



MINUTES CITY OF NORCO

CITY COUNCIL
REGULAR MEETING

CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE

MARCH 6, 2013

CALL TO ORDER: Mayor Azevedo called the meeting to order at 7:00 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**

PLEDGE OF ALLEGIANCE: Council Member Bash

INVOCATION: Calvary Chapel – Norco
Pastor Louie Monteith

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

A member of the public pulled Item 1.C. for discussion. Council Member Sullivan pulled Items 1.E, 1.G. and 1.H. for discussion. Council Member Bash pulled Items 1.F. and 1.H. for discussion.

M/S Hanna/Bash 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

1. CITY COUNCIL CONSENT CALENDAR ITEMS:
 - A. City Council Minutes:
Regular Meeting of February 20, 2013
Recommended Action: **Approve the City Council Minutes** (City Clerk)
 - B. Recap of the Planning Commission Meeting of February 27, 2013.
Recommended Action: Receive and File (Planning Director)
 - C. 2013 Vacant Parcel Spring Weed Abatement Program. **Recommended Action: Adopt Resolution No. 2013-11, declaring that weeds and hazardous vegetation, on or in front of vacant property in the City of Norco, constitute a public nuisance; and setting the Public Hearing for May 1, 2013.** (Fire Chief) PULLED FOR DISCUSSION

- D. Acceptance of Bids and Award of Contract for the Clark Arena Electrical and Lighting Project. **Recommended Action: Accept bids submitted for the Clark Arena Electrical and Lighting Project and award a contract to MDE Group, Inc. in the amount of \$123,700, and authorize the City Manager to approve contract change orders up to 10 percent of the original contract amount.** (Director of Parks, Recreation and Community Services)
- E. Approval of Amendment No. 2 to the Transportation Uniform Mitigation Fee Program Funding Agreement for the Hamner Avenue Widening, Santa Ana River to Parkridge Avenue Project. **Recommended Action: Approve Amendment No. 2 to the Hamner Avenue Widening, Santa Ana River to Parkridge Avenue Project TUMF Funding Agreement with Western Riverside Council of Governments.** (Director of Public Works) PULLED FOR DISCUSSION
- F. Resolution Accepting the California Supplemental Law Enforcement Services Fund Grant and Amending the FY 2012-2013 Operating Budget. **Recommended Action: Adopt Resolution No. 2013-12, accepting the California Supplemental Law Enforcement Services Fund Grant; and increasing revenue by \$100,000 and increasing appropriation by \$62,994 in the Supplemental Law Enforcement Services Fund Grant.** (Lt. Daniel Hedge) PULLED FOR DISCUSSION
- G. Approval of the Second Amendment to the Cooperative Agreement to Provide Fire Protection, Fire Prevention, Rescue and Emergency Services between the County of Riverside and City of Norco. **Recommended Action: Approve the Second Amendment to the Cooperative Agreement to provide fire protection, fire prevention, rescue and emergency services between the County of Riverside and City of Norco** (Deputy City Manager/Director of Finance) PULLED FOR DISCUSSION
- H. Approval of an Assignment Agreement with Excel Hotel Group and Excel Corona LP. **Recommended Action: Approval for the City Manager to execute the Assignment Agreement Assigning the Project Developer Name from Excel Hotel Group to Excel Corona LP.** (Deputy City Manager/Director of Finance) PULLED FOR DISCUSSION
- I. Acceptance of a Storm Drain Easement Dedication by Charles W. Peachey and Priscilla M. Peachey **Recommended Action: That City Council accept the offer of dedication of a 20 foot wide by approximately 243 foot long public storm drain easement from Charles W. Peachey and Priscilla M. Peachey on Spencer Drive; authorize the Mayor to sign the Certificate of Acceptance; and direct the City Clerk to file the Certificate of Acceptance with the County of Riverside Recorder.** (Deputy Public Works Director/Senior Engineer)

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

Item 1.C. 2013 Vacant Parcel Spring Weed Abatement Program. **Recommended Action: Adopt Resolution No. 2013-11, declaring that weeds and hazardous vegetation, on or in front of vacant property in the City of Norco, constitute a public nuisance; and setting the Public Hearing for May 1, 2013.** (Fire Chief)

Jodie Webber. Ms. Webber commented on the resolution for this item and asked for clarification on that resolution where it states “no other Public Hearing needs to be held for the second or any subsequent occurrence of the nuisance ...” She noted that Government Code Section 39562.1 cited in the resolution does require that notice would be provided. The other issue she commented on is the cost and the fact that this cost is not provided to the property owner, recommending that a web link be provided to the property owner that would advise them what the potential cost would be. City Attorney Harper stated that notice is provided to the property owner and generally the amount charged is provided as well.

M/S Bash/Hanna to adopt Resolution No. 2013-11. The motion was carried by the following roll call vote:

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

Item 1.E. Approval of Amendment No. 2 to the Transportation Uniform Mitigation Fee Program Funding Agreement for the Hamner Avenue Widening, Santa Ana River to Parkridge Avenue Project. **Recommended Action: Approve Amendment No. 2 to the Hamner Avenue Widening, Santa Ana River to Parkridge Avenue Project TUMF Funding Agreement with Western Riverside Council of Governments.** (Director of Public Works)

Council Member Sullivan asked for clarification from Public Works Director Thompson regarding the difference from the amount funded in the original agreement and the amount funded on the Amendment No. 2. In response, Public Works Director Thompson stated that Amendment No. 2 reduced the amount to not-to exceed \$500,000 and transferred \$1.8 million that was to be used for the south side of the Santa Ana River to the north side of the Santa Ana River in order to receive reimbursement quicker.

M/S Sullivan/Bash to approve Amendment No. 2 to the Hamner Avenue Widening, Santa Ana River to Parkridge Avenue Project TUMF Funding Agreement with Western Riverside Council of Governments. The motion was carried by the following roll call vote:

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

Item 1.F. Resolution Accepting the California Supplemental Law Enforcement Services Fund Grant and Amending the FY 2012-2013 Operating Budget. **Recommended Action: Adopt Resolution No. 2013-12, accepting the California Supplemental Law Enforcement Services Fund Grant; and increasing revenue by \$100,000 and increasing appropriation by \$62,994 in the Supplemental Law Enforcement Services Fund Grant.** (Lt. Daniel Hedge)

Council Member Bash thanked Lt. Hedge for pursuing and receiving this grant.

M/S Bash/Sullivan to adopt Resolution No. 2013-12. The motion was carried by the following roll call vote:

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

Item 1.G. Approval of the Second Amendment to the Cooperative Agreement to Provide Fire Protection, Fire Prevention, Rescue and Emergency Services between the County of Riverside and City of Norco. **Recommended Action: Approve the Second Amendment to the Cooperative Agreement to provide fire protection, fire prevention, rescue and emergency services between the County of Riverside and City of Norco.** (Deputy City Manager/Director of Finance)

Council Member Sullivan asked if there were cost savings from this action. In response, City Manager Groves stated that this is just for the remainder of this fiscal year and will be addressed again for next fiscal year.

M/S Sullivan/Bash to approve the Second Amendment to the Cooperative Agreement to provide fire protection, fire prevention, rescue and emergency services between the County of Riverside and City of Norco. The motion was carried by the following roll call vote:

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

Item 1.H. Approval of an Assignment Agreement with Excel Hotel Group and Excel Corona LP. **Recommended Action: Approval for the City Manager to execute the Assignment Agreement Assigning the Project Developer Name from Excel Hotel Group to Excel Corona LP.** (Deputy City Manager/Director of Finance)

Council Member Sullivan asked about the term of the original Agreement with Excel Hotel Group and if that date would remain the same. In response, City Manager Groves stated that the only change with this Assignment Agreement is the name; everything else remains the same as originally approved.

Council Member Bash thanked staff for their continued work and efforts on this project.

M/S Sullivan/Bash to approve the City Manager to execute the Assignment Agreement Assigning the Project Developer Name from Excel Hotel Group to Excel Corona LP. The motion was carried by the following roll call vote:

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

INTRODUCTIONS:

Donna Johnston
Senior Legislative Assistant
County Supervisor John Tavaglione

Frank Johnston
Mayor Pro Tem
City of Jurupa Valley

Min Kim
Intern
Assembly Member Eric Linder

3. CITY COUNCIL DISCUSSION ITEMS:

- A. Discussion Regarding a Possible Amplified Sound Ordinance. (City Manager)

City Manager Groves stated that this item was agendaized at the February 20th City Council Meeting. She added that during public comments on February 20th, the concept of an amplified sound ordinance was recommended.

Mayor Pro Tem Hanna commented on the loud music that goes all night, adding that this is a problem and it goes on in his neighborhood. He stated that there needs to be something done for the peace and quiet of neighborhoods.

Council Member Higgins commented on amplified sound at Moreno Arena. Lt. Hedge stated that exemptions could include City events, adding that the normal sound range is measured from 50 – 85 decibels. Council Member Higgins stated that he is concerned about what would be defined as “annoyance noise” and how it would be defined.

Council Member Sullivan stated that he is not sure if he wants to write a sound ordinance, adding that he is open to looking into it; noting that it would be tough to come up with.

Mayor Azevedo stated that she concurs that this would be difficult, noting the amplified sound at athletic events and other City events. She noted her concerns regarding the impact to training public safety and the expenses involved to purchase equipment.

M/S Higgins/Bash to receive and file the report. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HIGGINS, SULLIVAN

NOES: HANNA

ABSENT: NONE

ABSTAIN: NONE

- B. Discussion Regarding a City-Wide Awareness Program for Equestrians Riding after Dark. (City Manager)

City Manager Groves stated that this item was agendaized at the February 20th City Council Meeting. She displayed the flyer currently on the City's website and other samples that could be used for outreach purposes.

Council Member Sullivan stated that anything we do for awareness is good, noting that he is in favor of the lights that flash, or are turned on all of the time.

Council Member Higgins stated that the whole basis is an awareness, adding that he does not want to go further than that and any way we can get it out there is good.

Mayor Pro Tem Hanna stated that a lot of advertising is good, but we cannot force horse riders to wear a light.

Council Member Bash stated that this is the right direction.

Mayor Azevedo presented some slogans that she came up with that could be used.

Council Member Higgins presented an idea he had for a slogan as well.

M/S Bash/Azevedo to allow the Norco Horsemen's Association to pick a slogan and together unite to start a campaign. 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:

Lance Gregory. Mr. Gregory commented on a property on Foxtrotter that received approvals to build a swimming pool and a 1,900 square foot RV garage, noting that they are resorting to the use of explosives in the building process. He commented on his communications with the City regarding permits that were received for this and the inspection process that followed. Mr. Gregory asked staff and the City Council to look at this for the safety of the residents.

John Koscki. Mr. Koscki commented on an article in the Press Enterprise regarding Silverlakes. He further commented on rumors regarding the project and asked if there is a backup plan if the project does not work.

Cara McCray. Ms. McCray thanked the City Council for attending the funeral for Dave Cummings and also expressed appreciation for staff's assistance to use Nellie Weaver. She stated that a petition is being circulated by the Norco Little League to name Field 2 at Wayne Makin after Dave. Director Petree stated that this will be brought to the City Council at a future City Council meeting for approval.

Jodie Webber. Ms. Webber commented on an accident that occurred on VanderMolen at which time a water pipe was hit on a vacant lot, noting that Public Works staff responded immediately.

Coleen Daniel. Ms. Daniel commented on alleged specific code violations at 2309 Reservoir Drive and her concerns regarding code enforcement responses.

Vern Showalter. Mr. Showalter provided an update on the final design stage of Reservoir No. 4.

Su Bacon. Ms. Bacon commented on the monthly reports received regarding the Wyle property and suggested that the same monthly reports be provided from Balboa at a Council meeting to provide information regarding what is going on at Silverlakes.

Ted Hoffman. Mr. Hoffman thanked the City Council and staff for assisting with and supporting the college rodeo. He invited everyone to attend the Wild West Casino Night on Saturday night, noting that the proceeds go toward the FFA scholarship fund at Norco High School.

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

Council Member Bash:

- Reported that he attended a S.T.A.R. meeting at the Senior Center and complimented Supervisor Peggy Calvert on the great job she does.
- Commented on a Yale Music award received by Mr. Kris Parish at the 2013 Pasadena Rose Parade.
- Stated that the Norco High School theater has been booked for February 1st and 2nd, 2014 for a film festival.
- Commented on NART's response to a horse that went down at his stables. A check in the amount of \$250 was presented to NART from the horse's owner.
- Commented on the filming of "Small Town Big Deal: in Norco on Tuesday.

Council Member Higgins:

- Recommended that an item be placed on the next City Council agenda reviewing the code violations alleged at 2309 Reservoir Drive. City Attorney Harper stated that this item may appear on the agenda as a closed session item if there are code violations and the City is considering reviewing them. City Attorney Harper stated that it may appear as potential litigation if there are code violations.

M/S Higgins/Hanna to place an item on the next City Council agenda reviewing the code violations referenced at 2309 Reservoir Drive. 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:

- Applauded the Sheriff's Department for its assistance to an elderly lady on Second Street.
- Stated that the City Council minutes do not often reflect what is said; noting some examples. He also stated that he does not want the City Attorney provide quotes in the newspaper regarding what goes on at City Council meetings.
- Recommended that an update be provided at the next City Council meeting regarding Silverlakes. He also stated specific questions that he would like answered or addressed. The questions have been provided to the City Manager and City Attorney in preparation of the staff report.

M/S Higgins/Hanna to place an item on the next City Council agenda to provide a Silverlakes update. The motion was carried by the following roll call vote:

Under Discussion:

Council Member Bash stated that the Council is very well briefed on the Silverlakes project, and is confident that he has the full facts. He noted that he hopes that the Council treads lightly and does not allow rumors and innuendo to have it sway.

Council Member Sullivan stated that he did not accuse the owner of Balboa of doing anything wrong, noting that he just wants answers to questions and is not placing the blame on anyone.

Mayor Azevedo commented on the deed restriction placed on the property and some of the history of maintaining the property in the past and the reason for the purchase of that property.

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Mayor Azevedo:

- Reported that she served as “Administrator for the Day” today at Norco High School, adding that the administrators commented on disrepair of the County flood control channel. Public Works Director Thompson responded that the flood channel is currently in design and in environmental process to be covered, with some challenges involved. Mayor Azevedo further commented on the country store in the Agriculture Department.
- Reported that she attended a WRCOG meeting on Monday, noting that the HERO program is doing well. She also noted that there is a new program for energy opportunities for low income families.
- Commented on New Beginnings Church who said they are starting up a program for Norco’s seniors.

7. CITY MANAGER / STAFF COMMUNICATIONS: None

8. ADJOURNMENT: There being no further business to come before the City Council, Mayor Azevedo adjourned the meeting at 8:37 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK