



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

**Wednesday, June 3, 2015
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 6:43 p.m.

ROLL CALL: Herb Higgins, Mayor, **Present**
Kevin Bash, Mayor Pro Tem, **Present**
Kathy Azevedo, Council Member, **Present**
Berwin Hanna, Council Member, **Present**
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 Organization: Norco Public Works & Parks Maintenance Workers Association

RECONVENE PUBLIC SESSION: 7:12 p.m.

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

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

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Kevin Bash

INVOCATION: Pastor Louis Monteith, Norco Calvary Chapel

PROCLAMATIONS: Robin Grundemeyer and Carole Lyndsey for Coming to the Aid of a Sheriff Deputy

Ms. Grundemeyer and Ms. Lyndsey were unable to attend the meeting. The presentation of the Proclamations was continued to June 17, 2015.

RECOGNITIONS: The Maverick Saloon and the Water Wheel Saloon & Eatery for their Participation in the "Watch Your BAC" Program

Sheriff Lieutenant Eric Briddick presented brief information about the Watch Your BAC Program and recognized the Maverick Saloon and the Water Wheel Saloon & Eatery for their partnership and collaboration with the program.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Mayor Pro Tem Bash:

- Attended a Regional Conservation Authority of Western Riverside County meeting.
- Attended the STAR meeting and noted upcoming events for seniors.

Council Member Hanna:

- Attended a Riverside County Transportation Commission meeting. The construction on the 91 freeway has reduced the width of the lanes.
- Attended a Riverside Transit Agency meeting.
- Commented on the upcoming Day of the Cowboy Event on July 25, 2015.

Council Member Newton:

- Attended the Western Riverside County Regional Wastewater Authority meeting.

Council Member Azevedo:

- Attended the Western Riverside Council of Governments (WRCOG) meeting on Monday, June 1st. The topics included the General Assembly approving the budget, and the possibility of the State taking a portion of the City's Transient Occupancy Tax.
- Commented on the Founders Day Ride scheduled for June 13th and the Day of the Cowboy Event on July 25th.

Mayor Higgins:

- No report given.

2. CITY COUNCIL CONSENT ITEMS:

Mayor Pro Tem Bash pulled item 2.F. for discussion. Council Member Newton pulled items 2.G. and 2.I. for discussion. Items 2.D. and 2.J. were pulled to allow for public comment.

M/S HANNA/BASH to approve the remaining Consent Calendar 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: Special Meeting Minutes of May 6, 2015. **Action: Approved the City Council special meeting minutes.** (City Clerk)
- B. Procedural Step to Approve Ordinance after Reading of Title Only. **Action: Approved** (City Clerk)
- C. Resolutions Calling the 2015 General Municipal Election. **Action: Adopted Resolution No. 2015-20, requesting the Board of Supervisors of the County of Riverside consent to conducting the November 3, 2015 General Municipal Election in the City of Norco by the County of Riverside Registrar of Voters; Resolution No. 2015-21, calling and giving notice of the General Municipal Election to be held on November 3, 2015; and Resolution No. 2015-22, adopting regulations for the candidates for elective office.** (City Clerk)
- D. Acceptance of Bids and Award of Purchase for Replacement of One Ton Service Truck for the Public Works Department. **Pulled for discussion.** (Director of Public Works)
- E. Acceptance of the Navy to Norco College (RCC) Sewer Improvement Project as Complete. **Action: Accepted the Navy to Norco College (RCC) Sewer Improvements 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 Additional Appropriation for the Contract with J & S Striping for On-Call Street Striping and Pavement Marking Services for FY 2014-2015. **Pulled for discussion.** (Director of Public Works)
- G. Ratification of Fiscal Year 2015-2016 Western Riverside County Regional Wastewater Authority Budget. **Pulled for discussion.** (Water and Sewer Consultant)
- H. Approval of Part-Time Salary Schedule. **Action: Adopted Resolution No. 2015-25, approving the part-time salary schedule.** (City Manager)
- I. Proposed Cancellation of the July 1, 2015 City Council Regular Meeting. **Pulled for discussion.** (City Clerk)
- J. Order of Procedure and Resolutions Necessary for the Annual Assessment Levy Continuing Landscape Maintenance Districts No. 1 – Beazer, Tract 28765; No. 3 – Centex, Tract 28826; No. 4 – Norco Ridge Ranch, Tracts 29588 and 29589; and No. 5 – Hawk’s Crest, Tract 30230. (City Engineer) **Action: Pulled for discussion.**

