



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

**Wednesday, October 7, 2015
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 6:02 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 matters:

CLOSED SESSION:

**§54956.9(c) – Conference with Legal Counsel – Anticipated Litigation
Six Potential Cases**

RECONVENE PUBLIC SESSION: 7:18 p.m.

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

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

PLEDGE OF ALLEGIANCE: Council Member Greg Newton

INVOCATION: Deacon Joe Vela, St. Mel's Catholic Church

Deacon Joe Vela was unable to attend the meeting. Ms. Rose Eldridge graciously gave the invocation.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. A. WASTE MANAGEMENT SERVICES UPDATE (Glenda Chavez, Public Sector Representative)

Glenda Chavez provided the Council with a brief report of some of the services available for residents, including Free Dump Day on Saturday, October 17th from 9:00 a.m. – 2:00 p.m. Ms. Chavez also noted that residents are allowed three free bulky item pick-ups per year and asked that residents provide at least a 48-hour notice for pick up. She commented on the Sharps Program in which residents may call Waste management for a free disposal kit. Lastly, Ms. Chavez indicated that the City of Norco has a 63.5% diversion rate. Ms. Chavez offered her cell phone number, 909-306-8048, to report

concerns. In response to Council Member Hanna, Ms. Chavez indicated that she would follow up on calls he received that trucks were not picking up manure bins because they were too full.

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

Mayor Pro Tem Bash:

- Attended STAR Advisory meeting today and noted that they are working on scheduling a candidate's forum. Saturday, October 10 is the Senior Breakfast and the candidates have been invited.
- Attended a Regional Conservation Authority of Western Riverside County (RCA) meeting.
- Met with Virginia Bloomenthal and Laura Dinsmore regarding Measure L.
- Attended the League of California Cities Conference in San Jose, September 30 – October 2, 2015 and reported that Norco is increasingly becoming well-known in the State. Mayor Pro Tem Bash reported on several sessions attended.

Council Member Hanna:

- Attended the League of California Cities Annual Conference in San Jose, September 30 – October 2, 2015 and reported on the various sessions attended including topics on parks, infrastructure, and use of volunteers. Council Member Hanna also noted that many at the conference knew about Silverlakes.
- Commented on Vector Control's severe problem with West Nile Virus and now Yellow Fever.

Council Member Newton:

- Attended a Western Riverside County Regional Wastewater Authority (WRCRWA) on September 30th in which an update on the new plant operations and expansion of the sewer treatment plant was given. The project is 20% complete and the projected completion date is March 2017. Council Member Newton commented on the Petition of Change for the reclaimed water going into the Santa Ana River, which potentially will be resolved within six months.

Council Member Azevedo:

- Attended two Western Riverside Council of Governments (WRCOG) meetings. WRCOG voted County buildings exempt from paying TUMF fees. The CEO of Southern California Association of Governments (SCAG) spoke at WRCOG regarding regional transportation and the need to start thinking outside of the box and ways cities can collaborate with other cities to get better pricing.
- Commented on Breast Cancer Awareness month.
- Commented that Congressman Ken Calvert is hosting a fundraising event at YMCA on October 24, 2015.

- Commented that Mr. R.J. Brandes will be the keynote speaker at the RURAL meeting on October 22, 2015 at Sixth Street Deli.

Mayor Higgins:

- No report given.

2. CITY COUNCIL CONSENT ITEMS:

M/S BASH/HANNA 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 Regular Meeting Minutes of September 16, 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 September 30, 2015. **Action: Received and filed.** (Planning Director)
- D. Southern California Edison (SCE) Easement for Silverlakes Property. **Action: Executed the Southern California Edison Easement to provide on-site electrical service to the Silverlakes project.** (Associate Engineer)

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

None.

4. PUBLIC COMMENTS:

Richard Hallam commented on Silverlakes and the positive effects on businesses in Norco. Mr. Hallam thanked the Council and RJ Brandes for their vision and support.

Ted Hoffman stated that he wants to address to the City Council an issue he commented on at the Streets, Trails and Utilities Commission this week. Mr. Hoffman said that he feels strongly that the City should help the residents on California Avenue. California Avenue was never designed to be a thoroughfare and that the speed limit should be changed from 35 mph to 25 mph.

David Schiermeyer commented on the City's noise ordinance and thanked staff for their work on the ordinance. Mr. Schiermeyer indicated that the challenge is that law enforcement is not in alignment with the policy. He gave an example that a Sheriff's Deputy told his neighbor that he could ride his motorcycle in his backyard. This has created a considerable nuisance for him and his neighbors. Mr. Schiermeyer expressed

his concern that the police is not fully enforcing the ordinance or is not fully aware of the specifics of the ordinance.

Ed Dixon commented that it has been several years since the truck depot issue was discussed. He said that it appears that at that time, the City Council was going to look into the Gateway Specific Plan and redefine it. Mr. Dixon asked the Council if it was being worked on.

Gary Cervantes commented on a party that took place last Saturday at 306 Silver Springs Place. Mr. Cervantes said that the party got out of control and there were over 400 people at the residence, some with baseball bats and at one point there were gunshots. Mr. Cervantes expressed his concern that he called the Sheriff's Department but there was a delay in response.

Michele Steeber, Mr. Cervantes' neighbor, also commented on the party and asked how the City can get more deputies on the streets.

5. LEGISLATIVE MATTER:

- A. **Ordinance No. 994, Second 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 Clerk)

M/S BASH/HANNA to adopt Ordinance No. 994 for second reading. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

6. PUBLIC HEARINGS:

- A. **Ordinance No. 995, First Reading. Code Change 2015-05.** A Request to Amend Title 1 of the Norco Municipal Code Adding Chapter 1.07 "Public Notice Procedure" Establishing Public Places for Posting of City Notices. (City Clerk)

City Clerk Cheryl Link reported that since its incorporation, the City has designated various public places for the posting of City notices in accordance with the California Government Code. The list of public places was previously established through the adoption of a resolution, which was amended from time-to-time to reflect a change of address or an addition/deletion of a designated location. Public Contract Code 20164 requires that said places for public posting be established by Ordinance.

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 Ordinance No. 995 for first reading and schedule the second reading for October 21, 2015. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- B. Resolution No. 2015-63. Conditional Use Permit 2008-09 (Silverlakes):**
Make a finding of consistency with the approved Development Agreement for a proposed irrigation reservoir in an area designated as parking in the Master Site Plan. (Planning Director)

Planning Director Steve King reported that this is a request for a Finding of Consistency by the City Council that a proposed on-site irrigation supply reservoir is consistent with the Development Agreement for Silverlakes Equestrian and Sports Park. Conditional Use Permit (CUP) 2008-09 authorized the development of SilverLakes Equestrian and Sports Park. A Development Agreement (DA) was approved in 2011 to which a revised site plan was also approved (ref. Exhibit "A"). The revised site plan included an on-site conservation area to mitigate the loss of riverine habitat when the project was developed. That on-site conservation area is now going to be replaced with an off-site conservation area in combination with a conservation area that City had to establish for the widening of Hamner Avenue and the ensuing loss of riverine habitat there. The City Council has already approved the off-site conservation area referred herein as the Hamner Widening/SilverLakes Transfer (HWST) conservation area and it is just awaiting final approval by the California Department of Fish and Wildlife so that it can be recorded. Once the HWST conservation area is recorded the intent was that the on-site conservation area would be converted to additional parking. It is now being proposed as an on-site irrigation supply reservoir.

Mayor Pro Tem Bash and Council Members Hanna and Azevedo indicated that they are in favor.

Council Member Newton referenced the staff report where it mentions the off-site conservation area in combination with a conservation area that was established with the widening of Hamner Avenue and asked if the off-site conservation area was at a different location. Director King stated that the off-site conservation area is east of the Silverlakes project site and is a combination area that accomplishes two things: 1) it compensates for the loss of the riparian area with the widening of Hamner Avenue; and 2) it was combined into one project to remove the on-site conservation area. Council Member Newton asked if by the City still waiting on the California Department of Fish and Wildlife approval, if it would affect the Finding of Consistency. In response, Director King stated that the Conservation District Board has it on their agenda this month for approval and does not affect the Finding of Consistency. Council Member Newton commented that this Finding of Consistency should go before the Planning Commission and asked why the creation of this reservoir does not impact the EIR. Director King stated that the creation of the reservoir does not affect the use of the park; it is just changing functions on the site. There

was some discussion between Council Member Newton and City Attorney Harper about the need for the reservoir to be titled to the City. City Attorney Harper indicated that every improvement made on the property is in the City's ownership. In response to Council Member Newton's concern about this item not going before the Planning Commission, City Attorney Harper said that the distinction is had there been an amendment to the Development Agreement, then this item would have gone before the Planning Commission first.

In response to Mayor Higgins' concern about water availability with increased development, Director King indicated that there are 4-5 wells on the property. City Attorney Harper added that the source of irrigation water is the wells.

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

Karen Leonard asked who pays for this work. City Attorney Harper stated that Balboa Management pays for the work. Ms. Leonard also asked if it is reclaimed water in which Mr. Harper responded that it is well water. Ms. Leonard wanted to be assured that this would have no impact on water conservation efforts for the City and that there would be no cost to the City.

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

M/S HANNA/BASH to adopt Resolution No. 2015-63, making a Finding of Consistency with the Development Agreement for Conditional Use Permit 2008-09.

A substitution motion was made by Council Member Newton to send this item to the Planning Commission in order to make a Finding of Consistency. Motion failed due to a lack of a second.

The original motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS

NOES: NEWTON

ABSENT: NONE

ABSTAIN: NONE

- C. **Ordinance No. 996, First Reading. Zone Code Amendment 2015-06**
(City): A request to Amend the Norco Municipal Code Chapter 18.23 "C-4"
(Commercial) Zone, Permitted and Conditionally-Permitted Uses. (Planning Director)

Planning Director Steve King reported that this is the first phase of a planned update and revision to the C-4 zone to improve economic opportunities on Sixth Street and encourage more retail development. This phase is a proposed revision to the list of permitted uses that are currently allowed in the C-4 zone to broaden and redefine the categories, and eliminate the specificity, thereby allowing more retail uses by inclusion. A City Council/Planning Commission Working Group set out to make the C-4 zone more development friendly, spur more development opportunities and maintain the animal-

keeping retail and western theme. The goals and recommendations of the Working Group were discussed at the July 10 and August 14, 2013 Planning Commission meetings and on September 11, 2013 the project was tabled so as to address an overall amendment to the C-4 zone but split it into phases to be more effective. Addressing the list of permitted uses is the first phase of amending the C-4 zone. The second phase will address development standards and ways to encourage and incentivize lot consolidation along with other changes to make development easier. The Planning Commission will analyze re-adopting the Sixth Street Revitalization Specific Plan, in whole or in parts, as part of the overall goal of making Sixth Street more attractive to commercial development. The review of the Specific Plan will be part of the second phase that will resume at a later date.

Mayor Pro Tem Bash indicated that he likes the broad categories and said he hopes it can be expanded to the 100 acres. Mayor Pro Tem Bash thanked the Planning Commission for their work.

Council Member Azevedo expressed concerns and thought that the aim was for Sixth Street to be western-themed retail. She said that lacking specificity is concerning. Director King indicated that under each of the broad categories, there is a list of uses that are absolutely not permitted. Council Member Azevedo commented on the possibility of a bed and breakfast type hotel with the ability of patrons to bring their horses. Director King stated that a bed and breakfast use is allowed along all of Sixth Street. Hotels and motels are limited to west of Center Avenue.

Council Member Newton complimented staff and the Planning Commission for their work on this code amendment. Council Member Newton noted that under Animal Care, boarding of large and small animals is permitted but asked if a dog rescue is allowed. Director King stated that a dog rescue is permitted. There was some discussion between Council Members to exclude dog rescues on Sixth Street.

Council Member Azevedo asked about rental stables. Director King stated that rental stables are only permitted east of Pedley Avenue. Mayor Pro Tem Bash commented that properties east of Pedley Avenue are larger and properties west of Pedley Avenue are long and narrow. Council Member Azevedo said that she supports rental stables west of Pedley Avenue with a Conditional Use Permit. In response to Council Member Newton, Director King indicated that stables can be a primary or ancillary use to a bed and breakfast.

Mayor Higgins referenced Item "H – Personal Services/Sales," and asked if tattoo and massage parlors are permitted uses on Commerce Street and Industrial Avenue. Director King said that those are permitted as ancillary uses.

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 BASH/HANNA to adopt Ordinance No. 996 for first reading with the exclusion of dog rescues as a permitted use, and stables west of Pedley Avenue require a Conditional Use Permit. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Mayor Pro Tem Bash requested to agendaize discussion of the pending proposal to build 725 in the Hidden Valley area.

M/S BASH/HIGGINS to agendaize discussion of the pending proposal to build homes in the Hidden Valley area. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Council Member Newton requested a status of the traffic calming study for California Avenue and North Drive. City Manager Okoro stated that the City Engineer is still working on the study and will present it to the City Council upon completion. Mr. Okoro indicated that a brief update would be provided in the Weekly Highlights this week.

Council Member Azevedo commented on the International Council of Shopping Centers convention that she attended last month with Mayor Pro Tem Bash, Planning Director Steve King, and Economic Development Consultant Roger Grody. Her comments tied into what Norco would like to see developed on the former Norco Egg Ranch property of 100 acres. Council Member Azevedo requested that the Planning Commission discuss and provide recommendations for the ideal zoning for that property so that the appropriate companies can be solicited.

M/S AZEVEDO/HIGGINS to have the Planning Commission discuss and provide recommendations for the ideal zoning of the former Norco Egg Ranch Property (100 acres). The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Mayor Higgins commented that the next Norco Community Town Hall meeting is scheduled for October 26, 2015 at 6:30 p.m. at Nellie Weaver Hall hosted by the Lake Norconian Club Foundation. He also commented on the Norco Horsetown Hall of Fame event on Saturday, October 10, 2015 at Stacey Turner's Ranch at 2:00 p.m.

City Manager Okoro briefly commented on his attendance at the League of California Cities Conference in San Jose last week. He reported on the various sessions attended

including topics covering PERS, medical marijuana, options for redevelopment, and reductions in gas tax revenue.

City Clerk Link noted that the final day to register to vote for the November 3, 2015 election is Monday, October 19, 2015. Eligible voters may register online. Voter registration cards are also available at the Department of Motor Vehicles, Norco Senior Center, and City Hall.

Sheriff Lieutenant Briddick commented on the upcoming Norco Business Owners's Information meeting on October 29, 2015 at 11:00 a.m. at Nellie Weaver Hall. This meeting will provide crime prevention techniques for businesses.

ADJOURNMENT

Mayor Higgins adjourned the meeting at 9:07 p.m.

Cheryl L. Link, CMC, City Clerk