



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

**Wednesday, August 19, 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 recessed 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: 7:11 p.m.

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

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

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Kevin Bash

INVOCATION: Pastor Rene Parish, Beacon Hill Assembly of God

Mayor Higgins noted that No Drama Ranch presented the City with a framed picture of the Special Olympics athletes and coaches that trained at the Ranch for the World Games.

INTRODUCTION: Gina Schuchard, Finance Officer

City Manager Andy Okoro introduced Ms. Schuchard to the City Council. Mr. Okoro briefly commented on Ms. Schuchard's experience. Ms. Schuchard expressed that she is excited to be working with staff and appreciates the warm welcome.

RECOGNITIONS: Norco Girls Softball CIF Champions

Mayor Higgins and Mayor Pro Tem Bash presented certificates to the Norco Girls Softball Team and the coaching staff.

PROCLAMATION: Staff Sergeant David M. Spratley, III, USAF (Ret.) Norco High School Jr. ROTC

Mayor Higgins and Mayor Pro Tem Bash presented a proclamation to Staff Sergeant Spratley for his dedication and commitment to youth, the community, and Armed Services.

PRESENTATION: Lt. Briddick, Sheriff's Department – K-9 Unit

Sheriff Lieutenant Eric Briddick introduced the Jurupa Valley Station K-9 team who also serve the City of Norco. The K-9 team noted that the unit was established in 1989 with five handlers. Currently the unit has 28 K-9's that serve Riverside County. The team invited the City Council and the public to attend the 20th Annual K-9 trials at Ingalls Park on November 7th.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Mayor Pro Tem Bash:

- Spoke with Assembly Member Eric Linder regarding Veterans Memorial signage on Interstate 15.
- Attended a Veterans Memorial meeting in which four new members were added.

Council Member Hanna:

- Commented on Riverside County Sheriff's Department's National Night Out event on August 11th and noted that the City was well-represented.
- On August 12th, attended the Riverside County Transportation Commission public meeting regarding the I-15 Express Lanes project.
- Commented that Vector Control will be conducting adulticiding treatments on August 21st due to West Nile virus activity and high mosquito population.
- Commented on former resident Rick Wagner's contribution to AB 794, which adds volunteer peace animals to Penal Code 600 and further protects the animals that are being used in a public safety format. Council Member Hanna requested that staff coordinate Assembly Member Linder's attendance at a future Council meeting to provide an overview of AB 794.

Council Member Newton:

- Attended Chino Desalter Authority Board Meeting August 6 in which an update on the turnout at Detroit Avenue and Old Hamner was given. Also there were brief discussions regarding solutions in getting the water line across the Santa Ana River.
- Reported that he and Mayor Higgins met with representatives from CR&R regarding further discussions of possible use of the anaerobic digester in Perris.

Council Member Azevedo:

- No report given.

Mayor Higgins:

- Attended a California Rehabilitation Center (CRC) Community Advisory Committee. Out of over 33 institutions, CRC is rated 10th and will not be closing. CRC's population will be increasing to approximately 4,000 within the next 6-8 months.
- Attended a League of California Cities Mayor's meeting on August 7th in which discussion regarding lack of funding for roads on the federal, state and local levels took place.
- Commented on the meeting with CR&R.

Consent Calendar Items 2.C. and 2.F. were pulled to allow for public comment. Item 2.C. was pulled by Council Member Newton.

M/S BASH/HANNA 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

2. CITY COUNCIL CONSENT ITEMS:

- A. City Council Regular Meeting Minutes of August 5, 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 Meeting Held on August 12, 2015. **PULLED FOR DISCUSSION.** (Planning Director)
- D. Amendment No. 2 to the Employment Agreement between the City of Norco and Valentine Andy Okoro. **PULLED FOR DISCUSSION.** (City Attorney)
- E. Acceptance of the Norco MDP Line NB-2 and S-5A Project as Complete. **Action: Accepted the Norco MDP Line NB-2 and S-5A Project as complete and directed the City Clerk to file the Notice of Completion with the County of Riverside.** (Public Works Director)
- F. Preparation of a Water and Recycled Water Facilities Master Plan. **PULLED FOR DISCUSSION.** (Water and Sewer Consultant)
- G. Optimization of the Water and Sewer Supervisory Control and Data Acquisition (SCADA) System. **Action: Awarded a contract to Advanced Telemetry Systems International, Inc. in the amount of \$660,811.40 to optimize the Water and Sewer SCADA System, and authorized the City Manager to approve contract change orders up to 10 percent of the contract amount.** (Water and Sewer Consultant)

- H. Approval to Declare Various City Assets as Surplus Property. **Action: Declared various City assets as surplus and authorized the City Manager to dispose of surplus assets through auction, donation to charitable organizations, or electronic recycling (e-cycle).** (City Manager)
- I. Approving Standard Agreement #5600005281 for Refuse Removal and Disposal Services Provided to the California Department of Corrections and Rehabilitation Center (CDCR), California Rehabilitation Center (CRC). **Action: Adopted Resolution No. 2015-59 approving Standard Agreement #5600005281 between the City of Norco and the California Department of Corrections and Rehabilitation Center (CDCR) for solid waste collection services at California Rehabilitation Center (CRC) Norco.** (City Manager)

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

- 2.C. Recap of Actions Taken by the Planning Commission at its Meeting Held on August 12, 2015. (Planning Director)

Council Member Newton referenced Planning Commission Item 5.G. Variance 2015-02 (Cordero) and indicated that he agrees with the dissenting vote, which was based on the opinion that street improvements should be required and not cash-in-lieu.

Council Member Newton stated that at the last City Council meeting, he requested a report on cash-in-lieu and the status file. In response, City Manager Okoro indicated that the report has been compiled and will be distributed to the City Council.

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

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

- 2.D. Amendment No. 2 to the Employment Agreement between the City of Norco and Valentine Andy Okoro. (City Attorney)

Lou Paltza expressed concern about the amount of the City Manager's salary, especially during an economic depression for a small community.

Myrna Paltza commented that Mr. Okoro is a great City Manager but that the City cannot afford a salary increase. Ms. Paltza suggested putting the \$1,000 per month raise for the City Manager towards a part-time Code Enforcement Officer instead.

The Council commented and concurred on Mr. Okoro's exemplary work. The Council also noted that Mr. Okoro has met all goals and accomplished tasks.

M/S BASH/AZEVEDO to approve Amendment No. 2 to the Agreement between the City of Norco and Valentine Andy Okoro. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- 2.F. Preparation of a Water and Recycled Water Facilities Master Plan. (Water and Sewer Consultant)

Lou Paltza asked the City Council what the City will get with this Master Plan. In response, Water and Sewer Consultant Bill Thompson stated that the Master Plan is a road map and a tool to use for upgrading and expanding the City's facilities. The City gets a model of our system which shows what the capacity of the water lines are. The City is also getting a recycled water plan, which will outline the City facilities as well as other end users.

M/S BASH/AZEVEDO to adopt Resolution No. 2015-58 amending the FY 2015-2016 Water Operations Fund and the Sewer Operations Fund, appropriate additional funding in the amount of \$79,850 from the Water Operations Fund and \$79,850 from the Sewer Operations Fund, and award a professional engineering services contract to Krieger & Stewart Engineering Consultants in the amount of \$159,700 to prepare a Water and Recycled Water Master Plan . 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:

Ted Hoffman commented on the upcoming Norco Mounted Posse PRCA Rodeo August 21-23 at Ingalls Park.

Lance Gregory requested that the City be proactive regarding El Niño and ensure that a procedure is in place. Mr. Gregory suggested the installation of K-Rails and having sandbags easily accessible for residents.

Bob Leonard commented on an issue with the permit process. Mr. Leonard said he started the permit process in June and there have been delays and excessive number of corrections.

Karen Leonard thanked Planning Director King for his assistance with the permit issue. Ms. Leonard expressed that the plan check process is broken.

Charles Walton invited the Council and the public to the Keeping Norco Rural Political Action Committee fundraiser at the Water Wheel on Monday, August 24th.

Julie Langlois commented that she is the resident in which the permit issue was discussed by the Leonard's. Ms. Langlois urged the Council to help expedite the process as she and her family are caught in the middle.

Amy Pierceall expressed her disappointment with how the July 15 City Council meeting was conducted. Ms. Pierceall said that at the meeting, important items were continued and suggested that in the future, Council address important issues and only continue non-critical items.

Harvey Sullivan expressed that the permit process has been broken for a long time and asked that the City Council review the process thoroughly.

5. CITY COUNCIL DISCUSSION/ACTION ITEMS:

- A. Approval of Parking Lot Lease Agreement with Balboa Management Group, LLC for Eight Acres of Property Adjacent to the Silverlakes Property. (Deputy City Manager/Director of Parks, Recreation and Community Services)

Deputy City Manager/Director of Parks, Recreation and Community Services Brian Petree reported that the City owns approximately 122 contiguous acres of land in the City of Norco known as "Silverlakes". The Silverlakes lessee Balboa Management Group, LLC, has requested to lease the property adjacent to the Silverlakes Project. This property is approximately 8 acres (Exhibit "A") and the lessee has indicated its desire to develop the property to fit within the needs of the developing Silverlakes Project for its use as a parking lot.

Staff believes that the use of this property to provide additional parking spaces would enhance the draw of the Silverlakes Project and will ultimately contribute to increased economic benefits to both the City of Norco and the lessee. Additionally, this property which has been vacant since 2011 will now provide additional revenue to the City's General Fund.

In response to several questions from Council Member Newton, Deputy City Manager indicated it that the River Trails Riding Stables was originally zoned Open Space. There was a lease with Mr. Price of River Trails Riding Stables for a number of years until his passing at which time the lease ended. Since then, the area has remained vacant. The parking lot related improvements referenced in the staff report include improvements such as leveling the lot and landscaping.

Katherine Bish commented that she is opposed to leasing the land for a parking lot. She suggested preserving the land as a staging area for riding.

Mike Thompson expressed his concern with the length of lease agreement of 30 years with the option for 99 years. Mr. Thompson suggested leasing the land on an annual basis.

Ted Hoffman commented that he likes that the City will receive \$26,000 for this property but is also concerned with the length of the lease. Mr. Hoffman suggested a five-year lease and monitor the number of cars parked. He noted that the City might make more money on structuring the lease based on a percentage of cars rather than a flat rate. Mr. Hoffman also suggested that the \$26,000 go toward Economic Development.

Bob Leonard expressed that \$26,000 is not enough for the property. Mr. Leonard said that when Silverlakes is up and running, the property will be worth more and also suggested an annual lease.

Karen Leonard referenced the number of parking spaced listed in the Master Plan and questioned if the additional parking is needed. Ms. Leonard expressed her concern about the length of the lease agreement.

Lou Paltza asked the Council who wrote the lease agreement, how long the City has been in negotiations, and why haven't residents been made aware of the discussions. Mr. Paltza said that the term of the lease agreement is excessive.

Sandy MacQuarrie said that she is upset that this is the first that residents are hearing of this agreement and that it should be a community discussion. Ms. MacQuarrie asked Council to pull the item as it needs more consideration.

Myrna Paltza suggested pulling the item to allow residents more time to review.

Lisa Campbell commented that leasing the property for \$26,000 is not enough since Balboa Management could charge per vehicle and possibly make up to \$26,000 per day. Ms. Campbell briefly commented on the EIR for the property.

Rob Koziel suggested having the property as a park and asked Council to consider the citizens and the lifestyle of the community.

Mayor Pro Tem Bash commented on the combined equestrian experience of the Council. He expressed that the City Council is seeking to protect the equestrian lifestyle. Mayor Pro Tem Bash stated his support for the lease agreement.

Council Member Hanna concurred with supporting the lease agreement, which will keep the Silverlakes project moving forward.

Council Member Newton noted his understanding of the economic benefit and focusing on the success of the project. However, he expressed that the lease agreement is not good for the City. He suggested a short-term lease and commented on his concerns that the land may be premium land in the future. Council Member Newton suggested that he is open to staff reconsidering the agreement with options of a shorter term.

Council Member Azevedo commented on the history of the 8-acre property. Mr. Price leased the property for \$12,000 per year. After the passing of Mr. Price and the termination of the lease, the City did not make any money off the property. Council Member Azevedo commented that the property has value now because of the Silverlakes project. She noted her support for the lease agreement and the need to generate funds to maintain Horsetown USA.

Mayor Higgins said that for the past week, he has talked with staff and reviewed past documents. Mayor Higgins suggested that the lease agreement be on a month-by-month basis. Mayor Higgins expressed his support for keeping the 8-acres for a trail head.

There was some discussion between Council and staff regarding the number of parking spaces needed.

A Call for the Question was made by Mayor Pro Tem Bash. Mayor Higgins requested that a roll call vote be taken for the Call for the Question. City Clerk Cheryl Link began taking a roll call vote and received AYES from AZEVEDO, BASH, HANNA, and HIGGINS. Council Member Newton asked for clarification on the roll call vote without a motion. Mayor Higgins briefly explained that a roll call vote for the Call for the Question was requested to seek Council consensus to conclude

discussion and call for a motion. With a majority received, even without concluding the roll call vote, Mayor Higgins asked for a motion.

M/S AZEVEDO/BASH to approve a lease agreement with Balboa Management Group, LLC for eight acres of property adjacent to the Silverlakes property. The motion was carried by the following roll call vote:

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

Mayor Higgins recessed the meeting at 9:40 p.m. and reconvened the meeting at 9:48pm

B. Discussion Regarding Use of Vinyl Trail Fence Material. Recommended Action: That City Council provide direction and clarification. (City Manager)

City Manager Andy Okoro reported that on February 2, 2015 Streets, Trails and Utilities Commission recommended the use of Polyvinyl Chloride (PVC) as the City's new material for use in trail fence replacement. On February 4, 2015 the Director of Public Works made verbal presentation to the City Council on the recommendations of Streets, Trails and Utilities Commission (STUC). The City Council voted to follow the recommendations from STUC to install white PVC alternative trail fencing materials for larger sections of about 1,000 foot increment, block to block and on new tract. STUC recommended that wood standard be installed in smaller increments. Based on comments received from some residents, it appears that installing PVC in increments of 1,000 feet hinders the ability of property owners to replace trail fence adjacent to their property. Staff is seeking City Council confirmation of the 1,000 foot requirement or modification of this requirement to allow trail fence replacement using PVC in increments less than 1,000 foot.

