



AGENDA
CITY OF NORCO
CITY COUNCIL

August 20, 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: Mayor Pro Tem Herb Higgins

INVOCATION: Beacon Hill Assembly of God, *Pastor Rene Parish*

PROCLAMATION: Lieutenant Daniel Hedge, Riverside County Sheriff's Department

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 August 6, 2014
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 August 13, 2014. **Recommended Action: Receive and File** (Planning Director)
- D. Acceptance of Offer from Riverside County Flood Control and Water Conservation District of Dedication for Second Street Right-of-Way.
Recommended Action: Accept the offer of dedication. (Director of Public Works)
- E. Acceptance of the Various Streets Slurry Seal Project as Complete.
Recommended Action: Accept the Various Streets Slurry Seal Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside. (Director of Public Works)
- F. Approval of "Straight Trail Talk" Flyer to Be Mailed to Norco Residents Regarding Homeowner Trail Maintenance. **Recommended Action: Approve the Flyer to be mailed to Norco Residents Regarding Homeowner Trail Maintenance.** (Director of Parks, Recreation and Community Services)

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 items listed.*

- A. **Ordinance No. 978, Second Reading.** Code Amendment 2014-03. A City-Initiated Proposal to Amend Chapter 5 of the Norco Municipal Code by Amending Section 5.04.060, 5.04.090(a), 5.04.202, and 5.04.260 (Business License and Regulations). **Recommended Action: Adopt Ordinance No. 978.** (City Manager)
- B. **Ordinance No. 979, Second Reading.** Code Amendment 2014-04. A City-Initiated Proposal to Amend Norco Municipal Code Chapter 9.07 Entitled "Noise Amplification Devices" to "Noise Regulations" and Sections Thereof. **Recommended Action: Adopt Ordinance No. 979.** (Sheriff Lieutenant)

5. CITY COUNCIL DISCUSSION / ACTION ITEMS:

- A. Equestrian Trail Parking Violation Enforcement. **Recommended Action: Approve the proposed Sheriff staff plan.** (Sheriff Lieutenant)
- B. Removal of Traffic Signal at Hidden Valley Parkway and Corona Avenue. **Recommended Action: Provide direction to staff regarding the removal of the traffic signal at Hidden Valley Parkway and Corona Avenue.** (Director of Public Works)
- C. Resolution Electing to Serve as the Successor Housing Agency of the Norco Community Redevelopment Agency and Retain the Housing Assets and Functions Previously Performed by the Norco Community Redevelopment Agency, Pursuant to Health and Safety Code Section 34176. **Recommended Action: Adopt Resolution No. 2014-56, rescinding Resolution No. 2012-02 and electing to retain the housing assets and functions previously performed by the Norco Community Redevelopment Agency in accordance with Section 34176 of the Health and Safety Code.** (City Manager)
- D. Discussion on the Response Letter from the State Historic Preservation Officer to the Naval Weapons Station Seal Beach Detachment Norco Regarding Continuation of Consultation Under USN101129A – National Register of Historic Places Eligibility Status of Properties at Detachment Norco. **Recommended Action: City Council direction requested.** (City Manager)

6. PUBLIC COMMENTS OR QUESTIONS: *This is the time when persons in the audience wishing to address the City Council regarding matters not on the agenda may speak. Please complete the speaker card in the back of the room and present it to the City Clerk so that you may be recognized.*

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS

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

August 6, 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: 6:00 p.m.

ROLL CALL

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

§54956.9(c) – Conference with Legal Counsel – Anticipated Litigation:

Two Potential Cases

RECONVENE PUBLIC SESSION: 7:03 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1):

City Attorney John Harper stated that there was no reportable action from Closed Session.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Higgins

INVOCATION: Calvary Chapel – Norco, *Pastor Louie Monteith*

RECOGNITION:

Andy Okoro, CPA, City Manager – *Certificate of Achievement for Excellence in Financial Reporting*

Mayor Hanna recognized City Manager Okoro for his achievements in financial reporting. City Manager Okoro thanked the City Council for leadership and recognized Finance

Department for their efforts.

DEMONSTRATION:

Automated Meter Reading (AMR) Project, *Water Utility Customer Portal*

Chris Berg of Aqua Metric demonstrated the portal from the City's website link. Users have the ability to set up an account online and, upon logging in, users will be directed to a "dashboard" screen which provides water consumption and history. Mr. Berg also briefly displayed the reports page that generate daily, weekly, and monthly usage reports. The system also allows for alerts customizable by the user. Mr. Berg displayed the Library page containing many useful tips, available rebates, and information on maintenance.

Council Member Newton asked if the portal will have a nexus for consistency on water bills schedules. In response, Accounting Manager Olivia Hoyt stated that residents are divided into four billing groups, which are billed at different times but all are billed within a one-month period. Ms. Hoyt stated that residents can be assigned to a different group. She gave the example of senior citizens requesting the need to be move to a group being billed earlier in the month to coincide with social security payment schedules. The City can accommodate such requests.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Council Member Bash:

- No Regional Conservation Authority (RCA) meeting this month.
- Member of the Corona-Norco Unified School District School Naming Advisory Committee and noted some school name changes.
- Board Member of the Corona Regional Medical Center. A new emergency room is opening with the only stroke center within 25 miles.
- September 30 is a fundraiser for Boy Scouts of America summer camp.

Mayor Pro Tem Higgins:

- Nothing to report.

Council Member Newton:

- Nothing to report.

Council Member Azevedo:

- Attended the Western Riverside Council of Governments (WRCOG) meeting on August 4th. The county has started a healthy communities program encouraging communities to embrace amenities conducive of a healthy lifestyle. Commented on the WRCOG Advancing the Choice Expo on September 25th with keynote speaker Ralph Nader. Commented on the WRCOG HERO program which is the largest in the country and encouraged residents to look into the program.

- Met with the Beautification Committee for the Norco Pride Awards. The awards will be given on the first night of the Norco Fair, which begins August 28th.
- Met with the Birthday Committee to discuss a memory book for Norco reflecting on the past 50 years. A Norco 50th birthday party will take place at the Community Center on December 28th. Council Member Azevedo invited Geoff Kahan to speak about the Norco Sock Hop. Mr. Kahan stated that the event takes place on Saturday, August 9th beginning with a car show at Bob's Big Boy then the sock hop at Riley's Gym.

Mayor Hanna:

- Attended the 91 Freeway Advisory Committee. The Committee discussed eminent domain.
- Attended the Riverside Transit Agency (RTA) meeting. Commented that ridership increases every month.
- Attended the Vector Control meeting.

Mayor Hanna invited Ad-Hoc Committee on Infrastructure Needs and Funding Options Chair Webber to provide an update.

A. Update on the Ad-Hoc Committee on Infrastructure Needs and Funding Options

Chair Webber reported that there have been four meetings thus far and nine total meetings are scheduled through the end of the year. Chair Webber indicated that the Committee has received an overview of streets and trails and the current funding for those categories. Committee Members and the public have been providing suggestions. Staff is currently working on a trail matrix to provide more accurate information on trail fencing, maintenance and funding options. Chair Webber stated that the next Committee meeting will be Monday, August 11th at City Hall. At the meeting, the City Engineer will discuss the pavement management plan. Chair Webber stated that meeting agendas and the meeting schedule is available online.

2. CITY COUNCIL CONSENT ITEMS:

Council Member Newton pulled Consent Calendar Items 2.C., 2.F., and 2.G. for discussion.

M/S AZEVEDO/BASH to adopt the remaining items as recommended on the 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:
Special Meeting of July 2, 2014
Regular Meeting of July 16, 2014
Action: Approved the City Council Minutes

- B. Procedural Step to Approve Ordinance after Reading of Title Only. **Action: Approved**
- C. Approval of Joint Exercise of Powers Agreement between the City of Norco and Jurupa Community Services District for Landscape Maintenance Adjacent to Community Facilities District No. 12. **Pulled for discussion.**
- D. Approve the Extension of the Standard Software Maintenance Agreement with New World Systems Corporation from September 1, 2014 to August 31, 2019. **Action: Adopted Resolution No. 2014-53, approving the extension of the Standard Software Maintenance Agreement with New World Systems Corporation from September 2, 2014 – August 31, 2019.**
- E. Acceptance of Bids and Award of Contract for Street Striping and Pavement Marking On-Call Services for Fiscal Year 2014-2015. **Action: Accepted bids submitted for the installation of street striping and pavement marking on-call services for Fiscal Year 2014-2015 and awarded the service contract to J & S Striping Company, Inc. of Ontario, California.**
- F. Acceptance of Bids and Award of Contract for Navy to Norco College (RCC) Sewer Improvements Project. **Pulled for discussion.**
- G. Approval of the Agreement for Law Enforcement Services between the City of Norco and the County of Riverside. **Pulled for discussion.**

3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR

- 2.C. Approval of Joint Exercise of Powers Agreement between the City of Norco and Jurupa Community Services District for Landscape Maintenance Adjacent to Community Facilities District No. 12.**

Council Member Newton referred to Exhibit B of the agreement. Water and Sewer Manager Bill Thompson stated that the property referenced lies within the City of Eastvale but within the City of Norco right-of-way. Council Member Newton also asked about costs, and in response, City Manager Okoro stated there are no costs today and no future costs.

M/S NEWTON/BASH to adopt Resolution No. 2014-52, approving the Joint Exercise of Powers Agreement with Jurupa Community Services District regarding landscape maintenance adjacent to CFD No. 12. The motion was carried by the following roll call vote:

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

2.F. Acceptance of Bids and Award of Contract for Navy to Norco College (RCC) Sewer Improvements Project.

Council Member Newton inquired about why the project was not included in the current Capital Improvement Project (CIP) budget. City Manager Okoro stated that the project was included in the previous fiscal year CIP but was not carried over. In response to Council Member Newton's question about financial impact, Mr. Okoro stated that this project is providing a service and ultimately the revenue will eventually exceed the cost. Water and Sewer Manager Thompson added that the Navy will pay a commercial sewer rate.

M/S NEWTON/HANNA to accept bids submitted for the Navy to Norco Sewer Improvements project and award the contract to TBU, Inc. of Beaumont, California in the amount of \$214,963.00, authorize the City Manager to approve contract change orders up to 10 percent of the bid contract amount, and adopt Resolution No. 2014-54, appropriating funds for the construction of the project. . The motion was carried by the following roll call vote:

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

2.G. Approval of the Agreement for Law Enforcement Services between the City of Norco and the County of Riverside.

Council Member Newton inquired about information on Attachment A to the staff report as well as the signature page. Staff noted that what was provided online is correct and may have been copied incorrectly for City Council Members. Lt. Briddick confirmed what should be correctly stated in Attachment A.

M/S NEWTON/BASH to approve the agreement for Law Enforcement Services between the City of Norco and the County of Riverside effective July 1, 2014 through June 30, 2014; and revise Attachment A as noted by the Sheriff Lieutenant and correct the signature page. 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. Planning Commission's Building Permit Process Review between Two Cases.

Director King reported that the City Council asked that the Planning Commission review the building permit process by comparing two cases to see if there are changes that the Planning Commission would recommend to the process. The Planning Commission reviewed the two cases on July 9, 2014 but did not take any formal action to recommend

changes.

Council Member Newton stated that when a mistake is made by staff then the burden should not be placed on the applicant and a variance process could be used. Council Member Newton also agreed with the suggestion by the Planning Commission to separate the Building and Safety Division from the Public Works Department. Council Member Newton commented that three to five weeks processing time for permits is not unreasonable. Council Member Newton stated that the City could provide quick reference sheet for residents and businesses.

Mayor Pro Tem Higgins indicated that he requested to have this issue agendaized and the Council concurred because it brings up a critical issue since 2000 about the process. Mayor Pro Tem Higgins stated that he wants to be sure that when staff states a project is approved that it is approved. Mayor Pro Tem Higgins also expressed his concerns with delays.

Council Member Azevedo stated the need to look at metal versus wood structures and requirements.

Mayor Hanna suggested changing the City fire sprinkler standards from 2,500 square feet to 5,000 square feet, to be the same as County requirements. Mayor Hanna expressed his concerns with hay storage.

City Manager Okoro noted that the suggestion of separating the Building Division from the Public Works Department is an administrative issue and will be handled on a staff level. The fire sprinkler standard is a code amendment to the Norco Municipal Code. Mr. Okoro requested specific direction for the Planning Commission.

M/S Azevedo/Bash to receive and file the staff report; and, to direct the Planning Commission to review and initiate a code amendment to concur with the County of Riverside and CalFire requirement for fire sprinklers, to review metal versus non-metal structures, and to change the name of the reference guide for residents and businesses to not state "cheat sheet". The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- B. Swap Meet Permit 2014-01 (Roy): An Application for a Monthly Swap Meet/Flee Market in the Parking Lot of the "Vandermolen Center" Located at 2816 Hamner Avenue within the C-G (Commercial General) Zone.**

Council Member Azevedo commented that she supports the sale of fruits and vegetables.

In response to Council Member Newton, Lt. Briddick indicated that Conditions #18 and #19 are standard and reviewed them with Director King.

M/S Azevedo/Higgins to adopt Resolution No. 2014-55 approving Swap Meet Permit 2014-01 with a revision to Condition #17 allowing the sale of fruits and vegetables with the approval from the State Health Department, and approval from the property owner. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

C. State Water Resources Control Board Emergency Regulations for Statewide Urban Water Conservation.

Water and Sewer Manager Bill Thompson reported that on July 15, 2014, the State Water Resources Control Board (SWRCB), in accordance with applicable State laws and regulations, adopted Emergency Regulations for Statewide Urban Water Conservation. The regulations require water suppliers to implement various conservation measures.

Council Member Bash commented on the City already being part of a water conservation effort. Mr. Thompson concurred and added that the City will be meeting with Western Municipal Water District to discuss further conservation efforts and rebates.

Council Member Newton referenced the staff report which notes that leak detection is a top priority. Mr. Newton asked if leak repair work is subcontracted. Mr. Thompson stated that the work is not subcontracted. Council Member Newton expressed his concerns that attempts to conserve water could cause more leaks. Mr. Thompson explained that Norco has a floating water system.

M/S AZEVEDO/HANNA to approve the State Water Resources Control Board Emergency Regulations, California Code of Regulations, Title 23, Sections 863, 864, and 865. 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:

- A. **Ordinance No. 977, Second Reading.** Zone Code Amendment 2014-03. A City-Initiated Proposal to Amend Chapter 18.13 "A-1 Zone" of the Norco Municipal Code to Increase the Minimum Lot Size from 20,000 Square Feet to 21,780 Net Square Feet. **Recommended Action: Adopt Ordinance No. 977.**

M/S HIGGINS/BASH adopt Ordinance No. 977. 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 PUBLIC HEARINGS:

- A. Ordinance No. 978, First Reading. Code Amendment 2014-03. A City-Initiated Proposal to Amend Chapter 5 of the Norco Municipal Code by Amending Section 5.04.060, 5.04.090(a), 5.04.202, and 5.04.260 (Business License and Regulations).**

City Manager Andy Okoro reported that on February 19, 2014, the City Council approved the City Manager's recommendation to form a City Manager's Controlled Advisory Committee that meets as needed to review City business processes to ensure that high level of service is provided to City residents and businesses on a consistent basis and to ensure City Council policy directions are adequately implemented. After review by the Business Process Advisory Group, the proposed changes are necessary to clearly delineate the relationship between the issuance of a business license and a certificate of occupancy, and to clarify certain provisions in the existing business license regulations.

In response to Council Member Azevedo, Mr. Okoro stated that non-tax bearing franchise owners would not be subject to a flat rate and would be subject to the number of employees.

Mayor Hanna opened the public hearing at 9:42 p.m., 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 at 9:42 p.m. bringing the discussion back to Council Members.

M/S HANNA/HIGGINS to adopt Ordinance No. 978 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

- B. Ordinance No. 979, First Reading. Code Amendment 2014-04. A City-Initiated Proposal to Amend Norco Municipal Code Chapter 9.07 Entitled "Noise Amplification Devices" to "Noise Regulations" and Sections Thereof. (Sheriff's Department)**

Lt. Eric Briddick reported that on June 4, 2014, City Council directed Sheriff staff to amend the existing noise ordinance. The existing ordinance was limited in contact, did not provide exemptions for City and school sponsored events, nor did it contain exemptions for animals

and livestock, unique to the lifestyle and culture of the City. Furthermore, the ordinance made enforcement difficult without a victim or able to make a citizen's arrest.

Council Member Newton referred to Item I, construction hours and stated that typically construction begins at 7:00 a.m. Council Members Azevedo and Bash suggested change the hours for Saturday and Sunday to 8:00 a.m.

Mayor Pro Tem Higgins expressed concerns with the fine schedule and that the schedule should cover the cost of the deputy to respond. Mayor Pro Tem Higgins suggested increasing the first, second, and third offense fines to \$200, \$400, and \$600, respectively.

Mayor Hanna opened the public hearing at 9:55 p.m., indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Ted Hoffman thanked staff for writing the ordinance and commented on construction hours. Mr. Hoffman also noted that pages in the Ordinance appear to reference County Ordinance numbers.

Rick Reynolds expressed his opposition to the hours. Mr. Reynolds indicated that the Ordinance will limit parties he has for JAAF and Norco Little League with kids and parents.

Mayor Hanna closed the public hearing at 10:00 p.m., bringing the discussion back to Council Members.

M/S BASH/HIGGINS to adopt Ordinance No. 979 for first reading with the changes in the hours to 7:00 a.m. Monday through Friday and 8:00 a.m. Saturday and Sunday; and to change the fine schedule for the first, second, and third offenses to \$200, \$400, and \$600, respectively. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

7. PUBLIC COMMENTS OR QUESTIONS:

Geoff Kahan commented on the Concerts in the Park series. The last concert is on August 15th featuring RockStars of Tomorrow and movie night. Admission is free and starts at 6:30 p.m.

Kathy Stevens commented on an issue regarding a tree in front of her home. Ms. Stevens stated that she paid to have a tree removed in front of her home on City property. Ms. Steven commented that she was not informed of the proper procedure and the issue resulted in an administrative hearing. She requested that a staff member contact her.

Ted Hoffman stated that he has been on several committees for various Master Plans. Mr. Hoffman indicated that since 2007, changes have not been reflected in the Master Plans. He suggested updating the Master Plans.

Patricia Overstreet expressed her concerns with the main entry points into town including the I-15 on and off ramps at Sixth Street. Ms. Overstreet reported bags of trash as well as the large Horsetown USA wall in disarray. Ms. Overstreet commented that these issues do not leave a good impression for visitors.

Karen Leonard commented that a year ago in water bills, residents were asked to contribute to a Senior Fund. Ms. Leonard inquired how the program was progressing.

Linda Dixon spoke about a business in town conducting a Hookah lounge. Ms. Dixon commented that Horsetown USA and Hookah lounges are not compatible and requested that the City draft an ordinance prohibiting this type of use.

8. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS

Council Member Azevedo commented on the Hookah lounge and suggested looking at the City of Corona's ordinance.

M/S HANNA/HIGGINS to direct staff to draft an ordinance regarding the prohibition of Hookah lounges. 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 stated that a draft ordinance would be brought for Council's review on September 17, 2014.

There was some discussion between Council regarding the reporting of illegal dumping. Mr. Thompson stated that there is a standing meeting with the Public Works Department to discuss a central contact person at Waste Management. Mayor Hanna stated that all staff should report illegal dumping.

Council Member Bash attends Senior meetings every month and thanked Peggy Calvert and Senior Center staff for their great work. Council Member Bash also commented on a City pamphlet entitled "Owner's Manual" produced by the City Clerk's Office in 2004 and asked if it could be updated and distributed once again. Council Member Bash also requested restriping Sixth Street before the Veteran's Memorial event on November 11th.

Council Member Azevedo commented that the Parade of Lights will be December 13th. Council Member Azevedo also referred to the comments made by Ms. Overstreet about the debris on the I-15. In response, Mr. Thompson stated that it is a Caltrans issue but will contact them for follow up.

Mayor Hanna commented on the weeds on the trail fencing, specifically on Fourth Street.

Director Petree referenced Ms. Overstreet's comments and indicated that he made contact with the property owner for the wall at the I-15 and Sixth Street. The property owner agreed to purchase the paint for the wall and staff is considering coordinating the painting of the wall on Make a Difference Day in the Fall.

ADJOURNMENT

Mayor Hanna adjourned the meeting at 10:18 p.m.

CHERYL L. LINK, CITY CLERK



**RECAP OF ACTIONS TAKEN
CITY OF NORCO
PLANNING COMMISSION**



CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
AUGUST 13, 2014

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Chair Hedge, Vice Chair Leonard, Commission Members Hoffman, Jaffarian and Rigler

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

PLEDGE OF ALLEGIANCE: Commission Member Hoffman

ELECTION OF NEW CHAIR AND VICE CHAIR: Vice Chair Leonard was elected Chair and Commission Member Hoffman was elected Vice Chair

1. **APPEAL NOTICE: Read by Planning Director King**

2. **PUBLIC COMMENTS: None**

3. **APPROVAL OF MINUTES:**
❖ Minutes of Regular Meeting on July 9, 2014
Recommended Action: Approval (*Deputy City Clerk*)
Action: Approved 4-0-1 (Jaffarian abstained)

4. **PUBLIC HEARINGS:**

A. Conditional Use Permit 2014-18 (Fielding): A request for approval to allow a detached accessory structure consisting of a 1,200 square-foot garage/storage building at 1550 Longhorn Way located within the Norco Hills Specific Plan. Recommended Action: Approval (Senior Planner)
Action: Approved 5-0; this action is final unless appealed to the City Council.

B. Conditional Use Permit 2014-16 (Flores): A request for approval to allow four additional animal units at 3260 Corona Avenue located within the A-1-20 (Agricultural Low Density) Zone. Recommended Action: Continue to September 10, 2014 (Senior Planner)
Action: Continued to the meeting of September 10, 2014.

5. CONTINUED PUBLIC HEARING:

A. Conditional Use Permit 2014-14 (Gougeon/Andresen): A request for approval to allow an accessory building consisting of a 4,000 square-foot Recreational Vehicle (RV), personal vehicles and tool storage building at 1320 Hillkirk Avenue located within the A-1-20 Zone. Continued from July 9, 2014; Recommended Action: Denial (Senior Planner)

Action: Continued to the meeting of October 8, 2014 with direction that the building be reduced to about half the size.

B. Conditional Use Permit 2014-06 (Duncan): A request for approval to allow an accessory building consisting of a 1,050 square-foot barn at 1456 Foxtrotter Road located in the Norco Ridge Ranch Specific Plan (NRRSP). Continued from July 9, 2014; Recommended Action: Approval (Senior Planner)

Action: Denied 5-0, covered too much of the PAKA, and did not appear conducive to animal use or look like a barn; this action is final unless appealed to the City Council.

6. BUSINESS ITEMS:

A. Site Plan 2014-19 (Lavelle): A request for approval to allow an accessory building consisting of a 288 square-foot barn at 2507 Lookout Point located within the A-1-20 (Agricultural Low-Density) Zone. Recommended Action: Approval (Senior Planner)

Action: Approved 5-0; this action is final unless appealed to the City Council.

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

- City Council Regular Meeting of June 18, 2014
- City Council Special Meeting of July 2, 2014
- City Council Regular Meeting of July 16, 2014

8. PLANNING COMMISSION:

A. Oral Reports from Various Committees: **Received and Filed**

B. Request for Items on Future Agenda (within the purview of the Commission): **The Planning Commission requested that the following be agendized:**

- 1) A mechanism to address non-compliance with the approved use of an accessory building;**
- 2) A discussion on a possible amendment to the 40% lot coverage requirement in agricultural-residential (A-1) zones.**

9. ADJOURNMENT: **8:09 p.m.**

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: August 20, 2014

SUBJECT: Offer of Dedication for Second Street Right-of-Way

RECOMMENDATION: Accept the offer of dedication from Riverside County Flood Control and Water Conservation District.

SUMMARY: Riverside County Flood Control and Water Conservation District has offered a portion of their property to the City of Norco for Second Street right-of-way.

BACKGROUND/ANALYSIS: The Second Street Widening project was completed on August 1, 2012. The project included widening Second Street from just east of the I-15 on/off ramps to Corona Avenue in addition to pavement rehabilitation from Corona Avenue to Hillside Avenue. The City acquired land for street right-of-way from several private property owners along both sides of Second Street. The alignment of Second Street at Corona Avenue did not change with the widening but encompassed more area. Riverside County Flood Control and Water Conservation District (RCFC) owns property at the southwest corner of Second Street and Corona Avenue. The existing alignment prior to widening traversed a portion of this property. With the widening of Second Street, the alignment occupies a larger area of the RCFC property.

After completion of the street widening project, City staff was contacted by RCFC staff and made aware of RCFC's desire to not have a public street traversing their property, due to liability issues. RCFC staff has prepared a legal description of the property being offered for dedication to the City of Norco for street purposes. The Board of Supervisors approved the offer to dedicate on July 15, 2014 and all that remains is for Norco City Council to accept the offer of dedication.

FINANCIAL IMPACT: None

Attachments: Quit Claim Deed
Exhibits from Construction Drawings

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Project: South Norco Channel, Stg. 6
Project No: 2-0-00150

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX \$ NONE

RCFC Parcel No: 2150-22B

QUIT CLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**, a body politic, the "Grantor", hereby remises, relinquishes and quit claims all right title and interest to, the **City of Norco, a municipal corporation**, the "Grantee", the real property situated in the City of Norco, County of Riverside, State of California, described in legal description attached hereto as Exhibit "A" and "B" and made a part hereof.

RESERVING THEREFROM, unto the Grantor, an easement for subsurface rights, to operate and maintain flood control facilities, to repair, reconstruction, inspection, operation, and maintenance of flood control facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that real property.

Assessor Parcel Number(s): 125-190-016 (portion)

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT:

Date 7/15/14

By: Marion Ashley
Marion Ashley
Chairman

ATTESTS:

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

By: Kecia Harper-Ihem
Deputy

STATE OF CALIFORNIA)

)ss

COUNTY OF RIVERSIDE)

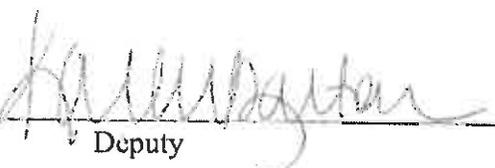
On July 15, ²⁰¹⁴~~2010~~, before me, Karen Barton, Board Assistant, personally appeared **Marion Ashley**, Chairman of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District, State of California, who provided to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument; and that a copy of this paper, document or instrument has been delivered to the chairperson.

I certify under the penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

KECIA HARPER-IHEM

Clerk of the Board of Supervisors

By: 

Deputy

(Seal)

EXHIBIT "A"

South Norco Channel Stage 6
Parcel 2150-22B

Being a portion of Parcel 2150-22 as shown on Record of Survey Book 51, Pages 42 through 54, inclusive, records of Riverside County, within the city of Norco, State of California, more particularly described as follows:

Parcel 2150-22B as shown on Record of Survey Book 140, Pages 38 through 57, inclusive.



William R. Hofferber Jr.
WILLIAM R. HOFFERBER JR.

Land Surveyor No. 7360

Signed For: Riverside County Flood Control
and Water Conservation District

Date: *11/11/10*

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
(951) 436-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION FOR SEAL for the Riverside County Flood Control and Water Conservation District (EMBOSED ON DOCUMENT)

RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

1945

CALIFORNIA

Date:

7-15-14

Signature:

Karen Barton

Print Name: Karen Barton, Board Assistant



637.72
0' 0"

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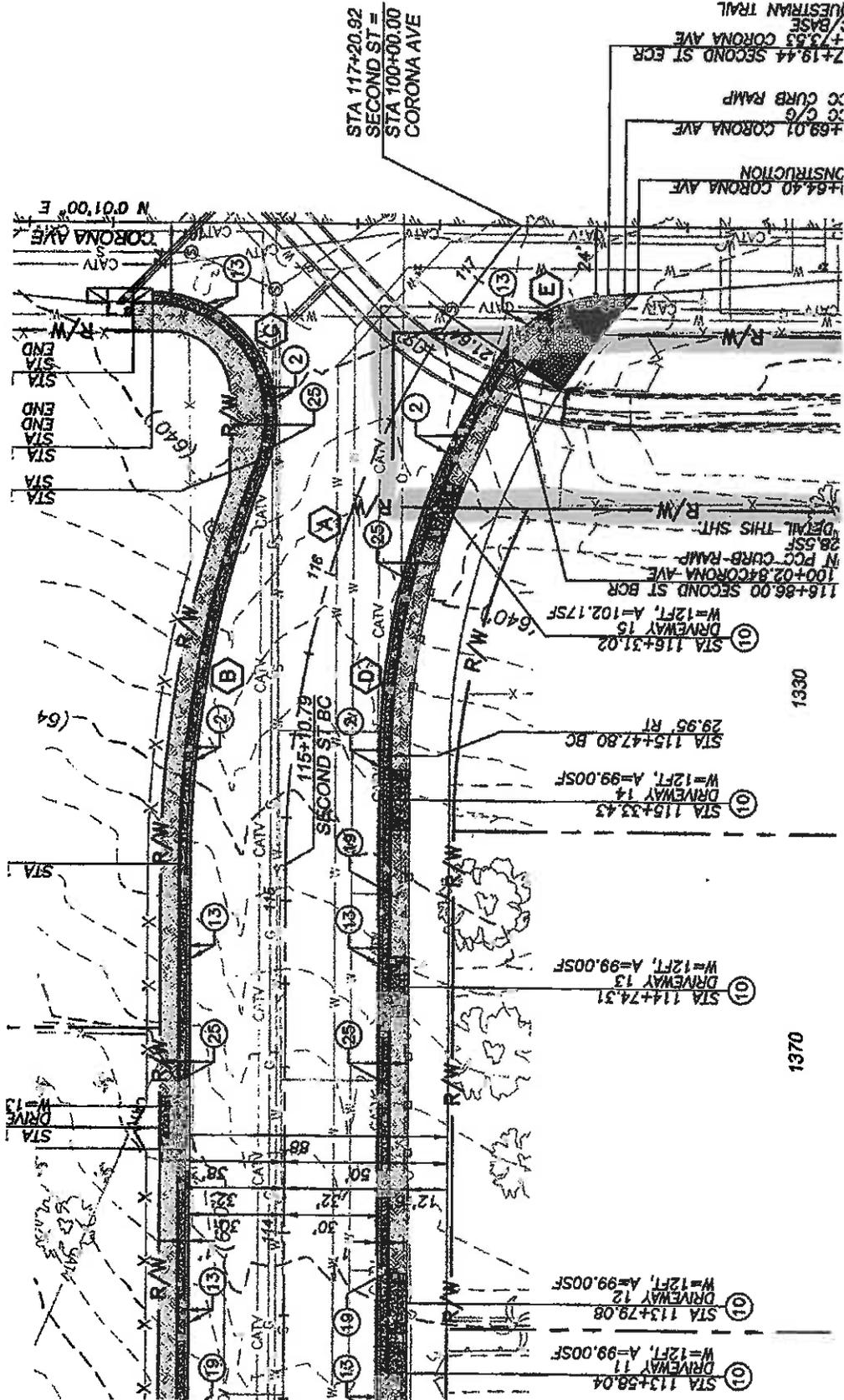
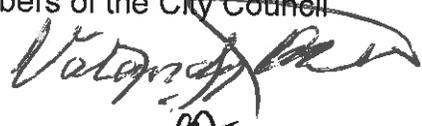


Exhibit - After Construction

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: August 20, 2014

SUBJECT: Acceptance of the Various Streets Slurry Seal Project as Complete

RECOMMENDATION: Accept the Various Streets Slurry Seal Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside.

SUMMARY: The Various Streets Slurry Seal Project consisted of crack filling and placing asphalt slurry over various streets in the City. These improvements have been completed to the satisfaction of the City Engineer and a Notice of Completion has been prepared for recordation.

BACKGROUND/ANALYSIS: On February 19, 2014, Council awarded a contract to American Asphalt South, Inc. of Fontana, CA in the amount of \$47,395.00 for the construction of the Various Streets Slurry Seal Project. The project consisted of crack filling and placing asphalt slurry over various streets in the City.

The American Asphalt South, Inc. completed all the work required within the work days provided 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 American Asphalt South, Inc. as complete and authorize the City Clerk to record the Notice of Completion with the County Recorder's Office.

FINANCIAL IMPACT:

Attachment: Notice of Completion

RECORDING REQUESTED BY:
CITY OF NORCO
WHEN RECORDED MAIL TO:
2870 CLARK AVENUE
NORCO, CA 92860
ATTN: CITY CLERK

THIS DOCUMENT IS FILED AT THE REQUEST
OF THE CITY OF NORCO PURSUANT TO
SECTION 6103 OF THE GOVERNMENT
CODE. NO FEE IS CHARGED THEREFORE.

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN BY THE CITY OF NORCO, A MUNICIPAL CORPORATION, STATE OF CALIFORNIA THAT THE WORK DESCRIBED AS **VARIOUS STREETS SLURRY SEAL PROJECT** IN THE CITY OF NORCO IN ACCORDANCE WITH THE TERMS AND WRITTEN CONTRACT DATED BETWEEN THE CITY OF NORCO AND **AMERICAN ASPHALT SOUTH, INC.** WAS COMPLETED AND ACCEPTED BY THE CITY OF NORCO ON THE **20TH** DAY OF **AUGUST, 2014.**

THAT THE CITY OF NORCO, A PUBLIC BODY, CORPORATE AND POLITIC, WHOSE ADDRESS IS 2870 CLARK AVENUE, NORCO, CALIFORNIA, 92860 IS THE OWNER OF SAID IMPROVEMENT WORK; AND THAT SAID WORK WAS PERFORMED BEGINNING **FEBRUARY 19, 2014** IN THE CITY OF NORCO. THE NATURE OF INTEREST IS VENDEE UNDER CONTRACT.

THAT SAID WORK OF IMPROVEMENT WAS SO PERFORMED BY **AMERICAN ASPHALT SOUTH, INC** IN ACCORDANCE WITH SAID WRITTEN AGREEMENT DATED **FEBRUARY 19, 2014** AND THE DRAWINGS AND SPECIFICATIONS WHICH WERE A PART OF SAID CONTRACT.

THAT THE CORPORATE SURETY ON THE CONTRACTOR'S BOND, FAITHFUL PERFORMANCE AND LABOR AND MATERIALS BOND IS **GUARANTEE COMPANY OF NORTH AMERICA USA** THIS NOTICE OF COMPLETION IS GIVEN BY THE CITY OF NORCO PURSUANT TO THE APPROPRIATE PROVISIONS OF TITLE XV, PART IV, DIVISION 1 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, AND UPON ORDER OF THE CITY OF NORCO.

August 20, 2014

DATED:

CITY OF NORCO
A MUNICIPAL CORPORATION

BY: _____
CHERYL L. LINK
CITY CLERK

VERIFICATION FOR NON-INDIVIDUAL OWNER:

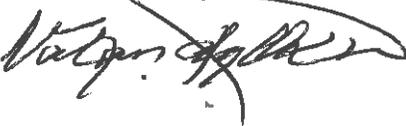
I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT I AM THE CITY CLERK OF THE CITY OF NORCO; THAT I HAVE SIGNED THE SAID NOTICE, THAT I KNOW AND UNDERSTAND THE CONTENTS THEREOF, AND THAT THE FACTS STATED THEREIN ARE TRUE AND CORRECT.

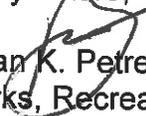
08/20/14
DATE

CHERYL L. LINK
CITY CLERK
CITY OF NORCO

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okdro, City Manager 

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

DATE: August 20, 2014

SUBJECT: Flyer Approved by the Infrastructure Ad Hoc Committee to be Mailed to Norco Residents Regarding Homeowner Trail Maintenance

RECOMMENDATION: Approve Flyer to be mailed to Norco Residents Regarding Homeowner Trail Maintenance

SUMMARY: At a meeting held on March 19, 2014, the Norco City Council approved the formation of an Infrastructure Ad Hoc Committee. During one of the Committee meetings, the members approved a flyer to be mailed to all Norco residents.

BACKGROUND/ANALYSIS: The City Council, at its March 19, 2014, meeting, approved the formation of an Infrastructure Ad Hoc Committee to review the City's future needs and funding options. At one of the Infrastructure Ad Hoc Committee meetings, the members approved a flyer to be mailed to all Norco residents. The flyer encourages the residents to take pride in the horse trails that surround their homes. The flyer also reiterates the Norco Municipal Code, Chapter 12.18, Public Right-of-Way Maintenance Responsibilities.

Staff is asking for the City Council's approval to mail the flyers to all residents as a reminder that the residents have responsibility in helping to maintain the City trails.

Attachment: "Straight Trail Talk" Flyer



**Thank you
homeowners
for cleaning
your trail!**

Straight
Trail Talk

As homeowner's, each of us takes a great amount of pride in keeping up with the appearance of our house and surrounding trails. Property owners along with the City have responsibilities to ensure that the trails are kept safe and manicured. This means caring for the area of the property known as the "right-of-way."

As a reminder, the City is asking each of the homeowners in Horsetown USA to take a look and make sure we are all doing our part to keep our horses happy on our trails!



NORCO MUNICIPAL CODE

Chapter 12.18

PUBLIC RIGHT-OF-WAY MAINTENANCE RESPONSIBILITIES

12.18.010 Public right-of-way maintenance purpose and intent.

The City Council of the city of Norco hereby enacts the following policy regarding responsibilities for the maintenance of the public right-of-way including trail areas. Normally, the private property owner is responsible for the maintenance of the entire area between the edge of the street pavement or curb line and the property line and its condition in terms of being clean, well-kept and free of hazards. The city council in determining this policy, however, recognizes that unique circumstances apply to the city of Norco and therefore adopts the following policy regarding public right-of-way maintenance (Ord. 898 Sec. 1, 2008)

12.18.020 Public right-of-way maintenance responsibilities.

1. Private Property Owner. The private property owner shall be responsible for the maintenance behind the back of curb or edge of street pavement, including the parkway and trail between the street and the property line, in terms of cleanliness and reporting to the city safety and health hazards. The private property owner shall be responsible for the maintenance and watering of trees within the tree parkway, with the exception of trimming trees within the public right-of-way. Lastly, the private property owner shall be responsible for the maintenance of the entire public right-of-way in terms of keeping it free from weeds and debris.
2. City of Norco. The city shall assume the responsibility from the private property owner for the trimming of trees within the public right-of-way on an as-needed basis. The city shall be responsible for grading and excavation of decomposed granite within the trail area only. Lastly, the city shall be responsible for the repair and/or replacement of damaged city-owned trail fence areas or sections. (Ord. 898 Sec. 1, 2008)

12.18.030 Side and back yard trails.

The private property owner shall be responsible for the maintenance of side and back yard trails which are adjacent to his/her property in terms of keeping them clean and free of weeds and debris. Further, in those cases where the trail adjoins two properties, each adjoining property owner shall be responsible for one-half of the trail area adjacent to his/her house. (Ord. 898 Sec. 1, 2008)

12.18.040 Exceptions.

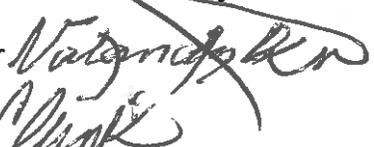
This policy statement does not apply to the maintenance of public right-of-way within landscape maintenance districts where provisions have already been made for the orderly maintenance of the public right-of-way including trails, trees and landscaping. (Ord. 898 Sec. 1, 2008)

12.18.050 Penalties for noncompliance.

Failure to comply with this chapter shall subject the subject property owner to the general penalties set forth in Chapter 1.04 and to administrative citations pursuant to Chapter 1.05 of the Norco Municipal Code. (Ord. 898 Sec. 1, 2008)

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Cheryl L. Link, City Clerk 

DATE: August 20, 2014

SUBJECT: **Ordinance No. 978, Second Reading:** A City-Initiated Proposal to Amend Chapter 5 of the Norco Municipal Code by Amending Sections 5.04.060, 5.04.090(a), 5.04.202, and 5.04.260 (Business License and Regulations). Code Amendment 2014-03.

RECOMMENDATION: Adopt **Ordinance No. 978** for second reading.

SUMMARY: The first reading of Ordinance No. 978 was held on August 6, 2014 and adopted by the City Council with a 5-0 vote. Ordinance No. 978 amends Chapter 5, Sections 5.04.060, 5.04.090(a), 5.04.202, and 5.04.260 of the Norco Municipal Code, which will clearly delineate the relationship between the issuance of a business license and a certificate of occupancy, and to clarify certain provisions in the existing business license regulations.

Attachment: Ordinance No. 978

ORDINANCE NO. 978

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO AMENDING CHAPTER 5, SECTION 5.04.060, 5.04.090(a), 5.04.202 and 5.04.260 ESTABLISHING THE REGULATIONS AND REQUIREMENTS FOR ISSUING A BUSINESS LICENSE

WHEREAS, Chapter 5, Section 5.04 of the Norco Municipal Code establishes the requirement of any person to carry on business, trade, profession, calling or occupation in the city to procure a business license; and

WHEREAS, to be consistent with the zoning, planning and building codes

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

Chapter 5.04, Section 5.04.060, 5.04.090(a), 5.04.202 and 5.04.260 of the Norco Municipal Code shall be amended to read as follows:

Chapter 5.04

5.04.060 License required.

It is unlawful for any person to carry on any business, trade, profession, calling, or occupation in the city without first having procured a license to do so and without complying with any and all applicable provisions of this chapter set forth in zoning, planning and building code and including the issuance of a certificate of occupancy for commercial businesses. The provisions of this section shall not be construed to require any person to obtain a license prior to doing business within the city if such requirement conflicts with applicable laws of the United States or of the state. Persons not so required to obtain a license prior to doing business within the city shall nevertheless be liable for the payment of the taxes imposed by the provisions of this chapter. (Ord. 511 2 (part), 1984)

5.04.090 License issuance--Format.

(a) Every person required by the provisions of this chapter to have a license shall make application for such license to the collector, as provided in this chapter, and upon the payment of the prescribed license tax, and upon complying with all regulations of section 5.04.060 the collector shall issue to such person a license which shall contain the following information:

- (1) The name of the person to whom the license is issued;
- (2) The business licensed;
- (3) The place where such business is to be carried on;
- (4) The date of the expiration of such license;

- (5) Such other information as may be necessary for the enforcement of the provisions of this chapter.

5.04.202 License taxes--Flat rates.

(5) Catering, Mobile Food or Entertainment Facility, Photography, Balloon/Candy Sales, etc. Every person conducting business intermittently, for special events such as weddings, parades, banquets, fundraisers or carnivals, shall pay a license fee of ten dollars per day when such business is conducted.

(7) Contractors.

(A) General engineering, building contractors, and specialty contractors as defined in Sections 7056, 7057 and 7058 or as described in chapter 5.04.260 respectively of the Business and Professional Code who perform work or are located within the city shall pay an annual business tax as follows:

(i) Contractors possessing a Class A or Class B-1 State Contractors License shall pay an annual license tax of one hundred twenty dollars.

(ii) Contractors possessing other than a Class A or a Class B-1 State Contractors License shall pay an annual license tax in the amount of eighty dollars.

(21) Professional. Every Person required by the federal or state law to be licensed in performance for his or her profession that is self-employed or a contractor, shall pay an annual license tax of forty five dollars.

5.04.260 Evidence of doing business.

When any person shall by the use of signs, circulars, cards, telephone directories, social media, online marketing or newspapers, advertise, hold out, or represent that he is in business in the city, or when any person holds an active license or permit issued by a governmental agency indicating that he is in business in the city, and such person fails to deny by a sworn statement given to the collector that he is conducting a business in the city after being requested to do so by the collector, such facts shall be considered prima facie evidence that such person is conducting a business in the city. (Ord. 511 2 (part), 1984)

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 August 20, 2014.

Mayor of the City of Norco, California

ATTEST:

Cheryl Link, City Clerk
City of Norco, California

I, CHERYL LINK, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on August 6, 2014 and thereafter at a regular meeting of said City Council duly held on August 20, 2014, it was duly passed and adopted by the following vote of the City Council:

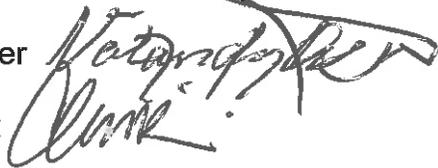
AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on August 20, 2014.

Cheryl Link, City Clerk
City of Norco, California

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

PREPARED BY: Cheryl L. Link, City Clerk 

DATE: August 20, 2014

SUBJECT: **Ordinance No. 979, Second Reading:** A City-Initiated Proposal to Amend Norco Municipal Code Chapter 9.07 Entitled "Noise Amplification Devices" to "Noise Regulations" and Sections Thereof.

RECOMMENDATION: Adopt **Ordinance No. 979** for second reading.

SUMMARY: The first reading of Ordinance No. 979 was held on August 6, 2014 and adopted by the City Council with a 5-0 vote. The City Council approved revisions to the Ordinance, specifically to the construction hours in Section 9.07.010 and the fine schedule listed in Section 9.07.070.

Ordinance No. 979 amends Chapter 9.07 of the Norco Municipal Code, establishing a comprehensive noise ordinance and providing exemptions for City and school sponsored and/or permitted events, animals, livestock, and to facilities owned and operated by the City of Norco.

Attachment: Ordinance No. 979

ORDINANCE NO. 979

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, AMENDING NORCO MUNICIPAL CODE CHAPTER 9.07 ENTITLED "NOISE AMPLIFICATION DEVICES" TO CHAPTER 9.07 "NOISE REGULATIONS" AND SECTIONS THEREOF

WHEREAS, the City of Norco is authorized by California Constitution Article XI, Section VII to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations and as a policy, the City Council always seeks to ensure public safety is given the highest priority; and

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

Section 1: Chapter 9.07 of the Norco Municipal Code is hereby amended as follows:

CHAPTER 9.07

NOISE REGULATIONS

Sections:

9.07.010	Purpose, Intent and Findings
9.07.020	Exemptions
9.07.030	Definitions
9.07.040	General Sound Level Standards
9.07.050	Sound Level Measurement Methodology
9.07.060	Special Sound Sources Standards
9.07.070	Violations and Penalties
9.07.080	Duty to Cooperate

9.07.010 Purpose, Intent and Findings.

The City Council finds, determines and declares that this Chapter has been amended based upon the following facts and purposes:

(1) At certain levels, sound becomes noise and may jeopardize the health, safety or general welfare of Norco city residents and degrade their quality of life. The City Council of Norco hereby declares that noise shall be regulated in the manner described herein. This code is intended to establish city of Norco standards regulating noise. This code is not intended to establish thresholds of significance for the purpose of any analysis required by the California Environmental Quality Act and no such thresholds are hereby established.

9.07.020 Exemptions.

Sound emanating from the following sources is exempt from the provisions of this chapter:

- A. Facilities owned or operated by or for a governmental agency;
- B. Capital improvement projects of a governmental agency;
- C. The maintenance or repair of public properties;
- D. Public safety personnel in the course of executing their official duties, including, but not limited to, sworn peace officers, emergency personnel and public utility personnel. This exemption includes, without limitation, sound emanating from all equipment used by such personnel, whether stationary or mobile;
- E. Public or private schools and school-sponsored activities;
- F. Agricultural operations provided such operations are carried out in a manner consistent with accepted industry standards. This exemption includes, without limitation, sound emanating from all equipment used during such operations, whether stationary or mobile;
- G. City Sanctioned Events. The provisions of this Title shall not apply to those reasonable sounds emanating from occasional public and private outdoor or indoor gatherings that require a city permit, public dances, shows, bands, sporting and entertainment events conducted and in compliance with such permit.
- H. City and other public agency sponsored events.
- I. Private construction projects involving no more than one unit located within one-quarter (1/4) of a mile from an inhabited dwelling, provided that:
 - 1. Construction does not occur between the hours of 7:00 p.m. and 7:00 a.m., Monday through Friday and 7:00 p.m. and 8:00 a.m., on Saturday and Sunday, unless specified by permit.
- J. Property maintenance, including, but not limited to, the operation of lawnmowers, leaf blowers, etc., provided such maintenance occurs between the hours of 8:00 a.m. and 7:00 p.m.
- K. Motor vehicles, other than off-highway vehicles. This exemption does not include sound emanating from motor vehicle sound systems;

- L. Heating, exhaust, and air conditioning equipment;
- M. Safety, warning and alarm devices, including, but not limited to, house and car alarms, and other warning devices that are designed to protect the public health, safety, and welfare;
- N. The discharge of firearms consistent with all state laws;
- O. Sounds produced by any domestic animals and livestock, specifically including dogs and roosters.
- P. Construction related single events or continuous events subject to a permit issued by the city of Norco.

9.07.030 Definitions.

As used in this code, the following terms shall have the following meanings:

- A. Audio Equipment. A television, stereo, radio, tape player, compact disc player, mp3 player, I-POD or other similar device.
- B. Decibel (dB). A unit for measuring the relative amplitude of a sound equal approximately to the smallest difference normally detectable by the human ear, the range of which includes approximately one hundred thirty (130) decibels on a scale beginning with zero decibels for the faintest detectable sound. Decibels are measured with a sound level meter using different methodologies as defined below:
 - 1. A-weighting (dBA) means the standard A-weighted frequency response of a sound level meter, which de-emphasizes low and high frequencies of sound in a manner similar to the human ear for moderate sounds.
 - 2. Maximum Sound level (L_{max}) means the maximum sound level measured on a sound level meter.
- C. Governmental Agency. The United States, the State of California, Riverside County, City of Norco, any city within Riverside County, any special district within Riverside County or any combination of these agencies.
- D. Land Use Permit. A discretionary permit issued by the City of Norco pursuant to Chapter 18 of the Norco Municipal Code.
- E. Motor Vehicle. A vehicle that is self-propelled.

- F. Motor Vehicle Sound System. A stereo, radio, tape player, compact disc player, mp3 player, I-POD or other similar device.
- G. Noise. Any loud, discordant or disagreeable sound.
- H. Occupied Property. Property upon which is located a residence, business or industrial or manufacturing use.
- I. Off-Highway Vehicle. A motor vehicle designed to travel over any terrain.
- J. Public Property. Property owned by a governmental agency or held open to the public, including, but not limited to, parks, streets, sidewalks, and alleys.
- K. Public or Private School. An institution conducting academic instruction at the preschool, elementary school, junior high school, high school, or college level.
- L. Sensitive Receptor. A land use that is identified as sensitive to noise in the Noise Element of the Riverside County General Plan, as applicable to the City of Norco, of the Norco Municipal Code, including, but not limited to, residences, schools, hospitals, churches, rest homes, cemeteries or public libraries.
- M. Sound Amplifying Equipment. A loudspeaker, microphone, megaphone or other similar device.
- N. Sound Level Meter. An instrument meeting the standards of the American National Standards Institute for Type 1 or Type 2 sound level meters or an instrument that provides equivalent data.

9.07.040 General Sound Level Standards.

No person shall create any sound, or allow the creation of any sound, on any property that causes the exterior sound level on any other occupied property to exceed the sound level standards set forth in Table 1 of this section or that violates the special sound source standards set forth in Section 9.07.060.

**TABLE 1
SOUND LEVEL STANDARDS (Db L_{max})**

Land Use	LAND USE DESIGNATION NAME	DENSITY	MAXIMUM DECIBEL LEVEL	
			7am-10pm	10pm-7am
Community Development	Estate Density Residential	2 AC	55	45
	Very Low density Residential	1 AC	55	45
	Low Density Residential	1/2 AC	55	45
	Medium Density Residential	2-5	55	45
	Medium High Density Residential	5-8	55	45
	High Density Residential	8-14	55	45
	Very High Density Residential	14-20	55	45
	Highest Density Residential	20+	55	45
	Retail Commercial		65	55
	Office Commercial		65	55
	Tourist Commercial		65	55
	Community Center		65	55
	Light Industrial		75	55
	Heavy Industrial		75	75
	Business Park		65	45
	Public Facility		65	45
	Specific Plan-Residential		65	45
	Specific Plan-Commercial		55	55
	Specific Plan-Light Industrial		65	55
	Specific Plan-Heavy Industrial		75	55
Rural Community	Estate Density Residential	2 ac	55	45
	Very Low Density Residential	1 ac	55	45
	Low Density Residential	1/2 ac	55	45
Rural	Rural Residential	5 ac	45	45
	Rural Mountainous	10 ac	45	45
	Rural Desert	10 ac	45	45
Agriculture	Agriculture	10 AC	45	45
Open Space	Conservation		45	45
	Conservation Habitat		45	45
	Recreation		45	45
	Rural	20 AC	45	45

9.07.050 Sound Level Measurement Methodology.

If the sound standard being applied is measured in decibels, then sound level measurements pursuant to this Section shall be required to establish a violation of this Chapter. If the sound standard being applied is not measured in decibels, then sound level measurements are not required to establish a violation of this Chapter. Sound level measurements may be made anywhere within the boundaries of an occupied property. The actual location of a sound level measurement shall be at the discretion of the enforcement officials identified in Section 9.07.080 of this chapter. Sound level measurements shall be made with a sound level meter. Immediately before a measurement is made, the sound level meter shall be calibrated utilizing an acoustical calibrator meeting the standards of the American National Standards Institute. Following a sound level measurement, the calibration of the sound level meter shall be re-verified. Sound level meters and calibration equipment shall be certified annually.

9.07.060 Special Sound Sources Standards.

The general sound level standards set forth in Section 9.07.040 of this chapter apply to sound emanating from all sources, including the following special sound sources, and the person creating, or allowing the creation of, the sound is subject to the requirements of that section. The following special sound sources are also subject to the following additional standards, the failure to comply with which constitute separate violations of this chapter:

A. Motor Vehicles.

1. Off-Highway Vehicles.

- a. No person shall operate an off-highway vehicle unless it is equipped with a USDA-qualified spark arrester and a constantly operating and properly maintained muffler. A muffler is not considered constantly operating and properly maintained if it is equipped with a cutout, bypass or similar device.
- b. No person shall operate an off-highway vehicle unless the noise emitted by the vehicle is not more than ninety-six (96) dBA if the vehicle was manufactured on or after January 1, 1986 or is not more than one hundred one (101) dBA if the vehicle was manufactured before January 1, 1986. For purposes of this subsection, emitted noise shall be measured a distance of twenty (20) inches from the vehicle tailpipe using test procedures established by the Society of Automotive Engineers under Standard J-1287.

2. **Sound Systems.** No person shall operate a motor vehicle sound system, whether affixed to the vehicle or not, between the hours of ten p.m. and eight a.m., such that the sound system is audible to the human ear inside any inhabited dwelling. No person shall operate a motor vehicle sound system, whether affixed to the vehicle or not, at any other time such that the sound system is audible to the human ear at a distance greater than one hundred (100) feet from the vehicle. Sound level measurements may be used, but are not required to establish a violation of this subsection.
- B. **Power Tools and Equipment.** No person shall operate any power tools or equipment between the hours of ten p.m. and eight a.m. such that the power tools or equipment are audible to the human ear inside an inhabited dwelling other than a dwelling in which the power tools or equipment may be located. No person shall operate any power tools or equipment at any other time such that the power tools or equipment are audible to the human ear at a distance greater than one hundred (100) feet from the power tools or equipment. Sound level measurements may be used, but are not required to establish a violation of this subsection.
- C. **Audio Equipment.** No person shall operate any audio equipment, whether portable or not, between the hours of ten p.m. and eight a.m. such that the equipment is audible to the human ear inside an inhabited dwelling other than a dwelling in which the equipment may be located. No person shall operate any audio equipment, whether portable or not, at any other time such that the equipment is audible to the human ear at a distance greater than one hundred (100) feet from the equipment. Sound level measurements may be used, but are not required to establish a violation of the subsection.
- D. **Sound-Amplifying Equipment and Live Music.** No person shall install, use or operate sound- amplifying equipment, or perform, or allow to be performed, live music unless such activities comply with the following requirements. To the extent that these requirements conflict with any conditions of approval attached to an underlying land use permit, these requirements shall control:
 1. Sound-amplifying equipment or live music is prohibited between the hours of ten p.m. and eight a.m.
 2. Sound emanating from sound-amplifying equipment or live music at any other time shall not be audible to the human ear at a distance greater than one hundred (100) feet from the equipment or music.

Sound level measurements may be used, but are not required to establish a violation of this subsection.

9.07.070 Violations and Penalties.

- A. Violation of the provisions of this chapter may be enforced pursuant to the enforcement provisions set forth in Title 1 of this Code, including Chapter 1.04, General Penalties, Chapter 20.40, Enforcement and Penalties, Chapter 3.34, Civil Penalties, or Chapter 18.48, Enforcement, Legal Procedures and Penalties.

- B. The fine schedule for a violation of this Chapter enforced pursuant to Chapter 1.04, General Penalties, shall be in the amount of:
 - 1. Two hundred dollars (\$200) for the first violation;

 - 2. Four hundred dollars (\$400) for a second violation occurring within three years of the first violation;

 - 3. Six hundred dollars (\$600) for a third violation occurring within three years of the first violation; or

- C. The fines set forth in Sub-section B. of this section may be modified by a resolution of the City Council establishing an administrative citation schedule not to exceed one thousand dollars (\$1,000) per violation and which may include increased fines for repeat violations and penalties.

- D. The City Manager or his designee may reduce the fines set forth in Sub-Sections B. or C. of this Section in the event he or she finds that the violation is not likely to reoccur, the violator cooperated with enforcement officials in attempting to enforce the provisions of this chapter and resolve the issues giving rise to the violation, the actions of the violator giving rise to the violation were not malicious and were not taken in deliberate disregard of the provisions of this chapter, and the ends of justice would not be served by imposing the full fine.

9.07.080 Duty to Cooperate.

No person shall refuse to cooperate with, or obstruct, the enforcement officials identified in Section 9.07.080 of this chapter when they are engaged in the process of enforcing the provisions of this chapter. This duty to cooperate may require a person to extinguish a sound source so that it can be determined whether sound emanating from the source violates the provisions of this chapter.

Section 2. CEQA Review. The City Council finds and determines that for the reasons set forth in this Section: (1) the adoption of the proposed ordinance does not fall within the definition of a "project" under the California Environmental Quality Act ("CEQA") because it does not have the potential for resulting in a direct or indirect physical change in the environment (CEQA Guidelines § 15378(a)) and is an administrative activity of the City that will not result in direct or indirect physical changes in the environment (CEQA Guidelines § 15378(b)(5)); (2) the adoption of this proposed ordinance is exempt from the California Environmental Quality Act ("CEQA") because there is no possibility that the proposed ordinance may have a significant impact on the environment (CEQA Guidelines § 15061); (3) The only change to the existing noise regulations applicable in the City of Norco by this proposed ordinance is to add administrative citations as an additional tool for the enforcement of the ordinance and clarify existing law. The City Manager or his designee is directed and authorized to file a Notice of Exemption in the manner required by CEQA.

Section 3. Clarification. The City Clerk of the City of Norco shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on August 20, 2014.

Mayor of the City of Norco, California

ATTEST:

Cheryl Link, City Clerk
City of Norco, California

I, Cheryl Link, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on August 6, 2014 and thereafter at a regular meeting of said City Council duly held on August 20, 2014, it was duly passed and adopted by the following vote of the City Council:

AYES:

NOES:

ABSENT:

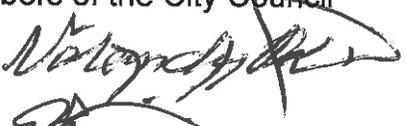
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on August 20, 2014.

Cheryl Link, 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: Eric Briddick, Lieutenant 

DATE: August 20, 2014

SUBJECT: Equestrian Trail Parking Violation Enforcement

RECOMMENDATION: Approve Proposed Sheriff Staff Plan

SUMMARY: On May 21, 2014, City Council directed Sheriff's Staff to evaluate the option of utilizing the Norco Citizen's on Patrol (NCP) volunteers to enforce the city's existing equestrian trail parking ordinance, by issuing administrative citations to violators.

BACKGROUND/ANALYSIS: In accordance with the direction provided by City Council, Sheriff Staff reviewed the option of utilizing NCP volunteers to issue equestrian trail parking violation citations.

The NCP volunteer program consists of citizen volunteers who work hand in hand with the Norco Sheriff's Office, providing a variety of services. However, these volunteers do not possess any special law enforcement training, they do not possess any police powers, nor do they carry weapons or make arrests. Their scope of responsibility is limited to acting as a witness, providing "eyes and ears" to the Norco Sheriff's Office.

The current practice of NCP volunteers has been to issue written "warnings" to anyone in violation of the equestrian trail parking ordinance. These warnings possess no enforcement capability, have no penalty or fine authority, and are used as a public educational tool. Since January 2014, NCP has issued a total of six warnings.

Any plans of utilizing NCP volunteers to take on the additional responsibility of enforcing the equestrian trail violation ordinance draw a number of concerns. The main concern pertains to safety. The issuing of a citation can elicit an angry, argumentative, and confrontational response from the violator when present. NCP volunteers are not trained or equipped to handle such confrontations. Therefore, their lack of understanding and training could put them at a disadvantage and jeopardize their ability to successfully and safely resolve the issue. In addition to this noted safety concern, there are also risk management and liability issues that would prove counterproductive to the proposed enforcement.

Based on the above information, Sheriff Staff does not support utilizing NCP volunteers in any enforcement role.

Instead, Sheriff Staff has developed a plan to utilize existing Sheriff and City resources to address the enforcement issue. These resources include Norco Sheriff's Community Services Officers (CSO's), Norco Animal Control Services and Code Enforcement. Animal Control Services and Code Enforcement appear to be qualified and capable of enforcing the equestrian trail parking ordinance and each are fully committed to facilitating this process.

Assistance from City's Animal Control Services and Code Enforcement Departments will expand the City's enforcement capabilities by providing coverage, seven days a week. Weekends tend to show an increase with violation based upon out-of-town visitors and guests.

Sheriff Staff is in the process of finalizing this enforcement plan by verifying Animal Control Services and Code Enforcement authority to issue citations, developing a training program, and implementing a standard operating procedure (SOP) to monitor the effectiveness of the plan. Sheriff Staff will track the number of issued citations beginning at the implementation of the program, which will be reported to City Council.

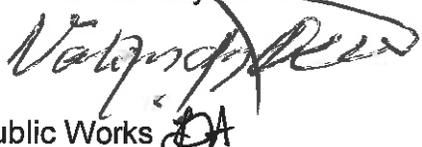
In addition to the planned enforcement, Sheriff Staff will prepare a public service announcement article to educate the public on the hazards and consequences of violating the equestrian trail municipal code. Sheriff Staff are currently working with Parks and Recreation to develop a website citizen reporting tool to report violations.

In summary, parking enforcement is a regular component of law enforcement duties that will continue to be enforced by Sheriff Staff, in addition to the plan to utilize Animal Control Services and Code Enforcement, throughout Norco. Equestrian parking violations will continue to be addressed and evaluated.

FINANCIAL IMPACT: None

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: August 20, 2014

SUBJECT: Removal of Traffic Signal at Hidden Valley Parkway and Corona Avenue

RECOMMENDATION: Provide direction to staff regarding the removal of the traffic signal at Hidden Valley Parkway and Corona Avenue.

SUMMARY: At the May 21, 2014 City Council Special Meeting, Councilman Bash requested to have the removal of the traffic signal at Hidden Valley Parkway and Corona Avenue agendaized. Approval of this request was unanimous.

BACKGROUND/ANALYSIS: On March 15, 2000, the City Council adopted the Updated Circulation Element which included a connection of Corona Avenue with Hidden Valley Parkway. On July 19, 2000, City Council adopted a Negative Declaration and authorized staff to bid the construction of the Corona Avenue extension to Hidden Valley Parkway.

On April 3, 2002, Council certified the completion of an Environmental Impact Report for the Corona Avenue/Valley View Avenue Street Extensions and approved the project to extend both streets to Hidden Valley Parkway. The extension of Corona Avenue was completed in early 2004 for a cost of approximately \$158,000 and the traffic signal was completed late that year for a cost of approximately \$125,000.

The signal is operational but is kept in a mode to allow green on Hidden Valley Parkway unless the loop placed on Via Blairo (City of Corona) is tripped. This loop triggers the signal to turn red allowing traffic from Via Blairo to safely exit onto Hidden Valley Parkway.

Staff has discussed the signal removal with the City of Corona Director Public Works. They have indicated their concerns regarding safety to residents exiting Via Blairo. City of Corona staff are requesting of Norco that if the signal is approved to be removed that it is kept in place and operational until such time that they can design and fund a signal to be constructed at Via Blairo, approximately six to eight months. They have expressed interest in obtaining the components associated with the existing signal.

The signal is connected to a flashing warning light and sign located several hundred feet east of the intersection. This light and sign warn motorists of the coming traffic signal. If the signal is removed and relocated to Via Blairo, a decision on removal of this warning device will be required. If Corona decides it would like the device to remain, amendments to the maintenance agreement between Norco and Corona will be required since the warning device is located within the City of Norco.

Removal of Traffic Signal at Hidden Valley Parkway and Corona Avenue

Page 2

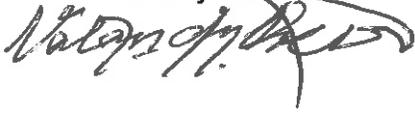
August 20, 2014

Also of note, is the intersection where the signal resides is used by the Sherriff's Department during checkpoint operations. This intersection meets the criteria of the Sheriff's Department for such checkpoints.

FINANCIAL IMPACT: None at this time.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

DATE: August 20, 2014

SUBJECT: Resolution Electing to Serve as the Successor Housing Agency of the Norco Community Redevelopment Agency, and Retain the Housing Assets and Functions Previously Performed by the Norco Community Redevelopment Agency, Pursuant to Health and Safety Code Section 34176

RECOMMENDATION: Adopt **Resolution No. 2014-56**, rescinding Resolution No. 2012-02 and electing to retain the housing assets and functions previously performed by the Norco Community Redevelopment Agency in accordance with Section 34176 of Health and Safety Code.

SUMMARY: Pursuant to Health and Safety Code Section 34172(a)(1), the Norco Community Redevelopment Agency was dissolved on February 1, 2012. On January 11, 2012, the City Council adopted Resolution No. 2012-02 electing not to serve as the Successor Housing Agency to the former Norco Community Redevelopment Agency and not to retain the housing assets and functions previously performed by the former Norco Community Redevelopment Agency. Subsequent efforts to get the Housing Authority of the County of Riverside or State Department of Housing and Community Development to serve as the Successor Housing Entity were unsuccessful. Based consultation with the Department of Finance (DOF) staff now believes that it would be in the best interest of the City and its residents for the City to serve as the Housing Successor Agency by retaining all the housing assets of the former Norco Community Redevelopment Agency (Norco CRA) and continuing to perform the housing functions of the former Norco CRA subject to availability of funds.

BACKGROUND/ANALYSIS: On December 29, 2011, the California Supreme Court delivered its decision in the *California Redevelopment Association v. Matosantos* case, finding Assembly Bill X1 26 (the "Dissolution Act") largely constitutional and Assembly Bill X1 27 (the "Alternative Redevelopment Program Act") unconstitutional. The Court's decision means that all California redevelopment agencies, including the Norco CRA dissolved effective February 1, 2012. Upon dissolution, the Norco CRA's non-housing funds and assets was turned over to a Successor Agency (the "Successor Agency") charged with the responsibility of "winding down" the former Norco CRA. However, on January 11, 2012, pursuant to Health and Safety Code Section 34176(b)(2), the City elected not to retain the responsibility for the housing assets and functions of the of the former Norco CRA due to funding and program requirement uncertainties.

Election Regarding the City of Norco Serving as Successor Housing Agency to the Norco Community Redevelopment Agency

August 20, 2014

Page 2

The Dissolution Act provides that, if the City does not elect to become the Housing Successor Agency, then the local Housing Authority (or if there is no local Housing Authority, the California Department of Housing and Community Development) will become the Housing Successor Agency and continue performing affordable housing activities for the City.

Based on the provisions of the law, staff offered the opportunity to serve as the Housing Successor to the Housing Authority of the County of Riverside and to the Department of Housing and Community Development. Initially, the County Housing Authority indicated their willingness to assume the role of the Successor Housing Agency subject to the DOF agreeing to reimburse them for administrative costs as part of the Recognized Obligation Payment Schedule (ROPS) approval process. Staff presented their request to the DOF and the DOF rejected the request. Following the passage of AB 471 which allows administrative cost reimbursement to Housing Authorities serving as Successor Housing Agency, staff again contacted the Housing Authority of the County of Riverside to assume the housing assets and functions of the former Norco CRA. The Housing Authority expressed interest subject to the City providing a guarantee of administrative cost reimbursement from its General Fund should the state fail to make the reimbursement. The County's requirement would create a financial burden to the City. Staff has also made several contacts with the Department of Housing and Community Development (HCD) to assume the Housing Successor assets and functions. Despite several communications with different HCD staff, the HCD has not been able to assume the housing assets and functions of the former Norco RDA.

Current Status of City's Housing Program:

Since the dissolution of the former Norco CRA, the activities of the Low-to-Moderate Income Housing Program have been in limbo due to the County and State's refusal/inability to assume Successor Housing Agency responsibilities. In an effort to assist City residents who participated in the former Agency's housing programs to refinance or pay off their outstanding loans, City staff have been performing limited functions to help them process the necessary documents. In response to further inquiries of the DOF, City staff were advised by the DOF that the City may reconsider its previous decision not to serve as the Successor Housing Agency. In a letter dated February 7, 2014 (attached), the DOF responded to a City letter dated January 16, 2014 (attached) regarding the City's ability to serve as the Successor Housing Agency and be reimbursed for the cost of performing the necessary functions by stating "Specifically, if the City of Norco elects to retain the authority to perform housing functions of the former RDA, it would retain all rights, powers, duties, and assets of the former housing agency. Therefore, the City of Norco, acting as the Housing Successor Agency, could enter into contracts, dispose of housing assets, and utilize housing assets as it determines. That includes selling those assets and using those proceeds to fund administrative expenses. Finance does not have the authority to review the actions of the Housing Successor Agencies. Furthermore, such an election by the City of Norco to serve as the Housing Successor Agency does not require approval by Finance, or any other state

agency, in order to become effective.” However, it is to be noted that the City’s election is subject to the approval of the Successor Agency Oversight Board.

Housing Assets and Functions

The unaudited housing assets and obligations of the former Norco CRA as of June 30, 2014 are listed on Exhibit “A”. According to the Dissolution Act, the Housing Successor Agency does not receive any tax increment allocation. The only source of revenue to pay program and administrative expenditures will come from cash on hand and from future collection of receivables and sales of property. The following Housing Successor Agency functions will be performed by the City subject to availability of funds:

1. First-Time Home Buyer Loan and Grant Program;
2. Emergency Grant Program;
3. Home Improvement Loan and Grant Program;
4. Infill Housing Program;
5. Utility Assistance; and
6. Other programs as appropriate.

These functions of the Housing Successor Agency will be performed by a new part-time employee to be hired or contracted out to a third party.

Staff’s Recommendation:

Based on the position of the DOF and availability of funds to continue the housing programs that benefit Norco residents, staff recommends that the City Council elect to serve as the Successor Housing Agency to the former Norco CRA; and accept the housing assets and functions. Prior to electing to serve as the Norco Successor Housing Agency, staff is recommending that the City Council rescind and repeal Resolution No. 2012-02.

FISCAL IMPACT: As previously stated, all housing program and administrative expenditures will be paid from cash on hand and future cash receipts from the collection of receivables and sale of housing assets.

Attachments: Resolution 2014-56
City Letter to DOF Dated January 16, 2014
DOF Letter to City Dated February 7, 2014

RESOLUTION NO. 2014-56

RESOLUTION OF THE CITY OF NORCO, CALIFORNIA, ELECTING TO SERVE AS THE SUCCESSOR HOUSING AGENCY OF THE NORCO COMMUNITY REDEVELOPMENT AGENCY, RETAINING AND ACCEPTING THE HOUSING ASSETS AND FUNCTIONS PREVIOUSLY PERFORMED BY THE NORCO COMMUNITY REDEVELOPMENT AGENCY, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34176, RESCINDING AND REPEALING RESOLUTION NO. 2012-02 AND APPROVING CERTAIN RELATED ACTIONS

WHEREAS, pursuant to Health and Safety Code ("HSC") § 34172 (a)(1), the Norco Community Redevelopment Agency was dissolved on February 1, 2012; and

WHEREAS, consistent with the provisions of the HSC, the City Council of the City of Norco (the "City") previously elected to serve in the capacity of the Successor Agency to the Norco Community Redevelopment Agency (the "Successor Agency"); and

WHEREAS, pursuant to HSC § 34176(a), the city, county, or city and county that authorized the creation of a redevelopment agency may voluntarily elect to retain the housing assets and functions previously performed by the redevelopment agency and serve as a successor housing agency; and

WHEREAS, if a city, county, or city and county elects to retain the authority to perform housing functions previously performed by a redevelopment agency, all rights, powers, duties, obligations, and housing assets, as defined in HSC § 34176(e), excluding any amounts on deposit in the Low and Moderate Income Housing Fund and enforceable obligations retained by the successor agency (the "Housing Assets"), shall be transferred to the city, county, or city and county; and

WHEREAS, further, HSC § 34176(h) provides that a successor housing agency is not entitled to receive a stream of property tax increment, thus its obligations and operations are to be funded from the assets transferred to it by a successor agency; and

WHEREAS, funding for a successor housing agency's obligations come from the housing assets it receives from a successor agency, which with respect to Norco are described within the "Schedule of Housing Assets to be Transferred from the Norco Successor Agency to the Norco Successor Housing Agency", which is appended hereto as Exhibit "A"; and

WHEREAS, on January 11, 2012, pursuant to HSC § 34176(a)(1), the City Council adopted Resolution No. 2012-02, electing not to serve as the Successor Housing Agency of the Norco Community Redevelopment Agency (the "Norco Successor Housing Agency"), and not to retain the housing assets and functions previously performed by the former Norco Community Redevelopment Agency; and

WHEREAS, pursuant to HSC § 34176 (b), if a city, county, or city and county does not elect to retain the responsibility for performing housing functions previously performed by a redevelopment agency, all rights, powers, assets, duties, and obligations associated with the housing activities of the agency, excluding enforceable obligations retained by the successor agency and any amounts in the Low and Moderate Income Housing Fund, shall be transferred as follows:

- 1) If there is no local housing authority in the territorial jurisdiction of the former redevelopment agency, to the Department of Housing and Community Development; or
- 2) If there is one local housing authority in the territorial jurisdiction of the former redevelopment agency, to that local housing authority; or
- 3) If there is more than one local housing authority in the territorial jurisdiction of the former redevelopment agency, to the local housing authority selected by the city, county, or city and county that authorized the creation of the redevelopment agency.

WHEREAS, consistent with the foregoing, the opportunity of serving as the Norco Successor Housing Agency was offered to the Housing Authority of the County of Riverside (the "HACOR"); and

WHEREAS, in response to the invitation, HACOR advised that they would only be willing to serve as the Norco Successor Housing Agency if it receives on-going funding from the City, which due to its inconsistency with the HSC, would place an economic burden on the City and, therefore, is financially infeasible; and

WHEREAS, given that HACOR's conditional offer to serve as the Norco Successor Housing Agency is inconsistent with the HSC and financially infeasible, HACOR is unable to serve as the Norco Successor Housing Agency; and

WHEREAS, given the foregoing and in response to further inquiries of the California Department of Finance (the "DOF"), Successor Agency staff were advised by DOF that the City may reconsider the matter of serving as the Norco Successor Housing Agency; and

WHEREAS, prior to electing to serve as the Norco Successor Housing Agency, the City Council will need to rescind and repeal Resolution No. 2012-02; and

WHEREAS, staff recommends that the City Council elect to serve as the Norco Successor Housing Agency; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, be it resolved by the City Council of the City of Norco, as follows:

- Section 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2. Resolution No. 2012-02 is herewith rescinded and repealed.
- Section 3. The City elects to retain the housing assets and functions previously performed by the Norco Community Redevelopment Agency in accordance with HSC § 34176 and elects to serve as the Norco Successor Housing Agency.
- Section 4. The City, as the Norco Successor Housing Agency, agrees to accept the housing assets described within the "Schedule of Housing Assets to be Transferred from the Norco Successor Agency to the Norco Successor Housing Agency", which is appended hereto as Exhibit "A".
- Section 5. Consistent with the provisions in the HSC related thereto, the City Manager, or designee, is authorized to take the necessary steps to cause the transfer of all housing assets described within the "Schedule of Housing Assets to be Transferred from the Norco Successor Agency to the Norco Successor Housing Agency", which is appended hereto as Exhibit "A", inclusive of but not limited to requesting concurrence from the Norco Successor Agency and the Oversight Board to the Norco Successor Agency.
- Section 6. The City Manager (or designee) is authorized and directed to file a fully executed copy of this Resolution with the California Department of Finance.
- Section 7. The resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Norco at a special meeting held on August 20, 2014.

Berwin Hanna, Mayor
City of Norco, California

ATTEST:

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

I, CHERYL L. LINK, City Clerk of the City of Norco, California, do hereby certify that the foregoing Resolution was adopted by the City Council of the City of Norco at a Special Meeting thereof held on August 20, 2014 by the following vote of the Norco City Council Members:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco on August 20, 2014.

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

EXHIBIT "A"

**SCHEDULE OF HOUSING ASSETS
TO BE TRANSFERRED FROM THE
NORCO SUCCESSOR AGENCY
TO THE
NORCO SUCCESSOR HOUSING AGENCY**

Asset/Liability Description	Carrying Value
Cash - Tax Allocation Bond Proceeds	\$ 1,639,718
Cash - Collection of Receivables	1,044,101
Interest Receivable	12,178
Deferred Loans Receivable	4,518,599
Wasatch Loan Receivable	4,695,264
SERAF Loan Receivable	2,500,000
Land Held for Resale	3,369,582
Retention Payable	(5,615)
Total Net Assets	\$ 17,773,827



CITY of NORCO

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

January 16, 2014

Justyn Howard
California State Department of Finance
915 L Street
Sacramento, CA 95814-3706

Re: City of Norco's Election to become the Successor Agency to the
Redevelopment Agency Related to the Retention and Management
of Housing Assets

Dear Mr. Howard:

The purpose of this letter is memorialize the understanding of the City of Norco with regard to its potential assumption of management authority over the former RDA housing assets, based upon our telephone conversation of January 9, 2014.

As you are aware, the Norco City Council elected not to serve as the Successor Housing Agency to the Norco Community Redevelopment Agency. To date, the Riverside County Housing Authority has also declined to do so. You indicated that, by the City Council rescinding the Resolution electing not to become the Successor Housing Agency and adopting a Resolution electing to become the Successor Housing Agency, Norco may now elect to do so, notwithstanding its earlier decision. Please, by way of reply, indicate whether any such resolution requires the approval of the Department of Finance, or other State entity, before it becomes effective.

On behalf of the Department of Finance, you indicated that, pursuant to Health and Safety Code Section 34176.1, the Successor Agency may utilize funds in the Low and Moderate Income Housing Asset Fund to pay administrative expenses of up to \$200,000 annually (section 34176.1(a)(1).)

It is anticipated that a parcel comprising the largest single real property asset of the Successor Housing Agency will be sold for development to a private party. The funds used to acquire that parcel were from low and moderate housing funds. You concurred that the funds received from the sale would be placed in the Low and Moderate Income Housing Asset Fund and that the parcel subject to sale would not be required to be utilized for low and moderate housing purposes.

The City of Norco greatly appreciates your help and guidance. I would appreciate a reply from you indicating that the Department of Finance concurs with the position and conclusions set forth in this letter.

Sincerely,


Andy Okofo,
City Manager

c. John Harper, City Attorney

CITY COUNCIL

BERWIN HANNA
Mayor

HERB HIGGINS
Mayor Pro Tem

KATHY AZEVEDO
Council Member

KEVIN BASH
Council Member

GREG NEWTON
Council Member



DEPARTMENT OF
FINANCE

EDMUND G. BROWN JR. • GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

February 7, 2014

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

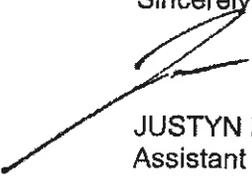
Dear Mr. Okoro;

This letter is in response to your letter dated January 16, 2014. It is our understanding that the City of Norco is re-considering whether to serve as the Housing Successor Agency for the former Norco Redevelopment Agency (RDA) and as such, seeks certain clarification from the Department of Finance (Finance).

Specifically, if the City of Norco elects to retain the authority to perform housing functions of the former RDA, it would retain all rights, powers duties, and assets of the former housing agency. Therefore the City of Norco, acting as the Housing Successor Agency, could enter into contracts, dispose of housing assets, and utilize housing assets as it determines. That includes selling those assets and using those proceeds to fund administrative expenses. Finance does not have the authority to review the actions of the Housing Successor Agencies. Furthermore, such an election by the City of Norco to serve as the Housing Successor Agency does not require approval by Finance, or any other state agency, in order for that decision to become effective.

I hope this has provided the clarification you seek. If you have any further questions or concerns, please feel free to contact me.

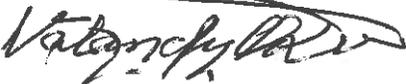
Sincerely,



JUSTYN HOWARD
Assistant Program Budget Manager

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Andy Okoro, City Manager 

DATE: August 20, 2014

SUBJECT: Discussion of the Response Letter from the State Historic Preservation Officer to Naval Weapons Station Seal Beach Detachment Norco Regarding Naval Weapons Station Seal Beach Detachment Norco, Continuation of Consultation under USN101129A - National Register of Historic Places Eligibility Status of Properties at Detachment Norco.

RECOMMENDATION: City Council Direction Requested.

SUMMARY: On August 12, 2014, staff received a copy of a response letter from State Historic Preservation Officer (SHPO) addressed to the Commanding Officer, Naval Weapons Station Seal Beach regarding continuation of consultation under USN101129A - National Register of Historic Places (NRHP) eligibility status of properties at detachment Norco. This letter was in response to Naval Weapons Station Seal Beach Detachment Norco letter dated July 8, 2014 to SHPO requesting SHPO's concurrence to the Navy's determination of lack of local historic eligibility status for inclusion in the NRHP of Detachment Norco properties.

BACKGROUND: On July 8, 2014, Captain M.H. Hardy, Commanding Officer, Naval Weapons Station Seal Beach Detachment Norco (Navy) sent out a letter to the State Historic Preservation Officer, Ms. Carol Roland-Nawi, seeking concurrence on the Navy's determination that properties at Detachment Norco do not meet the requirements for eligibility to be included in the NRHP. A copy of the Navy's letter to SHPO was sent to the City. In a letter dated July 10, 2014, the City Manager wrote to SHPO contending that the Navy's determination was based on a misinterpretation of the Pre-1946 and Post-1946 contexts prepared by the City's Cultural Resources Consultant. The City Manager's letter also notified SHPO that the City is proceeding with an independent evaluation of the Norconian for its World War II and Post-World War II significance. The City Manager's letter also informed SHPO that the City has already submitted extensive comments on the Navy's survey and its subsequent addendum demonstrating numerous ways in which the Navy's reports are incomplete and lacking in objectivity. The letter asked SHPO to delay any finding on the Navy's survey and evaluation work until the City completes and submits a report on its own independent survey and evaluation. Both the City and Navy letters to SHPO were reviewed and discussed by the City Council during its July 16, 2014 meeting, at which time the City Council voted to have a Study Session to further review and discuss the

scope of the City's survey and evaluation. The Study Session was held on August 6, 2014.

On August 12, 2014, the City received a copy of SHPO's response to the Navy's letter of July 8, 2014 in which the Navy sought SHPO's concurrence to the Navy's findings that properties at Detachment Norco do not meet the eligibility requirements to be included in NRHP. Staff has not taken any action on the letter from SHPO but staff is recommending that the City Council discuss SHPO's position and provide direction to staff on the next steps, if any. It is to be noted that notwithstanding the broad impact of SHPO's decision, the Navy has communicated their commitment to respect the opinions of those who want to see the buildings and landscape maintained and to continue to consult with the City to sustain and improve facilities in the Detachment Norco compound.

Cultural Resources Consultant Bill Wilkman will be available to facilitate Council's discussion.

FISCAL IMPACT: None at this time.

Attachments: Letter from SHPO to Naval Weapons Station Seal Beach
Detachment Norco dated August 12, 2014

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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August 12, 2014

Reply in Reference To: USN101129B

Captain M. H. Hardy
Commanding Officer
Naval Weapons Station Seal Beach
800 Seal Beach Boulevard
Seal Beach, CA 90740-5000

RE: Naval Weapons Station Seal Beach Detachment Norco, Continuation of
Consultation under USN101129A

Dear Captain Hardy:

Thank you for consulting with me. Pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act, the United States Navy (Navy) requests my concurrence with a number of Determinations of Eligibility and a finding of No Historic Properties Affected.

On November 16, 2010, the Navy proposed to replace an original 1940s roof on Building 517 at Naval Weapons Station Seal Beach, Detachment Norco. At the time I could not concur with a finding of No Adverse Effect as the Navy's identification efforts appeared incomplete. Wayne Donaldson, the State Historic Preservation Officer at the time, requested the Navy expand its Area of Potential Effects (APE) to account for properties which may have relevance within the historic context of World War II and/or Cold War-era. In response, the Navy broadened the APE and produced the following studies in support of this undertaking:

- *Addendum: Survey, Evaluation, and Update of National Register of Historic Places Eligibility at Naval Weapons Station Seal Beach, Detachment Norco* (Everett Smith, Naval Facilities Engineering Command, Southwest: September 2013)
- *Final: Survey, Evaluation, and Update of National Register of Historic Places Eligibility at naval Weapons Station Seal Beach, Detachment Corona, in Norco, Riverside County, California* (Pumphrey, Stringer-Bowsher, and Davis, ASM Affiliates: September 2011)
- *Naval Weapons Station Seal Beach Detachment Norco Continuing Consultation Under USN101129B* (letter dated 8 July 2014)

ASM Affiliates conducted a survey of properties associated with the Lake Norconian Club, the World War II hospital, and the Cold War laboratory and office eras. Qualified cultural resource professionals determined that 61 buildings, structures, and landscapes

are ineligible for listing on the National Register of Historic Places (see attached list, taken from Pages 119-122 of the *Final Survey*). One additional property, identified as Building 300/Gatehouse No.1 was evaluated and determined individually eligible for listing on the National Register of Historic Places under Criterion C at the local level of significance.

The Navy considered the National Register eligibility of Building 517 and all other Hospital and Cold War-era buildings and structures within the context of Navy Hospital Corona's involvement in WW II and Cold War Weapons Research and Development. In addition to commissioning the above-listed studies, The Navy met with the City of Norco and the Lake Norconian Club Foundation in an April 25, 2012 meeting and analyzed photographs and newspaper articles provided by Kevin Bash of the City of Norco.

The Navy reasons that while the Navy used and expanded the former Lake Norconian Hotel Property during World War II as a large hospital complex, the facility is not significant at the local, state, or national level within this historic context. Naval Hospital Corona did not play a direct or significant role in the Pacific Theater or broader medical development. While the Navy's construction during this period aesthetically matched the general style of the Spanish Colonial Revival hotel, its construction was utilitarian and largely unornamented, precluding its significance under National Register Criterion C. Moreover, the historical record does not indicate that property was associated with the work or life of any historically significant person or persons, nor is it likely to yield important information to the historical record.

In the spectrum of naval medicine and medical research, Navy Hospital Corona did not play a substantial role in the development of treatment for illness and injury. In the area of tuberculosis treatment, the earliest U.S. treatment facilities were in the Appalachian and Adirondack Mountains while other means were developed in Europe as early as 1834. Later breakthroughs occurred at Rutgers University. Additionally, the hospital was not the largest in Southern California; Balboa Navy Hospital in San Diego was larger, housing more than twice the amount of patients than did Corona.

The Navy again adopted the facilities of Navy Hospital Corona and established a Cold War laboratory and office complex with the same structures. The local command engaged in research, development, testing and evaluation (RDT&E) to support naval weapons systems and in this way was a small part in the massive state and nationwide military RDT&E infrastructure. The specific association between Naval Operations Lab Corona and its successor organizations and the development of guided missiles was on management and oversight rather than large scale and innovative research and development. In the broader story of missile development Corona was not individually significant as a laboratory. As with any scientific lab, potentially significant personnel likely worked at Corona, but there is no clear evidence linking historically significant scientific breakthroughs wholly developed in the labs to specific individuals, as would be required to support a Criterion B argument. Architecturally, the labs were adapted from existing hospital wards and not purpose-built or scientifically unique to warrant inclusion on the NRHP under Criterion C, nor is the property likely to provide research potential

August 12, 2014

Page 3 of 3

Having reviewed your letter of 8 July 2014 and the above-listed documentation, I have the following comments:

- 1) I concur with your Finding of Effect.
- 2) I have no objections to your delineation of the APE.
- 3) I concur that the 60 resources associated with the Navy Hospital Corona and Cold War-eras are ineligible for listing on the NRHP at the state, local, and national level of significance under any applicable criteria. While the former hospital campus has a varied and interesting history, the property as whole does not exhibit a degree of architectural merit or significant historical associations for inclusion on the NRHP under any applicable criteria.
- 4) I also concur that the Southwestern Landscape is ineligible for listing on the NRHP as a contributor to the Lake Norconian Club Historic District.
- 5) Given the information included in the final survey and evaluation report, I do not concur that Building 300 is individually eligible for listing on the NRHP at the local level of significance.
- 6) I understand the City of Norco may be conducting an independent survey of the property. As outlined at 36 CFR 800.4 (c) (1), I would encourage the Navy to consider the findings of this survey in the event the study is submitted to you for comment.

Thank you for considering historic properties as a part of the project planning process. If you have any questions or comments, please contact Staff Historian Tristan Tozer at (916) 445-7027 or by email at Tristan.Tozer@parks.ca.gov.

Sincerely,



Carol Roland-Nawi, Ph. D.
State Historic Preservation Officer

cc:

Andy Okoro, Norco City Manager
Bill Wilkman, Norco Cultural Resources Consultant