



**MINUTES**  
**CITY OF NORCO**  
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY  
REGULAR MEETING  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
NOVEMBER 4, 2009

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CALL TO ORDER: Mayor Azevedo called the meeting to order at 6:03 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, **Present**

**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 Numbers: APNs 122-070-023 & 026

Negotiating Parties: Norco Redevelopment Agency and VHB Associates, Inc.

Points Under Negotiation: Price and Terms of Payment

**Section 54957 – Personnel Matters**

Public Employee Appointment: Fire Chief

RECONVENE PUBLIC SESSION: With nothing to report from Closed Session, Mayor Azevedo reconvened the meeting at 7:04 p.m.

PLEDGE OF ALLEGIANCE: Council Member MacGregor

INVOCATION: Pastor Vernie Fletcher  
*Grace Fellowship Church*

PROCLAMATIONS: Veterans Appreciation Week – Nov. 4-11, 2009  
*Ruben Rasso*

All veterans in the audience came forward to receive this proclamation with Mr. Rasso.

Community College Week – Nov. 1-6, 2009  
*Riverside Community College District*  
*Dr. Brenda Davis, Norco Campus*

Dr. Davis thanked the Council for the proclamation and stated that on November 11 from 12 – 3 students at the Norco Campus will be recognizing veterans in the area.

ADDITIONAL PRESENTATIONS NOT LISTED ON THE AGENDA:

- A. **Certified Local Government (CLG) status.** On September 30, 2009 the City of Norco was approved by the State of California and the United States Department of Interior to be a Certified Local Government, the 57<sup>th</sup> City in the State to obtain CLG status. On October 30, 2009, Mayor Azevedo attended the State Historical Resources Commission meeting along with Kevin Bash, Member of Norco's Historic Preservation Commission; Brian Oulman, Norco's Cultural Resources Administrator; and Bill Wilkman Norco's Historic Preservation Consultant, to receive a Resolution of Recognition of Norco's CLG status. Mayor Azevedo presented the Resolution to the Historic Preservation Commission Members present. It was noted that the CLG status will provide significant opportunities to obtain grants for historic preservation efforts in Norco.
- B. **Proclamation for Brigitte Bash.** Mayor Azevedo presented Brigitte Bash with a proclamation, highlighting all of her work in preserving pictures of the Historic Norconian Hotel, as well as other historic sites throughout the City of Norco.
- C. **Southern California Edison Contribution to the Corona-Norco United Way.** Mayor Azevedo stated that Southern California Edison awarded the Corona-Norco United Way with a check in the amount of \$10,000, which will be used for programs in Norco and Corona.

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

**M/S Hanna/Hall 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, MACGREGOR, MILLER**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

1. CRA CONSENT CALENDAR ITEMS:

- A. CRA Minutes, Regular Meeting of October 21, 2009. **Recommended Action: Approve the CRA Minutes** (City Clerk)

2. OTHER CRA MATTERS: No Other Matters.

ADJOURNMENT OF CRA: 7:41 p.m.

**REGULAR CITY COUNCIL AGENDA AS FOLLOWS:**

**Mayor Azevedo pulled Item 3.D. and Harvey Sullivan pulled Item 3.H. from the City Council Consent Calendar.**

**M/S Miller/Hanna to approve the amended City Council Consent Calendar. The motion was carried by the following roll call vote:**

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

3. CITY COUNCIL CONSENT CALENDAR ITEMS:

- A. City Council Minutes, Regular Meeting of October 21, 2009. **Recommended Action: Approve the City Council Minutes** (City Clerk)
- B. Planning Commission Action Minutes, Regular Meeting of October 28, 2009. **Recommended Action: Receive and File** (Planning Manager)
- C. Procedural Step to Approve Ordinance after Reading of Title Only. **Recommended Action: Approval** (City Clerk)
- D. Fiscal Year 2008 Year-End Budget to Actual Report. **Recommended Action: Receive and File.** (Deputy City Manager/Director of Finance)  
**PULLED FOR DISCUSSION**
- E. Request for a Twelve-Month Extension of Time for Tentative Tract Map 35650 (Essenmacher) **Recommended Action: Approve the extension of time for recording a final map for Tentative Tract Map 35650 with a new expiration date of December 5, 2010.** (Planning Manager)
- F. Approval of the City of Norco Sanitary Sewer Management Plan. **Recommended Action: Approval.** (Director of Public Works)
- G. Resolution Increasing Revenue, Appropriation and Expenditure from the Governor's Office of Homeland Security in the amount of \$13,937 for Radio Equipment. **Recommended Action: Adopt Resolution No. 2009-80.** (Fire Chief)

- H. Approval of Contract and Appointment of City Manager. **Recommended Action: Approve the Employment Agreement and appoint Beth Groves as City Manager.** (Deputy City Manager/Director of Finance) **PULLED FOR DISCUSSION**

4. CITY COUNCIL PUBLIC HEARINGS:

- A. Amendment to the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program and Adoption of a Temporary TUMF Reduction

*The City is a Member Agency of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency comprised of the County of Riverside and sixteen (16) cities located in Western Riverside County. Pursuant to the Mitigation Fee Act (Gov. Code §§ 66000 et seq.), WRCOG prepared a new nexus study ("2009 Nexus Study") to update the fees. The WRCOG Executive Committee reviewed the 2009 Nexus Study and TUMF Program and recommended TUMF Participating Jurisdictions update their fees by amending their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction. The WRCOG Executive Committee also authorized a temporary reduction in fees.*

**Recommended Action:**

**Individually Adopt:**

**Ordinance No. \_\_\_\_, First Reading: Amending and Superseding Ordinance No. 855 to update its participation in the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program and adoption of a temporary TUMF reduction.**

**Resolution No. 2009-\_\_\_\_, establishing a revised and updated fee schedule applicable under the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program and adopting a temporary TUMF reduction.**

(City Manager)

**City Manager Groves** presented the City Council Item.

In response to Mayor Pro Tem Miller Public Works Director Thompson stated that the TUMF are collected at the time of permit issuance or Certificate of Occupancy. He noted that the City of Norco collects the TUMF at issuance of permit, but could allow the fee to be paid at the time of the Certificate of Occupancy if the permit was issued in that time period. Discussion was held regarding the Silverlakes project and the fact that it is a park, which is exempt from TUMF.

**Mayor Azevedo OPENED the public hearing, indicating that proper notification had been made and asking for the appearance of those wishing to speak. With no one wishing to speak, Mayor Azevedo then CLOSED the public hearing.**

**M/S Hanna/Hall to Adopt Ordinance No. 912, First Reading: Amending and Superseding Ordinance No. 855 to update its participation in the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program and adoption of a temporary TUMF reduction. The motion was carried by the following roll call vote:**

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

**M/S Hall/Miller to Adopt Resolution No. 2009-81, establishing a revised and updated fee schedule applicable under the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program and adopting a temporary TUMF reduction. The motion was carried by the following roll call vote:**

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

- B. General Plan Amendment 2009-01A, A City-Initiated Proposal to Add a New Land Use Designation Entitled Preservation and Development; and to Change the Land Use Designations on Three Non-Contiguous Groupings of Properties

*A series of General Plan Amendments, a Zone Code Amendment, and Zone Changes that are being proposed to establish a new Preservation and Development (PAD) zone for those areas of the City where development has been limited due to facilities that existed when the City incorporated and for which operations continued after incorporation. These areas have significant and identifiable resources whether historical, natural, open space or other type of resource important to the City's history and lifestyle, and are worth preserving. Currently, there is no zoning that is conducive to development that preserves these resources once the properties come into private ownership and/or become available for other uses. Since the number, type, and level of significance of these resources is still largely unknown, the City is unable to establish any detailed zoning regulations. The proposed Preservation and Development (PAD) zone would minimally require the preparation of a specific plan prior to any development and it would be through that plan that resources could be identified and protected. On October 28, 2009, the Planning Commission voted to recommend approval of General Plan Amendment 2009-01D (Silverlakes) but continued all of the items related to the proposed new zone.*

**Recommended Action:**

**Adopt:**

**Resolution No. 2009-\_\_\_, General Plan Amendment 2009-01D (City of Norco); A proposal to amend the land use categories on property corresponding to the Silverlakes Equestrian and Sports Park from “Public Lands” to “Park.”**

**Continue to December 16, 2009:**

**Resolution No. 2009-\_\_\_, General Plan Amendment 2009-01A (City of Norco); A proposal to amend the Land Use Element of the General Plan by adding a new land use category to be titled “Preservation and Development.”**

**Resolution No. 2009-\_\_\_, General Plan Amendment 2009-01B (City of Norco); A proposal to amend the Land Use categories on property corresponding to the former Wyle Laboratories property (APN’s 123-080-028; 123-260-003, -004, -006, -010; 123-250-007, -006, -005; 123-320-001; 123-330-011, -001, -036) from “Industrial-Special Research” and “Hillside” to “Preservation and Development.”**

**Resolution No. 2009-\_\_\_, General Plan Amendment 2009-01C (City of Norco); A proposal to amend the Land Use categories on property corresponding to the former Norconian Resort around Lake Norconian (APNs 129-190-003, -002; 129-200-008; -007, -005; 129-210-006, -005, -004) from “Institutional and Public Lands” to “Preservation and Development.”**

**Ordinance No.-\_\_\_, First Reading: Zone Code Amendment 2009-01 (City of Norco); A proposal to establish a new zone with corresponding development standards entitled “Preservation and Development” zone.**

**Ordinance No. \_\_\_, First Reading: Zone Change 2009-01 (City of Norco); A proposal to change existing zoning on property corresponding to former Wyle Laboratories property (APNs listed above) from “General Manufacturing” and “Hillside” to “Preservation and Development.”**

**Ordinance No. \_\_\_, First Reading: Zone Change 2009-02 (City of Norco); A proposal to change existing zoning on property corresponding to the former Norconian Resort around Lake Norconian (APNs listed above) from “Open Space” and “Limited Development” to “Preservation and Development.”**

(Planning Manager)

**Planning Manager King** presented the City Council Item noting that the Planning Commission will continue discussion over all of the items proposed in a scheduled workshop, with the exception of the resolution for the General Plan Amendment 2009-01D for the Silverlakes Equestrian and Sports Park, which is recommended to be approved at this meeting. With the approval of the proposed resolution, the Silverlakes property will be eligible for grant funding. Planning Manager King recommended that the items recommended to be continued to December 16, 2009 will be taken off the calendar and will be re-advertised at the appropriate time.

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

**Linda Dixon.** Ms. Dixon questioned the continuation of the remaining items and noted how important this is to the City.

**Mayor Azevedo CLOSED the public hearing.**

**Council Member Hall** stated that he is concerned about moving the remaining items to off-calendar. He noted that he agrees with Linda Dixon that this is critical and the City needs to move ahead.

**M/S Hall/Miller to 1.) Adopt Resolution No. 2009-82, General Plan Amendment 2009-01D (City of Norco); A proposal to amend the land use categories on property corresponding to the Silverlakes Equestrian and Sports Park from “Public Lands” to “Park,” and 2.) Not continue the remaining items to December 16, 2009 and take them off the calendar for re-advertisement at the appropriate time. The motion was carried by the following roll call vote:**

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

- C. Request to change the applicant on record for an approved entertainment permit that allows live entertainment subject to conditions, at the Saddle Sore Saloon located at 343 Sixth Street in the C-4 Zone. Entertainment Permit 2009-02 (McKee)

*The Saddle Sore Saloon restaurant located at 343 Sixth Street is in the process of being sold to a new owner (ref. Exhibit “A” – Location Map and Exhibit “B” –Site Plan). This is a request to allow a change in the applicant on record for an approved entertainment permit that allows live entertainment subject to conditions. Adoption of the proposed resolution would continue the conditions of approval for the existing entertainment permit.*

**Recommended Action: Adopt Resolution No. 2009-\_\_\_, approving Entertainment Permit 2009-02. (Planning Manager)**

**Planning Manager King** presented the City Council Item.

**Council Member Hanna** confirmed that this was the second time this year they changed ownership. He also asked why the CUP requirements were not corrected. Planning Manager King stated that the requirements have not been completed and that they were conditioned in the CUP. Council Member Hanna requested that the new owners be notified regarding those requirements.

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

**Dick White.** Mr. White is concerned about the music played and outside activities at the restaurant.

**Jenny and Jeff McKee.** Mr. and Mrs. McKee are the new owners of the Saddle Sore Saloon. They stated that they like being a part of the community and are looking forward to working with the City to make this restaurant a success.

**Mayor Azevedo CLOSED the public hearing.**

**M/S Miller/Hall to Adopt Resolution No. 2009-83, approving Entertainment Permit 2009-02. The motion was carried by the following roll call vote:**

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

5. CITY COUNCIL ITEMS FOR ACTION: No City Council Items for Action.

6. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR:

3.D. Fiscal Year 2008 Year-End Budget to Actual Report. **Recommended Action: Receive and File.** (Deputy City Manager/Director of Finance)

**Deputy City Manager/Director of Finance Okoro** presented a brief overview of the report highlighting the General Fund, Redevelopment Agency, Low and Moderate-Income Operating Funds, and the Water and Sewer Funds (Enterprise Funds).

In response to Mayor Pro Tem Miller regarding the rationale used to create the new Workers Compensation Fund, Deputy City Manager/Director of Finance Okoro stated that with the steady decline in the Reserve Fund Balance, it has become necessary to create this new fund.

**M/S Azevedo/Miller to Receive and File the Fiscal year 2008 Year-End Budget to Actual Report. The motion was carried by the following roll call vote:**

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

- 3.H. Approval of Contract and Appointment of City Manager. **Recommended Action: Approve the Employment Agreement and appoint Beth Groves as City Manager.** (Deputy City Manager/Director of Finance)

**Harvey Sullivan.** Mr. Sullivan commended Interim City Manager Groves for the outstanding job she has done and has the highest regards for her ability to do the job and to continue to do the job. He noted that she will be a great City Manager. Mr. Sullivan added that back in 2003, the Council waited until after the election to appoint a City Manager so that the new Council could make that decision, and would have liked that same process to have been followed. He noted that he does not like the way the agreement reads in regards to the term.

**Kevin Bash.** Mr. Bash stated that City Manager Groves will be great and supports this appointment.

**M/S Azevedo/Hall to Approve the Employment Agreement and appoint Beth Groves as City Manager. The motion was carried by the following roll call vote:**

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

7. PUBLIC COMMENTS OR QUESTIONS:

**Don Bowker.** Mr. Bowker stated that he is having problems with Waste Management picking up his manure bins, with their complaint that the bins are too heavy to pick up. He noted that this is the second time this has happened and both times it was the "new" Waste Management trucks that had the problem. Mr. Bowker stated that the Waste Management supervisor told him that this is a problem throughout the City and that their fleet was being replaced with these new trucks.

**Dick White.** Mr. White stated that he pays for weekly service from Waste Management and is only being serviced once a month. He further stated that if they are operating before 7 a.m., the residents should be notified so that they can have their gates unlocked. Mr. White also referenced the Chamber problems and stated that the Chamber is getting a bad name because of false statements in the newspaper. He added that he is proud of the Chamber.

**Harvey Sullivan.** Mr. Sullivan commended the Planning Commission for taking the opportunity to further discuss the issues of rezoning of the Wyle property and the property surrounding the Navy Base. He added that this is a big part of our future and asked the Council to not rush the Planning Commission to approve this. Mr. Sullivan also noted the banners flying at the 7-Eleven on Sixth Street and referenced the City's policy regarding banners flying too close to horse trails. He stated that he had called the supervisor in the Public Works Department to complain about this and nothing happened. Mr. Sullivan also stated that he had a problem with everyone not being treated the same with regards to the placement of signs in the public right-of-way.

8. OTHER MATTERS - COUNCIL OR STAFF:

**City Manager Groves:**

- ✚ Thanked the Council for the action they took in appointing her as City Manager and noted how much she has enjoyed working in this position. City Manager Groves stated that she is proud of the Management Team she works with and their commitment to Norco. She further stated that she is looking forward to her continued work with this community.

**Mayor Azevedo:**

- ✚ Reminded everyone to place on their calendars the Parade of Lights, to be held on Saturday, December 5. She noted that it has been confirmed that the Budweiser horses will be coming!
- ✚ Noted the upcoming Council Study Sessions to be held at 2:00 p.m. on November 23 and December 9 at City Hall in Conference Rooms A and B.
- ✚ Commented on the December 7<sup>th</sup> event at the Norconion to honor veterans and encouraged everyone to attend. Kevin Bash added that the event begins promptly at 8:00 a.m.

9. ADJOURNMENT: There being no further business to come before the City Council, Mayor Azevedo adjourned the meeting at 8:45 p.m.