



MINUTES

CITY OF NORCO

CITY COUNCIL

REGULAR MEETING

CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE

FEBRUARY 6, 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**
Council Member Harvey C. Sullivan, **Present**

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

Conference with Legal Counsel
Anticipated Litigation Pursuant to Section 54956.9 (c)

4 Potential Cases

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 items discussed in Closed Session.**

PLEDGE OF ALLEGIANCE: Council Member Higgins

INVOCATION: Council Member Sullivan

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

M/S Sullivan/Bash 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: NONE

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

- A. City Council Minutes:
Regular Meeting of January 16, 2013
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. Professional Consultant Services Agreement with Albert Grover & Associates to Complete a Citywide Engineering and Traffic Survey.
Recommended Action: Adopt Resolution No. 2013-06, appropriating \$25,840 for a Citywide Engineering and Traffic Study and authorizing the City Manager to execute a Professional Services Agreement with Albert Grover & Associates. (Director of Public Works)
- D. Professional Services Agreement with RKA Consulting Group to Design the Bluff Street Reservoir Improvement Project. **Recommended Action: Authorize the City Manager to execute a Professional Services Agreement with RKA Consulting Group to design the Bluff Street Reservoir Improvement Project on a time and materials basis in an amount not-to-exceed \$271,000.** (Director of Public Works)
- E. Public Entity Risk Management Authority (PERMA) Joint Powers Agreement Amendment. **Recommended Action: Adopt Resolution 2013-04, amending the PERMA Joint Powers Authority (JPA) to incorporate Government Code section 6505.6 to allow the agency to appoint one of its officers or employees to either or both the Treasurer and Auditor positions.** (Deputy City Manager/Director of Finance)
- F. Revised 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)
- G. Appointment of One Member to the Economic Development Advisory Council. **Recommended Action: Appoint Melissa Villapando to the Economic Development Advisory Council to fill the term through June of 2013.** (Economic Development Specialist)

2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR: **None**

3. CITY COUNCIL DISCUSSION ITEM:

- A. Discussion Regarding Planning for the 2014 City of Norco 50th Birthday Celebration and Activities. (City Manager)

City Manager Groves presented information as stated in the staff report.

Mayor Azevedo commented and expanded on ideas she has for the celebration. She also commented on the interest from residents to participate on the committee.

M/S Higgins/Sullivan to approve the concept of a community event and designate Mayor Azevedo and Mayor Pro Tem Hanna to work with and create a 50th Birthday Volunteer Community Planning Committee. 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 PUBLIC HEARINGS:

- A. Ordinance Amending Chapter 18.28 "P-E – Pedestrian-Equestrian Trails" of the Norco Municipal Code Revising Regulations and the Approval Process for Allowed Encroachments into the Public Right-of-Way for Certain Driveway Materials.

The Norco City Council requested discussion and review of the standards per City Standard Drawing 700, Equestrian Trails, as they relate to residential driveway pavers. At its meeting held on June 15, 2011, the City Council suspended the issuance of permits for interlocking residential driveway pavers. On January 9, 2013, the Planning Commission recommended revisions to make the process of obtaining encroachment permits easier, while at the same time making more restrictive the types of alternative trail materials that can be approved and in what instances.

Recommended Action: Adopt Ordinance No. 956 for first reading.
(Deputy Public Works Director/Senior Engineer and Planning Director)

Planning Director King and Deputy Public Works Director/Senior Engineer Askew presented the public hearing item. She stated that revisions to the 700 Trail Standards will be completed following the adoption of the proposed ordinance and would then be presented to the Streets, Trails and Utilities Commission for its confirmation.

Mayor Azevedo stated that there is some confusion in the proposed ordinance regarding the approval of alternative trail materials. In response, Public Works Director/Senior Engineer Askew stated that only commercial properties could submit applications for alternative trail materials, adding that only DG would be allowed in residential areas and once the ordinance is approved, the 700 Trail Standards will be modified to reflect this.

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

Ted Hoffman. Mr. Hoffman commented on this item, noting that it is time something is getting done and adding that he is in support of the recommended process.

Dave Henderson. Mr. Henderson spoke as a member of the Planning Commission, noting that changes need to be made in accordance with the land use of the pedestrian/equestrian trails. He further stated that the long process will be mitigated with the adoption of this ordinance; adding that this is a viable, workable way to manage the P-E Zone in the future.

Greg Newton. Mr. Newton commented on the Planning Commission meeting held, noting that the Commission was professionally unbiased in its recommendation to the City Council.

Mayor Azevedo CLOSED the public hearing.

M/S Sullivan/Higgins to adopt Ordinance No. 956 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. Ordinance Amending Section 18.51 "Special Events" of Chapter 18.51 of the Norco Municipal Code to Revise and Update Certain Provisions and Requirements of Special Events in the City of Norco.

Zone Code Amendment 2012-08 is a City-initiated proposal to amend the Norco Municipal Code, Chapter 18.51 "Special Events", to revise and update certain provisions and requirements of special events in the City of Norco.

Recommended Action: Adopt Ordinance No. 957 for first reading.
(Planning Director)

Planning Director King presented the public hearing item. He noted a correction to page 2, Section 18.51.020, Subsection .023 ~~vacant~~ is removed and correctly reads: "lots for the sales of holiday ornaments and/or decorations such as pumpkins, Christmas trees, or the like."

Council Member Sullivan asked about Section 18.51.020, Subsection .022 regarding seasonal sales. In response, Director King stated that this would relate to commercial sales. Also in response to Council Member Sullivan, Director King stated that if a parking lot is used, a special event permit will be required.

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 Hanna/Bash to adopt Ordinance No. 957 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

- C. Ordinance Amending Section 18.29.20 "Permitted Uses" of Chapter 18.29 of the Norco Municipal Code to Permit "Cash for Gold" Businesses as Conditionally-Permitted Ancillary Uses.

Zone Code amendment 2012-09 is a City-initiated proposal to make provision for "cash for gold" businesses in the City of Norco.

Recommended Action: Adopt Ordinance No. 958 for first reading.
(Planning Director)

Planning Director King presented the public hearing item. He noted that this will be retroactive to existing businesses.

Council Member Higgins asked what "other related retail business" means. Director King responded that the only business staff could come up with is a pawn shop, but there may be others.

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 no one wishing to speak, Mayor Azevedo CLOSED the public hearing.

M/S Bash/Hanna to adopt Ordinance No. 958 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

- D. Proposal to Vacate the Cota Street Public Right-of-Way Located Between Hamner Avenue and Parkridge Avenue.

The City of Norco is being requested by an adjoining property owner to vacate the Cota Street ROW between Parkridge Avenue and Hamner Avenue. The Planning Commission reviewed the proposed vacation on December 12, 2012 and adopted Resolution 2012-49 recommending approval.

Recommended Action: Adopt Resolution No. 2013-05, approving the potential vacation of Cota Street subject to certain required conditions precedent. (Planning Director)

Planning Director King presented the public hearing item, adding that the “conditions precedent” were added following the Planning Commission’s approval.

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

Keith Osborn and Kip Dubbs. Mr. Osborn was present representing the property owner on the east side of Cota and Kip Dubbs was present representing the property owner on the west side of Cota. Mr. Osborn confirmed that the City needs to be the applicant to LAFCO. The City Attorney confirmed that this action does not preclude the vacation process.

Mayor Azevedo CLOSED the public hearing.

M/S Bash/Higgins to adopt Resolution No. 2013-05. The motion was carried by the following roll call vote:

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

- E. Specific Plan 85-1 (Auto Mall) Amendment 5a: Amending the Auto Mall Specific Plan Area D “Permitted Uses”. (Specific Plan 85-1, Amendment 5a)

The ordinance is a proposed amendment to Area D “Permitted Uses” of the Auto Mall Specific Plan reflecting the Planning Commission’s recommendation.

Recommended Action: Adopt Ordinance No. 959 for first reading. (Planning Director)

Planning Director King presented the public hearing item.

Mayor Azevedo 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 Azevedo CLOSED the public hearing.

M/S Sullivan/Bash to adopt Ordinance No. 959 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

5. PUBLIC COMMENTS OR QUESTIONS:

Ted Hoffman. Mr. Hoffman commented on the March 1-2 Cal Poly Rodeo noting that the Norco Horsemen's Association is selling tickets. He also commented on the Wild West Casino Night to be held on March 9th.

Greg Newton. Mr. Newton commented on the Gateway Specific Plan, requesting that the Council direct staff and the Planning Commission to review, update and redefine the intent and use of distribution centers and minimally change the use from a permitted use to a conditionally permitted use.

Karen Leonard. Ms. Leonard commented on a letter sent to the City Manager from resident addressing concerns regarding inconsistencies and procedures on a construction project. She further stated that there were no violations of the Code of Ethics and asked for a public censure of a Council Member to take place.

Vern Showalter. Mr. Showalter asked if there will be workshops held in preparation for the new budget.

Linda Dixon. Ms. Dixon commented on her desire for the Gateway Specific Plan to be revisited.

6. CITY COUNCIL COMMUNICATIONS / REPORTS ON REGIONAL BOARDS AND COMMISSIONS:

Council Member Bash:

- Commented on the recent visit by the Department of Corrections at which time they held discussions regarding an EIR Notice of Preparation. He added that he is very concerned about the process.
- Stated that he is concerned about the light at west-bound Sierra and Sixth Street. Director Thompson responded that he would contact CalTrans.
- Requested that the Gateway Specific Plan be agendized as soon as possible.

M/S Bash/Higgins to move forward with the process to amend the Gateway Specific Plan. The motion was carried by the following roll call vote:

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

Mayor Pro Tem Hanna:

- Reported on the Riverside County Transportation Commission Workshop he attended. He noted that there is not good news from federal and state levels. He further noted that they approved construction on the 15 Freeway toll lanes.
- Commented on the NART Fundraiser on February 9th at Nellie Weaver Hall.

Council Member Higgins:

- Commented on commercial parking permits issued and asked about a timeline for correcting the Code. City Manager Groves responded that Planning Director King will send the summary of the contradictions in the existing code.
- Stated that he is doing some research regarding eliminating puppy mills and the buying and selling of cats and dogs in the City, other than at the animal shelter.

Council Member Sullivan:

- Reported on the Riverside Transit Authority meeting he attended, noting that the timelines for the bus routes has been extended.
- Reported that the Chino Desalter Authority will hold a closed session meeting.
- Commented on the re-zoning of the CRC and Navy grounds.
- Requested that the Administrative Policy for the Code of Ethics be presented at the next City Council meeting.

Mayor Azevedo:

- Reported on the WRCOG Executive Committee she attended, noting the legislative report available on the website.
- Reported on the UNLOAD Committee meeting she attended, noting that the Town Hall meeting is being planned.
- Reported on the Schools Committee meeting she attended, noting that the District is hiring an audit committee to aid in keeping the kids safe.
- Commented on the Norco Area Chamber of Commerce installation and awards dinner held and commended them on a job well done.
- Stated that the Norco Area Chamber of Commercial will be hosting the 2013 State of the City event at Norco High School on April 4th.

7. CITY MANAGER/STAFF REPORTS:

- Stated that the mid-year budget update will be presented to the City Council on February 20th and dates are being scheduled for the budget workshops.

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