



MINUTES
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
SEPTEMBER 15, 2010

CALL TO ORDER: Mayor Pro Tem Hanna called the meeting to order at 6:06 p.m.

ROLL CALL: Mayor Malcolm G. Miller, M.D., **Absent**
Mayor Pro Tem Berwin Hanna, **Present**
Council Member Kathy Azevedo, **Present**
Council Member Kevin Bash, **Present**
Council Member Harvey C. Sullivan, **Present**

Staff Present: Carlson, Cooper, Groves, Jacobs, King, Petree and Thompson

City Attorney Harper – **Present**

THE CITY COUNCIL/CRA RECESSED TO CLOSED SESSION (SECTION 54954) TO CONSIDER MATTERS:

Section 54957.6 – Conference with Labor Negotiator

Negotiating Parties: City Manager Groves and Deputy City Manager/Director of Finance Okoro

Employee Organization: Norco Battalion Chiefs Association
Norco Firefighters Association
Norco General Employees Association
Norco Public Works & Parks Maintenance Workers Association

RECONVENE PUBLIC SESSION: With nothing to report from Closed Session, Mayor Pro Tem Hanna reconvened the meeting at 7:11 p.m.

PLEDGE OF ALLEGIANCE: Council Member Azevedo

INVOCATION: Assembly of God – Beacon Hill
Pastor Rene Parish

PROCLAMATION: Designation of September 17 – 23, 2010 as Constitution Week

Diane Stephens, representing the Daughters of the American Revolution, received the proclamation from Mayor Pro Tem Hanna.

PRESENTATIONS:

Norco Fair Committee

The Norco Fair Committee thanked the City of Norco for its assistance with the Fair and presented a check in the amount of \$15,000, as promised, as well as a financial report, to Mayor Pro Tem Hanna. It was noted that Waste Management has agreed to be its sponsor again next year. They also stated that all the bills have been paid, most within a day of the end of the Fair, and seed money for next years Fair was retained.

Southern California Edison
Louis Davis

Louis Davis, Region Manager for Southern California Edison (SCE), presented an update of the SCE 2010 State of the Utility. The most significant project in California is the building of a smarter, more efficient electric grid. Highlighted were the special programs and services SCE has to offer, the SmartConnect Program and the plug-in electric vehicles. An SCE Resource Guide was distributed to the Council and Mr. Davis stressed that payments and arrangements & extensions are available through SCE.

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

1. CRA CONSENT CALENDAR ITEMS:

M/S Bash/Sullivan to approve the CRA Consent Calendar items. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: MILLER
ABSTAIN: NONE

- A. CRA Minutes:
Regular Meeting of September 1, 2010
Recommended Action: Approve the CRA Minutes (City Clerk)

- B. Acquisition Agreement for 1533 Second Street for the Second Street Widening Project. **Recommended Action: Adopt CRA Resolution No. 2010-17, authorizing the approval of an Acquisition Agreement in the amount of \$13,974 and accept the offer of street dedication of real property at 1533 Second Street (A.P.N. 125-100-015) to facilitate the Second Street Widening Project, and authorizing the Agency to enter into escrow for said property.** (City Engineer)

2. OTHER CRA MATTERS: No other CRA matters.

ADJOURNMENT OF CRA: 7:41 p.m.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

3. CITY COUNCIL CONSENT CALENDAR ITEMS:

Mayor Pro Tem Hanna pulled Items 3.D. (public request), 3.E. (public request) and 3.G.

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

AYES: AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: MILLER
ABSTAIN: NONE

- A. City Council Minutes:
Regular Meeting of September 1, 2010
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Recap of Actions Taken at the Planning Commission Regular Meeting of September 8, 2010. **Recommended Action: Receive and File** (Planning Director)
- C. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
- D. Approval of a Citywide Records Management Policy and Retention Schedule.
Recommended Action: Adopt Resolution No. 2010-51, adopting a Citywide Records Management Policy and Retention Schedule. (City Clerk) **PULLED FOR DISCUSSION**
- E. **Beacon Hill Telecommunication Tower;** (Public Safety Enterprise Communication Project (PSEC)): A Proposed Radio Tower to be Located next to the Existing AT&T Telecommunication Tower on Beacon Hill.
Recommended Action: Receive and File (Planning Director) **PULLED FOR DISCUSSION**
- F. Acceptance of the Reservoir No. 5 Water Storage Tank Project as Complete.
Recommended Action: Accept the Reservoir No. 5 Potable Water Storage Tank Project as complete and direct the City Clerk to file the Notice of Completion with the County Recorder's Office. (Director of Public Works)
- G. Acceptance of the Ingalls Park Grading – Phase I Project as Complete.
Recommended Action: Accept the Ingalls Park Grading – Phase I Project as complete and direct the City Clerk to file a Notice of Completion with the County Recorder's Office. (Director of Parks, Recreation & Community Services) **PULLED FOR DISCUSSION**

- H. Western Riverside Energy Leadership Partnership. **Recommended Action: Adopt Resolution No. 2010-52, supporting, endorsing and participating with Southern California Edison, Western Riverside Council of Governments and its participating member cities in an energy leadership partnership to be known as the Western Riverside Energy Leadership Partnership.** (City Manager)
4. LEGISLATIVE MATTERS -- SECOND READING: *(No new evidence will be heard from the public as the public hearing has been closed regarding all items listed.)*
- A. **Ordinance No. 927, Second Reading.** City-Initiated Proposal to Add Chapter 5.50 "Employment of Undocumented Workers" to the Norco Municipal Code (Code Change 2010-04). **Recommended Action: Adopt Ordinance No. 927 for Second Reading.** (City Clerk)

M/S Azevedo/Bash to adopt Ordinance No. 927 for Second Reading. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: MILLER
ABSTAIN: NONE

5. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR:

- 3.D. Approval of a Citywide Records Management Policy and Retention Schedule. **Recommended Action: Adopt Resolution No. 2010-__, adopting a Citywide Records Management Policy and Retention Schedule.** (City Clerk)

Jody Filkins-Webber. Ms. Filkins-Webber commented on observations she made in regards to some potential contradictions with Government Code Sections in the Citywide Records Management Policy. In particular, she noted the Policy's definition of "records", defined to include electronic records, which includes e-mails. She further noted that it appears that the intent is to include e-mails as a non-record and added that Assembly Bill 1962 includes electronic mail as a record. Ms. Filkins-Webber commented on the Public Records Act disclosure obligations and stated concerns regarding the 90-day automatic deletion of e-mails, suggesting a 120 – 180 day schedule. She further commented on e-mails received by the Council Members and referenced by them in their decision making process.

City Manager Groves stated that these comments will be reviewed and further recommended that the item be tabled until discussions are held regarding the e-mail policy.

M/S Bash/Azevedo to table the item. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: MILLER
ABSTAIN: NONE

- 3.E. **Beacon Hill Telecommunication Tower;** (Public Safety Enterprise Communication Project (PSEC)): A Proposed Radio Tower to be Located next to the Existing AT&T Telecommunication Tower on Beacon Hill.
Recommended Action: Receive and File (Planning Director)

Pat Overstreet. Ms. Overstreet spoke as chair of Friends of Norco Hills, noting that they would like to be sure that Beacon Hill's topography will not be changed.

Dr. Douglas Roberts. Dr. Roberts stated that he supports the project.

M/S Bash/Azevedo to receive and file the report. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: MILLER
ABSTAIN: NONE

- 3.G. Acceptance of the Ingalls Park Grading – Phase I Project as Complete.
Recommended Action: Accept the Ingalls Park Grading – Phase I Project as complete and direct the City Clerk to file a Notice of Completion with the County Recorder's Office. (Director of Parks, Recreation & Community Services)

In response to **Mayor Pro Tem Hanna, Parks, Recreation & Community Services Director Petree** stated that the project includes underground infrastructure. Director Petree also stated that the restrooms are part of Phase II.

M/S Bash/Sullivan to accept the Ingalls Park Grading – Phase I Project as complete and direct the City Clerk to file a Notice of Completion with the County Recorder's Office. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: MILLER
ABSTAIN: NONE

6. CITY COUNCIL ITEMS FOR ACTION:

A. Approval of the Norconian Strategic Plan

The purpose of the Norconian Strategic Plan is to establish a unified program for the City of Norco to influence the preservation of, and planning for, the historic Norconian property. It is anticipated that the Norconian Strategic Plan will play an important role in the preservation of the Norconian. In this regard, it will signify the City's commitment to this objective, and will provide a vehicle through which to carry out that commitment.

Recommended Action: Approve the Norconian Strategic Plan (City Manager)

City Manager Groves introduced the item and noted that the Norconian Strategic Plan will serve as a management tool. **City of Norco Cultural Resources Consultant Bill Wilkman** stated that everyone is aware of the importance of the Plan and the City has very little control over this property at this time. He noted that the City Council established a committee to create this Plan and added that the Plan deals with six areas and for each area there are a series of actions -- what, who and when. Mr. Wilkman concluded that the Plan will provide a vehicle to influence the actions on the Norconian property.

M/S Bash/Azevedo to approve the Norconian Strategic Plan. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: MILLER
ABSTAIN: NONE

B. Request for a Waiver of Fees for the Approval of Variance 2010-01 (Lopez)

On August 25, 2010, the Planning Commission approved Variance 2010-01 to allow a variance from the required 60-foot rear yard setback in the A-1-20 zone to allow the construction of a 288-square foot patio cover on property located 4100 Corona Avenue. The variance application and fees were submitted so that the application could be processed, along with a letter requesting a waiver of fees from the City Council so that a refund could be issued.

Recommended Action: That a waiver of fees be denied. (Planning Director)

Planning Director King highlighted the information from the report presented to the Council.

Council Member Bash asked Director King how this activity was discovered. Director King stated that it was detected by a City Inspector who was working on an adjacent site who then notified the owners that they needed to come in to the City and acquire a permit. City Attorney Harper noted that any building without a permit presents a safety issue. Director King stated that when an inspector sees a potential safety issue, the City needs to act on it. City Manager Groves noted that what Council Member Bash is making reference to is a code issue and added that this is a building issue. She added that the building permit process is used to determine the safe building of a structure.

Council Member Azevedo asked if this is the normal fee for a minor variance. Director King noted that this is the application fee and confirmed that there are no additional fees applied.

Council Member Sullivan noted some confusion over the fees paid. Director King stated that once the project gets to the Planning Commission, the applicant does not get the fees back and added that this would have been a normal application fee.

Olivia Lopez. Ms. Lopez (applicant) stated that the fees are a lot of money and added that her husband has been out of work. She noted that if she would have had more information, she would have not gone through the process. Ms. Lopez stated that she is asking that the Council consider her appeal or a reduction of fees.

Council Member Sullivan stated that Ms. Lopez should look into the City's Low-Moderate Income programs for assistance.

In response to the Council's questions, City Manager Groves stated that the fee waiver can be voted on tonight and can be asked to be reimbursed through Low-Moderate Income Fund.

M/S Sullivan/Bash to waive the fees and reimburse the City for the fees through the Low-Moderate Income Fund. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: MILLER
ABSTAIN: NONE

C. Report on Current Code Compliance Procedures

The City currently operates under a code compliance procedure where a reported violation in a residential or agricultural zone is not acted upon without a formal written complaint. A formal written complaint is not required in commercial and industrial zones.

Recommended Action: Review current procedures and make recommendations as appropriate. (City Manager)

City Manager Groves reviewed the report as presented to the City Council and stated that the Council directed staff to bring back to the Council procedures through the City's current code compliance programs. **Planning Director King** reviewed the statistics as stated in the report.

Pat Overstreet. Ms. Overstreet commented on the article in the *Press Enterprise* and volunteered her husband to be on a committee if they create one, and noted that he would also be willing to chair it.

Council Member Bash noted that he requested that his item be placed on the agenda following the accessory structure discussions. He further noted that this has been a very grey area in the past. He stated that he is most interested in discussing the commercial areas and commented on the need to clean up Sixth Street. He further commented that most cities don't require a written complaint and would like to see that go away in Norco.

Council Member Sullivan stated that he does not want to see the written complaint go away because of a previous Council Member that issued over 1,000 complaints in Norco. He added that we need something in place to prevent a person calling in a complaint and this will keep down frivolous complaints that we do not have the resources to handle. He stated that the blight on Sixth Street could be eliminated through the façade program and the assembling of lots.

Council Member Azevedo commented on the frivolous complaints compared to the example given of a large accessory building. She noted that the City should not need a written complaint for non-compliance building issues in residential area, the same way as industrial and commercial.

Discussion was held regarding modifications to buildings following the receipt of a CUP. Director King noted that when a Building Inspector does not see work being done, the inspector does not have the legal authority to go on the property without an inspection warrant. City Attorney Harper noted that if the neighbor complained, we would still need an inspection warrant, and added that anything with health and safety issues will generally be addressed. City Attorney Harper also noted that if the building that received a CUP was modified, and we can see that, we don't require a formal written complaint as it is different than a building built according to plan.

Mayor Pro Tem Hanna asked what it would take for trained volunteers to go out on code enforcement.

City Manager Groves stated that we could do a training program for code compliance purposes and those volunteers would need the authority to write administrative citations. She added that there are models from programs that have worked elsewhere.

City Attorney Harper noted that the real issue is staff's ability to enforce it.

Council Member Sullivan stated that a Landscape Maintenance District could be created on Sixth Street.

City Attorney Harper stated that alleviating blight is really a function of the RDA.

Council Member Azevedo stated that she would work with the Beautification Committee and the Norco Area Chamber of Commerce and Visitors Center to discuss a potential project to clean up a house on Sixth Street.

Council Member Bash presented a motion to create a volunteer program and discuss this further at the Beautification Committee. **That motion failed with lack of support.**

Council Member Sullivan stated that we should give it time.

SUBSTITUTE M/S Sullivan/Azevedo to receive and file the report. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, SULLIVAN
NOES: NONE
ABSENT: MILLER
ABSTAIN: NONE

7. PUBLIC COMMENTS OR QUESTIONS:

Pat Overstreet. Ms. Overstreet spoke representing the Parade of Lights & Winter Festival Committee and noted that she has flyers available, with applications, for anyone wishing to donate to this cause.

Ted Hoffman. Mr. Hoffman commented on the earlier action regarding the acceptance of the Ingalls Park Grading – Phase I Project and noted that the erosion control on the hill is bad.

8. OTHER MATTERS – COUNCIL:

Council Member Sullivan:

- ✚ Commented on a letter sent from the Corona Chamber of Commerce to the Navy Base and noted that this facility is in our City and should have the name of Norco in front of it. City Manager Groves stated that a formal request can be made to the new Commander located at Seal Beach.

Council Member Azevedo:

- ✚ Commented as the Chairman of the UNLOAD Committee and brought attention to the ad in the most recent City Newsletter & Activities Guide noting the teen abuse of prescription medications.
- ✚ Stated that information was provided at the WRCOG meetings she attends regarding proposed propositions and assembly bills and encouraged the Council to read the re-caps of those meetings. She also commented on the re-alignment of the SCAG maps, noting that to her it seems that this would not be in Norco's best interest.

Council Member Bash:

- # Commented on the façade unveiling at Home and Land Real Estate and noted that someone at that business designed a proposed beacon to place on top of the hill.
- # Stated that the Hidden Valley Golf Course has been named as the number one operating golf course in California according to the California golf course operators.

Mayor Pro Tem Hanna:

- # Asked Fire Chief Carlson if anything has been done or any contacts made regarding the tall weeds at a vacant home located at the northeast corner of Fourth Street and Sierra Avenue. Chief Carlson replied that he would find out.
- # Commented on the speeding problems on Crestview and Sierra Avenues and asked Public Works Director Thompson to look into the installation of speed humps.
- # Stated that the traffic at the High School and Norco College is bad. City Manager Groves noted that specific to the college, there are ongoing discussions regarding the traffic problems.

9. OTHER MATTERS – STAFF:

- A. Update on Traffic and Parking Issues at and around Norco Elementary School.

City Manager Groves stated that policies are made by the schools relating to the transportation of the students.

Lt. Cooper stated that over the last thirty days, Sheriff Deputies have only been available for two of those days and there are impeding traffic problems, illegal u-turns made, driving left of the yellow line, drivers failing to yield, people in a hurry and pedestrians unsafely crossing streets. He noted that this is a problem brought on by the schools and further noted that if enough parking was available onsite, this would help. Lt. Cooper stated that the staggering of release times at all the schools on Temescal Avenue would be another way of helping this situation. Other ideas would be to use volunteers that were trained by the Sheriff Department, as well as educational campaigns for drivers. He commented that it is not illegal to park a few blocks from school and walk a child to school and walk back, as this would help the traffic problem.

Mayor Pro Tem Hanna noted that he observed everything that Lt. Cooper noted as far as the problems.

Public Works Director Thompson commented on maps passed out that were designed to open up the road. He noted that the design in place will not correct everything, but would allow traffic movement.

Terri Baker. Ms. Baker addressed issues on the corner of First Street and Temescal Avenue and noted that she is concerned about the safety of the children. She further stated that the root problem is the bussing issue.

Amy Shainman. Ms. Shainman spoke as the Principal at Norco Elementary and provided the Council with written accounts of traffic issues. She stated that she would like to see curbs along the street and sidewalks for students. She added that she does not know that bussing is the issue, but the way that kids are brought to school. She also noted the traffic concerns on Second Street.

Alan Smith. Mr. Smith thanked the Sheriff Deputies and asked for the plan presented by Director Thompson to be implemented.

Norvah Williams. Ms. Williams spoke as a 24-year resident that lives by the school and noted that the bussing issue has caused the problem. She stated that more crossing guards are needed.

Tom Smith. Mr. Smith commented on the traffic and appreciated the efforts being made to correct the problems.

Council Member Bash asked when the improvements could be made as presented by Director Thompson. Director Thompson stated that they were discussed with the Sheriff Department and at this point it could be done quickly. He added that the City will meet with School District for further discussions.

Council Member Azevedo commented on the staggered release time and asked if there is any way the Citizens on Patrol could help out. Lt. Cooper noted that there are not many of the members of the Citizens on Patrol that work during the day.

Council Member Sullivan inquired about the cost of the crossing guards. Lt. Cooper noted that the district pays 50% and the City pays 50%.

Mayor Pro Tem Hanna commented on the crossing guards and noted that parents could volunteer to help protect the kids.

10. ADJOURNMENT: There being no further business to come before the City Council, Mayor Pro Tem Hanna adjourned the meeting at 9:58 p.m.

BRENDA K. JACOBS
CITY CLERK