



MINUTES
CITY OF NORCO
CITY COUNCIL

September 17, 2014

City Council Chambers
2820 Clark Avenue, Norco, CA 92860



Berwin Hanna, Mayor
Herb Higgins, Mayor Pro Tem
Kathy Azevedo, Council Member
Kevin Bash, Council Member
Greg Newton, Council Member

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

Berwin Hanna, Mayor, **Present**
Herb Higgins, Mayor Pro Tem, **Absent**
Kathy Azevedo, Council Member, **Present**
Kevin Bash, Council Member, **Present**
Greg Newton, Council Member, **Present**

PLEDGE OF ALLEGIANCE:

Council Member Greg Newton

INVOCATION:

Corona Church of the Open Doors, *Pastor Fred Griffin*

PRESENTATION:

Donation for the George A. Ingalls Veteran's Memorial

Geoff Kahan, Chair of the Rock Around Norco Car Show and Sock Hop event, presented the City with a donation of \$1,309.11 for the George Ingalls Veteran's Memorial. The donated funds were proceeds from the Car Show and Sock Hop event. Mr. Kahan thanked all the sponsors, including Bob's Big Boy Restaurant.

RECOGNITIONS:

Bob's Big Boy, Sponsor of the "Rock Around Norco Car Show & Sock Hop"

Geoff Kahan, Chair of the Rock Around Norco Car Show and Sock Hop event, presented the owners and managers of Bob's Big Boy Restaurant with a plaque in appreciation of their sponsorship and commitment to the successful event. Mr. Kahan commented on the proud relationship and partnership.

Norco Girls 8U Softball All-Stars, ASA Champions

Mayor Hanna presented the coaches and the girls with certificates recognizing them for their achievements. The coaching staff commented on the girls' hard work which included putting in over 50 hours of practice in two months. The team ended with a 6-1 record and one state title.

PROCLAMATIONS:

Constitution Week, September 17-23, 2014

Mayor Hanna presented a proclamation for Constitution Week to representatives from the Daughters of the American Revolution.

Adult Literacy Awareness Month, September 2014

Mayor Hanna presented a proclamation to representatives from the County of Riverside. They commented there were over 4.3 million visits to libraries throughout Riverside County and 122,000 visits to the Norco Library last year. Many reading programs are offered at the Norco Library including the adult book club, tutoring, and ESL classes.

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. A. SILVERLAKES EQUESTRIAN & SPORTS PARK UPDATE

City Manager Andy Okoro presented a brief update about two key items related to the Silverlakes property. The first item Mr. Okoro commented on is weed abatement. Mr. Okoro stated that Balboa retained a contractor for weed abatement, which is scheduled to be completed in the next several days. The second item Mr. Okoro commented on is the State Controller's routine audit of the Redevelopment Agency dissolution. The audit looks at asset transfers after January 1, 2011 to be sure they are in compliance. The audit was conducted in June 2014 and an exit conference by the auditors advised the City Manager and the Accounting Manager that they found no exceptions aside from only one finding, which was the transfer of the property from the redevelopment agency to the City because the transfer occurred on June 30, 2011. The response to the initial finding is that the City believes it is valid because the process of entering into the agreement with Belstarr began

in 2008 and the transfer was grandfathered in. Once the State Controller's Office issues the draft report, the City will respond and a final report will be released.

B. CITY COUNCIL COMMUNICATIONS / REPORTS ON REGIONAL BOARDS AND COMMISSIONS

Council Member Bash:

- Attended a Riverside Conservation Authority meeting.

Council Member Newton:

- Toured the Chino Basin Deslater Authority II building. The treatment processes at this building include Reverse Osmosis and Ion-Exchange for removal of nitrate and total dissolved solids.

Council Member Azevedo:

- Attended the CNUSD Schools Committee meeting to discuss various topics including a joint use agreement with Norco High School for use of the pool in the summer for youth and seniors. CNUSD is moving forward with Measure GG which would provide many benefits to Norco schools including fencing and WiFi. Also discussed was the possible use of banners on Sixth Street for high achieving students.
- Attend the League of California Cities Annual Conference in Los Angeles. Council Member Azevedo commented on the great ideas presented and sessions attended.
- Commented on Western Riverside Council of Government's HERO Program and urged residents to take part in the program.
- Met with the Birthday Committee. Council Member Bash agreed to put together a birthday album and anyone interested in providing Norco pictures can bring them to City Hall.

Mayor Hanna:

- Attended the League of California Cities Annual Conference in Los Angeles and commented on the resolution up for vote at the conference regarding marijuana dispensaries.
- Attended Riverside County Transportation Commission meeting in which eminent domain for a specific property in Corona was discussed.
- Attended the Riverside Transit Agency Transportation Now Committee meeting. A representative from Norco College will now serve on the Committee.
- Commented on the Veteran's Memorial and the many donations for services and materials received. The dedication ceremony will take place on November 11, 2014 at 10:00 a.m.

2. CITY COUNCIL CONSENT ITEMS:

Council Member Bash pulled Consent Calendar Items 2.E., 2.F., 2.G., 2.J., and 2.K. and Public Works Director Askew pulled Consent Calendar Item 2.H. for disucction

M/S AZEVEDO/BASH to adopt the remaining items as recommended on the Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, NEWTON

NOES: NONE

ABSENT: HIGGINS

ABSTAIN: NONE

- A. City Council Minutes:
Joint Study Session Meeting of August 6, 2014
Action: Approved the City Council Minutes
- B. Procedural Step to Approve Ordinance after Reading of Title Only. **Action: Approved**
- C. Recap of Actions Taken by the Planning Commission at its Meeting held on September 10, 2014. **Action: Received and filed.**
- D. Resolution Supporting Riverside County Coalition's and Western Riverside Council of Governments' Healthy Cities Concept. **Action: Adopted Resolution No. 2014-57, supporting healthy active living in the City of Norco.**
- E. Norco History Collections Policies and Procedures Manual. **PULLED FOR DISCUSSION.**
- F. Approval of Payment of California Public Employees' Retirement System (CalPERS) Replacement Benefit Fund. **PULLED FOR DISCUSSION.**
- G. Resolution Expressing Opposition to the City of Riverside's Measure L. **PULLED FOR DISCUSSION.**
- H. Request to Amend the Traffic Signal and Street Lighting Maintenance Agreement between the City of Norco and the City of Corona. **PULLED FOR DISCUSSION.**
- I. Implementation of Water Conservation Restrictions. **Action: Adopted Resolution No. 2014-59, supporting the State of California Emergency Regulation for Statewide Urban Water conservation due to severe drought conditions and establish local water conservation restrictions.**
- J. Norco Area Chamber of Commerce & Visitors Center 2013 Annual Report. **PULLED FOR DISCUSSION.**
- K. Acceptance of Quotes and Award of Contract for Electrical and Lighting Materials for the George Ingalls Veterans Memorial Plaza Project. **PULLED FOR DISCUSSION.**

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

E. Norco History Collections Policies and Procedures Manual. (City Manager)

Council Member Bash pulled this item to present historical artifacts.

Historic Preservation Commissioner Denise Sutherland spoke briefly about the manual and thanked the Council for taking the time to review it.

Council Member Bash stated that he already made suggestions to staff for the manual and they are working on it. Council Member Bash commented on the wheelchair basketball program that occurred on the Navy Base. He presented the Chair of the Norco Historical Preservation Commission with the Commission's first artifacts – a Rolling Devils trophy and over 30 photographs. The trophy and photographs are from the Rolling Devils wheelchair basketball team during their time at the Naval Hospital.

Chair Matthew Potter accepted the historical artifacts and thanked Council Member Bash for his time in acquiring the artifacts. Chair Potter added that he hopes to have the Community Center room ready by the December 28th City's birthday event to allow for tours of the historical artifacts.

M/S BASH/HANNA to receive and file. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, NEWTON

NOES: NONE

ABSENT: HIGGINS

ABSTAIN: NONE

F. Approval of Payment of California Public Employees' Retirement System (CalPERS) Replacement Benefit Fund. (City Manager)

Council Member Bash pulled the item to ask City Manager Okoro to explain this item. City Manager Okoro briefly explained that the Internal Revenue Code limits the amount of annual retirement benefit an individual can receive from a tax-qualified defined benefit pension plan such as Cal PERS. When a retiree's annual retirement allowance exceeds the limit, CalPERS invoices the retiree's former employers for the excess amounts. For 2014, the City has two employees, which it has been invoiced in the amount of \$3,248.

Council Member Newton asked that if the obligations are unknown, then how can the City estimate future costs in the budget. In response, City Manager Okoro stated that the \$3,248 will be the base amount used until another retiree comes into the category.

M/S BASH/HANNA to approve payment of CalPERS Replacement Benefit Fund. The motion was carried by the following roll call vote:

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

G. Resolution Expressing Opposition to the City of Riverside's Measure L. (City Attorney)

Council Member Bash discussed the impact of Measure L.

Council Member Newton asked that City Attorney Burns read a letter from Riverside Mayor Pro Tem Jim Perry into the record and it be included as an attachment to the minutes (Exhibit A).

M/S BASH/HANNA to adopt Resolution No. 2014-58, expressing the City Council's opposition to the City of Riverside's Measure L. The motion was carried by the following roll call vote:

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

H. Request to Amend the Traffic Signal and Street Lighting Maintenance Agreement between the City of Norco and the City of Corona. (Director of Public Works)

Director Askew pulled the item to note a correction under Financial Impact. The correction should state \$750 for each signal.

M/S BASH/HANNA to approve the amendment to Exhibit "A" of the traffic Signal and Street Lighting Maintenance Agreement between the City of Norco and the City of Corona. The motion was carried by the following roll call vote:

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

J. Norco Area Chamber of Commerce & Visitors Center 2013 Annual Report. (City Manager)

Council Member Bash stated that he is impressed with the work the Chamber has done and thanked the Board for their efforts.

M/S BASH/AZEVEDO to receive and file. The motion was carried by the following roll call vote:

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

K. Acceptance of Quotes and Award of Contract for Electrical and Lighting Materials for the George Ingalls Veterans Memorial Plaza Project. (Director of Parks, Recreation and Community Services)

Council Member Bash thanked Sparky Panzer for his donated work on the Veteran's Memorial.

M/S BASH/AZEVEDO to accept quotes and award contract to Walters Wholesale electrical Supply and authorize the City Manager to execute a purchase order. The motion was carried by the following roll call vote:

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

4. CITY COUNCIL DISCUSSION / ACTION ITEMS:

A. Review of the Equestrian Resource Directory. (Economic Development Consultant)

Economic Development Consultant Roger Grody gave a brief presentation on the directory. Mr. Grody stated that the directory is a valuable tool to visitors and residents. It is everything an equestrian enthusiast is looking for. The directory speaks to the Horsetown USA identity. Mr. Grody noted that the directory captures a diverse audience and commented that it is part of a larger marketing effort. The design is customizable based on seasonal events. Mr. Grody thanked the equestrian subcommittee and Intern Kelli Newton for their work in producing this directory.

Mayor Hanna thanked staff for their work. Council Member Azevedo expressed her excitement about the brochure and suggested including language or a website address where residents and visitors can go to view all events.

M/S BASH/HANNA to approve the directory. The motion was carried by the following roll call vote:

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

B. Pedestrian-Equestrian Trail Encroachments on Corona Avenue between Second Street and Third Street. (Director of Public Works)

Director of Public Works Lori Askew presented brief information as noted in the staff report. Director Askew indicated that in the past few months, it has been reported that there have been riding accidents attributed to the paving of asphalt across the trail at driveways. Staff was requested to investigate the encroachments. Director Askew presented the Council with various photos of the affected area.

Glen Hedges requested that the City take the position that the Norco Horsemen's Association took in 1999, which was no reduction in trails. Mr. Hedges indicated that encroachments require a permit otherwise it is considered a code violation. Mr. Hedges stated that removing railroad ties should be a first priority.

Merrienne Bouchard-Taylor spoke on behalf of neighbors that have been injured while riding this section of trail. Ms. Bouchard-Taylor stated that the trails should be addressed if the City is reaching out for people to visit our community.

Randy Boicourt commented that his horse went down on that section of the trail and that residents should be required to correct the issue.

Maureen Musgrave spoke on behalf of trail riders and talked about injuries to her and her horse as a result of a fall while riding that section of trail. Ms. Musgrave stated that the City has a duty to provide safe trails and asked that the trails be fixed.

Renee Jones commented on the dangerous conditions on that section of trail and encouraged the City not to close the trail.

Rhonda Miller spoke about her injuries due to a fall while riding on that section of trail.

Joanne Aikins stated that she lives on Corona Avenue and sees many pedestrians and equestrians use that trail and sees the dangers.

Harvey Sullivan stated that closing the trail is not an option. Mr. Sullivan commented that the trail is the public right-of-way and no permission is needed to remove the encroachments.

Ted Hoffman commented that anything in the easement is an encroachment. Mr. Hoffman also commented on DG with binders and encouraged the City to look at new products.

Council Member Bash commented on due process but expressed his concerns as to why the encroachments have not been removed. Council Member Bash stated his support in spending \$28,000 to remove the encroachments.

Council Member Newton stated that he does not support closing trails and does not support a public workshop to discuss this issue. Council Member Newton stated that impacted properties should be noticed for removal. Council Member Newton asked City Manager Okoro for a removal strategy and schedule by the end of the week.

Council Member Azevedo concurred with Council Members Bash and Newton and stated that closing trails is not a consideration. Council Member Azevedo also agreed with public comments on alternative materials. Council Member Azevedo expressed

her opposition to stamped asphalt. She stated supporting the approval of \$28,000 for removal of the encroachments and sending letters to residents.

Mayor Hanna concurred and suggested getting started immediately.

In response to Council Member Bash, City Attorney Burns stated that homeowners could be invoiced for the encroachment removal if the encroachment is on the horsetrail.

City Attorney Burns discussed due process and stated to notice residents.

M/S AZEVEDO/BASH to declare Corona Avenue between Second Street and Third Street a trail hazard/emergency and approve \$28,000 to remove the trail encroachments with prior noticing; to also begin the process of trail encroachment removal throughout the City by providing nuisance hearing notices to the property owners affected; and to replace encroachments with materials not including stamped asphalt. The motion was carried by the following roll call vote:

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

Mayor Hanna recessed the meeting at 9:32 p.m. and reconvened the meeting at 9:38pm.

5. CITY COUNCIL PUBLIC HEARINGS:

- A. A Resolution Amending the City's Comprehensive Fee Resolution to Update and Adjust the Development Impact Fee Schedule. (City Manager)

City Manager Andy Okoro presented brief information as noted in the staff report.

Mayor Hanna opened the public hearing at 9:58 p.m., indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Nathan Miller, of Building Industry Association of Southern California, stated that he attended the May 7, 2014 City Council meeting. At that meeting he said he indicated that the City was not using correct census data and was including the prison population in the study. Mr. Miller claimed that the City has the highest development impact fees in the County.

Mayor Hanna closed the public hearing at 10:02 p.m., bringing the discussion back to Council Members.

Council Member Azevedo expressed her concerns with rates being higher than other cities. City Manager Okoro indicated that the proposed fees are driven by what is based on the master facilities study. The proposed fees are needed in order to maintain the City's standard.

Water and Sewer Manager Bill Thompson stated that the fees are needed for expansion and are not used to repair roads. Mr. Thompson added that most communities build on quarter acre lots whereas Norco builds on full half-acre lots which makes it difficult to compare fees. Mr. Thompson concluded that the Norco Municipal Code has a provision that allows developers to appeal to the City Council for a reduction in fees.

Council Member Bash expressed his concern with the lack of notification.

City Manager Okoro indicated that a public hearing was noticed on April 16, 2014 and continued to May 7, 2014 to accommodate Mr. Miller. The study has not changed since its initial introduction to Council on April 16, 2014.

City Attorney Colin Burns noted that the statute states that proper notification for at least one hearing is required, which was provided for the May 7, 2014. However, Mr. Burns commented on language in the staff report indicating "modifications" and, therefore, recommended rescheduling the hearing to allow for the 14-day noticing requirement.

M/S BASH/AZEVEDO to re-introduce this public hearing for a future meeting to allow for the 14-day noticing requirement. The motion was carried by the following roll call vote:

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

- B. **Ordinance No. 980, First Reading.** Code Change 2014-05 (City of Norco): A City-Initiated Code Amendment to Add Chapter 5.56 "Hookah and Smoking Lounges" Prohibiting Hookah and Smoking Lounges in All Zoning Districts within the City. (Planning Director).

Planning Director Steve King noted that a restaurant owner wishing to speak on this item requested to have this item continued as he had to leave due to an emergency.

Council Member Bash suggested granting the request and continuing the hearing. The City Council concurred.

M/S AZEVEDO/BASH to continue the public hearing to the October 1, 2014 City Council meeting. The motion was carried by the following roll call vote:

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

6. PUBLIC COMMENTS OR QUESTIONS

Jimbo Williamson commented on new 3-foot clearing law for bicycles. Mr. Williamson commented the lack of space on North Drive between California and Valley View to accommodate for this new law.

Brad Werler commented on the ban on medical marijuana dispensaries. He requested that the City consider the use with proper licensing guidelines. Mayor Hanna referred Mr. Werler to speak with Lt. Briddick.

Geoff Kahan spoke on behalf of BSA Troop 33. Mr. Kahan invited the public and Council to attend the BSA Temescal District 2014 Distinguished Citizens event honoring Corona-Norco Unified School District Board Member Cathy Sciortino and Norco City Council Member Kevin Bash.

Frank Taylor requested that the City Council consider scheduling a study session to discuss a conceptual program for unmanned aerial systems.

Karen Leonard commented on a Public Records Request she submitted on August 28, 2014 as a result of plans she submitted for a permit. Ms. Leonard claimed that her plans were resubmitted by someone else other than herself.

Robert Leonard spoke about a Public Records Request his wife submitted in August. Mr. Leonard stated that he was told by staff that his plans would be voided and returned to him. Mr. Leonard said that later he was told the plans could not be returned to him. Mr. Leonard requested a meeting with the City Manager and the City Attorney.

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS

Council Member Newton requested to agendize discussion of the gateway section of California Avenue and North Drive regarding traffic and to look at innovative traffic calming measures.

M/S AZEVEDO/BASH to agendize discussion of traffic calming measures for California Avenue and North Drive. The motion was carried by the following roll call vote:

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

Council Member Newton asked about the procedure to acquire proper equipment needed for the City. Specifically, Council Member Newton discussed purchasing a vibratory roller. Mr. Thompson stated that the City has a roller which was purchased in 1999. City Manager Okoro stated that staff will discuss and explore this concern.

Council Member Newton commented on street markings being on the street for so long that they are fading. There was some discussion between Council Member Newton and Director Askew and Council Member Newton agreed to let Ms. Askew know which markings need attention as he sees them.

Council Member Newton commented on Council direction taken back several months ago directing staff to look at full cul-de-sac trails. City Manager Okoro and Director King stated that would look back at the minutes for clarification.

Council Member Newton asked who is charged when court workers sit on trail fencing and the fencing breaks. Director Petree stated that traditionally, they are not charged.

Mayor Hanna asked how often fire hydrants are opened and tested. In response, Mr. Thompsen stated that the exercise is done annually and the process is started where the water quality is an issue. Staff is working on completing the testing throughout the City within the next 18 months.

ADJOURNMENT

Mayor Hanna adjourned the meeting at 10:45 p.m.

Cheryl L. Link, City Clerk