



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

**Wednesday, November 2, 2016  
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

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**CALL TO ORDER:** 6:02 p.m.

**ROLL CALL:** **Present:**  
Kevin Bash, Mayor  
Greg Newton, Mayor Pro Tem  
Robin Grundmeyer, Council Member  
Berwin Hanna, Council Member  
Ted Hoffman, Council Member

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

**CLOSED SESSION:**

**§54956.8 - Conference with Real Property Negotiation:**

Property: APNs 119-202-015, 119-202-022

City Negotiator: City Manager Andy Okoro

Under Negotiation: Price and Terms

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

One Case

**§54957– Performance Evaluation**

Title: City Attorney

**RECONVENE PUBLIC SESSION:** 7:03 p.m.

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

City Attorney John Harper indicated that the City Council considered the matters listed on the agenda for Closed Session excluding the City Attorney Performance Evaluation. He added that there was no reportable action from Closed Session matters discussed.

**PLEDGE OF ALLEGIANCE:** Cub Scout Pack 542

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

**PRESENTATIONS:** Riverside County Sheriff's Department 21<sup>st</sup> Annual K9 Trials

Lieutenant Briddick introduced members of the Sheriff's Department to speak on the K9 Trials taking place at Ingalls Park on November 5, 2016.

**CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:**

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

Mayor Pro Tem Newton:

- Attended the Landscape Maintenance District No. 4 resident meeting on October 25<sup>th</sup>.
- Attended the Ad-Hoc Committee on Accessory Buildings meeting on October 31<sup>st</sup>.
- Attended the Norco Citizens Patrol Banquet.
- Attended a meeting with City staff and Waste Management regarding manure bin pick-up rescheduling.

Council Member Hoffman:

- Attended a Fireworks Committee meeting to discuss action plans and public outreach.
- Attended the Economic Development Advisory Council meeting and commented that recruitment continues to fill three vacancies.
- Attended a Southern California Association of Governments meeting regarding earthquake preparedness.
- Attended the Ad-Hoc Committee on Accessory Buildings meeting on October 31<sup>st</sup> and commented that the Committee is receiving good feedback from those in attendance.
- Attended the Norco Community Town Hall meeting on October 24<sup>th</sup>.
- Attended a Veterans Memorial meeting and commented on the Veterans Day event on November 11<sup>th</sup> at the George Ingalls Veterans Memorial Plaza.

Council Member Grundmeyer:

- Attended the Norco Community Town Hall meeting on October 24<sup>th</sup>.
- Attended an UNLOAD meeting on October 24<sup>th</sup>. The group reviewed the healthy kids survey and discussed perception of drug use. Ms. Grundmeyer encouraged public attendance and participation at UNLOAD meetings.
- Attended the Landscape Maintenance District No. 4 resident meeting on October 25<sup>th</sup>.
- Attended the Norco Citizens Patrol Banquet.
- Attended the Family Fun Festival in celebration of Red Ribbon Week.

Council Member Hanna:

- Attended a meeting of the Riverside Transit Agency which approved the purchase of 30 additional Dial-A-Ride busses. Participated in the Riverside Transit Agency Bus Rodeo event.
- Commented that Riverside County Transportation Commission representatives attended two community meetings – Norco Horsemen's Association and Norco Community Town Hall – to provide updates on the State Route 91 project and the I-15 Express Lanes project.

- Attended a Northwest Mosquito Abatement and Vector Control District meeting and commented that the number of West Nile Virus human cases has decreased.
- Attended the Sheriff's Department Academy Graduation.

Mayor Bash:

- Attended the Norco Community Town Hall meeting on October 24<sup>th</sup>.
- Attended a meeting of the State Historic Preservation Office with the City's Historic Resources Consultant Bill Wilkman.
- Commented that the City will be hosting a Meet and Greet with the Navy's new commanding officer Captain N.J. Dahlke on November 15<sup>th</sup>.

2. CITY COUNCIL CONSENT ITEMS:

Council Member Hoffman pulled Item 2.C., Mayor Pro Tem Newton pulled Item 2.D., and Council Member Grundmeyer pulled Item 2.E.

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

**AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

- A. City Council Joint Study Session and Regular Meeting Minutes of October 19, 2016. **Action: Approved the City Council study session and regular meeting minutes.** (City Clerk)
- B. Procedural Step to Approve Ordinance after Reading of Title Only. **Action: Approved.** (City Clerk)
- C. Acceptance of Proposal and Award of Performance Services Contract for On-Call Street Striping and Pavement Marking Services. **Pulled for discussion.** (Director of Public Works)
- D. Acceptance of Bid for Purchase of 2,000 Acre-Feet of Local Excess Carry-Over Storage Water in Chino Basin. **Pulled for discussion.** (Director of Public Works)
- E. Acceptance of Multiple Vendor Bids to Provide Waterworks Parts Supplies. **Pulled for discussion.** (Director of Public Works)

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

- 2.C. Acceptance of Proposal and Award of Performance Services Contract for On-Call Street Striping and Pavement Marking Services. (Director of Public Works)

Council Member Hoffman pulled the item to comment on the new contractor and to be assured that the City would not exceed the budget. Director Blais indicated that staff elected to terminate the agreement with the existing contractor because of performance issues. The new contractor is known for providing high quality of work and he added that the City will monitor the budget.

**M/S HOFFMAN/BASH to accept the proposal submitted for performance services to provide annual on-call street striping and pavement marking services, award a multi-year contract to Orange County Striping Service, Inc. located in Orange, California, and authorize the City Manager to execute the contract in the amount not to exceed \$70,000. The motion was carried by the following roll call vote:**

**AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

- 2.D. Acceptance of Bid for Purchase of 2,000 Acre-Foot of Local Excess Carry-Over Storage Water in Chino Basin. (Director of Public Works)

In response to Mayor Pro Tem Newton, Director Blais stated that the Fontana Water Company is a 85/15 buyer, which is a requirement regarding the replenishment cost if the entity is overproducing water. An overproducer pays 85 percent of the replenishment cost and there is another pool of parties that pay for the other 15 percent. Director Blais indicated that the City currently has a banked amount of water within the Chino Basin Watermaster and the Fontana Water Company pays for a transfer to their account and becomes available to them to use for their overproduction. The 85 percent equates to the amount of the replenishment cost of \$615 per acre foot, and that total price amount is what was offered to the City. Director Blais noted that no one else will pay the City more than the replenishment cost. In response to Mayor Pro Tem Newton, Director Blais stated that a reason why the City only received one bid is because the request for bids was done early in the year when other agencies are not sure whether or not they will overproduce. Mayor Pro Tem Newton expressed concern that Fontana Water Company may know that the City needs the money. Mr. Newton also noted that Fontana Water Company needs the water and only offered the City \$505 per acre foot, but then can take the 2,000 acre feet and resale for \$3 million. Mayor Pro Tem Newton suggested that staff renegotiate for a better offer. City Manager Okoro stated that the idea of selling this water has been discussed for quite some time. The going market rate over the years during discussion has been around \$500 per acre foot. There is the possibility that the \$505 per acre foot is the market rate. Staff could also consider going to the Watermaster to get information pertaining to those agencies who have made similar transactions over the past couple of years.

**M/S NEWTON/BASH to direct Public Works Director to renegotiate with Fontana Water Company for a better offer. The motion was carried by the following roll call vote:**

**AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

2.E. Acceptance of Multiple Vendor Bids to Provide Waterworks Parts Supplies.  
(Director of Public Works)

Council Member Grundmeyer thanked the Director of Public Works and staff for going through each line item on the list of parts and switching vendors for different items, thus saving the City a substantial amount of money.

**M/S GRUNDMEYER/BASH to accept the bids submitted by Ferguson Waterworks, Dangelo Company, and HD Supply to provide waterworks parts supplies and authorize the City Manager to execute multiple purchase orders in a not-to-exceed cumulative amount of \$150,000 for Fiscal Year 2016-2017. The motion was carried by the following roll call vote:**

**AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

4. PUBLIC COMMENTS:

None

5. PUBLIC HEARINGS:

- A. **Ordinance No. 1008, First Reading.** A request to amend Chapter 6.42 "Municipal Refuse Collection Service" of the Norco Municipal Code to include a definition of scavenging and to prohibit and enforce scavenging from and tampering with public containers. Code Change 2016-05. (Director of Public Works)

Director Chad Blais reported that scavenging is the unauthorized collection, removal, or possession of refuse or recyclable material that is placed in residential or commercial collection containers, or any permanent or temporary receptacles utilized at special events and large venue events, by any person or entity other than the owner, the City or a City-authorized waste hauler.

