



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

**Wednesday, August 3, 2016
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 6:00 p.m.

ROLL CALL:

Present:
Kevin Bash, Mayor
Greg Newton, Mayor Pro Tem
Robin Grundmeyer, Council Member
Ted Hoffman, Council Member

Absent:
Berwin Hanna, Council Member

The City Council recessed to Closed Session (Section 54954) to consider the following matter:

CLOSED SESSION:

§54956.8 - Conference with Real Property Negotiator:

Property: APNs 131-112-015, 131-112-016, 131-112-009
City Negotiator: City Manager Andy Okoro
Under Negotiation: Price and Terms

RECONVENE PUBLIC SESSION: 7:02 p.m.

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

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

PLEDGE OF ALLEGIANCE: Council Member Ted Hoffman

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

RECOGNITION: Norco Girls Softball League, 14U All Stars

Mayor Bash presented the team and coaches with certifications of recognition for their achievements.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Council Member Grundmeyer:

- Attended the Corona-Norco Unified School District Red Ribbon Planning meeting today. This year's Red Ribbon theme is "YOLO Be Drug Free."

Council Member Hoffman:

- Attended a Local Agency Formation Commission meeting.
- Attended a Riverside Transit Agency meeting. Mr. Hoffman reported that ridership has increased and commented on the summer youth fare program.
- Attended a George Ingalls Veterans Committee meeting.
- Attended a Riverside County Transportation Commission meeting.
- Thanked Lt. Briddick for the Coffee with a Cop event.

Mayor Pro Tem Newton:

- Attended the Jurupa Community Services District 60th Anniversary event.

Mayor Bash:

- Attended the Jurupa Community Services District 60th Anniversary event.
- Serves on the Norco College Advisory Board and reported that the search for a new Norco College president begins in two weeks.
- Attended a Western Riverside Council of Governments meeting.
- Attended a meeting of the Corona Regional Medical Center Board.
- Met with a Cub Scout Webelos Den today and provided them with a tour of City Hall.

2. CITY COUNCIL CONSENT ITEMS:

Mayor Bash pulled item 2.I. Mayor Pro Tem Newton pulled items 2.C., 2.D., 2.E., and 2.G. Council Member Hoffman pulled item 2.F.

M/S GRUNDMEYER/HOFFMAN to approve the remaining Consent Calendar items as presented. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON
NOES: NONE
ABSENT: HANNA
ABSTAIN: NONE

- A. City Council Regular Meeting Minutes of July 20, 2016. **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 Special Meeting Held on July 27, 2016. **Pulled for discussion.** (Planning Director)
- D. Acceptance of Bids and Award of Contract for the Hamner Avenue and Temescal Avenue Street Rehabilitation Project. **Pulled for discussion.** (Director of Public Works)
- E. Acceptance of the Third Street Improvement Project. **Pulled for discussion.** (Director of Public Works)
- F. Acceptance of Bluff Street and Western Avenue Water Improvement Project. **Pulled for discussion.** (Director of Public Works)
- G. Reclassification of Trust Account Deposits to Fund Streets, Trails, Sewer Capital, and General Fund Operations. **Pulled for discussion.** (Finance Officer)
- H. Approval of Supplemental Agreement for the 2016-2017 Community Development Block Grant Program Year. **Action: Approved the Supplemental Agreement for the 2016-2017 Community Development Block Grant program year.** (Deputy City Manager/Director of Parks, Recreation and Community Services)
- I. Acceptance of Norco Rolling Devils Wheelchair Basketball Tournament as a Special Event. **Pulled for discussion.** (Deputy City Manager/Director of Parks, Recreation and Community Services)

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

- 2.C. Recap of Actions Taken by the Planning Commission at its Special Meeting Held on July 27, 2016. (Planning Director)

Mayor Pro Tem Newton commented on item 2.A on the Planning Commission agenda of July 27, 2016 regarding Specific Plan 91-02 Amendment 7 to amend the regulations for the Equestrian Residential District relating to the allowed lot and pad area coverage. Mayor Pro Tem Newton requested that in addition to notifying residents, that staff provide notification of the public hearing on the City's website and any other possible means of notification.

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

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON
NOES: NONE
ABSENT: HANNA
ABSTAIN: NONE

2.D. Acceptance of Bids and Award of Contract for the Hamner Avenue and Temescal Avenue Street Rehabilitation Project. (Director of Public Works)

Mayor Pro Tem Newton commented on construction on Temescal Avenue between First and Second Streets. He said that Norco Elementary is currently under construction and asked if the Corona Norco Unified School District is contributing to any cost of the road repair. Director Blais stated that the District is not required to contribute, however, any of their construction activities that impact the road, they are required to put back in-kind. Mayor Pro Tem Newton suggested that the City wait to proceed with the rehabilitation project until the District has completed their construction. Mayor Pro Tem Newton also suggested incorporating traffic calming measures while this rehabilitation project is underway. Council Member Hoffman suggested that staff coordinate with the school district to have the least amount of impact as possible on the parents and children.

M/S NEWTON/HOFFMAN to accept bids submitted for the construction of new asphalt, ADA ramps, and striping improvements located on Hamner Avenue (between Fourth and Sixth Streets) and Temescal Avenue (between First and Second Streets), award a contract to All American Asphalt, Inc. in the amount of \$558,280 and authorize the City Manager to approve contract change orders up to 10 percent of the total bid amount. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON
NOES: NONE
ABSENT: HANNA
ABSTAIN: NONE

2.E. Acceptance of the Third Street Improvement Project. (Director of Public Works)

Mayor Pro Tem Newton asked if the contractor is required to reinstall the residents' mailboxes. In response, Director Blais stated that anything that is moved or removed, the contractor is required to reinstall. Mayor Pro Tem Newton said he supports approving this Notice of Completion with the condition that the contractor reinstall the mailboxes that are currently propped up on concrete blocks and that the right-of-way be cleared of weeds.

M/S NEWTON/BASH to accept the Third Street Improvement Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON
NOES: NONE
ABSENT: HANNA
ABSTAIN: NONE

2.F. Acceptance of Bluff Street and Western Avenue Water Improvement Project. (Director of Public Works)

Council Member Hoffman asked if City staff has inspected and confirmed the project complete per the requirements. In response, Director Blais said that staff has inspected and that the contractor has been a pleasure to work with and has gone above and beyond.

M/S HOFFMAN/GRUNDMEYER to accept the Bluff Street and Western Avenue Water Improvement Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

2.G. Reclassification of Trust Account Deposits to Fund Streets, Trails, Sewer Capital, and General Fund Operations. (Finance Officer)

Mayor Pro Tem Newton asked if these were primarily cash in lieu accounts. In response City Manager Okoro stated that the items that pertain to street funds are cash in lieu. Mayor Pro Tem Newton commented on the transfer to the General Fund in the amount of \$9,900 for the Get A Grip Foundation modular unit. He added that the Foundation no longer exists and that the modular unit is being used as the tournament event lounge for the golf course. Director King indicated that the City was not aware that it was being used in another manner as a modification to the Conditional Use Permit was never done. There was some discussion about this being a code violation.

Council Member Hoffman commented that there are portions of Ingalls Park that require repair and suggested that \$50,000 be set aside for those repairs. Deputy City Manager Petree said that staff can come back during mid-year budget adjustments for these repairs.

Rosa Zuniga-Green suggested that the City set aside a certain portion of the funds in case the City received claims on those funds. Ms. Zuniga-Green asked if the Get a Grip Foundation has been properly notified.

M/S HOFFMAN/BASH to reclassify trust account deposits to fund streets, trails, sewer capital, and General Fund operations. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

- 2.1. Acceptance of Norco Rolling Devils Wheelchair Basketball Tournament as a Special Event. (Deputy City Manager/Director of Parks, Recreation and Community Services)

Cassandra Sanders-Holly spoke in support of this event. Ms. Sanders-Holly commented on the importance of highlighting the City's history as well as having an event for people with disabilities.

Linda Dixon spoke in support of this event.

M/S HOFFMAN/BASH to accept the Norco Rolling Devils Wheelchair Basketball Tournament as a Special Event. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

4. PUBLIC COMMENTS:

Geoff Kahan commented on the Concerts in the Parks events on August 5 and 12 at Pikes Peak Park at 6:00 p.m. Also, Mr. Kahan, as a representative from Boy Scout Troop 33, presented the City with a plaque in appreciation for the City's support of the Scouting program.

Rosa Zuniga-Green thanked Lt. Briddick for his follow-up on the issues she presented at the last City Council meeting regarding the no parking signs near the golf course area. Ms. Zuniga-Green expressed concern that the citations are only \$26 and will not be taken seriously. She suggested that the City Council increase the fines to at least \$250.

5. LEGISLATIVE MATTER:

- A. **Ordinance No. 1005, Second Reading.** Ordinance Amending Chapter 14.08 "Public Sewerage System Wastes" to the Norco Municipal Code. Code Change 2016-03 (City Clerk)

M/S BASH/HOFFMAN to adopt Ordinance No. 1005 for second reading. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

6. DISCUSSION / ACTION ITEMS:

- A. Consideration of Organizational Modifications to the Economic Development Advisory Council (EDAC). (City Clerk/Economic Development Consultant)

City Clerk Link reported that at its meeting of June 15, 2016 the City Council expressed an interest in modifying the Resolution 2014-40, governing the size, composition and operational procedures for the Economic Development Advisory Council (EDAC). After researching the history and legislative intent of the EDAC, evaluating its recent performance and conferring with its Members, staff recommends some changes that will enhance the EDAC's efficiency and make it more representative of Norco's dynamic business community.

After some discussion, it was suggested by Council Members Hoffman and Newton to keep the membership at eleven members. Council Member Hoffman added that he would like to see membership include representative from the major industries such as hotel and automobile dealerships.

M/S NEWTON/GRUNDMEYER to adopt Resolution No. 2016-53, implementing organizational modifications to the Economic Development Advisory Council (EDAC), which include maintaining the composition of 11 members, to remove the two City Council Member appointees from the EDAC, and to direct the City Clerk to begin recruitment in September 2016 for three vacant positions. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON
NOES: NONE
ABSENT: HANNA
ABSTAIN: NONE

- B. Formation of an Ad-Hoc Committee to Review Hindu Temple Entitlement Process. (City Manager)

City Manager Okoro indicated that an application for Conditional Use Permit (CUP) 2014-10 and associated Variance 2014-05 for the development of a temple and cultural center submitted by Swaminarayan Gurukul-USA/Patolia was denied by the Planning Commission on April 13, 2016. The appeal by the applicant to the City Council was denied on July 6, 2016. In an effort to have a better understanding of the project and to resolve the issues that have been raised, staff is recommending that the City Council authorize the formation of Ad-Hoc Committee to review the issues and concerns that have been raised and to provide a recommendation for resolution to the City Council. City Manager Okoro also presented another option, which is a less formal process, is a Business Advisory Group.

In response to Mayor Pro Tem Newton, Director King stated that the applicant met with staff through a Project Review Board to go over the entitlement process and code requirements. There were additional individual meetings with staff as well. Director King added that this process is available to all project applicants.

In response to Council Member Hoffman, Director King indicated that the applicant understood the procedures and the requirements.

Myrna Paltza commented on the membership of the Ad-Hoc Committee and suggested resident appointments be made to the Committee but overall was opposed to the formation of the Committee.

Shannon Watt indicated that she lives directly behind the hill from the proposed project. She commented on drainage, grading, parking, and traffic concerns.

Linda Dixon commented on her opposition of the formation of the Ad-Hoc Committee. Ms. Dixon expressed that this would set at precedence.

Su Bacon concurred with Ms. Dixon.

Sandy Higgins expressed that the streets cannot handle the added traffic.

Allison Brown expressed her opposition to the formation of the Committee.

Diane Yauney opposed the formation of the Ad-Hoc Committee.

Maria Block expressed her opposition to the formation of the Ad-Hoc Committee.

Karen Leonard questioned the purpose of the Ad-Hoc Committee. Ms. Leonard commented that the applicant can wait the one year requirement and submit a new application for the project. She opposed the formation of the Committee.

Rosa Zuniga-Green also opposed the formation of the Committee. She said that no lawsuit has been filed but that the City should begin preparing to present documentation.

Council Member Hoffman expressed concern about forming an Ad-Hoc Committee as he also thinks it setting precedence. Mr. Hoffman suggested holding a workshop of Commissioners and Council Members to discuss the specifics of the Religious Land Use and Institutionalized Persons Act. Council Member Hoffman invited the applicant to come back and work with staff on finding solutions to the issues involving the project.

Mayor Pro Tem Newton also expressed his opposition to the formation of the Ad-Hoc Committee as this is a process that is not offered to others.

Mayor Bash Bash said that this is a result of the Press-Enterprise article. Mayor Bash said that the City Council is open to the communication process.

Council Member Grundmeyer concurred with scheduling a workshop as suggested by Council Member Hoffman. Council Member Grundmeyer commented on the issue of how media communication is handled. Council Member Hoffman added that communications should be centralized through the City Manager's Office.

M/S NEWTON/HOFFMAN to not approve the formation of an Ad-Hoc Committee to review Hindu Temple Entitlement Process. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON
NOES: NONE
ABSENT: HANNA
ABSTAIN: NONE

Mayor Bash recessed the meeting at 9:40p.m. and reconvened at 9:53 p.m.

7. PUBLIC HEARING:

- A. **Ordinance No. 1006, First Reading. Zone Code Amendment 2016-02 (City):** A proposal to amend Chapter 18.37 of the Norco Municipal Code to revise the requirements for temporary signs. (Planning Director)

Director Steve King reported that the City Council directed staff and the Planning Commission to review the current sign code in terms of possibly revising what types of temporary advertising signs can be allowed and to look at ways to make the processing of applications easier, and to make the allowances more equitable between the various commercial zones in the City. The Planning Commission reviewed the proposed Zone Code Amendment on June 8, 2016 and has recommended approval with some changes.

Council Member Hoffman expressed concern about the lack of staff to conduct inspections of the signs.

Council Member Grundmeyer referenced page 3 of the staff report and indicated that 18.37.10 (1) should be consistent with the language in 18.37.10 (1)(i).

M/S BASH/NEWTON to adopt Ordinance No. 1006 for first reading with changes. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON
NOES: NONE
ABSENT: HANNA
ABSTAIN: NONE

8. APPEAL HEARINGS:

- A. **Conditional Use Permit 2016-10 (Campos):** An appeal of the Planning Commission's denial of a request for approval to allow a detached accessory building consisting of a 1,344 square-foot garage and workshop building at 1551 Longhorn Way located within the Norco Hills Specific Plan (NHSP) Amendment No.1 (Planning Director)

Director Steve King reported that the subject property is located in the Norco Hills Specific Plan (NHSP) Amendment No.1 (Ito Farms), consists of .57 acres/24,732

square-feet, and is developed as a single family residence. Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. Because denial of this accessory building has been appealed, it is now being considered by the City Council.

Director King added that the Norco Hills Specific Plan (NHSP) was designed primarily to protect hillsides; not to promote animal-keeping. There are lots that are big in size but have small pad areas. When the NHSP was approved, of the 216 lots, 49 were designated as non-animal-keeping. In the NHSP, there is not a requirement for an open animal area. The Planning Commission looked at this project and indicated the requirements were met but the proposed accessory building is taking up all the potential animal-keeping area; therefore, the project was denied.

Mayor Bash opened the public hearing.

Sharon Nelson, applicant, commented that the project meets City codes.

Mayor Bash closed the public hearing.

Mayor Pro Tem Newton asked what the Planning Commission's legal finding was for denial of the project. In response, Director King said that one of the findings is to make sure it promotes animal-keeping and small plot agricultural intent of the General Plan. If the Planning Commission cannot make the finding then generally the project is denied. Mayor Pro Tem Newton expressed concern because the NHSP overrules the General Plan.

M/S HOFFMAN/BASH to uphold the Planning Commission action to deny Conditional Use Permit 2016-10 based upon the General Plan and animal-keeping rights. The motion failed by the following roll call vote:

AYES: BASH, HOFFMAN
NOES: GRUNDMEYER, NEWTON
ABSENT: HANNA
ABSTAIN: NONE

M/S HOFFMAN/BASH to send the matter back to the Planning Commission to discuss the issues with the applicant.

Under Discussion:

Mayor Pro Tem Newton stated that the applicant is looking for a remedy tonight.

Mayor Bash rescinded his second of the motion.

M/S NEWTON/GRUNDMEYER to overturn the Planning Commission action, therefore approving Conditional Use Permit 2016-10. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, NEWTON
NOES: HOFFMAN
ABSENT: HANNA
ABSTAIN: NONE

- B. Conditional Use Permit 2016-15 (Wrye):** An appeal of the Planning Commissions denial of a request for approval to allow a detached accessory building consisting of a 2,000 square-foot workshop/storage building at 4760 Roundup Road located within the A-1-20 (Agricultural Low Density) Zone. (Planning Director)

Director Steve King reported that the subject property is located in the A-1-20 Zone, consists of about .52 acres/22,487 square-feet and is developed with a single family residence. Accessory buildings that exceed 864 square feet require approval of a conditional use permit by the Planning Commission. Because denial of this accessory building has been appealed, it is now being considered by the City Council.

The required open animal keeping area is proposed on the west side of the proposed accessory building (the northwest corner of the property), and directly in front of that building's doors. The doors include two roll-up doors, one of which is 14 feet tall indicating the potential for large vehicle usage. The project was originally reviewed by the Planning Commission and denied without prejudice based on concern that access by large vehicles to the accessory workshop/storage structure would be through the open animal area and therefore lessen the potential for it to ever be used as such.

A denial-without-prejudice means that the applicant can approach the Planning Commission again on the same project without having to wait a year as is required for a straight denial. The Planning Commission had suggested flipping the open animal area and the workshop/storage building so that access to the accessory structure would be straight down the driveway and not affect the open animal area. The applicant elected to approach the Planning Commission with the same site plan and showing two options for access around the open animal area to the workshop/storage building.

Mayor Bash opened the public hearing.

Ken Wrye, applicant, commented that flipping the accessory building would not be practical and put the building too close to the house. It also makes the rest of the lot unusable.

In response to Council Member Grundmeyer, Director King indicated that as noted in the minutes, the preferred rendering by the Planning Commission was Sheet 1A. Mayor Pro Tem Newton indicated that whichever drawing is chosen, animal-keeping would be impacted by the use of the building. The project meets adequate open area and meets square footage requirements. Director King added that the Planning Commission did not think the layout was the best to promote animal-keeping.

Council Member Hoffman indicated that whichever drawing is approved, it then becomes a permanent recording of the animal-keeping area. Director King indicated that this is an open animal area so it is not recorded. This area can float to another area of the property. City Attorney Harper suggested that the Council could condition approval to have a permanent designated animal-keeping area.

City Attorney Harper indicated that Condition 1 of Resolution No. 2016-55 state, "Approval is based on Exhibit "D" (Sheet A1) – Site Plan and Building Elevations dated April 26, 2016 and incorporated herein by reference and on file with the Planning Division, specifically as to the location of the designated animal-keeping area."

Mike Thompson expressed his concern about trying to limit property when they meet code requirements.

Mayor Bash closed the public hearing.

M/S BASH/NEWTON to adopt Resolution No. 2016-55, subject to the amended Section 1, Number 1 condition of approval. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

9. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Mayor Bash commented that he received a complaint from the manager of Hobby Lobby regarding the short timing for the left-hand turn signal from Hidden Valley Parkway into the parking lot. In response, Director Blais indicated that the traffic signal is controlled by Caltrans. The signal is an unprotected left turn signal and staff is currently working with Caltrans to get it changed to a protected left turn signal, which will allow for a steady flow of cars to go through.

Mayor Bash also inquired about prefunding for the Hamner Avenue Bridge project. City Manager Okoro indicated that the City is working on the engineering and environmental aspects of the project completed. Upon completion, there is a reasonable expectation that Riverside County Transportation Commission will assist the City in identifying and providing funding for the project.

In response to Mayor Pro Tem Newton, Deputy City Manager Petree stated that during mid-year budget review, staff will request funding for completion of the median on Hamner Avenue between Sixth Street and Detroit Avenue.

Council Member Hoffman requested to agendaize discussion of forming a conflict resolution board.

M/S HOFFMAN/BASH to agendize discussion of forming a conflict resolution board. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HOFFMAN, NEWTON

NOES: NONE

ABSENT: HANNA

ABSTAIN: NONE

Council Member Grundmeyer requested that the Planning Commission minutes contain more detail noting if applicants are present during hearings, and if applicants addressed the Commission or chose to decline to comment. Council Member Grundmeyer also requested a list of Planning terms with definitions.

ADJOURNMENT

Mayor Bash adjourned the meeting at 11:22 p.m.

Cheryl L. Link, CMC, City Clerk