



MINUTES
CITY OF NORCO
CITY COUNCIL

May 7, 2014

City Council Chambers
2820 Clark Avenue, Norco, CA 92860



CALL TO ORDER: Mayor Hanna called the meeting to order at 6:00 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**

§54957.6 – Conference with Labor Negotiator

Negotiating Parties: City Manager Okoro
Human Resources Analyst Paakkonen

Employee Organizations: Management
Middle Management, Professional and Confidential
Service
Norco General Employees Association
Norco Public Works & Parks Maintenance Workers
Association

RECONVENE PUBLIC SESSION: Mayor Hanna reconvened the meeting at 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1): City Attorney Harper stated that there were no reportable actions following closed session.

PLEDGE OF ALLEGIANCE: Council Member Azevedo

INVOCATION: Beacon Hill Assembly of Norco
Pastor Rene Parish

PRESENTATION: Ten Most Needed Trail Improvements
Norco Horsemen's Association

The Norco Horsemen's Association presented to the Council its list of "Ten Most Needed Trail Improvements"

RECOGNITIONS: Divita Dialysis
Ryan Christian and Staff

The staff at Divita Dialysis were presented with a certificate of recognition for its medical professionalism performed in an emergency response.

Capt. Danny Feltenberger
Riverside County Sheriff's Department

Capt. Danny Feltenberger was recognized for his service to the community since 2010.

Kenneth L. Chism
*Awarded Orange County Sheriff's Department
Medal of Merit*

Mr. Chism was recognized for receiving the Orange County Sheriff's Department Medal of Merit.

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.

Mayor Pro Tem Higgins:

- Reported on the Southern California Association of Governments (SCAG) conference he attended, noting the efforts of SCAG for the benefit of the region.

Council Member Newton:

- Reported on the Chino Basin Desalter Authority Board meeting he attended.

Council Member Azevedo:

- Reported on the Western Riverside Council of Governments Executive Committee meeting she attended.
- Reported on the City's 50th Birthday Committee efforts, noting the Norco Heritage Photo Day to be held on Saturday, May 10th and many of the other events that will be held in the future.

Mayor Hanna:

- Reported on the Riverside Transit Agency meeting he attended, noting that bus ridership is going up.
- Reported on the Riverside County Transportation Commission meeting he attended.

2. CITY COUNCIL CONSENT ITEMS:

City Manager Okoro removed item 2.D. from the Agenda, noting that it will not be discussed.

M/S Higgins/Newton 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 April 16, 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. Continuation of Annual Special Tax for Community Facilities District No. 93-1 for the Fiscal Year 2014-2015. **Recommended Action: Adopt Resolution No 2014-17.** (City Manager)
- D. Approval of a Professional Services Agreement between the City of Norco and Ricardo Breceda, Sculptor and Designer, to Design and Build Five (5) Public Art Projects for the George Ingalls Equestrian Event Center. **Recommended Action: Approve the Professional Services Agreement with Ricardo Breceda in an amount not-to-exceed \$130,000 for Public Art Projects.** (Director of Parks, Recreation & Community Services) **REMOVED FROM THE AGENDA**
- E. Acceptance of the Norco MDP Line N-1A, N-1B and N-1E Project as Complete.
Recommended Action: Accept the Norco MDP Line N-1A, N-1B and N-1E Project as complete and direct the City Clerk to file the Notice of Completion with the County of Riverside. (Public Works Director)

3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR: **NONE**

4. CITY COUNCIL DISCUSSION / ACTION ITEMS:

- A. Ordinance Amending the Norco Municipal Code Establishing the Number of Members on the Streets, Trails and Utilities Commission at Five Members. (Code Change 2014-02). **Recommended Action: Adopt Ordinance No. 973, for first reading.** (City Clerk)

M/S Bash/Higgins to adopt Ordinance No. 973, 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

- B. Consideration of the Removal of One Hour Parking Signs on Portions of Hamner Avenue. **Recommended Action: Provide direction to staff regarding the removal of “One Hour Parking” signs and the posting of “No Parking” signs on the west side of Hamner Avenue from Second Street north to Auto Mall Drive. Resolution No. 2014-21 has been prepared for adoption if the City Council votes to approve this item.** (Director of Public Works)

Council Member Azevedo stated that she had received a call from Mr. Hemborg regarding the signs resulting from concerns he had following communications he had received on ADA access. She further stated that she concurs with Mr. Hemborg that there should be no parking on Hamner Avenue.

Council Member Newton asked Public Works Director Askew about the cost to replace the signs. In response, she stated that the proposed cost includes any polls that would need to be replaced.

M/S Hanna/Bash to adopt Resolution No. 2014-21 removing the “One Hour Parking” signs on both sides of Hamner Avenue from Second Street north to Auto Mall Drive and replace them with “No Parking” signs. The motion was carried by the following roll call vote:

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

- C. Discussion to Consider Appointment of a Representative from the Historic Preservation Commission to the Ad-Hoc Committee on Infrastructure Needs and Funding Option. **Recommended Action: Discuss and provide direction to staff.** (City Manager)

Council Member Azevedo stated that at the time the Ad-Hoc Committee was formed, she was not aware that the Historic Preservation Commission was left out. She added that all of the commissions should have a representative on the Ad-Hoc Committee.

Council Member Newton commented that he assumed that the Ad-Hoc Committee included all of the commissions, adding that the City Manager was given the authority to form the Ad-Hoc Committee.

M/S Azevedo/Bash to include the appointment of one member of the Historic Preservation Commission on the Ad-Hoc Committee. The motion did not carry following the roll call vote:

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

5. CITY COUNCIL CONTINUED PUBLIC HEARING:

- A. 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)

City Manager Okoro presented the public hearing item and introduced Scott Thorpe, Senior Vice President of Revenue & Cost Specialists, LLC, who added some additional information regarding the Development Impact Fee Calculation and Nexus Report that was completed.

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

Nathan Miller. Mr. Miller commented representing the Building Industry Association, noting that there have been no building permits pulled in the last two years in Norco; adding opposition to the proposed DIF.

Mayor Hanna CLOSED the public hearing.

Council Member Bash commented on the Commercial and Office DIF and asked if those fees will foster commercial and industrial development. In response, Mr. Thorpe commented on the trip demand analysis, explaining how they are attained. Council Member Bash asked if our Commercial and Office DIF are like other cities. In response, Mr. Thorpe noted that they are close, adding that the very low density of Norco drives up the fees.

City Manager Okoro commented on the reasonableness of the proposed fees and how they were calculated.

Mayor Pro Tem Higgins commented on the fees for Single Family Dwelling/Subdivision and if there was a profit made from those fees. In response, Mr. Thorpe stated that there was no profit gained from the fees, adding that these fees are to accommodate future development. Mayor Pro Tem Higgins commented on his concerns regarding the reasoning for the increase in the fees.

Council Member Newton commented on the DIF, asking if they are at the minimum. In response, Mr. Thorpe noted that they are the maximum amount for the minimal needs. Council Member Newton further commented on why there are not DIF for public safety. In response, Mr. Thorpe stated that DIF are limited to one-time only capital projects.

Council Member Azevedo commented on the DIF not collected for a number of years. She added that she cannot support the fees at all until she sees what neighboring community DIFs are.

M/S Azevedo/Bash to table this item until information is provided regarding the DIF in neighboring communities. 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 PUBLIC HEARINGS:

A. Public Hearing Ordering Abatement of Weeds on Vacant Lots.

The proposed resolution orders the abatement of weeds and authorizes the Fire Department's weed abatement contractor to begin abating weeds on vacant properties whose owners did not comply with the Notice to Abate Spring Weeds.

Recommended Action: Adoption of Resolution No. 2014-19, declaring that weeds and hazardous vegetation, upon or in front of vacant property in the City of Norco, constitute a public nuisance and ordering the abatement.
(Chief Pemberton)

Fire Chief Pemberton presented the public hearing item.

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.

Council Member Newton commented on the properties that have been abated and are still listed. In response, Chief Pemberton stated that they would be addressed and removed if that is the case.

M/S Azevedo/Bash to adopt Resolution No. 2014-19. The motion was carried by the following roll call vote:

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

- B. Ordinance Amending Chapter 3.50 of the Norco Municipal Code to Include a New Exemption for Newly Constructed Specially Adapted Homes for Severely Disabled Veterans Under the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program. (Code Change 2014-01)

Pursuant to the Mitigation Fee Act (Gov. Code §§ 66000 et seq.), Western Riverside Council of Governments ("WRCOG"), upon recommendation of the WRCOG Executive Committee, desires to amend the TUMF Ordinance to include the following exemption: "Exempt non-profit 501(c)(3) organizations who build new, single-family homes, specifically constructed and adapted for qualifying severely disabled veterans injured in a theatre of combat operations."

Recommended Action: Adopt Ordinance No. 974 for first reading. (City Manager)

City Manager Okoro presented the public hearing item.

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 Hanna/Bash to adopt Ordinance No. 974 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

RECESS: Mayor Hanna recessed the meeting at 8:40 p.m.

RECONVENE: Mayor Hanna reconvened the meeting at 8:52 p.m.

- C. Consideration of all Protests and Objections Concerning the Proposed Rates for Solid Waste/Manure Removal and Disposal Services through a Contract with USA Waste of California, Inc.; and, Adoption of a Resolution Approving an Amended and Restated Agreement between the City of Norco and USA Waste of California, Inc. for the Provision of Integrated Waste Management Services.

Following successful completion of the work of the Ad-Hoc Committee appointed by the City Council to assist with final contract negotiation for the renewal of Exclusive Franchise Agreement with USA Waste of California, Inc. for the collection, transportation, recycling

and disposal of solid waste; staff conducted a Special City Council and Ad-Hoc Committee Joint Study Session on Tuesday, February 18, 2014, at which time the City Council voted (4-1 vote) to accept the recommendations of the Ad-Hoc Committee and directed the City Manager to proceed with Proposition 218 Hearing notices. Staff has complied with the noticing requirements of Proposition 218 and is recommending that the City Council adopt the resolution approving an Amended and Restated Franchise Agreement, and rates therein, between the City of Norco and USA Waste of California, Inc. for the collection, transportation, recycling and disposal of solid waste effective July 1, 2014.

Recommended Action: Adopt Resolution No. 2014-20, approving the Amended and Restated Franchise Agreement, and rates therein, between the City of Norco and USA Waste of California, Inc. for the Collection, Transportation, Recycling and Disposal of Solid Waste effective July 1, 2014.
(City Manager)

City Manager Okoro presented the public hearing item. He commented on what has taken place since March 25, 2013, noting the appointment of the Ad-Hoc Committee. He further commented on the contract enhancements and recommendations negotiated through the meetings held by the Ad-Hoc Committee.

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

Lisa Campbell. Ms. Campbell commented in opposition of the contract.

Mary Schroeder. Ms. Schroeder commented in opposition of the contract.

Ted Hoffman. Mr. Hoffman commented in support of the contract.

Linda Dixon. Ms. Dixon commented as a member of the Ad-Hoc Committee in support of the contract.

Julie Reyes. Ms. Reyes commented as a representative of Waste Management, noting their support for the formation of the Ad-Hoc Committee that worked with them to negotiate this contract based on the recommendations made.

Mayor Hanna CLOSED the public hearing.

Council Member Newton received clarification regarding solid waste and self-haul permits for mixed solid waste. He noted that he looks forward to moving ahead with Manure-to-energy discussions.

Council Member Bash noted that he is impressed with the transparency through the Ad-Hoc committee process. He further noted that his focus is on manure-to-energy. He stated that his decision is based on his personal decision on what he believes is best for Norco.

Mayor Pro Tem Higgins commented on the contract negotiations, noting that manure was the main issue. He added that other corporations were not able to handle the manure in Norco, adding that this is why he supports the contract.

Council Member Newton commented on the process, noting that the Ad-Hoc Committee did its due diligence and listened to all those that attended. He believes that the City is getting a fair deal, with the key issue for him being manure-to-energy.

Council Member Azevedo stated that the manure-to-energy plant has been important for many years, noting how much the technology has changed and Waste Management is a large enough company to work with the City on this process. She commented also as a member of the Ad-Hoc Committee in support of the contract.

Mayor Bash thanked everyone for their work on this contract, adding that he looks forward to moving forward with the manure-to-energy discussions.

M/S Azevedo/Higgins to adopt Resolution No. 2014-19. The motion was carried by the following roll call vote:

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

7. PUBLIC COMMENTS OR QUESTIONS:

John Rigler. Mr. Rigler commented on the application he submitted to serve on the Planning Commission.

Kun Yee. Mr. Yee commented on the “illegal material” he installed in front of his property, noting the citation he received. He further commented in regards to why the pavers are allowed on commercial property and not residential, noting the problems on the slopes in the Norco hills.

Pat Overstreet. Ms. Overstreet commented in regards to the Ranch Tour to be held on May 17th. She stated that she endorses Mr. John Rigler to serve on the Planning Commission.

8. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

Mayor Pro Tem Higgins:

- Commented on his concerns regarding the process of working permits through the City desk.

M/S Higgins/Bash to refer to the Planning Commission to agendize a discussion regarding two properties (the Huntly property located on Seventh Street and the Roy Hungerford property located on Fifth Street) and further provide a timeline of the approval process and any requirements that were added following approval. The motion was carried by the following roll call vote:

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

Council Member Bash:

M/S Bash/Higgins to agendize a discussion regarding the proposed housing project off of Arlington Avenue in Riverside. The motion was carried by the following roll call vote:

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

M/S Bash/Higgins to agendize a discussion regarding the City's role in the clean-up of the State-owned sewage treatment plant. The motion was carried by the following roll call vote:

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

Mayor Hanna:

- Inquired if there is any progress with the Cash 4 Gold businesses. In response, City Attorney Harper stated that they are going through the code enforcement process.
- Inquired if all of the food trucks at Horseweek had a sales tax license. In response, Parks and Recreation Director Petree stated that they were not allowed on the grounds without it.

Public Works Director Askew: Verbal Update on First Street/Temescal Avenue and Hamner Avenue/Fifth Street Grading Operations:

- Stated that regarding the Hamner Avenue/Fifth Street grading operation, they met the requirements of the Norco Municipal Code (NMC) and they were looking to get rid of some dirt, with some talk of the development of a hotel and to make the site more marketable. She noted that there is nothing in the NMC specifying a time limit for grading. She further stated that the slopes will be improved upon completion of the grading. In regards to First Street/Temescal Avenue, active grading is taking place following an approved rough grading plan in preparation for a proposed house. She added that both sites are over an acre with a SWPPP and active permits through the regional board.

Mayor Hanna commented on the need for an ordinance with requirements for clean-up to a useable site.

Council Member Bash inquired about selling the DG. In response, Public Works Director Askew stated that she is not aware of reason why they could not sell it.

Council Member Azevedo asked why they are allowed to grade in the residential areas. In response Public Works Director Askew noted that this is permitted in the A-1-20 zone for a house, adding that the City inspector is there on a regular basis to check on the operation.

Council Member Newton asked if the owners of the property on First Street/Temescal Avenue have submitted house plans and if the owners of the property at Hamner Avenue/Fifth Street have submitted plans for structures. In response, Planning Director King stated that neither has submitted. Council Member Newton stated that maybe an ordinance should be written to limit grading until building plans are submitted.

M/S Hanna/Higgins to refer this to the Planning Commission to agendize a draft ordinance limiting grading until building plans are submitted. The motion was carried by the following roll call vote:

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

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

BRENDA K. JACOBS, CMC
CITY CLERK