In response to Council Member Hoffman, Director Blais stated that the proposed amendment is strengthening the existing language in the Code. Director Blais also indicated that enforcement would be handled through the administrative citation process by Code Compliance and Sheriff's Department.

**Mayor Bash opened the public hearing and requested the appearance of those wishing to speak. With no one wishing to speak, Mayor Bash closed the public hearing.**

**M/S BASH/NEWTON to adopt Ordinance No. 1008 for first reading and schedule the second reading for November 16, 2016. The motion was carried by the following roll call vote:**

**AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

- B. **Ordinance No. 1009, First Reading.** A Request to Amend Chapter 6.24, "Abandoned Vehicles" of the Norco Municipal Code to Include Definitions Thereof. Code Change 2016-06. (Planning Director)

Planning Director Steve King reported that Chapter 6.24 "Abandoned Vehicles" addresses the accumulation and storage of abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof on private property. This ordinance, however, uses but does not define the significant elements of what makes a vehicle(s) fall under one of these categories. It is important that these definitions are in place to avoid conflicting interpretations by residents, enforcement officers, and the City.

City Manager Okoro stated that this is not just a code enforcement issue but also a public education issue. Policies and procedures have been developed which will ensure that the program will be administered on a consistent basis. There is literature that will help educate the public on how to take advantage of the Vehicle Abatement Program.

In response to Council Member Hoffman, Director King stated that the City is still following the Abandoned Vehicle Trust Fund for reimbursement of administrative costs.

In response to Council Member Grundmeyer, City Manager Okoro stated that public education will be accomplished by distributing flyers in water bills, posting on the City's website and Facebook, and information in the Weekly Highlights report.

**Mayor Bash opened the public hearing and requested the appearance of those wishing to speak. With no one wishing to speak, Mayor Bash closed the public hearing.**

**M/S HANNA/BASH to adopt Ordinance No. 1009 for first reading and schedule the second reading for November 16, 2016. The motion was carried by the following roll call vote:**

**AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

- C. **Ordinance No. 1010, First Reading.** Specific Plan 85-01, Amendment 8: A request to amend the Auto Mall Specific Plan amending the architectural and design standards. (Planning Director)

Director King reported that Amendment 8 to the Auto Mall Specific Plan proposes changes to the architectural standards and procedures to reflect how development has transpired in the Auto Mall since the specific plan was first adopted and to allow corporate design requirements of new car dealerships where those designs are inconsistent with the early California Spanish theme that is currently required in the Auto Mall Specific Plan. On October 12, 2016, the Planning Commission reviewed this project and recommended approval.

Director King stated that the Planning Commission made recommendations to revise the language of the Auto Mall Specific Plan to state the following: *New dealership development and major remodels of existing dealership buildings are subject to approval by the Planning Commission. Design features shall include conformity to the design features and themes of surrounding structures including articulation, colors, and materials, and shall incorporate design themes as may be required by new car dealership corporate design standards.*

Council Member Grundmeyer indicated that the recommended language is very unspecific and asked how it will be administered. Director King said that this would be a site by site analysis and the Planning Commission would look at architecture and if the corporate design comes into play.

Council Member Hoffman commented that the Architecture Review Committee (ARC) is limited from any review prior to it going to the Planning Commission and expressed that review should go before ARC first in case some changes are needed.

Mayor Pro Tem Newton expressed concerns in architectural design changes on different sections of Hamner Avenue from First Street all the way to Sixth Street and asked how this amendment and architectural style of a more modern look applies to function of use. Director King commented that the Zoning Code states that the City is working toward equestrian and western themes but recognizes that it is not easily applicable because of location or size. A larger building presents a more difficult approach in applying a western theme compared to a smaller building. Larger size structures do not lend themselves to equestrian/western themes because they are not typically in a pedestrian oriented area. Director King added that the goal is to have good transitions from one section of the City to another.

**Mayor Bash opened the public hearing and requested the appearance of those wishing to speak. With no one wishing to speak, Mayor Bash closed the public hearing.**

**M/S NEWTON/BASH to adopt Ordinance No. 1010 for first reading and schedule the second reading for November 16, 2016. The motion was carried by the following roll call vote:**

**AYES: BASH, GRUNDMEYER, HANNA, NEWTON**

**NOES: HOFFMAN**

**ABSENT: NONE**

**ABSTAIN: NONE**

**6. APPEAL HEARING:**

- A. Conditional Use Permit 2015-06 (Duarte): An appeal of the Planning Commission's denial of a request for approval to allow a detached accessory building consisting of a 1,250 square-foot storage building at 5060 Pinto Place located within the A-1-20 (Agricultural Low Density) Zone. (Planning Director)

Planning Director King reported that the request for Conditional Use Permit (CUP) 2015-06 was denied by the Planning Commission on September 14, 2016. The project was denied without prejudice 5-0, with the condition that the applicant re-submit within six months, with a geo-technical and drainage report and with plans that show an open animal keeping area that does not have to be driven over to access the subject building. This decision was appealed by City Council. Director King added that the property owners submitted a letter today indicating that they would be removing the accessory building, by January 1, 2017, rather than seek approval of the Conditional Use Permit.

Mayor Pro Tem Newton stated that given the new information from the property owners that the accessory building will be removed by January 1, 2017, he agrees that this should be monitored by Code Compliance. Mayor Pro Tem Newton said that there are lessons to be learned from this Conditional Use Permit. The building was built without permits, without regard to safety, animal keeping or adjoining properties. Mayor Pro Tem Newton expressed concern that the applicant was given too much latitude by being afforded six months to obtain a soils report. Council Member Hoffman concurred and suggested that along with removing the accessory building also the applicant must return the grading to the original level. Council Member Hanna also concurred and suggested requiring that the concrete slab be removed.

Mayor Bash commented on the rocks piled up against the fence and suggested requiring they be removed. Mayor Bash commented on the minimum setback and referred to Norco Municipal Code Chapters 18.45. Mayor Bash commented that large buildings violate the intent and purposes of the Municipal Code. In response to Mayor Bash, City Attorney Harper said that a notice of abatement could be recorded to ensure the building and concrete slab are removed.

**Mayor Bash opened the public hearing and requested the appearance of those wishing to speak.**

Bob Long said that he is the neighbor directly to south of this building. Mr. Long referred to the City's motto, "City Living in a Rural Atmosphere" and that many move here for that reason. Mr. Long commented that people should have the freedom to build what they want. He said that no one asked him if he was impacted by the accessory building. Mr. Long suggested that the Council impose fines and issue the permit.

Patricia Overstreet encouraged that the Council follow the Planning Commission's action as everyone should comply with obtaining permits.

Marcia Murphy said that she is the neighbor on south side of property and said that there is most certainly a drainage issue. Ms. Murphy said that the corner of her arena floods. Ms. Murphy requested that the Conditional Use Permit be denied and that the property be graded to its original level.

**With no one else wishing to speak, Mayor Bash closed the public hearing.**

Mayor Bash expressed that the purpose of the Conditional Use Permit is to protect the neighbors who have the right to expect a certain zoning in their community. He said that when the Municipal Code is not followed, neighbor wars occur. Mayor Bash commented

that the Norco Municipal Code is very clear and in this case, the applicant knew he needed building permits.

**M/S BASH/NEWTON to adopt Resolution No. 2016-61 upholding the Planning Commission's denial of Conditional Use Permit 2015-06, requiring the property owner to remove the accessory building and concrete slab and returning the property to its original grading level by January 1, 2017, and directing the City Attorney to file a Notice of Abatement. The motion was carried by the following roll call vote:**

**AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

**7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:**

Mayor Bash requested to agendaize discussion of pole barns at Ingalls Park. Council Member Hoffman reminded the Council that he requested agendaizing discussion of the Ingalls Park Master Plan in January 2017. Deputy City Manager Petree said he will prepare a report for Council review at the beginning of next year.

Lt. Briddick gave a brief presentation on the new misdemeanor booking process. He commented on the current process which some crimes require jail booking and transportation to a detention center 17 miles away. The improved process allows for bookings at the Norco Substation which means deputies do not have to leave the City and are in service longer. The process also allows for more thorough investigations. In response to Council Member Hoffman, Lt. Briddick stated that there are two Community Service Officers that are trained to handle the new process. Council Member Hoffman expressed the need for more Community Service Officers so that the deputies can leave if the need arises. Council Member Grundmeyer thanked the Lieutenant for thinking outside the box and looking at different ways to use current resources.

**ADJOURNMENT**

Mayor Bash adjourned the meeting at 8:50 p.m.

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Cheryl L. Link, CMC, City Clerk