Amy Pierceall suggested that the City research the experiences of other cities regarding the use of vinyl fencing. Ms. Pierceall expressed that vinyl fencing is not a good long-term solution for commercial applications.

Council Member Azevedo expressed her concern about the 1,000 foot increment minimum requirement for replacement as an increasing number of residents are wanting to replace the fencing themselves and do not meet the minimum requirement. Council Member Azevedo suggested smaller increments.

Council Member Newton said he understands the 1,000 foot increment, which avoids patchwork. Council Member Azevedo suggested allowing staff to review and approve requests on a case-by-case basis. Council Member Newton said he supports segment to segment (corner to corner) replacement.

M/S AZEVEDO/BASH to approve the change over replacement requirements of the white vinyl fencing to be on a segment to segment basis and/or 1,000 feet and project specific. The motion was carried by the following roll call vote:

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

ABSENT: NONE
ABSTAIN: NONE

6. CONTINUED PUBLIC HEARING:

- A. **Ordinance No. 992, First Reading. Code Change 2015-03.** Amendment to Chapters 1.05 and 3.28 of the Norco Municipal Code Regarding Administrative Citation Procedures and Fees. (Planning Director)

Planning Director Steve King reported that the City Council gave direction that Code Enforcement procedures be revised to make the process move quicker to compliance. To implement the changes the City Council needs to approve a change to the Administrative Policy Manual and to adopt Ordinance No. 992 changing the citation process and fee schedule. Since this did not involve any changes to Chapter 18 of the Norco Municipal Code (zoning) there was no recommendation needed from the Planning Commission.

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 the changes are a step in the right direction. Mr. Hoffman expressed his concern of additional work for Code Enforcement and suggested hiring another officer. Mr. Hoffman also suggested changing Page 3 of the Policy to a proactive approach rather than reactive.

Lance Gregory thanked staff for streamlining the process. Mr. Gregory also commented that one code enforcement officer is not sufficient. Mr. Gregory suggested greater focus on code enforcement in order to benefit economic development.

Mike Thompson expressed concern with the changes regarding elderly and handicapped. Mr. Thompson suggested allowing a warning for seniors.

Lou Paltza commented on the complaint process and that anyone can complain about any situation. Mr. Paltza said the formal written complaint was a good process. Mr. Paltza and Mayor Higgins discussed briefly the implementation and validity of the process.

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

Council Member Azevedo expressed some concerns with certain code complaints concerning the well-being of animals. Deputy City Manager Petree stated that Animal Control officers investigate and could call upon the expertise of a veterinarian to determine the validity of the complaint of neglect, for example. If it is determined that the animal is in good care, no citation will be issued. Council Member Azevedo also expressed concern with citing seniors on limited incomes without a warning. Director King noted that in extenuating circumstances, the Code Compliance Officer can cancel the citation.

In response to Council Member Newton, Director King clarified the correction to page 3 of the Policy, which will read, "Staff will be proactive in reporting visible violations in residential areas from the right-of-way and will be responsive to complaints when filed."

M/S BASH/HANNA to adopt Ordinance No. 992 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

7. CONTINUED 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) 2014-32 on May 13, 2015. The approval included a condition of approval that requires a radio frequency (RF) exposure test to be submitted to the Planning Division on an annual basis. The Planning Commission heard this item again on August 12, 2015 and approved the request to modify the condition so that the annual tests are not required. Since the request to modify the condition was approved by the Planning Commission, the applicant is requesting that the appeal hearing be cancelled.

The appeal hearing for Conditional Use Permit 2014-032 was cancelled.

8. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Mayor Pro Tem Bash requested to agenda discussion of adding the Veterans Memorial to the Interstate 15 signage already in place for the Ingalls Equestrian Event Center.

M/S BASH/HIGGINS to agenda discussion of adding the George A. Ingalls Veterans Memorial Plaza to the Interstate 15 signage already in place for the Equestrian Event Center. The motion was carried by the following roll call vote:

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

Council Member Hanna requested that staff coordinate with Assembly Member Linder's office to attend a future Council meeting to provide an overview of AB 794.

In response to Council Member Azevedo, Sheriff Lt. Briddick explained that Sheriff and Fire personnel are finalizing the details of the 9/11 Memorial ceremony, which will be held at Fire Station 47 on Hillside Avenue. More details will be coming in the next week.

ADJOURNMENT

Mayor Higgins adjourned the meeting at 10:33 p.m.