



AGENDA
CITY OF NORCO
CITY COUNCIL

February 5, 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

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

PLEDGE OF ALLEGIANCE: Council Member Bash

INVOCATION: Beacon Hill Assembly of God
Pastor Rene Parish

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 January 15, 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. Appointment of Mayor Pro Tem Higgins to Serve as the City's Delegate at the Southern California Association of Government (SCAG) General Assembly to be Held on May 1 – 2, 2014. **Recommended Action: Approval** (City Clerk)
 - D. Acceptance of the 2013/14 Equestrian Trail Fencing Project as Complete.
Recommended Action: Accept the 2013/14 Equestrian Trail Fencing Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside. (Director of Public Works)
 - E. Approval of Additional Appropriation and Changes in Contract Amounts and Acceptance of the Hamner Avenue Widening Project as Complete.
Recommended Action: Adopt Resolution No. 2014-02, appropriating funds in the amount of \$288,301 for completion of the Hamner Avenue Widening Project; approve changes to the contracts, and accept the Hamner Avenue Widening Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside. (Director Public Works)
 - F. Approval of a Contract with Pixelpushers, Inc. DBA Civica Software to Redesign, Upgrade and Integrate a New Look and Feel to the City's Website.
Recommended Action: Approve the contract with Pixelpushers, Inc. DBA Civica Software in an amount not-to-exceed \$36,000 and authorize the City Manager to execute the contract. (City Manager)
3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
 4. LEGISLATIVE MATTERS: **(No new evidence will be heard from the public as the public hearing has been closed regarding the item listed.)**
 - 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: Adopt Ordinance No. 969. (City Clerk)
 - B. **Code Change 2013-05 (City):** Code Change 2013-05 (City of Norco): Adding Section 9.95 "Reasonable Accommodations" to the Norco Municipal Code.
Recommended Action: Adopt Ordinance No. 970. (City Clerk)

5. 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.
6. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:
7. FUTURE STUDY SESSION ITEMS – INFORMATION ONLY:
 - Goal Setting – Pre Budget Workshop
 - Trails and Trail Materials
 - Water System Management
8. ADJOURNMENT:

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

Staff reports are on file in the Office of the City Clerk. Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be available for public inspection at the City Clerk's Counter in City Hall located at 2870 Clark Avenue.

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



MINUTES
CITY OF NORCO
CITY COUNCIL

January 15, 2014

City Council Chambers
2820 Clark Avenue, Norco, CA 92860



CALL TO ORDER: Mayor Hanna called the meeting to order at 7:00 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**

PLEDGE OF ALLEGIANCE: Council Member Higgins

INVOCATION: Council Member Higgins

MOMENT OF SILENCE: Observed following the Passing of Mr. Louis VanderMolen

PRESENTATIONS: Proclamation Declaring City of Norco a Purple Heart City, *Len Tavernetti / Military Order of Purple Heart*
Mayor Hanna presented a proclamation declaring the City of Norco as a Purple Heart City.

Corona Regional Medical Center, *Mark Uffer, CEO*
Mr. Uffer presented an update to the City Council on the Corona Regional Medical Center.

Receipt of Contribution for the George Ingalls Veterans Memorial Plaza, *Ruben Rasso*
Mr. Rasso presented a check in the amount of \$400 to the City as a contribution from the Corona Veterans Memorial Division to the George Ingalls Veterans Memorial Plaza.

Emergency Preparedness Training, *Riverside County Fire/Cal Fire*
Fire Chief Pemberton presented information regarding emergency planning, preparedness and management in and for the City of Norco.

INTRODUCTION: Lt. Hedge Introduced Sgt. Christian Decker

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Council Member Bash:

- Commented on the Film Festival and Gala to be held February 1 – 2 at the Norco High School auditorium in conjunction with the City's 50th Birthday celebration year.
- Commented on the Norco Kiwanis Lake Norconian Run/Walk which will take place on March 1st.

Council Member Newton:

- Reported that he was sworn in as a member of the Chino Basin Desalter Authority Board, noting that at that meeting a review of the financial and operational reports took place.

Council Member Azevedo:

- Reported on the WRCOG Executive Committee, noting and the Northwest Zone TIP and the HERO regional project reports.
- Reported that she will be speaking at the Norco Horsemen's Association meeting on January 16th and will be reporting on all of the City's 50th Birthday events that will take place throughout the year.

Mayor Hanna:

- Reported on the Riverside County Transportation Commission meeting he attended, at which time they approved \$152,000,000 to be allotted for local area projects, noting the funding and number of projects that will be funded.

2. CITY COUNCIL CONSENT ITEMS:

Council Member Bash pulled Item 2.E. and Council Member Newton pulled item 2.F.

M/S Higgins/Bash 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 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) PULLED FOR DISCUSSION**
- 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) **PULLED FOR DISCUSSION**
- 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:

Item 1.E. Report on Fiscal Year 2013 Audited Financial Reports.

City Manager Okoro presented highlights from the FY 2013 Audited Financial Reports. Noted that the General Fund ended the fiscal year favorably, adding \$2 million to the reserves. He further stated that similarly, the Water and Sewer Funds performed very well, noting expenditure control measures that took place and rate adjustments. City Manager Okoro added that this report is a very comprehensive report, covering not only operating funds, but also the City's capital funds as well. He added that this report is required to be audited by the City's independent auditor, and the good news is that following the audit, there were no required changes and the report received a clean opinion.

M/S Bash/Higgins to receive and file the Fiscal Year 2013 Audited Financial Reports. The motion was carried by the following roll call vote:

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

Item 1.F. Acceptance of the Corydon Staging Area Project as Complete.

Council Member Newton commented on this project, complimenting the Parks, Recreation & Community Services Department staff for the professional manner in which the project was managed.

Director Petree commented on the community volunteers that assisted with this project.

M/S Newton/Hanna to Accept the Corydon Staging Area Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside. 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 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)

Consultant Wilkman provided an update to the City Council regarding the draft Certified Local Government Annual Report. He noted the goals that had not been met, mainly due to the lack of budget resources. He commented on this year's goals which include ways to implement the City's historic preservation program. Consultant Wilkman further provided an update on the City's Collections Management Study.

Council Member Azevedo asked about the historical collection and noted the potential opportunity to display the items during the City's 50th Birthday year. In response, Consultant Wilkman stated that this will be an item included on the next Historic Preservation Commission agenda.

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

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

- B. Discussion Regarding 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)

Consultant Wilkman provided an update to the City Council regarding the Expanded Historic Resources Survey and Evaluation of the Norconian's World War II and Post World War II periods. He stated that he has been in contact with the State Historic Preservation Officer, noting that the City is not satisfied with the Survey that the Navy submitted. He commented on the potential consequences if the Survey is accepted as submitted and the need for the City to submit its comments indicating the shortcomings in the Survey. He stated the options for the City are to either complete its own survey or continue communications with the Navy regarding the City's concerns.

Council Member Newton asked what is behind the Navy's approach regarding the denial of historical buildings with significance on the site. Consultant Wilkman responded that it is to the Navy's best interest to not have any of the buildings historically designated, as this would significantly affect its flexibility with the buildings on the property. He noted that the City has a good handle on the buildings located on the property and the case that could be made for them.

Council Member Azevedo asked about the expense in hiring a consultant to complete the survey and how to move forward with this. Consultant Wilkman noted that staff will be making the determination in how to proceed. As far as the commissioning of an independent survey, the cost could be up to \$39,000 and there is the possibility of applying for a CLG grant to pay for it.

City Manager Okoro noted that the intent is to provide background information tonight and a City Council Workshop will be held on January 27th that will further address this item. He noted that at that meeting he will be looking for recommendations from the City Council in how to move forward.

Mayor Pro Tem Higgins commented on the buildings that were previously placed on the National Register. Consultant Wilkman noted that this report would add buildings to that list.

Council Member Bash commented on the Knox Mellon report that was completed and the fact that some of the designations were never done. He noted that most important to him is remembering all of the people throughout the history of those buildings. He further commented on the number of documents that have been sent to the State proving the historic value of the buildings on the property. Council Member Bash stated that he wants to do the surveys in-house and move ahead as quickly as possible, as the state and federal government are not taking care of the buildings.

Linda Dixon. Ms. Dixon suggested that the Council move forward authorizing the processing of the application for the CLG Grant. She noted the historical importance of each of these buildings and how they could be of benefit to the City in the future once the prison and the Navy are gone.

M/S Azevedo/Bash to move forward with applying for the CLG Grant. The motion was carried by the following roll call vote:

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

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)

M/S Higgins/Azevedo to adopt Ordinance No. 971. 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. **Recommended Action: Adopt Ordinance No. 972.** (City Clerk)

M/S Higgins/Azevedo to adopt Ordinance No. 972. The motion was carried by the following roll call vote:

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

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)

Planning Director King introduced the appeal hearing item and commented on the history of the Conditional Use Permit 2013-13 approval process. He noted staff's recommendation and added that the applicant was not able to be present.

Council Member Higgins asked if Corona Motorhome Rentals has a CUP. In response, Director King stated that they did not.

Mike Bandfield. Mr. Bandfield commented as the owner of Corona Motorhome Rentals and noted that he wants his business to stay. He stated that the fees for the CUP, on his behalf, have been paid. He added that he would like to stay as long as he can on that site.

Director King stated that this item was appealed by the applicant and the only way for Mr. Bandfield's business to remain on the site is to have a CUP.

City Attorney Harper commented on the need for a CUP in that zone and the conditions that would be placed on the operation of the business.

M/S Higgins/Bash to deny the appeal of Condition No. 13 be denied; thereby, leaving stand Planning Commission's approval, and deny the waiver of the fee request. The motion was carried by the following roll call vote:

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

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)

Fire Chief Pemberton presented the public hearing item. He commented on one protest letter received from Beacon Hill Assembly of God, noting that they have been contacted and will not need to pay the administration fee portion.

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 Bash/Higgins to adopt Resolution No. 2014-01. 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 8:49 p.m.

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

- 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)

Planning Director King presented the public hearing item, noting that this is the last step in the process of receiving a Certified Housing Element.

Mayor Pro Tem Higgins commented on the family designation required and how this will be enforced.

Council Member Newton asked about Section 18.30.46 (2) Definition, noting the 10-foot maximum separation between the two buildings, in comparison to the Building Code minimum of 10 feet. He further commented on public safety concerns. In response, Director King stated that the reason this is written this way is so that there would be some assurance of protection to the City's lifestyle. Chief Pemberton commented on this noting that it would depend on the variables in that second unit. City Attorney Harper commented on the restrictions that will make a second unit undesirable.

Council Member Azevedo noted her concerns regarding the state's required definitions.

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 Bash/Higgins to adopt Ordinance No. 969 for first reading. The motion was carried by the following roll call vote:

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

- 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)

Planning Director King presented the public hearing item as stated in the proposed Ordinance.

Council Member Azevedo received confirmation from Director King that the smaller projects will be approved by staff and the larger projects would go through the Council process.

Council Member Newton commented Minor Site Plan approved at the staff level staff and received confirmation that variances would go directly to Council for its finding and approval.

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 adopt Ordinance No. 970 for first reading. The motion was carried by the following roll call vote:

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

8. PUBLIC COMMENTS OR QUESTIONS:

Peter Garrell. Mr. Garrell, attorney for the property owners at 350 Oldenburg, commented on pavers that were installed at that location. He noted that he appeared before the Streets, Trails and Utilities Commission, noting the comments that were made on the permitting process. He further commented on the rubber pavers that were placed and proposed that this be used as a test case, as they are safe and a good product.

Rachel Matheny. Ms. Matheny commented on the pavers, noting that they need to be safe for horses and people. She stated that in her opinion, the rubber pavers are a safe product. She added that she does not believe that the intent in installing the pavers is to change Norco.

Ted Hoffman. Mr. Hoffman thanked the Council for purchasing the new equipment for grooming the arenas at Ingalls Park. He also commented on the Exclusive Refuse Franchise Agreement Ad-Hoc Committee meetings he attended, congratulating the members on the Committee and noting the diligent work they are doing.

9. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Council Member Newton asked Public Works Director Askew about the Stop Sign at Willow and Valley View and when the horse trail sign would be moved, and further, asked when the installation of trail fence on the south side of Willow would take place. In response, Director Askew stated that she would look into it right away.

Council Member Higgins asked about the rubber pavers noted in public comments and if they were the same as were installed on Sixth Street. In response, Director Askew stated that these are a different product.

Council Member Bash commented on the need to have a discussion regarding the City's trails and his concerns with where the decomposed granite will come from in the future.

M/S Bash/Higgins to agendize a discussion regarding the City's trails and the responsibility of homeowners to maintain them. The motion was carried by the following roll call vote:

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

Mayor Hanna requested a progress report on the Veterans Memorial Project at each Council Meeting. In response, City Manager Okoro stated that the first step will be for the City Council to approve the funding for the project in February.

M/S Bash/Higgins to agendize an item forming a sub-committee consisting of two Council Members to work with staff on business processes. The motion was carried by the following roll call vote:

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

City Manager Okoro commented on a City Council Workshop that will be held on January 27th which will include a review of the proposed Development Impact Fees.

City Attorney Harper stated that the Norco Firefighters lawsuit is “dead”.

10. **ADJOURNMENT:** There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 9:46 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK

**CITY OF NORCO
STAFF REPORT**

TO: Honorable Mayor and Members of the City Council

FROM: Brenda K. Jacobs, City Clerk 

DATE: February 5, 2014

SUBJECT: Appointment of Mayor Pro Tem Higgins to Serve as the City's Delegate at the Southern California Association of Government (SCAG) General Assembly to be Held on May 1 – 2, 2014

RECOMMENDATION: Approve the appointment.

SUMMARY: The Southern California Association of Government (SCAG) General Assembly will be held in May of 2014 and, as a member of SCAG, the City is recommended to select a Delegate to represent the City of Norco at this Annual Meeting.

BACKGROUND/ANALYSIS: SCAG will be holding its General Assembly on May 1 – 2, 2014 at the Renaissance Esmeralda Resort & Spa in Indian Wells, California. Each year, SCAG's member cities select a Delegate to represent their city to participate at this Annual Meeting. They request that a copy of the city's action in appointing a SCAG Delegate be submitted to them as soon as possible.

Mayor Pro Tem Higgins has declared an interest in serving as the City's Delegate; therefore, it is recommended that the City Council approve his appointment to serve as the Delegate representing the City of Norco. Following approval, the City Clerk will prepare a Minute's Action and submit it to SCAG.

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

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

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

DATE: February 5, 2014

SUBJECT: Acceptance of the 2013/14 Equestrian Trail Fence Project as Complete

RECOMMENDATION: That the City Council Accept the 2013/14 Equestrian Trail Fence Project as complete and authorize the City Clerk to file the Notice of Completion with the County Recorder's Office.

SUMMARY: The 2013/14 Equestrian Trail Fence Project consisted of installation of approximately 7,200 linear feet of new equestrian trail fencing at various locations throughout the City.

BACKGROUND/ANALYSIS: On July 17, 2013, the City Council awarded a public works contract to Valley Cities/Gonzales Fence, Inc. to complete the 2013/14 Equestrian Trail Fence Project in the amount of \$54,762.40 with an additional 10% contingency for change orders. The project scope consisted of installation of approximately 7,200 linear feet of equestrian trail fence at various locations throughout the City including Belgian Drive, Morning Star Lane, Red Cloud Court, Crazy Horse Lane, Comanche Court, Fourth Street, Viceroy Avenue, Smokewood Lane, Hidden Trails Drive, Corona Avenue and Pinto Place.

One change order was submitted for an additional 80 linear feet of trail fence to be installed. Valley Cities/Gonzales Fence, Inc. has completed all work, within the required working days for a total cost of \$55,378.40. Work on the project has been completed to the satisfaction of the City Engineer and a Notice of Completion has been prepared. Staff is requesting that the City Council accept the work performed by Valley Cities/Gonzales Fence, Inc., and authorize the City Clerk to record the Notice of Completion with the County Recorder's Office.

FINANCIAL IMPACT: None.

/lja

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

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

DATE: February 5, 2014

SUBJECT: Approval of Additional Appropriation and Changes in Contract Amounts and Acceptance of the Hamner Avenue Widening Project as Complete

RECOMMENDATION: Adopt **Resolution No. 2014-02**, appropriating funds in the amount of \$288,301 for completion of the Hamner Avenue Widening Project; approve changes to the contracts, and accept the Hamner Avenue Widening Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside.

SUMMARY: The Hamner Avenue Widening Project consisted of widening Hamner Avenue to its ultimate width north of the Santa Ana River and construct various required utility infrastructure. In order to file a Notice of Completion on the project, additional appropriation of funds in the amount of \$288,301 is required.

BACKGROUND/ANALYSIS: On July 18, 2012, Council awarded a contract to Griffith Company in the amount of \$4,133,320.25 for the base bid to construct the Hamner Avenue Widening Project. The project consisted of widening Hamner Avenue to its ultimate width from 1,500 feet south of Citrus Street to 2,150 feet north of Citrus Street. In addition, there were traffic signal improvements, storm drain improvements, retaining walls, a 42' wide by 15' high causeway under Hamner Avenue, and relocation of a City of Norco 20" domestic water line. The project also included an Alternative Bid Item for installation of a 30" domestic waterline for the Chino Basin Desalter Authority (CDA). Award of the CDA portion also occurred with a bid totaling \$1,188,610.00 with full funding being provided by CDA through a cooperative reimbursement agreement. The City portion of the Hamner Avenue Widening Project was included in the FY 2013 CIP Budget and included funding from TUMF, Measure "A", Trails, Water, Sewer, Streets, in addition to funding from Riverside County Flood Control and Water Conservation District for the storm drain appurtenances and contribution from the City of Eastvale for road improvements within their City limits.

At its July 18, 2012 meeting, the City Council also awarded funding for construction services in the amount of \$238,031, which provided for construction management, geotechnical services and survey. The CDA contributed an additional \$42,520.00 for construction services related to installation of their 30" water line.

Approval of Additional Appropriation and Acceptance of the Hamner Avenue Widening Project

Page 2

February 5, 2014

On May 15, 2013, the City Council authorized funds in the amount of \$95,222.67 be allocated to the Hamner Avenue Widening Project for change orders to construct a storm drain connection and installation of a gasline sleeve at the intersection of Citrus for benefit of the Silverlakes property. This funding is to be reimbursed to the City by Balboa Management Group, LLC.

The project experienced delays due to utility conflicts, most notably the necessity of SCE to raise their transmission poles along the east side of Hamner Avenue; discovery of unmarked Time Warner Telecommunication fiber optics which needed relocation; and AT&T conduit relocations. In addition, ground water was encountered during excavation for the causeway resulting in modification of the foundation and over-excavation of saturated soil. Huge amounts of concrete debris were discovered during the forming of the retention basin along the west side of Hamner Avenue, resulting in a need to have it removed in order to construct the basin; and additional import was required to be brought in to complete the slope grading on the sides of Hamner Avenue. These delays necessitated additional services from the consultants providing construction services.

A total of 37 change orders were submitted for the entire project. Seven were rejected and six were for CDA water line related changes. The delays and additional work associated with the change orders requires changes in the contract amounts for Griffith Company in addition to the construction services consultants. Staff is requesting City Council approve the contract changes in the following amounts:

Griffith Company:	\$244,457
Heider Engineering Services, Inc. (Geotechnical):	\$ 22,457
DMC Design Group, Inc. (Construction Management):	\$ 95,112
Kelsoe Associates, Inc. (Survey):	No Change

Staff is requesting that the City Council appropriate additional funding in the amount of \$288,301 from the Street Capital Improvement Fund to finalize payment to Griffith Company and the consultants that provided construction services. The difference of \$73,725 between the requested change to various contracts and the requested additional appropriation represents the amount that is still available in the approved CIP budget to be spent on the project.

Griffith Company has completed all work to the satisfaction of the City Engineer and a Notice of Completion has been prepared. Staff is requesting that the City Council approve the additional appropriation and accept the work performed by Griffith Company, and authorize the City Clerk to record the Notice of Completion with the County Recorder's Office.

FINANCIAL IMPACT: The recommended changes will result in additional authorized expenditure of \$288,301 from the Street Capital Improvement Fund. It is important to note that all expenditures from the Street Capital Improvement Fund for this project will be reimbursed from former Redevelopment Agency remaining bonds which have been approved by the California State Department of Finance.

/lja

RESOLUTION NO. 2014-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$288,301 FROM STREET FUND 149 CAPITAL IMPROVEMENT FUND FOR THE HAMNER AVENUE WIDENING PROJECT.

WHEREAS, the Norco City Council ("Council") approved the FY 2014-2018 Capital Improvement Program for the construction of public improvements for the benefit of the Community; and

WHEREAS, the improvements of the Hamner Avenue Widening Project will improve the overall traffic circulation; and

WHEREAS, the Hamner Avenue Widening Project will improve vehicular and equestrian safety and reduce congestion along this segment; and

WHEREAS, the Hamner Avenue Widening Project was awarded by the City Council on July 18, 2012 to Griffith Company in the amount of \$4,133,320.25 for the Base Bid and \$1,188,610.00 for Add Alternate Bid No. 1; and

WHEREAS, also awarded on July 18, 2012 by the City Council were contracts to three consultants to provide construction management, geotechnical services and survey, totaling \$238,031.00; and

WHEREAS, the project encountered utility conflicts during construction and design changes that resulted in additional costs to the project; and

WHEREAS, additional funding in the amount of \$288,301 is required to finalize payment to Griffith Company and the consultants that provided construction services; and

WHEREAS, the construction of the Hamner Avenue Widening Project has been completed to the satisfaction of the City Engineer.

NOW, THEREFORE, BE IT RESOLVED that the amount of \$288,301 shall be appropriated from the Street Capital Improvement Program Fund to fund the Hamner Avenue Widening Project.

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 Resolution was adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on February 5, 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 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 

DATE: February 5, 2014

SUBJECT: Approval of a Contract with Pixelpushers, Inc. DBA Civica Software to Redesign, Upgrade and Integrate a New Look and Feel to the City's Website

RECOMMENDATION: Approve the contract with Pixelpushers, Inc. DBA Civica Software in an amount not-to-exceed \$36,000 and authorize the City Manager to execute the contract.

SUMMARY: The City's current website was installed about 10 years ago and no updates have been made to the site since then. Significant technology changes have taken place since the initial installation. It is now necessary to have a major redesign and upgrade of the site in order to provide and utilize the newest technology features available. The new features will, among other things, allow the City to create a Resident Portal for notification of page updates, favorite news and calendar feeds. The City has a current contract with Pixelpushers, Inc. DBA Civica Software (Civica) for the design of the City's website. They have provided acceptable proposal to redesign, upgrade and integrate a new look and feel to the City's website.

BACKGROUND/ANALYSIS: The City's current website was installed about 10 years ago and no updates have been made to site since then. Significant technology changes have taken place since the last installation. It is now necessary to have a major redesign and upgrade of the site in order to provide and utilize the newest technology features available. The new features will among other things, allow the City to create a Resident Portal for notification of page updates, favorite news and calendar feeds. The City has a current contract with Pixelpushers, Inc. DBA Civica Software (Civica) for the design of the City's website and they have provided an acceptable proposal to redesign, upgrade and integrate a new look and feel to the City's website. The estimated timeline to complete the required redesign and updates of the website is 16-28 weeks.

The redesigned and upgrade website will include the following new features (partial list).

- Unique, powerful and user-centered design
- Lively friendly homepage slideshow which will allow for images, photos and videos
- Option to have homepage slideshow driven by the News Modules
- Most popular links and dynamic sitemap

Approval of a Contract with Pixelpushers, Inc. DBA Civica Software to Redesign, Upgrade and Integrate a New Look and Feel to the City's Website

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February 5, 2014

- Optimized graphics and Media Manager control of homepage graphic elements
- Social Media (Facebook & Twitter) and Google Translate
- Really Simple Syndication (RSS) News Feeds that would allow easy distribution of a list of headlines, update notices, and sometimes content to a wide number of people
- Resident Portal for notifications of web page updates, favorite news and calendar feeds.

These new features and enhancements will allow for City information and newsworthy items to be delivered instantly to residents who subscribe to the portal by providing their email addresses.

The group of staff that currently manage and update the City's existing website, the City Manager and IT Manager have met with Civica to discuss and review the new features as well as enhancements to the existing features and the team is very satisfied with the new technology and look of the website.

Staff is recommending that the City Council authorize the City Manager to execute a contract in the amount not exceeding \$36,000 with Pixelpushers, Inc. DBA Civica Software to design, develop and implement a new look and feel City Website.

FINANCIAL IMPACT: The cost for this project will be paid from Information Technology Fund. As part of the mid-year budget amendments, staff will recommend a potential transfer from the General Fund to the Information Technology Fund to cover the cost.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Brenda K. Jacobs, City Clerk

DATE: January 15, 2014

SUBJECT: **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.

RECOMMENDATION: Adopt **Ordinance No. 969** for second reading.

SUMMARY: The first reading of Ordinance No. 969 was held on January 15, 2014 and adopted by the City Council with a 5-0 vote.

Zone Code Amendment 2013-16 and Code Change 2013-05 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).

Attachment: Ordinance No. 969

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
Other Uses	
<u>Emergency Housing for the Homeless</u>	
Emergency Shelter: 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:

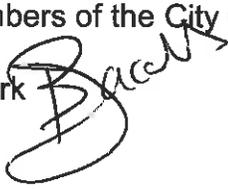
AYES:
NOES:
ABSENT:
ABSTAIN:

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: Brenda K. Jacobs, City Clerk 

DATE: January 15, 2014

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

RECOMMENDATION: Adopt **Ordinance No. 970** for second reading.

SUMMARY: The first reading of Ordinance No. 970 was held on January 15, 2014 and adopted by the City Council with a 5-0 vote.

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.

Attachment: 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.

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