



MINUTES
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
JULY 15, 2009

CALL TO ORDER: Mayor Azevedo called the meeting to order at 7:02 p.m.

ROLL CALL: Mayor Kathy Azevedo, **Present**
Mayor Pro Tem Malcolm Miller, **Present**
Council Member Frank Hall, **Present**
Council Member Berwin Hanna, **Present**
Council Member Richard L. MacGregor, **Present**

Staff Present: Cooper, Frye, Groves, Jacobs, King, Okoro, Oulman, Petree, and Thompson

City Attorney Harper – **Present**

PLEDGE OF ALLEGIANCE: Council Member Hanna

INVOCATION: Pastor Vernie Fletcher
Grace Fellowship Church

PROCLAMATIONS: Dan Evans, Norco Citizens Patrol
Mayor Azevedo presented the proclamation to Dan Evans, congratulating him on his retirement in June of 2009 and for his contributions to the Norco Citizens Patrol for the past ten years

“National Day of the American Cowboy”
Mayor Azevedo presented the proclamation to the Norco Horseman’s Association and thanked them for their efforts and support in celebration of this special day

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

Mayor Azevedo pulled Item 1.B. for discussion under Item 2.

M/S Miller/MacGregor to approve the remaining items as recommended on the CRA Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, HALL, HANNA, MADGREGOR, MILLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

1. CRA CONSENT CALENDAR ITEMS:

- A. CRA Minutes, Adjourned Meeting of June 23, 2009.
CRA Minutes, Regular Meeting of July 1, 2009.
Recommended Action: Approve the CRA Minutes (City Clerk)
- B. Award of Contract for the Sheriff Station Expansion Project. **Recommended Action: Award contract to Steve Julius Construction, San Clemente, California.** (Director of Parks, Recreation & Community Services)
- C. Acquisition Agreement for 1549-1569 Second Street (Ro, Et Al) for the Second Street Widening Project. **Recommended Action: Adopt CRA Resolution No. 2009-16, authorizing the approval of an Acquisition Agreement in the amount of \$42,706 and accept the offer of street dedication of real property at 1549-1569 Second Street (APN 125-100-036) to facilitate the Second Street Widening Project, and authorizing the Agency to enter into escrow for said property.** (City Engineer)

2. OTHER CRA MATTERS:

1.B. Award of Contract for the Sheriff Station Expansion Project.

Mayor Azevedo stated that there was a lot of discussion regarding this project and requested information on what the "revised" project involves. In response, Director Petree and Lt. Cooper presented an update on the project. The project will include modifications to the perimeter of outside wall of City Hall, recycled carpet tiles will be laid in City Hall, interior walls will be painted in City Hall, a small public restroom will be added to the reception area in City Hall, employee restrooms will be updated, the IT server room will be upgraded, some duct work will be completed, strobes will be added to the fire system in City Hall, and the generator will be replaced with one that will charge to fully operate City Hall in the case that it loses power. Modifications to the Sheriff's Station include enlarging the area for improved efficiency of design and placement of staff, a restroom will be added for use by the prisoners, lockers will be added, an evidence, interview and logistics room will be added, and the parking lot in the rear area will be enlarged. Lt. Cooper noted that this remodel should meet Norco's Sheriff Department needs for the next five years.

In response to Mayor Pro Tem Miller, Director Petree stated that the rebate program for the toilets and lighting in City Hall is being looked into. Director Petree also noted that an update to the current irrigation system is being discussed with the School District, which is a shared contract.

The contractor was present and stated that they are anxious to begin the construction within the next month.

M/S Azevedo/Hall to award contract to Steve Julius Construction, San Clemente, California. The motion was carried by the following roll call vote:

AYES: AZEVEDO, HALL, HANNA, MACGREGOR, MILLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

ADJOURNMENT OF CRA: 7:35 p.m.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

M/S Hanna/Hall to approve the items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, HALL, HANNA, MACGREGOR, MILLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

3. CITY COUNCIL CONSENT CALENDAR ITEMS:
 - A. City Council Minutes Adjourned Meeting of June 23, 2009.
City Council Minutes Regular Meeting of July 1, 2009.
Recommended Action: Approve the City Council Minutes (City Clerk)
 - B. Planning Commission Action Minutes, Regular Meeting of July 8, 2009.
Recommended Action: Receive and File (Planning Manager)
 - C. Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments to Add Water Districts to the WRCOG Governing Board. **Recommended Action: Approve the Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments.** (Interim City Manager)
 - D. Approval of Quarterly Investment Report for Quarter Ended June 30, 2009.
Recommended Action: Receive and File. (Deputy City Manager/Director of Finance)
 - E. Authorization for the Interim City Manager to Exclusively Negotiate with Blenheim Facility Management, LLC for a Lease Agreement to Operate the River Trails Riding Stables. **Recommended Action: Authorize Interim City Manager to negotiate exclusively with Blenheim Facility Management, LLC for an operational lease for River Trails Riding Stables.** (Director of Parks, Recreation & Community Services)

4. CONTINUED CITY COUNCIL PUBLIC HEARING:

A. Confirming Costs for Spring Weed Abatement

The 2009 Spring Weed Abatement Report of Costs lists property owners whose vacant parcels were abated by the Fire Department's weed abatement contractor for the 2009 Spring Weed Abatement Program. Staff has been informed that the abatement contractor has not completed the preparation of the property owner's list; therefore, staff is recommending the public hearing be continued to August 5, 2009.

Recommended Action: Continue the Public Hearing to August 5, 2009. (Fire Chief)

M/S Hall/Miller to continue the public hearing to August 5, 2009. The motion was carried by the following roll call vote:

AYES: AZEVEDO, HALL, HANNA, MACGREGOR, MILLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

5. CITY COUNCIL PUBLIC HEARING:

A. Continuation of Landscape Maintenance Districts for 2009-10 Fiscal Year

Each of the previously established Landscape Maintenance Districts (LMD's) within the City require a public hearing on the annual levy of assessments on a fiscal year basis. The City Engineer has prepared the required Engineer's Reports for continuation of the LMD's which indicated that the boundary diagrams are unchanged from the previous fiscal year. No increases are proposed on the previously adopted assessment rates for LMD Nos. 1, 2, 3, and 5. The annual Consumer Price Index (CPI) adjustment per parcel assessment in all districts is 0% according to the 2008 CPI. In the case of LMD No. 4 (Norco Ridge Ranch), the proposed assessment for Fiscal Year 2009-10 is increasing to \$814.38, which is \$101.27 lower than the maximum allowed assessment set with the formation of the District plus previous CPIs. Surplus within the District not set aside for a trail improvement project is being credited to the assessment.

Recommended Actions:

- 1.) Adopt Resolution No. 2009-____, (Beazer) Ordering the Continuation of Landscaping Maintenance District No. 1 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy

- 2.) Adopt Resolution No. 2009-____, (Western Pacific) Ordering the Continuation of Landscaping Maintenance District No. 2 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy
- 3.) Adopt Resolution No. 2009-____, (Centex) Ordering the Continuation of Landscaping Maintenance District No. 3 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy
- 4.) Adopt Resolution No. 2009-____, (Hawk's Crest) Ordering the Continuation of Landscaping Maintenance District No. 5 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy
- 5.) Adopt Resolution No. 2009-____, (Norco Ridge Ranch) Ordering the Continuation of Landscaping Maintenance District No. 4 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy
(City Engineer)

City Engineer Milano presented the City Council Item.

Council Member Hall referenced the email received from property owners located in LMDs and asked what the City is doing in regards to the requests and statements. In response, Director Thompson stated that yes, we had reduced the repairs completed because we are in the process of analyzing the alternative trail fence materials. Director Thompson also noted that there is some confusion amongst the residents regarding what areas are maintained by the LMD and what areas are maintained by the City or property owner. He further clarified the tree issues and stated that the majority of the trees are not watered by the LMD, but are the responsibility of the property owner or the City.

Mayor Pro Tem Miller asked about the results of the testing of the synthetic fencing. In response, Director Thompson stated that the most recent prototype failed and that the vendor has committed to try to produce a better quality material for this environment.

Council Member Hanna asked City Engineer Milano about the drains installed on the alternative trail material on Fresian and if more were going to be installed, or if the City was going to see how they hold up in the event of a significant rain. City Engineer Milano stated that we will see how they stand up after major rains and will then decide what is best to use on the trails.

Mayor Azevedo OPENED the public hearing, indicating that proper notification had been made and asking for the appearance of those wishing to speak.

Roy Hungerford, 3201 Cutting Horse. Mr. Hungerford stated that he is speaking on behalf of the residents in the LMD areas and that they are OK with the assessment amount, but are concerned with the service provided (pictures were provided for the record). He stated that the erosion control measures are working out well and they also like the speed humps that were installed on the horse trails, but do not like the soil cement as it gets slippery. Mr. Hungerford stated that the trail fencing should be addressed and they would suggest not using crushed gravel in the sandbags on the trails in the slopes.

He stated that he had submitted a list of 28 trail fencing sites to Public Works that needed to be addressed and most of them had been addressed. He referenced a few of the pictures that had been submitted that need to be addressed. Mr. Hungerford stated that the concern is that the City Council and staff understand LMD issues and the service that is expected. He also noted that a check list should be used to accurately record problems. He stated that some street trees needed to be addressed noting 3121 Cavaletti where there is an overgrown volunteer tree, and 3220 Stable Way where a tree needs to be removed. Mr. Hungerford invited the Mayor and City Manager to take a tour with him to see the neighborhood from their view.

Director Thompson stated that the City has been in the process of evaluating the service level for the past two years and added that the new contractor is doing a better job. He further noted that the City needs to provide the service level that residents will be satisfied with.

Mayor Azevedo asked about the composition of the soil cement. In response, Director Thompson stated that it is a combination of DG and cement and added that the feedback is important from the trail riders.

Mayor Azevedo CLOSED the public hearing.

Council Member MacGregor stated that the trees need to be maintained so they don't blow over and noted that it looks like some of the irrigation is non-functional. In response, Director Petree stated that if it looks like it is non-functional, it is not in the LMD.

Council Member Hanna asked about the trail fence in Old Town on Sixth Street, and on Valley View and Hillside where people are cutting up trail fence for fire wood. He also asked how staff responds to these trail fence problems. In response, Director Thompson stated that the City recovers the rails and replaces them, hopefully before they are cut up for fire wood. Director Thompson also noted that the City will put gaps in the distances between the trail fencing to create openings so that it will not need to be broken in the case of an emergency.

Council Member Hall asked about the funding and if it is at the proper level for maintaining. In response, Director Thompson stated that at a day-to-day basis yes, but in the future we don't have a reserve to cover it. He noted that typically, seven to eight years is the lifespan of the trail fence.

M/S Hall/MacGregor to Adopt:

- 1.) Adopt Resolution No. 2009-55, (Beazer) Ordering the Continuation of Landscaping Maintenance District No. 1 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy**
- 2.) Adopt Resolution No. 2009-56, (Western Pacific) Ordering the Continuation of Landscaping Maintenance District No. 2 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy**
- 3.) Adopt Resolution No. 2009-57, (Centex) Ordering the Continuation of Landscaping Maintenance District No. 3 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy**

- 4.) **Adopt Resolution No. 2009-58, (Hawk's Crest) Ordering the Continuation of Landscaping Maintenance District No. 5 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy**
- 5.) **Adopt Resolution No. 2009-59, (Norco Ridge Ranch) Ordering the Continuation of Landscaping Maintenance District No. 4 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy.**

The motion was carried by the following roll call vote:

AYES: AZEVEDO, HALL, HANNA, MACGREGOR, MILLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

6. CITY COUNCIL ITEMS FOR ACTION:

- A. Request for a Waiver of Fees Not Yet Paid for a Proposed Conditional Use Permit

On January 21, 2009 the City Council adopted Resolution 2009-03 establishing new fees for City services based on a breakdown study of the hours needed for various applications for services and/or City approvals. The fee for a minor conditional use permit (CUP) for a resident (plus environmental and recording fees) is \$1,271 and the applicant is asking the City Council to waive the fees if the Planning Commission denies his conditional use permit request.

Recommendation: That a waiver of fees be approved if the Planning Commission denies a conditional use permit request. (Planning Manager)

Planning Manager King presented the City Council item.

Council Member Hanna asked if this is the parcel where the new retaining wall was placed. In response, Raul Moreno, the applicant, stated yes it is.

Raul Moreno, Applicant. Mr. Moreno requested that the Council approve the waiver of fees.

M/S Hanna/Hall to approve a waiver of fees for the proposed conditional use permit if the Planning Commission denies the conditional use permit request. The motion was carried by the following roll call vote:

AYES: AZEVEDO, HALL, HANNA, MACGREGOR, MILLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

