



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

**Wednesday, August 16, 2017
City Council Chambers, 2820 Clark Avenue, Norco, CA 92860**

CALL TO ORDER: 6:04 p.m.

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

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 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 Hanna

INVOCATION: Pastor Michele Ehrenberg, Word Faith Fellowship Church

INTRODUCTION: Sergeants Bill Davis and Josh Parker, Riverside County Sheriff's Department

Lt. Eric Briddick introduced two newly assigned Sergeants. Sergeant Bill Davis is a 28-year veteran with the Riverside County Sheriff's Department. Over the course of his career, he has worked patrol assignments at the Jurupa Valley, Perris, and Moreno Valley Stations. He was also a Department K9 handler for over 10 years. As a sergeant, he most recently supervised the Jurupa Valley Station traffic division.

Sergeant Josh Parker is an 18-year veteran with the Riverside County Sheriff's Department. He was a patrol deputy at the Moreno Valley Station before being promoted to Investigator, where he was assigned to the Department's Professional Services Bureau and Special Investigative Bureau. As a sergeant, his most recent assignment was a patrol supervisor with the Jurupa Valley Station patrol division.

Both sergeants were selected to work the Norco assignment based upon their strong work ethic, skill set, and willingness to serve.

RECOGNITION: Kara Lubin, 100 Mile Club

Mayor Newton presented Kara Lubin with a certificate of recognition for developing the highly successful 100 Mile Club, a program that has been adopted by nearly 1,000 schools across all 50 states, in addition to four countries, and is known for providing students with life lessons in goal-setting, determination, team spirit, as well as the opportunity to lead an active lifestyle.

BUSINESS APPRECIATION HONOREE: Cowgirl Café

Mayor Newton and Economic Development Advisory Council Vice Chair Scott da Rosa presented Karen and Gary Hendrickson with a certificate honoring Cowgirl Café for serving Norconians and their nonprofit organizations, promoting a classic Horsetown USA ambiance, and for contributing to the local economy and community events.

PRESENTATIONS: Norco Horse Affair Event and Exhibition by Fran Klovstab

Fran Klovstab of Thrifty Horse, spoke about the new and upcoming Norco Horse Affair Event and Exhibition at Ingalls Park in October. Ms. Klovstab indicated that the event will celebrate everything equine. The event will feature the Norco Animal Shelter adoption, BLM Horse adoption, a kiddie korral, the Book Nook, the All American Horse Challenge, the Norco Ladies Night Rodeo, the Golden West Championship Model Horse Show, and more. Ms. Klovstab added that the event will also have live entertainment and shopping.

Western Riverside Council of Governments
(WRCOG) Nexus Study and Community
Choice Aggregation Program

WROG Executive Director Rick Bishop reported on the Community Choice Aggregation (CCA) Program. AB 117 allows local governments to provide electricity to customers as an alternative to the current energy provider (Southern California Edison). Mr. Bishop said that jurisdictions are participating in CCA's because CCA's provide customers with choices; lower rates and greener mix if desired; creates local control over program; rates power supply and generation options; and creates favorable economic development opportunities by offering energy at reduced rates.

Council Member Grundmeyer expressed that the program sounds good and asked what the catch is. Mr. Bishop indicated the WRCOG has spoken mostly to groups that are pro-CCA and that one of the hindrances is that SCE is precluded by State law from commenting on CCA programs. Mr. Bishop said that there are no guarantees with any program so it is important for all to follow-up on the progress of the program.

In response to Mayor Newton, Mr. Bishop indicated that consumers may opt of the CCA. The City may opt in and choose to opt out later but must stay on board until the energy

contracts expire.

In response to Mayor Pro Tem Hoffman, Mr. Bishop indicated that jurisdictions hire the equivalent of energy brokers to help make decisions and purchase energy.

Council Member Bash expressed that he likes local control.

Public Comment:

Lou Paltza asked the Council if there has been another program like this in the past. The Council and Mr. Bishop stated that they are not aware of any in the past.

WRCOG Transportation Director Chris Gray reported on the Transportation Uniform Mitigation Fee Nexus Study. He commented on the need for the TUMF Program and said that the program provides a supplemental revenue stream to augment the shortfall from traditional funding sources such as State and federal funding. The program ensures that new development pays its fair share towards providing needed infrastructure improvements and it mitigates the traffic impacts from new development on the regional system of highways and arterials. Mr. Gray stated that the TUMF Program has contributed funding to the completion of more than 90 projects. There have been \$400 million in direct TUMF funds that have been leveraged with \$600 million to result in \$1 billion in total construction funding. Mr. Gray indicated that the Nexus Study sets the maximum allowable fee that can be charged by land use type and specifies the list of projects that can be funded by the TUMF Program. On July 10, 2017, the WRCOG Executive Committee approved the 2016 TUMF Nexus Study. He reported on the TUMF Program eligible projects such as Sixth Street / I-15 Interchange; Hamner Avenue (Schleisman Avenue to Hidden Valley; Second Street (River Road to I-15); and California Avenue (Arlington Avenue to Fifth Street).

CITY COUNCIL BUSINESS ITEMS:

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

Council Member Hanna:

- Reported on the press release from Vector Control regarding the mosquito with West Nile Virus found on the Navy Base. Vector Control is in Norco on a daily basis, with several traps set throughout the City, to monitor the conditions. There are no reports of Norco residents or horses with the virus. Council Member Hanna encouraged residents to protect themselves and their animals.

Council Member Grundmeyer:

- On August 3rd, met with Animal Control staff and California Department of Food and Agriculture to look at a biosecurity plan for Ingalls Park.
- Participated as the emcee for the August 11th Concert in the Park at Pikes Peak Park.

Mayor Pro Tem Hoffman:

- Attended the August 11th Concert in the Park event at Pikes Peak Park.
- Participated in the biosecurity meeting for Ingalls Park on August 3rd and commented that education is key.
- Attended the Local Agency Formation Commission's Ad-Hoc Committee meeting regarding the County's islands and pockets, which have been narrowed down from 40 to at least 11. The 11 have been targeted by the County to urge cities to take over responsibility.
- Represented the Norco Animal Rescue Team at National Night Out on August 8th in Jurupa Valley along with Council Member Hanna.
- Attended a Veterans Memorial Executive Committee meeting.
- Commented on the PRCA Rodeo taking place this weekend.

Council Member Bash:

- Attended the Norco Area Chamber of Commerce Monthly luncheon presentation by Waste Management.
- Attended a Norco/Eastvale Rotary Club meeting and discussed funding for memorials for POW/MIA and Blue Star/Gold Star Mothers at the George Ingalls Veterans Memorial Plaza.
- Attended a special meeting of the Historic Preservation Commission on August 15th. HPC special meeting on Aug 15th
- Attended Riverside High Voltage meetings.
- Attended a Wheelchair Basketball meeting.

Mayor Newton:

- Attended National Night Out in Jurupa Valley on August 8th and thanked staff for their work with the event.

2. CITY COUNCIL CONSENT ITEMS:

Council Member Grundmeyer pulled Item 2.D. and Mayor Newton pulled Item 2.E.

M/S BASH/HOFFMAN 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 Regular Meeting Minutes of August 2, 2017. **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 Action Taken by the Planning Commission at its Meeting Held on August 9, 2017. **Action: Received and filed.** (Planning Director)

D. School Zone Traffic Calming Measures. **Pulled for discussion.** (Public Works Director)

E. Amendment No. 5 to the Project and Capacity Agreement for the Expansion of the Western Riverside County Regional Wastewater Authority Treatment Plant. **Pulled for discussion.** (Director of Public Works)

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

2.D. School Zone Traffic Calming Measures. (Public Works Director)

Council Member Grundmeyer pulled this item to thank staff for getting this grant which helps the community and schools.

Council Member Bash thanked WRCOG for the partnership and providing this grant.

M/S GRUNDMEYER/HANNA to accept the quotes from Traffic Safety Corp. and NexTech System Inc. and authorize the City Manager to issue purchase orders in the amount of \$29,424.16 and \$26,207.74, respectively. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

2.E. Amendment No. 5 to the Project and Capacity Agreement for the Expansion of the Western Riverside County Regional Wastewater Authority Treatment Plant. (Director of Public Works)

Mayor Newton pulled the item to ask about capacity. In response, Director Blais stated that the conveyance is 2.2 million gallons of wastewater per day and the City purchased additional expansion to get the City to 2.7 million gallons. On average, the City puts 1.8 million gallons of wastewater per day in the treatment plant.

M/S NEWTON/BASH to approve Amendment No. 5 to the Project and Capacity Agreement for the expansion of the Western Riverside County Regional Wastewater Authority (WRCRWA) Treatment Plant, subject to non-substantive changes and approval by all WRCRWA member agencies. 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:

Justin DeWaele commented that summer recess is almost over and the legislature is back in session next week. Mr. DeWaele commented on a couple of events coming up including the Open House event on August 17th and the Senior Scam Stopper event on August 18th at the Corona Public Library.

Gregory Daniel commented on the City's MDP Line N-7 project on Reservoir Drive. Mr. Daniel claimed that according to City standards, if any existing utilities interfere with current work, the work must stop and be resolved. Mr. Daniel said work is continuing when it should not. He claims that there are three homes that have some interference with the new storm drain line. He said that the siphons being installed will create an area where sewage will sit and cause clogging and fumes. He said he has tried to contact staff but has not heard back.

In effort to communicate with residents, Mayor Newton asked for Council's consensus for the Public Works Director to respond to Mr. Daniel's comments. Mayor Newton also asked that the City Manager and Engineering evaluate the site condition and then meet with the affected homeowners. Mayor Newton also requested to keep Council informed of this issue.

Director Blais stated that when there are conflicts with contractors, for example there is a lateral or gas line in the way, the project stops. Inspectors and engineers work with the contract and that is what that has been done here. These situations are not resolved with the residents. The City owns the lateral line and by Code, the property owner is required to maintain the lateral. Director Blais said he is not concerned about using siphons with this project because it is a customary practice and does not violate the Green Book. The property owner is protected because the Code states that there are two instances in which the property owner is not responsible – 1) City tree roots block the lateral; or 2) if it is determined that there is a defect in the construction of the lateral by the City or its contractor.

Coleen Daniel commented on a City letter written August 3rd, post dated August 7th, and received August 9th regarding a tree to be removed in front of her property. She said she called about saving the tree but it was removed on August 10th. Ms. Daniel expressed that residents should know in well in advance. She expressed that her block looks horrible now that the tree has been removed.

Raul Morales said that he is one of the other property owners on Reservoir Drive; he is Mr. Daniel's neighbor. He stated that he just wants to make sure that the siphon is installed properly.

Matt Woody stated that he is running for Congress and that he is a realistic challenge to the longtime Congressman. Mr. Woody said that he is trying to bring relationships back to the region and keep the focus on people and the Constitution.

Bonnie Slager commented that the Norco Fair buttons are on sale for \$10 and encourage people to attend the PRCA Rodeo this weekend.

Kaye O'Mara requested that the Council take up several items for action such as: reinstate the action whereby the City of Norco requires E-Verify for all City hiring and businesses; vote that the City will not be a sanctuary city and will uphold the Federal laws; vote in support of the Voter Fraud Commission; take action to stand against Assembly Member Cervantes regarding an advertisement in the Press-Enterprise on August 13, 2017; and vote that the City will not disobey Federal Immigration law.

5. PUBLIC HEARINGS:

- A. **Ordinance No. 1025, First Reading.** An Ordinance of the City Council of the City of Norco amending Norco Municipal Code Chapter 3.50 "Western Riverside County Transportation Uniform Mitigation Fee Program." Code Amendment 2017-09; and adoption of **Resolution No. 2017-53**, approving a TUMF Schedule. (Director of Public Works)

Public Works Director Chad Blais reported that the City is a Member Jurisdiction of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency comprised of the County of Riverside and eighteen (18) cities located in Western Riverside County. Acting in concert, in 2002-2003 the WRCOG Member Jurisdictions developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials due to new development in Western Riverside County could be made up in part by a Transportation Uniform Mitigation Fee ("TUMF") on future residential, commercial and industrial development. As a Member Jurisdiction of WRCOG and as a TUMF Participating Jurisdiction, the City participated in the preparation of a certain "Western Riverside County Transportation Uniform Fee Nexus Study," ("2002 Nexus Study") later adopted by the WRCOG Executive Committee. Based on the 2002 Nexus Study, the City adopted and implemented an ordinance authorizing the City's participation in a TUMF Program. Pursuant to the Mitigation Fee Act (Gov. Code §§ 66000 et seq.), WRCOG has prepared a new nexus study ("2016 Nexus Study") to update the fees. On July 10, 2017, the WRCOG Executive Committee reviewed the 2016 Nexus Study and recommended TUMF Participating Jurisdictions update their fees by amending their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction.

The proposed Ordinance provides the legal basis for a revised TUMF schedule. The actual TUMF schedule will be established through Resolution. In accordance with the Mitigation Fee Act, the proposed Ordinance and 2016 Nexus Study: (i) identify the purpose of the revised fees; (ii) identify the use to which the revised fees is to be put, including identification of any facilities to be financed; (iii) determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; (iv) determine how there is a reasonable relationship between the need for the public facilities and the type of development project upon which the fees are imposed; and (v) determine how there is a reasonable relationship between the amount of the fees and the cost of the public facilities or portion of the public facility attributable to the development on which the fees are imposed.

Mayor Newton opened the public hearing and requested the presence of those wishing to speak on this matter. With no one wishing to speak, Mayor Newton closed the public hearing and brought the item back to the Council for discussion and action.

M/S BASH/HANNA to adopt Ordinance No. 1025 for first reading and schedule the second reading for September 6, 2017. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

M/S HANNA/BASH to adopt Resolution No. 2017-53 approving a TUMF schedule. 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. 1026, First Reading.** An Ordinance of the City Council of the City of Norco amending Norco Municipal Code Section 6.12.010, to Establish the Maximum Number of Dogs per Lot. Code Amendment 2017-10. (Deputy City Manager/Director of Parks, Recreation and Community Services)

Deputy City Manager Brian Petree reported that currently, the Norco Municipal Code provision limiting the number of dogs on a lot is contained in Section 6.12.010, defining maintaining more than five (5) dogs as a kennel. In order to clarify any ambiguity in the Code, it is appropriate to adopt a provision specifically making owning or maintaining more than four (4) dogs on a lot, except as a licensed kennel, unlawful. This provision is consistent with the City's application of the current Code provision.

Mayor Newton opened the public hearing and requested the presence of those wishing to speak on this matter. With no one wishing to speak, Mayor Newton closed the public hearing and brought the item back to the Council for discussion and action.

M/S HANNA/GRUNDMEYER to adopt Ordinance No. 1026 for first reading and schedule the second reading for September 6, 2017. The motion was carried by the following roll call vote:

AYES: BASH, GRUNDMEYER, HANNA, HOFFMAN, NEWTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

6. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Council Member Bash asked if the Streets, Trails and Utilities Commission will be addressing the issues of trail responsibility, the trail system being considered a community asset, and funding the maintenance and improvement of the trail system. Council Member Bash suggested three options regarding trail responsibility – 1) property owners maintain the trails; 2) create an entity in which property owners pay into and the City maintains the trail; 3) the City bills property owners for maintenance. Council Member Bash requested review and a recommendation from the Commission. Director Blais indicated that at the last Commission meeting, there was substantial discussion about trails – maintenance and the future of trails. There will be additional discussion at future meetings.

Council Member Bash requested a status update on the manure to energy program.

Mayor Pro Tem Hoffman inquired about the three-way stop sign at Hillside Avenue and Second Street and whether or not it has had a positive impact. Lt. Briddick stated that he did not have any feedback at this time but would report back at a later time now that school is back in session.

Mayor Pro Tem Hoffman also suggested that staff use the Corydon Staging Area parking lot for the proposed public dump day and asked Director Blais to work on the details with Waste Management and suggested avoiding scheduling the event at the same time as other large events.

Mayor Pro Tem Hoffman requested an update on accessory buildings under the new policies.

Council Member Grundmeyer commented that Norco High School and the School District are in the preliminary phases of scheduling celebratory events for Norco High School's 50th Anniversary. She requested that the Council save the date of March 24, 2018 for the gala event.

Director Blais reported that the dual left turn lanes on Hamner Avenue and Hidden Valley Parkway are nearly complete. The lanes will help improve traffic flow.

In response to Mayor Newton, Director Blais indicated that the pseudo cameras and wires at various traffic signals have been removed.

In response to Mayor Pro Tem Hoffman, Director Blais indicated that North Drive improvements are progressing. Staff is preparing the bid for the trail fencing. Staff is waiting to remove the existing trail fencing until the contractor for the new fencing has been approved. Contractors have been approved for the new median and stop sign at North Drive and California Avenue, as well as the conduits for the medians.

City Clerk Link invited the public to visit the City's information booth at the Norco Fair during the Labor Day weekend. City staff will be available to answer questions and provide information on City services, programming and more.

ADJOURNMENT

Mayor Newton adjourned the meeting at 9:16 p.m.

Cheryl L. Link, CMC, City Clerk