



**MINUTES
CITY OF NORCO**

**CITY COUNCIL
REGULAR MEETING**

**CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
FEBRUARY 20, 2013**

CALL TO ORDER: Mayor Azevedo called the meeting to order at 6:04 p.m.

ROLL CALL: Mayor Kathy Azevedo, **Present**
Mayor Pro Tem Berwin Hanna, **Present**
Council Member Kevin Bash, **Present**
Council Member Herb Higgins, **Present (6:15 p.m.)**
Council Member Harvey C. Sullivan, **Present**

Council Member Higgins and Council Member Sullivan recused themselves from participating in the closed session discussion regarding Robbin Koziel vs City of Norco 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

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

Potential Settlement of Claim Against the County of Riverside

RECONVENE PUBLIC SESSION: 7:00 p.m.

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

PLEDGE OF ALLEGIANCE: Council Member Sullivan

INVOCATION: Beacon Hill Assembly of God
Pastor Rene Parish

PRESENTATION: Norco Horseweek Committee
*Presentation to the Norco Animal Rescue Team
(N.A.R.T.)*

The Norco Horseweek Committee presented N.A.R.T. members with a donation in the amount of \$10,371.47 following its fundraising event held.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

Council Member Higgins pulled Item 1.F. for discussion and Council Member Sullivan pulled Item 1.C. 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 February 6, 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. Fiscal Year 2013 Second Quarter Budget Performance Report
Recommended Action: Receive and File PULLED FOR DISCUSSION
- D. Request for an Extension to the License Agreement with So Cal Sandbags, Inc. for Grading and Removal of Aggregate and Related Materials at George Ingalls Equestrian Event Center. **Recommended Action: Approve an eleven-month extension of the License Agreement with So Cal Sandbags, Inc. for grading and removal of aggregate and related materials at George Ingalls Equestrian Event Center through December 31, 2013.** (Director of Parks, Recreation and Community Services)
- E. Execution of a Cooperative Agreement between the City of Norco and the Riverside County Flood Control and Water Conservation District. **Recommended Action: Approve Project Nos. 2-0-00083 and 2-0-00084 Cooperative Agreement between the City of Norco and the Riverside County Flood Control and Water Conservation District and authorize the City Manager to execute the Agreement.** (Deputy Public Works Director/Senior Engineer)
- F. Code of Ethics Administrative Policy and Procedures for the City Council, Commission Members and City Employees. **Recommended Action: Approval for the City Manager to sign and process the Administrative Policy.** (City Manager) PULLED FOR DISCUSSION
- G. Appropriation of Funds for the Hamner Widening Conservation Area Endowment Fund. **Recommended Action: Adopt Resolution No. 2013-10, appropriating funds in an amount not-to-exceed \$50,000 to establish the endowment fund.** (Planning Director)

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

1.C. Fiscal Year 2013 Second Quarter Budget Performance Report **Recommended Action: Receive and File** (Deputy City Manager/Director of Finance)

Council Member Sullivan commented on his concerns regarding revenue projections and expenditures in this report versus the Mid-Year Operating Budget report. In response, Deputy City Manager/Director of Finance Okoro stated that the portion backfilled with property tax, which is 25% of all estimated sales tax revenues, is received twice a year, in January and May. The remainder of sales tax is received monthly, about two months after the month the retailer collects the sales tax. Council Member Sullivan asked about the Sheriff Department expenditures. In response, Deputy City Manager/Director of Finance Okoro stated that they are similar to sales tax, noting that invoices are usually at least 30 days behind. Council Member Sullivan commented on the Water Fund, noting the deficit stated in the Mid-Year Operating Budget report. In response, Deputy City Manager/Director of Finance Okoro stated that this report is intended to report transactions for this period, noting that the deficit has accrued over a period of time and will need to be addressed in the FY 2013-14 Budget.

M/S Sullivan/Bash to receive and file the Fiscal Year 2013 Second Quarter Budget Performance Report. The motion was carried by the following roll call vote:

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

1.F. Code of Ethics Administrative Policy and Procedures for the City Council, Commission Members and City Employees. **Recommended Action: Approval for the City Manager to sign and process the Administrative Policy.** (City Manager)

Following City Council discussion, the following corrections to the Administrative Policy were recommended:

1. Under City Council, Commission Members and City Employees: If it is ~~believed~~ that replaced with -- If someone believes that.

2. Under City Council: A committee will be formed consisting of the ~~City Manager, Deputy City Manager/Finance Director and the City Attorney~~ replaced with -- A committee will be formed consisting of the Deputy City Manager/Director of Finance, the City Attorney and a Department Head chosen by lot.

3. Under City Council and Commission Members: The committee will then provide the entire City Council with ~~its findings~~ replaced with -- The committee will then provide the entire City Council with a written report.

4. Under Commission Member: A committee will be formed consisting of the ~~City Attorney, Mayor and Mayor Pro Tem~~ replaced with -- A committee will be formed consisting of the City Attorney and two City Council Members appointed by the City Council.

Vern Showalter. Mr. Showalter asked about the policy for Commission Members.

M/S Higgins/Bash to approve the recommended changes and granted approval for the City Manager to sign and process the Administrative Policy 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 ACTION ITEMS:

- A. Swap Meet Permit 2013-1 (Norco Trading Post): Proposed Outdoor Market-Style Business in the Main Parking Lot of Norco College (2001 Third Street).
Recommended Action: Adopt Resolution No. 2013-07, approving Swap Meet Permit 2013-01 at (Norco College) 2001 Third Street. (Planning Director)

City Manager Groves and Planning Director King presented information as stated in the staff report. Representatives from the Norco Trading Post Management Team were in attendance and provided additional information. All interested vendors can send an inquiry for information regarding the Norco Trading Post at <http://norcotradingpost.com/>. City Manager Groves explained the existing and proposed fees for a permit and a business license, noting that the City's Code will be revised and discussed at a later meeting regarding swap meets, as the existing Code does not address this business model.

Vern Showalter. Mr. Showalter asked how individual entities will be handled regarding the business license.

M/S Bash/Higgins to adopt Resolution No. 2013-07, approving Swap Meet Permit 2013-01 at (Norco College) 2001 Third Street. The motion was carried by the following roll call vote:

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

- B. Mid-Year Amendments to the Fiscal Year 2012-2013 Annual Operating Budget
Recommended Action: Adopt Resolution No. 2013-08, approving various Mid-Year Amendments to the Fiscal Year 2012-2013 annual Operating Budget and authorizing changes in appropriations and revenues thereto. (Deputy City Manager/Director of Finance)

City Manager Groves and Deputy City Manager/Director of Finance Okoro presented and detailed information as stated in the staff report and attachments.

Mayor Pro Tem Hanna asked about the increase in revenue income from the George

Ingalls Equestrian Event Center. In response, Director Petree stated that the increase in fees and bundling attributed to this increase.

Council Member Bash commented on the contribution to fund the post retirement contribution.

Council Member Sullivan asked about the City Attorney increase of \$15,000. In response, Deputy City Manager/Director of Finance Okoro noted that the addition is for Code Enforcement costs. Council Member Sullivan commented on the one-time revenue receipts from the Low/Moderate Income Fund following the dissolution of the Norco Community Redevelopment Agency, noting that he believes that that money should be placed in a special fund to complete jobs that he believes were not done to the satisfaction of clients that were participants in the City's previous housing programs.

Council Member Higgins commented on the downgrading and deficit in the Water Fund and asked if the City purchases water on a contract basis for multiple years. In response, Director Thompson stated that the City has an ongoing contract. Deputy City Manager/Director of Finance noted that the current water rates are not sufficient to eliminate the deficit.

Mayor Pro Tem Hanna asked who we buy water from. In response, Director Thompson stated the Chino Desalter (JPA) (contract); the Arlington reverse osmosis facility; local ground water; a connection to Metropolitan Water District; and interconnections with the cities of Corona, Jurupa and Riverside.

Council Member Bash received confirmation that the Water Conservation Campaign is being worked on.

Mayor Azevedo commented on the dissolution of the Redevelopment Agency and the SWAT program that it funded, noting that the City needs to take a look at some way to help the seniors. She also commented on the interest income from leases, noting that over \$300,000 was from the Silverlakes lease.

M/S Bash/Hanna to adopt Resolution No. 2013-08, approving various Mid-Year Amendments to the Fiscal Year 2012-2013 annual Operating Budget and authorizing changes in appropriations and revenues thereto. The motion was carried by the following roll call vote:

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

RECESS: Mayor Azevedo recessed the City Council at 8:56 p.m.

RECONVENE: Mayor Azevedo reconvened the City Council at 9:07 p.m.

- C. Resolution Accepting a Grant in the Amount of \$5,009 from the FY2012 Home Security Grant Program (HSGP) to Begin a City Citizen Emergency Response Team (CERT) Program. **Recommended Action: Adopt Resolution No.**

2013-09. (Fire Chief)

City Manager Groves and Fire Chief Pemberton presented information regarding the CERT Program. Alia Rodriguez, ESC Northwest Division, Riverside County Fire Department, was in attendance and provided information regarding emergency preparedness. City Manager Groves stated that a CERT plan will be put together following the approval of the grant, noting that the goal is to set up the full scale exercise once all of the community pieces are put together.

Pat Overstreet. Ms. Overstreet stated that she is thrilled about this program, adding that concerns have been voiced to her regarding the senior citizens in Norco, specifically the Clark Terrace residents.

M/S Sullivan/Bash to adopt Resolution No. 2013-09.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 No. 956 Second Reading:** 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. **Recommended Action: Adopt Ordinance No. 956.** (City Clerk)

M/S Bash/Higgins to adopt Ordinance No. 956.The motion was carried by the following roll call vote:

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

B. **Ordinance No. 957 Second Reading:** 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. **Recommended Action: Adopt Ordinance No. 957.** (City Clerk)

M/S Bash/Higgins to adopt Ordinance No. 957.The motion was carried by the following roll call vote:

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

- C. **Ordinance No. 958 Second Reading:** 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. **Recommended Action: Adopt Ordinance No. 958.** (City Clerk)

M/S Hanna/Bash to adopt Ordinance No. 958. The motion was carried by the following roll call vote:

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

- D. **Ordinance No. 959 Second Reading:** Specific Plan 85-1 (Auto Mall) Amendment 5a: Amending the Auto Mall Specific Plan Area D "Permitted Uses". (Specific Plan 85-1, Amendment 5a). **Recommended Action: Adopt Ordinance No. 959.** (City Clerk)

M/S Bash/Higgins to adopt Ordinance No. 959. 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:

Vern Showalter. Mr. Showalter passed out pictures regarding the Second Street I-15 off ramp, noting the safety issues where high school kids walk. He also commented on Code violations at 1709 Mountain Avenue.

Josi Davison. Ms. Davison, a Norco High School student, passed out flyers to raise money for the Animal Shelter.

Ted Hoffman. Mr. Hoffman commented on his desire for the City Council to discuss an amplified sound ordinance.

Ann Hutchison. Ms. Hutchison commented on concerns of the Norco Horsemen's Association and the need for a serious education campaign regarding night safety for horse riders.

Geoff Kahan. Mr. Kahan commented on the Second Street I-15 off ramp and the safety concerns for the students that walk along the street.

Robin Grundmeyer. Ms. Grundmeyer commented on the community service project the Norco High School students are working on, noting one of the projects called Feeding Children Everywhere.

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

Council Member Bash:

- Commented on a city property where there have been code violations, noting that there was discussions regarding potential historic value on the property.
- Noted that he is anxiously waiting to hear about the survey requested as completed on the historic Norconian Hotel, adding that he would like to also see the seismic survey.
- Stated that he would recommend the City Council discuss an amplified noise ordinance.

M/S Bash/Higgins to discuss an amplified noise ordinance at a future City Council meeting. 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:

- Commented on the toll lanes being planned on Interstate15, noting that construction will begin in 2017.
- Stated that he is currently serving as the President of the Vector Control Board, noting that they are currently looking to expand the district into a small portion of Riverside.
- Noted that he is overwhelmed with the contribution to N.A.R.T.

Council Member Higgins:

- Stated that based on what Norco Horsemen's Association is recommending and the incidents that have occurred, there is a need for an awareness program.

M/S Higgins/Bash to agendize a discussion on an awareness program regarding night safety for horse riders at a future City Council meeting. The motion was carried by the following roll call vote:

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

Council Member Sullivan:

- Asked when the City Council will receive an update on Silverlakes.
- Commented on warrants written and asked if the City is doing everything it can to buy from local agencies.
- Asked to look into crosswalks crossing Sixth Street between Corona Avenue and Temescal Avenue by the Boot Barn strip mall.

Mayor Azevedo:

- Reported that she attended a meeting at the California Rehabilitation Center where she learned that they are down to 3,300 inmates and are slowly downsizing and laying off employees. She added that she is trying to find out more information on the GSA report.
- Stated that Mayor Pro Tem Hanna and she met with Congressman Calvert, noting that she is impressed that he comes with all of his staff.
- Noted that she is excited about the State of the City address that will be held on April 4th.

7. CITY MANAGER / STAFF COMMUNICATIONS:

- Public Works Director Thompson stated that discussions will need to be held with CalTrans regarding the safety concerns at the I 15 off-ramp on Second Street.
- City Manager Groves commented on Congressman Calvert's visit, noting that the number one item is securing federal funding for the Hamner Bridge.
- City Manager Groves stated that there will be a City Council study session held on February 27th at 4 p.m. to discuss the Gateway Specific Plan land uses.

8. ADJOURNMENT: There being no further business to come before the City Council, Mayor Azevedo adjourned the meeting at 10:08 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK