



**CITY OF NORCO
CITY COUNCIL REGULAR MEETING MINUTES**

**Wednesday, May 6, 2015
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 6:15 p.m.

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

The City Council will recess to Closed Session (Section 54954) to consider the following matter:

CLOSED SESSION:

§54957.6 – Conference with Labor Negotiator

Negotiating Parties: City Manager Okoro, Human Resources Analyst Paakkonen
Employee Organizations: Norco General Employees Association; Norco Public Works & Parks Maintenance Workers Association

§54956.8 – Conference with Real Property Negotiators:

Property: 119-020-015, 119-020-022
City Negotiator: City Manager Okoro, City Attorney Harper
Negotiating Party: Realty Bancorp Equities
Under Negotiation: Price and conditions for acquisition of property

RECONVENE PUBLIC SESSION: 7:07 p.m.

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

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

PLEDGE OF ALLEGIANCE: Council Member Kathy Azevedo

INVOCATION: Pastor Vernie Fletcher, Grace Fellowship Church

PROCLAMATION: Mental Health Month, May 2015

Representatives from Mental Health Month were unable to attend. Mayor Higgins indicated that the Proclamation would be sent to the organization.

Women's Lung Health Week, May 11-15, 2015

Mayor Higgins presented a proclamation to the Women's Lung Health organization.

PRESENTATIONS: Waste Management "Recycling Stars" Awards

Mayor Higgins and Waste Management Public Sector Representatives Carolyn Corrao and Glenda Chavez presented certificates to recycling stars recipients. The residential winners, Diana Douglass and Gene Van De Walker were unable to attend. However, the commercial winner, Cowgirl Café, was present to accept the award.

Norco Horseweek Donation

Tony Baretto of Norco Horseweek presented the City Council with a check in the amount of \$5,835.51 for a donation to the Animal Control Division.

Southern California Edison – Joint Emergency Planning

Southern California Edison Public Affairs Region Manager Adriana Mendoza-Ramos shared key information on Edison's Corporate Emergency Plan. The presentation focused on numerous SCE emergency communication programs and tools especially designed for local governments, emergency professionals, and community groups supporting emergency preparedness and response.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Mayor Pro Tem Bash:

- Attended a Riverside Conservation Authority meeting.
- Attended the Senior Advisory meeting on May 6 and complimented staff on their work with this group.

Council Member Newton:

- Attended a meeting with Sustainable Generations, a company specializing in manure to compost.

Council Member Azevedo:

- Commented on the upcoming U.N.L.O.A.D meeting on May 7 at the Corona-Norco School District learning center regarding E-Vapes and E-Cigarettes.
- Attended the Riverside County Transportation Commission meeting regarding free towing service to persons traveling in the area of Highway 91 and Interstate 15.
- Attended the Western Riverside Council of Governments meeting regarding increasing TUMF fees.

- Attended CarChamps ribbon cutting on May 2, 2015 and encouraged residents to visit and shop local businesses.

Mayor Higgins:

- No report given

2. CITY COUNCIL CONSENT ITEMS:

Council Member Azevedo abstained from voting on the approval of the April 1, 2015 minutes as she was absent at that meeting.*

M/S AZEVEDO/BASH to approve the Consent Calendar items as recommended. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HIGGINS, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: AZEVEDO (*Item 2.A. – April 1, 2015 meeting minutes only)

- A. City Council Minutes: Regular Meeting Minutes of April 1, 2015 and April 15, 2015. **Action: Approved the City Council regular meetings minutes.** (City Clerk)
- B. Procedural Step to Approve Ordinance after Reading of Title Only. **Action: Approved** (City Clerk)
- C. Continuation of Annual Special Tax for Community Facilities District No. 93-1 for the Fiscal Year 2015-2016. **Action: Adopted Resolution No. 2015-11.** (City Manager)
- D. Annual Adoption of the City Investment Policy. **Action: Approved and adopted the annual City Investment Policy.** (City Manager)

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

None.

4. PUBLIC COMMENTS:

Geoff Kahan commented on the upcoming Concerts in the Park, which will start in June. The first concert will be June 5, 2015 at 6:30 p.m. He encouraged residents to attend and to check the City's website for more information.

Pat Overstreet commented on the Ranch Tour on Saturday, May 9, 2015 which benefits open space such as horse trails.

Ted Hoffman commented on the Norco Horsemen's Association Obstacle Challenge this past weekend. The competitors were impressed with the horse sculptures/artwork at Ingalls Park. Mr. Hoffman thanked the Church of Jesus Christ of Latter Day Saints for clearing the hillside in order to see the sculptures better.

Mike Thompson commented on accessory buildings and suggested to the Council that they give the Planning Commission direction on this issue.

5. **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. 988, Second Reading, Zone Code Amendment 2015-02; Ordinance No. 989, Second Reading, Norco Ridge Ranch Specific Plan Amendment 6:** Amend Norco Municipal Code Chapter 18.13 (A-1 zone) and the Norco Ridge Ranch Specific Plan (SP 99-01) Residential District to amend the maximum allowed lot coverage regulations for structures. (City Clerk)

Council Member Azevedo stated that Ordinance No. 988 needs to come back for reconsideration to include swimming pools as part of lot coverage, and noted concern about the 35-foot setback requirement. She also noted that she was not in favor of Ordinance No. 989.

Council Member Newton concurred with Council Member Azevedo regarding Ordinance No. 989 as protection of animal-keeping is already in place with the PAKAs. In regards to Ordinance No. 988, Council Member Newton and Director King commented on the two subdivisions of approximately 20 lots in the A-1-20 zone which have PAKAs. Director King indicated that those lots were not excluded from the Ordinance. Council Member suggested that those approximate 20 lots with the deed restrictions, and the 35-foot setback requirement be removed from Ordinance No. 988. He also suggested including swimming pools as part of lot coverage in the Ordinance.

Mayor Pro Tem Bash commented that he prefers to focus on code enforcement and concurs with Council Members Azevedo and Newton.

M/S NEWTON/BASH to deny the second readings of Ordinance 988 and Ordinance 989. The motion was carried by the following roll call vote:

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

- B. **Ordinance No. 990, Second Reading, Zone Code Amendment 2015-04:** Amend Norco Municipal Code Chapter 18.24 (M-1 zone) to add auto-related services and limited sales, as permitted or conditionally-permitted uses. (City Clerk)

M/S AZEVEDO/HIGGINS to adopt Ordinance 990 for second reading. The motion was carried by the following roll call vote:

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

6. DISCUSSION/ACTION ITEMS:

- A. Cooperative Agreement with Caltrans for Second Street and Interstate 15.
(Director of Public Works)

Public Works Director Lori Askew indicated that Caltrans has agreed to partially fund the improvements at Second Street and Interstate 15 in the form of a lump sum contribution of \$250,000. Approval of a Cooperative Agreement with Caltrans is required in order to receive the funds.

Mayor Pro Tem Bash indicated his support for the agreement since the agreement is not an absolute commitment. The City can choose not to proceed with the work if it becomes too cost prohibitive. He noted the need to proceed for the safety of the public.

Council Member Newton indicated that he understands life safety but there have been missed opportunities to negotiate. He also expressed concern of using Measure A funds when the City only receives \$500,000 annually.

Council Member Azevedo expressed her support for the agreement.

Ted Hoffman commented that he agrees using Caltrans' money but does not support using half of Measure A funds for the project. He suggested setting a spending cap.

M/S BASH/AZEVEDO to approve and enter into a Cooperative Agreement with Caltrans. The motion failed as a result of the following roll call vote:

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

M/S HIGGINS/BASH to continue the item to May 20, 2015 to allow all Council Members to be present to vote on the item. The motion was carried by the following roll call vote:

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

- B. Local Preference in the Award of Public Works Contracts and the Purchase of Supplies and Equipment. (City Attorney)

City Attorney John Harper addressed the issues related to the City's authority to enact a percentage bidder's preference to businesses located within the City.

Lou Paltza commented that bidders must include all costs in order to bid competitively.

Jodie Webber commented on the recent bid relating to a Landscape Maintenance District (LMD) and the failure to award a contract is exposing residents in the LMD to potentially increased costs.

There was some discussion between Council Member Azevedo and City Attorney Harper regarding change orders and that there must be a legitimate reason to approve change orders.

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

AYES: AZEVEDO, BASH, HIGGINS, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

7. PUBLIC HEARING:

A. Ordering Abatement of Weeds on Vacant Lots. (Battalion Chief)

Battalion Chief Richard Owens reported that the proposed resolution orders the abatement of weeds and authorizes the Fire Department's weed abatement contractor to begin abating weeds on vacant properties whose owners did not comply with the Notice to Abate Spring weeds.

Mayor Higgins opened the public hearing indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, Mayor Higgins closed the public hearing bringing the discussion back to Council Members.

M/S AZEVEDO/BASH to Adopt Resolution No. 2015-12, declaring that weeds and hazardous vegetation, upon or in front of vacant property in the City of Norco, constitute a public nuisance and ordering the abatement. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HIGGINS, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

8. APPEAL HEARINGS:

A. Conditional Use Permit 2014-36 (Anderson): A request for approval to allow a detached accessory building consisting of a 2,997 square-foot covered pole corral at 4444 Hillside Avenue located within the A-1-20 (Agricultural Low Density) Zone. (Planning Director)

M/S AZEVEDO/BASH to continue the Appeal Hearing to May 20, 2015. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HIGGINS, NEWTON

NOES: NONE

ABSENT: HANNA
ABSTAIN: NONE

- B. **Conditional Use Permit 2015-03 (Rivera):** A request for approval to allow a batting cage facility for private lessons at 2800 Reservoir Drive located within the A-1-20 (Agricultural Low Density) Zone. (Planning Director)

Director Steve King reported that the subject site is located in an A-1-20 zone and consists of a single-family home, animal-keeping structures, and an outdoor batting cage facility. A research of City records indicates that the applicant has been operating without the required approvals. The request for Conditional Use Permit (CUP) 2015-03 was denied by the Planning Commission on April 8, 2015 but that decision has been appealed to the City Council.

In response to Council Member Newton, Director King indicated that Exhibit E will be included in the conditions of approval.

Mayor Higgins opened the public hearing indicating that proper notification had been made and asked for the appearance of those wishing to speak.

The following residents spoke in favor of granting Conditional Use Permit 2015-03:

Bernard Ousley
Gary Schonne
Russell Williams
Michelle Cuadra
Jeanine Johnsen
Daria Sullivan
Lou Paltza
Conner Krentzer
Donovan Monterrosa
Arianna Nunez
Sandy MacQuarrie
Mike Thompson
Bill Stubbs
Cara McCray

Karen Leonard expressed concern with how the situation was handled by residents. Ms. Leonard commented that the neighbor had a right to file a complaint and urged all to work out a compromise.

With no one else wishing to speak, Mayor Higgins closed the public hearing bringing the discussion back to Council Members.

Lou Rivera, the applicant, indicated that there are seven lights and each are 20 feet high. Mr. Rivera invited the City Council and staff to his property to view first hand and get a better perspective.

Council Member Newton asked Mr. Rivera if he had the opportunity to review the conditions of approval and if he agrees to abide by them. Mr. Rivera indicated he had and agrees to follow the conditions. Mr. Rivera added that he does not run a business. The schedule presented is based on the kids' schedule. After some discussion with Council Member Newton, Mr. Rivera agreed to the following schedule: M-Th 12:00 p.m.- 7:30 p.m. with lights out no later than 8:00 p.m.; No Friday coaching; Saturday 11:00 a.m. – 3:00 p.m.; No Sunday.

Council Member Azevedo indicated that she supports Mr. Rivera but he does require a Conditional Use Permit.

Mayor Pro Tem Bash commented that the conditions are somewhat strict and that he would like to see the approval process expedited for the sake of the youth.

Mayor Higgins commented that he was personally helped as a youth by a coach. He added that coaching is not just about the sport but the interaction.

Council Member Newton suggested striking Condition #8, striking #10, revising Condition #11 to state that an engineer shall certify the lighting and electrical, and add Condition #15 noting the schedule of operation.

In response to Mayor Pro Tem Bash, Mr. Rivera stated that his insurance has reviewed his property and approved.

M/S BASH/AZEVEDO to Adopt Resolution No. 2015-13, with changes to the conditions as stated. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HIGGINS, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

9. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Council Member Azevedo requested to agendize a new first reading of Ordinance No. 988 to only include swimming pools as part of the lot coverage.

M/S AZEVEDO/NEWTON to agendize and re-notice Ordinance No. 988 for a new first reading to exclude Primary Animal Keeping Area and the 35-foot setback requirements; and to include swimming pools as part of the lot coverage. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HIGGINS, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

Council Member Newton commented on the proposed SCE Riverside Transmission Reliability Project from Riverside to Jurupa Valley, with a portion running through Norco at the California Avenue and North Drive area. Council Member Newton requested to write a letter of opposition regarding the proposed route within the city limits of Norco. Mayor Pro

Tem Bash noted that a letter of opposition has already been written by a previous City Manager.

Mayor Pro Tem Bash requested that Director of Public Works Lori Askew and Superintendent Terry Piorkowski could meet with Norco Horsemen's Association representatives to discuss trail improvements and establish a plan to present to the City Council.

Mayor Higgins commented on the Third Street Improvements Project. Director Askew noted that a community meeting has been scheduled on Tuesday, May 12 at 6:30 p.m. at City Hall to provide residents with information on the project.

Mayor Higgins requested to agendaize discussion of the Sixth Street Revitalization Program for discussion for the first meeting in June to allow staff time to review. Planning Director Steve King indicated that he would forward copies of the Specific Plan to Council and staff for review.

Council Member Newton commented on the flashing beacon on Valley View Avenue and Fourth Street. City Manager Okoro indicated that the raised markers and thermoplastic striping has been installed and he will be recommending to the City Council for removal of the light.

Mayor Higgins requested a status report on the complete street closure improvements of Corona Avenue at Hidden Valley Parkway. City Manager Okoro noted that Mayor Pro Tem Bash and Economic Development Consultant Grody are talking with the property owner about potential options.

ADJOURNMENT

Mayor Higgins adjourned the meeting at 9:55 p.m.

Cheryl L. Link, CMC, City Clerk