



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

**Wednesday, September 16, 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, **Absent**
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
One Potential Case

RECONVENE PUBLIC SESSION: 7:00 p.m.

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

Deputy City Attorney Colin Burns indicated that there was no reportable action from Closed Session.

PLEDGE OF ALLEGIANCE: Council Member Berwin Hanna

INVOCATION: Pastor Fred Griffin, Corona Church of the Open Door

RECOGNITIONS: Corona-Norco Unified School District's Project Safety Net Program – 2015 Exemplary School Safety Initiative Award

Mayor Higgins presented Mr. John Zickefoose, Dr. Lin, and Michael Cobarrubias with a certificate of recognition for the Corona-Norco Unified School District's award winning Project Safety Net Program.

Presentation: Northwest Mosquito and Vector Control District

William VanDyke of the Northwest Mosquito and Vector Control District gave a brief presentation of the recent adulticiding treatments taking place in the City. Mr. VanDyke commented that to-date, there are 39 cases of human West Nile Virus. The adulticiding fogging is EPA approved and is of very low health risk to humans and safe for animals.

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 (RCA) meeting.
- Attended the Silverlakes soft opening on September 12 and commented on the increased business for Norco retail and indicated the first horse show will take place December 13, 2015.

Council Member Hanna:

- Commented that the Northwest Mosquito and Vector Control District open house will be September 22, 2015, 11am – 1pm.
- Reported on the Riverside County Transportation Commission meeting and the closure of the 91 freeway due to the recent rain storm, but is scheduled to reopen by tomorrow.

Council Member Newton:

- No report given.

Mayor Higgins:

- No report given.

2. CITY COUNCIL CONSENT ITEMS:

Council Member Newton pulled Item 2.D. and Item 2.E. was pulled to allow for public comment.

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

AYES: BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

- A. City Council Regular Meeting Minutes of September 2, 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. **Resolution No. 2015-60**, Authorizing Designated City of Norco Officers to Invest Monies in the Local Agency Investment Fund. **Action: Adopted Resolution No. 2015-60, authorizing designated City of Norco officers to invest monies in the Local Agency Investment Fund.** (Finance Officer)

- D. Acceptance of Bids and Award of Contract for the Bluff Street and Western Avenue Water Improvement Project. **PULLED FOR DISCUSSION.** (Deputy City Manager)
- E. Rejection of All Bids for the Reservoir No. 8 Potable Water Storage Tanks Project. **PULLED FOR DISCUSSION.** (Water and Sewer Consultant)

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

- 2.D. Acceptance of Bids and Award of Contract for the Bluff Street and Western Avenue Water Improvement Project. (Deputy City Manager)

Deputy City Manager Brian Petree reported that bids for the Bluff Street and Western Avenue Water Improvements project were opened on September 1, 2015 with C.P. Construction Co., Inc. being the lowest responsible bidder. The project has been designed to accommodate a new 16" transmission line with new specifications that allows the system to run at a higher capacity from the old pre-existing standard. This design initiative is aligned with new industry standards for maximum efficiency and to handle the high water pressure variables in the City of Norco.

Council Member Newton pulled the item to express his gratitude of the new attitude from Public Works. Mr. Newton especially thanked Deputy City Manager Petree and Superintendent Piorkowski for their efforts.

M/S BASH/HANNA to accept bids submitted for the installation of waterlines and various appurtenances for Bluff Street and Western Avenue Water Improvements, award a contract to C.P Construction Co., Inc. in the amount of \$1,281,617, adopt Resolution No. 2015-61 approving an additional expenditure and appropriation in the amount of \$564,778.70, and authorize the City Manager to approve contract change orders up to 10 percent of the total bid contract amount. The motion was carried by the following roll call vote:

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

- 2.E. Rejection of All Bids for the Reservoir No. 8 Potable Water Storage Tanks Project. **Action: Rejected all bids for the Reservoir No. 8 Potable Water Storage Tanks Project.** (Water and Sewer Consultant)

Water and Sewer Consultant Bill Thompson reported that the bids for the Reservoir No. 8 Potable Water Storage Tanks Project were opened on September 2, 2015, with Paso Robles Tank, Inc. being the lowest responsible bidder. Due to an error in the bid process, staff is recommending that the City Council reject all bids and authorize staff to re-bid the project.

Council Member Newton expressed his concern about receiving protest letter from an attorney representing a contractor that did not bid on the project. Council Member Newton asked if this project is needed now or could it be brought back with a concurrent project. In response, Mr. Thompson noted that the biggest issue is the delivery time for steel and staff

was hoping to get a jump on the project by having the tanks built prior to January. The project could be postponed to February or March at the latest. Council Member Newton also commented on the issues with the bidding process. Mr. Thompson said that staff is taking corrective action and that all bids will be handled through the City Clerk's Office. Council Member Newton commented that the bid was for a bolted storage tank and asked if the City could be more competitive by bidding as a welded tank. Mr. Thompson said that staff is considering that change in specifications for the re-bid.

Lance Gregory expressed his concerns with recent bidding of projects – trail fencing, street striping, and now this project. Mr. Gregory said that specifications need to match the bid. He said that he supports rejection of bids for this project. Mr. Gregory commented that he is glad to hear that corrective action is being taken to prevent such issues with future bids.

M/S BASH/NEWTON to reject all bids for the Reservoir No. 8 Potable Water Storage Tanks Project. The motion was carried by the following roll call vote:

AYES: BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

4. PUBLIC COMMENTS:

Ray Trospen presented the Council with the wording that will be placed on a plaque for the City of Norco being the first City in the United States to adopt the 21 Seconds Now Program. Mr. Trospen briefly commented on the program and referred the public to the program's website at www.21secondsnow.com for more information.

Ted Hoffman thanked City staff for their work with the Norco Fair and parade. Mr. Hoffman said that he too appreciates the new attitude in Public Works. In reference to Silverlakes, Mr. Hoffman encouraged the City to expedite having two left turn lanes from Hamner Avenue to Sixth Street.

Glenn Hedges announced the Norco Horsemen's Association Candidate's Night at Nellie Weaver hall on September 17, 2015 at 7:00 p.m.

Lou Paltza commented that supervisors and managers need to be held accountable or issues. Mr. Paltza also asked who is supervising the City's water usage. He noted that the public cannot see who the biggest users and abusers are. Mr. Paltza asked for transparency and said he would like to know who monitors the City's water usage, where it is going, and what can be done about it.

Harvey Sullivan expressed his appreciation for his comments being better reflected in the last City Council meeting minutes. Mr. Sullivan apologized to staff, Council, and the audience for not using respectful terminology during public comments.

Geoff Kahan commented that while major parks, such as Disneyland, have glitches and issues, the soft opening at Silverlakes went well. Mr. Kahan said that he is excited for the grand opening next year.

Linda Dixon commented on the current election and said that candidates who mislead voters are doing a disservice to the residents. Ms. Dixon encouraged candidates to run respectful and honest campaigns.

5. LEGISLATIVE MATTER:

- A. **Ordinance No. 993, Second Reading. Zone Code Amendment 2015-03:**
An amendment to Chapter 18.15 – R-1 (Residential-Single Family) Zone of the Norco Municipal Code, to establish animal-keeping standards. (City Clerk)

M/S BASH/HANNA to adopt Ordinance No. 993 for second reading. The motion was carried by the following roll call vote:

AYES: BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

6. DISCUSSION / ACTION ITEM:

- A. Approval of Appropriation for Crestview Drive Temporary Flooding Remediation Measures (City Engineer)

City Engineer Dominic Milano reported that the Riverside County Flood Control and Water Conservation District (RCFC) is working to finalize the design and future implementation of a Master Drainage Project (MDP) to address the flooding issues along Crestview Drive and Mt. Rushmore. Based on information from RCFC, construction of MDP is not expected to commence until late next year. Until the MDP is implemented, there is great need to implement temporary measures to protect residents and their properties from the impacts of anticipated flooding during the upcoming rainy season. In the last few years, runoff and debris from the hillsides northeast of Crestview Drive and Mt. Rushmore Drive has caused flooding to neighboring residents. At the direction of the City Council, staff is developing protection measures for the streets and for the residences. In order to implement these measures, staff is recommending that the City Council approve appropriation not exceeding \$50,000.

City Engineer Milano reported that great progress has been made in the first week. Mr. Milano said that he, Superintendent Piorkowski, and Water and Sewer Consultant Thompson surveyed the area – Mt. Rushmore northerly toward the Crestlawn property that drains onto Crestview Drive. Other areas such as Mt. Shasta and the portion north of the Crestlawn property still need to be looked at.

City Engineer Milano reported on some of the remedial measures that staff came up with. Some of the measures are dependent on property owners allowing City staff access. City Engineer presented the Council with an exhibit map of the various areas that the City is addressing. Mr. Milano indicated that concrete blocks installed in Area “A” stopped a majority of the water and erosion. Area “B” is a major problem and therefore is proposing k-rails to block the water. Area “C” is the hardest to protect. The intent for the Area “C” is to place sand bags to slow the water and hold back debris. Mr. Milano indicated that Mt. Rushmore receives a substantial amount of water at high velocity and tends to turn into some driveways. Therefore, sandbags are needed in a chevron pattern. A storm drain is

proposed all the way to Mt. Rushmore by Riverside County Flood Control. For Area "D" staff talked to the property owner about the impacts and the only solution is series of k-rails. Area "E" is a vacant field. The intent is to take mud off the street and place it onto the private property. Permission is needed from the property owner before the City can proceed. Area "G" is the Crestlawn property. In order to efficiently stop mud flow, staff will need to get on the property to install k-rails in a chevron pattern. Area "F" will also require k-rail installation. Riverside County Flood Control's concept is to install a debris basin on the Crestlawn property. The City is currently negotiating with Crestlawn for right-of-way.

Mayor Pro Tem Bash asked if any measures will be considered at Mt. Blanc as it appears that there was a channel but it has eroded which floods homes and streets. City Engineer Milano stated he hasn't looked at that area yet. Riverside County Flood Control intended to put a longer channel in but couldn't get debris basins due to the steepness of the area. In response to Mayor Pro Tem Bash, Mr. Milano stated that staff would be addressing issues regarding the two homes on Mt. Shasta that suffer from considerable flooding. Mayor Pro Tem Bash also commented on purchasing used k-rails for less than 100 dollars. Superintendent Piorkowski indicated that he is researching the possibility.

Council Member Hanna commented on the property in Area "E" and said that the last big rains caused water to go through the property onto California Avenue. The City Engineer indicated that staff is working with the property owners to block driveways to divert water.

Council Member Newton commented on Mt. Baldy Court, Area "C", in which staff found an existing storm drain. Mr. Milano said that the storm drain goes up between two properties. The parkway drain is plugged. It runs up to a v-ditch. The property owner has been digging it out. Water has been flowing onto his property but there is not a contained channel in the area that would contain the water. Superintendent Priorkowski indicated that the contractor will be in next Monday and will be working the area for two days. In response to Council Member Newton, Superintendent Priorkowski also stated that he is researching the cost of renting versus buying k-rails.

In response to Mayor Pro Tem Bash regarding the status with Crestlawn negotiations, Deputy City Manager Petree said that he spoke with the General Manager today and is close to finalizing the access agreement. The Memorandum of Understanding will take more time but Crestlawn has been very cooperative. Mayor Pro Tem Bash commented on some properties grading outside of the law which created havoc downstream. Deputy City Manager Petree stated that those properties will be address by Code Enforcement.

In response to Mayor Higgins, Mr. Milano said that the actual flooding north of Seventh Street is about 10%. Mayor Higgins asked Lt. Briddick that because of the hazards put in the area, what the possibility is of reducing the speed limit in the area to 15mph as well as listing Crestview closed to Seventh Street. Lt. Briddick will work with engineering and research and develop a plan within vehicle code. Superintendent Priorkowski added that it is standard practice to lower the speed limit in a construction zone.

Marcia Wilson said she lives at 4211 Crestview Drive, directly south of Area "F". Over the years, the six properties in Area "C" have changed the lay of land. Ms. Wilson said that now she is getting flows from three gullies. She said that the horse trail in front of her property has washed out. Ms. Wilson said that the flooding issues have been an extreme problem for her property and requested assistance.

Brian Snow said that he owns the property in Area “E” and gave permission to the City for access and remediation measures. Mr. Snow indicated that traffic measures need to be addressed as well.

Christy Sandidge said that she is the one who took a video of the water and mud coming down her street. She also expressed her concern about the traffic problems on Crestview Drive. She suggested that the City close the street.

Tony Mauro thanked the Mayor and the City Engineer for their efforts. Mr. Mauro also asked the Lieutenant to assist with the traffic problems on Crestview Drive.

Mike and Debbie Mandahl live at 4035 Mt. Shasta Pl. and commented on the tremendous mudslide on their property as a result of the rain in October 2012. Their entire backyard and pool filled with mud and debris. They said that every rain causes problems on their property. They are concerned for their safety and urged the City to act quickly to help them and residents in the area.

Bob Gallishaw lives at 4318 Crestview Drive and thanked staff for taking action.

Melanie Calero lives at 4232 Crestview Drive and moved in just less than a month ago. Ms. Calero thanked staff and the Mayor Pro Tem for their efforts.

Unidentified resident who lives on Crestview Drive indicated that Crestview Drive needs to be blocked off due to speeding and other traffic concerns.

Jason Voucher lives on Mt. Baldy Court. He stated that the 2013 rain flooded the back of his home. The home above him in Area “C” was built in the early 2000’s without proper grading and drainage, which destroys other homes including his. Mr. Voucher asked that the City turn the temporary measures into permanent work.

M/S HANNA/BASH to adopt Resolution No. 2015-62, approving an appropriation in the amount not exceeding \$50,000 to implement Crestview Drive flooding temporary remediation measures. The motion was carried by the following roll call vote:

AYES: BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: AZEVEDO

ABSTAIN: NONE

7. PUBLIC HEARING:

- A. **Ordinance No. 994, First Reading. Code Change 2015-04.** Amending Title 15 of the Norco Municipal Code Adding Chapter 15.110, “Small Residential Solar Energy Systems,” Related to Regulations Governing Small Residential Solar Energy Systems and Inspections. (City Engineer)

City Engineer Dominic Milano reported that On September 21, 2015, Governor Brown signed into law Assembly Bill 2188 (AB 2188). AB 2188 amends Section 714 of the California Civil Code and Section 65850.5 of the California Government Code. AB 2188 requires cities to adopt an ordinance that creates an expedited permitting process for small residential rooftop solar energy systems.

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.

Council Member Newton said that he supports expediting the permitting process but has concern about being limited to one inspection only. City Engineer Milano said that the City is not limited to one inspection for big projects. As the state mandate is written, the City is limited to one inspection for small residential projects.

There was discussion amongst the Council to have staff bring back more detail on the one inspection only provision as well as a completed checklist for the second reading of the Ordinance.

M/S HANNA/HIGGINS to Adopt Ordinance No. 994 for first reading, and set the second reading for October 7, 2015. The motion was carried by the following roll call vote:

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

8. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Mayor Pro Tem Bash commented that he will be joining Council Member Azevedo, Planning Director King, and Economic Development Consultant Grody at the International Conference of Shopping Centers in San Diego to promote Norco. Mayor Pro Tem Bash complimented Mr. Grody and staff on their work to prepare for the conference. Mayor Pro Tem Bash indicated that City Manager Okoro was misquoted in a recent Press Enterprise article regarding water conservation. Mr. Bash suggested that staff find creative ways for Norco to be known as no speed zone. Mayor Pro Tem Bash commented that he learned that there is no memorial for Sheriff's deputies killed in the line of duty and asked if the City would be the first to support such a memorial. Mayor Pro Tem Bash asked to agendize discussion of speed concerns on Crestview Drive. Council Member Newton noted that an engineering study was to take place for innovative traffic calming measures for California Avenue, North Drive, and Crestview Drive, and asked if a status could be included in the discussion.

M/S BASH/HIGGINS to agendize discussion of speed concerns on Crestview Drive as well as an update on the traffic calming study. The motion was carried by the following roll call vote:

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

Council Member Hanna commented on grading on First Street and Temescal Avenue. Superintendent Piorkowski said that there was no impact to the streets but will continue to follow up.

Water and Sewer Consultant Bill Thompson gave brief presentation on water conservation and indicated that Norco is within 8% during the month of June. The City received a notice of violation in Category 2 as did 74 other agencies. The State Water Resources Board agreed that Norco is moving in a very positive direction. Most agencies, as Norco, have reached the State mandate of 25% conservation. In response to Council Member Newton's comments on recycled water, Mr. Thompson indicated that the City is setting up all facilities up to have recycled or reclaimed water. Staff is initiating non-potable water as the permit is less restrictive. Staff is working with contractors and expect to have it implemented at five parks by October 1, 2015.

Lt. Briddick commented on the Patriot Day ceremony on September 11, 2015. He thanked Council, staff, and the public for joining the event.

ADJOURNMENT

Mayor Higgins adjourned the meeting at 9:32 p.m. in memory of those that lost their lives as a result of the tragic events on September 11, 2001.

Cheryl L. Link, CMC, City Clerk