



**MINUTES
CITY OF NORCO**

**CITY COUNCIL
REGULAR MEETING**

CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE

MAY 15, 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 Sullivan

INVOCATION: Beacon Hill Assembly of God
Pastor Daniel Kitheka

PRESENTATION: Norco Cowgirls

Mychon Bowen presented a plaque to the City commemorating the Norco Cowgirls participation in the 2013 Rose Bowl Parade as representatives of the City of Norco.

INTRODUCTION: Youth Equestrian Drill Team

Greg Bowen introduced the members of the Youth Equestrian Drill Team.

COMMENDATION: Town and Country Day School 50th Anniversary

Mayor Azevedo presented a commendation plaque to Betty Bash in recognition of Town and Country Day School's 50th Anniversary.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

Council Member Higgins pulled Item 1.P.; Mayor Azevedo pulled Items 1. F, H, I, J, K, & L.

M/S Bash/Higgins 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:
Special Joint City Council/Planning Commission Meeting of April 10, 2013
Special Meeting of May 1, 2013
Regular Meeting of May 1, 2013
Special Meeting of May 6, 2013
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Recap of Actions Taken of the Planning Commission meeting of May 8, 2013.
Recommended Action: Receive and File (Planning Director)
- C. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
- D. Annual Adoption of the City Investment Policy. **Recommended Action: Approve and Adopt Investment Policy with a Minor Modification.** (Deputy City Manager/Director of Finance)
- E. Approval and Adoption of the Annual Appropriation Limit for Fiscal Year 2013-2014. **Recommended Action: Adopt Resolution No. 2013-17, approving the annual appropriation limit for Fiscal Year 2013-2014.** (Deputy City Manager/Director of Finance)
- F. Resolution Setting the Regular Meeting Schedules for City Commissions and the Economic Development Advisory Council for Fiscal Year 2013-2014.
Recommended Action: Adopt Resolution No. 2013-18. (City Clerk)
PULLED FOR DISCUSSION – APPROVED WITH MODIFICATIONS
- G. Approval to Purchase a 2013 Kubota Tractor M9960HDC **Recommended Action: Award bid to Glenn B. Dorning, Inc.** (Parks, Recreation and Community Services Director)
- H. Second Amendment to the Annual Sanitary Sewer Maintenance Service Agreement. **Recommended Action: Approve the extension of the Annual Sanitary Sewer Maintenance Service Agreement with Empire Pipe Cleaning & Equipment, Inc. for one (1) year, through June 30, 2014.** (Director of Public Works) **PULLED FOR DISCUSSION - APPROVED**
- I. Second Amendment to the Building and Safety Plan Examination Professional Services Agreement. **Recommended Action: Approve the requested extension of the Professional Building and Safety Plan Examination Service Agreement with Wildan Engineering for one (1) year, through June 30, 2014.** (Director of Public Works) **PULLED FOR DISCUSSION - APPROVED**

- J. Second Amendment to the Annual Street Sweeping Services Contract Agreement. **Recommended Action: Approve the extension of the Street Sweeping Service Agreement with CleanStreet for one (1) year, through June 30, 2014.** (Director of Public Works) **PULLED FOR DISCUSSION - APPROVED**
- K. Third Amendment to the Annual On-Call Street Maintenance Program Service Agreement. **Recommended Action: Approve the requested extension of the Annual On-Call Street Maintenance Service Agreement with Caliber Paving, Inc. for one (1) year, through June 30, 2014.** (Director of Public Works) **PULLED FOR DISCUSSION - APPROVED**
- L. Third Amendment to the Traffic Signal Maintenance Services Agreement. **Recommended Action: Approve the requested extension of the Traffic Signal Maintenance Service Agreement with Siemens Industry, Inc. for one (1) year, through June 30, 2014.** (Director of Public Works) **PULLED FOR DISCUSSION - APPROVED**
- M. Approve additional funding for the Hamner Avenue Widening Project for Installation of Storm Drainage Connection and Gas Sleeve for the Benefit of the Silverlakes Project. **Recommended Action: Appropriate Additional Funding.** (Public Works Deputy Director/Senior Engineer)
- N. Fiscal Year 2012-2013 Third Quarter Budget to Actual Report **Recommended Action: Receive and File** (Deputy City Manager/Director of Finance).
- O. Approve Amendment to the Standard Agreement #5600000936 between the City of Norco and the California Department of Corrections and Rehabilitation Center (CDCR) for Solid Waste Collection Services at the California Rehabilitation Center (CRC) in Norco. **Recommended Action: Adopt Resolution No. 2013-19 approving amendment #1 to the Standard Agreement #5600000936 between the City of Norco and the California Department of Corrections and Rehabilitation Center (CDCR) for solid waste collection services at the California Rehabilitation Center (CRC) in Norco.**
- P. Re-alignment of Reporting Relationship for City Historian Position. **Recommended Action: Realign the Volunteer Position of City Historian to Report to the City's Historic Preservation Commission** (City Manager) **PULLED FOR DISCUSSION - APPROVED**
- Q. Acceptance of a Conditional Summary Vacation of Real Property at 1885 Valley View Avenue. **Recommended Action: Adopt Resolution No. 2013-20, accepting the Conditional Summary Vacation and authorize the City Clerk to record Resolution No. 2013-20 with the Riverside County Clerk-Recorder.** (Deputy Public Works Director/Senior Engineer)

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

Item 1.F. Resolution Setting the Regular Meeting Schedules for City Commissions and the Economic Development Advisory Council for Fiscal Year 2013-2014.
Recommended Action: Adopt Resolution No. 2013-18. (City Clerk)

Mayor Azevedo commented on her concerns regarding the commissions not meeting enough and recommended meeting every other month.

M/S Azevedo/Higgins to adopt Resolution No. 2013-18 with the change made that the Historic Preservation Commission, Parks and Recreation Commission and Streets, Trails & Utilities Commission will meet every other month. The motion was carried by the following roll call vote:

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

Items H, I, J, K, L – Service Agreements

Mayor Azevedo commented on her concerns regarding not receiving new quotes for the services. In response, Public Works Director Thompson explained why the cost for these services remain low and justified the reasoning for not receiving new quotes.

M/S Azevedo/Hanna to approve all of the items as recommended. The motion was carried by the following roll call vote:

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

1.P. Re-alignment of Reporting Relationship for City Historian Position.
Recommended Action: Realign the Volunteer Position of City Historian to Report to the City's Historic Preservation Commission. (City Manager)

Council Member Higgins commented on his concerns regarding the City Historian position and asked for clarification regarding who the individual reports to.

Mayor Azevedo commented on the fact that it seems appropriate for the Historian to report to the Historic Preservation Commission as they are in charge of overseeing the artifacts and this was the original intent.

Council Member Bash commented on his concerns regarding the City artifacts collected and who took possession of them. He noted the history of the historian and an archive that is like no other city. He added that this is the first step in the Historian reporting to the Commission, followed by training for the Historian.

Su Bacon. Ms. Bacon spoke as Chairperson of the Historic Preservation Commission, noting that this is a difficult situation. She stated that the Historian is a diligent volunteer, but has failed to submit reports as required. She also commented on her concerns regarding the safe keeping of the artifacts. She added that the Historian should be thanked for all of his work. She stated that she would like the Council to handle this situation.

Linda Dixon. Ms. Dixon stated that the Historic Preservation Commission is excited about the history of Norco, noting that the artifacts need to be handled in a professional manner. She added that she has no problem with the Historian reporting to the Commission; however, it must be someone who is trained properly. She stated that she would like the Council to handle this situation

M/S/ Higgins/Hanna to receive and file the report and agendize the matter at the next available meeting.

Under discussion – The Council Members commented on their concerns regarding this situation, noting that this discussion is not degrading the individual, but the concern is the qualifications of the individual to perform the duties. They also commented on limited access to the archives in the interim.

The motion was carried by the following roll call vote:

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

M/S Bash/Azevedo to approve as recommended. The motion was carried by the following roll call vote:

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

3. CITY COUNCIL PRESENTATION ITEM:

- A. Sheriff's Department Annual Report Presentation for 2012. **Recommended Action: Receive and File** (Lt. Hedge)

Lt. Hedge presented the 2012 Sheriff's Department Annual Report (presentation on file in the office of the City Clerk).

4. CITY COUNCIL ACTION ITEM:

- A. Adoption of Revised Code of Ethics and Repealing the Existing Administrative Policy and Procedures. **Recommended Action: Adopt Resolution No. 2013-21, approving the revised Code of Ethics.** (City Attorney)

City Attorney Harper addressed this item for the City Council's consideration.

M/S Bash/Hanna to adopt Resolution No. 2013-21, approving the revised Code of Ethics. 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 Council at 8:55 p.m.

RECONVENE: Mayor Azevedo reconvened the Council at 9:00 p.m.

- B. Authorization to Negotiate a Final Contract with Waste Management for Waste Collection, Transportation and Disposal Services. **Recommended Action: Authorize staff to negotiate a final contract with Waste Management for waste collection, transportation and disposal services, acknowledging it is in the best interest of the City to do so.** (Deputy City Manager/Director of Finance)

Julie Reyes and Mark Stackle were present representing Waste Management and provided an update from Waste Management, highlighting why the City should continue its partnership with them.

Greg Newton. Mr. Newton noted that the issue is not the customer service; it is that we want the best deal. He commented on the priority disposal, noting landfill capacity is dictated by the County. He stated that it comes down to the scout service and a reduced cost of the manure to have affordable animal keeping. He further stated that the premium Monday service is to the advantage of Waste Management.

Vern Showalter. Mr. Showalter commented on the other service providers in Norco, noting the justification of sole source for Waste Management and the uniqueness of City.

M/S Higgins/Hanna to approve staff's recommendation.

Under discussion:

Council Member Bash stated that he wants to see a manure-to-energy plan in negotiations.

Council Member Sullivan commented on the Monday service, noting that another day(s) would work. He also noted that he is hoping to see franchise fees at close to \$1 million.

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. Zone Code Amendment 2013-01 and Code Amendment 2013-01 (City of Norco): Chapters 18.32 and 10.16 of the Norco Municipal Code regarding the Travel, Use, and Parking of Commercial Vehicles and Trailers in Residential Zones, and Along City Streets.

Proposed changes to clarify how and when a Resident Exemption Permit issued for the purpose of parking a commercial vehicle in a residential zone (otherwise prohibited) can be used when a home occupation business exists in the same location. The amendment also addresses the parking of commercial vehicles along City streets

Recommended Action: Adopt Ordinance No. 961 for first reading.
(Planning Director)

Planning Director King presented the public hearing item.

Council Member Higgins commented on his concerns regarding the “no parking” of commercial vehicles. In response, Planning Director King stated that these are all code enforcement issues responded to on a complaint basis.

Council Member Sullivan commented on the weight of dually trucks and if that weight would put them in the commercial vehicle category. In response, Planning Director King stated that if they are used as a commercial vehicle, they cannot use it in association with a home occupation and cannot park without a permit.

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

Vern Showalter. Mr. Showalter commented on his issue with the 12,000 lb. weight limit.

Don Bowker. Mr. Bowker stated that he wants no overnight parking in the City of Norco.

Karen Leonard. Ms. Leonard commented on her confusion with the home occupation definition.

Mayor Azevedo CLOSED the public hearing.

M/S Bash/Higgins to adopt Ordinance No. 961 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. Appeal Hearing: An appeal of the relocation requirement in the Planning Commission's approval of Site Plan 2013-07 (Salley): A request for approval to allow an accessory building consisting of a 625 square-foot detached garage at 3023 Arapaho Street located within the A-1-20 (Agricultural Low-Density) Zone. (Planning Director King)

Site Plan 2013-07 is a request for an accessory building consisting of a 625 square-foot detached garage at 3023 Arapaho Street. The Planning Commission approved the project with a condition that the building be moved to maximize potential animal-keeping area. The applicant is appealing this relocation condition.

Planning Director King presented the appeal hearing item.

Representatives of the owners/applicants spoke in defense of the project. They suggested recording an agreement that remains with the property in order to move forward with this project.

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

Bob Leonard. Mr. Leonard commented that we are a horse community and understand the problems a lot of the property owners have.

Mayor Azevedo CLOSED the public hearing.

M/S Higgins/Hanna to uphold Planning Commission recommendation. The motion was carried by the following roll call vote:

Under discussion: Council Member Sullivan commented on the number of homes in the City that do not have horses, adding that the Council should let them use their property.

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

- C. Code Change 2013-02. An Ordinance of the City Council of the City of Norco Declaring Code Violations of the Municipal Code to be a Public Nuisance and Authorizing the Recovery of Attorney's Fees.

This ordinance provides the City with an alternative that allows the City to use civil enforcement options and to recover attorney fees associated with such actions.

Recommended Action: Adopt Ordinance No. 962 for first reading. (City Attorney)

City Attorney Harper 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.

Vern Showalter. Mr. Showalter asked if this would have aided in cleaning up Mountain Avenue. In response, City Attorney Harper stated that the City always had the ability, out of its own pocket, to clean up the property.

Mayor Azevedo CLOSED the public hearing.

M/S Hanna/Higgins to adopt Ordinance No. 962 for first reading. The motion was carried by the following roll call vote:

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

6. PUBLIC COMMENTS OR QUESTIONS:

Pamela Smith. Ms. Smith announced the Friends of Norco Hills 2013 Ranch Tour to be held on Saturday May 18th from 11 a.m. to 4 p.m.

Bonnie Slager. Ms. Slager commented on the Norco Horsemen's Association safety campaign, noting the new slogan chosen as "Bright Lights for Safe Nights".

David Hagerty. Mr. Hagerty asked for an update on Silverlakes.

Louis Davis. Mr. Davis presented a check to the City from Southern California Edison in the amount of \$1,500 to be divided evenly between the National Day of the American Cowboy and the 2013 Horsetown Parade of Lights events.

Ted Hoffman. Mr. Hoffman commended staff for resolving an ADA issue at a local business. He further commented on the need to bring back the Public Safety Commission.

Don Bowker. Mr. Bowker spoke in appreciation for the lights on Sixth Street that are now lit.

Vern Showalter. Mr. Showalter commented on his concerns that new business owners are not educated regarding the City's sign policy.

John Dickens. Mr. Dickens commented on the Sheriff's report, asking if there are primary locations where speeding is a problem, noting the speeding on Sixth Street.

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

Council Member Sullivan:

- Asked when there would be an update on Silverlakes. In response, City Manager Groves stated that it will be presented the second meeting in July.
- **M/S Sullivan/Higgins to agendize an item to discuss speed tables. 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 that the Riverside County Transportation Commission approved the contract for the 91 Freeway project.

Council Member Bash:

- Commented on a potential sign at Norco College to help advertise the Trading Post.

Mayor Azevedo:

- Reported that she will be attending Republican Women event on Tuesday at which time she will present a mini State of the City.
- Reported that she will be attending a committee meeting for the Corona-Norco Unified School District in regards to the District being a 2013 Broad Prize finalist.

8. CITY MANAGER / STAFF COMMUNICATIONS: **NONE**

9. ADJOURNMENT: There being no further business to come before the City Council, Mayor Azevedo adjourned the meeting at 10:51 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK