 3,610 no votes cast and therefore, no further action was taken by the Council.

MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Jeff Allred, City Manager

PREPARED BY: Debra L. McNay, City Clerk

DATE: December 5, 2005

SUBJECT: **Resolution No. 2005-___**, Certifying the Municipal Election of November 8, 2005

RECOMMENDATION: Staff recommends that the City Council adopt the attached Resolution certifying the Municipal Election of November 8, 2005.

MOTION: Adopt **Resolution No. 2005-___**.

BACKGROUND/ANALYSIS: As the Council is aware, a Municipal Election was held on Tuesday, November 8, 2005 to fill two seats on the City Council. Five candidates ran for these positions and we have received the following results from the Registrar of Voters:

	<u>Total Number of Votes Received</u>
Frank Hall	3,154
Hal Clark	2,909
James Mercer	1,771
Jeanne Guertin	1,264
Phillip Ernst	726
Write-in	16

Ballot Measure F (Changing the Election Date) was on the November 8 2005 ballot. We have received the following results from the Registrar of Voters on this ballot measure:

	<u>Total Number of Votes Received</u>
Yes	1,622
No	3,610

Since this advisory measure was not approved by the voters, no further action is needed by the City Council.

NOTICE OF SPECIAL ELECTION
CITY OF NORCO

NOTICE IS HEREBY GIVEN that a Special Municipal Election will be held in the City of Norco, California on Tuesday, the 8th day of November, 2005, for the purpose of submitting to the qualified voters of said City the following question:

Measure F

Yes No

Shall the General Municipal Election date be changed from odd-numbered to even-numbered years, effective November, 2008, resulting in the extension of the term of Council members elected in November, 2005 to November, 2010 and incumbent Council members to November, 2008?

Yes No

Measure G

Shall the City of Norco Charter be Amended to add the following language:

- (1) To protect and preserve the animal keeping lifestyle in residential areas, any zone change from or to the following zones as defined in Title 18 of the Norco Municipal Code requires a Super Majority (4/5ths) Vote of the City Council:
- A-E ZONE AGRICULTURAL ESTATE
 - A-1 ZONE AGRICULTURAL LOW DENSITY
 - A-2 ZONE AGRICULTURAL
 - R-1 ZONE RESIDENTIAL SINGLE-FAMILY
 - R-3 ZONE LOW-DENSITY MULTIPLE-FAMILY RESIDENTIAL
 - HS ZONE HILLSIDE (AGRICULTURAL/LOW DENSITY) AREAS
 - PD OVERLAY ZONE PLANNED DEVELOPMENTS
 - SPECIFIC PLAN
- (2) Severability Clause. This Resolution and the various parts, sections, and clauses hereof, are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by any court of competent jurisdiction, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The People of the City of Norco hereby declare that they would have passed this Ordinance and each part, section, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more portions thereof be declared invalid.

The polls will be open on the day of said election between the hours of 7:00 a.m. and 8:00 p.m.

NOTICE IS FURTHER GIVEN THAT arguments for or against the measure may be filed with the clerk at 2870 Clark Avenue no later than 6 p.m. on August 23, 2005.

Date: August 1, 2005

 /s/
City Clerk, City of Norco

AVISO DE ELECCIÓN ESPECIAL
CIUDAD DE NORCO

POR ESTE MEDIO SE NOTIFICA que se efectuará una Elección Especial Municipal en la Ciudad de Norco, California el día martes 8 de Noviembre de 2005, a fin de presentarles a los electores que califican de dicha Ciudad, la siguiente pregunta:

Medida F

Sí No

¿Debería cambiarse la fecha de Elección General Municipal de años impares a años pares, entrando en vigor a partir de Noviembre del 2008, resultando en la extensión del período de los miembros electos del Concejo en Noviembre del 2005 a Noviembre del 2010 y los miembros titulares del Concejo a Noviembre del 2008?

Sí No

Medida G

¿Debería ser enmendada la Carta Constitutiva de la Ciudad de Norco para agregar el siguiente lenguaje?:

- (1) Para proteger y conservar el estilo de vida de mantener mascotas en áreas residenciales, cualquier cambio de zonificación de o para las siguientes zonas como se define en el Título 18 del Código Municipal de Norco requiere de una Súper Mayoría (4/5os) de Votos del Concejo Municipal:

- ZONA A-E PATRIMONIO AGRÍCOLA
- ZONA A-1 AGRÍCOLA DE BAJA DENSIDAD
- ZONA A-2 AGRÍCOLA
- ZONA R-1 RESIDENCIAL UNIFAMILIAR
- ZONA R-3 RESIDENCIAL MULTIFAMILIAR DE BAJA DENSIDAD
- ZONA HS ÁREAS DE LADERA (AGRÍCOLA/BAJA DENSIDAD)
- ZONA REVESTIDA PD URBANIZACIONES PLANIFICADA
- PLAN ESPECÍFICO

- (2) Cláusula de Divisibilidad. Esta Resolución y las diversas partes, secciones, y cláusulas de ésta, son por este medio declaradas divisibles. Si alguna parte, oración, párrafo, sección o cláusula se adjudica inconstitucional o inválida por algún tribunal de jurisdicción competente, por este medio se dispone que el resto de la presente Ordenanza no debe ser afectada por ello. El Pueblo de la Ciudad de Norco por este medio declara que ellos hubiesen aprobado la presente Ordenanza y cada parte, sección, párrafo, oración, cláusula y frase de la misma, sin tomar en cuenta el hecho de que una o más porciones de la misma hayan sido declaradas inválidas.

Las umas estarán abiertas el día de dicha elección entre el horario de 7:00 a.m. y 8:00 p.m.

SE NOTIFICA ADEMÁS QUE los argumentos a favor o en contra de la medida se pueden presentar con el actuario en 2870 Clark Avenue a más tardar a las 6 p.m. el 23 de Agosto de 2005.

Fecha: 1º de Agosto de 2005

/s/

Actuario Municipal, Ciudad de Norco

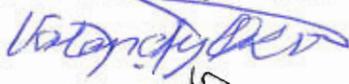
DATE POSTED: August 4, 2005

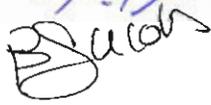
DATE PUBLISHED: August 5, 2005

/dm- 57563

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: December 18, 2013

SUBJECT: Consideration of Reducing the Number of Members on the Streets, Trails and Utilities Commission from Seven to Five

RECOMMENDATION: Staff recommends that the City Council direct staff to not fill the current unscheduled vacancy on the Streets, Trails and Utilities Commission; and, prepare an Ordinance establishing the number of members on the Streets, Trails and Utilities Commission at Five.

SUMMARY: There is currently one unscheduled vacancy on the Streets, Trails and Utilities Commission (the "STUC") created by the appointment of one of its members to the Planning Commission. In an effort to align all of the City commissions at five (5) members, staff is recommending that this appointment not be filled at this time and further recommends that an ordinance be prepared reducing the number of members on the STUC from seven (7) to five (5).

BACKGROUND/ANALYSIS: Ordinance No. 893 was adopted in 2008 which combined the Community Services Commission and the STUC into one commission. The initial number of members on the STUC was established at nine (9) and in 2010, was reduced to seven (7).

At its meeting held on November 20, 2013, the City Council appointed Ted Hoffman to the Planning Commission. Mr. Hoffman served on the STUC prior to that appointment, which leaves one unscheduled vacancy on the STUC. Mr. Hoffman's term was set to expire in June of 2014. There are also two (2) other commission member terms that will expire in June of 2014 on the STUC (Cathey Burtt and Tony Mauro).

As the other City commissions have established the number of members at five (5), it would only be prudent at this time to align the number of members on the STUC with those City Commissions. Therefore, staff recommends that the current unscheduled vacancy on the STUC not be filled, bringing the number of members to six (6). And further, when the other two terms expire in June of 2014, staff recommends that one appointment be made to the STUC from the applications submitted, bringing the number of members on the STUC to five (5).

If the City Council approves staff's recommendation, an ordinance will be prepared amending Chapter 2.23 of the Norco Municipal Code as follows:

Chapter 2.23
STREETS, TRAILS AND UTILITIES COMMISSION

CURRENT

2.23.010 Established—Number of members.

There is established for the City a Streets, Trails and Utilities Commission. The initial number of members on the Commission shall be nine and shall be comprised of the current members of the Streets and Trails Commission and the Community Services Commission. In 2009, the existing vacancy will be automatically renewed for a four-year term. In 2010, the number of members shall be reduced to seven.

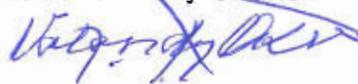
PROPOSED

2.23.010 Established—Number of members.

There is established for the City a Streets, Trails and Utilities Commission of five members appointed from the community.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

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

DATE: December 18, 2013

SUBJECT: Installation of Stop Signs on Valley View Avenue at Willow Drive

RECOMMENDATION: Staff is not recommending installation of stop signs on Valley View Avenue at Willow Drive.

SUMMARY: Staff has received several requests from residents to install STOP signs at the intersection of Valley View Avenue and Willow Drive. A STOP sign currently exists on Willow Drive at its intersection with Valley View Avenue.

BACKGROUND/ANALYSIS: California has adopted its own version of the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Staff follows the guidelines within California's MUTCD 2012 Edition (current edition) when determining signage requirements on its streets. Chapter 2B of the MUTCD covers application, design and size of all Regulatory Signs.

The intersection of Valley View Avenue and Willow Drive currently has a STOP sign on Willow Drive. This condition falls within Section 2B.04 "Right-of-Way at Intersections" which first stipulates laws written in accordance with the Uniform Vehicle Code to establish the right-of-way rule at intersections having no regulatory traffic control signs. However, the right-of-way can be modified at through streets by placing a STOP sign on one or more approaches. The guidance criteria followed to install the existing STOP sign at this location is:

- A. An intersection of less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law; and
- B. A street entering a designated through highway or street.

Guidance criteria in this section advises that STOP signs should not be used for speed control.

Staff is now being requested to install STOP signs on both legs of Valley View Avenue at Willow Drive making it a 3-way STOP condition. This condition falls within Section 2B.07 "Multi-Way Stop Applications" which has the following Guidance criteria:

Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. **Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.**

The decision to install multi-way stop control should be based on an engineering study. The following criteria should be considered in the engineering study:

- A) Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal;
- B) Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation;
- C) Minimum volumes:
 - 1) The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and
 - 2) The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but
 - 3) If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.
- D) Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values, Criterion C.3 is excluded from this condition..

The accident history on Valley View Avenue between Second and Third Street is reported as two accidents from January 2010 to November 2013. The Traffic Volume report does not indicate an average of at least 300 vehicles per hour for any 8 hours and at no time is the traffic from the minor street (Willow Drive) averaging at least 200 units. However, data from the Engineering and Traffic Survey prepared by Albert Grover and Associates, dated July 2013, indicates the 85th-percentile speed on Valley View Avenue is 41 mph. This would drop the minimum vehicular volumes listed in C.1 and C.2 to 210 and 140, respectively. With this reduction in vehicular volume criteria there is 12 hours of at least 210 vehicles approaching the intersection. The volume on Willow Drive however remains under the 140 threshold.

Staff did present this item to the Streets, Trails and Utilities Commission on December 2, 2013. At that meeting it was unanimously voted by the Commission to recommend to the City Council to install stop signs on Valley View Avenue at Willow Drive

Staff is not recommending installation of additional STOP signs on Valley View Avenue at the intersection with Willow Drive to create a 3-way STOP condition as none of the required warrants are met. It should be noted that the City may incur potential liability for installation of traffic control devices when warrants are not met and the installation is the cause of an accident.

Attachments: Map of Intersection
Traffic Volume Report
Speed Zone Spot Speed Survey Data Sheet for Valley View Avenue
Pages 126, 134-137 of California MUTCD



SCALE: 1" = 100'

EXHIBIT - MAP OF INTERSECTION

VOLUME

Valley View Ave & Willow Dr

Day: Tuesday
Date: 11/19/2013

City: Norco
Project #: CA13_6216_001

DAILY TOTALS					NB	SB	EB	WB	Total		
					2,802	1,993	0	507	5,302		
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	3	0	0	0	3	12:00	25	27	0	8	60
00:15	2	2	0	0	4	12:15	31	33	0	5	69
00:30	1	1	0	0	2	12:30	24	30	0	8	62
00:45	3	9	1	4	17	12:45	25	105	34	124	255
01:00	5	0	0	1	6	13:00	27	22	0	6	55
01:15	0	2	0	0	2	13:15	36	31	0	7	74
01:30	1	1	0	1	3	13:30	67	35	0	9	111
01:45	0	6	1	4	11	13:45	75	205	34	122	355
02:00	3	2	0	0	5	14:00	51	33	0	6	90
02:15	0	0	0	0	0	14:15	49	39	0	7	95
02:30	0	0	0	0	0	14:30	54	46	0	10	110
02:45	0	3	4	6	13	14:45	53	207	48	166	402
03:00	0	1	0	0	1	15:00	47	49	0	12	108
03:15	1	1	0	0	2	15:15	45	40	0	8	93
03:30	1	3	0	2	6	15:30	35	66	0	2	103
03:45	1	3	3	8	15	15:45	51	178	48	203	412
04:00	0	6	0	1	7	16:00	57	71	0	8	136
04:15	4	4	0	5	13	16:15	42	42	0	7	91
04:30	3	13	0	1	17	16:30	38	44	0	7	89
04:45	1	8	11	34	54	16:45	41	178	52	209	416
05:00	1	16	0	1	18	17:00	44	45	0	10	99
05:15	8	7	0	10	25	17:15	61	38	0	10	109
05:30	7	17	0	8	32	17:30	82	42	0	7	131
05:45	12	28	12	52	104	17:45	70	257	52	177	470
06:00	4	14	0	6	24	18:00	39	47	0	10	96
06:15	7	13	0	6	26	18:15	45	27	0	13	85
06:30	17	19	0	5	41	18:30	34	20	0	9	63
06:45	56	84	16	62	218	18:45	26	144	27	121	307
07:00	64	27	0	13	104	19:00	22	13	0	8	43
07:15	95	29	0	6	130	19:15	23	15	0	3	41
07:30	98	41	0	9	148	19:30	28	13	0	4	45
07:45	152	409	41	138	720	19:45	21	94	12	53	172
08:00	116	28	0	12	156	20:00	21	14	0	10	45
08:15	70	29	0	9	108	20:15	12	16	0	11	39
08:30	42	18	0	6	66	20:30	17	17	0	3	37
08:45	42	270	24	99	735	20:45	21	71	15	62	163
09:00	45	19	0	5	69	21:00	10	10	0	5	25
09:15	77	29	0	5	111	21:15	26	6	0	7	39
09:30	50	20	0	8	78	21:30	9	8	0	4	21
09:45	16	188	18	86	422	21:45	8	53	6	30	105
10:00	29	18	0	8	55	22:00	14	7	0	3	24
10:15	29	21	0	3	53	22:15	5	5	0	3	13
10:30	35	24	0	2	61	22:30	6	3	0	1	10
10:45	46	139	15	78	688	22:45	5	30	3	18	56
11:00	41	36	0	8	85	23:00	3	2	0	0	5
11:15	24	34	0	5	63	23:15	3	4	0	1	8
11:30	22	30	0	4	56	23:30	3	1	0	0	4
11:45	32	119	29	129	609	23:45	5	14	1	8	24
TOTALS	1266	700	0	199	2165	TOTALS	1536	1293	0	308	3137
SPLIT %	58.5%	32.3%	0%	9.2%	40.8%	SPLIT %	49.0%	41.2%	0%	9.8%	59.2%

DAILY TOTALS					NB	SB	EB	WB	Total
					2,802	1,993	0	507	5,302

AM Peak Hour	07:15	07:15	05:15	07:15	PM Peak Hour	17:00	15:30	18:00	17:00
AM Pk Volume	461	139	35	630	PM Pk Volume	257	227	42	470
Pk Hr Factor	0.758	0.848	0.795	0.804	Pk Hr Factor	0.784	0.799	0.808	0.897
7 - 9 Volume	679	237	0	916	4 - 6 Volume	435	386	0	821
7 - 9 Peak Hour	07:15	07:15	08:00	07:15	4 - 6 Peak Hour	17:00	16:00	17:00	17:00
7 - 9 Pk Volume	461	139	34	630	4 - 6 Pk Volume	257	209	0	466
Pk Hr Factor	0.758	0.848	0.700	0.804	Pk Hr Factor	0.784	0.736	0.000	0.900

CITY OF NORCO ENGINEERING AND SPEED SURVEY

FOR ROADWAY: VALLEY VIEW AVENUE

DATE: 3/20/13 TIME START: 9:00 TIME STOP: 9:32

SPEED (MPH)	VEHICLES SURVEYED		TOTAL VEHICLES
	NORTHBOUND	SOUTHBOUND	
65			0
64			0
63			0
62			0
61			0
60			0
59			0
58			0
57			0
56			0
55			0
54			0
53			0
52			0
51			0
50			0
49			0
48			0
47			0
46			0
45			0
44			0
43			0
42			0
41			0
40			0
39			0
38			0
37			0
36			0
35			0
34			0
33			0
32			0
31			0
30			0
29			0
28			0
27			0
26			0
25			0
24			0
23			0
22			0
21			0
20			0
19			0
18			0
17			0
16			0
15			0
GRAND TOTALS			105

LOCATION: Third St to Second St (2177 Valley View Ave)

ROAD DESCRIPTION: 1 lane each direction, painted median, residential, equestrians

ACCIDENT HISTORY: 2 MIDBLOCK COLLISIONS IN 2 YEARS (January 1, 2010 to December 31, 2011)

ACCIDENT RATE: 0.87 ACC./MVM, EXPECTED RATE: 2.80 ACC./MVM,

ROADWAY CONDITIONS: Good

WEATHER: Sunny

EXISTING SPEED LIMIT: 25 PROPOSED SPEED LIMIT: 25

AVERAGE DAILY TRAFFIC: 5,263 SEGMENT LENGTH: 0.60

85TH %: 41 M.P.H.

50TH %: 34 M.P.H.

15TH %: 27 M.P.H.

AVERAGE SPEED: 35 M.P.H.

10 MPH PACE: 29 - 38 M.P.H.

% IN PACE: 54%

% OVER PACE: 30%

% UNDER PACE: 16%

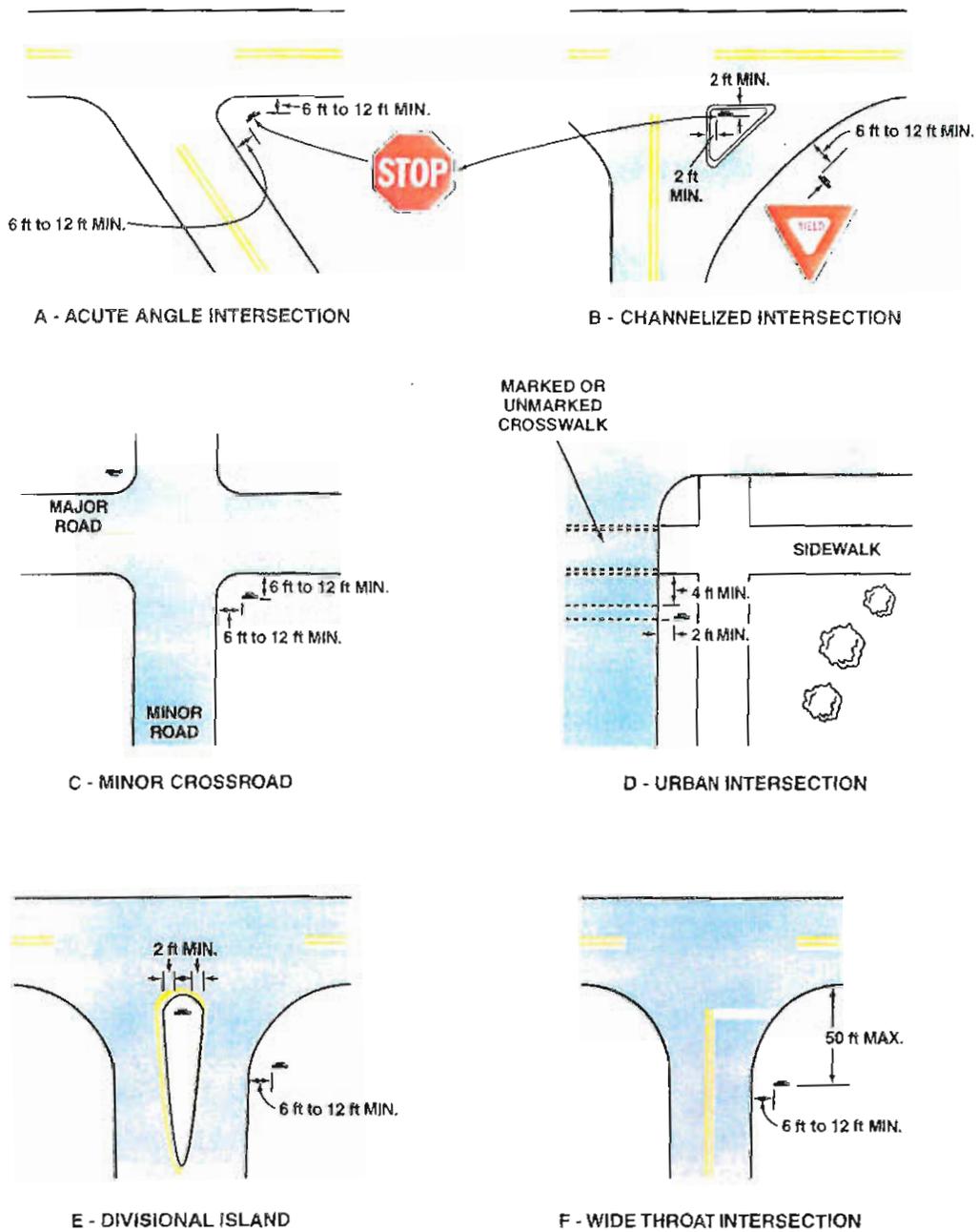
OBSERVED BY: Antonio Elmore

REVIEWED BY: Mark Miller

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF A SPEED ZONE SURVEY AS ON FILE IN THE OFFICE OF THE CITY TRAFFIC ENGINEER OF THE CITY OF NORCO, CALIFORNIA.

DATE

Figure 2A-3. Examples of Locations for Some Typical Signs at Intersections



Note: Lateral offset is a minimum of 6 feet measured from the edge of the shoulder, or 12 feet measured from the edge of the traveled way. See Section 2A.19 for lower minimums that may be used in urban areas, or where lateral offset space is limited.

Standard:

03 Except as provided in Paragraphs 4 and 5, the minimum sizes for regulatory signs facing traffic on multi-lane conventional roads shall be as shown in the Multi-lane column of Table 2B-1 and 2B-1(CA).

Option:

04 Where the posted speed limit is 35 mph or less on a multi-lane highway or street, other than for a STOP sign, the minimum size shown in the Single Lane column in Table 2B-1 and 2B-1(CA) may be used.

05 Where a regulatory sign, other than a STOP sign, is placed on the left-hand side of a multi-lane roadway in addition to the installation of the same regulatory sign on the right-hand side of the roadway, the size shown in the Single Lane column in Table 2B-1 and 2B-1(CA) may be used for both the sign on the right-hand side and the sign on the left-hand side of the roadway.

Standard:

06 A minimum size of 36 x 36 inches shall be used for STOP signs that face multi-lane approaches.

07 Where side roads intersect a multi-lane street or highway that has a speed limit of 45 mph or higher, the minimum size of the STOP signs facing the side road approaches, even if the side road only has one approach lane, shall be 36 x 36 inches.

08 Where side roads intersect a multi-lane street or highway that has a speed limit of 40 MPH or lower, the minimum size of the STOP signs facing the side road approaches shall be as shown in the Single Lane or Multi-lane columns of Table 2B-1 and 2B-1(CA) based on the number of approach lanes on the side street approach.

Guidance:

09 The minimum sizes for regulatory signs facing traffic on exit and entrance ramps should be as shown in the column of Table 2B-1 and 2B-1(CA) that corresponds to the mainline roadway classification (Expressway or Freeway). If a minimum size is not provided in the Freeway column, the minimum size in the Expressway column should be used. If a minimum size is not provided in the Freeway or Expressway Column, the size in the Oversized column should be used.

Section 2B.04 Right-of-Way at Intersections

Support:

01 State or local laws written in accordance with the "Uniform Vehicle Code" (see Section 1A.11) establish the right-of-way rule at intersections having no regulatory traffic control signs such that the driver of a vehicle approaching an intersection must yield the right-of-way to any vehicle or pedestrian already in the intersection. When two vehicles approach an intersection from different streets or highways at approximately the same time, the right-of-way rule requires the driver of the vehicle on the left to yield the right-of-way to the vehicle on the right. The right-of-way can be modified at through streets or highways by placing YIELD (R1-2) signs (see Sections 2B.08 and 2B.09) or STOP (R1-1) signs (see Sections 2B.05 through 2B.07) on one or more approaches.

Guidance:

02 Engineering judgment should be used to establish intersection control. The following factors should be considered:

- A. Vehicular, bicycle, and pedestrian traffic volumes on all approaches;
- B. Number and angle of approaches;
- C. Approach speeds;
- D. Sight distance available on each approach; and
- E. Reported crash experience.

03 YIELD or STOP signs should be used at an intersection if one or more of the following conditions exist:

- A. An intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;
- B. A street entering a designated through highway or street; and/or
- C. An unsignalized intersection in a signalized area.

04 In addition, the use of YIELD or STOP signs should be considered at the intersection of two minor streets or local roads where the intersection has more than three approaches and where one or more of the following conditions exist:

- A. The combined vehicular, bicycle, and pedestrian volume entering the intersection from all approaches averages more than 2,000 units per day;*
- B. The ability to see conflicting traffic on an approach is not sufficient to allow a road user to stop or yield in compliance with the normal right-of-way rule if such stopping or yielding is necessary; and/or*
- C. Crash records indicate that five or more crashes that involve the failure to yield the right-of-way at the intersection under the normal right-of-way rule have been reported within a 3-year period, or that three or more such crashes have been reported within a 2-year period.*

05 YIELD or STOP signs should not be used for speed control.

Support:

06 Section 2B.07 contains provisions regarding the application of multi-way STOP control at an intersection.

Guidance:

07 Once the decision has been made to control an intersection, the decision regarding the appropriate roadway to control should be based on engineering judgment. In most cases, the roadway carrying the lowest volume of traffic should be controlled.

08 A YIELD or STOP sign should not be installed on the higher volume roadway unless justified by an engineering study.

Support:

09 The following are considerations that might influence the decision regarding the appropriate roadway upon which to install a YIELD or STOP sign where two roadways with relatively equal volumes and/or characteristics intersect:

- A. Controlling the direction that conflicts the most with established pedestrian crossing activity or school walking routes;*
- B. Controlling the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds; and*
- C. Controlling the direction that has the best sight distance from a controlled position to observe conflicting traffic.*

Standard:

10 Because the potential for conflicting commands could create driver confusion, YIELD or STOP signs shall not be used in conjunction with any traffic control signal operation, except in the following cases:

- A. If the signal indication for an approach is a flashing red at all times;**
- B. If a minor street or driveway is located within or adjacent to the area controlled by the traffic control signal, but does not require separate traffic signal control because an extremely low potential for conflict exists; or**
- C. If a channelized turn lane is separated from the adjacent travel lanes by an island and the channelized turn lane is not controlled by a traffic control signal.**

10a STOP signs shall not be erected at any entrance to an intersection controlled by traffic signals. Refer to CVC 21355(a).

11 Except as provided in Section 2B.09, STOP signs and YIELD signs shall not be installed on different approaches to the same unsignalized intersection if those approaches conflict with or oppose each other.

12 Portable or part-time STOP or YIELD signs shall not be used except for emergency and temporary traffic control zone purposes.

13 A portable or part-time (folding) STOP sign that is manually placed into view and manually removed from view shall not be used during a power outage to control a signalized approach unless the maintaining agency establishes that the signal indication that will first be displayed to that approach upon restoration of power is a flashing red signal indication and that the portable STOP sign will be manually removed from view prior to stop-and-go operation of the traffic control signal.

Option:

14 A portable or part-time (folding) STOP sign that is electrically or mechanically operated such that it only displays the STOP message during a power outage and ceases to display the STOP message upon restoration of power may be used during a power outage to control a signalized approach.

Support:

¹⁵ Section 9B.03 contains provisions regarding the assignment of priority at a shared-use path/ roadway intersection.

Section 2B.05 STOP Sign (R1-1) and ALL WAY Plaque (R1-3P)

Standard:

⁰¹ When it is determined that a full stop is always required on an approach to an intersection, a STOP (R1-1) sign (see Figure 2B-1) shall be used.

⁰² The STOP sign shall be an octagon with a white legend and border on a red background.

⁰³ Secondary legends shall not be used on STOP sign faces.

⁰⁴ At intersections where all approaches are controlled by STOP signs (see Section 2B.07), an ALL WAY supplemental plaque (R1-3P) shall be mounted below each STOP sign. The ALL WAY plaque (see Figure 2B-1) shall have a white legend and border on a red background.

⁰⁵ The ALL WAY plaque shall only be used if all intersection approaches are controlled by STOP signs.

⁰⁶ Supplemental plaques with legends such as 2-WAY, 3-WAY, 4-WAY, or other numbers of ways shall not be used with STOP signs.

Support:

⁰⁷ The use of the CROSS TRAFFIC DOES NOT STOP (W4-4P) plaque (and other plaques with variations of this word message) is described in Section 2C.59.

Guidance:

⁰⁸ Plaques with the appropriate alternative messages of TRAFFIC FROM LEFT (RIGHT) DOES NOT STOP (W4-4aP) or ONCOMING TRAFFIC DOES NOT STOP (W4-4bP) should be used at intersections where STOP signs control all but one approach to the intersection, unless the only non-stopped approach is from a one-way street.

Option:

⁰⁹ An EXCEPT RIGHT TURN (R1-10P) plaque (see Figure 2B-1) may be mounted below the STOP sign if an engineering study determines that a special combination of geometry and traffic volumes is present that makes it possible for right-turning traffic on the approach to be permitted to enter the intersection without stopping.

Support:

¹⁰ The design and application of Stop Beacons are described in Section 4L.05.

¹¹ A STOP (R1-1) sign is not a "cure-all" and is not a substitute for other traffic control devices. Often, the need for a STOP (R1-1) sign can be eliminated if the sight distance is increased by removing obstructions.

Through Highways

Option:

¹² STOP (R1-1) signs may be installed either at or near the entrance to a State highway, except at signalized intersections, or at any location so as to control traffic within an intersection. Refer to CVC 21352 and 21355. See Section 1A.11 for information regarding this publication.

Support:

¹³ When STOP (R1-1) signs or traffic control signals have been erected at all entrances, a highway constitutes a through highway. Refer to CVC 600.

¹⁴ Authority to place STOP (R1-1) signs facing State highway traffic is delegated to the Department of Transportation's District Directors.

Option:

¹⁵ Local authorities may designate any highway under their jurisdiction as a through highway and install STOP (R1-1) signs in a like manner. Refer to CVC 21354.

Standard:

¹⁶ No local authority shall erect or maintain any STOP (R1-1) sign or other traffic control device requiring a stop, on any State highway, except by permission of the Department of Transportation. Refer to CVC 21353.

Support:

¹⁷ The Department of Transportation will grant such permission only when an investigation indicates that the STOP (R1-1) sign will benefit traffic.

Section 2B.06 STOP Sign Applications

Guidance:

01 At intersections where a full stop is not necessary at all times, consideration should first be given to using less restrictive measures such as YIELD signs (see Sections 2B.08 and 2B.09).

02 The use of STOP signs on the minor-street approaches should be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:

- A. The vehicular traffic volumes on the through street or highway exceed 6,000 vehicles per day;*
- B. A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway; and/or*
- C. Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such crashes include right-angle collisions involving road users on the minor-street approach failing to yield the right-of-way to traffic on the through street or highway.*

Support:

03 The use of STOP signs at grade crossings is described in Sections 8B.04 and 8B.05.

Section 2B.07 Multi-Way Stop Applications

Support:

01 Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

02 The restrictions on the use of STOP signs described in Section 2B.04 also apply to multi-way stop applications.

Guidance:

03 The decision to install multi-way stop control should be based on an engineering study.

04 The following criteria should be considered in the engineering study for a multi-way STOP sign installation:

- A. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.*
- B. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.*
- C. Minimum volumes:
 - 1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and*
 - 2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but*
 - 3. If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.**
- D. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.*

Option:

05 Other criteria that may be considered in an engineering study include:

- A. The need to control left-turn conflicts;*
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;*
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and*
- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.*

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

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

DATE: December 18, 2013

SUBJECT: Installation of Speed Tables at Two Locations

RECOMMENDATION: Staff is looking for direction from Council on whether to install the speed tables at two test locations and then authorize funding for their construction.

SUMMARY: Councilman Sullivan requested of staff to investigate the installation of speed tables as a method to slow vehicular traffic speeds.

BACKGROUND/ANALYSIS: At the May 15, 2013 City Council meeting, Councilman Sullivan requested to agendaize a discussion regarding installation of speed tables as a means to slow vehicular traffic speeds. Discussion was held on the subject at the June 19, 2013 City Council meeting. At that time it was recommended to refer this item to the Streets, Trails and Utilities Commission for their recommendation.

A speed table is a traffic calming device designed as a long speed hump with a flat section in the middle. Speed tables are generally long enough for the entire wheelbase of a passenger car to rest on top. The long flat design allows cars to pass without slowing as significantly as with speed humps. Typical speeds resulting from 22 foot speed tables are 20-30 miles per hour. Speed humps are generally 12-14 feet in length and range in height from 3-4 inches. They are typically designed to reduce the speed of vehicles to about 15 miles per hour.

Staff last presented a report regarding installing speed humps as a traffic calming measure to the City Council on March 1, 2006. At that time, a detailed memorandum from Fire Chief Jack Frye was submitted to City Engineer Dominic Milano that addressed concerns and impacts of the installation of speed humps related to safety of residents and equestrians. The staff recommendation to Council did not support installation of speed humps. The City Council, by a 3-1-1 vote, received and filed the report.

Consistent with the report done in 2006, installation of speed humps/tables has its pros and cons. Prior to installation, there are various factors to consider. Summarized below are some of those factors:

PROS:

- One study has shown sites that implement speed tables have seen a decrease of

Installation of Speed Humps at Two Locations

December 18, 2013

Page 2

45% in accidents per year;

- Effective in reducing speeds;

CONS:

- Installation of speed humps/tables requires an engineer's report to support installation location(s);
- Not practical on arterial or collector streets – should only be installed on local/residential streets;
- Are typically not recommended for streets without curbs as drivers tend to circumnavigate around them;
- Require high visibility pavement markings and signage which require active maintenance;
- Typically reduce traffic volumes on streets where they are installed so parallel streets may see increased traffic;
- Lengthen response time for emergency vehicles;
- Increase noise level at the bump location caused by vehicle rocking and acceleration/deceleration;
- Vehicle damage if taken at too great a speed;
- Can pose serious hazards to motorcyclists and bicyclists if not easily noticed;

Various cities have implemented policies and procedures for the installation of speed humps/tables beginning with a form to be filled out by requesting parties. An important criterion is the buy in of a majority of the residents along the street the speed humps/tables are proposed.

Staff took the issue of installation of speed tables to the August 5, 2013 Streets, Trails and Utilities Commission. After discussion, the Commission unanimously voted to recommend installation of speed tables at two locations to use as a test area to see if traffic speeds are reduced. These locations were around 3649 Vine Street and 4720 Crestview Drive.

Staff has had discussion with Riverside County Sheriff's Department and Riverside County Fire Department (CalFire) to get their input on the installation of speed tables. Both of these departments do not support their installation. Staff agrees with this. If Council agrees with the recommendation of Streets, Trails and Utilities Commission on installation of two test areas, staff recommends revising the test locations along Vine Street and Crestview Drive to be areas where the streets are straighter and there is a greater likelihood of vehicles traveling at increased speeds.

FINANCIAL IMPACT: If test speed tables are approved by the City Council to be installed, the estimated cost is \$30,000 which will be paid from Measure "A" Fund.

/lja

Attachments: Table 2 and 3 from Engineering and Traffic Survey prepared by Albert Grover & Associates, dated July 2013

CITY OF NORCO

SCALE: NO SCALE



STUC RECOMMENDATION

STUC RECOMMENDATION

City of Norco
Table 2. 2013 Speed Zone Survey - Accident Analysis

Street	No.	Location	Distance (mile)	Distance (feet)	ADT	Accidents ¹ 2 yrs Total	Accident Rate	Expected ² Acc. Rate
Alhambra Street	1	Norco Drive to River Ridge Drive	0.65	3,432	727	0	0.00	2.80
	2	River Ridge Drive to Acacia Avenue	0.27	1,426	727	0	0.00	2.80
Bluff Street	3	River Road to Vine Street	0.43	2,270	1,181	0	0.00	2.80
	4	Vine Street to Corydon Avenue	0.33	1,742	594	0	0.00	2.80
Branding Iron Lane	5	Dapplegray Lane to Wild Horse Lane	0.22	1,162	1,588	0	0.00	2.80
California Avenue	6	Fifth Street to Sixth Street	0.50	2,640	1,986	2	2.76	2.80
	7	Sixth Street to Seventh Street	0.50	2,640	9,594	3	0.86	2.80
	8	Seventh Street to North Drive	0.50	2,640	10,344	2	0.53	2.80
Corydon Avenue	9	Fifth Street to Bluff Street	1.30	6,864	6,382	0	0.00	2.80
	10	Bluff Street to River Road	0.60	3,168	5,071	1	0.45	2.80
Crestview Drive	11	Arlington Avenue to Seventh Street	0.61	3,221	1,126	1	1.99	2.80
	12	Seventh Street to Sixth Street	0.30	1,584	1,567	0	0.00	2.80
	13	Sixth Street to East Street	0.30	1,584	653	0	0.00	2.80
	14	East Street to Wild Horse Lane	0.75	3,960	469	0	0.00	2.80
	15	Wild Horse Lane to Valley Drive	0.60	3,168	873	1	2.62	2.80
Detroit Street	16	Valley View Avenue to Hamner Avenue	0.50	2,640	3,796	0	0.00	2.80
El Paso Drive	17	Hillside Avenue to Dogwood Way	0.56	2,957	2,334	1	1.03	2.80
	18	Dogwood Way to Hidden Valley Parkway	0.45	2,376	1,146	2	5.31	2.80
Fifth Street	19	Corydon Avenue to Norconian Drive	0.70	3,696	6,456	0	0.00	2.45
	20	Norconian Drive to Hamner Avenue	0.50	2,640	7,252	1	0.38	2.80
	21	Hamner Avenue to Corona Avenue	0.70	3,696	4,283	0	0.00	2.80
	22	Corona Avenue to Hillside Avenue	0.50	2,640	2,807	1	0.98	2.80
	23	Hillside Avenue to California Avenue	0.40	2,112	2,361	1	1.45	2.80
First Street	24	Parkridge Avenue to Hamner Avenue	0.50	2,640	7,884	5	1.14	2.80
	25	Valley View Avenue to Corona Avenue	0.40	2,112	1,150	1	11.57	2.80
	26	Corona Avenue to Hillside Avenue	0.50	2,640	296	0	0.00	2.80
Fourth Street	27	Clark Avenue to Valley View Avenue	0.60	3,168	3,823	0	0.00	2.80
	28	Valley View Avenue to Hillside Avenue	0.70	3,696	3,664	2	1.07	2.80
Hamner Avenue	29	North City Limit to Sixth Street	0.64	3,379	18,042	11	1.30	2.80
	30	Sixth Street to Fifth Street	0.45	2,376	22,473	7	0.95	2.45
	31	Fifth Street to Fourth Street	0.45	2,376	24,468	4	0.50	2.45
	32	Fourth Street to Second Street	1.00	5,280	23,019	18	1.07	2.45
	33	Second Street to First Street	0.60	3,168	25,033	10	0.91	2.45
	34	First Street to South City Limit	0.50	2,640	24,752	8	0.89	2.45
Hidden Valley Parkway	35	Hamner Avenue to 4000' east of I-15	0.50	2,640	23,647	0	0.00	1.75
	36	4000' east of I-15 to El Paso Drive	0.50	2,640	18,316	0	0.00	1.75
	37	El Paso Drive to Norco Hills Road	0.50	2,640	18,357	3	0.45	1.75
Hillside Avenue	38	First Street to Second Street	0.40	2,112	497	0	0.00	2.80
	39	Second Street to Third Street	0.40	2,112	1,555	0	0.00	2.80
	40	Third Street to Fourth Street	0.50	2,640	1,592	0	0.00	2.80
	41	Fourth Street to Fifth Street	0.40	2,112	2,001	0	0.00	2.80
	42	Fifth Street to Sixth Street	0.50	2,640	1,627	0	0.00	2.80
Mountain Avenue	43	Hamner Avenue to First Street	0.27	1,426	7,154	2	1.42	2.45
	44	First Street to Second Street	0.50	2,640	2,239	0	0.00	2.80
Norco Drive	45	Hamner Avenue to Alhambra Street	0.72	3,802	3,168	4	2.40	2.80
	46	Alhambra Street to Fifth Street	0.50	2,640	2,223	4	4.93	2.80
Norco Hills Road	47	Hidden Valley Parkway to Valley Drive	1.00	5,280	3,612	1	0.38	1.75
Norconian Drive	48	Fifth Street to Norco Drive	0.48	2,534	871	0	0.00	2.80
North Drive	49	California Avenue to East City Limit	0.30	1,584	9,965	2	0.92	2.80
Parkridge Avenue	50	Second Street to South City Limit	0.30	1,584	3,175	1	1.44	2.80

1. Accident Data from January 1, 2010 to December 31, 2011

2. Statewide Average Accident Rate for 2009

City of Norco
Table 2. 2013 Speed Zone Survey - Accident Analysis

Street	No.	Location	Distance (mile)	Distance (feet)	ADT	Accidents ¹ 2 yrs Total	Accident Rate	Expected ² Acc. Rate
Pedley Avenue	51	Seventh Street to Sixth Street	0.50	2,640	1,289	0	0.00	2.80
	52	Sixth Street to Fifth Street	0.50	2,640	1,532	1	1.79	2.80
River Road	53	North City Limit to Corydon Avenue	0.77	4065.6	16,120	3	0.33	1.65
	54	Corydon Avenue to Second Street (SCL)	0.60	3,168	19,238	1	0.12	2.45
Roek Springs Avenue	55	First Street to Thoroughbred Lane	0.20	1,056	2,186	0	0.00	2.80
Second Street	56	River Road to Mountain Avenue	0.82	4,330	10,097	7	1.16	2.80
	57	Mountain Avenue to Hamner Avenue	0.27	1,426	13,840	1	0.37	2.45
	58	Hamner Avenue to Corona Avenue	0.50	2,640	12,376	6	1.33	2.45
	59	Corona Avenue to Hillside Avenue	0.50	2,640	2,514	3	3.27	2.45
Seventh Street	60	Valley View Avenue to Corona Avenue	0.25	1,320	2,427	0	0.00	2.80
	61	Corona Avenue to Hillside Avenue	0.50	2,640	2,251	1	1.22	2.80
	62	Hillside Avenue to California Avenue	0.80	4,224	2,357	1	0.73	2.80
Sierra Avenue	63	Fifth Street to Sixth Street	0.50	2,640	3,556	0	0.00	2.80
Sixth Street	64	Hamner Avenue to Valley View Avenue	0.41	2,165	22,029	12	1.87	2.45
	65	Valley View Avenue to Hillside Avenue	0.70	3,696	19,751	7	0.69	2.45
	66	Hillside Avenue to California Avenue	0.41	2,165	15,105	2	0.45	2.45
	67	California Avenue to Crestview Drive	0.25	1,320	3,138	2	3.49	2.80
Third Street	68	Valley View Avenue to Hamner Avenue	0.27	1,426	4,160	0	0.00	2.80
	69	Hamner Avenue to Campus Avenue	0.23	1,214	14,363	0	0.00	2.45
	70	Campus Avenue to 2700' West	0.51	2,693	13,624	0	0.00	2.80
Thoroughbred Lane	71	El Paso Drive to Sedona Lane	0.80	4,224	1,064	1	1.61	2.80
Valley Drive	72	Country Club Drive to Fresian Street	0.29	1,531	1,451	2	6.29	2.80
Valley View Avenue	73	Detroit Street to Seventh Street	0.25	1,320	3,471	1	1.58	2.80
	74	Fifth Street to Detroit Street	0.50	2,640	3,471	0	0.00	2.80
	74	Third Street to Second Street	0.60	3,168	5,263	2	0.87	2.80
Vine Street	75	Corydon Avenue (N) to Bluff Street	0.60	3168	1,209	0	0.00	2.80
	76	Bluff Street to Corydon Avenue (S)	0.60	3,168	404	0	0.00	2.80
Wild Horse Lane	77	Branding Iron Lane to Cavaletti Lane	0.21	1,109	1,230	0	0.00	2.80
	78	Cavaletti Lane to Crestview Drive	0.28	1,478	1,117	0	0.00	2.80

1. Accident Data from January 1, 2010 to December 31, 2011

2. Statewide Average Accident Rate for 2009

Table 3: 2013 City of Norco Segment Spot Speed Survey

Street	No	No	Direction	Date	10-Mile Pace (mph)	% in 10-Mile Pace	15th %tile (mph)	50th %tile (mph)	85th %tile (mph)	Posted Speed Limit (mph)	Recommended Speed Limit (mph)	Comments
Alhambra Street	1	Norco Drive to River Ridge Drive	E/W	3/26/13	23-32	85	24	28	31	25	25	No change, equestrians
	2	River Ridge Drive to Acacia Avenue	E/W	2/26/13	22-31	85	22	27	31	25	25	No change, equestrians
Bluff Street	3	River Road to Vine Street	E/W	3/25/13	21-30	69	21	26	33	25	25	No change, curvilinear, equestrian crossing
	4	Vine Street to Corydon Avenue	E/W	3/25/13	33-42	63	25	33	38	25	25	No change, equestrian
Branding Iron Lane	5	Dapplegray Lane to Wild Horse Lane	E/W	4/3/13	19-28	85	18	23	26	25	25	No change
California Avenue	6	Fifth Street to Sixth Street	N/S	3/19/13	26-35	81	26	30	34	25	25	No change, equestrians
	7	Sixth Street to Seventh Street	N/S	3/19/13	30-39	88	30	34	37	35	35	No change
	8	Seventh Street to North Drive	N/S	3/19/13	32-41	87	31	34	38	35	35	No change
Corydon Avenue	9	Fifth Street to Bluff Street	N/S	4/3/13	32-41	85	32	35	40	35	35	No change, continuity of speed
	10	Bluff Street to River Road	N/S	4/3/13	30-39	78	29	33	37	35	35	No change
Crestview Drive	11	Arlington Avenue to Seventh Street	N/S	3/13/13	19-28	88	19	22	25	25	25	No change
	12	Seventh Street to Sixth Street	N/S	5/10/13	20-29	92	20	23	27	25	25	No change
	13	Sixth Street to East Street	N/S	3/29/13	22-31	54	21	26	36	N/A	25	Establish, curves, equestrian facility
	14	East Street to Wild Horse Lane	N/S	3/13/13	17-26	76	16	20	25	25	25	No change, equestrians
	15	Wild Horse Lane to Valley Drive	N/S	3/13/13	22-31	76	21	25	29	25	25	No change
Detroit Street	16	Valley View Avenue to Hammer Avenue	E/W	3/29/13	22-31	88	22	26	30	25	25	No change, equestrians, bus stop
El Paso Drive	17	Hillside Avenue to Dogwood Way	E/W	4/2/13	21-30	85	22	25	29	25	25	No change
	18	Dogwood Way to Hidden Valley Parkway	E/W	4/2/13	23-32	89	22	27	30	25	25	No change, continuity, high accident rate
Fifth Street	19	Corydon Avenue to Norcomian Drive	E/W	3/22/13	37-46	77	39	42	51	40	40	No Change, Curves, Prison Facility
	20	Norcomian Drive to Hammer Avenue	E/W	3/11/13	36-45	97	37	42	44	35	35	No Change, Equestrians
	21	Hammer Avenue to Corona Avenue	E/W	3/11/13	24-33	81	24	27	32	25	25	No change, school
	22	Corona Avenue to Hillside Avenue	E/W	3/11/13	23-32	94	23	27	30	25	25	No change, vertical curve
	23	Hillside Avenue to California Avenue	E/W	3/11/13	24-33	82	23	26	32	25	25	No Change, Narrow Roadway, Equestrians
First Street	24	Parkridge Avenue to Hammer Avenue	E/W	3/6/13	31-40	70	31	35	41	35	35	No change
	25	Valley View Avenue to Corona Avenue	E/W	3/6/13	22-31	71	22	27	33	25	25	No change, equestrians
	26	Corona Avenue to Hillside Avenue	E/W	3/6/13	23-32	74	21	25	31	25	25	No change, equestrians
Fourth Street	27	Clark Avenue to Valley View Avenue	E/W	3/29/13	30-39	81	29	34	37	25	25	No change, equestrians
	28	Valley View Avenue to Hillside Avenue	E/W	3/29/13	23-32	82	22	26	30	25	25	No change, equestrians
Hammer Avenue	29	North City Limit to Sixth Street	N/S	3/22/13	37-46	75	37	42	48	45	45	No change
	30	Sixth Street to Fifth Street	N/S	3/22/13	36-45	70	37	40	50	40	40	No change, commercial, multiple driveways
	31	Fifth Street to Fourth Street	N/S	3/22/13	36-45	64	36	42	48	40	40	No change, commercial, multiple driveways
	32	Fourth Street to Second Street	N/S	3/5/13	35-44	94	35	37	41	40	40	No change, commercial, multiple driveways
	33	Second Street to First Street	N/S	3/22/13	39-48	75	38	42	47	40	40	No change, commercial, multiple driveways
	34	First Street to South City Limit	N/S	3/22/13	40-49	57	34	41	47	40	40	No change, commercial, multiple driveways
Hidden Valley Parkway	35	Hammer Avenue to 4000' east of I-15	E/W	3/22/13	33-42	57	34	40	48	45	45	No change
	36	4000' east of I-15 to El Paso Drive	E/W	3/22/13	36-45	73	36	41	50	45	45	No change, continuity of speed, bike lane
	37	El Paso Drive to Norco Hills Road	E/W	3/22/13	38-47	63	37	41	51	45	45	No change, continuity, bike lane, 45 mph Corona

Table 3: 2013 City of Norco Segment Spot Speed Survey

Street	No	No	Direction	Date	10-Mile Pace (mph)	% in 10-Mile Pace	15th %tile (mph)	50th %tile (mph)	85th %tile (mph)	Posted Speed Limit (mph)	Recommended Speed Limit (mph)	Comments
Hillside Avenue	38	First Street to Second Street	N/S	3/12/13	22-31	77	22	26	31	25	25	No change, equestrians
	39	Second Street to Third Street	N/S	3/12/13	29-38	63	25	32	37	25	25	No change, equestrians
	40	Third Street to Fourth Street	N/S	3/12/13	22-31	79	23	26	32	25	25	No change, equestrians, school area
	41	Fourth Street to Fifth Street	N/S	3/12/13	25-34	77	26	31	35	25	25	No change, equestrians, school area
Mountain Avenue	42	Fifth Street to Sixth Street	N/S	3/12/13	25-34	90	25	29	32	25	25	No change, equestrians
	43	Hammer Avenue to First Street	N/S	3/22/13	34-43	53	34	41	48	40	40	No change, continuity of speed
	44	First Street to Second Street	N/S	3/5/13	23-32	71	22	26	32	40	40	No change, low accident rate
	45	Hammer Avenue to Alhambra Street	E/W	3/26/13	28-37	79	27	30	36	35	35	No change, 85th percentile
Norco Drive	46	Alhambra Street to Fifth Street	E/W	3/26/13	30-39	85	29	33	36	35	35	No change, 85th percentile, high accident rate
	47	Hidden Valley Parkway to Valley Drive	E/W	3/22/13	38-47	60	37	43	51	50	50	No change, 85th percentile, 50 mph Corona
Norcoian Drive	48	Fifth Street to Norco Drive	N/S	3/26/13	32-41	89	33	35	38	NP	25	Establish, curvilinear, equestrians
North Drive	49	California Avenue to East City Limit	E/W	3/29/13	33-42	70	33	38	43	45	40	Decrease, 85th percentile, 40 mph Riverside County
Parkridge Avenue	50	Second Street to South City Limit	E/W	4/3/13	34-43	80	34	39	43	40	40	No change, 85th percentile, 40 mph Corona
Pedley Avenue	51	Seventh Street to Sixth Street	N/S	3/29/13	23-32	67	22	27	32	25	25	Establish, equestrians
	52	Sixth Street to Fifth Street	N/S	3/29/13	28-37	71	26	31	35	25	25	Establish, equestrians
River Road	53	North City Limit to Corydon Avenue	E/W	3/25/13	43-52	67	43	47	55	45	45	No change, continuity of speed, equestrians
	54	Corydon Avenue to Second Street (SCL)	E/W	3/25/13	44-53	66	42	47	53	45	45	No change, bike lane, 45 mph Corona
Rock Springs Avenue	55	First Street to Thoroughbred Lane	N/S	4/2/13	24-33	83	23	27	31	25	25	No change, equestrians
Second Street	56	River Road to Mountain Avenue	E/W	3/6/13	28-37	90	28	32	35	35	35	No change, equestrians
	57	Mountain Avenue to Hammer Avenue	E/W	3/6/13	30-39	72	29	34	39	35	35	No change, equestrians
	58	Hammer Avenue to Corona Avenue	E/W	3/6/13	28-37	65	26	33	38	25	25	No change, equestrians
	59	Corona Avenue to Hillside Avenue	E/W	3/6/13	27-36	66	24	31	35	25	25	No change, equestrians, high accident rate
Seventh Street	60	Valley View Avenue to Corona Avenue	E/W	3/19/13	23-32	80	23	27	31	25	25	No change, equestrians
	61	Corona Avenue to Hillside Avenue	E/W	3/19/13	22-31	98	22	25	27	25	25	No change, equestrians
	62	Hillside Avenue to California Avenue	E/W	3/19/13	25-34	76	24	28	33	25	25	No change, equestrians
Sierra Avenue	63	Fifth Street to Sixth Street	N/S	3/26/13	31-40	78	30	34	39	25	25	Establish, equestrians
Sixth Street	64	Hammer Avenue to Valley View Avenue	E/W	3/11/13	32-41	94	32	34	38	35	35	No change, 85th percentile
	65	Valley View Avenue to Hillside Avenue	E/W	3/11/13	36-45	90	35	39	43	35	35	No change, continuity of speed
	66	Hillside Avenue to California Avenue	E/W	3/11/13	34-43	68	32	36	42	35	35	No change, continuity of speed
	67	California Avenue to Cresview Drive	E/W	3/11/13	33-42	68	31	35	41	35	35	No change, continuity of speed
Third Street	68	Valley View Avenue to Hammer Avenue	E/W	3/20/13	30-39	82	29	33	37	25	25	Establish, equestrians
	69	Hammer Avenue to Campus Avenue	E/W	3/22/13	32-41	65	32	37	47	35	35	No Change, continuity of speed
	70	Campus Avenue to 2700' West	E/W	3/20/13	30-39	87	30	33	37	35	35	No Change, 85th percentile
Thoroughbred Lane	71	El Paso Drive to Sedona Lane	E/W	4/2/13	24-33	79	23	26	32	25	25	No change, equestrians

NP = Not Posted

Table 3: 2013 City of Norco Segment Spot Speed Survey

Street	No	No	Direction	Date	10-Mile Pace (mph)	% in 10-Mile Pace	15th %tile (mph)	50th %tile (mph)	85th %tile (mph)	Posted Speed Limit (mph)	Recommended Speed Limit (mph)	Comments
Valley Drive	72	Country Club Drive to Fresian Street	N/S	4/2/13	36-45	64	31	38	44	NP	35	No change, curvilinear, high accident rate
Valley View Avenue	73	Detroit Street to Seventh Street	N/S	3/10/13	29-38	63	26	31	37	25	25	No change, narrow road, equestrians
	74	Fifth Street to Detroit Street	N/S	3/20/13	26-35	92	27	30	33	25	25	No change, narrow road, equestrians
	74	Third Street to Second Street	N/S	3/20/13	29-38	54	27	34	41	25	25	No change, narrow road, equestrians
Vine Street	75	Corydon Avenue (N) to Bluff Street	E/W	3/25/13	22-31	69	21	25	31	25	25	Establish, equestrians, curves
	76	Bluff Street to Corydon Avenue (S)	E/W	3/25/13	24-33	81	23	27	32	25	25	Establish, equestrians, curves
Wild Horse Lane	77	Branding Iron Lane to Cavaletti Lane	E/W	4/3/13	28-37	62	22	29	35	25	25	No change, equestrians
	78	Cavaletti Lane to Crestview Drive	E/W	4/3/13	28-37	81	27	31	35	25	25	No change, equestrians

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: John R. Harper, City Attorney

PREPARED BY: John R. Harper, City Attorney

DATE: December 18, 2013

SUBJECT: Ordinance Regarding the Applicability of Prevailing Wage Requirement to State Funded or Assisted Public Works Contracts

RECOMMENDATION: Adopt Ordinance No. 971 for first reading.

SUMMARY: Senate Bill 7 was adopted adding Section 1782 to the California Labor Code and requires that, in order to receive State funding or financial assistance for Public Works projects, contracts for such projects shall be subject to California Labor Code Section 1720, et. seq., the Prevailing Wage Law. This Bill specifically applies to charter cities, such as Norco, notwithstanding the provisions in charters making the Prevailing Wage Law inapplicable to City Public Works projects. This Ordinance does not apply to Public Works projects funded without State assistance and does include projects funded by revenues required by the California Constitution to be received by cities; i.e., State gas tax.

BACKGROUND/ANALYSIS: The State Legislature adopted and the Governor signed Senate Bill No. 7 (Chapter 794) which will be effective on January 1, 2014. Senate Bill 7 adds Section 1782 to the California Labor Code and requires that, in order to receive State funding or financial assistance for Public Works projects, contracts for such projects shall be subject to California Labor Code Section 1720, et. seq., the Prevailing Wage Law. This Bill specifically applies to charter cities, notwithstanding the provisions in charters making the Prevailing Wage Law inapplicable to City Public Works projects as Section 4 of the City of Norco Charter so provides.

This Statute is in response to a California Supreme Court Case upholding such charter provisions and will likely be subject to litigation. Given the length of time necessary to prosecute and complete litigation and the uncertainty of the outcome, it appears appropriate for the City to adopt the attached Ordinance in order to receive and utilize any State funding or financial assistance related to City Public Works projects. It should be noted that based upon the Legislative Counsel's Digest, notwithstanding less than unambiguous language in the Statute, this Ordinance does not apply to projects funded without State assistance and does include projects funded by revenues required by the California Constitution to be received by cities; i.e., State gas tax.

FINANCIAL IMPACT: None.

ORDINANCE NO. 971

AN ORDINANCE OF THE CITY OF NORCO, CALIFORNIA REGARDING THE APPLICABILITY OF CALIFORNIA LABOR CODE SECTION 1720, ET. SEQ. TO PUBLIC WORKS PROJECTS RECEIVING FINANCIAL ASSISTANCE FROM THE STATE OF CALIFORNIA

WHEREAS, on November 4, 2003, the voters of the City of Norco adopted a City Charter, effective on December 10, 2003; and

WHEREAS, an Amendment to said Charter was approved by the voters on November 8, 2005, effective March 7, 2006; and

WHEREAS, Section 4 of said Charter provides that the California Prevailing Wage Law, Labor Code Section 1720, et. seq., is inapplicable to the City of Norco public works projects; and

WHEREAS, the California Legislature enacted Senate Bill No. 7 (Chapter 794) adding Section 1782 to the California Labor Code, which Section is effective January 1, 2014; and

WHEREAS, said Section 1782 of the Labor Code makes applicable the Prevailing Wage Law to public works projects receiving State funding or financial assistance; and

WHEREAS, Section 1782 of the Labor Code requires charter cities to adopt an ordinance making the Prevailing Wage Law applicable to State assisted public works contracts in order to receive State funding or financial assistance related to those contracts.

NOW, THEREFORE IT IS HEREBY ORADAINED AS FOLLOWS:

SECTION 1. Chapter 2.46, Prevailing Wage Law-State Projects is hereby added to the Norco Municipal Code.

SECTION 2. Section 2.46.010 Findings and Authority.

Notwithstanding the provisions of Section 4 of the City of Norco Charter, it is hereby found and declared pursuant to Section 1782 of the California Labor Code that in order to receive State assistance in certain public works contracts, it is necessary to make the Prevailing Wage Law, California Labor Code Section 1720, et. seq., applicable to said contracts.

SECTION 3. Section 2.44.020.

California Labor Code Section 1720, et. seq., shall be applicable to City public works contracts which are provided funding or financial assistance by the State of California in whole or in part.

SECTION 4.

Section 2.44.030 shall not be applicable to contracts for projects of \$25,000 or less for construction work or projects of \$15,000 or less for alteration, demolition, repair or maintenance work.

SECTION 5.

Section 2.44.040 shall not be applicable to contracts for which the City advertised for bid or awarded prior to January 1, 2015.

APPROVED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on January 15, 2014.

Mayor of the City of Norco, California

ATTEST:

Brenda Jacobs, City Clerk
City of Norco, California

I, Brenda Jacobs, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on December 18, 2013 and thereafter at a regular meeting of said City Council duly held on January 15, 2014 it was duly passed and adopted by the following vote of the City Council.

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, January 15, 2014.

Brenda Jacobs, City Clerk
City of Norco, California

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Dominic Milano, City Engineer 
Raymond Tao, Building Official

DATE: December 18, 2013

SUBJECT: Ordinance Adopting the 2013 California Building Standard Codes

RECOMMENDATION: Adopt **Ordinance No. 972 for first reading**, replacing Title 15, Chapters 15.01-15.08 and 15.90 of the Norco Municipal Code, adopting by reference the 2013 edition of the California Building Standards Code including the 2013 California Building Code; 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Residential Code, and 2013 Green Building Code.

SUMMARY: State law allows local governments to amend the California Model Codes, providing the amendments are more restrictive and are necessary in order to provide the highest level of life-safety standards. The proposed ordinance will adopt and amend the 2013 editions of the California Building Code (CBC), the California Electrical Code (CEC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Residential Code (CRC) and the California Green Building Code (CGBC). State law requires that local government enforces these code editions beginning January 1, 2014.

BACKGROUND/ANALYSIS: Every three years the State of California adopts new construction codes. These codes are reviewed and recommended by the State Building Standards Commission. After the publication of these codes, local governments are encouraged by the State of California to adopt these codes and amend them so that they address all local climatic, geographical and topographical features of each city. Staff has analyzed these codes and has prepared the amendments shown in this ordinance in order to make certain that all structures which are constructed in this City comply with a higher standard, dictated by local conditions.

Many of the proposed amendments to these model codes are more restrictive than the current adopted amendments. The scope of these amendments range from a higher degree administrative and enforcement standards for the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Residential Code, and California Green Building Code.

FINANCIAL IMPACT: No fiscal impact

Attachments: Ordinance No. 972

ORDINANCE NO. 972

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, AMENDING TITLE 15, CHAPTERS 15.01 – 15.08, & 15.90 OF THE NORCO MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE; INCLUDING THE 2013 CALIFORNIA BUILDING CODE; 2013 CALIFORNIA ELECTRICAL CODE; 2013 CALIFORNIA MECHANICAL CODE; 2013 CALIFORNIA PLUMBING CODE; 1997 UNIFORM HOUSING CODE; 2013 CALIFORNIA RESIDENTIAL CODE AND 2013 GREEN BUILDING CODE

WHEREAS, at the regular meeting on the December 18, 2013, the Norco City Council conducted a public hearing and received and considered oral and written testimony concerning the proposed code change; and

WHEREAS, the City of Norco last revised its codes in 2011 conforming to the California Building Standards Code; and

WHEREAS, the California Health and Safety Code requires cities and counties to adopt building standards that are consistent with those contained in the California Code of Regulations Title 24; and

WHEREAS, modifications and/or changes to Chapters 15.01 through 15.05, 15.07, 15.08, and 15.90 of the Norco Municipal Code require findings stating that they are found reasonably necessary because of climatic, geological or topographical conditions in the City of Norco; and

WHEREAS, State law allows local governments to amend California Model Codes, providing the amendments are more restrictive and are necessary in order to provide the highest level of life-safety standards and requires that local governments enforce these code editions-beginning January 1, 2014.

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

A. California Health & Safety Code, Section 17958.5 and 18941.5 authorize cities and counties to modify the California Building Standards Code by adopting more restrictive standards and modifications if such standards and modifications are accompanied by express findings that they are reasonably necessary because of local climatic, geological or topographical conditions.

B. The City Council of the City of Norco finds that these local climatic, geological or topographical conditions include, but are not limited to, the following:

1. The City is subject to relatively low amounts of precipitation, very low humidity levels and extremely high temperatures. These climatic conditions are conducive to the spread of drought conditions and fires. For example, during July, August and September, temperatures often exceed 100 degrees Fahrenheit. During the same months humidity is usually less than 40% and measurements of less than 10% are not uncommon. These recordings have been documented by the Riverside County Flood Control District and the National Climatic Data Center.

2. The City is subject to extremely strong winds, commonly referred to as "Santa Ana Winds," which can reach speeds of up to 95 miles per hour. In addition, the convergence of the marine shore air flow and the desert air flow create steady winds on a daily basis. Finally, the City is bordered on the south by steep, rugged, brush-covered mountains and parts of the City contain hilly terrain and mounds, which either contribute to or create gusty wind conditions by causing a natural funneling effect and increasing wind speeds over the City.
3. The City is also subject to moderately strong shaking and surface ruptures from seismic activity in the area. The geologic and seismic setting of the City is dominated by the Chino and Elsinore earthquake faults along the southwest portion of the City and a diversity of bedrock and alluvial soils that may significantly affect the intensity of earthquake shaking. The Elsinore fault is located a short distance southwest of the City, while the Chino fault, which is subparallel to the Elsinore fault, is located just inside the City's southwestern boundary. Of the two faults, the Chino fault has the greater potential for surface rupture leading to structural damage of structures in the City. Moreover, the thin alluvial soils found in parts of the City contribute to a moderately high potential for liquefaction in certain areas.

C. The aforementioned geologic and climatic conditions have also contributed to the loss or damage of 450 homes in the Bel Air Fire of 1961, 187 homes in the Chatsworth Fire of 1970, 50 homes in the Mandeville Canyon Fire of 1978, 262 homes in the Anaheim Fire of 1982, 71 homes in the Baldwin Hills Fire of 1985, 33 homes in the Porter Ranch Fire of 1988, 162 homes in the Santa Barbara Fire of 1990, 3300 homes in the Oakland Fire of 1991, hundreds of acres in the nearby Chino Hills State Park Fire of 1997, the Corona Triangle / Freeway Complex Fire November 15, 2008 burned 318 properties, burned 30,305 plus acres, destroyed 187 single/multiple family homes, damaged 127 homes, damaged or destroyed four commercial properties, the Sierra Pass Fire on September 24, 2013 burned 200 acres, the Madre Fire which burned 268 acres on September 23, 2013, the Little Fire on August 29, 2013 which burned 97 acres, the Deluz Fire on October 5, 2013 which burned 2236 acres and threatened 300 residents and the Naval Hospital, Forks Complex Fire October 1, 2013 burning 37,246 acres, and the Rim Fire September 3, 2013 which burned 257,314 acres destroyed 3 commercial buildings and 11 residences.

D. These fires, as well as the recent Whittier Earthquake of 1987, Northridge Earthquake of 1994, and the Chino Hills Earthquake of 2008 have resulted in the tragic loss of lives along with enormous property losses.

E. For practicality and cost reasons, many new structures are built of wood (Type V) construction. Many existing structures also have wood shake roofs. The potential for a conflagration exists due to the design and density of current structures.

F. Electrical supply and telephone communication failures occur due to high winds as well as other reasons. Water supply pumps and early notification of a fire cannot always be counted on.

G. Based upon the recommendations of the Building Official, the City Council finds that the proposed amendments to the 2013 California Building Standards Code ("amendments") are more restrictive than the standards adopted by the California Building Standards Commission, would decrease the potential incidence of property damage, injury and death due to fires and earthquakes, and are reasonable and necessary to mitigate the aforementioned local climatic, geologic or topographical conditions.

NOW THEREFORE, the City Council of the City of Norco does hereby DETERMINE, ORDER, AND RESOLVE as follows:

SECTION 1. Chapter 15.01 (ADMINISTRATIVE PROVISIONS FOR TITLE 15) of the City of Norco Municipal Code is amended to replace sections 15.01.010, 15.01.020, 15.01.050, 15.01.080, and 15.01.190 as listed below

Chapter 15.01 ADMINISTRATIVE PROVISIONS FOR TITLE 15

- 15.01.010 Title**
- 15.01.020 Code adoption.**
- 15.01.050 Amendment -Section 101.4 –Referenced Codes**
- 15.01.080 Amendment -Section 105.2 -Exempt work**
- 15.01.190 Violation -Penalty**

15.01.010 Title This chapter shall be cited as the Administrative Provisions to **Title 15** of the Norco Municipal Code and shall apply to all of the referenced and adopted codes in Title 15, unless otherwise provided.

15.01.020 Code Adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as 2013 California Building Code, Chapter 1 Division II is hereby adopted.

B. One certified copy of the 2013 California Building Code Chapter 1 Division II shall be kept on file in the office of the Building Official, and any and all references thereto are adopted as the Administrative Provisions to the codes adopted in Title 15 of the Norco Municipal Code for the City of Norco; unless otherwise provided, and subject to the changes contained in this chapter.

C. Each and all of the regulations, provisions, penalties, conditions, and terms thereof are referred to, adopted, and made a part of this chapter as though fully set forth at length.

15.01.050 Amendment Section 101.4 Referenced Codes

Section 101.4 is amended in its entirety to read as follows:

"101.4 Referenced Codes. The other codes listed in section 101.4.1 through 101.4.9 and referenced elsewhere in this code shall be considered part of the requirements of this code.

101.4.1 The 2013 California Building Code as adopted and amended by NMC Chapter 15.02.

101.4.2 The 2013 California Green Building Code as adopted and amended by NMC Chapter 15.08.

101.4.3 The Housing Code as adopted and amended by NMC Chapter 15.06.

101.4.4 The 2013 California Residential Code as adopted and amended by NMC Chapter 15.07

101.4.5 The 2013 California Mechanical Code as adopted and amended by NMC Chapter 15.04.

101.4.7 The 2013 California Plumbing Code as adopted and amended by NMC Chapter 15.05.

101.4.8 The 2013 California Electrical Code as adopted and amended by NMC Chapter 15.03.

101.4.9 The 2013 California Energy Code as adopted by the State of California"

15.01.080 Amendment Section 105.2 items 2 & 10. Section 105.2 items 2 and 10 are amended to read as follows:

2. Fences not over 6 feet high.

10. Self-supporting portable covered pipe corrals not exceeding a maximum of 12 ft. x 24 ft. Provided the number of such structures is premised upon the number of animal units allowed on the property as regulated by the Norco Zoning Code. There shall be no more than one 12 ft. x 24 ft. portable covered corral per two approved animal units. Furthermore, it is understood that covered corrals do not have any walls and are securely fastened to the surrounding corral fencing.

15.01.190 Violation Penalty

A. No person, firm, partnership, association or corporation shall violate any provisions of this chapter and any provisions of the codes, rules or regulations adopted in this Title 15 of the Norco Municipal Code.

B. Any person, firm, partnership, association or corporation violating any of the provisions adopted in this title by reference, shall be guilty of an infraction, except where otherwise provided in this Title 15. Any person violating a stop work order issued pursuant to the 2013 California Building Code, Chapter 1 Division II Section 115.3, shall be guilty of a misdemeanor. Any person who continues to occupy or any person who enters a structure which has been posted "unsafe" by the Building Official pursuant to the 2013 California Building Code, Chapter 1 Division II Section 116 shall be guilty of a misdemeanor. Any person who maintains or fails to remove a structure which has been posted "unsafe" by the Building Official pursuant to the 2013 California Building code, Chapter 1 Division II Section 116 shall be guilty of a misdemeanor.

C. Every person, firm, association or corporation violating any of the provisions of this chapter or provisions of the codes, rules or regulations adopted in this chapter by reference is guilty of a separate offense for each day or portion thereof during which the violation continues and shall be punishable thereof as provided in Title 1 (General Provisions) of the Norco Municipal Code which includes administrative citations up to \$500 per day per Section 1.05.030 of the NMC.

D. It is unlawful for any person, firm, partnership, corporation, association or joint venture, either as owner, architect, contractor, artisan or otherwise, to do or to cause or permit to be done any work, as described in the California Building Standards Code as adopted by reference in this Title 15 in such a manner that such work does not conform to all the provisions of this Title 15 and the provisions of said California Building Standards Code, as so adopted by reference.

SECTION 2. Chapter 15.02 (BUILDING CODE) of the City of Norco Municipal Code is hereby amended to replace sections 15.02.010 through 15.02.040, 15.02.090, 15.02.100, and 15.02.160 as listed below:

Chapter 15.02 BUILDING CODE

- 15.02.010 Title**
- 15.02.020 Adoption of the Building Code**
- 15.02.030 Administration**
- 15.02.040 Enforcement**
- 15.02.090 Amendment -Section 1505.1.3 Roof Covering**
- 15.02.100 Amendment -Table 1505.1 Roof Covering**
- 15.02.160 Violation -Penalty**

15.02.010 Title. This chapter shall be cited, as the Building Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Building Standards Code, or other building code, refers and applies to this chapter.

15.02.020 Adoption of the Building Code

A. Except as provided in this chapter, those certain building codes known and designated as the 2013 California Building Code (CBC), including Appendix Chapters C -Agricultural Buildings, G -Flood Resistant Construction and I Patio Covers as adopted by the State of California, based on the 2012 International Building Code as published by the International Code Council, except as amended herein, shall become the building code of the City of Norco for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the City. The requirements found in Appendix C for agricultural buildings shall not supersede the Accessory Building requirements which are found in the Norco Municipal Code sections 18.12 and 18.13 and the Norco Hills Specific Plan and the Norco Ridge Ranch Specific Plan. The 2013 California Building Code and its adopted appendices and amendments will be on file for public examination in the offices of the Building Official.

B. Chapter I Division II as adopted and amended in Chapter 15.02 of the Norco Municipal Code.

C. Appendix Chapters A, B, D, E, F, and H are not adopted.

D. Appendix J is adopted as currently amended by Chapter 15.90 of the Norco Municipal Code.

E. One certified copy of the 2013 California Building Code shall be kept on file in the office of the City Building Official of the City of Norco, subject to the changes contained in this chapter. Each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.02.030 Administration

The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.02.040 Enforcement

The violation and penalties as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.02.090 Amendment. Section 1505.1.3, Roof Coverings Section 1505.1.3 is hereby amended to read as follows:

"1505.1.3 Roof Coverings Within All Other Areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within anyone-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A."

15.02.100 Amendment

Table 1505.1, Roof Table 1505.1 is hereby amended to read as follows:

"TABLE 1505.1 MINIMUM ROOF COVERING CLASSIFICATIONS FOR TYPES OF CONSTRUCTION

IA	IB	IIA	IIIB	IIIA	IIIB	IV	VA	VB
A	A	A	A	A	A	A	A	A"

15.02.160 Violation -Penalty

The violation and penalties for Chapter 15.02 shall be as adopted in Chapter 15.01 of the Norco Municipal Code.

SECTION 3. Chapter 15.03 (ELECTRICAL CODE) of the City of Norco Municipal Code is hereby amended to replace sections 15.03.010 through 15.03.040 as listed below:

Chapter 15.03 ELECTRICAL CODE

- 15.03.010 Title**
- 15.03.020 Code Adoption**
- 15.03.030 Administration**
- 15.03.040 Violation -Penalty**

15.03.010 Title This chapter shall be cited, as the Electrical Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Electrical Code, or other electrical code, refers and applies to this chapter.

15.03.020 Code Adoption. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as 2013 California Electrical Code, including the Tables and Annexes thereto, but excluding Annexes E, F, G and H are hereby adopted as the Electrical Code of the City of Norco.

One certified copy of the 2013 California Electrical Code shall be kept on file in the office of the City Building Official of the City of Norco, and any and all references thereto, are adopted as the Electrical Code of the City of Norco, subject to the changes contained in this chapter. Each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.03.030 Administration. The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.03.040 Violation -Penalty The violation and penalties for Chapter 15.03 shall be adopted in Chapter 15.01 of the Norco Municipal Code.

SECTION 4. Chapter 15.04 (MECHANICAL CODE) of the City of Norco Municipal Code is hereby amended to replace sections 15.040.010 through 15.040.040 as listed below:

Chapter 15.04 MECHANICAL CODE

- 15.04.010 Title**
- 15.04.020 Code Adoption**
- 15.04.030 Administration**
- 15.04.040 Violation -Penalty**

15.04.010 Title

This chapter shall be cited, as the Mechanical Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Mechanical Code, or other mechanical code, refers and applies to this chapter.

15.04.020 Code Adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as the 2013 California Mechanical Code, not including the appendices, are hereby adopted as the Mechanical Code of the City of Norco.

- 1 Chapter 1 Division II -Administration is not adopted as part of this code.
- 2 Appendix A, B, C and D are not adopted as part of this code.

B. One certified copy of the 2013 California Mechanical Code is on file in the office of the City Clerk, and any and all references thereto, are adopted as the Mechanical Code of the City of Norco, and each and all the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.04.030 Administration

The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.04.040 Violation -Penalty

The violation and penalties for Chapter 15.04 shall be as adopted in Chapter 15.01 of the Norco Municipal Code.

SECTION 5. Chapter 15.05 (PLUMBING CODE) of the City of Norco Municipal Code is hereby amended to replace sections 15.05.010 through 15.05.040 and 15.05.060.

Chapter 15.05 PLUMBING CODE

- 15.05.010 Title**
- 15.05.020 Code Adoption**
- 15.05.030 Administration**
- 15.05.040 Amendments -Generally**
- 15.05.060 Violation -Penalty.**

15.05.010 Title. This chapter shall be cited, as the Plumbing Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Plumbing Code, or other plumbing code, refers and applies to this chapter.

15.05.020 Code Adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as the 2013 California Plumbing Code, including the following appendices and portions thereof, are hereby adopted as the Plumbing Code of the City of Norco:

- 1 Chapter 1 Division II- Administration is not adopted as part of this code
- 2 Appendices A, B, D, G, I, K, and L are adopted as part of this code.

B. One certified copy of the 2013 California Plumbing Code shall be kept on file in the office of the City Clerk, and any and all references thereto, are adopted as the Plumbing Code for the City of Norco and each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.05.030 Administration. The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.05.040 Amendments -Generally Designated sections of the 2013 California Plumbing Code are amended to read as set forth in §§ 15.20.040 and 15.20.050.

15.05.060 Violation -Penalty.

The violation and penalties for Chapter 15.05 shall be as adopted in Chapter 15.01 of the Norco Municipal Code.

SECTION 6. Chapter 15.07 (RESIDENTIAL CODE) of the City of Norco Municipal Code is hereby amended to replace sections 15.07.010 through 15.07.040 and 15.07.070 as listed below:

Chapter 15.07 RESIDENTIAL CODE

- 15.07.010 Title
- 15.07.020 Code Adoption
- 15.07.030 Administration
- 15.07.040 Amendments -Generally
- 15.07.070 Violation -Penalty

15.07.010 Title. This chapter shall be cited, as the Residential Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Residential Code, or other residential code, refers and applies to this chapter.

15.07.020 Code Adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as 2013 California Residential Code, including appendix H, is hereby adopted as the Residential Code of the City of Norco.

B. Chapter 1 Division II is not adopted.

C. Appendix Chapters A, B, C, D, E, F, G, I, J, K, L, M, N, O, P and Q are not adopted as part of this code.

D. One certified copy of the 2013 California Residential Code shall be kept on file in the office of the City Clerk of the City of Norco, and any and all references thereto, are adopted as the Building Code of the City of Norco, subject to the changes contained in this chapter. Each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.07.030 Administration -Generally The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.07.040 Amendments -Generally Designated sections of the 2013 California Residential Code are amended to read as set forth in §§ 15.07.040 through 15.04.060.

15.07.070 Violation -Penalty The violation and penalties for Chapter 15.07 shall be as adopted in Chapter 15.01 of the Norco Municipal Code

SECTION 7. Chapter 15.08 (GREEN BUILDING CODE) of the City of Norco Municipal Code is hereby amended to replace sections 15.08.010 through 15.08.040 as listed below:

Chapter 15.08 GREEN BUILDING CODE

- 15.08.010 Title
- 15.08.020 Code Adoption
- 15.08.030 Administration-Generally
- 15.08.040 Violation -Penalty

15.08.010 Title. This chapter shall be cited, as the Green Building Code of the City of Norco and any reference in the city's municipal code or any chapter thereof to the California Green Building Standards Code, Cal Green or other green building code, refers and applies to this chapter.

15.08.020 Code adoption

A. Subject to the particular additions, amendments and deletions set forth in this chapter, all the rules, regulations, provisions and conditions set forth in that certain document being marked and designated as 2013 California Green Building Standards Code, Chapters 1 through Chapter 8, not including appendices are hereby adopted as the Green Building Code of the City of Norco.

B. The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to Chapter 15.08.

C. The voluntary measures contained in the appendices are not adopted as part of this code.

D. One certified copy of the 2013 California Green Building Standards Code shall be kept on file in the office of the City Clerk of the City of Norco, and any and all references thereto, are adopted as the Green Building Code of the City of Norco, subject to the changes contained in this chapter. Each and all of the regulations, provisions, penalties, conditions and terms thereof are referred to, adopted and made a part of this chapter, as though fully set forth at length.

15.08.030 Administration -Generally The administrative procedures as adopted in Chapter 15.01 of the Norco Municipal Code shall apply to this chapter.

15.08.040 Violation -Penalty The violation and penalties for Chapter 15.08 shall be as adopted in Chapter 15.01 of the Norco Municipal Code.

SECTION 8. Modifications and/or changes to Chapters 15.01 through 15.09 are found reasonably necessary because of climatic, geological or topographical conditions in the City of Norco.

SECTION 9: SEVERABILITY: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, subsections, sentences, clauses, or phrases hereof irrespective of the fact that anyone or more of the sections, subsections, sentences, clauses, or phrases hereof be declared invalid or unconstitutional.

SECTION 10: POSTING: The Mayor shall sign this Ordinance and the City Clerk shall attest hereto and shall cause the same within 15 days of its passage to be posted at no less than five public places within the City of Norco.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on January 15, 2014.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on December 18, 2013 and thereafter at a regular meeting of said City Council duly held on January 15, 2014, it was duly passed and adopted by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on January 15, 2014.

Brenda Jacobs, City Clerk
City of Norco, California

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Steve King, Planning Director

DATE: December 18, 2013

SUBJECT: **Zone Code Amendment 2013-03 (City of Norco):** A city-initiated proposal to amend Title 18 "Zoning" of the Norco Municipal code, Chapter 18.02 – Definitions", Section 18.31.08 - "Yard Requirements – Walls, Fences and Structures in Setback Areas" and Section 18.38.22 -"On-site Location of Parking Facilities", to address/revise the definitions of vehicles and trailers, and to address vehicle and trailer parking in residential zones.

RECOMMENDATION: Adopt for first reading Ordinance No. 964 approving Zone Code Amendment 2013-03.

SUMMARY: Zone Code Amendment (ZCA) 2013-03 is a city-initiated proposal to amend Title 18 (Zoning) of the Norco Municipal Code (NMC) to address or revise the definitions pertaining to recreational vehicles, trailers, and parking areas, and to address the regulation of on-site parking in residential zones.

BACKGROUND: The City Council directed the Planning Commission to review regulations and make recommendations it deemed necessary regarding on-site vehicle parking in residential areas with a focus on front and side yard parking, especially for large vehicles and trailers.

The NMC currently reads:

Section 18.31.08 Yard Requirements--Walls, Fences, and Structures in Setback Areas, Subsection (9).

(9) Storage of Recreational Vehicles and Boats: Except as otherwise approved under site plan review or conditional use permit in the Commercial and Manufacturing zones, recreational vehicles and boats shall not be stored in required front yards or corner side yards. In agricultural and residential zones, no more than a total of three recreational vehicles or boats may be stored on any lot. For lots greater than one half acre, one additional vehicle per each additional half acre may be stored. The maximum number of vehicles that may be stored shall not exceed ten. Further, said recreational vehicles and boats may not be used as a habitable space or dwelling. All such vehicles and boats approved for storage shall be maintained in a neat appearance and be in readily operable condition. The proposed storage area for the vehicles or boats shall not become a nuisance to neighboring properties.

Section 18.38.22 On –Site Location of Parking Facilities.

On-site parking facilities for residential uses shall not be permitted to occupy any portion of a required front yard or any portion of a required side yard.

There are two inherent problems, the first being that no provision is made for driveway parking in the prohibition of front and side yard parking where typically driveways are located; and the second being that the prohibition of side yard parking for recreational vehicles is inconsistent: being allowed in one section if the lot is not a corner lot, but then being altogether prohibited by the other section regardless of how the lot sets on the street.

On March 3 2013 the Planning commission recommended the following changes to the Code:

- revise the definition for vehicles;
- allow vehicle parking in the front yard subject to certain criteria/restrictions;
- restrict recreational vehicles (RV's) and boat parking, to vehicles that are registered to the property owner/resident where the RVs and boats are being stored, to avoid storage yards on residential properties; and
- explore an application procedure for review on a case-by-case basis to allow the parking of RVs, trailers and boats in the front yard, for non-conforming small lots.

At its meeting of August 21, 2013 the City Council discussed the various items included in the recommended Zone Code Amendment and remanded it to the Planning Commission with direction that only parking in the front and side yards be addressed. The City Council directed that all of the other issues be taken out including any prohibition of the parking of recreational vehicles and trailers in the front yard.

ANALYSIS: There are currently two definitions for recreational vehicles in the Zoning Code included in Section 18.02.04 – “Specific Definitions”, Items (65) “Recreational Vehicles” and (79) “Trailer” which are proposed to be amended as follows. Text proposed to be removed is ~~crossed-out~~ and text proposed to be added is underlined.

(65) Recreational Vehicles. A motor home, travel trailer, truck camper, or camping trailer, with or without motor power, designed for human habitation for recreational or emergency occupancy, which meets all of the following criteria:

- ~~(a) Contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.~~
- ~~(b) Contains 400 square feet or less of gross area measured at maximum horizontal projections and does not exceed 40 feet in length.~~
- ~~(c) (a)~~ Is built on a single chassis.
- ~~(d) (b)~~ Is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.
- ~~(e) (c)~~ Requires licensing and registration by the State Department of Motor Vehicles.

(79) Trailer. A vehicle designed for carrying persons or property (including livestock) on its own structure and for being drawn by a motor vehicle that is not a commercial truck as identified in Chapter 10.16 – “Commercial Vehicles/Trucks” of the Norco Municipal Code. This definition of trailer does not include commercial trailers also identified in Chapter 10.16.

So that it would read as follows:

(65) Recreational Vehicles. A motor home, travel trailer, truck camper, or camping trailer, with or without motor power, designed for human habitation for recreational or emergency occupancy, which meets all of the following criteria:

- (a) Is built on a single chassis.
- (b) Is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.
- (c) Requires licensing and registration by the State Department of Motor Vehicles.

(79) Trailer. A vehicle designed for carrying persons or property (including livestock) on its own structure and for being drawn by a motor vehicle that is not a commercial truck as identified in Chapter 10.16 – “Commercial Vehicles/Trucks” of the Norco Municipal Code. This definition of trailer does not include commercial trailers also identified in Chapter 10.16.

In addition it is recommended that the definition of a designated parking area be added:

(18.b) Designated Parking Area. An area set apart by surfacing or physical borders.

Regarding parking in front yards staff had contacted different cities and most cities allowed vehicle parking in the front yard including RVs and boats, provided they did not overhang into the public right-of way. There was no height limitation for vehicles parking in the front yard in these cities.

Based on the direction received from City Council the following changes to the zoning text are proposed as indicated. Section 18.32.22 is proposed to be revised as follows:

18.38.22 On –Site ~~Location of Parking Facilities~~ of Vehicles in Residential Zones

On-site parking of vehicles in residential zones, ~~facilities for residential uses~~ shall not be permitted to occupy ~~any portion~~ the driveway or designated parking area of a required front yard or any portion of a required side yard. In no instance shall any vehicle extend onto the public right-of-way.

Section 18.38.22 would, therefore, read as follows:

18.38.22 On–Site Parking of Vehicles in Residential Zones

On-site parking of vehicles in residential zones shall be permitted to occupy the driveway or designated parking area of a required front yard or any portion of a required side yard. In no instance shall any vehicle extend onto the public right-of-way.

Section 18.31.08 Yard Requirements--Walls, Fences, and Structures in Setback Areas. Subsection 9 (first paragraph only) is proposed to be revised as follows:

(9) Storage of Recreational Vehicles, Trailers and Boats: Except as otherwise approved under site plan review or conditional use permit in the Commercial and Manufacturing zones, recreational vehicles, trailers and boats shall not be stored in required front yards or corner side yards. In agricultural and residential zones, no more than a total of three recreational vehicles or boats may be stored on any lot. For lots greater than one half acre, one additional vehicle per each additional half acre may be stored. The maximum number of vehicles that may be stored shall not exceed ten. Further, said recreational vehicles, trailers and boats may not be used as a habitable space or dwelling. All such recreational vehicles, trailers and boats approved for storage shall be maintained in a neat appearance and be in readily operable condition. The proposed storage area for the recreational vehicles, trailers or boats shall not become a nuisance to neighboring properties.

Attachment: Ordinance No. 964

ORDINANCE NO. 64

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA APPROVING ZONE CODE AMENDMENT 2013-13 AMENDING TITLE 18: CHAPTER 18.02 – “DEFINITIONS”; SECTION 18.31.08 - “YARD REQUIREMENTS – WALLS, FENCES AND STRUCTURES IN SETBACK AREAS”; AND SECTION 18.38.22 – “ON-SITE LOCATION OF PARKING FACILITIES”, TO ADDRESS/REVISE THE DEFINITIONS PERTAINING TO VEHICLES, AND TO ADDRESS VEHICLE PARKING IN RESIDENTIAL ZONES. ZONE CODE AMENDMENT 2013-03

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2013-03 to address/revise definitions pertaining to vehicles, and to address vehicle on-site parking in residential zones; and

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

WHEREAS, said Zone code Amendment was scheduled for public hearing on June 12, 2013 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the Planning Commission adopted Resolution 2013-19 recommending that the City Council approve Zone Code Amendment 2013-03; and

WHEREAS, said item was duly submitted to said City’s City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, said Zone Code Amendment was scheduled for public hearing with the City Council on August 21, 2013 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to said amendment; and

WHEREAS, the City Council remanded consideration of Zone Code Amendment 2013-03 to the Planning Commission to address only the issue of parking in the front and side yard setback areas in residential zones; and

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

WHEREAS, said Zone Code Amendment was scheduled for public hearing on September 11, 2013 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, said Zone Code Amendment was continued to November 13, 2013; and

WHEREAS, the Planning Commission adopted Resolution 2013-19, as revised, recommending that the City Council approve Zone Code Amendment 2013-03 as revised; and

WHEREAS, said item was duly re-submitted to said City's City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, said Zone Code Amendment was re-scheduled for public hearing with the City Council on December 18, 2013 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to said amendment; and

WHEREAS, the City of Norco, acting as the Lead Agency has determined that said amendment is exempt from the California Environmental Quality Act and the City of Norco Environmental Guidelines per Class 5.

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

- A. The proposed Zone Code Amendment is necessary to address/revise the definitions pertaining to vehicles, and to address on-site vehicle parking in residential zones.
- B. The proposed Zone Code Amendment will clarify the location of on-site vehicle parking in the residential zones.
- C. The proposed Zone Code Amendment does not hinder the General Plan goals and policies of preserving the City's small plot agricultural/animal-keeping/equestrian lifestyle.

- D. The proposed Zone Code Amendment is categorically exempt from the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines pursuant to Class 5 (Minor Alterations in Land Use Limitations).

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

SECTION 1: Chapter 18.02 – “Definitions”, Section 18.02.04 – “Specific Definitions” Item (65) “Recreational Vehicles” and Item (79) “Trailer” are hereby amended to read as follows:

(65) Recreational Vehicles. A motor home, travel trailer, truck camper, or camping trailer, with or without motor power, designed for human habitation for recreational or emergency occupancy, which meets all of the following criteria:

- (a) Is built on a single chassis.
- (b) Is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.
- (c) Requires licensing and registration by the State Department of Motor Vehicles.

(79) Trailer. A vehicle designed for carrying persons or property (including livestock) on its own structure and for being drawn by a motor vehicle that is not a commercial truck as identified in Chapter 10.16 – “Commercial Vehicles/Trucks” of the Norco Municipal Code. This definition of trailer does not include commercial trailers identified in Chapter 10.16.

Chapter 18.02 – “Definitions”, Section 18.02.04 – “Specific Definitions” is hereby amended to include Item (18.b) “Designated Parking Area” as follows:

(18.b) Designated Parking Area: An area set apart by surfacing or physical borders.

Chapter 18.38 – “General Provisions – Off Street Parking and Loading”, Section 18.38.22 – “On-Site Location of Parking Facilities” is hereby amended to read as follows:

18.38.22 On-Site Parking of Vehicles in Residential Zones

On-site parking of vehicles in residential, shall be permitted to occupy the driveway or designated parking area of a required front yard or any portion

of a required side yard. In no instance shall any vehicle extend onto the public right-of-way.

Chapter 18.31 – General Provisions-Yards, Setbacks and Height Exceptions, Section 18.31.08 Yard Requirements--Walls, Fences, and Structures in Setback Areas, Subsection 9 (first paragraph only) is hereby amended as follow:

(9) Storage of Recreational Vehicles, Trailers and Boats: Except as otherwise approved under site plan review or conditional use permit in the Commercial and Manufacturing zones, recreational vehicles, trailers and boats shall not be stored in required front yards or corner side yards. In agricultural and residential zones, no more than a total of three recreational vehicles or boats may be stored on any lot. For lots greater than one half acre, one additional vehicle per each additional half acre may be stored. The maximum number of vehicles that may be stored shall not exceed ten. Further, said recreational vehicles, trailers and boats may not be used as a habitable space or dwelling. All such recreational vehicles, trailers and boats approved for storage shall be maintained in a neat appearance and be in readily operable condition. The proposed storage area for the recreational vehicles, trailers or boats shall not become a nuisance to neighboring properties.

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

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

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

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on January 15, 2014.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, CMC, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on December 18, 2013 and thereafter at a regular meeting of said City Council duly held on January 15, 2014, it was duly passed and adopted by the following vote of the City Council:

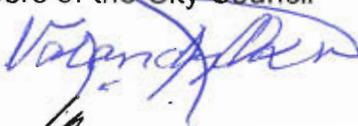
AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on January 15, 2014.

Brenda K. Jacobs, City Clerk
City of Norco, California

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Steve King, Planning Director 

DATE: December 18, 2013

SUBJECT: **Appeal Hearing 2013-02 (Lakeville Retail Group, LLC): 1)** An appeal of Condition No. 13 from Planning Commission approval of Conditional Use Permit 2013-13; **2)** A request for a partial refund of application fees.

RECOMMENDATION: The City Council is recommended to 1) hear the applicant and make a final determination regarding the appeal; 2) deny the waiver of fee request.

SUMMARY: On November 13, 2013 the Planning Commission adopted Resolution 2013-48 approving Conditional Use Permit 2013-13 for a temporary modular unit to be used as a construction office for Tractor Supply Co., and an interim sales office for an existing RV rental business located at 2185 Hamner Avenue in the Norco Auto Mall Specific Plan. The Planning Commission approval included Condition No. 13 with a time restriction on the unit to the earlier of either, one year, or the issuance of an occupancy permit for Tractor Supply Co. This condition was appealed to the City Council by the applicant. Along with the appeal the applicant has requested a refund of application fees.

BACKGROUND/PROJECT DESCRIPTION: Conditional Use Permit 2013-13 affects the same site where construction for a Tractor Supply Co. store in an existing building is currently underway. Also on that site is a temporary sales trailer that was originally constructed to house the sales office of a second Frahm dealership that never came to be. It has been used for several years as an office for an RV rental business (Corona Motorhomes) located at the site. To accommodate the construction for Tractor Supply Co. and the parking lot, the existing modular unit had to be removed and the type of construction did not feasibly allow it to be relocated. The contractor does need an office to monitor the construction activities, and it was hoped that the same offices could be used by the existing RV rental business to stay at the site until such time as another retail business gets developed.

The original draft resolution presented to the Planning Commission included a condition that the CUP (for the temporary modular unit) was good only for one year meaning that after one year the unit would have to be removed and that the RV rental business would have to relocate from the site. At the Planning Commission meeting the draft condition was modified to read "one year or prior to the issuance of an occupancy permit for Tractor Supply Co., whichever comes first." Prior to the Planning Commission meeting the applicant had called stating that he would be unable to attend the meeting. Staff indicated that it did not foresee a

problem. However, that meant that the applicant was not in attendance to contest the condition.

The applicant has appealed the condition requesting that the timeline for the modular unit not be tied to the occupancy for Tractor Supply Co. and that the optional one-year be changed to two-years. It is the applicant's intent that the RV rental business be allowed to stay for two years, if needed, to receive that income as they search for a second retail tenant for the site. The Tractor Supply Co. store is anticipated to be open by February 2014, and as conditioned now the RV rental business would have to vacate the site by then. Corona Motorhomes does have a current business license and there are no open code violation cases at the site. If the City Council approves the appeal request on the timeline in Condition 13, a resolution with a corrected condition will be placed on the next City Council agenda (January 18, 2014) as a consent item.

The applicant's original CUP application was for the "installation of trailer." The application did not state or request a particular timeline. The original condition with a limit of one year was drafted by staff and the Planning Commission added the "or prior to issuance of occupancy for Tractor Supply Co." stipulation.

With regards to the request for a waiver of the application fees, if the appeal is granted by the City Council the appeal fee is refunded automatically per the Appeal Application form ("Appeal fee will be refunded if the decision is reversed on appeal"). The applicant is also requesting a refund of a portion of the original conditional use permit application fees. The fees that have been paid, along with the waiver being requested, are as follows:

Conditional Use Permit:	Base fee:	\$2,864
	Public notice fee:	\$453
	CEQA exemption fee:	\$80
	County filing fee:	<u>\$50</u>
	TOTAL:	\$3,447
	WAIVER REQUEST:	\$2,250
Appeal:	Fee:	\$810
	(automatically refunded if appeal granted)	

The application fees are adopted by City Council from analyses by an independent consulting firm that calculates the cost of staff time and materials to take an application request through to a final action by either the Planning Commission or the City Council. The costs cover such things as analysis by separate departments and divisions with accompanying conditions for approval as may be necessary, the preparation of staff reports and related documents, and presentation to the appropriate hearing body. The fees are intended to cover the costs associated with an applicant's request so that those costs do not have to be paid by the taxpayer.

Appeal 2013-02 (Conditional Use Permit 2013-13)

Page 2

December 18, 2013

The applicant's request to reduce their application fees to \$1,197 is substantially less than what other applicants have to pay for similar services and it means that the taxpayer would have to shoulder the remainder fee burden on behalf of the applicant. Staff recommends that the fee waiver request be denied.

Attachment: Exhibit "A" – Letter Request, Lakeville Retail Group, LLC

Lakeville Retail Group, LLC
Post Office Box 5349
Santa Rosa, Ca 95402
707-483-3127
707-537-0229 Fax
Bradcommercialre@aol.com

November 22, 2013

Mr. Steve King
Planning Director, City of Norco
2870 Clark Avenue
Norco CA 92860

Re: Appeal of conditions in the Planning commission approval (November 13, 2013) for temporary office trailer to be located at 2185 Hamner Ave., Norco, CA (Tractor Supply Company project)), for recreation vehicle rentals/project developer office.

Dear Steve,

As we discussed, this letter is our formal appeal of one condition contained within the approval and for a partial refund of the cost of both the initial filing fee and the appeal fee.

The condition that the above referenced trailer remain on the property for no more than one year or the completion of the Tractor Supply building (whichever first occurs), is an extremely difficult condition for the overall project. We have obtained the building permits and expect completion of the Tractor Supply remodel to be in the first quarter 2014. In essence, the RV rental company would have to vacate the property in a little more than three months. This is both logistically and financially a burden on us as developers and the owner of the RV rental business as tenants.

The filing fee for the conditional use permit was \$3, 447.00. In addition, the cost of this appeal is \$810.00. This adds up \$4257 or nearly \$1,250 per month. Of course this does not include the costs of temporary trailer installation permit to the City of Norco, temporary hookup fees for electricity, gas, water, sewer, and telephone. Added together, these costs are well in excess of any reasonable rent that the property ownership could collect from the RV rental operator, or that the RV rental company could pay .

A more reasoned approach to this issue would be to grant a two-year temporary use permit. This would allow time for the rental company to plan a wind down of its operations and/or identify a replacement location, obtain the necessary approvals, and

EXHIBIT "A"

negotiate his rent with a new property owner. This time would also allow the existing owners to complete the Tractor Supply building, without their attention being diverted to relocating the RV rental business.

We are actively seeking new retail tenants for the second parcel, (and welcome all suggestions and referrals) but in the interim, we would request accommodations to allow the RV rental company to remain located at the property.

As to the City of Norco fees, we request a refund of \$2,250. Although we were not involved when the fee structure for the City of Norco was established, we doubt that the conditional use permit fee was expected to cover a use that would be in place for a little over three months.

We are excited to be moving forward with the Tractor Supply building and expect it to be a high-quality, first-class facility. As I mentioned earlier, the building should be operational within the first quarter 2014. We are requesting some accommodation for the RV rental company and plan to monitor his activities closely.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Yust", written in a cursive style.

Brad Yust
Member, Lakeville Retail Group