



MINUTES
CITY OF NORCO
CITY COUNCIL

January 15, 2014

City Council Chambers
2820 Clark Avenue, Norco, CA 92860



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- CALL TO ORDER: Mayor Hanna called the meeting to order at 7:00 p.m.
- ROLL CALL: Berwin Hanna, Mayor, **Present**
Herb Higgins, Mayor Pro Tem, **Present**
Kathy Azevedo, Council Member, **Present**
Kevin Bash, Council Member, **Present**
Greg Newton, Council Member, **Present**
- PLEDGE OF ALLEGIANCE: Council Member Higgins
- INVOCATION: Council Member Higgins
- MOMENT OF SILENCE: Observed following the Passing of Mr. Louis VanderMolen
- PRESENTATIONS: Proclamation Declaring City of Norco a Purple Heart City, *Len Tavernetti / Military Order of Purple Heart*
Mayor Hanna presented a proclamation declaring the City of Norco as a Purple Heart City.
- Corona Regional Medical Center, *Mark Uffer, CEO*
Mr. Uffer presented an update to the City Council on the Corona Regional Medical Center.
- Receipt of Contribution for the George Ingalls Veterans Memorial Plaza, *Ruben Rasso*
Mr. Rasso presented a check in the amount of \$400 to the City as a contribution from the Corona Veterans Memorial Division to the George Ingalls Veterans Memorial Plaza.
- Emergency Preparedness Training, *Riverside County Fire/Cal Fire*
Fire Chief Pemberton presented information regarding emergency planning, preparedness and management in and for the City of Norco.
- INTRODUCTION: Lt. Hedge Introduced Sgt. Christian Decker

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Council Member Bash:

- Commented on the Film Festival and Gala to be held February 1 – 2 at the Norco High School auditorium in conjunction with the City's 50th Birthday celebration year.
- Commented on the Norco Kiwanis Lake Norconian Run/Walk which will take place on March 1st.

Council Member Newton:

- Reported that he was sworn in as a member of the Chino Basin Desalter Authority Board, noting that at that meeting a review of the financial and operational reports took place.

Council Member Azevedo:

- Reported on the WRCOG Executive Committee, noting and the Northwest Zone TIP and the HERO regional project reports.
- Reported that she will be speaking at the Norco Horsemen's Association meeting on January 16th and will be reporting on all of the City's 50th Birthday events that will take place throughout the year.

Mayor Hanna:

- Reported on the Riverside County Transportation Commission meeting he attended, at which time they approved \$152,000,000 to be allotted for local area projects, noting the funding and number of projects that will be funded.

2. CITY COUNCIL CONSENT ITEMS:

Council Member Bash pulled Item 2.E. and Council Member Newton pulled item 2.F.

M/S Higgins/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, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- A. City Council Minutes:
Regular Meeting of December 18, 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. Recap of Actions Taken by the Planning Commission at its Meeting held on January 8, 2014. **Recommended Action: Receive and File** (Planning Director)
- D. Quarterly Investment Report for Quarter Ended December 31, 2013. **Recommended Action: Receive and file** (City Manager)
- E. Report on Fiscal Year 2013 Audited Financial Reports. **Recommended Action: Receive and file. (City Manager) PULLED FOR DISCUSSION**
- F. Acceptance of the Corydon Staging Area Project as Complete. **Recommended Action: Accept the Corydon Staging Area Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside.** (Director Parks, Recreation and Community Services) **PULLED FOR DISCUSSION**
- G. Approval of the Norco Horseman's Association Casino Night Facility Lease Agreement. **Recommended Action: Approve a five-year Lease Agreement with Norco Horsemen's Association for the use of Nellie Weaver Hall for its annual Casino Night.** (Director Parks, Recreation and Community Services)
- H. Approval of the an Extra-Territorial Sewer Service Agreement Tentative Track Map 36642. **Recommended Action: Approve the Extra-Territorial Sewer Service Agreement between the City of Norco and the City of Corona, Tentative Track Map 36642.** (Water & Sewer Manager)

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

Item 1.E. Report on Fiscal Year 2013 Audited Financial Reports.

City Manager Okoro presented highlights from the FY 2013 Audited Financial Reports. Noted that the General Fund ended the fiscal year favorably, adding \$2 million to the reserves. He further stated that similarly, the Water and Sewer Funds performed very well, noting expenditure control measures that took place and rate adjustments. City Manager Okoro added that this report is a very comprehensive report, covering not only operating funds, but also the City's capital funds as well. He added that this report is required to be audited by the City's independent auditor, and the good news is that following the audit, there were no required changes and the report received a clean opinion.

M/S Bash/Higgins to receive and file the Fiscal Year 2013 Audited Financial Reports. The motion was carried by the following roll call vote:

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

Item 1.F. Acceptance of the Corydon Staging Area Project as Complete.

Council Member Newton commented on this project, complimenting the Parks, Recreation & Community Services Department staff for the professional manner in which the project was managed.

Director Petree commented on the community volunteers that assisted with this project.

M/S Newton/Hanna to Accept the Corydon Staging Area Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside. The motion was carried by the following roll call vote:

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

4. CITY COUNCIL PRESENTATION / DISCUSSION ITEMS:

- A. Certified Local Government Annual Report and Update on Collections Management Study. **Recommended Action: Receive and file.** (Cultural Resources Consultant Bill Wilkman)

Consultant Wilkman provided an update to the City Council regarding the draft Certified Local Government Annual Report. He noted the goals that had not been met, mainly due to the lack of budget resources. He commented on this year's goals which include ways to implement the City's historic preservation program. Consultant Wilkman further provided an update on the City's Collections Management Study.

Council Member Azevedo asked about the historical collection and noted the potential opportunity to display the items during the City's 50th Birthday year. In response, Consultant Wilkman stated that this will be an item included on the next Historic Preservation Commission agenda.

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

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

- B. Discussion Regarding the Expanded Historic Resources Survey and Evaluation of the Norconian's World War II and Post World War II Periods. **Recommended Action: That the City Council consider an appropriate course of action in relation to the expanded survey and evaluation.** (Cultural Resources Consultant Bill Wilkman)

Consultant Wilkman provided an update to the City Council regarding the Expanded Historic Resources Survey and Evaluation of the Norconian's World War II and Post World War II periods. He stated that he has been in contact with the State Historic Preservation Officer, noting that the City is not satisfied with the Survey that the Navy submitted. He commented on the potential consequences if the Survey is accepted as submitted and the need for the City to submit its comments indicating the shortcomings in the Survey. He stated the options for the City are to either complete its own survey or continue communications with the Navy regarding the City's concerns.

Council Member Newton asked what is behind the Navy's approach regarding the denial of historical buildings with significance on the site. Consultant Wilkman responded that it is to the Navy's best interest to not have any of the buildings historically designated, as this would significantly affect its flexibility with the buildings on the property. He noted that the City has a good handle on the buildings located on the property and the case that could be made for them.

Council Member Azevedo asked about the expense in hiring a consultant to complete the survey and how to move forward with this. Consultant Wilkman noted that staff will be making the determination in how to proceed. As far as the commissioning of an independent survey, the cost could be up to \$39,000 and there is the possibility of applying for a CLG grant to pay for it.

City Manager Okoro noted that the intent is to provide background information tonight and a City Council Workshop will be held on January 27th that will further address this item. He noted that at that meeting he will be looking for recommendations from the City Council in how to move forward.

Mayor Pro Tem Higgins commented on the buildings that were previously placed on the National Register. Consultant Wilkman noted that this report would add buildings to that list.

Council Member Bash commented on the Knox Mellon report that was completed and the fact that some of the designations were never done. He noted that most important to him is remembering all of the people throughout the history of those buildings. He further commented on the number of documents that have been sent to the State proving the historic value of the buildings on the property. Council Member Bash stated that he wants to do the surveys in-house and move ahead as quickly as possible, as the state and federal government are not taking care of the buildings.

Linda Dixon. Ms. Dixon suggested that the Council move forward authorizing the processing of the application for the CLG Grant. She noted the historical importance of each of these buildings and how they could be of benefit to the City in the future once the prison and the Navy are gone.

M/S Azevedo/Bash to move forward with applying for the CLG Grant. The motion was carried by the following roll call vote:

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

5. **LEGISLATIVE MATTERS:** (No new evidence will be heard from the public as the public hearing has been closed regarding the item listed.)

- A. **Code Change 2013-06 (City of Norco):** Ordinance regarding the applicability of prevailing wage requirement to State funded or assisted Public Works contracts. **Recommended Action: Adopt Ordinance No. 971.** (City Clerk)

M/S Higgins/Azevedo to adopt Ordinance No. 971. The motion was carried by the following roll call vote:

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

- B. **Code Change 2013-07 (City of Norco):** Ordinance replacing Title 15, Chapters 15.01-15.08 and 15.90 of the Norco Municipal Code, adopting by reference the 2013 edition of the California Building Standards Code including the 2013 California Building Code; 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Residential Code, and 2013 Green Building Code. **Recommended Action: Adopt Ordinance No. 972.** (City Clerk)

M/S Higgins/Azevedo to adopt Ordinance No. 972. The motion was carried by the following roll call vote:

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

6. **CITY COUNCIL CONTINUED PUBLIC HEARING:**

- A. **Appeal Hearing 2013-02 (Lakeville Retail Group, LLC):** 1) An appeal of a condition of approval from Planning Commission approval of Conditional Use Permit 2013-13: A request for a temporary modular unit for use as a construction office and interim sales office for an existing RV rental business located at 2185 Hamner Avenue in the Norco Auto Mall Specific Plan; 2) A request for waiver of application fees.

On November 13, 2013 the Planning Commission adopted Resolution 2013-48 approving Conditional Use Permit 2013-13 for a temporary modular unit to be used as a construction office for Tractor Supply Co., and an interim sales office for an existing RV rental business located at 2185 Hamner Avenue in the Norco Auto Mall Specific Plan. The Planning Commission approval included Condition No. 13 with a time restriction on the unit to the earlier of either, one year, or the issuance of an occupancy permit for Tractor Supply Co. This condition was appealed to the City Council by the applicant. Along with the appeal the applicant has requested a refund of application fees. This item was originally scheduled for December 18, 2013 but was continued at the request of the applicant.

Recommended Action: The City Council is recommended to hear the applicant and make a final determination regarding the appeal. Staff is recommending that the appeal of Condition No. 13 be denied; thereby, leaving stand Planning Commission's approval, and deny the waiver of the fee request. (Planning Director)

Planning Director King introduced the appeal hearing item and commented on the history of the Conditional Use Permit 2013-13 approval process. He noted staff's recommendation and added that the applicant was not able to be present.

Council Member Higgins asked if Corona Motorhome Rentals has a CUP. In response, Director King stated that they did not.

Mike Bandfield. Mr. Bandfield commented as the owner of Corona Motorhome Rentals and noted that he wants his business to stay. He stated that the fees for the CUP, on his behalf, have been paid. He added that he would like to stay as long as he can on that site.

Director King stated that this item was appealed by the applicant and the only way for Mr. Bandfield's business to remain on the site is to have a CUP.

City Attorney Harper commented on the need for a CUP in that zone and the conditions that would be placed on the operation of the business.

M/S Higgins/Bash to deny the appeal of Condition No. 13 be denied; thereby, leaving stand Planning Commission's approval, and deny the waiver of the fee request. The motion was carried by the following roll call vote:

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

7. CITY COUNCIL PUBLIC HEARINGS:

A. Public Hearing Confirming Costs for Fall Weed Abatement.

The 2013 Fall Weed Abatement Report of Costs lists property owners whose vacant parcels were abated by the Fire Department's weed abatement contractor for the 2013 Fall Weed Abatement Program. After Council adopts the Resolution, property owners will be invoiced for payment of the abatement.

Recommended Action: Adopt **Resolution No. 2014-01**, confirming the report of costs for abatement of weeds and hazardous vegetation as a public nuisance and imposing special assessment liens on vacant parcels within the City. (Fire Chief)

Fire Chief Pemberton presented the public hearing item. He commented on one protest letter received from Beacon Hill Assembly of God, noting that they have been contacted and will not need to pay the administration fee portion.

Mayor Hanna 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 Hanna CLOSED** the public hearing.

M/S Bash/Higgins to adopt Resolution No. 2014-01. The motion was carried by the following roll call vote:

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

RECESS: Mayor Hanna recessed the meeting at 8:49 p.m.

RECONVENE: Mayor Hanna reconvened the meeting at 9:00 p.m.

- B. **Zone Code Amendment 2013-16 (City):** A request to amend Title 18 (Zoning) of the Norco Municipal Code regarding the definitions and/or regulations for second units, emergency shelters, transitional housing, and supportive housing in accordance with State Government Code requirements.

Zone Code Amendment 2013-16 and Code Change 2013-05 (Item 7.C.) are the final implementation measures of the 2008-2014 Housing Element Update that was certified by the state last year with certain conditions that needed to be met before the next update could be certified. The 2014-2021 update has been approved by the City and the City has received a pre-certification letter from the Department of Housing and Community Development (HCD). The letter states that certification is pending and will be finalized upon completion of the follow-up measures from the 2008-2014 document.

Recommended Action: Adopt Ordinance No. 969 for first reading. (Planning Director)

Planning Director King presented the public hearing item, noting that this is the last step in the process of receiving a Certified Housing Element.

Mayor Pro Tem Higgins commented on the family designation required and how this will be enforced.

Council Member Newton asked about Section 18.30.46 (2) Definition, noting the 10-foot maximum separation between the two buildings, in comparison to the Building Code minimum of 10 feet. He further commented on public safety concerns. In response, Director King stated that the reason this is written this way is so that there would be some assurance of protection to the City's lifestyle. Chief Pemberton commented on this noting that it would depend on the variables in that second unit. City Attorney Harper commented on the restrictions that will make a second unit undesirable.

Council Member Azevedo noted her concerns regarding the state's required definitions.

Mayor Hanna 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 Hanna CLOSED the public hearing.

M/S Bash/Higgins to adopt Ordinance No. 969 for first reading. The motion was carried by the following roll call vote:

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

- C. **Code Change 2013-05 (City):** Code Change 2013-05 (City of Norco): Adding Section 9.95 "Reasonable Accommodations" to the Norco Municipal Code.

This item was originally scheduled for December 4, 2013 but the hearing was cancelled before it was opened and has now been re-advertised for this meeting. Code Change 2013-05 is a requirement of state and federal fair housing laws to make reasonable accommodations for the development of housing for persons with disabilities. Reasonable accommodations are minor deviations to requirements of the Norco Municipal Code and the intent is to reduce the procedural requirements that can be constraints to the development of housing for this group of people. All jurisdictions in the state are required to comply with the regulations.

Recommended Action: Adopt Ordinance No. 970 for first reading. (Planning Director)

Planning Director King presented the public hearing item as stated in the proposed Ordinance.

Council Member Azevedo received confirmation from Director King that the smaller projects will be approved by staff and the larger projects would go through the Council process.

Council Member Newton commented Minor Site Plan approved at the staff level staff and received confirmation that variances would go directly to Council for its finding and approval.

Mayor Hanna 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 Hanna CLOSED the public hearing.

M/S Higgins/Bash to adopt Ordinance No. 970 for first reading. The motion was carried by the following roll call vote:

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

8. PUBLIC COMMENTS OR QUESTIONS:

Peter Garrell. Mr. Garrell, attorney for the property owners at 350 Oldenburg, commented on pavers that were installed at that location. He noted that he appeared before the Streets, Trails and Utilities Commission, noting the comments that were made on the permitting process. He further commented on the rubber pavers that were placed and proposed that this be used as a test case, as they are safe and a good product.

Rachel Matheny. Ms. Matheny commented on the pavers, noting that they need to be safe for horses and people. She stated that in her opinion, the rubber pavers are a safe product. She added that she does not believe that the intent in installing the pavers is to change Norco.

Ted Hoffman. Mr. Hoffman thanked the Council for purchasing the new equipment for grooming the arenas at Ingalls Park. He also commented on the Exclusive Refuse Franchise Agreement Ad-Hoc Committee meetings he attended, congratulating the members on the Committee and noting the diligent work they are doing.

9. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Council Member Newton asked Public Works Director Askew about the Stop Sign at Willow and Valley View and when the horse trail sign would be moved, and further, asked when the installation of trail fence on the south side of Willow would take place. In response, Director Askew stated that she would look into it right away.

Council Member Higgins asked about the rubber pavers noted in public comments and if they were the same as were installed on Sixth Street. In response, Director Askew stated that these are a different product.

Council Member Bash commented on the need to have a discussion regarding the City's trails and his concerns with where the decomposed granite will come from in the future.

M/S Bash/Higgins to agendize a discussion regarding the City's trails and the responsibility of homeowners to maintain them. The motion was carried by the following roll call vote:

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

Mayor Hanna requested a progress report on the Veterans Memorial Project at each Council Meeting. In response, City Manager Okoro stated that the first step will be for the City Council to approve the funding for the project in February.

M/S Bash/Higgins to agendize an item forming a sub-committee consisting of two Council Members to work with staff on business processes. The motion was carried by the following roll call vote:

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

City Manager Okoro commented on a City Council Workshop that will be held on January 27th which will include a review of the proposed Development Impact Fees.

City Attorney Harper stated that the Norco Firefighters lawsuit is “dead”.

10. **ADJOURNMENT:** There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 9:46 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK