



MINUTES
CITY OF NORCO
CITY COUNCIL

April 16, 2014

City Council Chambers
2820 Clark Avenue, Norco, CA 92860



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**

M/S Bash/Higgins to add a closed session item at the end of the agenda to discuss two potential anticipated litigation items. The motion was carried by the following roll call vote:

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

PLEDGE OF ALLEGIANCE: Council Member Newton

INVOCATION: Council Member Higgins

PRESENTATION: I-15 Express Lanes Project
*Eliza Echevarria, RCTC Community Relations
Manager, Riverside County Transportation
Commission*

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

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

Council Member Bash:

- Reported on the Riverside Conservation Authority meeting he attended, noting the controversy between the board members.
- Reported on a ceremony he attended held by the United States Navy, the Riverside County Board of Supervisors and American Technical Services at which time a historic signing agreement on technology transfer and patent licensing agreement took place. He noted that this will allow this technology to be used by the private sector to create jobs and investment in the County and region.

Council Member Newton:

- Reported on the Chino Basin Desalter Authority Board meeting he attended, noting the Phase 3 Expansion, Product Water Pipeline Project.

Council Member Azevedo:

- Reported on the Western Riverside Council of Government's meetings she attended, noting the Southern California Association of Governments' (SCAG) involvement in the climate action plan.
- Commented on the event she attended with Council Member Bash held by the United States Navy, the Riverside County Board of Supervisors and American Technical Services, noting the money that will be saved through this project.
- Commented on the 50th Birthday activities that are going strong, noting the Heritage Photo Day which will be held on May 10th beginning at 9 a.m. at the Community Center. She also commented on other events that will be held each month in celebration of the City's 50th Birthday.

Mayor Hanna:

- Reported, as the City's representative on the Riverside County Transportation Commission, that the 91 Freeway Project continues to be underway, adding that he is updated on this project continuously via email.
- Reported on the Riverside Transit Agency meeting he attended, noting the new busses that have been bought and the old ones that will be disposed of. He further commented on the bus that has been made into a "Mobile Fresh" delivery vehicle.
- Noted that the Day of the Cowboy planning is moving ahead.

2. CITY COUNCIL CONSENT ITEMS:

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

- A. City Council Minutes:
Regular Meeting of April 2, 2014
Special Meeting of April 2, 2014
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 April 9, 2014. **Recommended Action: Receive and File.** (Planning Director)
 - D. Quarterly Investment Report for Quarter Ended March 31, 2014. **Recommended Action: Staff recommends that the City Council receive and file the Quarterly Investment Report for the Quarter Ended March 31, 2014.** (City Manager)
 - E. Approval to Declare Various City Assets as Surplus Property. **Recommended Action: Declare Various City Assets as Surplus and authorize the City Manager/Director of Finance to dispose of surplus assets through auction, donation to charitable organizations or electronic recycling (e-cycle).** (City Manager)
 - F. Approval of Additional Appropriation and Changes in Contract Amounts for the Hamner Avenue Widening Project. **Recommended Action: Adopt Resolution No. 2014-13, appropriating funds in the amount of \$200,000 to complete final payment to the Griffith Company for the Hamner Avenue Widening Project.** (Public Works Director)
 - G. Approval for an Extension to the Contract for Annual Audit Services with Rogers, Anderson, Malody and Scott, LLP. **Recommended Action: Approve the Contract extension for annual audit services with Rogers, Anderson, Malody and Scott, LLP.** (City Manager)
 - H. Resolution Approving City of Norco Participation in the County of Riverside Mortgage Credit Certificate Program. **Recommended Action: Adopt Resolution No. 2014-16.** (Planning Director)
3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
4. CITY COUNCIL DISCUSSION / ACTION ITEM:
- A. Acceptance of Bids and Award of Contract for the Veterans Memorial Project. **Recommended Action: Award contract to Act I Construction, Inc. in the amount of \$445,373.75 to include Base Bid and Add Alternate "B" and Add Alternate "D"; authorize the City Manager to approve contract change orders up to 10 percent of the original contract amount; and, reject the bid protest submitted by Hamel Construction, Inc.** (Parks, Recreation and Community Services Director)

City Manager Okoro presented information regarding the proposed project.

Parks, Recreation and Community Services Director Petree presented additional information regarding the project through a display of pictures and a video.

Donny Gouthro. Mr. Gouthro recognized all Military Veterans in the audience and commented in support of the project on behalf of many U.S. Military/Veteran organizations.

Linda Dixon. Ms. Dixon commented in support of this project, noting the fundraisers that have taken place to raise funds for it.

Ron Warren. Mr. Warren commented in support of the project and the use of redevelopment funds for this project.

Richard Hallam. Mr. Hallam commented in support of this project.

Geoff Kahan. Mr. Kahan commented in support of this project, noting the special service held for George Alan Ingalls Day.

Pam Smith. Ms. Smith commented on the money raised by the Norco Area Chamber of Commerce for this project. She presented a check in the amount of \$1,700 raised at the State of the City event through the silent auction that was held. She also commented on the Military Appreciation Luncheon to be held on July 23, 2014 at the Lake Norconian Club.

Council Member Azevedo commented on the project, noting that it is a dream come true. She added that this is a special gift to give to the City for its 50th Birthday.

Council Member Newton thanked City Manager Okoro for providing information regarding the funding source for the project. He asked Director Petree to provide updates on the progress of the project.

Mayor Pro Tem Higgins commented on his military service and his support of this project.

Council Member Bash commented on his support for this project and further commented on how it evolved.

Jack Soto. Mr. Soto commented in support of the project.

Ruben Rasso. Mr. Rasso commented in support of the project.

Mayor Hanna stated that he is honored to have served on the planning committee, noting his support of the project.

M/S Higgins/Bash to award the contract to Act I Construction, Inc. in the amount of \$445,373.75 to include Base Bid and Add Alternate "B" and Add Alternate "D"; authorize the City Manager to approve contract change orders up to 10 percent of the original contract amount; and, reject the bid protest submitted by Hamel Construction, Inc. The motion was carried by the following roll call vote:

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

5. CITY COUNCIL PUBLIC HEARING:

- A. **Tentative Tract Map 36676** (Lewis): A proposed subdivision of two parcels (approximately 4.22 acres) into six parcels for residential development on five of the parcels with a new cul-de-sac street and the maintenance of an existing residence on Valley View Avenue. The project site is located at 3498 and 3516 Valley View Avenue in the A-1-20 zone.

Proposed Tentative Tract Map (TTM) 36676 for six parcels meets all the subdivision and zoning requirements of Titles 17 and 18 of the Norco Municipal Code. Final approval by the City Council requires direction on whether the cul-de-sac should incorporate a wrap-around trail and if so, how that should be implemented.

Recommended Action: Adopt Resolution No. 2014-15, approving Tentative Tract Map 36676, subject to the conditions of approval set forth and as amended. (Planning Director)

Planning Director King presented the public hearing item, noting the determinations required from the City Council and the options suggested as stated in the staff report. He further commented on recommendations made by the Planning Commission (noting Condition No. 52 should read “green” wall instead of screen wall) and the Streets, Trails & Utilities Commission. He stated that the map exhibit included with the staff report reflects one drainage option that does not require a retaining wall. He noted that another option would be to place a retaining wall at the rear, which would eliminate the need for a drainage easement to the rear of Lots 1 through 5 and included in the conditions of approval. He added that the map at hand is not the one that includes the present conditions of approval as recommended and approved by the Planning Commission. He commented on the “perpetual fund” that could be created by the developer, noting that the applicant is requesting that the map be approved at this time, with the amount of that fund decided at a later date. He further commented on the decision that will need to be made as far as the location of the trail on one side of the street, or on both sides. Director King commented on letters that were received from property owners in regards to the public hearing.

Council Member Newton asked about the drainage and the retaining walls as shown on the map. In response, staff referred to the retaining walls on the north and west sides. He commented on the view of residents that would be destroyed by the higher pads. He also commented on the sewer drainage to the west connecting to an existing sewer line on Mulberry Lane and noted his definition of perpetual.

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

Pat Overstreet. Ms. Overstreet commented on mistakes made by past Councils, noting her recommendation for larger lots per house and only single story allowed. She urged the developers to scale back to a more reasonable project.

Fernando Barcena. Mr. Barcena commented in opposition of the project, suggesting it should be downsized.

Brian Trela. Mr. Trela commented in opposition of the project, noting the traffic problems that will be created and the fact that this development is uncharacteristic of the neighborhood, adding that five lots will not encourage or attract animal-keeping people.

Mark Moore. Mr. Moore commented in opposition of the project, noting the elevation of the project and recommended that engineering changes be made.

Denise Sutherland. Ms. Sutherland commented in opposition of the project and recommended modifications be made as she noted that this development would negatively impact her residence as currently proposed. She is requesting that this project go back to the developer and Planning Commission, stating her concerns regarding potential drainage problems and the view that will be blocked because of the elevation of the development.

Glenn Hedges. Mr. Hedges commented on the issue of the continuation of trails addressed by the City commissions. He spoke in support of the horse trail all around the cul-de-sac, or continuation of trails.

Linda Dixon. Ms. Dixon commented on her support of a continuous horse trail. She also commented on the need for room to back horse trailers into property.

Opal Jackson. Ms. Jackson commented in opposition of the project, noting her concerns that her property will get flooded.

Andrew Hernandez. Mr. Hernandez commented in opposition of the project.

Mayor Hanna CLOSED the public hearing.

RECESS: Mayor Hanna recessed the meeting at 9:25 p.m.

RECONVENE: Mayor Hanna reconvened the meeting at 9:32 p.m.

Council Member Bash suggested that this item go back to planning.

Council Member Newton asked Fire Chief Pemberton if they would be impacted if there is parking on both sides of the cul-de-sac. In response, Chief Pemberton noted that there would be if parking is on both sides, noting that current street standards will need to be maintained.

Council Member Azevedo asked about building on flag lots. In response, Director King noted that no flag lots are being created. Council Member Azevedo commented on the 20,000 sq. ft. lots being too small and asked what the process is in changing that. In response, City Attorney Harper stated that this would require a zone change. Council Member Azevedo stated that this is what would need to happen to not allow 20,000 sq. ft. lots in Norco anymore. She further asked if the proposal is denying two stories. In response, Director King stated that the proposal does not state one way or the other. Council Member Azevedo stated that she does not support easements or creating an LMD.

Mayor Hanna commented on his concerns with the project, noting the sizes of the properties and the height of the PAKA. He added that he cannot support the impact to the neighborhood and disagrees with the trail on two sides.

M/S Hanna/Higgins to send the project back to the Planning Commission.

Under Discussion:

Council Member Newton stated that he would request that the current drawings should be provided to the Planning Commission. He further noted that the Planning Commission needs to evaluate the cost for maintenance.

The motion was carried by the following roll call vote:

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

M/S Azevedo/Hanna to propose trails on one side of the street.

Substitute M/S Newton/Higgins for trails to be circular and on both sides of the street. The motion was carried by the following roll call vote:

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

- B. Public Hearing Amending the City's Comprehensive Fee Resolution to Update and Adjust the Development Impact Fee Schedule.

In October of 2012, the City Council approved a Professional Services Agreement with Revenue Cost Specialists, LLC, to complete a Development Impact Fee Calculation and Nexus Report. On January 27, 2014, the City Council held a Special Meeting Workshop at which time Scott Thorpe, representing Revenue Cost Specialists, LLC, presented the results from the completed Development Impact Fee Calculation and Nexus Report and the Master Facilities Plan for the City of Norco. Following meetings held between staff and Mr. Thorpe, the final Development Impact Fees are now recommended to be approved by the City Council through the public hearing process.

Recommended Action: Adopt Resolution No. 2014-14. (City Manager)

M/S Bash/Higgins to continue the public hearing to May 7, 2014. The motion was carried by the following roll call vote:

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

6. PUBLIC COMMENTS OR QUESTIONS:

Kathy Walker. Ms. Walker commented on her concerns regarding the City's sign ordinance and problem businesses are having. She recommended that a committee be created including citizens, business owners, and the Norco Area Chamber of Commerce to discuss this issue. She added that everyone is not treated fairly.

Sharon Smith. Ms. Smith commented on her concerns regarding getting DG for her horse stalls.

Ted Hoffman. Mr. Hoffman commented on a parking situation at the end of Sixth Street across from Pikes Peak Park in the evenings, noting that it is not marked for "no parking".

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

Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation:
Two Potential Cases

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1): **City Attorney Harper stated that there are no reportable actions from the discussions held in Closed Session.**

RECONVENE PUBLIC SESSION: 10:20 p.m.

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

M/S Azevedo/Hanna to agendize a discussion regarding the addition of one member of the Historic Preservation Commission to the Ad-Hoc Committee to review the City's future infrastructure and funding needs. The motion was carried by the following roll call vote:

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

M/S Azevedo/Hanna to agendize a discussion regarding a zone change from the present requirement of R-1-20 20,000 square feet minimum lot size to one-half acre. The motion was carried by the following roll call vote:

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

8. ADJOURNMENT: There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 10:30 p.m.