- K. Order of Procedure and Resolutions Necessary for the Annual Assessment Levy Continuing Landscape Maintenance District No. 2 – Western Pacific, Tract 25779, Assuming a Proposition 218 Majority Protest is Received. (City Engineer) **Action: Adopted Resolution No. 2015-34 (Western Pacific), approving the Engineer’s Preliminary report for the annual levy of assessments for the Fiscal Year 2015-2016 in said District; and Resolution No. 2015-35 (Western Pacific), declaring the City’s intention to provide for an annual levy and collection of assessments for certain maintenance in an existing district and setting a time and place for the public hearing.**

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

- 2.D. Acceptance of Bids and Award of Purchase for Replacement of One Ton Service Truck for the Public Works Department. (Director of Public Works)

In response to Council Member Newton, Director Askew stated that Hemborg Ford did not submit a bid.

Ted Hoffman expressed that he is glad the bid was sent to local dealers. Mr. Hoffman said with a truck of that size, the City should consider a diesel truck. He suggested the City look into the used truck dealership next to Tractor Supply. Council Member Azevedo asked if the truck dealership was noticed and Director Askew indicated that the City does not purchase used vehicles.

Also in response to Council Member Azevedo, Director Askew stated that staff did follow up with Hemborg when no bid was received.

M/S NEWTON/BASH to accept bids submitted for the purchase of a one ton service truck from Lake Chevrolet in the amount of \$47,834.34. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- 2.F. Approval of Additional Appropriation for the Contract with J & S Striping for On-Call Street Striping and Pavement Marking Services for FY 2014-2015. (Director of Public Works)

Director of Public Works Lori Askew stated that J & S Striping Company, Inc. was engaged by the City to perform street striping and pavement marking services for FY 2014-2015. They have completed their work and submitted their only invoice in the amount of \$79,675.02. This amount is more than the \$53,000 contract amount awarded to them by the City Council on August 6, 2014. Consequently, additional appropriation of funds and increase to the contract in the amount of \$26,675.02 is needed in order to pay their invoice.

In response to Mayor Pro Tem Bash, Director Askew stated that the contract was awarded as an on-call contract. Staff determined that it was best for the contractor to work in a specific part of town at a time. The only bill that was received was in January and there were no requests for change orders. It is a time and materials contract.

In response to Council Member Newton's inquiry about who was directing the contractor about the amount of work to be done, Director Askew said that the contractor was given an area to complete and not "X" amount of work. Staff confirmed completion of the work and inspected the work. Director Askew mentioned that staff could have asked for a weekly running total.

Council Member Azevedo suggested going out to bid for the exact work to be done rather than going out to bid on a scenario.

City Manager Okoro indicated that the issue with specifying detail is that staff would have had to measure every linear foot, which would have taken an extraordinary amount of time. Mr. Okoro commented that the contractor should have come back with a change order but it did not happen because this was not a progress payment contract.

Jodie Webber commented that to avoid problem in the future, staff should measure the sites and provide oversight.

Ted Hoffman expressed that the total cost is 50% over what was budgeted. He expressed his concerns with doing things the way they have always been done. Mr. Hoffman said that the City owes the citizens accountability.

Bob Leonard shared his business experience with contracts and said that oversight is needed.

Harvey Sullivan commented that City staffing levels have been reduced considerably but have the same amount of work.

Bob Cuervo commented that contracts should state that when the budget is reached, the contractor must contact City staff.

M/S BASH/NEWTON to deny approval of additional appropriation for the contract with J & S Striping.

Council Member Azevedo made a substitute motion to table the item to allow time for the City Attorney to review the contract and provide the City Council his findings. Council Member Hanna seconded the substitute motion. The substitute motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA

NOES: HIGGINS, NEWTON

ABSENT: NONE

ABSTAIN: NONE

2.G. Ratification of Fiscal Year 2015-2016 Western Riverside County Regional Wastewater Authority Budget. (Water and Sewer Consultant)

Council Member Newton indicated he pulled the item to state that he will abstain from voting on this item because he signed the Western Riverside County Regional Wastewater Authority budget as Chairman. Both the City Attorney and the Water and Sewer Consultant indicated that there is no conflict of interest if Council Member Newton votes to approve.

M/S NEWTON/AZEVEDO to adopt Resolution No. 2015-24, approving the Fiscal Year 2015-2016 Western Riverside County Regional Wastewater Authority budget, establishing rates to be charged for conveyance, treatment and disposal of wastewater. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

2.I. Proposed Cancellation of the July 1, 2015 City Council Regular Meeting. (City Clerk)

Council Member Newton said he pulled the item to inquire about the request to cancel since July 4 is on a Saturday and City Hall is closed Thursday, July 2nd. In response, City Manager Okoro indicated that with the shortened week, the City Council has historically canceled the first meeting in July when it falls close to the holiday. Mayor Pro Tem Bash expressed his support for the cancellation of the meeting due to the amount of follow up work required after a Council meeting.

M/S BASH/NEWTON to cancel the July 1, 2015 City council regular meeting. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

2.J. Order of Procedure and Resolutions Necessary for the Annual Assessment Levy Continuing Landscape Maintenance Districts No. 1 – Beazer, Tract 28765; No. 3 – Centex, Tract 28826; No. 4 – Norco Ridge Ranch, Tracts 29588 and 29589; and No. 5 – Hawk’s Crest, Tract 30230. (City Engineer)

City Engineer Dominic Milano presented that the “Landscaping and Lighting Act of 1972 requires that an Engineer’s Report for existing landscape maintenance districts (LMDs) must be reviewed and approved annually to continue assessments for the districts. The formation of the four districts allow for an annual increase not to exceed the Consumer Price Index (CPI). The CPI ending March 31, 2015 adjustment per parcel assessment in all districts is 0.5%.

This year’s Engineer’s Report includes the estimated fund balance for Fiscal Year ending June 30, 2015 and the cash flow funding needs. Each district requires a six-month cash flow reserve to sustain the District from the beginning of the fiscal year (July 1) until the

City receives from the County of Riverside, its first assessment payment, six months later. If the City does not have this reserve, the general fund reserves must “carry” the District. In addition the “needs” includes those Districts that have trail fencing (Districts 3 thru 5) a line item establishing a dollar amount to reconstruct the majority of the trail fencing in each District. The “estimated unfunded needs” is the difference between the “fund balance” and the “needs”.

Jodie Webber thanked staff for including public input for the Engineer’s Reports.

Lance Gregory thanked staff as well for the ability for residents to voice opinions and recommendations.

M/S BASH/HANNA to adopt Resolution No. 2015-26 (Beazer); Resolution No. 2015-27 (Centex); Resolution No. 2015-28 (Norco Ridge Ranch); Resolution No. 2015-29 (Hawk’s Crest), approving the Engineer’s Preliminary Report for the Annual Levy of Assessments for the Fiscal Year 2015-2016 in said Districts. The motion was carried by the following roll call vote:

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

M/S BASH/HANNA to adopt Resolution No. 2015-30 (Beazer); Resolution No. 2015-31 (Centex); Resolution No. 2015-32 (Norco Ridge Ranch); Resolution No. 2015-33 (Hawk’s Crest), declaring the City’s intention to provide for an Annual Levy and Collection of Assessments for certain maintenance in an existing District, and setting a time and place for the Public Hearing. 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 said she went to City Hall to find out how a business license is revoked. She said that staff indicated to her that business licenses are not revoked and inquired to the reason why they are issued but not revoked.

Liza Hunter-Rogers commented that she spoke with staff in Public Works regarding illegal traffic using Sierra Avenue as a frontage road, specifically commercial trucks. She said that City streets are not made for this and commercial trucks can be fined for using non-commercial streets. She also asked the Sheriff’s Department for assistance. Ms. Hunter-Rogers suggested placing a sign on Sierra indicating it not being a commercial route.

Ted Hoffman thanked staff, especially Facilities Coordinator Patty Ireland for bringing in the Horse Town Brew ‘N Que event. Mr. Hoffman suggested the City continue bringing in new events.

Diane Collins, Norco Area Chamber of Commerce President/CEO, commented on the upcoming Lake Norconian Foundation Founder's Day Ride on June 13, 2015.

5. PUBLIC HEARINGS:

- A. **Ordinance No. 988, First Reading. Zone Code Amendment 2015-02:** Amend Norco Municipal Code Chapter 18.13 (A-1 zone) to amend the maximum allowed lot coverage regulations for structures. (Planning Director)

Planning Director Steve King indicated that on May 6, 2015 the City Council did not have the Second Readings on two Ordinances that would have amended the building coverage calculations for lots in the A-1 zone and in the Norco Ridge Ranch Specific Plan with direction that a new First Reading be re-advertised for lots the A-1 zone with changes from what had been proposed on May 6, 2015. It was also directed that no changes be done for lots that already have primary animal-keeping areas (PAKA) which includes the entirety of Norco Ridge Ranch Specific Plan and some lots in the A-1 zone.

