



# MINUTES

## CITY OF NORCO

CITY COUNCIL

REGULAR MEETING

CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE

MARCH 7, 2012

CALL TO ORDER: Mayor Bash called the meeting to order at 7:00 p.m.

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

PLEDGE OF ALLEGIANCE: Mayor Bash

INVOCATION: My Father's House Ministries  
*Pastor Mark Thomas*

PRESENTATION: Certificate of Recognition  
*Norco Area Chamber of Commerce*

Mayor Bash presented representatives of the Norco Area Chamber of Commerce with a Certificate of Recognition for their efforts in completing community cleanup Projects for Mr. Dick White and Myrror Emages.

### REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

#### 1. CITY COUNCIL CONSENT CALENDAR ITEMS:

Mayor Pro Tem Azevedo pulled Item 1.F. and Council Member Sullivan pulled Item 1.H.

M/S Hanna/Sullivan 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, HIGGINS, SULLIVAN  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

A. City Council Minutes:  
Regular Meeting of February 15, 2012  
Special Meeting of February 15, 2012  
Recommended Action: **Approve the City Council Minutes** (City Clerk)

B. Recap of Actions Taken at the Planning Commission Special Meeting of February 29, 2012. **Recommended Action: Receive and File** (Planning Director)

- C. Procedural Step to Approve Ordinance after Reading of Title Only. **Recommended Action: Approval** (City Clerk)
- D. Resolution Confirming the Mayor's Appointments of Two Members to the Oversight Board as Required by ABx1 26. **Recommended Action: Based on Health & Safety Code Section 34179, Adopt Resolution No. 2012-15, confirming the Mayor's appointments of Kevin Bash, representing the City, and Andy Okoro, representing the employees of the Agency, to serve on the Oversight Board.** (City Clerk)
- E. 2012 Vacant Parcel Spring Weed Abatement Program. **Recommended Action: Adopt Resolution No. 2012-16, setting the Public Hearing for May 2, 2012.** (Fire Chief)
- F. Acceptance of Bids and Award of Contract for the City Wide Fiber Optics Project. **Recommended Action: Accept bids submitted for the installation of the fiber optics network and award a contract to John Griffin Construction, Inc. in the amount of \$498,046, and authorize the City Manager to approve contract change orders up to 10 percent of the contract amount.** (IT Manager) **PULLED FOR DISCUSSION**
- G. Acceptance of the Second Street 12-inch Water Line Project as Complete. **Recommended Action: Accept the Second Street 12-inch Water Line Project as complete and authorize the City Clerk to file the Notice of completion with the County Recorder's Office.** (Deputy Public Works Director/Senior Engineer)
- H. Execution of a Cooperative Funding Agreement between the City of Norco and the Riverside County Flood Control and Water Conservation District to Design and Construct Master Planned Drainage Facilities **Recommended Action: Approve Project Nos. 2-0-00132, 2-0-00162, 2-0-000166, 2-0-00167, 2-0-00168 and 2-0-00327 Funding Agreement between the City of Norco and Riverside County Flood Control and Water Conservation District and authorize the City Manager to execute the Agreement.** (Public Works Director) **PULLED FOR DISCUSSION**
- I. Swap Meet Permit 2012-01 (Meisenbach): An application for a Monthly Antique Swap Meet on the Parking Lot of the "Vandermolen Center" for a Business located at 2816 Hamner Avenue within the C-G (Commercial General) Zone. **Recommended Action: Adopt Resolution No. 2012-17, approving Swap Meet Permit 2012-01 allowing the monthly operation of an antique swap meet at 2816 Hamner Avenue for a period of one year, with the ability to renew.** (Planning Director)

- J. Planning Information Letter 2012-03: Request for Exception to Nonconforming Land Use Requirements Allowing a "Rebuild Letter" to be Issued for Property Located at 732 Sixth Street Located within the C-4 (Commercial) Zone. **Recommended Action: Approval** (Planning Director)
- K. Approval to Implement Measures in the Continued Construction of the Silverlakes Project. **Recommended Action: Grant authority to the City Manager to implement measures to proceed with the next steps in the construction of City-owned water and sewer infrastructure on the Silverlakes property.** (City Manager)

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

- 1.F. Acceptance of Bids and Award of Contract for the City Wide Fiber Optics Project.

**Mayor Pro Tem Azevedo** asked if the funding for this project could be used for any other purposes. Deputy City Manager/Director of Finance Okoro responded that the funding is required to be used for general City infrastructure purposes and cannot be used to pay employees or other related purposes.

**M/S Azevedo/Hanna to accept bids submitted for the installation of the fiber optics network and award a contract to John Griffin Construction, Inc. in the amount of \$498,046, and authorize the City Manager to approve contract change orders up to 10 percent of the contract amount. The motion was carried by the following roll call vote:**

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

- 1.H. Execution of a Cooperative Funding Agreement between the City of Norco and the Riverside County Flood Control and Water Conservation District to Design and Construct Master Planned Drainage Facilities.

**Council Member Sullivan** complimented Public Works Director Thompson on the execution of this agreement.

**M/S Sullivan/Higgins to approve Project Nos. 2-0-00132, 2-0-00162, 2-0-000166, 2-0-00167, 2-0-00168 and 2-0-00327 Funding Agreement between the City of Norco and Riverside County Flood Control and Water Conservation District and authorize the City Manager to execute the Agreement. The motion was carried by the following roll call vote:**

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

**3. CITY COUNCIL PUBLIC HEARINGS:**

- A. City-Initiated Proposal to Amend Title 18 of the Norco Municipal Code by Amending the Provisions of Chapter 18.39 Entitled “General Provisions – Non-Conforming Uses, Lots and Structures”, to Establish Criteria for the Issuance of “Rebuild” Letters

*Requests for a rebuild letter currently must be approved by the City Council, with the most recent approval occurring on June 15, 2011. Rebuild letters have been approved allowing non-conforming structures to be rebuilt if damaged by more than 50% of the value of the structure. The City Attorney counseled that the Norco Municipal Code (the “NMC”) does not make a provision for the issuance of rebuild letters and that a Code amendment should be done to provide for that provision if that was the desire of the City Council. The City Council directed the Planning Commission to recommend criteria under which a rebuild letter could be requested and approved, which could then be incorporated into the NMC. The Planning Commission has proposed a process that would eliminate the need for a rebuild letter and would allow a destroyed structure to automatically be restored provided that the building was legal and provided that needed building permits are obtained within six months of the destruction.*

**Recommended Action: Adopt Ordinance No. 940 for first reading.**  
(Planning Director)

**Planning Director King** presented the public hearing item.

**Council Member Sullivan** received confirmation from Planning Director King regarding the different criteria for houses and businesses.

**Mayor Bash OPENED** the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With on one wishing to speak, Mayor Bash **CLOSED** the public hearing.

**M/S Azevedo/Higgins** to adopt Ordinance No. 940 for first reading. The motion was carried by the following roll call vote:

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

B. Amendment to the City's Comprehensive Fee Resolution to Add a Conditional Use Permit Rooster Fee

*This proposed Resolution recommends the addition of a Conditional Use Permit ("CUP) Rooster Fee to the City's Comprehensive Fee Schedule. The new fee is required as the City Council adopted Ordinance No. 938, which requires a CUP for keeping more than 16 roosters regardless of the lot size, and there is currently no fee in place relating to the Planning Division to fulfill that requirement in the City's Comprehensive Fee Schedule.*

**Recommended Action: Adopt Resolution No. 2012-18.** (Planning Director)

**Planning Director King** presented the public hearing item stating the recommended fees.

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

**James Hosley.** Mr. Hosley spoke in opposition of the ordinance.

**Pat Overstreet.** Ms. Overstreet spoke in support of the ordinance..

**Vern Showalter.** Mr. Showalter spoke in support of the ordinance.

**Mayor Bash CLOSED the public hearing.**

**Mayor Pro Tem Azevedo** spoke in support of the ordinance and stated that the roosters were the threat to Norco's lifestyle.

**Council Member Hanna** spoke in support of the ordinance noting that it will be easier for Animal Control to inspect and control.

**Council Member Higgins** asked how inspections are completed.

In response, Planning Director King stated that the inspection would be completed by Animal Control staff following the sending of a notice to the homeowner. If a written complaint is received, the site would be inspected and no notification is given prior to the inspection. If the homeowner is not present, the property is noticed. If the property is deemed out of compliance, the matter would go back to the Planning Commission for its review. In response to other Council concerns, Director King stated that if an inspection is completed and there are more than 16 roosters, the individual(s) will need to make an effort to get a CUP.

**M/S Hanna/Azevedo to adopt Resolution No. 2012-18. The motion was carried by the following roll call vote:**

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

- C. Proposal to Vacate a Triangular Portion of Public Right-of-Way on the Northwest Side of Bluff Street, Containing 1,239 Square Feet (0.03 Acres), More or Less, located Between River Road and Vine Street

**Recommended Action: Continue the public hearing to March 21, 2012.** (Deputy Public Works Director/Senior Engineer)

**M/S Higgins/Sullivan to continue the public hearing to March 21, 2012. The motion was carried by the following roll call vote:**

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

**4. CITY COUNCIL ACTION ITEMS:**

- A. Ordinance Approving Amendments to the Norco Municipal Code to Remove all Reference to the Norco Community Redevelopment Agency and its Authority and Functions Therein. Code Change 2012-01

*The Norco Municipal Code (“NMC”) includes references to the functions and authority of the Norco Community Redevelopment Agency (the “Norco CRA”). In accordance with ABx1 26, which dissolves all redevelopment agencies in California, as of February 1, 2012, the Norco CRA has been dissolved. Therefore, the NMC is required to be amended as part of the “winding down” process to remove all references to the function and authority of the Norco CRA.*

**Recommended Action: Adopt Ordinance No. 941 for first reading.**  
(City Clerk)

**M/S Higgins/Sullivan adopt Ordinance No. 941 for first reading. The motion was carried by the following roll call vote:**

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

- B. Consideration of a Resolution Concurring with the Mitigated Negative Declaration for the Santa Ana River Trail Master Plan, Making Responsible Agency Findings Pursuant to the California Environmental Quality Act, and Approving the Project

*The City of Norco has partnered with the City of Corona, Jurupa Community Services District (JCSD) and the County of Riverside to complete the Corona-Norco-Eastvale segment of the Santa Ana River Trail. Environmental documents have been completed and reviewed, public comment period has ended and it is now required for the partners to concur with the adoption of the Mitigated Negative Declaration for the SART Master Plan, making responsible agency findings pursuant to the California Environmental Quality Act, and approving the Project.*

**Recommended Action: Adopt Resolution No. 2012-19, concurring with the adoption of a Mitigated Negative Declaration (MND) for the Santa Ana River Trail (SART) Master Plan, making responsible agency findings pursuant to the California Environmental Quality Act (CEQA), and approving the Project.** (Director of Parks, Recreation and Community Services)

**Director Petree** presented the City Council item. A presentation on the project was provided by Mr. Pete Dangermond for informational purposes.

**Council Member Hanna** commented on meetings he attended in prior years and asked about the equestrian crossings on State Route ("SR") 71.

Mr. Dangermond stated that the bicycle trail will be on the south side and the equestrian trail will be on the north side of SR 71. In response to Mayor Pro Tem Azevedo, Mr. Dangermond stated that normally, longer distance trails do not have hours of operation, but noted that caution needs to be taken on some of the trails.

**Mayor Bash** commented on the first funding of this project that took place in 1931.

**Pat Overstreet.** Ms. Overstreet spoke in favor of this project.

**M/S Sullivan/Bash adopt Resolution No. 2012-19, concurring with the adoption of a Mitigated Negative Declaration (MND) for the Santa Ana River Trail (SART) Master Plan, making responsible agency findings pursuant to the California Environmental Quality Act (CEQA), and approving the Project. The motion was carried by the following roll call vote:**

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

**5. PUBLIC COMMENTS OR QUESTIONS:**

**Manuel Pavao.** Mr. Pavao commented on a neighboring project that is creating a lot of noise and noted the run-around he has been given by the City and nothing is being done about his complaint. He stated that he will give the City to the 15<sup>th</sup> of March to take action or he will seek legal action.

**Pamela Smith.** Ms. Smith reminded everyone about the “State of the City” presentation that will take place March 20<sup>th</sup> at Nellie Weaver Hall at 7:00 p.m.. She also announced that she had tickets available for the NHA Casino Night, which will be held on April 14<sup>th</sup>.

**Jodie Webber.** Ms. Weber commented on the 2012 Scholarship Award Program open to all Corona-Norco Unified School District graduating seniors intending to pursue post-high school course of study at either a college/university or other post-secondary educational institution, sponsored by the Corona Norco Republican Women, Federated. The application can be downloaded from the website at <http://www.coronanorcorepublicanwomen.com/>. She also noted the existing rules and regulations for the Santa Ana River Trail already in place and available on the internet. She further asked when a financial update on the LMDs would be placed on the Council agenda.

**6. OTHER MATTERS – CITY COUNCIL, CITY MANAGER AND STAFF:**

A. City Council Updates from Regional Boards and Commissions

**Council Member Hanna:**

- Announced that a groundbreaking ceremony will be held on Friday in downtown Riverside regarding the 91 Freeway widening project.
- Complimented Council Member Sullivan and Mayor Pro Tem Azevedo on their press contacts made and aired regarding the manure-to-energy project.

**Mayor Pro Tem Azevedo:**

- Commented on the UNLOAD and UNITY Committees, noting her attendance at UNITY at which time students and teachers are given awards. She added that UNLOAD is still happening, noting that it is a “think tank” for drug and alcohol issues in the community.
- Announced that Assemblyman Jeff Miller is making himself available to Norco residents on March 16<sup>th</sup> at Sixth Street Deli at 7:30 a.m.
- Provided a WRCOG update on TUMF and other projects.

B. City Council Other Matters

**Council Member Sullivan:**

- Commented on the problem faced by Mr. Pavao and recommended that two Council Members meet with him. Mayor Bash stated that he would serve as the other Council representative.

**Mayor Bash:**

- Commented on the George Alan Ingalls Memorial Scholarship and the funding for it that has taken place.
- Commented on the “Mayor’s meeting” that took place between the cities of Norco, Eastvale, Jurupa Valley and Corona.
- Noted that he and Council Member Sullivan attended the baseball season opening ceremonies.
- Stated his concerns regarding the proposed districts Riverside Community College District is preparing to approve and how those lines should be drawn.

C. Staff Other Matters -- **None**

7. **ADJOURNMENT:** There being no further business to come before the City Council, Mayor Bash adjourned the meeting at 8:20 p.m.

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BRENDA K. JACOBS, CMC  
CITY CLERK

/bj-80560