



**MINUTES
CITY OF NORCO**

CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
DECEMBER 7, 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 Herb Higgins, **Present**
Council Member Harvey C. Sullivan, **Present**

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

Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation Pursuant to Section 54956.9(c) 1 Potential Case

RECONVENE PUBLIC SESSION: 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 item discussed in Closed Session.**

PLEDGE OF ALLEGIANCE: Council Member Sullivan

INVOCATION: Grace Fellowship Church
Pastor Vernie Fletcher

PRESENTATION: Norco High School Freshman Football Team

Mayor Hanna presented certificates to the Norco High School Freshman Football Team and coaches in recognition of their undefeated football season.

REORGANIZATION OF CITY COUNCIL:

A. Election of Mayor

Pat Overstreet. Ms. Overstreet spoke in support of the City Council electing Kevin Bash as Mayor and Kathy Azevedo as Mayor Pro Tem.

Mynon Sullivan. Ms. Sullivan commented on the process followed in the past regarding the election of the Mayor and the Mayor Pro tem, noting that every Council Member should be allowed the opportunity to serve as Mayor.

Celeste Tittle. Ms. Tittle commented on loyalty.

Agenda Items 1.A. & 4.A.

M/S Higgins/Sullivan to elect Kevin Bash as Mayor. The motion was carried by the following roll call vote:

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

Mayor Bash presented former Mayor Hanna with a plaque and thanked him for being an amazing Mayor and for being a great representative of the City. Council Member Hanna responded that one is only as good as the people that you work with and around you.

B. Election of Mayor Pro Tem

M/S Higgins/Sullivan to elect Harvey Sullivan as Mayor Pro Tem. The motion was carried by the following roll call vote:

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

M/S Higgins/Bash to elect Kathy Azevedo as Mayor Pro Tem. The motion was carried by the following roll call vote:

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

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

1. CRA CONSENT CALENDAR ITEM:

M/S Hanna/Higgins to adopt the item as recommended on the CRA Consent Calendar. The motion was carried by the following roll call vote:

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

- A. Approval of Fiscal Year 2010-2011 Annual Financial Reports of the Norco Redevelopment Agency. **Recommended Action: Approve the Reports.** (Deputy City Manager/Director of Finance)**

2. OTHER CRA MATTERS: No other CRA matters

ADJOURNMENT OF CRA: 7:40 p.m.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

3. CITY COUNCIL CONSENT CALENDAR ITEMS:

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

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: HIGGINS ON 3.A.

- A. City Council Minutes:
Special Meeting of November 29, 2011
Regular Meeting of November 16, 2011
Recommended Action: Approve the City Council Minutes (City Clerk)
- B. Approval of the Annual Reports for Community Facilities Districts 2001-1 and 2002-1 for the Fiscal Year Ended June 30, 2011. **Recommended Action: Receive and file.** Deputy City Manager/Director of Finance)
- C. Approval of a Resolution Amending the Norco General Employees Association Memorandum of Understanding to include two additional classifications. **Recommended Action: Adopt Resolution No. 2011-70, amending the Norco General Employees Association Memorandum of Understanding dated July 1, 2010-June 30, 2012.** (Deputy City Manager/Director of Finance)
- D. Approval of a Grant for the Acceptance of a Mass Casualty and Shelter Trailer with Supplies. **Recommended Action: Approve a Memorandum of Understanding with the Riverside County Operational Area and accept a mass care and shelter cache and trailer.** (Fire Chief)
- E. Approval to Participate in the Riverside County Mortgage Certificate Program. **Recommended Action: Adopt Resolution No. 2011-71, approving participation in the Riverside County Mortgage Credit Certificate Program.** (Housing Manager)
- F. Acceptance of Bids and Award of Contract for the Temescal Avenue, Reservoir Drive, Detroit Street and Pedley Avenue Street Overlay Project. **Recommended Action: Award the contract for the Temescal Avenue, Reservoir Drive, Detroit Street and Pedley Avenue Street Overlay Project to All American Asphalt in the amount of \$328,000 and authorize the City Manager to approve contract change orders up to 10 percent of the contract amount.** (Public Works Director)

- G. Approval of a Contract to Purchase CXT Precast ADA Restrooms Using the State of California Department of General Services California Multiple Award Schedule (CMAS). **Recommended Action: Authorize the City Manager to execute a contract in an amount not-to-exceed \$310,000 to purchase two Precast ADA Restrooms from CXT, Precast Products Inc., using the State of California DGS CMAS Schedule.** (Director of Parks, Recreation and Community Services)
 - H. Resolution Amending the Budget to Accept the California Supplemental Law Enforcement Services Fund Grant. **Recommended Action: Adopt Resolution No. 2011-72, increasing revenue, appropriation and expenditure in the amount of \$100,000 in the Supplemental Law Enforcement Services Fund Grant.** (Lt. Cooper)
 - I. Resolution Increasing Revenue, Appropriation and Expenditure in the California Office of Traffic Safety Grant Fund. **Recommended Action: Adopt Resolution No. 2011-73, increasing revenue, appropriation and expenditure in the amount of \$64,750 in the California Office of Traffic Safety Grant Fund.** (Lt. Cooper)
4. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
5. LEGISLATIVE MATTERS:

City Attorney Harper briefly commented on the reconsideration process and provided instructions to the City Council Members and the audience in regards to discussion and comments on this item.

CITY COUNCIL ACTION:

- A. City Council Member Request for Reconsideration of Ordinance No. 938 and Ordinance No. 939. **Recommended Action: 1.) Reconsider Ordinance No. 938, and 2.) Reconsider Ordinance No. 939.** (Council Member Azevedo)

Mayor Pro Tem Azevedo stated that she would like to request reconsideration of Ordinance No. 938 and Ordinance No. 939 because she was not comfortable with the approved number of roosters allowable and would like these numbers reconsidered.

Those speaking in support of the reconsideration were:

Don Bowker
Roy Hungerford
Kerry Bolle
Dan Leach
Pat Overstreet

Those speaking in opposition of the reconsideration were:

Randy Walker
Russell Sykes
Everett Sykes
Brandon Tran
My Lyn
Ben Tran
Buu Vo
Jonathan Svarez
Leonila Svarez
Luis Salazar
Lap Vo
Celeste Tittle
Jim Hosley
Mynon Sullivan
Tn Vo

**M/S Higgins/Azevedo to reconsider Ordinance No 938 and Ordinance No. 939.
The motion was carried by the following roll call vote:**

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

ORDINANCE SECOND READINGS: (No new evidence will be heard from the public as the public hearing has been closed regarding all items listed.)

- B. Ordinance Amending Title 18 of the Norco Municipal Code by Amending the Provisions of Chapter 18.13 Entitled "A-1 Zone-Agricultural Low Density", Amending the Provisions that Regulate Roosters within the A-1 Zone. **Recommended Action: Adopt Ordinance No. 938 for second reading.** (City Clerk) **This item was not considered for second reading as the Ordinance was approved for reconsideration.**
 - C. Ordinance Amending the Norco Hills Specific Plan to Establish Provisions to Regulate Fowl and the Number of Animals not Otherwise Categorized as an Animal Unit. **Recommended Action: Adopt Ordinance No. 939 for second reading.** (City Clerk) **This item was not considered for second reading as the Ordinance was approved for reconsideration.**
6. CITY COUNCIL PUBLIC HEARING:
- A. Public Hearing Confirming Costs for 2011 Tumbleweed Abatement

The 2011 Tumbleweed Abatement Report of Costs lists property owners whose vacant parcels were abated by the City's weed abatement contractor in October 2011. After Council adopts the Resolution, property owners will be invoiced for payment of the abatement.

Recommended Action: Adopt Resolution No. 2011-____, confirming the report of costs for abatement of tumbleweeds and hazardous vegetation as a public nuisance and imposing special assessment liens on vacant parcels within the City. (Fire Chief)

Fire Chief Bryan presented the public hearing item.

Mayor Bash 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 asked why it is called tumbleweed abatement. Chief Bryan replied that there are two abatements done annually and this scheduled abatement focuses predominately on the tumbleweeds in the City, along with other weeds that are causing a hazard and require abatement.

Mayor Bash CLOSED the public hearing.

M/S Sullivan/Hanna to adopt Resolution No. 2011-74, confirming the report of costs for abatement of tumbleweeds and hazardous vegetation as a public nuisance and imposing special assessment liens on vacant parcels within the City. The motion was carried by the following roll call vote:

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

7. PUBLIC COMMENTS:

Norvah Williams. Ms. Williams requested that a speed sign be placed at Valley View and Second Street to recognize the speed limit in that area.

Vern Showalter. Mr. Showalter spoke representing the Streets, Trails and Utilities Commission requesting that the Corona Avenue traffic situation be pulled from the Master Plan and discussed individually and expedited due to the circumstances that entail Corona Avenue. He added that the City is getting pressure from the City of Corona in regards to the Corona Avenue intersection signal light.

Tony Barreto. On behalf of the Norco Horseweek Committee, Mr. Barreto presented \$1,000 in gift cards to Norco Senior Center for Christmas.

8. OTHER MATTERS – COUNCIL:

- A. Discussion Regarding Rubber-on-Wheels – An Automotive Service Business located at 1053 Sixth Street in the C-4 Zone. (Council Member Azevedo)

Mayor Pro Tem Azevedo stated that she asked for this item to be agendaized after speaking with the business owner, noting that the issues with his business were not properly handled. She further stated that the business owner did not understand that he could not live in home and have a business in the back. Council Member Azevedo commented on possible terms for an agreement between the City and the business owner to allow him to remain at his present site.

Planning Director King presented information on Rubber-on-Wheels as written in the staff report. In response to Council Member Higgins, he provided the information regarding the mobile tire business. Also in response to Council Member Higgin's question, Director King stated that the City got involved when complaints were received and the Code Compliance Officer and the Fire Department inspected the business site. He added that the business owner continued the outdoor storage of tires on site after being informed that it was not allowed. Council Member Higgins questioned what makes the City think he will come into compliance when no one is asking him to.

The City Council Members commented on the health hazards of the outside tire storage and the concerns regarding compliance with the zoning on Sixth Street.

Chief Bryan stated that typically the Fire Department inspects annually and additionally if there is a request. He noted that tire storage presents a significant hazard and if the storage is anywhere near a residential area, the preference would be to store the tires in containers.

Tom Maroney. Mr. Maroney stated that he is the owner of the property, noting that there was never a horse trailer business on that property. He further commented on his business and added that he clearly does not understand the problem, noting that the Fire Department approved the storage containers. He asked the Council to allow the business with no time limit terms required.

Randy Maroney. Mr. Maroney stated that he has no problem with the tires and further commented on the other automotive and non-compliant businesses located on Sixth Street.

Jason Ferguson. Mr. Ferguson stated that he lives on the site and operates Rubber-on-Wheels. He further commented on his business and the inspections that took place by the Fire Department. He noted that he has stayed within the guidelines and was unaware of the business license requirements. He stated that he wants to be part of Norco and asked for reconsideration from the Council.

Pamela Smith. Commented on her concerns regarding customer service provided by City staff.

The City Council Members further commented and discussed the compliance issues regarding the business owner obtaining a CUP and the storage of the tires on the site.

M/S Azevedo/Hanna to execute an agreement with the owner of Rubber-on-Wheels with terms stating that the City will waive the Conditional Use Permit requirement for one year, the Owner will store all onsite tires in Fire Department-approved containers, and the Owner will not provide any services on the business site. The motion was carried by the following roll call vote:

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

Council Member Hanna:

- ✚ Stated that the Northwest Mosquito Vector Abatement District purchased new trucks from Hemborg Ford through the competitive bidding process.

Mayor Pro Tem Azevedo:

- ✚ Complimented Mayor Bash for his work on the Pearl Harbor event.
- ✚ Thanked the Parade of Lights Committee for its efforts.
- ✚ Thanked Council Member Hanna for the amazing year he served as Mayor.
- ✚ Stated that she is working with a business owner who just opened a new boutique on Sixth Street and is also planning to open a steak house on Sixth Street. She added that the boutique grand opening will be held on Saturday from 11 a.m. to 4 p.m.

Council Member Sullivan:

- ✚ Thanked Council Member Hanna for the extra time he put in as Mayor.
- ✚ Stated that he wanted to clear up the issue regarding his support of one of the City Council candidates, noting that his name was referenced by this individual without his approval.

Mayor Bash:

- ✚ Thanked everyone for their help at the Pearl Harbor event.
- ✚ Commented on his duties as Mayor and what an honor it is to serve in this capacity. He added that his first goal is to preserve the City's lifestyle and create economic development. He further asked that everyone respect those that speak at the podium at Council meetings. He also noted his desire for everyone to tell the truth and represent the City in a positive manner.

9. OTHER MATTERS – STAFF: None received

10. ADJOURNMENT: There being no further business to come before the City Council, Mayor Bash adjourned the meeting at 9:30 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK