



MINUTES

CITY OF NORCO

CITY COUNCIL

REGULAR MEETING

CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE

OCTOBER 19, 2011

CALL TO ORDER: Mayor Hanna called the meeting to order at 6:00 p.m.

ROLL CALL: Mayor Berwin Hanna, **Present**
Mayor Pro Tem Kevin Bash, **Present**
Council Member Kathy Azevedo, **Present**
Council Member Greg Newton, **Present**
Council Member Harvey C. Sullivan, **Present**

Staff Present: Bryan, Groves, Jacobs, King, Manning, Okoro, Petree and Thompson

City Attorney Harper – **Present**

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

Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation Pursuant to Section 54956.9(b) 2 Potential Cases

RECONVENE PUBLIC SESSION: Mayor Hanna reconvened the meeting at 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1) **City Attorney Harper stated that there were no reportable actions resulting from the items discussed in Closed Session.**

PLEDGE OF ALLEGIANCE: Council Member Newton

INVOCATION: Corona Church of the Open Doors
Pastor Fred Griffin

PROCLAMATION: Red Ribbon Week Celebration
Corona-Norco Unified School District

Mayor Hanna presented a proclamation to Carol Coyne, representing the Corona-Norco Unified School District, in recognition of Red Ribbon Week.

ANNOUNCEMENT: Ron Warren announced a Veteran Appreciation Night to be held on November 5, 2011 at 5:30 p.m. and located at 3621 Corona Avenue in Norco. Mr. Warren invited everyone to attend.

Agenda Item 1.A.

CITY COUNCIL AGENDA AS FOLLOWS:

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

Items 1.G. and 1.I were pulled for discussion. Council Member Newton requested to abstain on Item 1.H. and Council Member Azevedo requested to abstain on Item 1.A.

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

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

- A. City Council Minutes:
Regular Meeting of October 5, 2011
Recommended Action: **Approve the City Council Minutes** (City Clerk)
AZEVEDO TO ABSTAIN
- B. Recap of Actions Taken at the Planning Commission Regular Meeting of October 12, 2011. **Recommended Action: Receive and File** (Planning Director)
- C. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
- D. Quarterly Investment Report for Quarter Ended September 30, 2011.
Recommended Action: Receive and File (Deputy City Manager/Director of Finance)
- E. Approval of a Resolution Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act (Norco Firefighters Association). **Recommended Action: Adopt Resolution No. 2011-67, fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act.** (Deputy City Manager/Director of Finance)
- F. Proposed Cancellation of the December 21, 2011 and January 4, 2012 City Council Regular Meetings. **Recommended Action: Cancel the December 21, 2011 and January 4, 2012 City Council regular meetings.** (City Clerk)
- G. Conditional Use Permit 2002-14, Modification 2 to Allow the Service of Food and Alcoholic Beverages on an Existing Outdoor Deck and Front Fenced Area at 3841 Old Hamner Avenue in the C-G (General

Commercial) Zone. **Recommended Action: Adopt Resolution No. 2011-___, overturning the Planning Commission approval of Conditional Use Permit 2001-14 Modification 2 as conditioned in order to adopt revised conditions of approval.** (Planning Director) **PULLED FOR DISCUSSION**

- H. Acceptance of Bids and Award of Contract for the 2011/12 Equestrian Trail Fence Capital Improvement Project. **Recommended Action: Award a contract for the Installation of the 2011/12 Equestrian Trail Fence Capital Improvement Project to Valley Cities/Gonzales Fence, Inc.in the amount of \$63,000 and authorize the City Manager to approve contract change orders up to 10 percent of the contract amount.** (Director of Public Works) **NEWTON TO ABSTAIN**
- I. Acceptance of the Installation and Programming of Smart Water Meters in the City of Norco as Complete. **Recommended Action: Accept the installation and programming of the Smart Water Meters Project as complete and direct the City Clerk to file the Notice of Completion with the County Recorder's Office.** (Director of Public Works) **PULLED FOR DISCUSSION**

2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:

Item 1.G. Conditional Use Permit 2002-14, Modification 2 to Allow the Service of Food and Alcoholic Beverages on an Existing Outdoor Deck and Front Fenced Area at 3841 Old Hamner Avenue in the C-G (General Commercial) Zone. **Recommended Action: Adopt Resolution No. 2011-___, overturning the Planning Commission approval of Conditional Use Permit 2001-14 Modification 2 as conditioned in order to adopt revised conditions of approval.** (Planning Director)

Planning Director King stated that Condition No. 20 will be revised on the proposed resolution as follows:

20. Access to the outdoor deck and front-fenced area shall only be from the front main access to the building. An automatic locking, emergency exit-only gate with panic hardware shall be installed at the north side of the front-fenced area prior to food and alcoholic beverages being served on the outdoor deck or in the front-fenced area.

He further noted that this revision was a request by the applicant and is acceptable to staff.

M/S Bash/Sullivan to adopt Resolution No. 2011-68 (with the recommended revision), overturning the Planning Commission approval of Conditional Use Permit 2001-14 Modification 2 as conditioned in order to adopt revised conditions of approval. The motion was carried by the following roll call vote:

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

Item 1.I. Acceptance of the Installation and Programming of Smart Water Meters in the City of Norco as Complete. **Recommended Action: Accept the installation and programming of the Smart Water Meters Project as complete and direct the City Clerk to file the Notice of Completion with the County Recorder's Office.** (Director of Public Works)

Council Member Sullivan commented on the fact that the project was completed \$25,000 under the estimated budget. He asked if there would be a contingency amount if any problems arose. Public Works Director Thompson stated that this is the completion of the installation phase only and the inventory, final sequencing and programming phase is ongoing.

Vern Showalter. Mr. Showalter received confirmation from Public Works Director Thompson that the programming portion of the project is not complete and residents cannot yet access their accounts online.

M/S Sullivan/Bash to accept the installation and programming of the Smart Water Meters Project as complete and direct the City Clerk to file the Notice of Completion with the County Recorder's Office. The motion was carried by the following roll call vote:

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

3. CITY COUNCIL ACTION ITEM:

- A. Naming of the South Arena at the George Ingalls Equestrian Event Center as the "Hal H. Clark Arena"

The Department of Parks, Recreation and Community Services has received a Park and Public Building Dedication Application requesting the south arena at the George Ingalls Equestrian Event Center be named after former Mayor, Council Member and resident Hal H. Clark. At its October 10, 2011 meeting, the Parks and Recreation Commission determined that Hal H. Clark meets the established criteria for such recognition due to his dedication and devoted involvement with various Norco equestrian groups, youth sports organizations and community groups. His family, friends and good neighbors would like to have him remembered for all of his unselfish contributions towards the youth and the lifestyle of our community.

Recommended Action: Consider the Parks and Recreation Commission recommendation to approve the naming of the south arena at the George Ingalls Equestrian Event Center as the “Hal H. Clark Arena.” (Director of Parks, Recreation & Community Services)

Director of Parks, Recreation & Community Services Director Petree presented information regarding the proposed naming of the south arena at the George Ingalls Equestrian Event Center as the Hal H. Clark Arena.

M/S Bash/Sullivan to name the south arena at the George Ingalls Equestrian Event Center as the “Hal H. Clark Arena.” The motion was carried by the following roll call vote:

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

4. CITY COUNCIL PUBLIC HEARING:

- A. Ordinance Replacing Title 15, Chapters 15.01 - 15.09 of the Norco Municipal Code, Adopting by Reference the 2010 Edition of the California Building Standards Code Including the 2010 California Building Code, 2010 California Electrical Code, 2010 California Mechanical Code, 2010 California Plumbing Code, 1997 Uniform Housing Code, 2010 California Residential Code, 2010 Green Building Code and the 2010 California Fire Code; Code Change 2011-04.

State law allows local governments to amend California Model Codes, providing the amendments are more restrictive and are necessary in order to provide the highest level of life-safety standards. The proposed ordinance will adopt and amend the 2010 editions of the California Building Code (CBC), the California Electrical Code (CEC), Mechanical Code (CMC), the California Plumbing Code (CPC), the 1997 Uniform Housing Code (UHC), the California Residential Code (CRC), the California Green Building Code (CGBC) and the California Fire Code (CFC). State law requires that local governments enforce these code editions beginning January 1, 2011.

Recommended Action: Adopt Ordinance No. ____ for first reading.
(Building Official and Fire Chief)

Building Official Clarke introduced the public hearing item and presented information included in the proposed Building Code amendments.

Fire Chief Bryan presented information proposed in the Fire Code section of the proposed Ordinance.

