



**MINUTES**  
**CITY OF NORCO**  
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY  
REGULAR MEETING  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
MAY 20, 2009

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CALL TO ORDER: Mayor Azevedo called the meeting to order at 6:04 p.m.

ROLL CALL: Mayor Kathy Azevedo, **Present**  
Mayor Pro Tem Malcolm Miller, **Present**  
Council Member Frank Hall, **Present**  
Council Member Berwin Hanna, **Present**  
Council Member Richard L. MacGregor, **Absent**

**Staff Present** – Allred, Cooper, Frye, Jacobs, Okoro, Oulman, Paakkonen, Petree and Thompson

City Attorney Harper – **Present**

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

**Section 54957.6 – Conference with Labor Negotiator**

Negotiating Parties: City Manager Allred, Fire Chief Frye, Director of Fiscal & Support Services Okoro and Human Resources Analyst Paakkonen

Employee Organization: Norco Firefighters Association  
Norco Battalion Chiefs Association

RECONVENE PUBLIC SESSION: With no Closed Session Items to report, Mayor Azevedo reconvened the meeting at 7:16 p.m.

PLEDGE OF ALLEGIANCE: Council Member Hall

INVOCATION: Pastor Vernie Fletcher  
*Grace Fellowship Church*

**REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:**

**M/S Hall/Miller to approve the item as recommended on the CRA Consent Calendar. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, HALL, HANNA, MILLER**  
**NOES: NONE**  
**ABSENT: MACGREGOR**  
**ABSTAIN: NONE**

1. CRA CONSENT CALENDAR ITEMS:

- A. CRA Minutes, Workshop and Regular Meeting of May 6, 2009.  
**Recommended Action: Approve the CRA Minutes.** (City Clerk)

2. OTHER CRA MATTERS: No Other CRA Matters

ADJOURNMENT OF CRA: 7:22 p.m.

**REGULAR CITY COUNCIL AGENDA AS FOLLOWS:**

**M/S Miller/Hall to approve the item as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, HALL, HANNA, MILLER**  
**NOES: NONE**  
**ABSENT: MACGREGOR**  
**ABSTAIN: NONE**

3. CITY COUNCIL CONSENT CALENDAR ITEMS:

- A. City Council Minutes, Workshop and Regular Meeting of May 6, 2009.  
**Recommended Action: Approve the City Council Minutes.** (City Clerk)
- B. Approval and Adoption of the Annual Appropriation Limit for the Fiscal Year 2009-2010. **Recommended Action: Adopt Resolution No. 2009-20.** (Director of Fiscal and Support Services)
- C. Agreement between the City and the California Pro Rodeo Circuit Board to Co-Host the California Pro Rodeo Circuit Finals Rodeo. **Recommended Action: Approval** (Director of Parks, Recreation & Community Services)
- D. Authorization to Install a Three-Way Stop Condition at Alhambra Street and Rocky View Drive. **Recommended Action: Authorize the installation of the three-way stop condition.** (Director of Public Works)

- E. Action Minutes for Planning Commission Meeting of May 13, 2009.  
**Recommended Action: Receive and File** (Planning Manager)

4. CITY COUNCIL ITEMS FOR ACTION:

- A. Resolutions Calling the 2009 General Municipal Election and Placement on the November 3, 2009 General Municipal Election Ballot of a Measure Relating to the Transient Occupancy Tax (TOT)

*Three Resolutions are required in order to hold a General Municipal Election on November 3, 2009. At this election, the voters will consider candidates for two seats on the Norco City Council. A resolution is also required and proposed to place on the November 3, 2009 ballot a measure to increase the existing transient occupancy tax from 8% to 11%, which is charged only to persons who occupy hotel or motel rooms in the City of Norco.*

**Recommended Actions: That the City Council adopt:**

- a) **Resolution No. 2009-\_\_\_, requesting the County of Riverside to conduct the November 3, 2009 Election;**
- b) **Resolution No. 2009-\_\_\_, calling and giving notice of the Election;**
- c) **Resolution No. 2009-\_\_\_, adopting regulations for the candidates for elective office; and**
- d) **Resolution No. 2009-\_\_\_, placing on the November 3, 2009 ballot a measure to increase the existing transient occupancy tax from eight percent (8%) to eleven percent (11%) which is charged only to persons who occupy hotel or motel rooms in the City of Norco. (City Clerk)**

**City Clerk Jacobs** presented the resolutions calling the November 3, 2009 General Municipal Election. She noted that the filing period for nomination papers and candidate's statements will be July 13 through August 7. City Clerk Jacobs stated that the estimated cost for filing a Candidate Statement will be approximately \$375, as set by the County of Riverside.

**City Manager Allred** presented the Council Item regarding the placement on the November 3, 2009 ballot of a measure to increase the TOT to 11%. A chart was displayed showing TOT rates in other California cities.

**Council Member Hanna** emphasized that the TOT increase does not affect the residents.

**Mayor Pro Tem Miller** stated he is in support of the ordinance with one correction noted, as the word "owned" should be written as "owed." (Correction noted for the record.)

**Pat Overstreet, 1231 Corona.** Ms. Overstreet noted that her questions had been answered in the chart that was displayed. She further noted that the 11% rate seems appropriate in comparison to the neighboring cities.

**Mayor Azevedo** believes 11% is appropriate and supports this.

**Mayor Pro Tem Miller** added that there have been problems with how this tax has been calculated when the rooms were sold on the internet, and it was questionable if they were sold at a wholesale or resale price. Director Okoro responded that we will be keeping that in mind and will be checking if that is happening in Norco. He further noted that our situation is slightly different from larger cities, as the City does not have the large number of internet transactions like they do.

**Mayor Azevedo** added that she will add the local hotels to her campaign to “Shop Norco.” She noted how important it is to buy gasoline in Norco, as auto mall sales are down, and encouraged everyone to shop, eat, buy gas and stay in Norco.

**M/S Hall/Miller to Adopt Resolution No. 2009-21, requesting the County of Riverside to conduct the November 3, 2009 Election; Adopt Resolution No. 2009-22, calling and giving notice of the Election; Adopt Resolution No. 2009-23, adopting regulations for the candidates for elective office; and Adopt Resolution No. 2009-24, placing on the November 3, 2009 ballot a measure to increase the existing transient occupancy tax from eight percent (8%) to eleven percent (11%) which is charged only to persons who occupy hotel or motel rooms in the City of Norco. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, HALL, HANNA, MILLER**  
**NOES: NONE**  
**ABSENT: MACGREGOR**  
**ABSTAIN: NONE**

B. Amendment to the Fire Department Automatic Aid Agreement

*A review of the Automatic Aid Agreement between the City of Norco and the City of Corona is conducted on a regular basis. In order to affect faster response times, the Norco Fire Department initiated a change in the current agreement to have the City of Corona provide automatic aid to the southeast hills area of Norco. Both agencies have modified the response areas for their respective jurisdictions, which now designates the southeast section of Norco as the primary area covered by the Corona Fire Department in this First Amendment to the Automatic Aid Agreement.*

**Recommended Action: Adopt Resolution No. 2009-\_\_\_\_, approving the First Amendment to the Automatic Aid Agreement between the City of Norco and the City of Corona, which will provide for improved fire and emergency medical responses to the southeast section of the City located south of the Hidden Valley Golf Course. (Fire Chief)**

**Chief Frye** presented this Council item. He noted that Fire Station 4 would be the station responding for the City of Corona.

**City Manager Allred** stated that this is very important as the “hills” of Norco experience the slowest response times currently and this agreement will improve those response times.

**Council Member Hall** confirmed with Fire Chief Frye that no money would be exchanged. Fire Chief Frye stated that the exchange would be the service from each Fire Department.

**Vern Showalter, 2345 Corona.** Mr. Showalter question what tradeoff to Corona is. Fire Chief Frye confirmed that the tradeoff would be the service from each Fire Department.

**City Manager Allred** commended Chief Frye for negotiating this agreement and that this will eliminate the need in the foreseeable future to build another fire station.

**M/S Hanna/Miller to Adopt Resolution No. 2009-25, approving the First Amendment to the Automatic Aid Agreement between the City of Norco and the City of Corona, which will provide for improved fire and emergency medical responses to the southeast section of the City located south of the Hidden Valley Golf Course. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, HALL, HANNA, MILLER**  
**NOES: NONE**  
**ABSENT: MACGREGOR**  
**ABSTAIN: NONE**

- C. Appointment of Interim City Manager, Allocation of Duties and Responsibilities, and Related Classification and Compensation Adjustments

*The City Council will consider the appointment of an Interim City Manager to serve until the position of City Manager is filled, as well as allocation of duties and related classification and compensation adjustments. The appointment of the Interim City Manager will become effective on June 15, 2009.*

**Recommended Action: Adopt Resolution No. 2009\_\_\_, appointing an Interim City Manager, allocating duties and responsibilities, and making related classification and compensation adjustments. (Mayor Azevedo)**

**Mayor Azevedo** stated that City Manager Allred has taken a position with the City of Rosemead effective June 15<sup>th</sup>. She further stated that Mr. Allred has done many things for the City of Norco and stated many of his accomplishments. Mayor Azevedo stated that after giving much thought to this, she thought it would be best to appoint Fire Chief Frye to serve as Interim City Manager, and that Chief Frye’s diplomatic personality will be a huge asset in City Manager Allred’s absence. Mayor Azevedo stated that Director Okoro is an integral part of our City and has dedicated many extra hours to keep us fiscally accountable. She added that the City Clerk has also agreed to continue to assist both Chief Frye and Director

Okoro with their added responsibilities. She believes that this will be the best step to take in Mr. Allred's absence until the Council considers a full time City Manager position and at the end of the day, it is a \$9,000 per month savings to the City.

**Mayor Pro Tem Miller** complemented Mayor Azevedo for her role in crafting this very remarkable transition plan for our City at a time when most cities would prove this to be a challenge. He thanked Director Okoro and Chief Frye for stepping up to the plate to help the City along and continues to be impressed by the talent of the City's staff and also its citizens. He reminded everyone that if we all pull together in the same direction, we are sure to help our city along. He wanted to personally thanked Mr. Allred for his services to the City and is impressed with his wisdom and devotion. He further noted that he is sorry to see him go and that Norco's loss will be Rosemead's gain and wished him well in his future endeavors.

**Council Member Hall** thanked Mayor Pro Tem Miller for saying exactly what he wanted to say.

**Council Member Hanna** stated that he really enjoyed working with Mr. Allred and believes he has done a great job with the City. He further noted that those who give him a lot of flack do not know how hard he works. He noted that he appreciates all that he has done.

**Harvey Sullivan, 4561 Hillside.** Mr. Sullivan stated that he is happy to see the City Manager go and questioned when the decision was made regarding this appointment. The City Attorney responded that no decision had been made and that the Mayor's recommendation is for the Council's consideration and a motion and a vote would be taken. Mr. Sullivan stated that he is not in favor of the appointment of Chief Frye as he believes that he did not even get along with the firefighters. Mr. Sullivan stated that the firefighters are one of the few people in the City that have made any concessions during this budget crisis. He continued stating his disapproval of this recommendation.

**Vern Showalter, 2345 Corona.** Mr. Showalter stated that he has a problem with the Fire Chief appointed as Interim City Manager and that the person in charge should be in sync with what takes place at City Hall. His choices would have been Andy Okoro or Bill Thompson.

**Mayor Azevedo** noted that Mr. Okoro is key to our City and you could not find a better finance director in the state or maybe the country and that Chief Frye is out in the community every day and will continue to do so as the Interim City Manager.

**M/S Miller/Hall to Adopt Resolution No. 2009-26, appointing Fire Chief Jack Frye as Interim City Manager, effective June 15, 2009, at the salary range of \$12,500 per month; and approving the reclassification of the position of Director of Fiscal and Support Services to Deputy City Manager/Director of Finance at the salary range of \$11,085 per month. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, HALL, HANNA, MILLER**  
**NOES: NONE**  
**ABSENT: MACGREGOR**  
**ABSTAIN: NONE**

5. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR: No items pulled from the City Council Consent Calendar.

6. PUBLIC COMMENTS OR QUESTIONS:

**Pat Overstreet, 1231 Corona.** Ms. Overstreet stated that the Ranch Tour is on May 30 and encouraged everyone to attend. She also noted that the Norco Extreme Mustang Trail Challenge was one of the best events she has ever attended.

**Harvey Sullivan, 4561 Hillside.** Mr. Sullivan stated that he would like to thank the City Council and City staff for assisting with the Norco Extreme Mustang Trail Challenge and stated that Director Petree and his staff were a tremendous asset. He also stated that earlier statements made should not be taken personally, but that is how he feels about the positions.

**Mayor Azevedo** thanked staff for all their efforts at the Norco Extreme Mustang Trail Challenge and noted that next year the event will even be larger! She added that it was great to have the local guy win!

7. OTHER MATTERS - COUNCIL OR STAFF:

A. Conceptual Discussion of Palm Trees in Commercial Landscaping Plans.  
(Planning Manager)

**Planning Manager King** stated that the reason for this discussion is that at the April 8, 2009 Planning Commission meeting, there was a public comment/question asking how palm trees came to be planted at a retail/office complex located at 2775 Hamner Avenue (Norco Plaza). The Planning Commission requested background information on the landscaping plan and how it was approved. Planning Manager stated that he recommends that palm trees not be prohibited and that there is no enforcement of approved landscaping plans unless something significant occurs.

**Council Member Hanna** stated that he was aware that oleanders were not allowed in the City because they were poisonous to humans and animals and asked what would be the reason for excluding palm trees. The City Attorney noted that at one time there was some thought that they were not a western themed tree.

**Pat Overstreet, 1231 Corona.** Ms. Overstreet stated that she is speaking as a member of the Beautification Committee, palm trees are not western. If we go to all the lengths that we do at the Planning Commission level to keep developments "western", then the last thing the City should do is place a palm tree there. She would like the City to check out landscaping so that it is drought tolerant. Ms.

Overstreet stated that she drove by this shopping center and noted that there were 57 palm trees and commented that once they have an approved landscape design, it should not be changed. She hopes that there is some recourse to take out the palm trees and put back the original trees. She added that she would like to see a code amendment written regarding this effort.

**Vern Showalter, 2345 Corona.** Mr. Showalter stated that palm trees are non-invasive in parking lots. To say that the City should not have palm trees is not a good idea as they take very little water and are drought tolerant. He stated that the City should not outlaw the tree entirely.

**Greg Newton, 1140 Man O' War.** Mr. Newton stated that palm trees did not meet the western motif and as the applicant's submission goes through City approvals, enforcement issues are important. He stated further concerns about approving and then changing approved designs. Mr. Newton would like this item brought back to the Planning Commission to consider enforcement issues.

**Mayor Azevedo** stated that there are pros and cons and personally does not think that we should not allow palm trees in the City. She added that her dream is to some day have the "Hotel California" open and the palm trees would add aesthetic value to it. Mayor Azevedo stated that the City is doing all we can to bring business in to the City and we try not to make it any more difficult than necessary. She added that this might be the deciding factor for a business to locate somewhere else. She also noted that with so little staff support, we do not have persons to go out and enforce all the tree planting issues. She noted that compliance with the CUP is important. Mayor Azevedo stated that one consideration would be to just receive and file this report, or send it back to the Planning Commission to stiffen up the verbiage in the CUP.

**Council Member Hall** stated that he agrees with Mayor Azevedo as this places an additional burden on staff. He also noted that the current enforcement of oleanders is difficult enough. He would add the following section in bold "2) that there is no enforcement of approved landscaping plans unless something significant (i.e., elimination of trees without replacement, **or the addition of Oleander occurs**)". Council Member Hall stated that the City should be reminding the residents at least once a year through the water bill that oleanders are not allowed in the City and that this is a significant plant restriction. He noted that it would be a burden to property owners to be required to get City approval to replace plants.

**Mayor Pro Tem Miller** sees the argument that when plans are approved and when any substantial changes are made, it should be made clear that those changes need to come to the City Council for approval. He further agreed that this will place a burden on staff, but agrees with the argument that when plans are approved to look a certain way, it should be required to stay that way. Mayor Pro Tem Miller stated that the Planning Commission could discuss this and recommend implementation measures.

**Council Member Hanna** stated that he agrees with Ms. Overstreet and that we need to look at this. He further noted that if we require a western look in town, the palm trees do not look western. Council Member Hanna stated if a project is approved and then changed, it should come back for approval.

**Mayor Azevedo** inquired about the difference between a Site Plan and CUP approval. Planning Manager King responded that a Site Plan is approved with a conceptual landscaping plan and when the CUP is approved, final plans are approved.

**Motion by Azevedo to send this item back to the Planning Commission for a recommendation regarding how to enforce continued landscaping plans after the receipt of a Certificate of Occupancy. Motion died due to lack of a second.**

**Substitute Motion by Miller/Hanna to refer this item back to Planning commission**

**AYES: HANNA, MILLER**  
**NOES: AZEVEDO, HALL**  
**ABSENT: MACGREGOR**  
**ABSTAIN: NONE**

**Due to the Substitute Motion failing, the resolved action will be to Receive and File.**

- B. Mayor Pro Tem Miller presented a Profile of Norco assembled by the Southern California Association of Governments. He noted that the presentations he makes at the Council meetings are for the purpose of providing information regarding what is happening regionally to the Council, staff and attendees.
- C. Council Member Hall reported on the Special Election held and stated that the League of California Cities supported all of the Propositions. He further stated that the League's stand is for the State not to touch the local government budgets. Separate from that issue, he stated that the League, in conjunction with county supervisors and school superintendents, has called for a Conference on Governance to be held in July and has asked that each City send a representative.
- D. Council Member Hanna thanked Mr. Sullivan for putting on a great event. He also stated that he enjoyed the ride around Lake Norconian during the Founders Day event. Council Member Hanna stated that he sits on the board of the Northwest Mosquito Abatement District and on this past Monday, he went on a tour of the District and viewed many of the problems the District faces in controlling mosquito infestations. He noted that there will be a speaker from the Northwest Mosquito Abatement District at the next Norco Horsemen's Association meeting.

- E. Mayor Azevedo stated that Rose Eldridge had contacted Council Members and was upset about Social Security and SSI benefit reductions to seniors. A letter was prepared for her signature, addressed to Senator Benoit and Assemblyman Miller, regarding those concerns and Mayor Azevedo read that letter and requested support from Council to send it. Mayor Azevedo further noted that the Gas Company has some ways to assist the seniors with these costs. Mayor Pro Tem Miller stated that he is pleased with the letter and added that he has also inquired from City staff if the SWAT subsidy program could be extended to the persons affected by this change.

- 8. ADJOURNMENT: There being no further business to come before the City Council, Mayor Azevedo adjourned the meeting at 8:46 p.m. to June 3, 2009 at 4:00 p.m., in the City Council Chambers, to discuss the Fiscal Year 2010 City and Norco Redevelopment Agency Operating and Capital Improvement Program Budgets.

/bj-72586