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

Lance Gregory expressed opposition for any further restrictions until becoming more efficient with code enforcement.

Ted Hoffman expressed that he is glad that the City Council is considering swimming pools in lot coverage and commented that this is a good step for the future of Norco.

Harvey Sullivan suggested opposing the Ordinance and send it back to the Planning Commission for further discussion and possibly changing it to 65/35 or 75/25.

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

Mayor Pro Tem Bash and Council Members Azevedo and Newton commented on their support for the Ordinance.

Council Member Hanna said he has no issue with the 40%.

M/S AZEVEDO/HANNA to adopt Ordinance 988 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. 991.** An Urgency Ordinance Approving a Water Conservation Program. Code Change 2015-02 **Resolution No. 2015-36**, Declaring Level 3 Water Conservation Measures. (Water and Sewer Consultant)

Water and Sewer Consultant Bill Thompson presented At their regularly-scheduled May 5, 2015 public meeting, the State Water Resources Control Board (SWRCB), in accordance with applicable State laws and regulations adopted additional emergency regulations for Statewide Urban Water Conservation. The newly adopted regulations require all water suppliers to implement additional water conservation measures to reach a statewide water use reduction of 25%. The City of Norco Municipal Code requires the City Council adopt an Ordinance establishing a water conservation program and a Resolution declaring additional restrictions in the event of critical water availability. Staff is recommending the City Council implement Level 3 water conservation effort.

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

Jodie Webber requested clarification of the Ordinance and Resolution. City Attorney Harper stated that the Ordinance gets adopted, which sets forth all the potential options. The Ordinance indicates that the City Council must adopt by Resolution a level of conservation. The Resolution presented indicates a Level 3 conservation measure. Ms. Webber said she understands the urgency but penalties and violations are premature. She referenced the court decision for the City of Capistrano.

Ted Hoffman asked who will enforce non-compliance and urged that the Council determine how to implement.

City Attorney John Harper indicated that failure of the City of not reducing usage by 35% by February 2016 will result in a fine of \$10,000 per day.

Harvey Sullivan asked about the reporting period used by the State. In response, Mr. Thompson stated that the July – September 2013 reporting period is a baseline for per capita use. Mr. Sullivan commented on the watering hours and Mr. Thompson stated that the correct time is no watering between the hours of 8:00 a.m. and 8:00 p.m.

Bill Naylor commented that he installed drought tolerant landscaping and discussed the challenges with the individual use comparison from 2013.

Melissa Woodward expressed her concerns with water use restrictions. She suggested that the City find alternatives for water use and conservation and educate the public.

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

Mayor Pro Tem Bash stated that the City has been proactive and suggested scheduling a town hall meeting or workshop to further educate the public on water conservation measures. Council Member Hanna concurred.

M/S AZEVEDO/HANNA to adopt Urgency Ordinance No. 991 to establish a Water Conservation Urgency Program in compliance with the State Water Resources Control Board rulemaking adopting additional water conservation measures due to continuing drought conditions and establish local water conservation restrictions; and adopt Resolution No. 2015-36, declaring Level 3 water conservation measures.

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 / CITY MANAGER / STAFF COMMUNICATIONS:

Council Member Hanna commented on furniture in the horse trail this week on Temescal Avenue and asked for Code Compliance to address.

Mayor Pro Tem Bash requested to agendize discussion of possible development on the property at Hidden Valley property and Corona Avenue.

M/S BASH/HIGGINS to agendize discussion of possible development on the property located at Hidden Valley Parkway and Corona Avenue. The motion was carried by the following roll call vote:

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

Mayor Pro Tem Bash requested to agendize discussion of renaming the Animal Control Shelter in honor of former employee Charles Hemmings.

M/S BASH/HIGGINS to agendize discussion of renaming the Animal Control Shelter in honor of former Animal Control Superintendent Charles Hemmings. The motion was carried by the following roll call vote:

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

Mayor Higgins requested that water conservation information be placed on the City's website and a mailed to residents in their water bills.

Mayor Higgins commented on the Sixth Street Revitalization Plan. Planning Director Steve King said that the Planning Commission has approved a draft to amend the permitted and traditionally permitted uses in the C-4 zone. A public hearing is being scheduled for the Commission. Also, an informational community meeting has been scheduled on June 16th at City Hall. Property owners have been notified.

ADJOURNMENT

Mayor Higgins adjourned the meeting at 9:22 p.m.