



MINUTES
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
OCTOBER 7, 2009

CALL TO ORDER: Mayor Azevedo called the meeting to order at 6:06 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: Cooper, Frye, Groves, Jacobs, King, Okoro, Oulman, Petree, and Thompson

City Attorney Harper – **Present**

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

Section 54956.8 – Conference with Real Property Negotiator

Street Address or Parcel Number: APNs 152-060-004-0; 152-060-011-6; 152-070-001-8; 152-070-002-9; & 152-070-011-7

Negotiating Parties: Norco Redevelopment Agency, Kosmont Companies and Belstarr Sports Management, LLC

Points Under Negotiation: Price and Terms of Payment

Section 54956.9 – Conference with Legal Counsel – Existing Litigation

NAME OF CASE: Robbin Koziel vs City of Norco

RECONVENE PUBLIC SESSION: With no Closed Session Items to report, Mayor Azevedo reconvened the meeting at 7:15 p.m.

PLEDGE OF ALLEGIANCE: Council Member Hall

INVOCATION: Pastor Vernie Fletcher
Grace Fellowship Church

PROCLAMATIONS: National Disability Employment Awareness Month
Presented to Tracy Moreno, JFK Middle College

Brandon Sutherland
Completed His Eagle Scout Project at the Norco Animal Shelter and currently holds the rank of Life Boy Scout

COMMENDATIONS: Corporal Steve Jordan
Retired from the Riverside Sheriff's Department on October 8, 2009 after serving 20 years in Norco and 30 years of service with the Sheriff's Department

Doug Norfolk
Retired from the City of Norco on October 2, 2009 after 29 years of employment with the City

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

M/S Hall/Hanna to approve the items 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, Regular Meeting of September 2, 2009. **Recommended Action: Approve the CRA Minutes** (City Clerk)
 - B. Acceptance of Bids and Award of Contract for the Wee People Renovation Project. **Recommended Action: Accept the bids and award the contract to TSR Construction and Inspection of Rancho Cucamonga, California, in the amount of \$42,400 for the Wee People Renovation Project and authorize the Interim Executive Director to approve change orders up to 10% of the original contract amount.** (Director of Parks, Recreation & Community Services)
 2. OTHER CRA MATTERS: No Other CRA Matters
- ADJOURNMENT OF CRA: 7:38 p.m.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

Vernon Showalter recommended the Council pull Item 3.F. for later discussion.

M/S Hanna/Miller to approve the remaining items 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, Regular Meeting of September 2, 2009. **Recommended Action: Approve the City Council Minutes** (City Clerk)
- B. Planning Commission Action Minutes, Regular Meeting of September 30, 2009. **Recommended Action: Receive and File** (Planning Manager)
- C. Approval of Supplemental Agreement for the 2009-2010 Community Development Block Grant Program Year. **Recommended Action: Approve the Supplemental Agreement.** (Housing Manager)
- D. Authorization for the Destruction of Certain City Records. **Recommended Action: Adopt Resolution No. 2009-67, authorizing the destruction of those certain City records.** (City Clerk)
- E. Approval to Declare City Asset as Surplus Property. **Recommended Action: Declare a Police Motorcycle as Surplus and authorize staff to dispose of it through auction.** (Lieutenant Cooper)
- F. Approval of Agreement with Norco Mounted Posse to Enforce Equestrian Trail Parking Regulations. **Recommended Action: Approve the Agreement.** (Lieutenant Cooper)
- G. Acceptance of Bids and Award Contract for the Ingalls Park Grading, Phase I Project. **Recommended Action: Accept the bids and award the contract for the Ingalls Park Grading, Phase I Project to Robert Edmonson, Inc. dba Edmondson Construction in the amount of \$977,864; authorize the City Manager to approve contract change orders up to 10 percent of the original contract amount; and authorize the approval of a change order in the amount of \$173,506.28 to complete approximately one half of the grading for Phase II with the Phase I project.** (Director of Parks, Recreation & Community Services)

- H. Acceptance of Bids and Award of Contract for the North Drive Traffic Calming Median and Street Improvements Project. **Recommended Action: Accept the bids and award the contract for the North Drive Traffic Calming Median and Street Improvements Project to S&S Grading and Paving, Inc. in the amount of \$75,678.88 and authorize the City Manager to approve contract change orders up to 10 percent of the contract amount.** (Director of Public Works)
- I. Acceptance of the Traffic Signal Improvements at the Intersection of Hamner Avenue and Citrus Avenue. **Recommended Action: Accept the traffic signal improvements as complete and instruct the City Clerk to file the Notice of Completion with the County Recorder's Office.** (Director of Public Works)
- J. Authorization of DMC Design Group, Inc. to Proceed with Additional Engineering Services for the Second Street Widening Project (I-15 to Corona Avenue) **Recommended Action: Adopt Resolution No. 2009-68, authorizing DMC Design Group, Inc. to proceed with the additional engineering services required to complete the construction drawings for the Second Street Widening project between the I-15 Freeway and Corona Avenue; and appropriate \$65,000 from the unallocated reserves in the Street Fund to complete the design services for the project.** (Director of Public Works)
- K. Participation in Western Riverside Council of Governments AB 811 Program. **Recommended Action: (1) Adopt Resolution No. 2009-69, consenting to inclusion of properties within the City's incorporated area in the Western Riverside Council of Governments contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements; and (2) Approve an Implementation Agreement between the Western Riverside Council of Governments and the City of Norco to implement AB 811.** (City Manager)

4. CITY COUNCIL PUBLIC HEARING:

- A. General Plan Amendment 2009-01/City of Norco Draft Land Use Element

In conjunction with the updated Housing Element which is now in the state Office of Housing and Community Development for certification, the Land Use Element is also being updated to reflect new housing policies and programs from the Housing Element and other policies and programs that have been adopted through other avenues including the Strategic Plan. The Draft Land Use Element has been reviewed by the Planning Commission in workshop meetings and was recommended for adoption. The City Council has also reviewed the Draft Land Use Element. All changes and recommendations from the workshop meetings have been incorporated into the Land Use Element that is being recommended for adoption at this meeting.

Recommended Action: Approve the 2009 Land Use Element Update.
(Planning Manager)

Planning Manager King presented the Council item. He noted that the Land Use Element Update has gone through the Planning Commission process and the changes have been incorporated into the document provided for approval by the Council. He further noted that following the Council Study Session held on September 30, 2009, the recommended changes from the Council were incorporated into the document for its approval.

Mayor Azevedo noted that no Planning Commission-recommended changes were changed by the Council.

Mayor Pro Tem Miller complimented Planning Manager King on the report.

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

Mayor Azevedo CLOSED the public hearing.

M/S Hall/Miller to adopt Resolution No. 2009-75 approving General Plan Amendment 2009-01 adopting the 2009 Land Use Element Update. The motion was carried by the following roll call vote:

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

5. CITY COUNCIL ITEMS FOR ACTION:

- A. Approval to Form a Joint Powers Authority to Fund Delinquencies in Community Facilities and Assessment Districts

In order to address the issue of rising delinquent Community Facilities Districts' (CFD'S) special taxes without initiating potential foreclosure litigation process, staff is recommending approval of a program through which the delinquent special taxes would be sold to a third party at full face value of the amount levied. This program will also eliminate the need for the City to draw from debt service reserve funds in order to meet periodic debt payment obligations.

Recommended Action: (1) Adopt Resolution No. 2009-___, authorizing the Execution of a Joint Exercise of Powers Agreement Establishing the California Finance Authority for Delinquent Special Taxes and Assessments; and (2) Adopt Resolution No. 2009-___, approving the Amendment of Certain Fiscal Agent Agreements of Bond Resolutions or Indentures and Approving the Sale, Assignment and Grant of Options for a Certain Delinquent Tax Receivable to the California Finance Authority for Delinquent Special taxes and Assessments and Authorizing Execution and Delivery of Related Documents and Actions. (Deputy City Manager/Director of Finance)

City Attorney Harper presented and explained the Council item.

M/S Miller/Hanna to (1) Adopt Resolution No. 2009-70, authorizing the Execution of a Joint Exercise of Powers Agreement Establishing the California Finance Authority for Delinquent Special Taxes and Assessments; and (2) Adopt Resolution No. 2009-71, approving the Amendment of Certain Fiscal Agent Agreements of Bond Resolutions or Indentures and Approving the Sale, Assignment and Grant of Options for a Certain Delinquent Tax Receivable to the California Finance Authority for Delinquent Special taxes and Assessments and Authorizing Execution and Delivery of Related Documents and Actions. The motion was carried by the following roll call vote:

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

- B. Conceptual Approval to a Proposed Detachment of Property from the City of Corona with Concurrent Annexation to the City of Norco

This is a recommendation that the City Council adopt a resolution stating its intent to support an annexation that would include a detachment of property from Corona once all of the requirements for the detachment and concurrent annexation to Norco have been fulfilled. This was initiated by the property owner who has received concurrence from Corona to process the needed applications, but there first needs to be an intent to support from Norco.

Recommended Action: Adopt Resolution No. 2009-___, stating intent to support a proposed detachment of property from the City of Corona with concurrent annexation to the City of Norco to allow the property owner to proceed with a needed parcel map application in the City of Corona and the boundary reorganization application with the Local Agency Formation Commission. (Planning Manager)

Planning Manager King presented the Council item as only a conceptual approval to the proposed annexation.

Mayor Azevedo noted that the property looks like it is already a part of Norco and is in favor of this annexation.

M/S Hall/Hanna to adopt Resolution No. 2009-72, stating intent to support a proposed detachment of property from the City of Corona with concurrent annexation to the City of Norco to allow the property owner to proceed with a needed parcel map application in the City of Corona and the boundary reorganization application with the Local Agency Formation Commission. The motion was carried by the following roll call vote:

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

C. Acceptance of Parcel D, Assessor's Parcel Number (APN) 121-110-001-5

The State of California, Department of Corrections and the Rehabilitation and the United States of America have agreed to transfer Parcel D, APN 121-110-001-5, a 12.75 acre property located along Bluff Street, between Vine Avenue and River Road. The United States has agreed to quitclaim/transfer the property ("Grant Deed") to the City for public health benefit.

Recommended Action: Adopt Resolution No. 2009-___, approving the acceptance of Parcel D and authorize the City Attorney to record the grant deed. (Director of Public Works)

Public Works Director Thompson presented the Council item. In response to Mayor Pro Tem Miller, he stated that because the City's water system is located on the property now, this meets the minimum criteria for public health benefits. He also noted that at the end of the 30-years restriction, there will be no restrictions. Director Thompson explained that the size of the lot changed from 13.33 acres in 2007 to the 12.75 acres accepted because of right-of-way that was completed. He also stated that the cost of a reservoir will be taken into consideration and an above-ground reservoir will most likely be built. Director Thompson added that the cost to the City was zero dollars for this transaction.

M/S Hanna/Miller to adopt Resolution No. 2009-73, approving the acceptance of Parcel D and authorize the City Attorney to record the grant deed. The motion was carried by the following roll call vote:

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

D. California Statewide Communities Development Authority Proposition 1A Receivable Financing Program

To ensure adequate cash flows necessary to pay for essential City services, staff is recommending that Council approve the City's participation in Proposition 1A financing program offered by California Statewide Communities Development Authority (CSCDA). This program provides a vehicle by which the City can receive in the current fiscal year 8% of the City's estimated allocation of property tax which the state legislature voted to borrow from the City to balance its budget. Through this program, the City will receive 100% of the amount borrowed by the State during the current fiscal year. Without this program, the City would have to wait until June 30, 2013 to receive repayment from the State.

Recommended Action: Adopt Resolution No. 2009-___, approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the Seller's Proposition 1A Receivable from the State; and directing and authorizing

certain other actions in connection therewith. (Deputy City Manager/Director of Finance)

Deputy City Manager/Director of Finance Okoro presented the Council item. Without this program, the City would have to wait until June 30, 2013 to receive repayment from the State. City Manager Groves stated that this money is included in the City's current budget and would help to improve cash flows needed to pay essential City services. She added that the State Legislature will be taking this up again next week to discuss and hopefully pass.

In response to Council Member Hanna, Deputy City Manager/Director Okoro stated that \$397,000 is the amount the State borrowed from the City to balance its budget.

M/S Hall/Miller to adopt Resolution No. 2009-74, approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the Seller's Proposition 1A Receivable from the State; and directing and authorizing certain other actions in connection therewith. The motion was carried by the following roll call vote:

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

6. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR:

3.F. Approval of Agreement with Norco Mounted Posse to Enforce Equestrian Trail Parking Regulations. **Recommended Action: Approve the Agreement.** (Lieutenant Cooper)

Lt. Cooper reported on the Norco Mounted Posse proposed Agreement and noted that the Members of the Posse previously assisted the City between 1994 and 1998. He further stated that their enforcement efforts helped keep the trails safer for equestrians by keeping them free from parked vehicles. In response to Council Member Hanna, Lt. Cooper stated that in the past, the Posse did not write many tickets, but they served as parking enforcement officers.

Vernon Showalter. Mr. Showalter asked why the City was not using the volunteer group that is already part of the Sheriff's Department to do this job, as he does not believe the Posse did a good job in the past.

Lt. Cooper responded that this suggestion has been made before. He further noted that the Citizens on Patrol are seen as a group to assist citizens and not issue tickets.

Harvey Sullivan. Mr. Sullivan stated that he does not agree with this proposal. He added that he is not against the Posse, but the last time they assisted the City, they wrote only 3 tickets. Mr. Sullivan stated that he believes that the Citizens on Patrol would be a much better mechanism used for this enforcement. Mr. Sullivan also inquired about the City policy relating to items placed on the agenda by a Council Members.

Doris Higgins. Ms. Higgins stated that after 33 years working in law enforcement, her experience shows that volunteers do a good job in controlling parking violations.

Council Member Hanna stated that he has no problem putting the Posse back to work as their visibility keeps the trails clear.

Mayor Pro Tem Miller stated that he supports the program

Council Member Hall stated that this City works with the help of volunteer programs and other citizen volunteer groups that function to help fellow citizens.

M/S Miller/Hall to approve the Agreement with the Norco Mounted Posse to enforce equestrian trail parking regulations. The motion was carried by the following roll call vote:

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

7. PUBLIC COMMENTS OR QUESTIONS:

Vernon Showalter. Mr. Showalter congratulated Director Petree on starting the work at Parmenter Park.

Jeanine Adams. Ms. Adams stated that she was appointed by the Mayor to serve on a Citizens Advisory Committee to meet with the Warden at the CRC. Through some relationships that were made, the CRC officials reached out to this Committee to help to preserve the stained glass windows that are collapsing at the St. Lukes Chapel on the CRC grounds. Ms. Adams spoke with Kevin Bash, Chairman of the Lake Norconian Club Foundation, who put the Committee in contact with a stained glass preservation studio. She added that there is additional information in *The Norconian* newsletter asking for people to "adopt" one of the nine windows. Sponsorship to cover the cost of repairing a single window is \$5,000 to \$10,000, depending on the degree of damage.

Kevin Bash. Mr. Bash stated that this project to restore the stained glass windows at the St. Lukes Chapel is a very exciting process. He noted that the stained glass has begun to deteriorate and this is an opportunity to save and restore the magnificent stained glass windows. Mr. Bash stated that the Foundation is looking for sponsorship for the windows and will set up tours for those interested.

Russell Adams. Mr. Adams is completing his Boy Scout Eagle Project on the grounds of the Lake Norconian Club. He noted that clean-up efforts have already begun and members of the community participated in this effort. Mr. Adams stated that a plaque is being unveiled on Pearl Harbor Day and encouraged everyone to attend this event. Mr. Adams requested a letter of support from the Council in regards to his completion of his Eagle Project.

Linda Dixon. Ms. Dixon spoke highly of Mr. Adams' Eagle Scout Project and noted that she and her husband took part in the clean-up efforts. She complimented Mr. Adams on this project in cooperation with the Navy. Ms. Dixon encouraged the Council to give Mr. Adams this letter of support and also encouraged attendance at the Pearl Harbor Day event.

Donna Miller. Ms. Miller stated that she had a meeting with the Agriculture Department teachers at Norco High School this week and they are hosting a pumpkin carving event starting on October 16th. She stated that the cost is \$5 and that on October 26th, the event will be open to everybody.

8. OTHER MATTERS - COUNCIL OR STAFF:

Mayor Azevedo:

- ✚ Made a statement in regards to the Norco Chamber of Commerce. She noted that many are confused believing that the Chamber is a part of the City; but it is a separate entity. Mayor Azevedo stated that 1.) Funding for the Chamber was included in the current budget, but has not been paid to them; and 2.) The City is not in a position to review or investigate them, but due to the articles in the newspaper, District Attorney Rod Pacheco believes it would be appropriate for his office to be the lead agency in making any further determinations. Mayor Azevedo noted that she called Velma Hickey and she was pleased with this move.
- ✚ Referenced the flyer from the Norco Medical Group stating that Urgent Care is now available at its site.
- ✚ Referenced Item No. 3.H. on the agenda, regarding the award of contract for the North Drive Traffic Calming median and Street Improvement Project, as this is a dangerous area in Norco. She noted that traffic needs to be slowed down in this area of town and this project will help in this effort. The great news is that the work will be done for less than expected. In response to her question, Director Thompson stated that wayfinding signs are being looked at for this location.
- ✚ Informed everyone how much she enjoyed the Hall of Fame event and thanked them for their contributions to the City.
- ✚ Stated that the UNLOAD Committee is hoping to host an event in Norco that will involve all the kids in the schools in Norco to bring alcohol and drug awareness to the community. She gave "kudos" to the United Way for helping at the Red Ribbon Carnival.
- ✚ Mayor Azevedo will be speaking at the RURAL meeting on October 22nd. Senior Engineer Lori Askew will also be speaking at that meeting regarding the Silverlakes Project.
- ✚ The Historic Preservation Commission helped the City in acquiring CLG status and she, along with other City representatives, will be going to Sacramento to officially receive this award.
- ✚ Encouraged everyone to attend a Norco High School Football Game. The Ribbon Cutting for the new Agriculture Department at Norco High was attended by the Council.
- ✚ Stated that the Parade of Lights will be held on December 5th. Snow flakes are being sold at City Hall to pay for the snow at the event.

