



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

**Wednesday, June 17, 2015
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 6:00 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:

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

RECONVENE PUBLIC SESSION: 7:02 p.m.

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

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

PLEDGE OF ALLEGIANCE: Council Member Azevedo

INVOCATION: Pastor Daniel Kitheka, Beacon Hill Church/Swahili Faith Community

City Manager Okoro noted that the church donated \$20,000 to the City's Party Partners Program.

INTRODUCTION: Sergeant Del Valle, Norco Sheriff's Office

Lieutenant Briddick introduced Sergeant Del Valle. Sergeant Del Valle said that he looks forward to working with the citizens on enhancing the quality of life in Norco.

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

Sheriff Lieutenant Eric Briddick presented Ms. Grundemeyer and Ms. Lyndsey proclamations of meritorious service for coming to the aid of a deputy and aided the in arrest of a suspect.

Parks Make Life Better Month – July 2015

Mayor Higgins presented a proclamation to the Director of Parks, Recreation and Community Services Brian Petree for Parks Make Life Better month and urged all citizens to use and enjoy City parks, trails, open space, facilities and recreation opportunities.

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

Mayor Higgins recognized City Manager Okoro and the City of Norco for earning a Certificate of Achievement for Excellence in Financial Reporting for the 12th consecutive year.

PRESENTATIONS: Norco Horsemen's Association Top 10 Trail Improvement List

Norco Horsemen's Association President Glenn Hedges presented the Top 10 Trail Improvement list to the City Council.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Mayor Pro Tem Bash:

- Met with a Riverside County representative from Senator Dianne Feinstein's Office.

Council Member Hanna:

- Cautioned residents about West Nile Virus
- Attended a Riverside County Transportation Commission meeting and commented that transportation funding has decreased.

Council Member Newton:

- Attended a Chino Desalter Authority (CDA) Board meeting in which the FY 2015-2016 capital budget was approved and noted that the cost of water will remain at approximately \$1,066 per acre foot. Also, CDA will be purchasing a 1/3-acre parcel at Detroit and Old Hamner for a turn out for CDA.

Council Member Azevedo:

- Attended the Western Riverside Council of Governments General Assembly meeting.
- Commented on 4th of July Trail Ride.
- Commented of Day of the Cowboy scheduled for July 25, 2015

- Met with a Riverside County representative from Senator Dianne Feinstein's Office. The primary topics included funding for the Hamner Avenue Bridge project, manure-to-energy, infrastructure, and the Navy.

Mayor Higgins:

- No report given

2. CITY COUNCIL CONSENT ITEMS:

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, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- A. City Council Minutes: Regular Meeting Minutes of May 20, 2015. **Action: Approved the City Council regular meeting minutes.** (City Clerk)
- B. Procedural Step to Approve Ordinance after Reading of Title Only. **Action: Approved** (City Clerk)
- C. Recap of Actions Taken by the Planning Commission at its Meetings Held on June 10, 2015. **Action: Received and filed.** (Planning Director)
- D. Designation of Voting Delegate and Alternate for the 2015 League of California Cities Annual Conference. **Action: Appointed Mayor Pro Tem Bash as the Voting Delegate and Council Member Berwin Hanna as the Alternate Voting Delegate to represent the City of Norco at the 2015 League of California Cities Annual Conference to be held in San Jose, California.** (City Clerk)
- E. Approval of an Agreement with Valley Crest Landscape Maintenance in the Amount of \$729,906 for Landscape Maintenance Services in the City of Norco. **Action: Approved the five-year service maintenance agreement, with the option of a two-year extension, with Valley Crest Landscape Maintenance in the amount of \$729,906 annually with a Consumer Price Index increase annually in July of each year.** (Deputy City Manager/Director of Parks, Recreation and Community Services)
- F. Approval of the Memorandum of Understanding for Norco General Employees Association for Fiscal Year 2015-2016. **Action: Approved the Memorandum of Understanding for the Norco General Employees Association for Fiscal Year 2015-2016, and adopted Resolution No. 2015-37 modifying Employer Paid Member Contributions.** (City Manager)
- G. Approval of the Memorandum of Understanding for Public Works & Parks Maintenance Workers Association for Fiscal Year 2015-2016. **Action: Approved the Memorandum of Understanding for the Public Works &**

Parks Maintenance Workers Association for Fiscal Year 2015-2016, and adopted Resolution No. 2015-38 modifying Employer Paid Member Contributions. (City Manager)

- H. Approval of Salary and Benefits Resolutions for Management, Middle Management, Professional and Confidential Employees for Fiscal Year 2015-2016. **Action: Adopted Resolution No. 2015-39, approving the annual salary and benefits for Management personnel; adopted Resolution No. 2015-40, approving the annual salary and benefits for Middle Management, Professional and Confidential service personnel; and adopted Resolution No. 2015-41 modifying the Employer Paid Member Contributions.** (City Manager)
- I. Resolution Setting the Regular Meeting Schedules for City Commissions and the Economic Development Advisory Council for Fiscal Year 2015-2016. **Action: Adopted Resolution No. 2015-42 approving the meeting schedules.** (City Clerk)

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

None.

4. PUBLIC COMMENTS:

Ron Kammeyer commented that he was part of a high school project 40 years ago in which he helped design the Prado Dam Mural. Mr. Kammeyer has been trying to work with the U.S. Army Corps of Engineers to redesign and rehabilitate the mural. He requested that the Council send a letter of support. He also encouraged the public to visit the Friends of the Prado Dam Mural website at www.friendsofthepradodammural.com.

Geoff Kahan commented on Concerts in the Park Series at Pikes Peak Park. The next concert will be Friday, June 19th.

Glenn Hedges invited the City Council and the public to the Norco Horsemen's Association membership meeting at the American Legion on Thursday, June 18th. The featured speakers will be the Ad-Hoc Committee on Infrastructure Needs and Funding Options Chair Jodie Webber and Vice Chair Corinne Holder.

Patricia Overstreet commented on the City's first Town Hall meeting scheduled for Monday, July 27, 2015 at 6:30 p.m. at Nellie Weaver Hall hosted by RURAL. The Town Hall meetings will be held quarterly and will be hosted by various community organizations.

Donna Hyde, Executive Director of NDR Therapeutic Riding, which assists persons with physical and cognitive disabilities commented that NDR will be hosting the World Games Special Olympics USA Equine Team for training. NDR requested assistance in welcoming the athletes for memorable experience in Horsetown USA during training camp.

5. LEGISLATIVE MATTERS:

- A. **Ordinance 988, Second 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. (City Clerk)

City Clerk Cheryl Link reported that on May 6, 2015, the City Council did not adopt Ordinance No. 988 for second reading and gave staff direction to re-advertise Ordinance No. 988 for first reading to amend the building coverage calculation standards for lots in the A-1 zone. The new regulations include in-ground pools and spas with a five-foot coping area around them in the building coverage calculations. This requirement does not apply to any lots in the A-1 zone where a Primary Animal-Keeping Area (PAKA) has been recorded. The other change eliminates a required 35-foot setback to an open animal area. The new first reading of Ordinance No. 988 was adopted by the City Council on June 3, 2015 with a 5-0 vote.

M/S AZEVEDO/BASH to adopt Ordinance No. 988 for second reading.

Under discussion:

In response to Council Member Newton, City Attorney Harper indicated that there is no legal obligation for the changes made to the Ordinance to have gone before the Planning Commission first.

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 ITEMS:

- A. Appointments to Various City Commissions and the Economic Development Advisory Council. (City Clerk)

City Clerk Cheryl Link reported that the City of Norco has an advisory council and four commissions that advise the City Council on one or more aspects of City government. The Council is requested to review applications submitted for vacancies on the Historic Preservation Commission (2 vacancies); the Parks and Recreation Commission (1 vacancy); the Planning Commission (1 vacancy); and the Streets, Trails and Utilities Commission (4 vacancies); and is recommended to make appointments to serve 4-year terms on the respective commissions. The Council is also recommended to appoint one member to the Economic Development Advisory Council to fill an unscheduled vacancy for a two-year term.

The following applicants spoke:

William Naylor
Teresa Edwards
Ted Hoffman
Richard Hallam
Gabriel Martin

Mayor Pro Tem Bash encouraged those not selected to re-apply in the future for the opportunity to serve.

Following City Council action by ballot, the following appointments were made:

Historic Preservation Commission: Matthew Potter, Teresa Edwards

Parks and Recreation Commission: Richard Hallam

Planning Commission: Ted Hoffman

Streets, Trails and Utilities Commission: William Naylor, Michael Thompson, James Turpin, Sherry Walker

Economic Development Advisory Council: Gabriel Martin

- B. Norco Area Chamber of Commerce and Visitors Center Annual Report for 2014. (Economic Development Consultant)

Norco Area Chamber of Commerce President and CEO Diane Collins presented the City Council with a summary of Chamber programs and accomplishments in 2014, as well as goals for 2015.

In response to Council Member Newton, Ms. Collins indicated that the Chamber is working on welcome packets for new residents and businesses. The Chamber is partnering with the City to accomplish this task.

M/S AZEVEDO/BASH to receive and file the Norco Area Chamber of Commerce 2014 Annual Report. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

7. PUBLIC HEARINGS:

- A. Approval and Adoption of the City of Norco Operating Budget for Fiscal Year 2015-2016 and Authorizing Appropriations Therefrom. (City Manager)

City Manager Okoro presented the Fiscal Year 2015-2016 Operating Budget which has a recommended total appropriation for the City of Norco of \$33,783,577. The FY 2015-2016 proposed budget for the General Fund which is the City's primary Operating Fund includes total estimated revenues of \$16,458,809 and total estimated expenditures of \$16,457,130. The proposed budget estimates that the fund balance for the General Fund to be \$7,004,798 by June 30, 2015.

In response to Mayor Higgins, Mr. Okoro indicated that supplemental law enforcement grant is a federal grant in which the allocation is based on population. The \$100,000 grant is in the identified in the General Fund.

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

Ted Hoffman commended Mr. Okoro and staff for their work on the budget. Mr. Hoffman referenced Page 3 in which no new hires are identified. Mr. Hoffman suggested additional staff in Code Enforcement and the Building Department in order to improve customer service.

Jodie Webber asked why there is a \$476,000 surplus in the sewer fund. Mr. Okoro stated that for the budget process, staff estimates expenditures and revenues. The source of most of the surplus is from the services that are provided to the Navy. The Navy is still looking at ways to reduce their costs to the City. Based on current rates and continued negotiations with the Navy, these revenues to the Sewer Fund may decrease.

William Naylor expressed his concern regarding water revenues versus expenditures. He commented that there is currently a deficit and the City will come back at a later time to re-establish the rates. City Manager Okoro indicated that purchased waster costs have been rising. In the past two fiscal years, the City has not made adjustments to the water rates. Mr. Naylor noted that the budget did not consider water conservation requirements and loss of revenue. Mr. Okoro indicated that the impact of water conservation is unknown at this time.

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

Council Member Azevedo commented that she is excited for \$40,600 appropriation for Economic Development and said this will hopefully generate more money for the City.

Council Member Hanna thanked City Manager Okoro and staff for their work on the budget.

M/S HANNA/BASH to adopt Resolution No. 2015-43, approving and adopting the Fiscal Year 2015-2016 Operating Budget and authorizing appropriations therefrom.

Under discussion:

Council Member Newton asked what the City can do so prevent the NPDES fund from struggling. Mr. Okoro indicated that the options are limited. The City cannot impose charges on the residents without it being considered a tax. Staff has been carefully reviewing the assessments within the existing rules to make sure all the assessments are being processed at the correct rate.

Mayor Pro Tem Bash thanked staff for their work in bringing in businesses and events to the City.

Mayor Higgins commented that because of financial constraints, the City cannot hire more Code Enforcement staff. The current Code Enforcement Officer has been varying his working days and hours to accommodate when enforcement is most needed. Also, the enforcement procedures have been revised for efficiency.

The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Mayor Higgins recessed the meeting at 8:55 p.m. and reconvened the meeting at 9:05 p.m.

- B. Approval of the Five Year Capital Improvement Program for Fiscal Years 2016-2020. (City Manager)

City Manager Andy Okoro stated that a budget workshop was held to review the proposed FY 2016-2020 Capital Improvement Program (CIP) budget for the City of Norco. Staff is now recommending that the City Council conduct a Public Hearing to receive input from the public and that at the conclusion of the hearing, that the City Council approve the CIP Budget for Fiscal Years 2015-2020.

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

Ted Hoffman commented that there are no available funds for infrastructure and asked that the City Council look at the Ad-Hoc Committee on Infrastructure Needs and Funding Options recommendations seriously.

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

Council Member Azevedo asked for the percentage that the City receives from sales tax. Mr. Okoro stated that the City receives 12% of the total sales tax revenue generated in the City of Norco, which equates to 12.5 cents of revenue per dollar. Council Member Azevedo commented on State reform and suggested that Council Members get more involved to get more money for Norco.

Mayor Higgins inquired about the amount the City receives from the Transient Occupancy Tax (TOT). Mr. Okoro stated that the City receives 100% of the 11% tax, which equates to approximately \$418,000. Mayor Higgins noted that he is a delegate to the Southern California Association of Governments Employee Relations Policy Subcommittee. A recent meeting of the Subcommittee discussed the possibility of the State imposing a 50/50 split of the City's TOT. There is an Assembly Bill in the works.

M/S AZEVEDO/BASH to adopt Resolution No. 2015-44, approving and adopting the City of Norco Capital Improvement Program budget for Fiscal Years 2016-2020. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

8. APPEAL HEARING:

- A. Appeal Hearing of Conditional Use Permit 2014-32 (Core/Verizon Wireless):** A request for approval to allow the installation of an unmanned wireless telecommunication facility at 1101 Hidden Valley Parkway within the Norco Hills Specific Plan. (Planning Director)

Planning Director Steve King reported that the Planning Commission approved Conditional Use Permit (CUP) 2014-42 on May 13, 2015. The approval included a condition of approval that requires a radio frequency exposure test to be submitted to the Planning Division on an annual basis. The applicant filed an appeal to the condition. However, the applicant is requesting to amend the CUP condition with the Planning Commission first.

M/S BASH/NEWTON to continue the Appeal Hearing to August 5, 2015. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

9. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Council Member Newton commented on an article in Western City Magazine regarding anaerobic digesters and that it mentioned the CR&R facility in Perris. Council Member Newton also commented on the Lake Norconian Club Foundation's Norco Founders Day 5k Walk/Run/Ride held on June 13th.

Council Member Newton asked to agendaize for the Planning Commission to review the option of the considering the mass of accessory buildings.

M/S NEWTON/HIGGINS to direct the Planning Commission review the mass of accessory buildings. 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 that staff write a letter of support for the Prado Dam Mural Rehabilitation.

M/S BASH/HIGGINS to add to the agenda by urgency, the direction to staff to compose and send a letter of support regarding the Prado Dam Mural Project. 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 an update on the Norco Library relocation and to agenda discussion of use options for the current building to be vacated by the Norco Library.

M/S BASH/HIGGINS to agenda discussion of the potential uses and options for the soon-to-be vacated building currently occupied by the Norco Library. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Mayor Higgins reiterated that all fireworks, including the Safe and Sane fireworks, are illegal in the City of Norco and the County of Riverside.

Mayor Higgins requested to agenda discussion of the potential use of the CR&R anaerobic digester in the City of Perris.

M/S HIGGINS/AZEVEDO to agenda preliminary discussion for the potential use of the CR&R anaerobic digester facility in the City of Perris. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Council Member Azevedo requested that staff meet with the owners of NDR Therapeutic Riding regarding the welcoming of the Special Olympics athletes that will be training here in Norco.

ADJOURNMENT

Mayor Higgins adjourned the meeting at 9:40 p.m.