Council Member Newton asked Fire Chief Bryan if there were any conflicting issues in the proposed Fire Code Chapter with the transition to CAL FIRE. Fire Chief Bryan responded that Norco's adoption of this Fire Code Chapter is much like many of the other communities being serviced by CAL FIRE in Riverside County have approved. Fire Chief Bryan further noted that the position of Fire Prevention Specialist will remain as a City employee and added that this is a valuable City program.

Council Member Newton commented on Section 15.01.080 regarding one-story detached accessory structures and asked if there is a square footage limitation on them. Building Official Clarke responded, and was confirmed by Planning Director King, that there is no square footage limitation. Council Member Newton further commented on Section 15.01.080 regarding permits required for fences over two feet high. He stated that he would support masonry fencing, but not a fence such as a picket fence. He added that he believes that the proposed two feet restriction should be revised.

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

Vern Showalter. Mr. Showalter noted his opposition to the permit requirement for fences two feet and higher.

Mayor Hanna CLOSED the public hearing.

Following further discussion, staff agreed to make the revision to Section 15.01.080 regarding permits required for fences.

M/S Newton/Azevedo to adopt Ordinance No. 937 for first reading with the recommended revision to Section 15.01.080 as follows:

Section 105.2.

Section 105.2 is amended in its entirety to read as follows:

“Work Exempt from Permit. Exemptions from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of this code or any other laws or ordinances of this jurisdiction. A building permit shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. ~~Fences not over two (2) feet high.~~ Chain link, wrought iron, wood, vinyl, glass and corral fences not over six (6) feet high. Masonry fences not over three (3) feet high.

The motion was carried by the following roll call vote:

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

5. PUBLIC COMMENTS:

Vern Showalter. Mr. Showalter invited the City Council and the general public to a “trunk-and-treat” event to be held at New Beginnings Church on Halloween night.

Danny Azevedo. Mr. Azevedo announced that there will be a Norco Horsemen’s Association barbeque held on Thursday, October 20th and the speakers will be from Orange County who will be presenting information on how their rural lifestyle was depleted.

6. OTHER MATTERS – COUNCIL:

Council Member Newton:

- ✚ Asked Fire Chief Bryan if a response was received from the California Rehabilitation Center regarding a letter that was sent to them stating increases in response calls. Fire Chief Bryan responded that there has been no response from them as yet.

Mayor Pro Tem Bash:

- ✚ Reminded everyone to sign up for the third annual Lake Norconian 5K run/walk to be held on October 29th. He added that he hopes that the Mayor can start the race.
- ✚ Thanked Fire Chief Bryan for his presentation at the Senior Center regarding the transition to CAL FIRE.
- ✚ Commented on the December 7th event to be held commemorating the 70th anniversary of the Navy in Norco.
- ✚ Recommended replacing the George Ingalls plaque at the George Ingalls Equestrian Event Center and added that the funding could be found outside of the City.
- ✚ Noted that he would like to see the removal of the old telephone poles on Hamner Avenue be a priority.
- ✚ Stated that he hears good things about Fire Prevention Specialist Sheldon Zell and added that he is glad that he will be retained as City staff.
- ✚ Commented again on the CAL FIRE presentation made at the Senior Center and he further thanked the City Manager for putting the meeting together.

Council Member Azevedo:

- ✚ Noted that the Norco Horsemen's Association was contacted by persons representing the MasterChef TV show with an interest in coming to Norco, possibly in the spring of 2012.
- ✚ Asked Public Works Director Thompson if some sort of barrier could be placed around the equipment exposed on the corner of Fifth Street and Corydon Avenue. Public Works Director Thompson responded that the Sewer Fund could possibly pay for a fence to surround that area.
- ✚ Recommended that signs be placed on Interstate 15 directing people where to exit to the George Ingalls Equestrian Event Center. Public Works Director Thompson responded that the information will be sent to CalTrans for the placement of the signs.

Council Member Sullivan:

- ✚ Stated that the Horse Expo will be held at the Fairplex in Pomona from February 2 - 4, 2012, replacing the Equine Affaire. He added that there may be an opportunity for Norco volunteers to man a table in a booth paid and sponsored by the Mustang Heritage Foundation.

7. OTHER MATTERS – STAFF: None

8. ADJOURNMENT: There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 8:00 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK