



AGENDA  
CITY OF NORCO  
CITY COUNCIL

January 15, 2014

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

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CALL TO ORDER:	7:00 p.m.
ROLL CALL:	
PLEDGE OF ALLEGIANCE:	Council Member Higgins
INVOCATION:	
PRESENTATIONS:	Proclamation Declaring City of Norco a Purple Heart City, <i>Len Tavernetti / Military Order of Purple Heart</i>  Corona Regional Medical Center, <i>Mark Uffer, CEO</i>  Receipt of Contribution for the George Ingalls Veterans Memorial Plaza, <i>Ruben Rasso</i>  Emergency Preparedness Training, <i>Riverside County Fire/Cal Fire</i>

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 18, 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. Recap of Actions Taken by the Planning Commission at its Meeting held on January 8, 2014. **Recommended Action: Receive and File** (Planning Director)
  - D. Quarterly Investment Report for Quarter Ended December 31, 2013.  
**Recommended Action: Receive and file** (City Manager)
  - E. Report on Fiscal Year 2013 Audited Financial Reports. **Recommended Action: Receive and file. (City Manager)**
  - F. Acceptance of the Corydon Staging Area Project as Complete.  
**Recommended Action: Accept the Corydon Staging Area Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside.** (Director Parks, Recreation and Community Services)
  - G. Approval of the Norco Horseman's Association Casino Night Facility Lease Agreement. **Recommended Action: Approve a five-year Lease Agreement with Norco Horsemen's Association for the use of Nellie Weaver Hall for its annual Casino Night.** (Director Parks, Recreation and Community Services)
  - H. Approval of the an Extra-Territorial Sewer Service Agreement Tentative Track Map 36642. **Recommended Action: Approve the Extra-Territorial Sewer Service Agreement between the City of Norco and the City of Corona, Tentative Track Map 36642.** (Water & Sewer Manager)
3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:

4. CITY COUNCIL PRESENTATION / DISCUSSION ITEMS:
  - A. Certified Local Government Annual Report and Update on Collections Management Study. **Recommended Action: Receive and file.** (Cultural Resources Consultant Bill Wilkman)
  - B. Discussion Regarding the Expanded Historic Resources Survey and Evaluation of the Norconian's World War II and Post World War II Periods. **Recommended Action: That the City Council consider an appropriate course of action in relation to the expanded survey and evaluation.** (Cultural Resources Consultant Bill Wilkman)
5. LEGISLATIVE MATTERS: (No new evidence will be heard from the public as the public hearing has been closed regarding the item listed.)
  - A. **Code Change 2013-06 (City of Norco):** Ordinance regarding the applicability of prevailing wage requirement to State funded or assisted Public Works contracts. **Recommended Action: Adopt Ordinance No. 971.** (City Clerk)
  - 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. **Recommended Action: Adopt Ordinance No. 972.** (City Clerk)
6. CITY COUNCIL CONTINUED PUBLIC HEARING:
  - A. **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. This item was originally scheduled for December 18, 2013 but was continued at the request of the applicant.*  
  
**Recommended Action: The City Council is recommended to hear the applicant and make a final determination regarding the appeal. Staff is recommending that the appeal of Condition No. 13 be denied; thereby, leaving stand Planning Commission's approval, and deny the waiver of the fee request.** (Planning Director)

7. CITY COUNCIL PUBLIC HEARINGS:

A. Public Hearing Confirming Costs for Fall Weed Abatement.

*The 2013 Fall Weed Abatement Report of Costs lists property owners whose vacant parcels were abated by the Fire Department's weed abatement contractor for the 2013 Fall Weed Abatement Program. After Council adopts the Resolution, property owners will be invoiced for payment of the abatement.*

**Recommended Action:** Adopt **Resolution No. 2014-01**, confirming the report of costs for abatement of weeds and hazardous vegetation as a public nuisance and imposing special assessment liens on vacant parcels within the City. (Fire Chief)

B. **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 7.C.) 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). The letter states that certification is pending and will be finalized upon completion of the follow-up measures from the 2008-2014 document.*

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

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

*This item was originally scheduled for December 4, 2013 but the hearing was cancelled before it was opened and has now been re-advertised for this meeting. 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 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)

8. 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.
9. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:
10. ADJOURNMENT:

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*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).*

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*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.*

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*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 18, 2013

City Council Chambers  
2820 Clark Avenue, Norco, CA 92860

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CALL TO ORDER: Mayor Hanna called the meeting to order at 6:00 p.m.

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

THE CITY COUNCIL RECESSED 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 Harper stated that there were no reportable actions taken in closed session.**

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*

**Captain Ver Hage presented information regarding the Norco Naval Surface Warfare Center. A "Navy in Norco" pennant was presented to the City of Norco for display at City Hall.**

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

**Michael Porter presented information regarding his Eagle Scout Project. He presented a check in the amount of \$85.50 to the City of Norco for the George Ingalls Veterans Memorial project.**

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

**Mayor Hanna presented Sgt. Pontes with a Certificate of Recognition thanking him for his service to our Country.**

**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.*

**Mayor Hanna presented a Certificate of Excellence to the Norco High School Agriculture Department congratulating them for receipt of the Golden Bell Award.**

**CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:**

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

**Council Member Bash:**

- Announced that the Corona-Norco Unified School District Board approved Trustee Area Scenario 1.A. which will benefit the City of Norco.
- Stated that the commemorative book celebrating the celebrating the Corona-Norco Unified School District's 125 year history is available to purchase.
- Thanked the Fire Department and Sheriff's Department for assisting with the young man that was hit in front of his house.
- Reported that Louis VanderMolen is in the hospital with pneumonia

**Mayor Pro Tem Higgins:**

- Recognized the new Sergeant in the Norco Sheriff's Department, Sergeant Christian Dekker.

**Council Member Azevedo:**

- Reported on the Riverside County Transportation Commission meeting she attended in place of Mayor Hanna and noted that the new Chairman will be Supervisor Marion Ashley. She also commented on the groundbreaking ceremony held for the 91 Freeway Expansion Project on that same day, as well as the Foothill Parkway Westerly Extension Project that will be moving forward.

- Reported on the WRCOG meeting at which time "rallying" took place for Planning Directors to encourage stations for hybrid plug-in vehicles. She also noted the Apps available for the HERO program and project updates.
- Noted that it was a 3-2 vote by the Corona-Norco Unified School District Board that approved the Trustee Area Scenario 1.A.
- Reported on the City's 50<sup>th</sup> Birthday activities, displaying the shirts and hats that are available to purchase, and reported on the calendar of events and the Film Festival at Norco High School. Council Member Bash gave a brief overview of the Film Festival to be held on Feb. 1 – 2.

**Council Member Newton:**

- Reported on the Blue Light Ceremony for fallen officers that he attended with Mayor Hanna, noting that Lt. Hedge was also in attendance.

**2. CITY COUNCIL CONSENT ITEMS:**

**Mayor Hanna requested that the following be added to the December 4, 2013 minutes as stated at that meeting – "Recognized the Animal Control Division and the Norco Sheriff's Department for its assistance with the NART rescue and the arrests made regarding the cock fighting."**

**City Manager Okoro** stated that there is a correction to Item 2.D., noting Exhibit "A" to Resolution No. 2013-65, Basic Services for residential customers, where it should read "Senior" rates and not "Senior/Disabled". He added that Waste Management does not offer any discounted rates to disabled individuals.

**A member of the public pulled Item 2.E. Council Member Newton pulled Items 2.A. and 2.D.**

**M/S Bash/Higgins to adopt the remaining 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: NONE**

- 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)  
**PULLED FOR DISCUSSION**
- 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) PULLED FOR DISCUSSION**
- 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) PULLED FOR DISCUSSION**
- 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:

- Item 2.A. City Council Minutes:  
Regular Meeting of December 4, 2013  
Special Meeting of December 3, 2013

**Council Member Newton** requested one change to the December 3, 2013 Minutes, noting that Mayor Hanna was present at that meeting. He further stated that he will abstain from approving the December 3, 2013 Minutes.

**M/S Higgins/Bash to approve the City Council Minutes. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NEWTON ON THE DECEMBER 3, 2013 MINUTES**

- Item 2.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.

**Council Member Newton** commented on the letter from Viramontes regarding the cost increase on the green waste cost component, asking why not haul to El Sobrante instead of Viramontes.

**Julie Reyes, representing Waste Management**, stated that she will get clarification on this and will report back to City Manager Okoro.

**M/S Newton/Bash to 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. The motion was carried by the following roll call vote:**

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

Item 2.E. Ratification of Appointments to an Ad Hoc Committee to Review a New Contract with USA Waste of California, Inc.

**Ted Hoffman.** Mr. Hoffman stated that he hopes that the ad-hoc committee addresses a waste-to-energy project throughout this process.

**M/S Higgins/Bash to approve the appointment of members to serve on an ad-hoc committee to review a new contract with Waste Management. The motion was carried by the following roll call vote:**

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

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).

**City Manager Okoro** provided information regarding the discussion item as presented in the staff report.

**City Clerk Jacobs** provided some additional information, noting that it was her opinion as the City's Election Official that this should be brought to the people as an advisory measure to approve any changes to the four-year terms that the City Council Members were elected for. She also noted that according to the Riverside County Registrar of Voters, the cost will be the same or possibly higher if adding an additional contest pushes the County to a three card ballot, which would not be a justification to the Board of Supervisors in regards to the requirement for approval based on the cost-effectiveness of the proposed action.

**Council Member Azevedo** commented on this item, noting that the election should be the vote of the people and the residents are not provided with this opportunity as in even years. She added that she would consider reducing her term and placing this on ballot to see what the people vote.

**Council Member Newton** commented on drop-off voting. He further commented on the 2011 election, noting that social media came into play and did not increase voting. He further noted that informed voters vote and does not agree with changing the election cycle at this time.

**Mayor Pro Tem Higgins** commented on the change to the odd-year election cycle in 1993 to be in line with the School District, noting that they are a critical organization. He noted that he wants as many people to vote as possible and wants to give the people the opportunity, adding that being on the same cycle as the School District would also raise the potential for a Norco individual to be elected to the School Board. Council Member Higgins stated that if the Council terms are extended it should go to the people, but if reduced, the Council can make that decision.

**Council Member Bash** noted he has been pushing for even year. He commented on the new developments with change in the Trustee Areas for the School District and also the demographics that have changed. He stated that Norco controls the vote for a representative from the City of Norco. Council Member Bash commented on the importance of the preservation of the City's lifestyle and further commented on concerns with the uninformed voters who receive inaccurate information.

**Mayor Hanna** asked about the 2005 election and the reason for the increased votes cast. In response, staff noted that it included the Charter Ballot Measure. Mayor Hanna noted that if there is a change made to the election cycle and Council terms, it should go to the citizens for them to make the decision.

**Roy Hungerford.** Mr. Hungerford noted that he is against the change, noting that history will look back at this Council destroying the City. He added that it is all about the quality of the vote, not the quantity.

**Karen Leonard.** Ms. Leonard commented on the uneducated vote in the larger elections, noting that if it is moved, it will be people that really don't care. She noted her support to stay with the informed vote, the quality vote.

**M/S Higgins/Bash to receive and file the report.**

**Under Discussion:**

**Council Member Newton** stated that he agrees with the two speakers in regards to the educated voter.

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

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

- 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)

**City Manager Okoro** provided information regarding the discussion item as presented in the staff report.

**M/S Azevedo/Bash** 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. The motion was carried by the following roll call vote:

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

- 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)

**Public Works Director Askew** provided information regarding the discussion item as presented in the staff report.

**Gary Roquet.** Mr. Roquet commented that he lives on Willow Drive and noted that this is a dangerous intersection. He added that he wants safe access to Valley View, adding that he represents twelve (12) other residents that live in the neighborhood.

**Glenn Hedges.** Mr. Hedges commented on the Friesian/Valley stop sign and the reason for putting it in. He noted that this is the same thing where the situation is the visibility, adding that the stop sign would protect the people and save lives in the future.

**Council Member Bash** stated that he supports a stop sign at this corner.

**Mayor Pro Tem Higgins** commented on an experience he had on Valley View coming off of Willow where he came close to being hit, noting the visibility problems. He commented on his support for the stop sign.

**Council Member Newton** commented on this intersection noting that this situation is much like Corona Avenue and Fourth Street. He noted that traffic flows good at that location, noting he supports these stop signs. He recommended moving the horse trail sign and add rail to define the trail on Willow Avenue.

**Council Member Azevedo** noted that she supports these stop signs. She asked about the ramifications regarding unwarranted stop signs. In response, City Attorney Harper commented that the potential liability is that the City has immunity for accidents that occur on streets which meet the Code criteria and added that if someone is injured, the plaintiff argues that we no longer have design immunity. Council Member Azevedo stated that she has spoken with other residents that desire a stop sign on their streets. City Attorney Harper noted that the other issue is the argument for someone blowing a stop sign, and if the stop sign was not warranted, they could make a **case**.

**Mayor Hanna** stated that he supports the stop sign, noting the family with the kids and the equestrians crossing Valley View from Willow and back.

**M/S Bash/Higgins** to put in the two stop signs based on visibility issues causing potential harm to equestrians, pedestrians, bicyclists and all road users expecting other road users to stop. 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 8:47 p.m.

**RECONVENE:** Mayor Hanna reconvened the meeting at 9:00 p.m.

- D. Consideration to Install Speed Tables at Two Test Areas. **Recommended Action: City Council direction.** (Director of Public Works)

**Public Works Director Askew** provided information regarding the discussion item as presented in the staff report.

**City Attorney Harper** stated that from a legal point of view, speed tables are not State-approved traffic control devices and the City would hold the liability.

**Lt. Hedge** commented on the Sheriff's Department concerns. He noted the City's uniqueness and the impacts to public safety. He commented on the response time concerns, especially priority one calls. He stated that he has additional concerns with vehicles avoiding these locations causing hazards and also concerns in the evening hours when there may be those unaware of the speed tables, along with damaged vehicles or traffic collisions that may occur. Lt. Hedge stated that public safety is his main concern and is not in favor of the speed tables.

**Chief Mecham** commented on the potential for increased response times, noting that the majority of calls are EMS calls and the increased response time would cause negative effects.

**Trina Daniels.** Ms. Daniels noted she lives on a street with speed humps and does not recommend them, adding that young drivers are attracted to them and accelerate, or they drive to the side of the bumps.

**David Sandidge.** Mr. Sandidge submitted an email in support of the installation of Speed Tables.

**Council Member Newton** commented in regards to the financial impact. He noted that he went on a test drive with Public Works Director Askew and at 15 or 20 mph the speed table can adjust. Public Works Director Askew stated that the speed humps on Corona Avenue are much shorter and these are speed tables. Council Member Newton further commented on the design of the speed tables in regards to preventing cars from driving around them and also drainage issues.

In response to Council Member Newton, Chief Mecham noted that speed can be exceeded by 15 mph based on the posted speed limit, depending on traffic and road conditions.

**Council Member Azevedo** commented on her concerns regarding response times and public safety. She added that her number one goal is to add motor officers when money is available to do so. She stated that she cannot support something that will hinder public safety.

In response to Council Member Azevedo, Chief Mecham noted that 84% of their calls are for EMS.

**Mayor Hanna** stated that he agrees with the concerns with public safety. He noted that he cannot support these.

**M/S Azevedo/Hanna to receive and file the report. The motion was carried by the following roll call vote:**

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

**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)**

**City Attorney Harper** provided information regarding the public hearing item as presented in the staff report.

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

**M/S Azevedo/Higgins to adopt Ordinance No. 971 for first reading.**

**Under Discussion:**

**Council Member Bash** stated that he would not vote for this, noting the State's role in this decision.

**Council Member Newton** stated that after working with union and non-union companies, this is a Charter issue and will not support this.

**Council Member Azevedo** noted her concerns for no State funding if this is not supported.

**Water and Sewer Manager Thompson** stated that from past history in the Public Works Department, any grant funds of any type were all done this same way and this ordinance would not change how things are done at this time.

**City Attorney Harper** stated that if we do not approve the ordinance, it would affect funding.

**Mayor Hanna** commented on his concerns regarding the projects that require State funds and added that he would hate to lose Measure A and TUMF money.

**Council Member Newton** stated that he understands prevailing wage, and does not want to lose any funding, but has a problem with the State changing the City's Charter.

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

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

- 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)

**City Engineer Milano** provided information regarding the public hearing item as presented in the staff report.

**Council Member Newton** commented on Section 15.01.080, 2. And asked if this is a change, adding that he does not like the way it reads. In response, City Engineer Milano presented some history on this sentence and suggested removing it in its entirety.

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

**Ted Hoffman.** Mr. Hoffman commented on Section 15.01.080, 2. regarding fences not over 6 feet high, noting that a block wall 6 feet high would then not require a permit. He also commented on Section 15.01.080, 10. Regarding a cover on a 12 x 24 corral, adding that this needs some clarification. He recommended going back to the 3 foot walls on Section 15.01.080, 2.

**Glen Hedges.** Mr. Hedges commented on his concerns regarding Section 15.01.080, 10., noting the requirements for portable covered corrals per two approved animal units.

**Bob Leonard.** Mr. Leonard commented as a general contractor noting that if the City allows a 6 foot block wall to be built without a permit, they are asking for trouble.

**Mayor Hanna CLOSED the public hearing.**

**M/S Bash/Higgins to adopt Ordinance No. 972 for first reading with the following revisions.**

**15.01.080 Amendment Section 105.2 items 2 & 10.** Section 105.2 items 2 and 10 are is 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.

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

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

- 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)

**Planning Director King** provided information regarding the public hearing item as presented in the staff report.

**Mayor Pro Tem Higgins** noted that he is not in the position to tell people where they can park on their front lawn.

**Council Member Azevedo** noted that she is concerned, noting front yard parking and enforcement issues.

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

**M/S Higgins/Bash to deny Ordinance No. 964 for first reading.**

**Under Discussion:**

**Planning Director King** noted some inconsistency in the Code and added that some revisions will need to be made.

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

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

- 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)**

**Planning Director King** stated that the applicant has requested that the appeal hearing be continued to the January 15, 2014 City Council Meeting.

**M/S Bash/Higgins** to continue the appeal hearing to January 15, 2014. The motion was carried by the following roll call vote:

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

**6. PUBLIC COMMENTS OR QUESTIONS:**

**Ted Hoffman.** Mr. Hoffman commented on the January 4, 2014 "Redneck Party" to be held by the Norco Horsemen's Association (NHA) at Ingalls Park. He also commented on the March 15, 2014 annual NHA Casino Night in correlation with City's 50<sup>th</sup> Birthday.

**Pam Smith.** Ms. Smith commented on the Norco Area Chamber of Commerce election held in November and reported on the new board members and new executive board.

**7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:**

**Council Member Azevedo:**

- Displayed the City's 50<sup>th</sup> Birthday shirts and hats that are available.

**Council Member Newton:**

- Asked to have an update on the Gateway Specific Plan. City Manager Okoro stated that he would provide this to the City Council.
- Stated that he wants to review the City's business license policy in regards to loss of revenue from contractors and sub-contractors, noting that staff needs the tools to enforce it. In response, City Manager Okoro noted that contractors are required to provide the list of sub-contractors who do need a business license, adding that the City relies on enforcement from the contractor. City Manager Okoro further stated that business license enforcement is tricky with the tools we have available, as many are out of town businesses.

**M/S Newton/Hanna to agendize a discussion regarding the City's business license policy. The motion was carried by the following roll call vote:**

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

**Council Member Bash:**

- Commented on horse trail signs he found and looking for an update.
- Commented on the accident that took place in front of his house and asked about the code in regards to parking. In response, Lt. Hedge stated that he would check into it.
- Requested information a potential update to the City's website that will allow for residents to sign up for the email distribution of a City newsletter. He stated that he would also like to utilize the website for business attraction. In response, City Manager Okoro stated that staff has received a proposal for an upgrade to the City's website and commented on the useful tools it would have. He added that the plan is to include funding for the website upgrade in the mid-year budget update sometime in February. He further noted that in the meantime, a tab can be added on the current City website to include newsworthy information for residents.
- Asked about the status of the name of the Fire Station on Hamner Avenue. In response, Chief Mecham stated that Chief Pemberton is working on this to get the name changed from Corona to Norco.
- Stated that he wants to look at the City's requirements for bid sealing. In response, City Manager Okoro stated that the Municipal Code provides these requirements, adding that before any changes are made, he wants to review the City's history in regards to how many contracts are awarded each year that exceed the \$25,000 threshold.
- **M/S Bash/Higgins to agendize a discussion regarding the Navy WW2 Cold War era and the California Rehabilitation Center's first five years in regards to including these buildings on the register for National Historic Places. The motion did not carry.**

**Substitute M/S Azevedo/Hanna to hold a joint study session with the Historic Preservation Commission to review resources at the Navy and the California Rehabilitation Center. The motion was carried by the following roll call vote:**

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

**Mayor Hanna:**

- Commented on the cash for gold businesses and asked if they were legal. In response, Planning Director King stated that they were granted an extension to come into compliance and he would look into when that expires. Mayor Hanna requested information on this be presented at the next Council meeting as well as the number of Vape stores.

**City Manager Okoro:**

- Provided an update on ADA Advocates and Consultants, who is the entity going around Norco serving "acknowledgement letters" to small businesses. He noted that City staff has received a lot of complaints from businesses regarding this "shakedown", adding that he had a conversation with the company president, who initially said they were advocating for persons with disabilities and were trying to help businesses comply with ADA requirements. A letter was then sent out on December 12<sup>th</sup> to the company reminding them that they need a business license in order to solicit business in the City. City Manager Okoro stated that he called them today to express the City Council's concerns and they backed down a little. They were not willing to tell him if the company had any State registrations to operate. He noted that they are currently not operating under any recognized legal status and without a business license, adding that they are not planning to get one. At this point, City Manager Okoro stated that his advice is that if any business is contacted, not to contact this individual back and not use any of the contractors recommended. City Manager Okoro is working with the Public Entity Risk Management Authority, who the City is a member of, to identify legitimate persons that local businesses can contact.
8. ADJOURNMENT: There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 10:48 p.m.

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BRENDA K. JACOBS, CMC  
CITY CLERK



**RECAP OF ACTIONS TAKEN  
CITY OF NORCO  
PLANNING COMMISSION  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
REGULAR MEETING  
JANUARY 8, 2014**

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CALL TO ORDER: **7:00 p.m.**

ROLL CALL: **Chair Hedges, Vice Chair Leonard, Commission Members Henderson, Hoffman and Jaffarian**

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

PLEDGE OF ALLEGIANCE: **Commission Member Henderson**

1. APPEAL NOTICE: **Read by staff**
2. PUBLIC COMMENTS: **NONE**
3. APPROVAL OF MINUTES:
  - ❖ Minutes of Regular Meeting on November 13, 2013  
Due to a lack of quorum on December 11, 2013, these minutes must be approved.  
**Recommended Action: Approval** (Deputy City Clerk)  
**Action: Approved 3-0-2**
  - ❖ Minutes of Regular Meeting on December 11, 2013  
**Recommended Action: Approval** (Deputy City Clerk)  
**Action: Approved 4-0-1**
4. PUBLIC HEARINGS:
  - 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. **Recommended Action: Approval** (Planning Director) **Recommended approval to the City Council 5-0; this item will be scheduled for a public hearing before the City Council on February 5, 2014.**
5. BUSINESS ITEMS: **NONE**
6. CITY COUNCIL MINUTES: **Received and Filed**
  - City Council Special Meeting Minutes of December 3, 2013
  - City Council Regular Meeting Minutes of December 4, 2013
7. PLANNING COMMISSION:
  - a. Oral Reports from Various Committees: **None**
  - b. Request for Items on Future Agenda: **None**
8. ADJOURNMENT: **7:15 p.m.**

## CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

DATE: January 15, 2014

SUBJECT: Quarterly Investment Report for Quarter Ended December 31, 2013

RECOMMENDATION: Staff recommends that the City Council receive and file the Quarterly Investment Report for the Quarter Ended December 31, 2013.

**SUMMARY:** Staff is recommending that the City Council receive and file the City's quarterly investment report for the quarter ended December 31, 2013. This report has been prepared to meet the requirements of the City's Investment Policy and applicable sections of the State of California Government Code.

**BACKGROUND/ ANALYSIS:** The City's Investment Policy requires the Treasurer to render a quarterly report to the legislative body. The report is to be prepared in accordance with Government Code Section 53646 (b)(1) and should contain detailed information on all securities, investments, and monies of the local agency; a statement of compliance of the portfolio with the Statement of Investment Policy; and a statement of the City's ability to meet its cash flow requirements for the next six months. This report which is for the quarter ended December 31, 2013 meets the requirements of the Investment Policy and Government Code. It covers the City and Successor Agency to the former Norco Redevelopment Agency.

The attached schedules (attachments 1 through 4) have been prepared to meet the detailed requirements of the Government Code and the City's Investment Policy as approved by the Council on May 15, 2013. It is to be noted that the Investment Policy excludes certain investments (bond proceeds) from these requirements. This means that bond proceeds are invested in accordance with the provisions of the bond indentures rather than the provisions of the Investment Policy. Consequently, in determining whether the operating portfolio holdings are in compliance with the Government Code and the approved Investment Policy, investments of bond proceeds have been excluded.

Attachment 1 provides a summary schedule of the City's operating portfolio holdings by type as of December 31, 2013. This summary also provides information on whether or not each investment category complies with the limitations imposed by law and the City's Investment Policy. Investments that are subject to the Statement of Investment Policy are operating/idle funds invested by the Treasurer within the provisions of the approved Investment Policy. During the quarter ended December 31, 2013, the operating portfolio decreased by a net amount of \$0.2 million from \$29.8 million to \$29.6 million due to cash disbursements exceeding cash receipts. The excess of disbursements over receipts is

anticipated during this quarter as revenue receipts during the second quarter of the fiscal year are usually not sufficient to cover expenditures due to the lag in the receipt of property tax, vehicle license fees, sales tax in lieu or electric/gas franchise fee revenues. This trend is expected to reverse in the third quarter of the fiscal year.

Attachment 2 provides a graphical breakdown of the operating portfolio holdings by investment type as of December 31, 2013. This chart is for investments that are subject to the Investment Policy. The operating portfolio consisted of 91.41% investment in the State of California Local Agency Investment Fund (LAIF). The remaining 8.59% comprises of cash and certificates of deposit.

A summary of investments not subject to the provisions of the Investment Policy (bond proceeds and debt service reserve funds) is also shown on Attachment 1. These funds are invested in accordance with applicable bond indenture provisions. During the quarter ended December 31, 2013, bond proceeds and debt service reserve fund portfolio decreased by a net amount of \$0.1 million from \$24.6 million to \$24.5 million due to bond proceeds expenditures for capital projects.

Attachment 3 provides a detailed listing of the City's portfolio holdings as required by the Government Code. In this listing, "N/A" is used to denote that the information is either not available or applicable. The market value of investments in LAIF has been reported to equal cost because the City's investments in the pool are readily liquid and the market value of these investments approximates cost. Agency Securities issued by United States Government Sponsored Entities (GSEs) are rated "AA+" by Moody's rating service and "AAA" by Fitch rating service.

### *CASH FLOWS*

The first half of the fiscal year usually presents a challenging cash flow situation for the General Fund due largely to the lag in the receipt of tax revenues. However, the fiscal condition of the General Fund has improved over the past two years as fund and cash balances have improved. Along with anticipated cash receipts, staff estimates that there will be sufficient cash to cover disbursements for the City and Successor Agency for the next six months ending June 30, 2014.

FINANCIAL IMPACT: Not Applicable.

J:AO/Council Reports/Staff Reports/2014

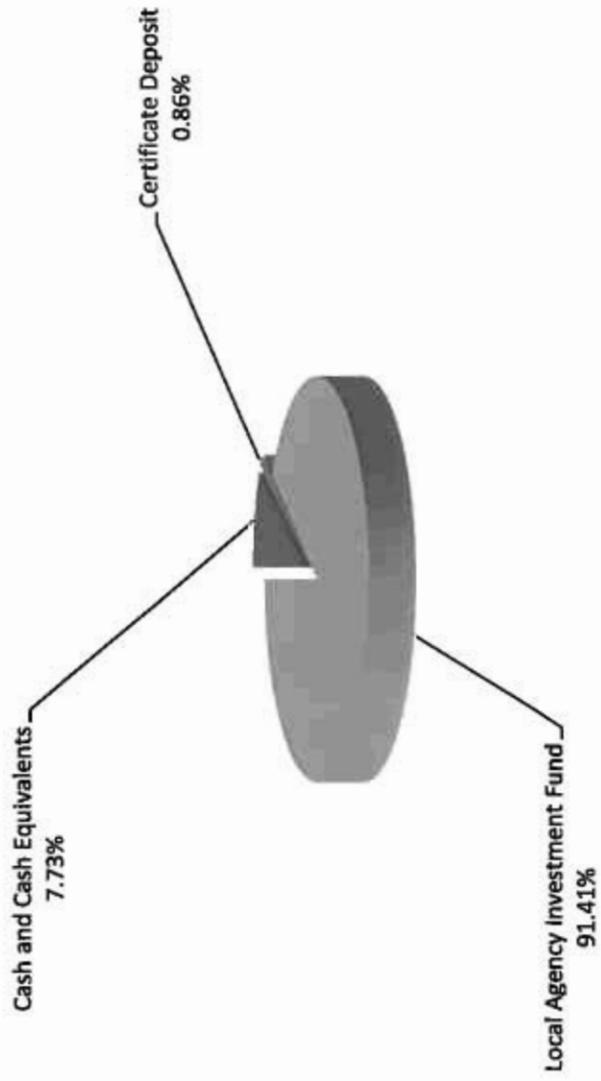
- Attachments: 1) Portfolio Summary  
2) Summary Graph  
3) Portfolio Details – "Investments Not Subject..."  
4) Certification Form

**City of Norco, California**  
**Portfolio Summary**  
**As of December 31, 2013**

<u>City Investments Subject to Investment Policy</u>	<u>Market Value</u>	<u>Percentage</u>	<u>Policy Maximum</u>	<u>Compliance</u>
Cash and Cash Equivalents	\$ 2,284,411	7.73%	15.00%	In Compliance
Certificate Deposit	253,778	0.86%	30.00%	In Compliance
Local Agency Investment Fund	27,023,869	91.41%	\$50.0 Million	In Compliance
<b>Total</b>	<b>\$ 29,562,058</b>	<b>100.00%</b>		

<u>City Investments Not Subject to Investment Policy</u>	<u>Market Value</u>	<u>Percentage</u>
Community Facilities Districts	\$ 2,397,735	9.77%
Sewer and Water System	9,564,230	38.98%
Refunding Tax Allocation Bonds	12,576,392	51.25%
<b>Total</b>	<b>\$ 24,538,357</b>	<b>100.00%</b>

**Summary of City Portfolio  
(Investments Subject to Investment Policy)  
As of December 31, 2013**



City of Norco, California  
 Portfolio Details  
 As of December 31, 2013  
 Investments Subject to Policy

Cash & Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Checking Accounts	Wells Fargo	N/A	N/A	0.00%	N/A	2,284,411	2,284,411
			<b>Subtotal</b>	<b>Wells Fargo</b>					<b>2,284,411</b>	<b>2,284,411</b>
4/20/2013	4/20/2014	2329958022	Certificate Deposit	Citizen Business Bk	N/A	0.40%	Various	N/A	101,733	101,733
6/17/2013	2/25/2014	2329958065	Certificate Deposit	Citizen Business Bk	N/A	0.25%	Various	N/A	152,045	152,045
			<b>Subtotal</b>	<b>Wells Fargo</b>					<b>253,778.23</b>	<b>253,778</b>
<b>Local Agency Investment Fund</b>										
Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund	State of California	N/A	N/A	N/A	N/A	27,023,869	27,023,869
			<b>Subtotal</b>						<b>27,023,869</b>	<b>27,023,869</b>
<b>Total Investments Subject to Policy</b>									<b>29,562,058</b>	<b>29,562,058</b>

City of Norco, California  
 Portfolio Details  
 As of December 31, 2013  
**Investments Not Subject to Policy (Bond Proceeds)**  
**Community Facilities Districts**

Cash and Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	U.S. Bank N.A. Open, Commercial Paper	791884004 US Bank	N/A	N/A	0.00%	N/A	2,585	2,585
N/A	N/A	N/A	First American Government Obligation	794148000 US Bank	N/A	N/A	0.00%	N/A	3	3
N/A	N/A	N/A	First American Government Obligation	794148002 US Bank	N/A	N/A	0.01%	N/A	478	476
			<b>Subtotal</b>						<b>3,066</b>	<b>3,066</b>

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund (CFD 93-1 and 2002-1)	State of California	N/A	N/A	N/A	N/A	161,432	161,432
			<b>Subtotal</b>						<b>161,432</b>	<b>161,432</b>

U.S. and Agency Securities

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
7/17/2012	7/17/2017 (1)	3136GOSH5	F N M A M T N Step Up Coupon	794148002 US Bank	AAA*	1.00%	1.00%	1,727,000	1,727,000	1,717,329
12/27/2013	12/27/2018 (3)	3134G4RC4	F H L M C M T N Step Up Coupon	791884004 US Bank	AAA*	1.15%	1.16%	520,000	520,000	515,908
			<b>Subtotal</b>					<b>2,247,000</b>	<b>2,247,000</b>	<b>2,233,236</b>
			<b>Total Community Facilities Districts</b>						<b>2,411,498</b>	<b>2,397,735</b>

**Investments Not Subject to Policy (Bond Proceeds)**  
**Sewer and Water System**

Cash and Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	U.S. Bank N.A. Open, Commercial Paper	130584004 US Bank	N/A	N/A	0.00%	N/A	5,042,587	5,042,587
			<b>Subtotal</b>						<b>5,042,587</b>	<b>5,042,587</b>

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund (Sewer/Water)	2009 State of California	N/A	N/A	N/A	N/A	47,976	47,976
			<b>Subtotal</b>						<b>47,976</b>	<b>47,976</b>

City of Norco, California  
 Portfolio Details  
 As of December 31, 2013

U.S. and Agency Securities

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
7/17/2012	7/17/2017 (1)	3136G0SH5	F N M A M T N Step Up Coupon	130584001 US Bank	AAA*	1.00%	1.00%	1,488,000	1,488,000	1,479,667
12/27/2013	12/27/2016 (2)	3134G4QU5	F H L M C M T N Step Up Coupon	130584004 US Bank	AAA*	0.45%	0.45%	3,000,000	3,000,000	2,994,000
			<b>Subtotal</b>					<b>4,488,000</b>	<b>4,488,000</b>	<b>4,473,667</b>

Total Sewer and Water System

9,578,563 9,564,230

Investments Not Subject to Policy (Bond Proceeds)  
 Refunding Tax Allocation Bonds

Cash & Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	First American Government Obligation	94432430 US Bank	N/A	N/A	0.00%	N/A	1	1
N/A	N/A	N/A	First American Government Obligation	94432431 US Bank	N/A	N/A	0.01%	N/A	62,402	62,402
N/A	N/A	N/A	First American Government Obligation	94432432 US Bank	N/A	N/A	0.00%	N/A	2	2
N/A	N/A	N/A	U.S. Bank N.A. Open, Commercial Paper	94432435 US Bank	N/A	N/A	0.00%	N/A	143	143
N/A	N/A	N/A	First American Government Obligation	94432440 US Bank	N/A	N/A	0.01%	N/A	8,904	8,904
N/A	N/A	N/A	First American Treasury Obligations	94432441 US Bank	N/A	N/A	0.01%	N/A	149	149
N/A	N/A	N/A	U.S. Bank N.A. Open, Commercial Paper	94432445 US Bank	N/A	N/A	0.00%	N/A	319	319
N/A	N/A	N/A	U.S. Bank N.A. Open, Commercial Paper	94662507 US Bank	N/A	N/A	0.00%	N/A	1,668,375	1,668,375
N/A	N/A	N/A	First American Government Obligation	94662507 US Bank	N/A	N/A	0.01%	N/A	938	938
N/A	N/A	N/A	First American Government Obligation	787891000 US Bank	N/A	N/A	0.01%	N/A	278	278
N/A	N/A	N/A	First American Government Obligation	787891001 US Bank	N/A	N/A	0.01%	N/A	12,385	12,385
N/A	N/A	N/A	First American Government Obligation	787891004 US Bank	N/A	N/A	0.01%	N/A	1,381	1,381
N/A	N/A	N/A	First American Government Obligation	792126000 US Bank	N/A	N/A	0.00%	N/A	2	2
N/A	N/A	N/A	First American Government Obligation	792126001 US Bank	N/A	N/A	0.00%	N/A	1	1
N/A	N/A	N/A	First American Government Obligation	792126003 US Bank	N/A	N/A	0.01%	N/A	2,543	2,543
N/A	N/A	N/A	First American Government Obligation	792126004 US Bank	N/A	N/A	0.01%	N/A	1,504	1,504
N/A	N/A	N/A	First American Government Obligation	129543000 US Bank	N/A	N/A	0.01%	N/A	3,573	3,573
N/A	N/A	N/A	First American Government Obligation	129543001 US Bank	N/A	N/A	0.00%	N/A	2	2
N/A	N/A	N/A	First American Government Obligation	129543002 US Bank	N/A	N/A	0.00%	N/A	1	1
N/A	N/A	N/A	U.S. Bank N.A. Open, Commercial Paper	129543003 US Bank	N/A	N/A	0.00%	N/A	984,329	984,329
N/A	N/A	N/A	US Bank Money Market	140828001 US Bank	N/A	N/A	0.00%	N/A	10	10
N/A	N/A	N/A	US Bank Money Market	140828004 US Bank	N/A	N/A	0.03%	N/A	7,367	7,367
N/A	N/A	N/A	US Bank Money Market	140828005 US Bank	N/A	N/A	0.00%	N/A	12	12
			<b>Subtotal</b>					<b>2,754,622</b>	<b>2,754,622</b>	<b>2,754,622</b>

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund	2010 TABs State of California	N/A	N/A	N/A	N/A	22,630	22,630
N/A	N/A	N/A	Local Agency Investment Fund	2003 TABs State of California	N/A	N/A	N/A	N/A	49,276	49,276
			<b>Subtotal</b>					<b>71,906</b>	<b>71,906</b>	<b>71,906</b>

City of Norco, California  
Portfolio Details  
As of December 31, 2013

U.S. and Agency Securities

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
12/27/2013	12/27/2018 (3)	3134G4RC4	F H L M C M T N Step Up Coupon	792126003 US Bank	AAA*	1.200%	1.16%	1,555,000	1,555,000	1,542,762
7/27/2012	7/17/2017 (1)	3136G0SH5	F N M A M T N Step Up Coupon	140828004 US Bank	AAA*	1.000%	1.00%	1,473,000	1,473,000	1,464,751
12/16/2013	9/12/2014	3130A0GJ3	Federal Home Loan Bks	94662507 US Bank	AAA*	0.150%	0.15%	2,000,000	2,000,400	1,999,800
12/16/2013	12/31/2014	912828UD0	U S Treasury Note	94662507 US Bank	AAA*	0.125%	0.13%	1,500,000	1,500,000	1,499,535
			<b>Subtotal</b>					<b>6,528,000</b>	<b>6,528,400</b>	<b>6,506,848</b>

Investment Agreements

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	3/1/2030	N/A	Guaranteed Investment Contract	94432433 US Bank	N/A	N/A	5.71%	N/A	2,161,566	2,161,566
N/A	3/1/2030	N/A	Guaranteed Investment Contract	94432443 US Bank	N/A	N/A	5.16%	N/A	347,000	347,000
N/A	2/27/2015	N/A	Guaranteed Investment Contract	787891003 US Bank	N/A	N/A	3.41%	N/A	734,450	734,450
			<b>Subtotal</b>					<b>3,243,016</b>	<b>3,243,016</b>	<b>3,243,016</b>
			<b>Total Refunding Tax Allocation Bonds</b>					<b>12,597,944</b>	<b>12,597,944</b>	<b>12,576,392</b>
			<i>Total Investments Not Subject to Policy</i>					<b>24,588,005</b>	<b>24,538,357</b>	

\* On August 5, 2011 S&P Lowered US Debt Rating to AA+, Fitch and Moody's Ratings are Still AAA

- 1) Step up rates: 0.50% to 7/17/13, 1.00% to 7/17/14, 1.25% to 7/17/15, 1.5% to 7/17/16, and 2.0% to 7/17/17.
- 2) Step up rates: .45% to 6/27/14, .55% to 12/27/14, .625% to 6/27/15, .75% to 12/27/15, 1.25% to 6/27/16, 2.00% to 12/27/16.
- 3) Step up rates: 1.15% to 12/27/15 and 2.5% to 12/27/18.

**Attachment 4**

**Quarterly Investment Portfolio**

**For the Quarter Ended December 31, 2013**

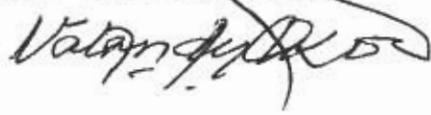
As required by the Government Code, the Treasurer certifies that the investments reported in the accompanying schedules (Attachments 1 through 3) comply with the City of Norco Investment Policy and that sufficient liquidity along with anticipated revenues are available to meet the City and Successor Agency budgeted expenditure requirements for the next six months ending June 30, 2014.

A handwritten signature in black ink, appearing to read "Andy Okoro", written over a horizontal line.

Andy Okoro, City Manager/City Treasurer

## CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

DATE: January 15, 2014

SUBJECT: Report on Fiscal Year 2013 Audited Financial Reports

RECOMMENDATION: Staff recommends that the City Council receive and file the Fiscal Year 2013 Audited Financial Reports.

**SUMMARY:** Staff recommends that the City Council receive and file the City's Comprehensive Annual Financial Report (CAFR) and other related reports for the fiscal year-ended June 30, 2013. The audited reports received an unqualified/clean opinion from the City's independent auditors.

**BACKGROUND/ANALYSIS:** The City's independent auditors, Rogers, Anderson, Malody & Scott, LLP, have completed the year-end annual independent audit of City funds and accounts for fiscal year 2012/2013. The City's annual financial reports were prepared in accordance with Generally Accepted Accounting Principles (GAAP) and comply with other rules and regulations applicable to government entities. Transmitted herewith for City Council's information are the following financial and related reports for the fiscal year ended June 30, 2013:

1. Comprehensive Annual Financial Report
2. Required Independent Auditors' Communication to the City Council
3. Auditors' Report on Appropriations Limit Calculation
4. Auditors' Report on Internal Control over financial Reporting and on Compliance

These reports are presented in the same format as last year's. Staff is recommending that City Council receive and file the report. In October 2013, staff presented a similar unaudited budget to actual report covering all the operating Funds of the City. It is to be noted that the Independent Auditors' Communication to the City Council do not contain any findings of grants violations, inappropriate application of accounting guidelines and rules or disagreements between management and the independent auditors.

FISCAL IMPACT: None

Attachments: Items 1 - 4

**Agenda Item 2. E.**





ROGERS, ANDERSON, MALODY & SCOTT, LLP  
CERTIFIED PUBLIC ACCOUNTANTS, SINCE 1948

735 E. Carnegie Dr. Suite 100  
San Bernardino, CA 92408  
909 889 0871 T  
909 889 5361 F  
ramscca.net

December 18, 2013

**PARTNERS**

BRANDY L. CHEN, CPA, MST  
TERRY P. SIKES, CPA  
KIM A. THURAS, CPA  
TIMOTHY S. WILSON, CPA, MBA, CGMA  
SCOTT W. MALODY, CPA, CGMA  
LINDA SHANDEL, CPA, MST, CGMA  
DAVID H. FURCION, CPA, Partner Emeritus  
PHILIP D. MALODY, CPA, Partner Emeritus

**MANAGERS/STAFF**

ANDREW CRABBE, CPA, MBA  
BRYAN D. WOODRUP, CPA, MBA  
TERRY LEE, CPA, MST  
CHRISTOPHER BROWN, CPA, MBA  
DAVID S. WILSON, CPA, MBA  
RICHARD M. MALODY, CPA  
WALTER MALODY, CPA, MBA  
CHRISTOPHER BROWN, CPA  
SCOTT FINE, CPA  
DANIEL J. TAYLOR, CPA, MBA  
THOMAS J. BROWN, CPA, MST  
DANIEL D. HORNBERG, CPA

To the Honorable City Council  
City of Norco  
Norco, California

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Norco, California (the City) for the year ended June 30, 2013. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated April 23, 2013. Professional standards also require that we communicate to you the following information related to our audit.

**Significant Audit Findings**

*Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Norco are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the fiscal year 2013. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City's financial statements were:

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California CPA Alliance  
California CPAs  
California Certified Audit  
Quality Center  
California Society of  
Certified Public Accountants

*- Management's estimate of the Pension and OPEB liabilities are based on actuarial reports. We evaluated the key factors and assumptions used to develop the Pension and OPEB liabilities in determining that they are reasonable in relation to the financial statements taken as a whole.*

*- Management's estimate of the Depreciation Expense and Accumulated Depreciation are based on the allocation of capital asset costs over the estimated useful life of the assets. We evaluated the key factors and assumptions used to develop the Depreciation Expense and Accumulated Depreciation in determining that they are reasonable in relation to the financial statements taken as a whole. We also evaluated the useful lives of assets employed by the City, and they appeared reasonable based on the asset classes in service.*

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was:

*- The disclosure of Pension and OPEB obligations in Notes 5 and 11 to the financial statements. The City is part of a cost sharing risk pool for retirement benefits and actual future liabilities will vary from estimates.*

#### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

#### *Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

#### *Disagreements with Management*

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have requested certain representations from management that are included in the management representation letter dated December 18, 2013.

*Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of City Council and management of the City of Norco and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

*Rogers Anderson Maloney & Scott, LLP*





ROGERS, ANDERSON, MALODY & SCOTT, LLP  
 CERTIFIED PUBLIC ACCOUNTANTS, SINCE 1948

735 E. Carnegie Dr. Suite 100  
 San Bernardino, CA 92408  
 909 889 0871 T  
 909 889 5361 F  
 ramscpa.net

To the Honorable City Council  
 City of Norco  
 Norco, California

**INDEPENDENT ACCOUNTANT'S REPORT ON AGREED-UPON PROCEDURES APPLIED TO APPROPRIATIONS LIMIT WORKSHEETS**

**PARTNERS**

Brandon J. Coble, CPA, CFF  
 Terry P. Sledge, CPA  
 Krista A. Francis, CPA  
 Matthew B. Walker, CPA, MSA, CGMA  
 Scott W. Munn, CPA, CGMA  
 Leona Sharnoff, CPA, NSF, CMA  
 Jay H. Zerkow, CPA, Tax and Emotions  
 Phillip H. Gaudin, CPA, Public Director

**MANAGERS/STAFF**

Nancy O'Halloran, CIA, FIDP  
 Elizabeth J. Whelan, CPA, MBA  
 Joseph Kim, CPA, FBE  
 Dana Moran, CPA, CMA, CGMA  
 Matt S. Nappala, CPA, FBE  
 David B. Murray, CPA  
 Steven E. Hays, CPA, CFF  
 Charles L. Korman, CPA  
 Yvonne Bone, CPA  
 Dawn M. Tamm, CPA, FBE  
 Jeffrey B. Brack, CPA, FBE  
 David D. Howland, CPA

We have performed the procedures enumerated below to the accompanying Appropriations Limit worksheet of the City of Norco, California (the City) for the year ended June 30, 2013. These procedures, which were agreed to by the City and the League of California Cities (as presented in the publication entitled *Agreed-upon Procedures Applied to the Appropriations Limitation Prescribed by Article XIII B of the California Constitution*), were performed solely to assist the City in meeting the requirements of Section 1.5 of Article XIII B of the California Constitution. The City's management is responsible for the Appropriations Limit worksheet. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below, either for the purpose for which this report has been requested, or for any other purpose.

The procedures performed and our findings were as follows:

1. We obtained the completed worksheets and compared the limit and annual adjustment factors included in those worksheets to the limit and annual adjustment factors that were adopted by resolution of the City Council. We also compared the population and inflation options included in the aforementioned documents to those that were selected by a recorded vote of the City Council.

Finding: No exceptions were noted as a result of our procedures.

2. For the accompanying Appropriations Limit worksheet, we added last year's limit to total adjustments and agreed the resulting amount to this year's limit.

Finding: No exceptions were noted as a result of our procedures.

3. We agreed the current year information presented in the accompanying Appropriations Limit worksheet to the other documents referenced in #1 above.

Finding: No exceptions were noted as a result of our procedures.

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California CPA Alliance  
 California CPAs

California Central Audit  
 Council, Inc.

California Society of  
 Certified Public Accountants

4. We agreed the prior year appropriations limit presented in the accompanying Appropriations Limit worksheet to the prior year appropriations limit adopted by the City Council during the prior year.

Finding: No exceptions were noted as a result of our procedures.

We were not engaged to, and did not, perform an examination, the objective of which would be the expression of an opinion on the accompanying Appropriations Limit worksheet. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you. No procedures have been performed with respect to the determination of the appropriation limit for the base year, as defined by the League publication entitled *Article XIII B of the California Constitution*.

This report is intended solely for the use of the City Council and management of the City and is not intended to be, and should not be, used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

*Rogers Anderson Melody & Scott, LLP*

December 18, 2013

**CITY OF NORCO  
APPROPRIATIONS LIMIT COMPUTATION  
2012 - 2013**

	<u>2012-2013</u>
Per Capita Personal Income Change	3.77%
Population Change City Population Growth	0.78%
CPI Change Converted to a Ratio	1.0377
Population Change Converted to a Ratio	1.0078
Calculation of Growth Factor	1.0458
2011 - 2012 Limit	<u>\$ 32,200,860</u>
2012 - 2013 Appropriations Limit	<u>\$ 33,675,659</u>





ROGERS, ANDERSON, MALODY & SCOTT, LLP  
 CERTIFIED PUBLIC ACCOUNTANTS SINCE 1948

725 E. Carnegie Dr. Suite 100  
 San Bernardino, CA 92408  
 909 889 0871 T  
 909 889 5361 F  
 ramscpa.net

**PARTNERS**  
 William C. Anderson, CPA, CFF, CISA  
 Frank P. Salsburg, CPA  
 Kim A. Eppley, CPA  
 Theresa B. Walker, CPA, MBA, CGFM  
 Scott W. Malody, CPA, CGFM  
 Susan Brinkman, CPA, MST, CCFP  
 Kelly A. Ziegler, CPA, Fdn. CMAA  
 Phillip H. White, CPA, Public Trustee

**MANAGERIAL STAFF**  
 Lisa A. Breen, CPA, MBA  
 Jennifer L. Breen, CPA, MBA  
 David J. Breen, CPA, MBA  
 Elizabeth A. Breen, CPA, MBA  
 David J. Breen, CPA, MBA

**MEMBER STAFF**  
 Jennifer L. Breen, CPA, MBA  
 David J. Breen, CPA, MBA

To the Honorable City Council  
 City of Norco  
 Norco, California

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING  
 AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN  
 AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
 ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Norco, California, as of and for the year ended June 30, 2013, which collectively comprise the City of Norco, California basic financial statements and have issued our report thereon dated December 18, 2013. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the City of Norco's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Norco's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the City of Norco's internal control over financial reporting.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section, and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Norco's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

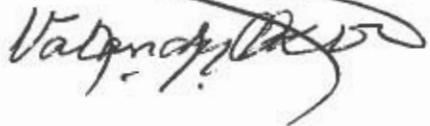
This report is intended solely for the information and use of management, City Council, others within the entity, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

*Rogers Anderson Maloney & Scott, LLP*

December 18, 2013

## CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

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

DATE: January 15, 2014

SUBJECT: Acceptance of the Corydon Staging Area Restroom Project as Complete

RECOMMENDATION: Accept the Corydon Staging Restroom Project as complete and authorize the City Clerk to file a Notice of Completion with the County Clerk's Office.

**SUMMARY:** The Corydon Staging Area Restroom Project has been completed and staff is requesting that the Council accept the Project as complete.

**BACKGROUND/ANALYSIS:** On July 17, 2013, the Council awarded a contract for the Corydon Staging Area Restroom Project to Crown Contracting, Inc. in the amount of \$85,517 with a 10% contingency.

Crown Contracting, Inc. completed their scope of work for the project at a total cost of \$85,517. The work has been inspected by the Parks and Recreation Department and the City Building and Safety Inspector and found to be in full conformance with the plans and specifications on the contract document.

**FINANCIAL IMPACT:** N/A

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## **CITY OF NORCO STAFF REPORT**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Andy Okoro, City Manager

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

**DATE:** January 15, 2014

**SUBJECT:** Approval of a Five-Year Lease Agreement with the Norco Horsemen's Association

**RECOMMENDATION:** Approve a five-year Lease Agreement with Norco Horsemen's Association for the use of Nellie Weaver Hall for its annual Casino Night

**SUMMARY:** The Norco Horsemen's Association (NHA) has conducted an annual fund raising Casino Night for the past seventeen years at Nellie Weaver Hall in the City of Norco. NHA's current five-year agreement will soon expire and the organization is asking for a new five-year Lease Agreement to conduct this annual event.

**BACKGROUND/ANALYSIS:** The NHA has held an annual "Casino Night" for the past seventeen years at Nellie Weaver Hall in the City of Norco. The existing Lease Agreement with the City will expire in February of 2014. The NHA is requesting to enter into a new facility Lease Agreement for five (5) years for the use of Nellie Weaver Hall for its annual Casino Night, which has been traditionally held in March or April of each year.

The NHA has requested that the City Council consider a five-year Lease Agreement for the use of Nellie Weaver Hall (Exhibit "A"), with facility fees to be waived through the event year 2018. The NHA is further requesting that the City Council consider waiving all fees, except direct costs associated with the event which NHA is willing to pay.

All proceeds generated by the NHA for Casino Night are put back into the community. Since the organizations inception in 1991, NHA has raised over \$230,000 which they have used to provide scholarships for Norco High School Future Farmers of America (FFA) and contributed to other various community organizations (Exhibit "B").

The terms of the proposed Lease Agreement outline the conditions for use and are in line with the previous Lease Agreement. The Lease Agreement also includes direct staff costs associated with the event and waives all facility rental fees.

**FINANCIAL IMPACT:** The NHA has traditionally received a waiver of fees for use of Nellie Weaver Hall for its annual Casino Night fund raiser and has paid for direct staff costs associated with janitorial, security, staff, materials and supplies.

The City's current fee structure for full rental use of the Nellie Weaver for this event is \$3,522; which includes security contract services, contract janitorial services and a refundable deposit. Support direct facility costs proposed for this event to be paid, not including deposits, is \$1,433 (to be adjusted annually by CPI). All other costs are direct City costs, or contractual in nature, and related to the event. These fess will be billed to NHA after the conclusion of the event.

Attached: Exhibit "A" Five Year Lease Agreement  
Exhibit "B" NHA Contribution List

**CITY OF NORCO  
PARKS, RECREATION AND COMMUNITY SERVICES  
LEASE AGREEMENT**

**THIS INDENTURE OF LEASE** is made and entered into on the 15<sup>th</sup> day of January, 2014, as set forth below, by and between the **CITY OF NORCO**, a municipal corporation of the State of California, hereinafter called "LESSOR," and the **NORCO HORSEMEN'S ASSOCIATION** of the City of Norco, a non-profit California Corporation, hereinafter called "LESSEE".

**WITNESSETH:**

Lessor, subject to the covenants and agreement hereinafter contained by the Lessee to be kept and performed, demises, leases and lets unto said Lessee and Lessee does lease from Lessor those certain premises in the City of Norco, County of Riverside, State of California, described as follows:

The real property known as "Nellie Weaver Hall", shall include

- Nellie Weaver Hall
- Parking Lot No. 2
- Parking within the Nellie Weaver Hall grounds

Said facilities shall have and to hold unto said Lessee on the following terms and conditions:

**1. TERMS**

This Lease covers a five year period from January, 2014 – December 31, 2018. Terms and conditions of the lease will be reviewed by Lessor and Lessee annually 120 days prior to each annual event use.

The event use for Nellie Weaver Hall shall be for a period of one day, with a maximum preparation of one day prior to Norco Horsemen's Casino Night. Post clean up will include removal of all equipment, trash, and debris and the facility to be cleaned to the standard and expectation of the Lessor. The event will be held on the second Saturday of (March) each year (exception for year 2014 event will be held the third Saturday), or as the date is mutually agreed upon by both parties. Said removal to be completed by noon of the following day or the Lessor will remove all equipment, trash and debris, at the sole expense of the Lessee.

Lessee will have full control of Nellie Weaver Hall and adjacent parking lots as described above (shown in Exhibit "A"). Lessee will direct the parking of vehicles during the event. Lessee recognizes that Nellie Weaver Hall is a publicly owned facility and, subject to Lessee's admission charges and reasonable rules governing conduct upon admission, may not refuse admission to any member of the public at large.

## 2. LESSEE'S CONSIDERATION

The Lessee agrees to pay the Lessor the amount of direct staff costs associated with the event. Concession rates and alcohol service rates shall not exceed \$200 if net bar revenues including tip jar, exceeds \$5,000. Lessee shall place with Lessor a refundable security damage deposit of \$750, 120 days prior to each event year. Providing no damage or extraordinary cost beyond the agreed conditions associated with lease use, a full deposit, not withstanding costs, will be refunded with-in 45 days of the final walk through of the facility with Lessor.

## 3. PURPOSE

Lessee shall have sole control of Nellie Weaver Hall for the term of this Lease and may use said premises solely for the purpose of conducting the Norco Horsemen's Association Casino Night, to include entertainment for people aged 21 and over. Eating and beverage concessions are a part of the Casino activity. Alcoholic beverages may be sold or allowed to be consumed with appropriate Alcohol Beverage Control (ABC) and Sheriff's permits on said premises during the term of this Lease.

## 4. INDEMNIFICATION AND INSURANCE FOR LIABILITY

Lessee agrees and covenants that as part of its consideration to Lessor for leasing said premises it shall hold and save Lessor and Lessor's officers, agents, City Council Members, City employees and Riverside County Sheriff's Department personnel free, clear, and harmless from any and all demands, claims, actions, causes of action by any person or persons whosoever, loss, cost or damage that may arise out of or in connection with Lessee's sponsorship of said Norco Horsemen's Association Casino Night and/or use of the aforementioned premises by Lessee, its officers, agents and employees or any other person during the term of this Lease.

Lessee further agrees to deliver to Lessor upon the execution of this Lease two executed copies of a continuing Commercial General Liability Insurance Policy, satisfactory to Lessor indemnifying and holding Lessor, its officers, agents, City Council Members, City employees and Riverside County Sheriff's Department personnel harmless against any and all claims, in an amount as stated below:

General Aggregate	\$2,000,000
Products-Completed Operation Aggregate	\$1,000,000
Personal & Advertising Injury	\$1,000,000
Each Occurrence	\$1,000,000
Liquor Liability	\$1,000,000

This coverage may be provided under one policy or a combination of several policies including excess or an umbrella policy, and shall keep the same in full effect

and force during the term of this Lease.

#### 5. LIABILITY FOR INJURIES TO PERSONAL PROPERTY

Lessor shall not be liable to Lessee or Lessee's officers, agents, employees, members, guests, vendors or concessionaires for any damage caused to his or their persons or property by water, rain, fire storms and accidents, or by breakage, stoppage, or leakage of water, gas, heating and sewer pipes or plumbing upon, about or adjacent to said premises.

#### 6. LIABILITY FOR PROPERTY DAMAGE TO LESSOR'S FACILITIES

Lessee agrees to pay for any and all damages caused to any facilities, buildings, structures and improvements of Lessor on said described property, if said damages are a direct result of Lessee's use of the described premises during the lease term. Said payment shall be made within 30 days after receipt from Lessor of an itemized invoice delineating the damage and cost to repair such.

#### 7. REPAIRS AND MAINTENANCE

Lessee represents that it has inspected and examined the premises and accepts them in their present condition as of the effective date of the term of this lease contingent upon a re-inspection and acceptance to be conducted prior to the annual event term. Lessor agrees that all electrical, plumbing and drainage facilities will be in complete operating condition to allow full utilization of said premises. Lessee agrees that Lessor shall not be required to make any improvements whatsoever in or upon the premises hereby demised or any part thereof. Lessor agrees to make any repairs deemed necessary to place the facility in a safe operating condition prior to the start of the annual event term. Lessee agrees to make all necessary repairs to said premises during its permitted use, if repairs are a direct result of the event. Lessee further agrees to keep said premises safe and in good condition and order at all times during the annual event term and at the end of each annual event term or at any sooner termination thereof, the Lessee will quit and surrender possession of said premises quietly and peaceably and in as good order and condition as the same at the commencement hereof, reasonable wear, tear and damage by the elements excepted. Lessee further agrees to keep said premises free from all nuisance and dangerous and defective conditions.

Lessee further covenants and agrees to keep at its own expense any and all building grounds and structures clean and free of garbage, refuse and debris. Said cleaning operations shall be properly supervised and subject to the continuing approval of Lessor.

Lessee will furnish on an on-call basis, during the annual event term of Norco Horsemen's Association, a licensed electrician and plumber to handle any electrical or plumbing problems that may arise as a direct result of the Lessee use. At no time will any major changes be made with regard to electrical and plumbing

implementation without approval of the Parks, Recreation and Community Services Director. The City will provide the Lessee a list approved contractors and phone numbers.

Lessee will be responsible for the supervision of all cleaning of the facilities which includes Nellie Weaver Hall, parking lots, surrounding streets, and grounds in and around Nellie Weaver Hall. Upon Lessee's failure to return the facilities within Ingalls Park and surrounding grounds and streets back to an acceptable standard, the Lessor shall correct all areas at the sole cost and expense of the Lessee.

#### 8. SANITATION FACILITIES

Lessee agrees to maintain and keep clean no less than Health Department Standards all sanitation facilities at Nellie Weaver Hall, during the term of this lease. City staff shall have the discretion to require additional portable toilets if needed for the health and safety and welfare of the public. The particular location of each toilet shall be determined by Lessee. Lessee further agrees to keep at its own expense, said toilets and those sanitation facilities provided by the Lessor and Lessee clean and continually operational and properly maintained. Upon Lessee's failure to return facilities back to an acceptable standard by Lessee, the Lessor shall correct all areas at the sole cost and expense of the Lessee.

#### 9. IMPROVEMENTS

Lessee may, subject to prior written approval of Lessor (Director, Department of Parks, Recreation and Community Services), at Lessee's sole cost and expense, make such changes, temporary alteration or improvements as may be necessary to fit said premises for the purpose stated herein. Improvements of every kind and nature, wherever installed by Lessee, shall remain the property of Lessee, who shall remove the same upon the termination after use, provided that such removal shall be done in such a manner as not to injure or damage the demised premises and provided, further, that should Lessee fail to remove said improvements as above provided, Lessor, at its option, may require Lessee to remove the same. In the event that said Lessee shall fail to remove said improvements after receipt of Notice from Lessor, Lessor may remove the same and dispose of the same as it sees fit, as it shall become the property of the Lessor after notice. Lessee agrees that should Lessor remove said improvements as above provided, that Lessee will pay Lessor upon demand the cost of such removal, plus the cost of transportation and disposition thereof.

#### 10. ALCOHOLIC BEVERAGE CONCESSION

All alcoholic beverage concession must be operated following the ABC Guidelines. The following conditions must be met:

- A. At least one representative from the Lessee will be available to check identification cards from those attempting to purchase or in

possession of alcoholic beverages. An additional security person or Sheriff Officer will be made available for this purpose if demand exists.

- B. The Sheriff's Department force, if required, will be increased at the discretion of the Sheriff's Department upon consultation with the Executive Board Members of the Norco Horseman's Association in non-emergency situations.

#### 11. PROHIBITION AS TO ASSIGNMENT AND SUB LEASING

Neither the demised premises nor any portion thereof shall be sublet, nor shall this Lease, or any interest therein, be assigned, hypothecated or mortgaged by Lessee and any such attempt shall be of no force or effect and shall confer no rights upon any assignee, sub-Lessee, mortgagee or pledge.

- A. Exception, for temporary assignment of Lessees, concessionaires or vendors
- B. Lessees, concessionaires or vendors must possess a current City of Norco "Special Event" business license.

#### 12. COMPLIANCE WITH THE LAW

Lessee shall comply with all federal, state and local laws, policies and ordinances pertaining to the operations and activity to be conducted upon said described premises by Lessee and shall not commit or allow violation of any law or ordinance on said premises.

#### 13. HEALTH DEPARTMENT

Lessor requires Lessee and its vendors or concessioners serving food, preparing food, or catering to obtain or have an environmental health permit to sell food and or serve food or drinks with-in any City of Norco facility.

#### 13. SECURITY SERVICE/POLICE PROTECTION

Lessee shall provide at its own expense security levels of service as Lessor deems necessary to protect persons using the demised premises and the structures and improvements on said premises. Lessee is required by February each year thereafter through the term of the agreement, to provide the Lessor's designated representative a security plan, which the Riverside Sheriff's Department will review and approve prior to use.

#### 14. FIRE PROTECTION

Lessee shall provide by February of each year to Lessor's designated representative a floor plan for review by the City's Fire Department for approval and

if necessary shall call for an inspection the day of each event through the term of the lease.

#### 15. INSPECTION BY LESSOR

Lessor's duly authorized representatives shall have the right at all times to inspect said demised premises to determine whether or not the provisions of the Lease are being complied with by Lessee.

#### 16. RETURN OF PREMISES

Lessee shall return to City the said described premises and all structures and improvements thereon in the same condition as they were at the time of the execution of this Lease, normal wear and tear excepted. A **mandatory** Pre-Casino Night Walk-through must take place before the Lessee takes possession of the facility along with a **mandatory** Post Casino Night Walk-through taking place prior to the Lessee returning the facility to the Lessor.

#### 18. TERMINATION BY LESSOR

Lessor may terminate this Lease at any time should it be determined by the City Council that the public peace, health, safety and welfare of the citizens of Norco requires cancellation by serving upon Lessee in the manner hereinafter provided, a written notice to terminate, which notice shall be served at least 24 hours prior to the date for termination.

#### 19. DEFAULT

In the event that Lessee shall be in default or fail to perform any of the terms or conditions herein agreed to be kept and performed by the Lessee. Lessor may terminate and end this Lease forthwith and Lessor may enter upon said premises and remove all persons and property therefrom. Lessee shall not be entitled to any money paid to include security damage deposits hereunder or any part thereof.

#### 20. WAIVER

Waiver by Lessor of any default in performance by Lessee of any of the terms, covenants or conditions contained herein, shall not be deemed a continuing waiver of the same or any subsequent default herein.

#### 21. ATTORNEY'S FEES

Should either party bring any legal action for the purposes of protecting or enforcing its rights under this Lease, the prevailing party shall recover in addition to all other relief, its reasonable attorney's fees and court costs.

TIME IS OF THE ESSENCE IN THIS AGREEMENT. All covenants must be performed promptly and payment made on the date herein provided. If any default shall be made in any of the covenants on the part of the Lessee, Lessor may declare said tenancy terminated and may enter upon the premises and reposses the same for which purpose the consent of Lessee is hereby expressly given.

## 22. ESCALATION CLAUSE

Annually, on July 1 all fees charged for facilities and services will increase by a rate which directly corresponds with the Consumer Price Index All Urban Consumers Los Angeles, Riverside, and Orange County.

## 23. NOTICES

Any notices that are required hereunder or which either Lessor or Lessee may desire to serve upon the other, shall be in writing and shall be deemed served when delivered personally or when deposited in the United States Mail, postage prepaid, addressed as follows:

To City of Norco:  
2870 Clark Ave  
Norco, California 92860

To Lessee:  
Norco Horsemen's Association  
P.O. Box 582  
Norco, California 92860

## 24. SUCCESSORS OF THE PARTIES

This Lease shall bind the successors of the parties hereto unless notice of termination as hereinabove agreed upon is given.

Either Party has the right to terminate this lease by written notice 180 days prior to the event. Written notice must be sent by Certified Mail.

**IN WITNESS WHEREOF**, the parties hereto have caused this Lease Agreement to be executed.

**CITY OF NORCO, CALIFORNIA**  
**A Municipal Corporation**

By: \_\_\_\_\_  
**Berwin Hanna, Mayor**  
**City of Norco**

**ATTEST:**

\_\_\_\_\_  
**Brenda Jacobs, City Clerk**  
**City of Norco**

\_\_\_\_\_  
Date

**NORCO HORSEMAN'S ASSOCIATION PRESIDENT**  
**A Non-Profit California Corporation**

By: \_\_\_\_\_  
**Glen Hedges**  
**President/Representative**

By: \_\_\_\_\_  
**Secretary**

**93-1002077 / C-1670940**  
**Federal/State Non Profit I.D. Number**

\_\_\_\_\_  
Date

/45634

# GEORGE INGALLS EQUESTRIAN EVENT CENTER SITE MAP



**NHA MONETARY DONATIONS - 1991 THRU DECEMBER 2008**

<u>YEAR</u>	<u>MONTH</u>	<u>CAT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<i>CITY OF NORCO AND NORCO ORGANIZATIONS</i>				
1991	9	A	Chamber Livestock Auction	100.00
1993	8	A	Trail Signs to City of Norco	1,050.00
1993	7	A	Trail Signs to Chamber of Commerce	100.00
1993	5	A	Sixth St. Trail Fence (in front of Ranchland)	567.95
1994	11	A	Materials for Norco Animal Control Shelter	1,030.00
1994	9	A	Chamber Livestock Auction	496.00
1994	9	A	RCC - 2 Fence Panels	200.00
1995	9	A	Chamber Livestock Auction	830.00
1995	8	A	Ingalls Park Horse Waterer	17.00
1995	6	A	Hay for Norco Animal Shelter - Linda's Feed	402.62
1995	6	A	Fireworks - City of Norco	200.00
1995	5	A	Ingalls Park Horse Waterer	45.95
1995	4	A	Animal Shelter Corral Roof Installation	439.00
1995	4	A	Ted Brooks Park Monument - Quickcrete Prod. Corp.	188.56
1996	11	A	Chamber Livestock Auction	921.25
1996	10	A	Corrals & Waterers at 3 Norco Parks - City of Norco	3,174.00
1996	7	A	Fireworks - City of Norco	200.00
1996	5	A	Sand for Pacer Park	1,170.00
1997	10	A	Norco Animal Control for Horse Care	500.00
1997	9	A	Chamber Livestock Auction	227.25
1997	7	A	Fireworks - City of Norco	500.00
1997	4	A	Corona Ave. Trail Repair - City of Norco	5,000.00
1997	4	A	Party Partners Booster Club (25% of milk sales)	86.69
1998	10	A	Norco Citizen's Patrol	100.00
1998	8	A	Chamber Livestock Auction	50.00
1998	7	A	Norco Animal Shelter - Linda's Feed	300.00
1998	6	A	Norco Animal Shelter - Linda's Feed	200.00
1998	6	A	Fireworks - City of Norco	500.00
1999	12	A	Gate Repair - Valley Cities Fence	80.81
1999	11	A	Trail Fence - City of Norco	10,000.00
1999	9	A	Chamber Livestock Auction	843.75
1999	5	A	Membership - Friends of Norco Library	25.00
1999	5	A	Fireworks - City of Norco	300.00
2000	9	A	Jr. Livestock Auction	643.50
2000	9	A	Chamber Livestock Auction	672.50
2001	9	A	ATV for Fire Dept. - Corona Powersports	5,920.63
2001	9	A	Chamber Livestock Auction	561.00
2001	9	A	Citizens Patrol	100.00
2001	8	A	Jr. Livestock Auction	367.50
2001	7	A	Fireworks - City of Norco	250.00
2001	1	A	Fly Masks for Animal Control - Hay Connection	123.63
2002	11	A	Norco Citizen's Patrol	200.00
2002	10	A	Norco Citizen's Patrol	100.00
2002	9	A	Chamber Livestock Auction	443.60
2002	8	A	Jr. Livestock Auction	495.00
2002	5	A	Feed for Animal Control - Linda's	300.00

2003	9	A	Jr. Livestock Auction (Chamber of Commerce)	2,500.00
2003	7	A	Norco Animal Control	1,000.00
2003	3	A	Animal Control (Winch) - T&T Welding	1,500.00
2003	2	A	Animal Rescue Equip. - Airshore International	4,967.65
2003	1	A	Fire Relief Fund - Highland PTA	200.00
2003	11	A	Animal Rescue Hay - Linda's Feed	685.89
2003	11	A	Animal Rescue Supplies	33.33
2003	12	A	Animal Rescue Supplies	71.82
2003	12	A	Donation of Feed - Linda's Feed	150.00
2004	3	A	Donation - Mural Project - City of Norco	1,000.00
2004	3	A	Donation - Western Art Show - City of Norco	150.00
2004	6	A	Fireworks - City of Norco	400.00
2004	7	A	Fireworks - City of Norco	100.00
2004	7	A	Anti-Fireworks Campaign - printing	404.60
2004	9	A	Norco FFA - Trip to Nationals	500.00
2004	9	A	Jr. Livestock Auction (Chamber of Commerce)	2,500.00
2004	9	A	Ted Brooks Park Arena	3,000.00
2004	10	A	Anderson Sling with Attachments - care for disabled animals	6,921.77
2004	10	A	West Nile Seminar Supplies	94.37
2004	10	A	Norco Firefighters Breakfast	200.00
2004	12	A	Sheriff Trailer Donation	3,007.30
2004	12	A	Ted Brooks Arena	3,188.38
2004	12	A	Western Art Show - City of Norco	150.00
2005	1	A	Casper Donations	100.00
2005	4	A	Donation to Brittanie Allen (Casino night silent auction)	1,600.00
2005	6	A	Ted Brooks Arena	1,000.00
2005	6	A	Fireworks - City of Norco	250.00
2005	9	A	Jr. Livestock Auction	2,539.70
2005	10	A	Donation in lieu of flowers - Chuck Hemmings	50.00
2005	10	A	Norco Firefighters Annual Breakfast	200.00
2005	10	A	Norco Citizen's Patrol	100.00
2005	12	A	Western Art Show - City of Norco	175.00
2006	4	A	Norco Walk for Life (American Cancer Society)	200.00
2006	4	A	Norco Walk for Life (American Cancer Society) - NJHA	150.00
2006	5	A	Armed Forces Lunch - Norco Chamber of Commerce	40.00
2006	9	A	Jr. Livestock Auction	2,500.00
2006	9	A	Donation to Norco High FFA - NJHA	600.00
2006	10	A	NART (Cow Sorting) - City of Norco	1,292.00
2006	10	A	Norco Firefighters Annual Breakfast	200.00
2006	12	A	NART A-Frame (from Trail Fund)	2,694.29
2006	12	A	NART Incidental Expenses	600.00
2007	1	A	Western Art Show - City of Norco	200.00
2007	4	A	Armed Forces Lunch - Norco Chamber of Commerce	50.00
2007	6	A	Norco Regional Conservancy	5,000.00
2007	6	A	Donation to NART Breakfast	200.00
2007	8	D	Donations - Extreme Mustang Makeover	
			To Ray Ariss from NHA	500.00
			To Ray Ariss from NJHA	250.00
2007	9	A	FFA & 4-H Livestock Auction	2,551.50
2008	7	D	Donation - Trail Marker Sign - RURAL	500.00
2008	10	D	Donation - Horsetown USA Hall of Fame	500.00
2008	9	A	FFA & 4-H Livestock Auction	2,479.00

2008	10	A	Donation - NART Tripod	2,674.14
2008	10	A	Donation - Trail Crew Expense - City of Norco	5,000.00
2008	10	A	Donation - Annual Firefighters Pancake Breakfast	250.00
<b>SUBTOTAL</b>				<b>\$107,173.93</b>

*NORCO HIGH SCHOOL SCHOLARSHIPS*

1995	10	B	Scholarship Award - Stephanie Perry	500.00
1995	9	B	Scholarship Award (Partial) - Britney Mailhes	245.00
1995	9	B	Scholarship Awards - Arballo, Cuder, O'Mara, Spiker	2,000.00
1995	7	B	Scholarship Award - Aaron Tyler	500.00
1995	7	B	Scholarship Award (Partial) - Britney Mailhes	255.00
1996	9	B	Scholarship Awards - Chaudhary, Martinelli, Son, Thompson, Smc	2,500.00
1996	2	B	Scholarship Award - Amy Ward (Doerr)	500.00
1997	10	B	Scholarship Award - Trever Deakins	500.00
1997	9	B	Scholarship Awards - Mullaly, Marks, Egbert, Glenny	2,000.00
1997	8	B	Scholarship Awards - Connell, Shenk, Wright	1,500.00
1997	7	B	Scholarship Award - James O'Mara	500.00
1998	12	B	Scholarship Award - Nicholas Pfaff	500.00
1998	10	B	Scholarship Awards - Ziska, Morse, Davidovich, Turner, Allinder	2,500.00
1998	9	B	Scholarship Awards - Dickson, Martin, Cuder, Lozano	2,000.00
1998	8	B	Scholarship Award - Scott DeVol	500.00
1998	6	B	Scholarship Award - Sharlene Swaim	500.00
1999	12	B	Scholarship Awards - Christensen, Meyers, Shahan	1,500.00
1999	10	B	Scholarship Awards - MacConnell, Wayne	1,000.00
1999	9	B	Scholarship Awards - Roland, Alongis, Comrie	1,500.00
1999	1	B	Scholarship Awards - Marton, Blackmon	500.00
2000	11	B	Scholarship Award - Eloise Hamilton	500.00
2000	9	B	Scholarship Awards - Snow, Millican, DeVol	1,500.00
2000	4	B	Scholarship Award - Tawnya Steyn	500.00
2000	4	B	Scholarship Award - Katherine Weststeyn	500.00
2001	12	B	Scholarship Award - Augustina Reyes	100.00
2001	10	B	Scholarship Award - Casie Pelcher	500.00
2001	9	B	Scholarship Award - Diana Wilcox	500.00
2001	9	B	Scholarship Award - Matthew Ponce	500.00
2001	9	B	Scholarship Award - Tiffany Vasquez	500.00
2001	9	B	Scholarship Award - Tiffany Roland	500.00
2001	9	B	Scholarship Award - Carmen Nagle	500.00
2001	7	B	Scholarship Award - Amy Tolliver	500.00
2002	12	B	Scholarship Award - Rachel Hurtado	500.00
2002	11	B	Scholarship Award - Chris Ide	500.00
2002	10	B	Scholarship Awards - Safford & McClure	1,000.00
2002	9	B	Scholarship Awards - Murphy, Israel, Blauvelt, Billieu	2,000.00
2002	7	B	Scholarship Award - Jennifer Hill	500.00
2002	4	B	Scholarship Awards - Boster, Bonner	1,000.00
2002	2	B	Scholarship Awards - Cottrell, Reyes	900.00
2003	9	B	Scholarship Award - Angelina Sanchez	500.00
2003	9	B	Scholarship Award - Tiffany McDowell	500.00
2003	8	B	Scholarship Award - Elissa Shipp	500.00
2003	4	B	Scholarship Award - Denise Merkle	500.00
2003	10	B	Scholarship Award - Lisa Odgers	500.00

2003	11	B	Scholarship Award - Denene Davidovich	500.00
2004	9	B	Scholarship Awards - Jocabeth Mariaca & Veronica Rodriguez	1,000.00
2004	10	B	Scholarship Award - Kourtney Aboudara	500.00
2005	4	B	Scholarship Awards - Barbara Hill & Anna Green	1,000.00
2005	8	B	Scholarship Award - Catherine Edwards	500.00
2005	9	B	Scholarship Award - Alicia Elphick	500.00
2006	2	B	Scholarship Award - Ryan Raphael	500.00
2006	4	B	Scholarship Award - Shari Cocke	500.00
2006	7	B	Scholarship Award - Jessica Gehring	500.00
2006	8	B	Scholarship Awards - Shane Payton & Candice Green	1,000.00
2006	10	B	Scholarship Award - Jonathan Dalton	500.00
2006	12	B	Scholarship Awards - Rebecca Grimmus	500.00
2007	2	B	Scholarship Awards - Mattie Wilcox	500.00
2007	3	B	Scholarship Awards - Julie Kuhn	500.00
2007	8	B	Scholarship Awards - Gallington, Fasoli & Modyman	1,500.00
2008	1	B	Scholarship Award - Travis Korick	500.00
2008	5	B	Scholarship Awards - Camarena, Regan & Buffington	1,500.00
2008	9	B	Scholarship Awards - Baker & Martinez	1,000.00
2008	11	B	Scholarship Awards - Chastain & Gephart	1,000.00
2008	12	B	Scholarship Awards - Kayla Kaplan & Kaila Grey	1,000.00
<b>SUBTOTAL</b>				<b>\$52,000.00</b>

*SENIOR CITIZENS & PET RELIEF FUND*

1991	12	C	Christmas Baskets	97.85
1992	3	C	Sr. Citizens & Pet Relief Horse Trailer	500.00
1993	5	C	Sr. Citizens & Pet Relief Horse Trailer	500.00
1994	2	C	Sr. Citizens & Pet Relief Horse Trailer	500.00
1995	4	C	Sr. Citizens & Pet Relief Horse Trailer	500.00
1996	5	C	Sr. Citizens & Pet Relief Horse Trailer	500.00
1997	5	C	Sr. Citizens & Pet Relief Horse Trailer	500.00
1998	12	C	Senior Food - Donna Johnson	112.70
1998	12	C	Senior Food - Donna Johnson	102.05
1998	10	C	Senior Food - Donna Johnson	197.49
1998	7	C	Senior Food - Donna Johnson	126.38
1998	6	C	Senior Food - Donna Johnson	145.48
1998	6	C	Sr. Citizens & Pet Relief Horse Trailer	500.00
1998	4	C	Senior Food - Donna Johnson	219.62
1998	4	C	Seniors & Pet Relief	100.00
1999	12	C	Senior Food - Donna Johnson	143.90
1999	11	C	Senior Food - Donna Johnson	132.55
1999	8	C	Senior Food - Donna Johnson	194.59
1999	5	C	Senior Food - Donna Johnson	215.28
1999	5	C	Sr. Citizens & Pet Relief Horse Trailer	500.00
1999	3	C	Senior Food - Donna Johnson	182.04
2000	12	C	Senior Food - Donna Johnson	312.38
2000	10	C	Senior Food - Dick White	2.00
2000	9	C	Senior Horse Show	250.00
2000	7	C	Senior Food - Donna Johnson	204.18
2000	7	C	Senior Food - Donna Johnson	52.92
2000	3	C	Senior Food - Donna Johnson	145.82
2001	12	C	Senior Food - Donna Johnson	145.86

2001	10	C	Senior Food - Donna Johnson	245.23
2001	5	C	Senior Food - Dick White	300.00
2002	2	C	Senior Food - Donna Johnson	137.80
2002	12	C	Senior Food - Donna Johnson	303.80
2002	8	C	Sr. Citizens & Pet Relief Fund	31.00
2003	9	C	Sr. Citizens & Pet Relief Fund	50.00
2003	4	C	Senior Food - Donna Johnson	329.17
2003	10	C	Sr. Citizens & Pet Relief Fund	43.00
2003	12	C	Senior Food - Donna Johnson	1,288.78
2004	5	C	Senior Food - Donna Johnson	480.85
2004	5	C	Sr. Citizens & Pet Relief Fund	100.00
2004	8	C	Senior Center "Movie Mania"	250.00
2004	9	C	Senior Food - Donna Johnson	284.21
2004	12	C	Senior Food - Stater Bros.	632.68
2004	12	C	Senior Food - Dick White	500.00
2005	1	C	Sr. & Pet Relief Fund (hams)	500.00
2005	12	C	Senior Food - Donna Johnson	735.12
2005	12	C	Senior Food - Donna Johnson	985.41
2006	10	C	Sr. Citizens & Pet Relief Fund	200.00
2006	12	C	Sr. Citizens & Pet Relief Fund	594.29
2007	12	C	Sr. Citizens & Pet Relief Fund	703.90
2007	12	C	Sr. Citizens & Pet Relief Fund	1,500.00
2008	12	C	Sr. Citizens & Pet Relief Fund	1,500.00
<b>SUBTOTAL</b>				<b>\$18,778.33</b>

*OTHER - MISCELLANEOUS*

1992	4	D	Roxanne Judnick Memorial	35.00
1992	4	D	Trails Security Trust	200.00
1992	7	D	Exceptional Rodeo - Posse Aux.	200.00
1993	9	D	Exceptional Rodeo - Posse Aux.	250.00
1993	6	D	CSHA - HAD Program (Horsemen Against Drugs)	100.00
1994	10	D	Dolores Savoie Fund	200.00
1994	9	D	Exceptional Rodeo - Posse Aux.	100.00
1994	8	D	Exceptional Rodeo - Posse Aux.	200.00
1995	8	D	CSHA Stampede Rodeo	80.00
1995	8	D	Exceptional Rodeo - Posse Aux.	200.00
1995	4	D	Calif. Trails & Greenways Foundation	50.00
1996	10	D	CSHA Charitable Trust Horsemastership Program	100.00
1996	9	D	Exceptional Rodeo - Posse Aux.	200.00
1996	3	D	Dolores Savoie Memorial Fund	30.00
1997	10	D	CSHA Legislative Educational Fund	100.00
1997	9	D	Exceptional Rodeo - Posse Aux.	200.00
1997	6	D	Happy Trails Foundation	500.00
1998	9	D	Exceptional Rodeo - Posse Aux.	200.00
1998	6	D	Happy Trails Foundation - End-of-Trail	750.00
1999	8	D	American Heart Association (Ken Baker)	50.00
1999	1	D	Fairview Family/Friends - (Charlie Baker)	50.00
2000	11	D	Corona Norco Special Olympics	100.00
2002	9	D	Challenged Children's Fund	200.00
2002	8	D	Diane Kastama, USDFD, Inc.	100.00

2004	3	D	American Cancer Society	200.00
2004	3	D	Alta Loma Riding Club	300.00
2004	5	D	Dianne Kastama - USDFD Inc.	200.00
2004	6	D	Riverside Wranglers & Rocky Hill Riders	200.00
2004	8	D	CSHA Trail Trials	500.00
2004	11	D	Corona Medical Center - breast cancer	250.00
2004	11	D	Loma Linda University Children's Hospital Foundation (NJHA)	200.00
2004	12	D	Code 3 Associates, Inc.	100.00
2005	3	D	American Cancer Society	200.00
2005	10	D	Katrina Animal Relief - Code 3 Assoc	2,483.25
2005	10	D	Katrina - LVMA Equine Committee	1,000.00
2006	5	D	CSHA Convention Donation	1,000.00
2006	8	D	"Team USA" - Diane Kastama (international driving competition)	200.00
2007	4	D	American Cancer Society	200.00
2007	4	D	American Cancer Society - NJHA	200.00
2007	11	D	Donation - Code 3 Associates	250.00
2008	4	D	American Cancer Society	200.00
2008	4	D	American Cancer Society - NJHA	200.00
2008	11	D	Donation - Project Walk (Katie Estrella) - NJHA	500.00
2008	12	D	Donation - Coast Guard - James O'Mara	220.00
2008	12	D	Donation - Project Walk (Katie Estrella)	500.00
<b>SUBTOTAL</b>				<b>\$13,298.25</b>
<b>TOTAL</b>				<b><u>\$191,250.51</u></b>

NHA MONETARY DONATIONS FOR YEARS 2009-2010-2111-2112-2113

YEAR	DESCRIPTION	AMOUNT
2013	American Legion X'mas	250.00
2013	Seniors/Pets	750.00
2013	Parade of Lights	250.00
2013	Scholarship-Holder	500.00
2013	FFA-Auction	2,477.00
2013	Scholarship-O'Connell	500.00
2013	Scholarship-Campbell	500.00
2013	Scholarship-Jones	500.00
2013	Gonzales Corydon Gates	900.00
2013	Scholarship-Burdett	500.00
2013	NART-Donation	100.00
2013	Horseweek-Donation	250.00
2013	Ace-Hardware-light (horse)	90.00
	<b>TOTAL</b>	<b>7,567.00</b>
2012	Seniors/Pets	1,500.00
2012	Parade of Lights	250.00
2012	Scholarship-Smith	500.00
2012	FFA/Auction	2,500.00
2012	Scholarship-Brown	500.00
2012	Scholarship-Buffington	500.00
2012	ROTC-Donation	736.00
2012	Gonzales-Corydon Tie-Rails	1800.00
2012	Malcom Miller Trail Marker	450.00
2012	Scholarship-Pulver	500.00
2012	Horseweek-Donation	225.00
	<b>TOTAL</b>	<b>9461.00</b>
2011	Scholarship-Jaensch	500.00
2011	Scholarship-Sandoval	500.00
2011	Scholarship-Ward	500.00
2011	X'mas Parade Donation	500.00
2011	Seniors/Pets	1500.00
2011	Ridge Riders(Dare to Wear Pink) Donation	100.00
2011	Scholarship-Collins	500.00
2011	FFA Livestock Auction	2496.00

2011	Scholarship-Brown	500.00
2011	Scholarship-Elbright	500.00
2011	Scholarship-Lipscomb	500.00
2011	Scholarship-Voxen	500.00
2011	Scholarship-Valfre	500.00
2011	Scholarship-Thunderburk	500.00
2011	Scholarship-Munguia	500.00
2011	Scholarship-Saenz	500.00
2011	Equine Land Conservation Resource	100.00
2011	Megan Oliver- Joshua Wilderness Institute	100.00
2011	NRC-Ranch Tour	175.00
2011	Cal Poly Pamaona-Donation	100.00
2011	Seniors & Pets Food	169.00
2011	Horseweek-Donation	225.00
2011	Scholarship-Power	500.00
	<b>TOTAL</b>	<b>12,065.00</b>
2010	Seniors and Pets	1,500.00
2010	Ray Ariss NHA Juniors	200.00
2010	NART-Donation	117.00
2010	FFA Livestock Auction	2,000.00
2010	Scholarship-Salazar	500.00
2010	NHA Juniors Vaulting Field Trip-Giesler	50.00
2010	Scholarship-Kort	500.00
2010	Horseweek-Donation	225.00
2010	Scholarship-Cook	500.00
2010	Equine Fund Conservation Resources-Donation	100.00
2010	Scholarship-Wilmoth	500.00
	<b>TOTAL</b>	<b>6,692.00</b>
2009	Scholarship-Miller	500.00
2009	Ranch Hand Olympics	119.95
2009	Ranch Hand Olympiccs	350.16
2009	Seniors and Pets	1,500.00
2009	Scholarships-Crawford	500.00
2009	FFA Auction Livestock	2,491.50
2009	Scholarships-Edwards	500.00

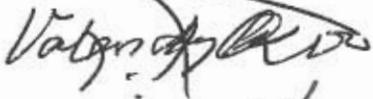
2009	Riverside County Sheriff's Volunteers Donation	600.00
2009	Scholarship-Keenan	500.00
2009	Scholarship-Jones	500.00
2009	Ray Ariss- Juniors Donation	200.00
2009	Ray Ariss- Donation for Hail Yeah	300.00
2009	NART-Bal of Tripod	325.86
2009	Animazonia Donation Juniors	50.00
2009	Ranchland Olympics	158.45
2009	Horseweek Committee- Donation	500.00
2009	American Cancer Soociety	450.00
2009	Scholarships-Grimmius	500.00
2009	Scholarship-McClure	500.00
	TOTAL	10,545.92

TOTAL

237,581.43

# CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: William R. Thompson, Water/Sewer Manager 

DATE: January 15, 2014

SUBJECT: Approval of a Extra-Territorial Sewer Service Agreement  
Tentative Track Map 36642

RECOMMENDATION: Approve the Extra-Territorial Sewer Service Agreement  
between The City of Norco and The City Of Corona,  
Tentative Track Map 36642.

**SUMMARY:** The City of Corona has approved the development of a 45-unit condominium complex, Tentative Track Map (TTM) 36642. The proposed development is located on Hamner Avenue adjacent to the recently vacated Cota Street. The City of Corona is requesting the City of Norco provide sanitary sewer collection and treatment services to the 45 individual residential condominium properties.

**BACKGROUND/ANALYSIS:** The City of Corona has requested the City of Norco provide sanitary sewer collection and treatment to a proposed 45-unit residential condominium complex located south of the City boundary. The City of Norco currently owns and operates a sanitary sewer collection system and is a member agency of the Western Riverside County Regional Wastewater Authority (WRCRWA), a Jointly Exercise Power Authority. The City of Norco has adequate pipeline capacity to accept the proposed projects daily flow and currently owns 2.2 million gallons per day (mgd) of treatment capacity at the WRCRWA treatment facility. The City of Norco averages approximately 1.9 mgd discharge daily for treatment. The proposed development is projected to discharge approximately 11,250 gallons per day.

The agreement will memorialize and outline the infrastructure ownership, maintenance responsibilities, fees, and billing structure specifically associated with this project. The developer of the property as a condition of TTM 36642, will design and construct all sanitary sewer improvements per City of Norco standards and dedicate the facilities to the City. All facilities will be inspected by the City of Norco staff. The developer will dedicate a public utility easement to the City of Norco for maintenance purposes.

The agreement is solely intended to provide sanitary sewer services to this property and no other property. The City of Corona will bill each individual property at the City of Norco adopted monthly sewer rates and the City of Norco will invoice the City of Corona on a monthly basis. All Development Impact Fees (DIF) will be collected from the developer pursuant to the City of Norco fee structure.

Extra-Territorial Sewer Agreement

Page 2

January 15, 2014

The properties shall be subject to all ordinances, rules, and regulations that the City of Norco enforces to similar residential properties receiving sanitary sewer services. The agreement will be recorded as an official record of Riverside County. The agreement is specific that the property shall not allow any additional permitted sewer connections.

The City Attorney and the City of Corona Attorney have reviewed and approved the proposed agreement.

FINANCIAL IMPACT: Sewer Operations Fund (126) annual revenue amount of \$30,240.

Attachment:: Extra-Territorial Sewer Service Agreement

RECORDED AT REQUEST OF  
AND WHEN RECORDED RETURN TO:

City of Corona  
400 S. Vicentia Ave  
Corona, California 92882  
Attn: City Clerk (DWP)

Property: TTM 36642

(SPACE ABOVE FOR RECORDER'S USE)  
FEE EXEMPT – GOVERNMENT CODE §27383

**EXTRA-TERRITORIAL SEWER SERVICE AGREEMENT  
BETWEEN  
THE CITY OF CORONA AND THE CITY OF NORCO  
(TTM 36642)**

**1. PARTIES AND DATE.**

This Extra-Territorial Sewer Service Agreement ("Agreement") is made as of this 5th day of February, 2014 ("Effective Date") by and between the CITY OF CORONA, a California municipal corporation ("City") and the CITY OF NORCO, a California municipal corporation ("Provider"). The City and Provider are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

**2. RECITALS.**

2.1 Property. The real property subject to this Agreement, which consists of the property approved as part of Tentative Tract Map (TTM) 36642 and described further in Exhibit "A" attached hereto and incorporated herein by reference, is located within the City's boundaries ("Property").

2.2 Service. While the City either can or currently provides Sewer service to the Property, the Provider is able and willing to provide Sewer service to the Property and the Parties believe that the Provider can provide the service more efficiently.

2.3 Alternative Service. The Provider's Sewer service to the Property is an alternative to, and substitute for, the City's provision of Sewer service to Property. Pursuant to Government Code Section 56133(e), therefore, the Local Agency Formation Commission does not need to approve this Agreement.

2.4 Sphere of Influence. The Property will remain within the City's boundaries and within the City's sphere of influence.

2.5 Corona Utility Authority. Provider understands that the City has entered into a Water Enterprise Management Agreement and a Wastewater Enterprise Management Agreement, both dated as of February 6, 2002, with the Corona Utility Authority ("CUA") for the maintenance, management and operation of those utility systems (collectively, the "CUA Management Agreements"). To the extent that this Agreement is deemed to be a "material contract" under either of the CUA Management Agreements, the City enters into this Agreement on behalf of the CUA and subject to the terms of the applicable CUA Management Agreement(s).

### 3. TERMS.

3.1 Recitals. The above recitals are incorporated herein by reference.

3.2 Service to the Property. Provider agrees, at no cost to the City, to assume the obligation to provide Sewer service to the Property with a level of service that is consistent with the level of service that has been or would be provided by the City to the Property. All Sewer service to the Property shall be subject to the standard terms, conditions, fees, charges and assessments that are adopted from time to time by the Provider and that apply to all other similar properties served by the Provider. Nothing herein shall be construed to require the Provider to provide Sewer service to any portion of the Property where the owner of said portion of the Property does not pay all fees, charges and assessments in a timely manner. The Provider shall defend, indemnify and hold the City, its officers, officials, agents and employees free and harmless, pursuant to Section 3.16 below, from any and all claims, losses or liability arising on or after the Effective Date with respect to the provision of Sewer service to the Property.

3.3 Provider Facilities & ROW - City Dedication; Provider Responsibility. City shall require the developer of the Property, as a condition of TTM 36642, to: (1) install and dedicate to Provider all improvements, pipelines, infrastructure, pumps, lift stations, plant facilities, appurtenances and other facilities necessary for delivery of Sewer services to the Property ("Provider Facilities"); and (2) dedicate to Provider all rights-of-way (in fee and/or easement) deemed necessary for delivery of the Sewer services to the Property ("Provider ROW"). All dedications for Provider Facilities shall be to a standard acceptable to Provider and all dedications for Provider ROW shall be in a form acceptable to Provider, and Provider shall review and approve all such dedications prior to the City's final consideration and approval of TTM 36642. City will also issue the permits necessary for the Provider Facilities, and will inspect and approve the construction of the Provider Facilities with the concurrence of Provider. Thereafter, Provider shall be responsible for accepting all Provider Facilities and Provider ROW, and shall during the term of this Agreement be responsible, at no cost or expense to City, for any and all repairs and maintenance of such Provider Facilities and Provider ROW.

3.4 No Diversion of Services. Provider acknowledges and agrees that the Sewer services provided by Provider under this Agreement are solely intended to serve the Property and no other real property. Provider shall not and is expressly prohibited from diverting, conveying, transferring or otherwise providing Sewer services to any other real property. In the event the Property is split, divided or subdivided into separate parcels, Provider shall continue to provide Sewer services under this Agreement to each parcel of the Property.

3.5 Billing and Collection of Provider's Charges. Pursuant to Government Code section 54346.3, the City shall bill and collect from the owner(s) and/or occupant(s) of the Property all applicable fees, charges and assessments lawfully imposed by the Provider for the Sewer service provided to the Property. At such time that Provider commences providing Sewer service to the Property, Provider shall notify City in writing of the amount of all applicable fees, charges and assessments lawfully imposed by Provider for such service ("Sewer Charges") which are to be billed and collected by City. Throughout the term of this Agreement Provider shall promptly notify City in writing of any lawful changes, increases or reductions in the amount of the Sewer Charges. Upon receipt of the above information and confirmation that Provider has commenced providing Sewer service to the Property, City shall include the Sewer Charges on the bill for water service rendered by the City for the Property. Each month, the Provider shall submit an invoice to the City for the Sewer Charges for the previous month and the City shall promptly pay to the Provider any Sewer Charges received by the City. In the event the owner(s) and/or occupant(s) of the Property fail to timely pay the Sewer Charges, City may terminate water service to the Property if such action is then authorized under applicable law. Notwithstanding the foregoing, the Provider expressly understands, acknowledges and agrees that the City shall not be responsible or liable for any failure of the owner(s) and/or occupant(s) of the Property to pay the Sewer Charges and the City shall have no obligation to pursue collection of the Sewer Charges or any amounts otherwise due to Provider for Sewer service. The Provider shall defend, indemnify and hold the City, its officers, officials, agents and employees free and harmless, pursuant to Section 3.16 below, from any and all claims, losses or liability arising from Provider's adoption, enactment or imposition of the Sewer Charges, the City's collection of the Sewer Charges or the City's termination of water service to the Property as a result of the failure by the owner(s) and/or occupant(s) of the Property to pay the Sewer Charges.

3.6 Property Owner's Agreement with Provider. In accordance with the Provider's ordinances, rules and regulations, the Provider will enter into separate agreements with the owner(s) and/or occupant(s) of the Property for the Provider's provision of Sewer service to the Property and the payment of all Sewer Charges. The agreement(s) between the Provider and the owner(s) and/or occupant(s) of the Property shall also: (1) specify that, pursuant to Government Code section 54346.3, the City will bill and collect the Sewer Charges from the owner(s) and/or occupant(s) of the Property; and (2) include the consent of the owner(s) and/or occupant(s) of the Property for the City to terminate water service to the Property in the event the owner(s) and/or occupant(s) of the Property fail to pay the Sewer Charges when due.

3.7 Sewer Capacity. Provider warrants and represents that Provider has sufficient capacity in its Sewer system to accommodate all present and future Sewer demand of the Property, provided that nothing herein shall be construed to limit Provider's authority to apply to the Property any fees, charges and assessments for Sewer capacity that are adopted from time to time by the Provider and that apply to all other similar properties served by the Provider.

3.8 Application of Provider Regulations. The intent and purpose of this Agreement is for the Property to enjoy the same benefits and be subject to the same obligations and restrictions as all other similar property located within the Provider's jurisdictional boundaries that receive Sewer service from Provider. Accordingly, the Property shall be subject to all ordinances, rules

and regulations of the Provider which are applicable to similar properties receiving Sewer service from Provider.

3.9 Recordation. The City shall cause this Agreement to be recorded in the official records of the County of Riverside.

3.10 Notices. Notices required under this Agreement shall be sufficient if in writing and either served personally upon the Parties to whom they are directed or by deposit in the United States mail, postage prepaid, certified, return receipt requested, addressed to the following:

Provider: City of Norco  
2870 Clark Avenue  
Norco, CA 92860  
Attn: Andy Okoro, City Manager

City: City of Corona  
400 S. Vicentia Avenue  
Corona, California 92882  
Attn: Jonathan Daly, DWP General Manager

3.11 Authority; Termination. The Parties represent and warrant that they have all requisite power and authority to conduct their business and to approve, deliver and perform this Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right and authority to make this Agreement and bind each respective Party. This Agreement shall terminate with the written consent of both Parties.

3.12 Assignment; Corona Utility Authority. This Agreement shall be binding upon the Parties and their heirs, successors and assigns when executed and recorded. Provider shall not assign, hypothecate or transfer, either directly or by operation of law, this Agreement or any interest herein without the prior written consent of the City. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation or transfer. To the extent that this Agreement is deemed to be a "material contract" under either of the CUA Management Agreements, Provider has no right to terminate this Agreement, either with or without cause, based upon the existence or non-existence of either or both of the CUA Management Agreements. Therefore, if an applicable CUA Management Agreement expires or terminates for any reason, Provider shall remain fully obligated to perform under this Agreement on behalf of the CUA or another third party contracted by the CUA for the maintenance, management and operation of the water utility system.

3.13 No Additional Connections. No additional Sewer connections are permitted pursuant to this Agreement, other than those expressly contemplated herein.

3.14 Amendment. This Agreement may be modified only by a subsequent written amendment executed by all Parties.

3.15 Attorney's Fees; Venue. Should the Parties commence litigation and/or arbitration to enforce the provisions of this Agreement, the prevailing Party shall be entitled to receive the costs of such litigation or arbitration, including attorney's fees. Any action commenced to enforce the terms of this Agreement shall be filed in the County of Riverside, State of California.

3.16 Mutual Indemnification. The Provider and the City each agree to mutually defend, indemnify and hold the other and its officers, officials, agents and employees free and harmless from any and all claims, losses, liability, demands, causes of action, damages, costs and expenses, including attorneys fees, property damage, bodily injuries, personal injury or death, in law or in equity, of every kind and nature, to the extent that the same arise out of or are the result of the performance of this Agreement by the indemnifying Party or any of its officers, officials, agents or employees, or any other person acting under its direction, responsibility or control in performing under this Agreement.

3.17 Further Cooperation. Each Party hereto covenants and agrees to prepare, execute, acknowledge, file, record, publish and deliver to the other Party hereto such other instruments, documents, and statements as may be reasonably necessary or convenient in the discretion of the requesting Party to carry out the purposes of this Agreement.

3.18 Integration. This Agreement represents the entire understanding between the Provider and the City as to those matters contained herein, and supersedes and cancels any prior oral or written understandings, promises or representations with respect to those matters covered hereunder.

**[SIGNATURES ON FOLLOWING TWO PAGES]**

**CITY'S SIGNATURE PAGE FOR**  
**EXTRA-TERRITORIAL SEWER SERVICE AGREEMENT**  
**BETWEEN**  
**THE CITY OF CORONA AND THE CITY OF NORCO**  
**(TTM 36642)**

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on the date first hereinabove written.

**CITY OF CORONA**  
a California municipal corporation

By: \_\_\_\_\_  
Karen Spiegel  
Mayor

Consent:

\_\_\_\_\_  
Bradly L. Robbins  
Executive Director  
Corona Utility Authority

*Attest:*

By: \_\_\_\_\_  
Lisa Mobley  
Chief Deputy City Clerk

*Approved as to Form:*

By: \_\_\_\_\_  
Dean Derleth  
City Attorney

**PROVIDER'S SIGNATURE PAGE FOR  
EXTRA-TERRITORIAL SEWER SERVICE AGREEMENT  
BETWEEN  
THE CITY OF CORONA AND THE CITY OF NORCO  
(TTM 36642)**

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on the date first hereinabove written.

**CITY OF NORCO**  
a California municipal corporation

By: \_\_\_\_\_  
Berwin Hanna  
Mayor

*Attest:*

By: \_\_\_\_\_  
Brenda Jacobs  
City Clerk

*Approved as to Form:*

By: \_\_\_\_\_  
Harper & Burns LLP  
City Attorney

**EXHIBIT "A"**

**LEGAL DESCRIPTION AND DEPICTION OF PROPERTY**

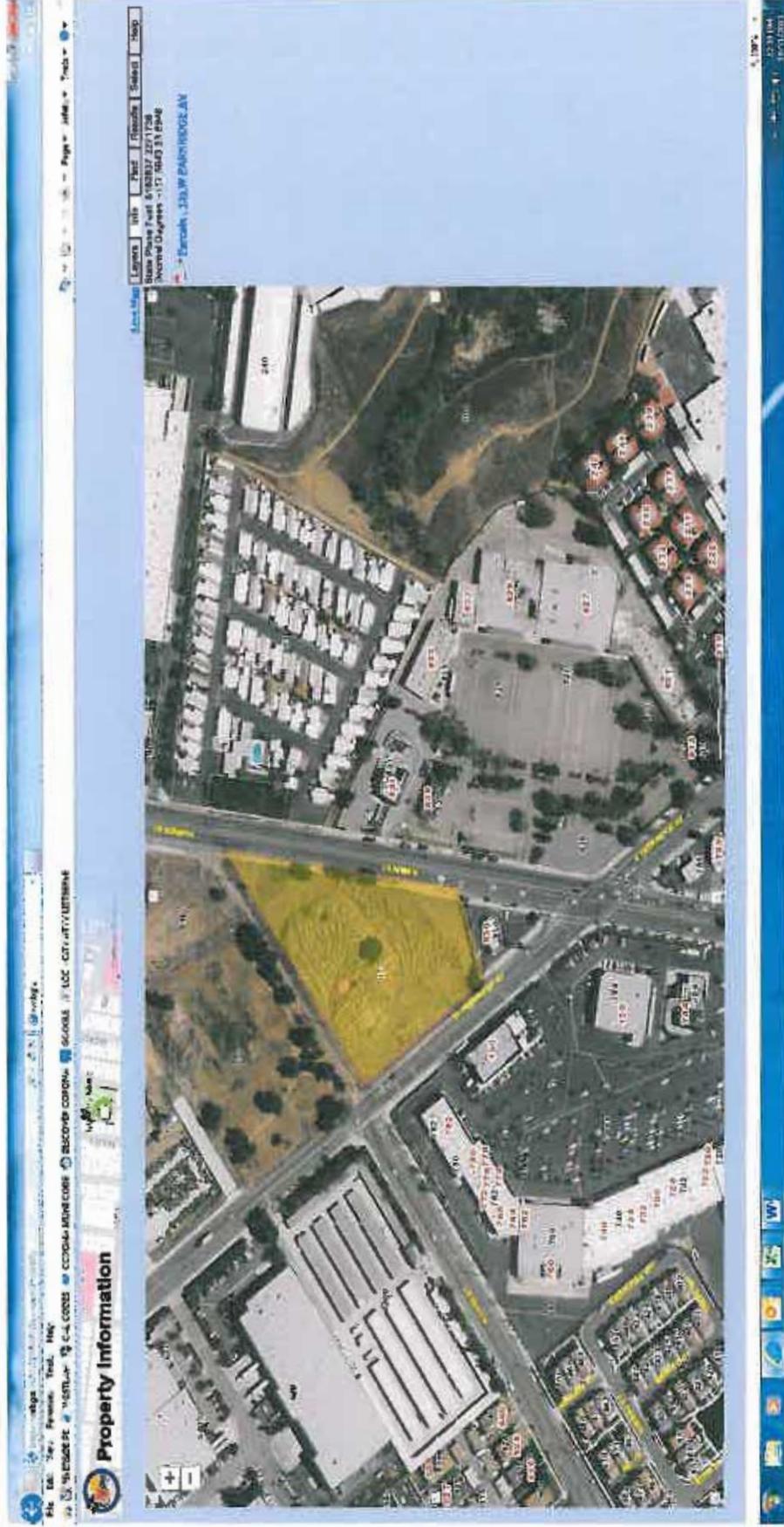
Real property in the County of Riverside, State of California, described as follows:

Tentative Tract Map (TTM) 36642

**[SEE DEPICTION ON ATTACHED 1 PAGE]**

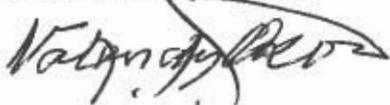
**EXTRA-TERRITORIAL SEWER SERVICE AGREEMENT  
BETWEEN  
THE CITY OF CORONA AND THE CITY OF NORCO  
(TTM 36642)**

**DEPICTION OF PROPERTY**



## CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Bill Wilkman, Cultural Resources Consultant

DATE: January 15, 2014

SUBJECT: Certified Local Government Annual Report and Update on Collections Management Study

RECOMMENDATION: That the City Council receive and file the attached report.

**SUMMARY:** *Certified Local Government Annual Report:* The City of Norco's Historic Preservation program is recognized by the U.S. Secretary of Interior as meeting the standards of professionalism necessary to be designated a Certified Local Government (CLG). While based on federal law, the CLG program is administered by each participating state government. In California, the program is administered by the State Office of Historic Preservation (OHP). To maintain its status as a CLG, the City of Norco is required to submit an annual report to OHP documenting the compliance of its Historic Preservation Program with CLG requirements.

Attached is a copy of Norco's draft Annual CLG Report for the period from October 2012 through September 2013. Of particular importance in the report are a set of goals for advancing the preservation program in the current reporting period. The goals stated in the draft report are as follows:

1. Initiate an effort to expand the National Register Historic District at the Norconian to include its World War II and Cold War eras.
2. Develop and initiate a historic resources designation and outreach program.
3. Designate at least one publicly owned historic property.
4. Establish priorities for the implementation of the Pre-1946 Context and Survey and the Post World War II Context.

*Collections Management Study:* While not a formal topic of the Certified Local Government Annual Report, an important aspect of the Historic Preservation Commission's work over the past year has involved an effort to develop a plan and procedures for managing the City's extensive collections of historic archives and artifacts. Most of these materials are now housed in a modular building adjacent to the library. Per previous Council directive, the Historic Preservation Commission (HPC) is now responsible for the historic collections and it has been devoting considerable energy toward the organization, safekeeping, and management of the collections. To help the City move this effort forward, the Lake Norconian Club Foundation (LNCF) approved a \$6,000 grant to fund the development of a Historic Collections Management Plan. With assistance from Wilkman Historical Services, Charles Wilson and Associates is in the process of developing such a plan.

**BACKGROUND/ANALYSIS:** *Certified Local Government Annual Report:* Meeting its annual goals is an important part of the City's CLG responsibilities. The Commission, Cultural Resources Consultant, and City Staff are responsible for accomplishing as many of our Preservation Program goals as feasible. Many of last year's goals were not met, primarily due to a change in Commission meeting frequency from once per month to once per quarter. The Council addressed this issue last year by directing the Commission to meet every other month. The attached draft report was submitted to OHP on December 21, 2013 to meet the state's deadline of December 31, 2013. Approval of the Annual CLG Report is on the Historic Preservation January 14, 2014 agenda. Subsequent to the Commission's approval, the report will be put in final form and submitted to OHP.

*Collections Management Plan:* The extensive collection of historical archives and artifacts under the City's jurisdiction provides an invaluable window through which to understand the City's rich heritage. While past volunteer efforts have helped preserve, document, and make available to the public the items in the collections, there has never been a comprehensive and professional framework within which to organize, preserve, and provide public access to the collections. Under the LNCF grant, the following milestones have been achieved:

- Past management and organization practices have been studied and an existing conditions and issues report has been completed.
- With the assistance of Historic Preservation Commissioner Diana Stiller and her Norco High School History Club, significant progress has been made toward the organization and storage of the City's extensive collection of historic newspapers in archival boxes.
- The Collections Committee, consisting of members from the LNCF and the HPC, has been providing guidance in the development of the management plan and has been working on finding a safe and permanent home for the collections, where they can be stored, accessed for research, and displayed for public viewing.

Between now and mid-2014, the consultants will be working with the Collections Committee to complete the Collections Management Plan. This plan will establish professionally based standards, policies, and procedures for the management of the collections. This plan will be reviewed by the HPC and forwarded to the City Council for final review and approval.

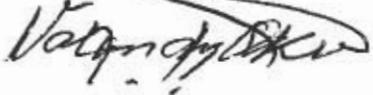
#### FINANCIAL IMPACTS:

*Certified Local Government Annual Report:* The funding of the City's Historic Preservation program is in its annual budget and sufficient funds are budgeted in the current budget to maintain the program.

*Collections Management Plan:* The work currently underway in regard to the Collections Management Plan is entirely funded by the LNCF grant.

## CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Bill Wilkman, Cultural Resources Consultant

DATE: January 15, 2014

SUBJECT: Expanded Historic Resources Survey and Evaluation of the Norconian's World War II and Post World War II Periods

RECOMMENDATION: That the City Council consider an appropriate course of action in relation to the expanded survey and evaluation.

**SUMMARY:** The Navy recently released its expanded survey and evaluation of potential historic resources on the Norconian property covering the period from World War II forward. This report was submitted to the State Historic Preservation Officer (SHPO) on December 20, 2013 and is under review at this time. It will be the SHPO's responsibility to determine the adequacy of the report and either direct the Navy to do additional work or accept the report as written.

**BACKGROUND/ANALYSIS:** The potential historical significance of the Norconian property has been examined on a number of occasions in the past. However, three evaluations stand out as most important: These are as follows

- In 1995, Ogden Environmental and Energy Services completed a historic resources survey and evaluation of the Norconian property under contract with the Navy. Ogden's report concluded that no aspect of the Norconian property qualified for listing on the National Register of Historic Places.
- Not satisfied with the conclusions of the Ogden report, the City of Norco hired Knox Mellon and Associates to take a fresh look at the property. The Mellon survey and evaluation concluded that the following resources qualified for listing as a Historic District on the National Register of Historic Places:
  - The Pavilion (also known as the Casino/Officer's Club)
  - The boathouse
  - The laundry/garage building
  - The chauffeur's quarters
  - The gasoline station island
  - The lake footbridge
  - Two gazebo structures
  - The lake
  - The site's historic landscaping

These resources were added to that National Register as a Historic District in 2000. The Mellon report did not, however, address the World War II or later resources on the property.

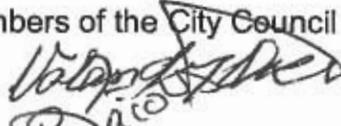
- In 2010, under contract with the Navy, ASM Affiliates completed a survey and evaluation of the Norconian's World War II and Cold War era resources, concluding that only the Fifth Street Gatehouse qualified for listing on the National Register of Historic Places. The City of Norco disputed the conclusions of this report and criticized the report for its limited scope which only considered the land currently owned by the Navy. This left out significant portions of the Norconian property historically owned by the Navy, but currently under State of California and Norco College jurisdiction. The SHPO concurred with the City of Norco's concern that valid conclusions could not be reached unless the entire historic footprint of the property was examined, and in Mid-2011, the Navy initiated an in-house effort to expand the scope of the ASM report.
- The survey and evaluation issued by the Navy in late December 2013 constitutes this expanded report and is intended to address the concerns of the SHPO. While City staff and the Cultural Resources Consultant have yet to examine this report in detail, we are concerned that the revised report maintains the earlier conclusion of the ASM report that only the Fifth Street Gatehouse qualifies for listing on the National Register of Historic Places.

On January 6, 2014, the City of Norco sent a letter to the SHPO informing her of the City's intention to comment on the recently released expanded survey and evaluation. While the time-frame for comments will likely be flexible, it is important for the City to issue comments as soon as possible. If the SHPO accepts the expanded report as submitted by the Navy, the only World War II or later resource on the property that will be subject to protection under the National Historic Preservation Act will be the Fifth Street Gatehouse.

**FINANCIAL IMPACT:** This report is informational only and does not commit the City to the expenditure of any funds.

## 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: January 15, 2014

SUBJECT: **Code Change 2013-06 (City of Norco):** Ordinance Regarding the Applicability of Prevailing Wage Requirements to State Funded or Assisted Public Works Contracts.

RECOMMENDATION: Adopt **Ordinance No. 971** for second reading.

SUMMARY: The first reading of Ordinance No. 971 was held on December 18, 2013 and adopted by the City Council with a 3-2 vote (Bash and Newton -- No).

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.

Attachment: Ordinance No. 971

## **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:

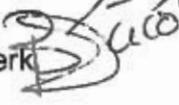
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, January 15, 2014.

\_\_\_\_\_  
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: Brenda K. Jacobs, City Clerk 

DATE: January 15, 2014

SUBJECT: **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.

RECOMMENDATION: Adopt **Ordinance No. 972** for second reading.

SUMMARY: The first reading of Ordinance No. 972 was held on December 18, 2013 and adopted with the following modifications by the City Council with a 5-0 vote:

**15.01.080 Amendment Section 105.2 items 2 & 10.** Section 105.2 items 2 and 10 are is 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.

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.

Attachment: 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**

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

**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 item 10.** Section 105.2 item 10 is amended to read as follows:

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. 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**

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

**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**

<b>15.05.010</b>	<b>Title</b>
<b>15.05.020</b>	<b>Code Adoption</b>
<b>15.05.030</b>	<b>Administration</b>
<b>15.05.040</b>	<b>Amendments -Generally</b>
<b>15.05.060</b>	<b>Violation -Penalty.</b>

**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.

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Mayor of the City of Norco, California

ATTEST:

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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:

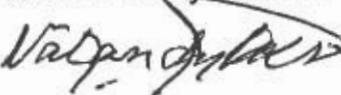
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on January 15, 2014.

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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: January 15, 2014

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 hear the applicant and make a final determination. Staff is recommending that the appeal of Condition No. 13 be denied thereby leaving stand Planning Commission's approval, and 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 (AMSP). The Planning Commission approval included Condition No. 13 with a time restriction on the unit to be 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. This item was originally scheduled for December 18, 2013 but was continued at the request of the applicant.

**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 only existed for a short time. It has since 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 related parking lot, that existing modular unit had to be removed since 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. The Planning Commission modified the condition to read "one year or

prior to the issuance of an occupancy permit for Tractor Supply Co., whichever comes first." The applicant had informed staff prior to the Planning Commission meeting that they would be unable to attend but wanted the hearing to go forward.

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. That would allow the RV rental business to stay for two years regardless of when Tractor Supply Co. opens. The Tractor Supply Co. store is anticipated to be open by February or March 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 of the timeline as contained in Condition No. 13, a resolution with a corrected condition will be placed on the next City Council agenda (February 5, 2014) as a consent item.

The applicant's CUP application stated that it was for "installation of trailer", but it did not request a time period. The original condition to limit the timeline to one year was drafted by staff, and the Planning Commission added the "or prior to issuance of occupancy for Tractor Supply Co." stipulation. Staff agrees with the change approved by the Planning Commission, that it will be better for the City in the long run. Staff's recommendation is that the appeal be denied, thereby leaving stand the existing timeline as approved by the Planning Commission.

It needs to be noted that there is no existing CUP that allows an ancillary business to be on the site without a new car dealership as the primary use. The site is located in Area D of the AMSP and as such, RV rentals is not a permitted use. Per the AMSP RV rentals can only be considered an ancillary business as opposed to a stand-alone permitted business. Area D was created in a recent amendment to the AMSP to include more retail businesses as permitted uses in the northern part of the Auto Mall which allowed the Tractor Supply Co. to go forward. However, RV rentals was not included as a permitted use without being ancillary to a new car dealership. And the business is not grandfathered because prior to the creation of Area D, the RV rental business would have needed to have had a CUP to be a stand-alone business at this site, and there is no CUP.

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 CUP 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:	\$50
	TOTAL:	<b>\$3,447</b>
	WAIVER REQUEST:	<b><u>\$2,250</u></b>



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.

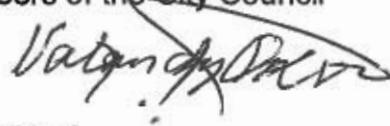
Sincerely,

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

Brad Yust  
Member, Lakeville Retail Group

## CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Geoff Pemberton, Battalion Chief

DATE: January 15, 2014

SUBJECT: Public Hearing Confirming Costs for Fall Weed Abatement

RECOMMENDATION: Adopt **Resolution No. 2014-01**, confirming the report of costs for abatement of weeds and hazardous vegetation as a public nuisance and imposing special assessment liens on vacant parcels within the City.

**SUMMARY:** The 2013 Fall Weed Abatement Report of Costs lists property owners whose vacant parcels were abated by the Fire Department's weed abatement contractor for the 2013 Fall Weed Abatement Program. After Council adopts the Resolution, property owners will be invoiced for payment of the abatement.

**BACKGROUND/ANALYSIS:** At its May 1, 2013 Council meeting, the City Council authorized the Fire Department's weed abatement contractor, Warren Brothers Tractor Work, to remove weeds and hazardous vegetation from vacant parcels for owners who failed to do so by the September 15, 2013 deadline date.

The 2013 Fall Weed Abatement Report of Costs is a list of property owners whose parcels were abated by Warren Brothers following Council's authorization ordering the abatement. This list includes the contractor's charge and the Fire Department's administrative fee. Property owners will be invoiced for these costs; and if not paid, property liens will be placed against the parcel through the Riverside County Auditor-Controller's Office.

**FINANCIAL IMPACT:** Costs to abate weeds on vacant property are paid either by the property owner or by property tax liens.

/sm

Attachments: Resolution No. 2014-01  
2013 Fall Weed Abatement Report of Costs, Exhibit "A"

## **RESOLUTION NO. 2014-01**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, CONFIRMING THE REPORT OF COSTS FOR ABATEMENT OF WEEDS AND HAZARDOUS VEGETATION AS A PUBLIC NUISANCE AND IMPOSING SPECIAL ASSESSMENT LIENS ON VACANT PARCELS WITHIN THE CITY**

WHEREAS, the City Council declared that seasonal and recurring weeds and hazardous vegetation, growing upon and in front of vacant property in the City of Norco, constitute a public nuisance and also declared its intent to provide for abatement by adopting Resolution No. 2013-11 on March 6, 2013; and

WHEREAS, the Notice to Destroy Weeds and Hazardous Vegetation was given to property owners of vacant property in accordance with Chapter 13, Article 2, Section 39567.1 of the State of California Government Code and Resolution No. 2013-11; and

WHEREAS, the City Council held a Public Hearing on May 1, 2013, and all objections to the proposed abatement of weeds and hazardous vegetation on vacant parcels were heard and considered in accordance with the State of California Government Code and Resolution No. 2013-11; and

WHEREAS, the City Council ordered the Fire Chief to have such nuisances abated by adopting Resolution No. 2013-16 on May 1, 2013; and

WHEREAS, an itemized report showing the cost to abate the nuisances that were on or in front of vacant parcels has been prepared and submitted to the City Council for confirmation; and

WHEREAS, a copy of the report of costs was posted near the door of the Council Chamber at least three days prior to the Public Hearing; and

WHEREAS, the Public Hearing being held by City Council is for the purpose of receiving and considering the report of costs showing abatement costs and hearing objections from property owners liable to be assessed for such costs.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Norco, California, does hereby find and declare that the 2013 Fall Weed Abatement Report of Costs, Exhibit "A" on nuisance abatement for vacant parcels is confirmed, and that the costs are also confirmed as special assessment property liens against the vacant parcels whose property owners do not pay the invoiced amount.

January 15, 2014

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 Resolution was adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on January 15, 2014 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.

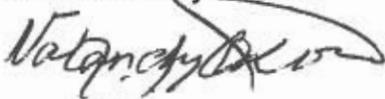
\_\_\_\_\_  
Brenda K. Jacobs, City Clerk  
City of Norco, California

/sm



## 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: January 8, 2014

SUBJECT: Zone Code Amendment 2013-16: Amendments regarding the definitions and/or regulations for second units, emergency shelters, and transitional, supportive, and single-resident occupancy housing in accordance with State Government Code requirements.

RECOMMENDATION: Adopt for First Reading Ordinance No. 969, approving Zone Code Amendment 2013-16 which includes amendments to the Norco Hills (SP 91-02, Amd. 7) and Norco Ridge Ranch (SP 99-01, Amd. 5) Specific Plans.

SUMMARY: Zone Code Amendment 2013-16 and Code Change 2013-05 (Item 7.C.) 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) (ref. Exhibit "A" – Pre-Certification Letter). The letter states that certification is pending and will be finalized upon completion of the follow-up measures from the 2008-2014 document.

BACKGROUND: HCD in its certification of the 2008-2014 Housing Element required follow-up implementation actions by the City. In its pre-certification letter for the 2014-2021 Housing Element HCD stated that these measures need to be implemented to finalize the certification. The implementation measures are:

- 1) Adopt the Housing Development Overlay (HDO) zone text. COMPLETED
- 2) Rezone the five implementation areas identified in the Housing Element to the HDO zone. COMPLETED
- 3) Adopt a density bonus ordinance. COMPLETED
- 4) Revise second unit regulations to be consistent with state requirements. ZCA 2013-16

- 5) Adopt regulations for emergency, transitional, supportive, and single-resident occupancy housing, consistent with state requirements. ZCA 2013-16
- 6) Adopt an amendment to the Building Code to add regulations for “reasonable accommodations” to reduce procedural requirements, as needed, that can have the potential of being constraints to the development of housing for persons with disabilities. All jurisdictions in the state are required to comply with the regulations. CC 2013-05

HCD has indicated that with adoption of ZCA 2013-16 and CC 2013-05, the certification of the 2014-2021 Housing Element can be finalized. The changes associated with Code Change 2013-05 are Item 7.C. on this agenda. The changes associated with ZCA 2013-16 are discussed below with the changes shown in red. The changes are also shown in red on Exhibit “B” in the context of the NMC. The clean version, with the changes incorporated, is contained in Ordinance 969.

Zone Code Amendment 2013-16 accomplishes three things, all state requirements:

- 1) Revise the second unit requirements of the City to match what is required by state law;
- 2) Revise the definition of a “family” in the NMC to reflect the state definition; and,
- 3) Add regulations for emergency shelters, and transitional, supportive, and single-resident occupancy housing, all also state requirements.

#### SECOND UNIT REQUIREMENTS:

Section 18.30.46 of the Norco Municipal Code (NMC) regulates second units and there are two amendments needed to bring those requirements consistent with state requirements. The first is that the approval needs to occur at staff level and not require an approval from the Planning Commission. The second is the City’s requirement that a second unit be attached to the main dwelling. This has been determined by HCD to be a constraint to the development of housing and therefore is not accepted by HCD as compliant with state housing laws. Consequently the Planning Commission and staff have recommended the following:

#### NMC Section 18.30.46, Second Units

- (2) Definition: For the purposes of this section, second unit shall mean a subordinate dwelling unit with complete and independent living facilities that can either be attached to or contained within a primary single-family dwelling or detached from the primary dwelling with a maximum 10-foot separation between the two buildings.

- (3) Development Requirements: A single second unit is permitted on any lot which is zoned or designated to permit residential uses provided the following is met:
  - (a) A Minor Site Plan is approved at staff level, after approval of the proposed architecture by the Architectural Review Subcommittee (ARC), pursuant to all requirements contained in Chapter 18.40 (Site Plan Review).
- (6) Progress Report: Upon approval of a Second Unit the Planning Commission shall be provided a housing attainment progress report.
- (7) Conflict Resolution: When an applicant for a second unit and City staff are in disagreement over consistency of the proposed structure to the intent of this Section of the Code, the matter shall be resolved on appeal to the Planning Commission.

**FAMILY (DEFINITION):** The current definition of the family in the NMC does not reflect the state definition of a family. Therefore, the Planning Commission and staff have recommended the following:

#### **NMC Section 18.30.02, Specific Definitions**

- (26) Family. One or more persons, related or unrelated, living together as a single integrated household in a dwelling unit.

#### **EMERGENCY SHELTER, AND TRANSITIONAL, SUPPORTIVE, AND SINGLE-RESIDENT OCCUPANCY HOUSING REQUIREMENTS:**

The state also requires that cities provide for emergency shelter housing for the temporary homeless; and supportive, transitional, and single-resident occupancy housing. Emergency shelters can be restricted to the M-1 zone, but state laws require that supportive, transitional, and single-resident occupancy housing be permitted uses in all residential zones, including specific plans. It needs to be noted, however, that supportive, transitional, and single-resident occupancy housing is limited to the same density as the underlying residential zone.

These housing types provide temporary housing services for homeless persons, or persons transitioning from a homeless situation. Again, as with affordable housing requirements, the state does not require jurisdictions to provide the housing, but only that provisions be made so that the opportunity for others to provide the housing is there. The Planning Commission and staff have recommended the following changes:

NMC Section 18.24.06, Permitted Uses (M-1 zone)

Table 1: Permitted Uses

Permitted Use	M1 Zone
Other Uses	
Emergency Housing for the Homeless:	
Emergency Shelter: as defined in Chapter 18.02 per the standards set forth in Section 18.65.04	p

NMC, Section 18.12.06, Permitted Uses (A-E Zone)

- J. Supportive housing as defined in Chapter 18.02.
- K. Transitional housing as defined in Chapter 18.02.
- L. Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

NMC, Section 18.13.06, Permitted Uses (A-1 Zone)

- K. Supportive housing as defined in Chapter 18.02.
- L. Transitional housing as defined in Chapter 18.02.
- M. Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

NMC, Section 18.14.06, Permitted Uses (A-2 Zone)

- (16) Supportive housing as defined in Chapter 18.02.
- (17) Transitional housing as defined in Chapter 18.02.
- (18) Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

NMC, Section 18.15.06, Permitted Uses (R-1 Zone)

- (9) Supportive housing as defined in Chapter 18.02.
- (10) Transitional housing as defined in Chapter 18.02.
- (11) Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

NMC, Section 18.17.06, Permitted Uses (R-3 Zone)

- (8) Supportive housing as defined in Chapter 18.02.
- (9) Transitional housing as defined in Chapter 18.02.
- (10) Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

NMC, Section 18.26.06, Permitted Uses (HS Zone)

- (6) Supportive housing as defined in Chapter 18.02.
- (7) Transitional housing as defined in Chapter 18.02.
- (8) Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

**NMC, Section 18.64.08, Uses (HDO Zone)**

- A(4) Residential development may include supportive and transitional housing as defined in Chapter 18.02 and single-resident occupancy units as defined in Chapter 18.02 and regulated by Section 18.65.06.

**Norco Hills SP, IIIC1c, Permitted Uses (Equestrian Residential District)**

- (6) Supportive housing as defined in Chapter 18.02.
- (7) Transitional housing as defined in Chapter 18.02.
- (8) Single Resident Occupancy as defined in NMC Chapter 18.02 and regulated by NMC Section 18.65.06

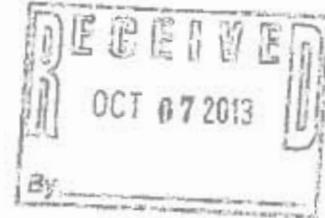
**Norco Ridge Ranch SP, IIIB1a, Permitted Uses (Equestrian Residential District)**

- (6) Supportive housing as defined in Chapter 18.02.
- (7) Transitional housing as defined in Chapter 18.02.
- (8) Single Resident Occupancy as defined in NMC Chapter 18.02 and regulated by NMC Section 18.65.06

**Attached:** Ordinance No. 969  
Exhibit "A" – Pre-Certification Letter

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7463  
[www.hod.ca.gov](http://www.hod.ca.gov)



October 1, 2013

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

Dear Mr. King:

**RE: Review of the City of Norco 5<sup>th</sup> Cycle (2014-2021) Draft Housing Element Update**

Thank you for submitting the City of Norco draft housing element update received for review on August 2, 2013 and revisions received September 4 and September 18, 2013. Pursuant to Government Code Section 65585(b), the Department is reporting the results of its review.

The Department conducted a streamlined review of the draft housing element based on the City meeting eligibility criteria detailed in the Department's Housing Element Update Guidance. The review was facilitated by communication on August 7 and September 5, 2013 with Ms. Alexa Washburn and Ms. Sarah Walker, the City's consultants. The draft element meets the statutory requirements of State housing element law.

We are pleased to find the draft element meets the statutory requirements of State housing element law (Article 10.6 of the Government Code). However, the Department cannot find the element in full compliance until Norco amends its zoning ordinance to permit year-round emergency shelter(s) without discretionary action pursuant to GC Section 65583(a)(4)(A), amended by Senate Bill 2 (Chapter 633, Statutes of 2007). Based on communication, the Department understands various zoning amendments are pending, including zoning for emergency shelters. The element will comply with housing element law once the City has completed these zoning amendments and submitted the adopted element to the Department pursuant to GC Section 65585(g).

Please note, the Department's finding is based on the City's commitment to amend its "Affordable Housing Overlay" to allow multifamily and mixed-use development at densities of 20 to 30 units per acre by right to accommodate the City's regional need for lower-income households.

**Exhibit "A"**

Mr. Steve King  
Page 2

The City must monitor and report on the implementation of this action as well as other programs through the annual progress report, required pursuant to GC Section 65400. If existing incentives and programs are not effective in encouraging and facilitating the development of identified sites to provide sufficient opportunities to accommodate the City's share of the regional housing need for lower-income households throughout the planning period, the City should identify additional sites and/or additional incentives, as appropriate.

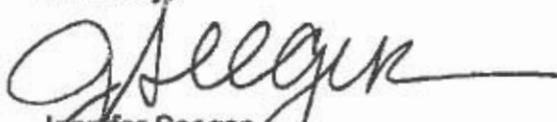
Senate Bill 375 (Chapter 728, Statutes of 2008) added Section 65588(e)(4) regarding timely adoption of the housing element. Localities on an eight-year planning period that do not adopt the housing element within 120 calendar days from the statutory due date (October 15, 2013 for SCAG localities) are required to revise the housing element every four years until adopting at least two consecutive revisions by the statutory deadline. For more information on adoption requirements, please visit the Department's website at: [http://www.hcd.ca.gov/hpd/hrc/plan/he/he\\_review\\_adoptionsteps110812.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf).

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

The Department is pleased to inform the City that prior 4<sup>th</sup> cycle housing element compliance makes the City eligible to meet one of the threshold requirements of the Housing Related Parks (HRP) Program that rewards local governments for approving housing affordable to lower-income households. The HRP Program, funded by Proposition 1C, provides grant funds to eligible local governments for every qualifying unit permitted since 2010. Grant awards can be used to fund park-related capital asset projects. More specific information about the Program is available on the Department's website at <http://www.hcd.ca.gov/hpd/hrpp/>.

The Department looks forward to receiving the City of Norco adopted housing element. If you have any questions or need additional technical assistance, please Janet Myles, of our staff, at (916) 263-7423.

Sincerely,



Jennifer Seeger  
Housing Policy Manager

## **ORDINANCE NO. 969**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING ZONE CODE AMENDMENT 2013-16 AMENDING CHAPTERS 18.02, 18.12, 18.13, 18.14, 18.15, 18.17 18.24, 18.26, 18.64 AND ADDING CHAPTER 18.65 "EMERGENCY SHELTERS" TO THE NORCO MUNICIPAL CODE; AND INCLUDES AMENDMENT 7 TO SPECIFIC PLAN 91-02 AND AMENDMENT 5 TO SPECIFIC PLAN 99-01; TO IMPLEMENT THE GENERAL PLAN HOUSING ELEMENT IN ACCORDANCE WITH STATE HOUSING REGULATIONS. ZONE CODE AMENDMENT 2013-16; SPECIFIC PLAN 91-02 AMENDMENT 7; SPECIFIC PLAN 99-01 AMENDMENT 5.**

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2013-16 to Norco Municipal Code Title 18, Specific Plan 91-02 Amendment 7, and Specific Plan 99-01 Amendment 5, to amend regulations regarding second units; and emergency, supportive, transitional, and single-resident occupancy housing; and

WHEREAS, the 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, the Zone Code Amendment was scheduled for public hearing on November 13, 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 the Zone Code Amendment; and

WHEREAS, the Planning Commission adopted Resolution 2013-49 recommending that the City Council approve Zone Code Amendment 2013-16; and

WHEREAS, prior to the City Council hearing of said zone code amendment it was determined that incorrect Chapters in the Municipal Code had been identified for change in said Zone Code Amendment; and

WHEREAS, the City Council hearing of said Zone Code Amendment was cancelled to allow for re-advertising with the corrected chapter references for a new Planning Commission hearing; and

WHEREAS, the Zone Code Amendment, including amendments to the Norco Hills Specific Plan and Norco Ridge Ranch Specific Plan, was duly re-submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, the Zone Code Amendment was scheduled for public hearing on January 8, 2014 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the Planning Commission adopted Resolution 2014-01, which supersedes Resolution 2013-49, recommending that the City Council approve Zone Code Amendment 2013-16; and

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

WHEREAS, the Zone Code Amendment was scheduled for public hearing on January 15, 2014 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project is within the parameters of an adopted Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines and an addendum to the Negative Declaration is adopted requiring no further environmental analysis.

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

- A. The proposed Zone Code Amendment will not be inconsistent with, or contrary to, the General Plan or the Zoning Code since the project clarifies and updates existing regulations regarding second units, emergency housing, and transitional and supportive housing, to be consistent with state housing laws and the City of Norco Housing Element 2014-2021.
- B. The project (proposed amendment) has been determined to be within the parameters of an adopted Negative Declaration pursuant to the California Environmental Quality Act and the City of Norco Environmental Guidelines and an addendum to the Negative Declaration is adopted requiring no further environmental analysis.

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

SECTION 1:

Section 18.30.02 Specific Definitions

- (23a) Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less. No individual or household may be denied emergency shelter because of an inability to pay.
- (26) Family. One or more persons, related or unrelated, living together as a single integrated household in a dwelling unit.
- (70a1) Single Resident Occupancy Unit. Housing consisting of single resident dwelling units, typically with no more than 400 square feet of habitable space, that is the primary residence of its occupant or occupants. The unit must contain either food preparation or sanitary facilities (and may contain both). An accessory structure such as a garage, storage room, play room, pool house or rumpus room does not qualify as an SRO.
- (77a) Supportive housing. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
- (79a) Transitional housing. Buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

Section 18.12.06 Permitted Uses (A-E Zone)

- J. Supportive housing as defined in Chapter 18.02.
- K. Transitional housing as defined in Chapter 18.02.
- L. Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

Section 18.13.06 Permitted Uses (A-1 Zone)

- K. Supportive housing as defined in Chapter 18.02.
- L. Transitional housing as defined in Chapter 18.02.
- M. Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

Section 18.14.06 Permitted Uses (A-2 Zone)

- (16) Supportive housing as defined in Chapter 18.02.
- (17) Transitional housing as defined in Chapter 18.02.
- (18) Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

Section 18.15.06 Permitted Uses (R-1 Zone)

- (9) Supportive housing as defined in Chapter 18.02.
- (10) Transitional housing as defined in Chapter 18.02.
- (11) Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

Section 18.17.06 Permitted Uses (R-3 Zone)

- (8) Supportive housing as defined in Chapter 18.02.
- (9) Transitional housing as defined in Chapter 18.02.
- (10) Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

NMC, Section 18.26.06 Permitted Uses (HS Zone)

- (6) Supportive housing as defined in Chapter 18.02.
- (7) Transitional housing as defined in Chapter 18.02.
- (8) Single Resident Occupancy as defined in Chapter 18.02 and regulated by Section 18.65.06

NMC, Section 18.64.08 Uses (HDO Zone)

- A(4) Residential development may include supportive and transitional housing as defined in Chapter 18.02 and single-resident occupancy units as defined in Chapter 18.02 and regulated by Section 18.65.06.

Norco Hills SP, IIC1c Permitted Uses (Equestrian Residential District)

- (6) Supportive housing as defined in Chapter 18.02.
- (7) Transitional housing as defined in Chapter 18.02.
- (8) Single Resident Occupancy as defined in NMC Chapter 18.02 and regulated by NMC Section 18.65.06

Norco Ridge Ranch SP, IIB1a Permitted Uses (Equestrian Residential District)

- (6) Supportive housing as defined in Chapter 18.02.
- (7) Transitional housing as defined in Chapter 18.02.
- (8) Single Resident Occupancy as defined in NMC Chapter 18.02 and regulated by NMC Section 18.65.06

Section 18.30.46 Second Units

- (2) Definition: For the purposes of this section, second unit shall mean a subordinate dwelling unit with complete and independent living facilities that can either be attached to or contained within a primary single-family dwelling or detached from the primary dwelling with a maximum 10-foot separation between the two buildings.
- (3) Development Requirements: A single second unit is permitted on any lot which is zoned or designated to permit residential uses provided the following is met:
  - (a) A Minor Site Plan is approved at staff level, after approval of the proposed architecture by the Architectural Review Subcommittee (ARC), pursuant to all requirements contained in Chapter 18.40 (Site Plan Review).
- (6) Progress Report: Upon approval of a Second Unit the Planning Commission shall be provided a housing attainment progress report.
- (7) Conflict Resolution: When an applicant for a second unit and City staff are in disagreement over consistency of the proposed structure to the intent of this Section of the Code, the matter shall be resolved on appeal to the Planning Commission.

Section 18.24.06 Permitted Uses (M-1 Zone)

Table 1: Permitted Uses

Permitted Use	M1 Zone
<b>Other Uses</b>	
<b><u>Emergency Housing for the Homeless</u></b>	
<b>Emergency Shelter:</b> as defined in Chapter 18.02 per the standards set forth in Section 18.65.04	p

Chapter 18.65  
 EMERGENCY SHELTERS

Sections:

- 18.65.02 Intent and Purpose
- 18.65.04 Emergency Shelter Standards and Regulations
- 18.65.06 Single Resident Occupancy Units/Efficiency Units Standards and Regulations
- 18.65.08 Notification

#### 18.65.02 Intent and Purpose

This division sets forth a uniform set of standards for emergency shelters to provide temporary housing for the homeless pursuant to California Government Code Section.

#### 18.65.04 Emergency Shelter Standards and Regulations

Emergency shelters for homeless persons shall be subject to and comply with the following standards and regulations.

- (1) A single Emergency Shelter for 30 occupants, or a combination of multiple shelters with a combined capacity not to exceed 30 occupants, shall be allowed as a permitted use in the M-1 zone consistent with section 65583(4)(A) of the State Government Code. All Emergency Shelters, regardless of the number of occupants, shall meet all applicable development standards to the zoning districts in which they are permitted by-right and minimum standards contained herein below. Any Emergency Shelter with a capacity greater than 30 occupants shall require approval of a conditional use permit as set forth in Chapter 18.45 of the NMC.
- (2) The facility shall operate on a first-come, first serve basis with clients only permitted on-site and admitted to the facility between 6:00 p.m. and 7:00 a.m. during Pacific Daylight Time, and 5:00 p.m. and 7:00. a.m. during Pacific Standard Time. Clients must vacate the facility by 8:00 a.m. and have no guaranteed bed for the next night. A curfew of 10:00 p.m. (or earlier) shall be established and strictly enforced and clients shall not be admitted after the curfew.
- (3) Emergency Shelter facilities are required to be not more than 300 feet from any other Emergency Shelter, as measured from the property line.
- (4) Emergency Shelters shall not be located within 1,000 feet of a public or private school (pre-school through twelfth grade), universities, colleges, student housing, senior housing, child care facilities, public parks, businesses licensed for on- or off-site sales of alcoholic beverages or parolee/probationer home as defined in Chapter 18.02 (Definitions) and as measured from the property line.
- (5) Service providers shall provide sufficient numbers of male and female toilets - restrooms for clients and prospective clients to have access to use on a twenty-four (24) hour basis. For group housing and other similar shelter programs, adequate private male and female showers shall be provided along with lockers for clients to temporarily store their belongings.

- (6) Any outdoor storage, including, but not limited to, items brought on-site by clients for overnight stays, shall be screened from public view by a minimum six foot tall decorative wall or fence. Pets and shopping carts are not permitted on-site.
- (7) Adequate waiting areas must be provided within the premises for clients and prospective clients including 10 square feet per bed, minimum 100 square feet to ensure that public sidewalks or private walkways are not used as queuing or waiting areas.
- (8) Facility improvements shall comply with the Norco Municipal Code and the most current adopted Building and Safety Code, specific to the establishment of dormitories and shall additionally provide:
  - (a) A minimum of 1 toilet for every 8 beds per gender.
  - (b) A minimum of 1 shower for every 8 beds per gender.
  - (c) Private shower and toilet facility for each area designated for use by individual families.
- (9) An emergency shelter facility shall provide off-street parking at the ratio of 1 space per 4 beds and/or 0.5 per bedroom designated as a family unit with children, plus 1 space per staff member. Service providers are responsible to provide and maintain adequate parking and freight loading facilities for employees, clients and other visitors who drive to the premises.
- (10) Bike rack parking shall be provided at the facility.
- (11) Exterior lighting shall be provided for the entire outdoor and parking area of the property.
- (12) The facility may provide the following services in a designated area separate from sleeping areas:
  - (a) A recreation area inside the shelter or in an outdoor area visually separated from public view by a minimum six foot tall visually screening decorative wall or fence.
  - (b) A counseling center for job placement, educational, health care, legal services, or mental health services.
  - (c) Laundry facilities to serve the number of clients at the shelter.
  - (d) Kitchen and dining area.
  - (e) Client storage area.

- (13) Similar types of facilities to address the needs of homeless clients, as determined by the Planning Director. A shelter management plan shall be submitted as a part of the permit application, which addresses all of the following:
- (a) Service providers shall maintain sufficient monetary resources to enable them to operate the facility per the shelter management plan, and shall demonstrate to the city prior to approval of the permit application that such funds shall be available for use upon first occupancy of the proposed project and shall reasonably be expected to be available for the life of the project.
  - (b) A minimum of one staff member per 15 beds shall be awake and on duty when the facility is open. Facility staff shall be trained in operating procedures, safety plans, and assisting clients. The facility shall not employ staff who has been convicted of a felony or who are required to register as a sex registrant under Penal Code 290.
  - (c) Service providers shall maintain up-to-date information and referral sheets to give clients and other persons who, for any reason, cannot be served by the establishment.
  - (d) Service providers shall provide criteria to screen clients for admittance eligibility, with the objective to provide first service to individuals with connections to the City of Norco.
  - (e) Service providers will maintain information on individuals utilizing the facility and will ensure that the maximum stay at the facility shall not exceed 120 days in a 365-day period.
  - (f) Service providers shall continuously monitor waiting areas to inform prospective clients whether they can be served within a reasonable time. If they cannot be served by the provider because of time or resource constraints, the monitor shall inform the client of alternative programs and locations where he or she may seek similar service.
  - (f) Service providers will educate on-site staff to provide adequate knowledge and skills to assist clients in obtaining permanent shelter and income, including referrals to outside assistance agencies. An annual report on this activity shall be provided to the City.
  - (g) Service providers shall provide for the timely removal of litter attributable to clients within the vicinity of the facility every 24-hour period.

- (h) Service providers will maintain good communication and have procedures in place to respond to operational issues which may arise from the neighborhood, City staff, or the general public.
  - (i) Service providers shall establish standards for responding to emergencies and incidents involving the expelling of clients from the facility. Re-admittance policies for clients who have previously been expelled from the facility shall also be established.
  - (j) Alcohol and illegal drug use is prohibited on-site. Service providers shall expel clients from the facility if found to be using alcohol or illegal drugs.
  - (k) The establishment shall implement other conditions and/or measures as determined by the city, in consultation with other city/county agencies necessary to ensure that management and/or clients of the establishment maintain the quiet, safety and cleanliness of the premises and the vicinity of the use.
  - (l) Other requirements as deemed necessary by the city to ensure that the facility does not create an adverse impact to surrounding properties.
  - (m) On a monthly basis, provide an updated list of Emergency Shelter residents to the Sheriff's Department.
  - (n) All graffiti on the premises shall be removed by the business operator within 24 hours.
  - (o) Installation of anti-loitering signs.
  - (q) If there is conflict between code requirements, the most restrictive one shall apply.
- (14) The facility shall comply with all other laws, rules, and regulations that apply including, but not limited to, Building and Fire Codes. The facility shall be subject to City inspections prior to the commencement of operation. In addition, the City may inspect the facility at any time for compliance with the facility's Management Plan and other applicable laws and standards.
- (15) Emergency Shelter operator shall obtain a City Business License.

Single resident occupancy (SRO) units as defined in Chapter 18.02 shall be subject to and comply with the following standards and regulations.

- (1) Tenancy of SRO (efficiency) units shall not be less than 30 days and maximum period of 12 months.
- (2) Each facility shall comply with all applicable development standards for the applicable zoning district and minimum standards contained herein below.
- (3) Units shall have a minimum size of 150 square feet and a maximum of 400 square feet.
- (4) Each unit shall accommodate a maximum of two persons.
- (5) Exterior lighting shall be provided for the entire outdoor and parking area of the property.
- (6) Laundry facilities must be provided in a separate enclosed room at the ratio of one washer and one dryer for every twenty units of fractional number thereof, with at least one washer and dryer per floor, which shall be enclosed.
- (7) A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO (efficiency) unit facility.
- (8) Each unit shall be required to provide a separate bathroom containing a water closet, lavatory and bathtub or shower.
- (9) Each unit shall be provided with a kitchen sink, functioning cooking appliance and a refrigerator, each having a clear working space of not less than 30 inches in front.
- (10) Each unit shall have a separate closet.
- (11) Units shall comply with all requirements of the California Building Code and all other codes. All units shall comply with all applicable accessibility and adaptability requirements. All common areas shall be fully accessible.
- (12) An SRO (efficiency) unit project shall not be located within five hundred (500) feet of any other SRO (efficiency) unit project, emergency shelter, or other similar program, unless such program is located within the same building or on the same lot.

- (13) An SRO (efficiency) unit project with 10 or more units shall provide on-site management. A project with less than 10 units may provide a management office on-site. The City Manager or their designee may reduce this standard as necessary.
- (14) Off-street parking shall be provided for an SRO facility at a rate of one uncovered parking space per unit plus an additional space for the on-site manager and each employee.
- (15) Each efficiency unit shall be provided at least one (1) lockable bicycle parking space in a location that is adjacent to that SRO (efficiency) unit.

18.65.08 Notification

In addition to the notification required by the Norco Municipal Code, representatives of the Sheriff's department shall be apprised of the proposed project in a timely fashion so that the department may respond to any concerns they may have regarding the proposed project.

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

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

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

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on February 5, 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 January 15, 2014 and thereafter at a regular meeting of said City Council duly held on February 5, 2014, it was duly passed and adopted by the following vote of the City Council:

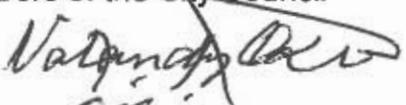
AYES:  
NOES:  
ABSENT:  
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on February 5, 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: January 15, 2014

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

RECOMMENDATION: Adopt for First Reading Ordinance No. 970, approving Code Change 2013-05.

**SUMMARY:** This item was originally scheduled for December 4, 2013 but the hearing was cancelled before it was opened and has now been re-advertised for this meeting. 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.

**BACKGROUND:** In its certification of the 2008-2014 Housing Element of the Norco General Plan, HCD required follow-up implementation actions by the City before the 2014-2021 Housing Element could be certified. The approval of the Housing Development Overlay zone on the five properties identified in the Housing Element was the first step. A second measure was the adoption of the density bonus ordinance that occurred on October 4, 2013.

The final measures are a zone code amendment addressing second units and emergency, transitional and supportive housing addressed in Zone Code Amendment 2013-16 (Item 5.A.); and a code change to add Chapter 9.95 to introduce procedures for requesting reasonable accommodation by persons who qualify as disabled per definitions established by the state. The purpose is to help this narrowly defined group of people to obtain housing that meets their specific needs in accordance with state and federal fair housing laws.

The state requirement is the allowance for minor deviations from NMC requirements approved at staff level to allow the development of housing for persons with disabilities that might not otherwise be developable if the requirements of the NMC were strictly adhered to. Other deviations determined to not be minor would be referred to the City Council for approval. Staff would make the determination as to whether a proposed deviation is minor and can be approved at staff level, or if it needs to be presented to the City Council for approval.

Ordinance No. 970 First Reading: Code Change 2013-05  
January 15, 2014  
Page 2

As with the other implementation measures of the Housing Element (2008-2014) already certified, the provision for a reasonable accommodation approval process is a state requirement for all jurisdictions. For the certification of the Housing Element (2014-2021) to be finalized this Code Change needs to incorporate that process into the NMC.

Attached: Ordinance No. 970

## **ORDINANCE NO. 970**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING CODE CHANGE 2013-05 ADDING CHAPTER 9.95 (REASONABLE ACCOMMODATION) TO THE NORCO MUNICIPAL CODE WITH ANY CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED. CODE CHANGE 2013-05.**

WHEREAS, the CITY OF NORCO initiated Code Change 2013-05, an amendment to Norco Municipal Code Title 9 (Peace, Safety, and Morals), to add regulations establishing the procedures for requesting reasonable accommodation for the development of housing for disabled persons; and

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

WHEREAS, the Code Change was scheduled for public hearing on December 4, 2013 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, the hearing of said item was cancelled prior to the hearing being opened and has been re-advertised; and

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

WHEREAS, the Code Change was scheduled for public hearing on January 15, 2014 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

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

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project is within the parameters of an adopted Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines and an addendum to the Negative Declaration is adopted requiring no further environmental analysis.

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

- A. The proposed Code Change will not be inconsistent with, or contrary to, the General Plan or the Municipal Code since the project establishes regulations

for processing requests for reasonable accommodations to develop housing for persons with disabilities consistent with state and federal fair housing laws and the City of Norco Housing Element 2014-2021.

- B. The project has been determined to be within the parameters of an adopted Negative Declaration pursuant to the California Environmental Quality Act and the City of Norco Environmental Guidelines and an addendum to the Negative Declaration is adopted requiring no further environmental analysis.

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

SECTION 1:

Title 9 – Peace, Safety, and Morals

Chapter 9.95

- 9.95.02 Intent and Purpose.
- 9.95.04 Applicability
- 9.95.06 Application Process
- 9.95.08 Approval Process
- 9.95.10 Findings and Decisions
- 9.95.12 Appeals Determination

9.95.02 Intent and Purpose.

This chapter is established pursuant to the provisions of California Government Code Sections 12927(c)(1) and 12955(1) to provide a formal procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) in the application of laws, regulations, policies and procedures, and to establish relevant criteria to be used when considering such requests.

9.95.04 Applicability

In order to make specific housing available to an individual with a disability, any person may request a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having

such impairment or anyone who has a record of such impairment. This chapter applies only to those persons who are defined as disabled under the Acts.

#### 9.95.06 Application Process

(1) In order to make housing available to an individual with a disability, an applicant may request a reasonable accommodation in laws, regulations, policies, practices and procedures as regulated by the Norco Municipal Code.

(2) All requests shall be reasonable and limited to the minimum that the applicant believes is necessary to accommodate the disability. Requests for reasonable accommodation shall be submitted via a form approved by the Planning Division, together with the appropriate fee, as established by resolution adopted by the City Council, and shall be filed with the Planning Division. The applicant is requested to provide the following information:

- (a) Name and address of the applicant;
- (b) Name and address of the property owner(s);
- (c) Address of the property for which accommodation is requested;
- (d) The current use of the property for which accommodation is requested;
- (e) Description of the requested accommodation, and the regulation(s), policy or procedure for which accommodation is sought, which could include site plans, floor plans, and/or details as necessary to define the extent of the accommodation;
- (f) The basis for the claim that the fair housing laws apply to the individual(s) with a disability and evidence supporting the claim, which may be in the form of a letter from a medical doctor or other licensed healthcare professional, a handicapped license, or other appropriate evidence;
- (g) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the property; and
- (h) How the property will be used by the applicant and individual(s) with disabilities.

(3) Any information identified by the applicant as confidential shall be retained by the City in a manner so as to respect the privacy rights of the individual with a disability and shall not be made available for public inspection.

(4) A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an applicant's obligation to comply with other applicable regulations not at issue in the requested reasonable accommodation.

(5) If an individual needs assistance in making the request for reasonable accommodation, the City will provide assistance to ensure that the process is accessible.

(6) The fee for an application for reasonable accommodation shall be established by resolution of the City Council.

#### 9.95.08 Approval Process

##### (1) Approval Authority:

- (a) Administrative Review - The Planning Director or an appointed designee has the authority to review and decide upon requests for reasonable accommodation, including whether the applicant is a disabled person within the meaning of this chapter. The Planning Director or appointed designee may refer the matter to the City Council, as appropriate.
- (b) City Council Review - The City Council has the authority to review and decide upon requests for reasonable accommodation, including whether the applicant is a disabled person within the meaning of this chapter, when referred by the Planning Director or when a reasonable accommodation request includes any minor deviation from Norco Municipal Code requirements.

(2) Notice: No advance notice or public hearing is required for consideration of reasonable accommodation requests by the Planning Director. Requests for reasonable accommodation subject to review by the City Council shall require advance notice and a public hearing pursuant to the requirements of Chapter 4.04 of the Norco Municipal Code.

(3) Decision: The Planning Director or an appointed designee shall render a decision or refer the matter to the City Council within 30 days after the application is complete, and shall approve, approve with conditions or deny the application, based on the findings set forth in Section 18.X.10. The decision shall be in writing and mailed to the applicant.

If the application for reasonable accommodation involves another discretionary decision, the reviewing body for that decision shall accept as final the determination regarding reasonable accommodation by the Planning Director or an appointed designee, unless the reasonable accommodation request has been referred by the Planning Director or an appointed designee to the City Council for consideration.

If the application for reasonable accommodation is referred to, or reviewed by, the , a decision to approve, approve with conditions, or deny the application shall be rendered within 20 working days after the close of the public hearing, based on the findings set forth above.

#### 9.95.10 Findings and Decisions

(1) Any decision on an application under this chapter shall be supported by written findings addressing the criteria set forth in this subsection. An application under this chapter for a reasonable accommodation shall be granted if all of the following findings are made:

- (a) The housing, which is the subject of the request, will be used by an individual disabled as defined under the Acts.
  - (b) The requested reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
  - (c) The requested reasonable accommodation would not impose an undue financial or administrative burden on the City.
  - (d) The requested reasonable accommodation would not require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning.
  - (e) The requested reasonable accommodation would not adversely impact surrounding properties or uses.
  - (f) There are no reasonable alternatives that would provide an equivalent level of benefit without requiring a modification or exception to the City's applicable rules, standards and practices.
- (2) In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by section (1) above.

#### 9.95.12 Appeals Determination

Any decision on an application under this chapter shall be subject to appeal pursuant to section 18.43 of the Norco Municipal Code.

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

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

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

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on February 5, 2014.

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Mayor of the City of Norco, California

ATTEST:

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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 January 15, 2014 and thereafter at a regular meeting of said City Council duly held on February 5, 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 February 5, 2014.

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