



**MINUTES  
CITY OF NORCO**

**CITY COUNCIL  
SUCCESSOR AGENCY TO THE NORCO COMMUNITY REDEVELOPMENT AGENCY  
REGULAR MEETING**

**February 4, 2015**

**City Council Chambers  
2820 Clark Avenue, Norco, CA 92860**

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| <b>CALL TO ORDER:</b>        | 7:03 p.m.  |
| <b>ROLL CALL:</b>            | Herb Higgins, Mayor, <b>Present</b><br>Kevin Bash, Mayor Pro Tem, <b>Present</b><br>Kathy Azevedo, Council Member, <b>Present</b><br>Berwin Hanna, Council Member, <b>Present</b><br>Greg Newton, Council Member, <b>Present</b> |
| <b>PLEDGE OF ALLEGIANCE:</b> | Council Member Berwin Hanna  |
| <b>INVOCATION:</b>           | Pastor Rene Parish, Beacon Hill Assembly of God  |
| <b>PRESENTATION:</b>         | Horse Town Brew N' Que Festival, May 2015  |

Debbie Yopp-Turner, Founder and Executive Director of Horse Town Brew N' Que gave a brief presentation of the upcoming event in May.

**CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:**

1. A. City Council Communications/Reports on Regional Boards and Commissions

Mayor Pro Tem Bash:

- Attended a Western Riverside County Regional Conservation Authority (RCA) meeting.
- Attended U.S. Army Corps of Engineers Santa Ana River Arundo removal meeting on Jan. 28<sup>th</sup>
- Commented on the upcoming 2<sup>nd</sup> Annual Norco Film Festival on Saturday, February 28<sup>th</sup> at the Norco High School Auditorium.

Council Member Hanna:

- Attended a Riverside Transit Agency (RTA) meeting. Discussion included RTA offices moving to a new location near the Metrolink station.
- Attended a Riverside County Transportation Commission (RCTC) workshop in Palm Springs, January 29-30<sup>th</sup>. Council Member Hanna highlighted some of the topics including the amount of funding needed for federal highways of \$104 billion, and a road usage tax to be implemented by 2019.

Council Member Newton:

- Attended a Western Riverside County Regional Wastewater Authority (WRCRWA) meeting on January 27<sup>th</sup> in which the Board Members considered the award of contract for the expansion of the treatment plant in the amount of \$55 million.

Council Member Azevedo:

- Attended the Western Riverside Council of Governments (WRCOG) meeting on February 2<sup>nd</sup>. The meeting included an update of the Transportation Uniform Mitigation Fee and a recap of the successful HERO Program. Council Member Azevedo noted that 475 homes in Norco have taken part in the program.

Mayor Higgins:

- No report given.

B. Update of Streets, Trails, and Utilities Commission Discussion Regarding Trail Fence Material (Director of Public Works)

Director of Public Works Lori Askew presented a verbal update of the recommendations of the Streets, Trails, and Utilities Commission (STUC). Ms. Askew indicated that staff prepared a report on the award of contract for trail fencing for approval at the January 21, 2015 Council meeting. After some discussion, the Council concurred to have STUC discuss alternative trail fencing. Staff presented the Commission with four areas of consideration and the Commission unanimously recommended two-rail, white vinyl fencing for its durability and safety features due to higher visibility. Director Askew also reported that STUC discussed the change-over process and recommended that the City implement the alternative standard with future housing tracts. For current fence replacement, STUC recommended starting in isolated areas. They also suggested replacing fencing on a block-by-block basis, in about 1,000 foot increments. Another recommendation from STUC, was for the City to take into consideration the recommended list of trail fence replacement priorities from Norco Horsemen's Association.

There was some discussion between Council Member Newton and City Attorney John Harper regarding prevailing wage. City Attorney Harper indicated that changes in the State law mandated the City Council to adopt an ordinance requiring the City pay prevailing wage. For a replacement project, prevailing wage is required to be paid on the labor.

Council Member Azevedo concurred with the STUC recommendations for the use of white vinyl fencing for safety and durability.

Director Askew added that STUC also recommended that the Equestrian Trail Fencing Project go out for rebid with Trail, Round Up, and Corral being white vinyl and the remaining smaller sections be bid under the current wood standard.

Jacqui Tarpley commented that she likes the white vinyl fencing.

Don Bowker concurred with the use of white vinyl fencing.

Pat Overstreet commented that she has had vinyl fencing on her property for the past twenty years and still looks the same as it did when it was new. Ms. Overstreet stated that vinyl fencing requires very little maintenance.

Jodie Webber asked if STUC discussed the suggestions presented by the Ad-Hoc Committee about wood interior support of vinyl fencing. In response, Director Askew stated that the Commission rejected the wood interior because when it gets wet, it swells and pops the vinyl. Ms. Webber indicated that there is another bid for trail fencing replacement for the Landscape Maintenance Districts. She asked if those bids would be rejected as well and expressed her concerns with installation delays and increased costs due to rejecting bids.

**M/S BASH/HANNA to follow the recommendations from the Streets, Trails, and Utilities Commission, including the recommendation to install the white vinyl alternative fencing for the larger incremented sections and install the current wood standard for the smaller incremented sections. The motion was carried by the following roll call vote:**

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

2. CITY COUNCIL/SUCCESSOR AGENCY CONSENT ITEMS:

The City Council concurred to pull Item 2.D.

**M/S BASH/NEWTON to approve the remaining items as recommended. The motion was carried by the following roll call vote:**

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

- A. City Council Minutes: Regular Meeting of January 21, 2015;  
Successor Agency Minutes: Special Meeting January 26, 2015  
**Action: Approved the City Council regular meeting minutes and the Successor Agency special meeting minutes. (City Clerk)**
- B. Procedural Step to Approve Ordinance after Reading of Title Only. **Action: Approved (City Clerk)**
- C. Acceptance of Bids and Award of Contract for the Vine Street and Sagetree Lane Waterline Improvements. **Action: Accepted bids submitted for the installation of waterlines and various appurtenances for Vine Street and Sagetree Lane, awarded contract to C.P. Construction Co, Inc. in the amount of \$538,495, authorized the City Manager to approve contract change orders up to 10 percent of the total bid contract amounts, and adopted Resolution No. 2015-03 approving an additional expenditure and appropriation in the amount of \$342,345 for the completion of the project. (Director of Public Works)**
- D. Acceptance of Bids and Award of Contract for the 2014/15 Equestrian Trail Fencing Project at Various Locations. (Director of Public Works) **Pulled for discussion.**

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

2.D. Acceptance of Bids and Award of Contract for the 2014/15 Equestrian Trail Fencing Project at Various Locations. (Director of Public Works)

**M/S BASH/NEWTON to reject all bids for the 2014-2015 Equestrian Trail Fencing Project. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

4. PUBLIC COMMENTS:

Bonnie Slager commented on issues she has had with Waste Management in the past two months. Ms. Slager indicated that Waste Management has failed to pick up her manure bin, recycle bin, and regular trash on three separate occasions.

Ted Hoffman commented on the Norco Horsemen's Association 19<sup>th</sup> Annual Wild West Casino Night on Saturday, March 14 at Nellie Weaver Hall. The event benefits the Norco High School FFA scholarship fund.

Pat Overstreet noted that Norco 50<sup>th</sup> Birthday memory books are still on sale for \$5.00. Ms. Overstreet also had flyers for distribution regarding the Norco History Collections and Museum. Ms. Overstreet noted that the Historic Preservation Commission is making great efforts to notify the public of the collection of artifacts at the Community Center.

Richard Hallam expressed his concern about the building on Temescal Avenue and Sixth Street. Mr. Hallam commented that the building has been under construction for a lengthy period of time and has surpassed the 180-day permit requirement to complete construction.

Ray Trosper thanked the City Council for adopting the resolution on December 17, 2014 which approved the 21 Seconds Now Program. The City of Norco is the first City in the country to adopt such resolution. Mr. Trosper indicated that he will use the resolution as a model for other cities to implement the program.

Denise Sutherland commented on the HERO Program and clarified that the program is very restrictive. Ms. Sutherland asked that the public be aware and well-informed of the program details.

5. LEGISLATIVE MATTER: *No new evidence will be heard from the public as the public hearing has been closed regarding the item listed.*

A. **Ordinance No. 985, Second Reading.** Code Change 2014-09 (City of Norco): A City-Initiated Request for Recommendation of Approval on a Proposed Code Change to Amend the City's Grading Permit Process (City Clerk)

**M/S BASH/NEWTON to adopt Ordinance No. 985 for second reading. The motion was carried by the following roll call vote:**

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

6. DISCUSSION/ACTION ITEM:

- A. Unpermitted Encroachments into the Public Right-of-Way on Caballeros Road.  
(Director of Public Works)

Director of Public Works Lori Askew reported that City staff recently discovered that three property owners along the west side of Caballeros Road have constructed unpermitted improvements within the street right-of-way and on top of a City 6" waterline in violation of Norco Municipal Code (NMC) Section 12.08.020. Staff has requested that these private improvements be removed in order to ensure public safety, but the residents have asked the City Council for re-consideration. Staff is requesting that the City Council uphold NMC Section 12.08.020 and require the residents to remove the unpermitted improvements. If necessary, additional time will be allowed for the residents to comply with the provisions of NMC.

There was some discussion between Council Member Azevedo and Director Askew as to when the encroachments were built. City Attorney Harper stated that the current residents are responsible for the encroachments regardless of when they were constructed. Council Member Azevedo asked if a hold harmless agreement could be made between the City and the residents. Mr. Harper indicated that an agreement could be entered in to and encroachment permits could be granted. Director Askew added that the City should uphold the NMC.

Council Member Newton noted that the existing 6" waterline in was installed in 1972. By today's standards, a 6" waterline would not be installed. He asked if there are any near-future plans and funding to upgrade the 6" waterline. In response, Director Askew stated that there are no future plans in the Capital Improvement Program for replacement of that waterline. Council Member Newton briefly commented on each of the properties. He expressed concern about the possibility of issuing an encroachment permit when there are other unpermitted structures. Council Member Newton also stated that not removing the encroachments poses life safety issues for maintenance staff when called out for repairs on the waterline.

Council Member Hanna commented on the option of relocating the waterline, which would cost approximately \$150,000 from the City's Water Fund. City Manager Okoro noted that relocating the line could be construed as a gift of public funds. City Attorney Harper added that the City cannot obligate the owners to pay to relocate the waterline.

Ted Hoffman commented that the improvements are unpermitted encroachments. Mr. Hoffman said that tax money should not be spent to relocate the waterline.

Daniel Foster, resident at 2170 Caballeros, purchased in the property in 2010. There were no disclosures about the unpermitted improvements; therefore, he has filed a claim with the title

company. Mr. Foster said he is willing to sign a hold harmless agreement. He also requested additional time to remove the encroachment.

Tino Zavala, owner of 2210 Caballeros Road, apologized for installing the improvements. Mr. Zavala requested assistance in getting the issue resolved.

Council Members Newton and Hanna concurred that the improvements in the public right-of-way above the waterline is an unsafe condition for staff. They also suggested giving residents additional time to remove the encroachments .

Mayor Higgins commented on the need for people to be thorough when making land purchases or purchases of any kind. He indicated that rules and regulations are in place to protect the public and must be enforced.

**M/S HANNA/HIGGINS to approve staff's recommendations to uphold Norco Municipal Code Section 12.08.020 requiring removal of the unpermitted improvements and landscaping from the public right-of-way including walls, chain-link fence, concrete bollards, trees, and shrubs along the frontage of 2170, 2190, and 2210 Caballeros Road; and provide property owners 90 days from today to remove the encroachments. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

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

Mayor Pro Tem Bash requested a status report on the Third Street project. Mayor Pro Tem Bash requested to agendize discussion of the proposed Blimpie's Restaurant on the Navy base.

**M/S BASH/HIGGINS to agendize discussion regarding the proposed Blimpie's restaurant at Building 511 on the Navy base. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HIGGINS, NEWTON**

**NOES: HANNA**

**ABSENT: NONE**

**ABSTAIN: NONE**

Council Member Hanna requested an update of the list of street of repairs being prepared by City Engineer Milano. City Manager Okoro stated he would send a progress report to the City Council.

In response to questions by Council Members, Director Askew gave a brief update on the Third Street project. She indicated that the project will go out to bid next week. She added that the project improvements include streets, trails, storm drains, curbs, and gutters. The construction schedule consists of 90 working days.

