



**MINUTES
CITY OF NORCO**

**CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
JANUARY 16, 2013**

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

ROLL CALL: Mayor Kathy Azevedo, **Present**
Mayor Pro Tem Berwin Hanna, **Present**
Council Member Kevin Bash, **Present**
Council Member Herb Higgins, **Present (7:00 P.M.)**
Council Member Harvey C. Sullivan, **Present**

Council Member Higgins and Council Member Sullivan recused themselves from participating in the closed session discussion because of potential conflicts.

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

Section 54956.9 – Conference with Legal Counsel – Existing Litigation

Case Name: Robbin Koziel vs City of Norco
Case Number: RIC 522773

Case Name: Norco Firefighters Association vs. City of Norco
Case Number: RIC 1114581

RECONVENE PUBLIC SESSION: 7:00 p.m.

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

PLEDGE OF ALLEGIANCE: Mayor Azevedo

INVOCATION: Norco Foursquare Church
Pastor Jared Vieyra

COMMENDATION: Norco Cowgirls Rodeo Drill Team

Mayor Azevedo presented the Norco Cowgirls Rodeo Drill Team members with certificates of commendation for their participation in the 2013 Rose Bowl Parade.

PRESENTATION: William Nettleton, Eagle Scout Project

Mr. Nettleton presented his Eagle Scout Project which included assembling and constructing a sign at Neal Snipes Park and placing landscaping around the sign.

INTRODUCTION: Mayor Azevedo introduced Tyler Madary, representative for Senator Roth, who currently represents Corona, Norco and Eastvale.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

Deputy City Manager/Director of Finance Okoro clarified that the recommendation for item 1.H. should be amended and included in the minutes to read **“appropriating additional funds in the amount of \$248,411.96 to the Street Fund 149”**.

Mayor Azevedo, Council Member Bash and Council Member Sullivan pulled Item 1.F. for discussion.

M/S Bash/Hanna 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 December 5, 2012
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
- C. Recap of the Planning Commission Meetings of December 12, 2012 and January 9, 2013. **Recommended Action: Receive and File** (Planning Director)
- D. City Council Appointments to Standing Committees and Other Governmental Agencies for Calendar Year 2013. **Recommended Action: Approve the recommended City Council appointments to the various standing committees and other governmental agencies for the 2013 calendar year.** (City Clerk)
- E. Quarterly Investment Report for Quarter Ended December 31, 2012. **Recommended Action: Receive and File** (Deputy City Manager/Director of Finance)
- F. Resolution Amending and Updating the Code of Ethics for the City Council, City Commission Members and City Employees. **Recommended Action: Adopt Resolution No. 2013-01, approving the amended Code of Ethics.** (Deputy City Manager/Director of Finance) **PULLED FOR DISCUSSION**

- G. Approval to Declare Various City Assets as Surplus Property. **Recommended Action: Declare Various City Assets as Surplus and authorize the Deputy City Manager/Director of Finance to dispose of surplus assets through appropriate means.** (Deputy City Manager/Director of Finance)

- H. Resolution Amending the Fiscal Year 2013-2017 Capital Improvement Program (CIP) Budget to Appropriate Additional Funds for the Bicycle Route Street Striping and Signage for the Santa Ana River Trail and Approval of the Reimbursement Agreement between City of Norco and Riverside County Regional Park and Open-Space District. **Recommended Action: 1.) Adopt Resolution No. 2013-02, amending the FY 2013-2017 CIP Budget appropriating additional funds in the amount of \$248,411.96 to the Street Fund 149; and 2.) Approve the Reimbursement Agreement between the City of Norco and Riverside County Regional Park and Open-Space District.** (Director of Parks, Recreation & Community Services)

2. ITEM PULLED FROM CITY COUNCIL CONSENT CALENDAR:

- Item 1.F.** Resolution Amending and Updating the Code of Ethics for the City Council, City Commission Members and City Employees.

Deputy City Manager/Director of Finance Okoro commented on the City Council item, noting that the proposed Code of Ethics was amended to include City employees in order to be in compliance with the requirements set forth by the City's auditors, especially in the case of expending federal funds.

Council Member Sullivan thanked Deputy City Manager/Director of Finance Okoro for bringing this item to the City Council for discussion. He added that he is happy to see this and hopes that all will read and abide by it.

Mayor Azevedo stated that she concurs with Council Member Sullivan, adding that some other cities take this one step further to include repercussions if the Code of Ethics is violated to include a censure procedure. She stated that the Council may consider amending the Code of Ethics to include this procedure.

M/S Bash/Hanna to bring back a revised Code of Ethics to include a censure process. 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 PRESENTATION/ACTION ITEM:

- A. Report on Fiscal Year 2012 Audited Financial Reports. **Recommended Action: Receive and File** (Deputy City Manager/Director of Finance)

Deputy City Manager/Director of Finance Okoro presented information regarding the Fiscal Year 2012 Audited Financial Reports. Terry Shea and Charles De Simoni, from Rogers, Anderson, Malody & Scott, LLP, were present to provide detailed information regarding the Audit.

M/S Bash/Hanna to receive and file the Fiscal Year 2012 Audited Financial Report. The motion was carried by the following roll call vote:

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

4. LEGISLATIVE MATTERS: (No new evidence will be heard from the public as the public hearing has been closed regarding all items listed.)

- A. Ordinance Adopting Specific Plan 85-1 (Auto Mall) Amendment 5 (City of Norco). **Recommended Action: Adopt Ordinance No. 954 for second reading.** (City Clerk)

M/S Bash/Sullivan to adopt Ordinance No. 954 for second reading. The motion was carried by the following roll call vote:

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

- B. Ordinance Adopting Zone Code Amendment 2012-05; Specific Plan 90-01 (Gateway), Amendment No. 11; Specific Plan 85-1 (Norco Auto Mall) Amendment No. 7; and Specific Plan 91-02 (Norco Hills) Amendment No.4 (City of Norco). **Recommended Action: Adopt Ordinance No. 955 for second reading.** (City Clerk)

M/S Bash/Sullivan to adopt Ordinance No. 955 for second reading. The motion was carried by the following roll call vote:

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

5. CITY COUNCIL PUBLIC HEARING:

- A. General Plan Amendment 2012-05, Update and Amendment to the Safety Element of the City of Norco General Plan.

The Safety Element is one of seven elements required by state law to be included in a jurisdiction's General Plan. State Law also requires periodic updates to the General Plan (at least five of the required elements every ten years). The Safety Element has not been updated since the original General Plan was adopted in 1976. The Planning Commission reviewed the draft update to the Safety Element on December 12, 2012 and adopted Resolution 2012-52 recommending that the City Council approve the update to the Safety Element.

Recommended Action: Adopt Resolution No. 2013-03, approving General Plan Amendment 2012-05. (Planning Director)

Planning Director King presented the public hearing item. He noted that a small portion of the City lies in the influence area of the Corona Municipal Airport and is required to be added to the Safety Element of the General Plan Amendment.

Mayor Azevedo OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, Mayor Azevedo CLOSED the public hearing.

M/S Higgins/Bash to Adopt Resolution No. 2013-03, approving General Plan Amendment 2012-05.

Mayor Azevedo, under discussion, asked Fire Chief Pemberton if an update can be presented to the community, and included in the City's utility bill, regarding emergency City-wide preparedness. Chief Pemberton responded that there is information that can be provided. Council Member Bash added that he would like to see a review presented to the Council regarding the disaster plan for the City.

The motion was carried by the following roll call vote:

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

6. PUBLIC COMMENTS OR QUESTIONS:

Bonnie Slager. Ms. Slager commented on the Norco Horseman's Association (NHA) "Get Lit" campaign for lights to use at night while riding horses. She added that the NHA will be holding a safety seminar on Sunday, April 7th at 11:00 a.m. at the Stacy Turner residence.

Vern Showalter. Mr. Showalter, as Chairman, brought to Council interest and concerns from the Streets, Trails and Utilities Commission regarding CIP projects including the reservoir project, flood control project at Third Street and Reservoir, and street repair on Third Street between Corona and Valley View. He asked for a status to be provided on those projects. Deputy Public Works Director/Senior Engineer Askew responded that the reservoir project will be brought to the City Council on February 6th.

Don Bowker. Mr. Bowker reported that the lights on the Norco sign at *Jack in the Box* are not all lit. He also reported that some of the street lights on Sixth Street are not lighting up.

7. CITY COUNCIL COMMUNICATIONS:

Council Member Bash:

- Stated that Norco is one of the first cities in the nation to become part of the Vietnam 50th Anniversary Commemorative Partner Program and only the second to receive the commemorative flag.

Mayor Pro Tem Hanna:

- Reported on the RCTC meeting he attended, noting that projections are that sales tax in Riverside County has been rising from the past few years. He also reported that there is a 9.3% increase in Measure A funds, and also increase in local transportation and TUMF funds.
- Stated that a fund raiser for NART will be held on February 9th at Nellie Weaver Hall.

Council Member Higgins:

- Asked who is handling diesel truck parking permits and requested an informal report from staff. In response, Planning Director King stated that the permits are evaluated each year in February.

Council Member Sullivan:

- Commented on his concerns that the DG operation at Ingalls will soon end and what the City's source of DG will be in the future. He added that this is a great time to get the trails in shape as there is still a source for the DG that does not need to be purchased.
- Asked if a budget update or meeting will be held to talk about revenues. Deputy City Manager/Director of Finance Okoro responded that a mid-year budget update will be presented to the City Council on February 20, 2013.
- Reported that he received a complaint regarding people going through recycle bins on trash pick-up day. He noted that some cities have passed an ordinance to stop this. He further noted that the City needs to review the recycling mandates required by the state. Public Works Director Thompson responded that staff can look into what other cities are doing, adding that the City still gets credit for the diversion.
- Commented on an incident regarding a Planning Commission member getting out of line. He made a motion to discuss this matter at the next City Council meeting. Council Member Higgins stated that he would like to allow some time for the City Manager to complete her investigation. With that, Council Member Sullivan withdrew his motion.

Mayor Azevedo:

- Reported that she was present at the Senior Townhall meeting and provided an update to those present. She noted that a suggestion was given to ask Waste Management to put reflectors on the big trash bins, adding that this could be included in the contract negotiations. The Council Members all concurred.
- Commented on Norco's 50th Birthday in 2014, noting that she wants to throw a party all year long. With that, she wants to bring a community-based committee together to plan the events.

M/S Bash/Hanna to add a discussion item to the February 6th City Council agenda regarding the organizational details of Norco's 50th Birthday celebration. The motion was carried by the following roll call vote:

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

- Stated that she is gearing up for her State of the City presentation in the spring.
- Reported that she will be speaking at RURAL on January 24th.

8. CITY MANAGER / CITY STAFF REPORTS AND COMMUNICATIONS:

- A. City Process/Procedures for Required Time to prepare for Parades. (Deputy Director of Public Works/Senior Engineer)

Deputy Public Works Director/Senior Engineer Askew commented on the report as submitted to the City Council.

Council Member Sullivan stated that he has received several complaints regarding persons not being able to get to businesses because of early street shutdown, adding that the area between Corona and Valley View bothers him that they shut down early, as the businesses are impacted during that time. He requested that the streets be closed down one hour prior to the parades instead of two hours.

Deputy Public Works Director/Senior Engineer Askew responded that the businesses all know about the parade closures in advance. She added that staff supports the parades and does a good job keeping people safe. Staff further provided details regarding the process followed to ensure safety for the attendees and parade participants.

9. **ADJOURNMENT:** There being no further business to come before the City Council, Mayor Azevedo adjourned the meeting at 8:33 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK