



AGENDA
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
DECEMBER 16, 2009

CALL TO ORDER: 6:00 p.m.

ROLL CALL: Mayor Malcolm Miller
Mayor Pro Tem Berwin Hanna
Council Member Kathy Azevedo
Council Member Kevin Bash
Council Member Harvey C. Sullivan

Section 54956.8 – Conference with Real Property Negotiator

Street Address or Parcel Numbers: APN's 123-080-028; 123-260-003, -004, -006, -010; 123-250-007, -006, -005; 123-320-001; 123-330-011, -001, -036

Negotiating Parties: Norco Redevelopment Agency and Michael McMullen, EnviroFinance Group

Points Under Negotiation: Price and Terms of Payment

RECONVENE PUBLIC SESSION: 7:00 p.m.

PLEDGE OF ALLEGIANCE: Council Member Bash

INVOCATION: Pastor Vernie Fletcher
Grace Fellowship Church

PRESENTATIONS: Tournament of Roses Parade Entries:
Molly Jenks
Nicki McGinnis

On behalf of Western Riverside County
Regional Conservation Authority:
Frank Hall

Waste Management Update
Julie Reyes, Manager of Community Relations.

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

Next CRA Resolution No. 2009-20

1. CRA CONSENT CALENDAR ITEMS: *(All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Agency, any public comments on any of the Consent Items will be heard. There will be no separate action unless Members of the Agency Board request specific items be removed from the Consent Calendar)*
 - A. CRA Minutes:
 - Special Meeting of November 30, 2009
 - Regular Meeting of December 2, 2009.

Recommended Action: Approve the CRA Minutes (City Clerk)

2. JOINT CRA/CITY COUNCIL CONTINUED PUBLIC HEARING:
 - A. Development of 122 Acres of Property Known as the Silverlakes Equestrian and Sports Park:
 - a. Norco Silverlakes Ground Lease between the City of Norco and the Norco Redevelopment Agency.
 - b. Norco Silverlakes Ground Sub-Lease between the City of Norco and Belstarr Sports Management, LLC.
 - c. Shared Use Agreement between the City of Norco and Belstarr Sports Management, LLC.
 - d. Report of the Norco Redevelopment Agency concerning the disposition of the Redevelopment Agency property pursuant to California Health & Safety Code Section 33433.
 - e. Report of the Norco Redevelopment Agency concerning disposition of Redevelopment Agency property pursuant to California Health & Safety Code Section 33679.
 - f. Amendment to Conditional Use Permit No. 2008-09.
 - g. Review of Draft Development Agreement among the City of Norco, Norco Redevelopment Agency and Belstarr Sports Management, LLC.
 - h. Resolution to Adopt Finding that the Silverlakes Sports and Equestrian Park project is consistent with the Deed Restriction on the 122-acre Silverlakes property.

Recommended Action: Continue the Joint Public Hearing to January 20, 2010 as the required documents for approval are still in the review process. (City Manager)

3. OTHER CRA MATTERS:

ADJOURNMENT OF CRA:

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

Next Ordinance No. 915
Next Resolution No. 2009-86

4. CITY COUNCIL CONSENT CALENDAR ITEMS: *(All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Council, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Council or the audience request specific items be removed from the Consent Calendar. Items removed from the Consent Calendar will be separately considered under Item No. 6 of the Agenda)*
- A. City Council Minutes:
Special Meeting of November 30, 2009
Regular Meeting of December 2, 2009.
Recommended Action: Approve the City Council Minutes (City Clerk)
 - B. Planning Commission Action Minutes, Regular Meeting of December 9, 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. Authorization for the Destruction of Certain City Records. **Recommended Action: Adopt Resolution No. 2009-___, authorizing the destruction of those certain City records.** (City Clerk)
 - E. Appointments to Standing Committees and Other Governmental Agencies. **Recommended Action: Approve the Mayor-recommended appointments to the various standing committees and other governmental agencies for the 2010 calendar year.** (City Clerk)
 - F. **Ordinance No. 914, Second Reading.** City-Initiated Proposal to Add Chapter 9.81 Entitled "Sale of Drug Paraphernalia" to the Norco Municipal Code to Protect and Promote the Health, Safety and General Welfare of the Youth and Other Residents of the City of Norco. **Recommended Action: Adopt Ordinance No. 914.** (City Clerk)
 - G. Resolution Approving the Extension of the Memorandum of Understanding between the City of Norco and the Norco Battalion Chiefs Association through June 30, 2010. **Recommended Action: Adopt Resolution No. 2009-___.** (Deputy City Manager/Director of Finance)

- H. Authorization to Enter Into a Five-Year Lease Agreement with Konica/Minolta for Eight Digital Multi-Function Devices. **Recommended Action: Authorize staff to enter into a five-year Lease Agreement with Konica/Minolta for two – Model C652, four – Model C360 and two – Model C200 digital multi-function devices.** (Deputy City Manager/Director of Finance)
- I. Acceptance of the Street Improvements Project at River Road and Second Street, as Complete. **Recommended Action: That the City Council accepts the Street Improvements Project at River Road and Second Street as complete and to file the Notice of Completion with the County Recorder's Office.** (Director of Public Works)
- J. Appropriation of Funds for the Renovation of Well No. 12. **Recommended Action: Adopt Resolution No. 2009-___, appropriating funds for the repair and rehabilitation of Well No. 12 in an amount not-to-exceed \$75,000.** (Director of Public Works)

5. CITY COUNCIL PUBLIC HEARING:

- A. General Plan Amendment 2009-01A-C, Zone Code Amendment 2009-01, Zone Change 2009-01, and Zone Change 2009-02; City-Initiated Proposals to Add a New Land Use Designation Entitled Preservation and Development to the General Plan and to Change the Land Use Designations and Zoning on Two 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.

Recommended Action: Individually Adopt:

1.) 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."

2.) 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."

3.) 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."

4.) 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.

5.) 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."

6.) 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)

- 6. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
- 7. PUBLIC COMMENTS OR QUESTIONS - THIS IS THE TIME WHEN PERSONS IN THE AUDIENCE WISHING TO ADDRESS THE CITY COUNCIL REGARDING MATTERS NOT ON THE AGENDA MAY SPEAK. PLEASE BE SURE TO COMPLETE THE CARD IN THE BACK OF THE ROOM AND PRESENT IT TO THE CITY CLERK SO THAT YOU MAY BE RECOGNIZED.
- 8. OTHER MATTERS - COUNCIL OR STAFF:
 - A. Norco Valley Fair – 2010 (Mayor Miller)
 - B. Western Riverside County Regional Wastewater Authority:
Solar Power System (Mayor Miller)
- 9. ADJOURNMENT:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office, (951) 270-5623. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

Staff reports are on file in the Office of the City Clerk. Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be available for public inspection at the City Clerk's Counter in City Hall located at 2870 Clark Avenue.

/bj-73710



**MINUTES
CITY OF NORCO**

**CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
SPECIAL MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
NOVEMBER 30, 2009**

1. Call to Order: Mayor Azevedo called the meeting to order at 6:02 p.m.
2. Roll Call: Mayor Kathy Azevedo, **Present**
Mayor Pro Tem Malcolm Miller, **Present**
Council Member Hall, **Absent**
Council Member Berwin Hanna, **Present**
Council Member MacGregor, **Present**

Staff Present: Cooper, Groves, Jacobs, King, Okoro, Oulman, Petree and Thompson
3. City Council Adoption of **Resolution No. 2009-___**, reciting the fact of the regular Municipal Election held in said City on Tuesday, November 3, 2009, declaring the result thereof and such other matters as provided by law. (City Clerk)

The City Clerk presented the results of the Municipal Election held on November 3, 2009. A listing of the votes received by precinct is attached to the Minutes.

M/S Miller/Hanna to Adopt Resolution No. 2009-84, reciting the fact of the regular Municipal Election held in said City on Tuesday, November 3, 2009, declaring the result thereof and such other matters as provided by law. The motion was carried by the following roll call vote:

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

4. Issuance of the Oath of Office and Seating of the New City Council Members.

The City Clerk administered the Oath of Office to Mr. Kevin Bash and Mr. Harvey C. Sullivan and congratulated them on their election to the Norco City Council/Norco Redevelopment Agency.

5. Public Comments or Questions:

Vern Showalter. Mr. Showalter congratulated the two new Council Members. He challenged the Council to write only ordinances in the future that can be enforced and relating to health and safety issues. He would further ask that the Council concentrate on the City's streets and make that effort its highest priority.

Skip Davidovich. Mr. Davidovich stated that he has a group of 20 people, along with other persons from local organizations such as Saddle Sore Riders, Norco Horsemen's Association, RURAL, etc., that will work together in support of a four-year term elected Mayor.

Council Member Sullivan thanked those in attendance and stated that he hoped that there will be this many in attendance at all Council meetings.

6. Adjournment: There being no further business to come before the City Council, Mayor Azevedo adjourned the meeting at 6:15 p.m.

BRENDA K. JACOBS
CITY CLERK

/bj-74237



MINUTES
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
DECEMBER 2, 2009

CALL TO ORDER: Mayor Azevedo called the meeting to order at 7:02 p.m.

ROLL CALL: Mayor Kathy Azevedo, **Present**
Mayor Pro Tem Malcolm Miller, **Present**
Council Member Kevin Bash, **Present**
Council Member Berwin Hanna, **Present**
Council Member Harvey C. Sullivan, **Present**

PLEDGE OF ALLEGIANCE: Council Member Hanna

INVOCATION: Pastor Vernie Fletcher
Grace Fellowship Church

REORGANIZATION OF CITY COUNCIL/NORCO REDEVELOPMENT AGENCY BOARD:

A. Election of Mayor/Chairman

M/S Azevedo/Sullivan to elect Malcolm Miller as Mayor/Chairman. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, MILLER, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

B. Election of Mayor Pro Tem /Vice Chairman

M/S Sullivan/Bash to elect Berwin Hanna as Mayor Pro Tem/Vice Chairman. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, MILLER, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

PRESENTATIONS: Pat Overstreet, representing RURAL, presented a gift card in the amount of \$500 to Animal Control Superintendent Renee Power to be used for the "kitties" at the Norco Animal Shelter.

Kerry Pendergast, Chairman Elect of the Board of the Corona Chamber of Commerce, presented a Certificate of Recognition to the Lake Norconian Club Foundation Members present pertaining to the Pearl Harbor Event to be held on December 7, 2009.

Council Member Azevedo stated that Heisman Trophy "hopeful" nominee Toby Gerhart, "Norco's Workhorse", will possibly be in Norco on Saturday, December 5th and be recognized at the Parade of Lights and Winter Festival that night. She encouraged people to buy signs recognizing him and also to vote for him via text message for the AT&T/ESPN Player of the Week Award.

COUNCIL/STAFF RECOGNITIONS:

Mayor Azevedo -- Mayor Miller presented Council Member Azevedo with a plaque from the City that she can "hang with pride" in recognition of her 2009 Mayoral term.

Fire Chief Frye -- Mayor Miller presented Chief Jack Frye with the City Tile plaque and commented on his contributions to the City and on his admirable character. "Go well my friend."

Battalion Chief Knueven presented Chief Jack Frye with a plaque and a retirement badge from the Norco Fire Department.

Mayor Pro Tem Hanna thanked Chief Jack Frye for his contributions to the Norco Animal Rescue Team ("NART") and stated that through the efforts of Chief Frye, the NART training program was initiated.

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

M/S Hanna/Azevedo to approve the CRA Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, HANNA, MILLER
NOES: NONE
ABSENT: NONE
ABSTAIN: BASH, SULLIVAN

1. CRA CONSENT CALENDAR ITEMS:

- A. CRA Minutes, Regular Meeting of November 18, 2009. **Recommended Action: Approve the CRA Minutes** (City Clerk)

2. OTHER CRA MATTERS: No Other CRA Matters

ADJOURNMENT OF CRA: 7:40 p.m.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

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

AYES: AZEVEDO, BASH, HANNA, MILLER, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: BASH, SULLIVAN ON 3.A.

3. CITY COUNCIL CONSENT CALENDAR ITEMS:

- A. City Council Minutes, Regular Meeting of November 4, 2009. **Recommended Action: Approve the City Council Minutes** (City Clerk)
- B. Planning Commission Action Minutes, Regular Meeting of November 25, 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. Resolution in Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010. **Recommend Action: Adopt Resolution No. 2009-85.** (City Manager)
- E. Execution of a Cooperative Funding Agreement between the City of Norco and the Riverside County Flood Control and Water Conservation District (RCFC&WCD) to Construct Norco MDP Lateral NB-3. **Recommended Action: Approve Project No. 2-0-00161 Funding Agreement between the City of Norco and Riverside County Flood Control and Water Conservation District and authorize the City Manager to execute the agreement.** (Director of Public Works)

4. CITY COUNCIL PUBLIC HEARING:

- A. City-Initiated Proposal to Add Chapter 9.81 Entitled "Sale of Drug Paraphernalia" to the Norco Municipal Code to Protect and Promote the Health, Safety and General Welfare of the Youth and Other Residents of the City of Norco

This proposed Ordinance, which prohibits the sale of drug paraphernalia, will discourage the use of illegal drugs, reinforce the state and federal prohibition of selling drug paraphernalia and allow the use of the City's administrative process to prosecute violators instead of having to rely on state or federal prosecution.

Recommended Action: Adopt Ordinance No. ___ for first reading. (Lt. Cooper)

Sergeant Rowan presented the Council Item and stated that the UNLOAD Committee requests that this Ordinance be passed.

Mayor Miller 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 Miller CLOSED the public hearing.

Council Member Azevedo urged support of this Ordinance and stated that through the awareness that was brought before the UNLOAD Committee of the availability of drug paraphernalia throughout the City, they moved forward in supporting this Ordinance.

Council Member Sullivan stated that this is a great Ordinance and it will give our law enforcement people an opportunity to get on top of this problem in our stores in Norco.

Mayor Miller stated that under Lt. Cooper's leadership, crime in the City of Norco is the lowest in 20 years and thanked the Sheriff Department staff for their efforts. He further thanked Lt. Cooper for his creative leadership. Mayor Miller noted that Norco spends 35% of its budget for the services of the Norco Sheriff Department compared to 45% spent in comparable cities.

M/S Bash/Hanna to Adopt Ordinance No. 914 for first reading. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, MILLER, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

5. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR: No Items Pulled.

6. PUBLIC COMMENTS OR QUESTIONS:

Pat Overstreet. Ms. Overstreet reminded everyone to attend the December 5th Parade of Lights and Winter Festival. She further noted that there are over 50 entries in this year's parade. Ms. Overstreet also commented on the statement made regarding changing Norco's City government to a full-time Mayor and since RURAL was mentioned by name, she clarified that they are a civic accountability group and would provide an educational opportunity to hear and become familiar with the pros and cons regarding this. Ms. Overstreet stated that at this time, RURAL has no position on it.

Tom Willison. Mr. Willison stated he was not present Monday evening and understood that he was there in some form or another, as the Norco Horsemen's Association was represented that they were behind an elected Mayor. He noted that the NHA bylaws state that they are a non-political, non-profit organization and does nothing in regards to supporting or not supporting political actions. Mr. Willison stated the individual that spoke is not a member of the NHA, as far as he knows, and he believes that of the 1,100 members, some may serve on both sides of the question. He noted that this NHA discussion is not included in any minutes and will not be and is not something they are involved in. He finished with the comment "we call that big hat – no cattle."

Su Bacon. Ms. Bacon stated that following the recent election, we need to pull together and take responsibility to move forward with what is important to the City. She noted that we need to keep our small businesses alive by shopping local and provide tax incentives to bring businesses into Norco. Ms. Bacon stated that there will be a time for responsible debates, but the time is not now.

7. OTHER MATTERS - COUNCIL OR STAFF:

Council Member Azevedo:

- ✦ Encouraged everyone to attend the Parade of Lights and Winter Festival on December 5th and she set the scene for the inside ice skating rink at Nellie Weaver Hall, where there will be music playing and snow flurries coming down. She thanked Sparky for the lighting, and further noted for the record that if anyone sees Bob Hicks or Wanda Crowson, thank them for all of their efforts and financial support.

Council Member Sullivan:

- ✦ Spoke in defense of the person that Mr. Willison referred to and noted that he did not say that the NHA was behind that, but that he had talked with NHA members, Saddle Sore Riders, and several other groups. He noted that he was in attendance at the meeting and did not hear that any particular group was behind it.

Mayor Miller:

- ✦ Referred to the *Council Member Handbook* and asked that each Council Member re-familiarize themselves with the requirements so they can "walk the straight and narrow." He also referenced the ethics training for the Council Members that is required in 2010.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

DATE: December 16, 2009

SUBJECT: Development of 122 Acres of Property Known as the Silverlakes Equestrian and Sports Park

RECOMMENDATION: Continue the Joint Public Hearing to January 20, 2010.

SUMMARY: The approvals of the following actions are recommended to be continued to a Joint Public Hearing on January 20, 2010:

- a. Norco Silverlakes Ground Lease between the City of Norco and the Norco Redevelopment Agency.
- b. Norco Silverlakes Ground Sub-Lease between the City of Norco and Belstarr Sports Management, LLC.
- c. Shared Use Agreement between the City of Norco and Belstarr Sports Management, LLC.
- d. Report of the Norco Redevelopment Agency concerning the disposition of the Redevelopment Agency property pursuant to California Health & Safety Code Section 33433.
- e. Report of the Norco Redevelopment Agency concerning disposition of Redevelopment Agency property pursuant to California Health & Safety Code Section 33679.
- f. Amendment to Conditional Use Permit No. 2008-09.
- g. Review of draft Development Agreement among the City of Norco, Norco Redevelopment Agency and Belstarr Sports Management, LLC.
- h. Resolution to Adopt Finding that the Silverlakes Sports and Equestrian Park project is consistent with the Deed Restriction on the 122-acre Silverlakes property.

/bj-74123



ACTION MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
DECEMBER 9, 2009 *AR*

1. Call TO ORDER: 7:00 P.M.
2. ROLL CALL: Chair Jaffarian, Vice-Chair Hedges, Commission Members Harris, Newton and Wright
3. STAFF PRESENT: Planning Manager King, Senior Planner Robles, Executive Secretary Dvorak
4. PLEDGE OF ALLEGIANCE: Vice-Chair Hedges
5. APPEAL NOTICE: Read by Planning Manager King
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: **None**
7. APPROVAL OF MINUTES: Minutes of November 25, 2009: **Approved 5-0**
8. CONTINUED ITEMS: Pencil File 2009-05 (Lopez): Request for Approval of Grading Plans to Accommodate Equestrian Facilities on Property located at 685 Foxtail Way within the Norco Hills Specific Plan (NHSP). Continued from the meeting of November 12, 2009. Recommendation: Approval (Senior Planner Robles): **Approved 5-0 with the provision of a Primary Animal Keeping Area (PAKA)**
9. PUBLIC HEARINGS: **None**
10. BUSINESS ITEMS:
 - A. Site Plan 2009-06 (Lu): Request for Site Plan Approval to Allow the Conversion of an Existing Residential Home to a Commercial Building at 1070 Sixth Street Located within the C-4 Zone. Recommendation: Approval (Planning Manager King): **Approved 5-0 to allow the project to be completed in two phases. This approval is final unless appealed to the City Council.**
 - B. Lighting/Photometric Review 2009-02 (Pasley): Review of Lighting Plans Required in the Approval of Conditional Use Permit 2008-10, Approved to Allow an Early Childhood Care Center/Preschool for a Maximum of 90 Students at 4193 Bluff Street Located within the A-1-20 Zone.

Recommendation: Approval (Senior Planner Robles): **Approved 5-0. This approval is final unless appealed to the City Council.**

11. CITY COUNCIL: **Received and filed.**
 - A. City Council Action Minutes dated December 2, 2009
 - B. City Council Minutes dated November 18, 2009
12. STAFF: Current Work Program: **Received and filed.**
13. OTHER MATTERS:
 - **Commissioner Hedges asked if staff had looked into the vehicles sales lot that has been setting up on the weekend at property located at the northeast corner of Sixth Street and Temescal Avenue.**
 - **Commissioner Hedges also questioned why “No Parking” signage had not been posted on the vacant lots in front of the Community Center.**
 - **Commissioner Jaffarian questioned how much of the existing flat pad component equation changes when adding (grading more) flat pad areas to a property.**
14. ADJOURNMENT: **8:54 p.m. to the meeting of January 13, 2010**

/sd/adr-74355

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: December 16, 2009

SUBJECT: Authorization for the Destruction of Certain City Records

RECOMMENDATION: Adopt **Resolution No. 2009-___**, authorizing the destruction of certain City records as shown in Exhibit "A."

SUMMARY: Several times a year, the City Clerk's office assembles a list of records from the various departments that may be destroyed in accordance with the records retention manual. Staff recommends that the City Council adopt the attached Resolution authorizing the destruction of those records shown in Exhibit "A."

BACKGROUND/ANALYSIS: The attached resolution, which includes a list of records to be destroyed (Exhibit "A"), has been reviewed by staff and the City Attorney and all records fall under the statutes for destruction of records. These are either duplicate records or are more than two years old and not required to be retained.

Following approval to destroy these records, the City Historian Ron Snow will be furnished a list of these records so that any historical materials can be identified for archival purposes.

FINANCIAL IMPACT: N/A

/di-73837

Attachments: Resolution No. 2009-____
Exhibit "A"

RESOLUTION NO. 2009-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF CERTAIN CITY RECORDS

WHEREAS, Section 34090 of the California Government Code authorizes the destruction of City records upon approval of the legislative body of the City and the written consent of the City Attorney provided that said records do not fall within certain specified categories and are not less than two years old; and

WHEREAS, the City Clerk has requested authority for the destruction of certain records, which do not fall within the excepted categories and all of which records are more than two years old; and

WHEREAS, the City Attorney has reviewed the listed records and has provided written consent as shown by the signature at the bottom of this Resolution.

NOW THEREFORE, be it resolved by the City Council of the City of Norco that records as listed on the attachments hereto, marked Exhibit "A," and incorporated herein, may be destroyed.

PASSED AND ADOPTED by the City Council of the City of Norco at a meeting held on December 16, 2009.

Mayor
City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

APPROVED:

John Harper, City Attorney
City of Norco, California

Resolution No. 2009-____
Page 2
December 16, 2009

I, BRENDA K. JACOBS, City Clerk of the City of Norco, California do hereby certify that the foregoing Resolution was introduced and adopted by the City Council of the City of Norco at a meeting held on December 16, 2009 by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California on December 16, 2009.

Brenda K. Jacobs, City Clerk
City of Norco, California

/di-73838

**ADMINISTRATIVE SERVICES DEPARTMENT/FINANCE
DESTRUCTION OF RECORDS
December, 2009***

Administration

Street Report	1997-2005
Statement of Indebtedness	1997-2005
Financial Transactions Report	2000-2001
PERMA Reports	2004-2007

Human Resources

Scanned File Name	File Contents
2000 Building Inspector Trainee	Data Recording Information Sheets
2000 Recreation Specialist	Data Recording Information Sheets
2000 Apprentice Firefighter	Data Recording Information Sheets
2000 Building Official	Data Recording Information Sheets
2000 Unsolicited Applications	Data Recording Information Sheets
2000 Housing Coordinator	Data Recording Information Sheets
2000 Executive Secretary & Misc. Other Positions	Data Recording Information Sheets
2001 Public Works Trainee	Data Recording Information Sheets
2001 CIS Technician	Data Recording Information Sheets
2001 Firefighter	Data Recording Information Sheets
2001 Bus Driver	Data Recording Information Sheets
2001 Recreation & Community Services Supervisor	Data Recording Information Sheets
2001 Account Clerk II	Data Recording Information Sheets
2001 Receptionist Clerk	Data Recording Information Sheets
2001 Planning Aide	Data Recording Information Sheets
2002 Civil Engineering Assistant	Data Recording Information Sheets
2002 Building Inspector	Data Recording Information Sheets
2003-File 1 – Misc.	Data Recording Information Sheets for the following positions: Unsolicited Misc. Applications Recreation Specialist Water Quality Control Technician
2003-File 2 - Public Works Trainee	Data Recording Information Sheets
2003-File 3 - City Manager	Data Recording Information Sheets
2003-File 4 - Animal Control Officer Trainee	Data Recording Information Sheets
2003-File 5 - Firefighter	Data Recording Information Sheets
2003-File 6 - Firefighter	Data Recording Information Sheets
2003-File 7 - Firefighter	Data Recording Information Sheets
2003-File 8 - Firefighter	Data Recording Information Sheets
2003-File 9 - Firefighter	Data Recording Information Sheets

* All items to be destroyed after January 1, 2010
/jk – 74281

**HOUSING DIVISION
RECORDS DESTRUCTION
WINTER 2009**

**BOX 1
REVERSE ORDER**

1. CDBG Project file 2Nr)-43, Project Year 2000-2001: Santa Ana River Trail. Project never completed, funds reprogrammed to Auxiliary Building 2.NR059 in 2002.
2. Home Improvement Project HERBERT: Case DLP79, EG/HIG 12. Paid in full, January 2007; homeowner sold property and moved out of state.
3. Home Improvement Grant file LA BART: Case EG/HIG38. Reconveyed October 4, 2007. Closed.
4. Deferred Loan Project File #9 SIMONEAU: Paid in full August 30-2007.
5. First-Time Homebuyer Application ASHBY: Did not qualify, closed 9/27/07
6. Emergency Grant Project file MCFARLAND; completed 1-26-06
7. Code Compliance Case #2 MALLLORY; completed January 2002; reconveyed 8/20/07
8. Home Improvement Grant Case #8 BRAME: completed 7/27/06, grant forgiven October 9, 2007.
9. Sewer Program I File: SMITH. Project completed November 1990, forgiven November 2005.
10. City Sewer Loan Case #2006-01 SHACKELFORD. Completed 11/16/06; paid in full 12/01/06.
11. Fair Housing Council Reimbursement Checks and Back-Up: April 2007 – November 2007

MEMORANDUM

TO: Brenda Jacobs, City Clerk

FROM: Brian K. Petree, Director
Parks and Recreation Department

PREPARED BY: Robin Shepard, Clerical Assistant

DATE: December 3, 2009

SUBJECT: **Records Destruction List 2009**

Noted below is the list of items requested for destruction.

Box 1	Miscellaneous Facility Rentals 1997-1999
Box 2	Miscellaneous Facility Rentals 1985-2003 Volunteer time cards 2003-2006 Health Permits 1998-2001
Box 3	Western Art Show Artists Bios 1998-2001
Box 4	Handwritten receipts 1999
Box 5	Western Art Show Artists Bios 1997/2005 Western Art Show Misc files 1995
Box 6	Handwritten receipts 1998-1999
Box 7	Western Art Show Artists Bios 2006
Box 8	Western Art Show 2002 – guest registry, artist list, award list, sponsor list, misc. memos and receipts Western Art Show 2001 - artist evaluation forms, consignment list and agreement, guest list, misc. memos and receipts Western Art Show 2000 – guest list, artist list, sponsor list, misc. memos and receipts Western Art Show Artist entries – 1999/2004 Manual credit card sales slips - 2001 Make a Difference Day – Misc. info, volunteer applications

- Box 9 Various closed construction files 1999-2003
Gonzales Fencing, National Paving, A & W Electric, Goody's
Concrete Grinding, Norco Hills Park Walkway Stabilization,
International Pavement Solutions, Riley Gym Floor
Removal/Southwest Industries, Purkiss Rose/Norco Hills Park,
Santa Ana River Watershed, Ray Martinez Architect, Baxter E
Miller - Senior Center Design, Baxter Miller – Neil Snipes, Ireland
Sound, Wheatley Associates
Ingalls Park Receipts 2003
- Box 10 Party Partners Registration Forms 1998
City of Norco Payroll Register (copy) 1998
Community Development Block Grant info 1996-2000
Miscellaneous paid invoices 1997-1999
Sports Advisory Committee Meeting info 1997-1998
Employee Salary/Benefits Negotiation Info 1990-1997
Incident reports 1997-1998
Local Assistance Grant App for gym roofing/Consulting Services
Agreement 1999
Diving Board Notice To Invite Bid and Misc. info 1999
Copy of Lawsuit-Barreto vs. City of Norco 1999
Norco High School Gym Renovation memos 1999
Kips Korner Tennis Court Resurfacing project 1999
Riley Gym Renovation Support Letters 1998
App and Permit for Use of District Facilities – AYSO 1998-2000
JAAF Building Addition Plans for Wayne Makin 1999
Youth Basketball Camp roster and misc info 1997
Shooting and Dribbling class rosters 1997
Tball roster 2000
Calf Riders Only miscellaneous info 1999
Norco Tarheels Travel Ball - applications for use of facilities 1999
Quickturn Girls Softball - applications for use of facilities 1999
Hot Stuff Girls Softball - applications for use of facilities 1999
Incident Reports and Lawsuit copy of Norco vs. Amy 1997

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager

PREPARED BY: Brenda K. Jacobs, City Clerk

DATE: December 16, 2009

SUBJECT: Appointments to Standing Committees and Other Governmental Agencies

RECOMMENDATION: That the City Council approve the following Mayor-recommended appointments to the various standing committees and other governmental agencies for the 2010 calendar year:

<u>Audit Committee</u> Malcolm Miller Berwin Hanna	(Appoint 2)
<u>Beautification Committee</u> Kathy Azevedo	(Appoint 1)
<u>Chamber of Commerce Committee</u> Kathy Azevedo Berwin Hanna	(Appoint 2)
<u>Chino Basin Desalter Authority Board</u> Harvey Sullivan Public Works Director Bill Thompson (Alternate)	(Appoint 1)
<u>City Historian Liaison</u> Kevin Bash	(Appoint 1)
<u>Corona-Norco Schools Committee</u> Kathy Azevedo Harvey Sullivan	(Appoint 2)
<u>Economic Development Advisory Council</u> Kevin Bash Berwin Hanna	(Appoint 2)
<u>Four Corners Transportation Coalition and Policy Committee</u> Malcolm Miller Harvey Sullivan (Alternate)	(Appoint 1 and 1 Alternate)

<u>Northwest Mosquito Abatement District</u> Berwin Hanna	(Appoint 1)
<u>Riverside Conservation Authority</u> Kevin Bash Malcolm Miller (Alternate)	(Appoint 1 and 1 Alternate)
<u>Riverside County Library Committee</u> <u>(At the County Administrative Office)</u> Kevin Bash	(Appoint 1)
<u>Riverside County Transportation Commission</u> <u>and Plans and Programs Committee</u> Malcolm Miller Kathy Azevedo (Alternate)	(Appoint 1 and 1 Alternate)
<u>Riverside Transit Agency</u> Harvey Sullivan Malcolm Miller (Alternate)	(Appoint 1 and 1 Alternate)
<u>U.N.L.O.A.D.</u> Kathy Azevedo (Chair) Malcolm Miller (Vice Chair)	(Appoint 2)
<u>Western Riverside Council of Governments</u> Kathy Azevedo Malcolm Miller (Alternate)	(Appoint 1 and 1 Alternate)
<u>Transportation Uniform Mitigation Fee</u> <u>(TUMF) Northwest Zone Committee (WRCOG)</u> Harvey Sullivan Kevin Bash (Alternate)	(Appoint 1 and 1 Alternate)
<u>Western Riverside County</u> <u>Regional Wastewater Authority</u> Malcolm Miller Harvey Sullivan (Alternate) Public Works Director Bill Thompson	(Appoint 1 and 1 Alternate)

BACKGROUND/ANALYSIS: Each December, the Mayor makes appointments to various standing committees and other governmental agencies. The Mayor-recommended appointments to these standing committees and other governmental agencies for the 2010 calendar year are presented for approval by the City Council.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Brenda K. Jacobs, City Clerk 

DATE: December 16, 2009

SUBJECT: **Ordinance No. 914, Second Reading.** City-Initiated Proposal to Add Chapter 9.81 Entitled "Sale of Drug Paraphernalia" to the Norco Municipal Code to Protect and Promote the Health, Safety and General Welfare of the Youth and Other Residents of the City of Norco.

RECOMMENDATION: Adopt **Ordinance No. 914**

SUMMARY: The first reading of Ordinance No. 914 was held on December 2, 2009 and was unanimously adopted by the City Council. Staff is recommending that the City Council adopt Ordinance No. 914 for second reading -- adding Chapter 9.81 Entitled "Sale of Drug Paraphernalia" to the Norco Municipal Code to protect and promote the health, safety and general welfare of the youth and other residents of the City of Norco.

BACKGROUND/ANALYSIS: Ordinance No. 914, which prohibits the sale of drug paraphernalia, will discourage the use of illegal drugs, reinforce the state and federal prohibition of selling drug paraphernalia and allow the use of the City's administrative process to prosecute violators instead of having to rely on state or federal prosecution.

This Ordinance adopts the language and definitions found in the California Health and Safety Code Section 11364.5 and 21 U.S.C. Section 801 et seq. The City's UNLOAD Committee recommends adoption of this Ordinance because, although current California state as well as federal law prohibit the sale of drug paraphernalia, the City should also play a part to discourage the use of illegal drugs by prohibiting the sale of drug paraphernalia.

/bj-74284

Attachments: Ordinance No. 914

ORDINANCE NO. 914

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, ADDING CHAPTER 9.81 ENTITLED "SALE OF DRUG PARAPHERNALIA" TO THE NORCO MUNICIPAL CODE TO PROTECT AND PROMOTE THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE YOUTH AND OTHER RESIDENTS OF THE CITY OF NORCO

WHEREAS, the City of Norco is authorized by California Constitution Article XI, Section VII to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations and as a policy, the City Council always seeks to ensure public safety is given the highest priority; and

WHEREAS, the City Council of the City of Norco is concerned about the ready availability of drug paraphernalia, as the availability of such items facilitates the use of illegal drugs; and

WHEREAS, the use of illegal drugs is often linked to criminal incidents; and

WHEREAS, the sale of drug paraphernalia is already prohibited under state and federal law; and

WHEREAS, the City of Norco wishes to do its part to discourage the use of illegal drugs by prohibiting the sale of drug paraphernalia in Norco; and

WHEREAS, the City Council is aware that in some instances retail stores sell drug paraphernalia in the guise of selling items for use with tobacco; and

WHEREAS, the City Council has previously adopted an ordinance establishing license requirements and regulations for establishments that sell tobacco; and

WHEREAS, the City Council of the City of Norco therefore determines that this chapter is a reasonable and necessary means to protect and promote the health, safety, and general welfare of the youth and other residents of the City of Norco.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

**Section 1: CHAPTER 9.81 OF THE NORCO MUNICIPAL CODE IS HEREBY
ADDED AS FOLLOWS:**

“CHAPTER 9.81

SALE OF DRUG PARAPHERNALIA

Sections:

9.81.010	Purpose, Intent and Findings
9.81.020	Definitions
9.81.030	Determining What is Drug Paraphernalia
9.81.040	Sale of Drug Paraphernalia Prohibited
9.81.050	Exceptions to Prohibition
9.81.060	Penalties

9.81.010 Purpose, Intent and Findings.

The City Council finds, determines and declares that this Chapter has been enacted based upon the following facts and purposes:

- (1) The City Council of the City of Norco is concerned about the ready availability of drug paraphernalia, as the availability of such items facilitates the use of illegal drugs; and
- (2) The use of illegal drugs is often linked to criminal incidents; and
- (3) The sale of drug paraphernalia is already prohibited under state and federal law; and
- (4) The City of Norco wishes to do its part to discourage the use of illegal drugs by prohibiting the sale of drug paraphernalia in Norco; and
- (5) The City Council is aware that in some instances retail stores sell drug paraphernalia in the guise of selling items for use with tobacco; and
- (6) The City Council has previously adopted an ordinance establishing license requirements and regulations for establishments that sell tobacco; and
- (7) The City Council of the City of Norco therefore determines that this chapter is a reasonable and necessary means to protect and promote the health, safety, and general welfare of the youth and other residents of the City of Norco.

9.81.020 Definitions.

For the purpose of this chapter, "drug paraphernalia" means any equipment, product, or material of any kind which is primarily intended or designed for use in manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, possession of which is unlawful under 21 U.S.C. §801 et seq. "Drug paraphernalia" shall include, but not limited to, all of the following:

- (1) Kits intended for use or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.
- (2) Kits intended for use or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.
- (3) Isomerization devices intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance.
- (4) Testing equipment intended for use or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances.
- (5) Scales and balances intended for use or designed for use in weighing or measuring controlled substances.
- (6) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose, and lactose, intended for use or designed for use in cutting controlled substances.
- (7) Separation gins and sifters intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana.
- (8) Blenders, bowls, containers, spoons, and mixing devices intended for use or designed for use in compounding controlled substances.
- (9) Capsules, balloons, envelopes, and other containers intended for use or designed for use in storing or concealing controlled substances.
- (10) Containers and other objects intended for use or designed for use in storing or concealing controlled substances.
- (11) Hypodermic syringes, needles, and other objects intended for use or designed for use in parenterally injecting controlled substances into the human body.
- (12) Objects intended for use or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish oil into the human body, such as the following:
 - a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls.
 - b) Water pipes.
 - c) Carburetion tubes and devices.
 - d) Smoking and carburetion masks.
 - e) Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette that has become too small or too short to be held in the hand.

- f) Miniature spoons with level capacities of one-tenth cubic centimeters or less.
- g) Chamber pipes.
- h) Carburetor pipes.
- i) Electric pipes.
- j) Air-driven pipes.
- k) Chillums.
- l) Bongs.
- m) Ice pipes or chillers.

9.81.030 Determining What is Drug Paraphernalia.

In determining whether an object is drug paraphernalia, the city, a court or other authority may consider, in addition to all other logically relevant factors, the following:

- (1) Statements by an owner or by anyone in control of the object concerning its use.
- (2) Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance.
- (3) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons who intend to use the object to facilitate the use of any illegal drug.
- (4) Instructions, oral or written, provided with the object concerning its use.
- (5) Descriptive materials accompanying the object which explain or depict its use.
- (6) National and local advertising concerning its use.
- (7) The manner in which the object is displayed for sale.
- (8) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items in the community, such as a licensed distributor or dealer of tobacco products.
- (9) The existence and scope of legitimate uses for the object in the community.
- (10) Expert testimony concerning its use.

9.81.040 Sale of Drug Paraphernalia Prohibited.

Except as authorized by federal law, state law that is not preempted by federal law, or the exceptions in this chapter, no person shall do any of the following with respect to drug paraphernalia: deliver; furnish; transfer; possess with intent to deliver, furnish, or transfer; manufacture with the intent to deliver, furnish, or transfer; or maintain or operate any place of business in which drug paraphernalia is kept, displayed or offered in any manner, sold, furnished, transferred or given away.

9.81.050 Exceptions to Prohibition.

Notwithstanding any provision of this chapter, no violation of this chapter shall be deemed to exist when any of the following acts occur:

- (1) Any pharmacist or other authorized person sells or furnishes drug paraphernalia described in paragraph (11) of §9.81.020 upon the prescription of a physician, dentist, podiatrist or veterinarian.
- (2) Any physician, dentist, podiatrist or veterinarian furnishes or prescribes drug paraphernalia described in paragraph (11) of §9.81.020 to his or her patients.
- (3) Any manufacturer, wholesaler or retailer licensed by the California State Board of Pharmacy to sell or transfer drug paraphernalia described in paragraph (11) of §9.81.020 who sells or transfers such items.

9.81.060 Penalties.

As authorized by California Health and Safety Code, Section 11364.7(d), the violation, or the causing or the permitting of a violation, of this chapter by a holder of a business license or other permit issued by the City of Norco, and in the course of the licensee's or permittee's business shall be grounds for the revocation of that license or permit including, but not limited to, any conditional use permit that allows the operation of a retail tobacco store. In addition, violations of this chapter may be prosecuted or cited in accordance with Chapter 1.04 of the Norco Municipal Code."

Section 2: COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT. The City Council finds that this Ordinance is not subject to the California environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Ordinance is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 3: SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

Section 4: EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from its adoption.

Section 5: POSTING. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall cause the same within 15 days of its passage to be posted at no less than five public places within the City of Norco.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on December 16, 2009.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, Brenda K. Jacobs, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on December 2, 2009 and thereafter at a regular meeting of said City Council duly held on December 16, 2009, it was duly passed and adopted by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on December 16, 2009.

Brenda K. Jacobs, City Clerk
City of Norco, California

/rlf-73919

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Myrna Paakkonen, Human Resource Analyst 

DATE: December 16, 2009

SUBJECT: Resolution Approving the Extension of the Memorandum of Understanding between the City of Norco and the Norco Battalion Chiefs Association through June 30, 2010.

RECOMMENDATION: Adopt **Resolution 2009-___**.

SUMMARY: The current Memorandum of Understanding (MOU) between the City of Norco and Norco Battalion Chiefs Association including the "side letter" effective July 1, 2009 is scheduled to expire on December 31, 2009. Staff is recommending that the City Council approve the extension of the MOU and the "side letter" to June 30, 2010 with no changes to the existing terms and conditions at this time. Staff is evaluating potential scheduling changes. If agreement is reached, changes would become effective through an administrative "side letter".

BACKGROUND/ANALYSIS: Effective July 1, 2009, a separate "side letter" was negotiated and agreed to between the City and Norco Battalion Chiefs' Association (Association). This "side letter" supplemented the existing MOU between the City and the Norco Battalion Chiefs Association. The only material provision of the "side letter" was to change the work schedule of the Battalion Chiefs from the typical safety shift schedule of 56-hour work week to an administrative schedule of 40-hour work week. The aforementioned MOU, including the provisions of the July 2009 "side letter" is set to expire on December 31, 2009. Staff is requesting approval to extend the existing MOU along with the July 2009 "side letter" to June 30, 2010 with no changes to the existing terms and conditions. It is to be noted that the City and the Association are continuing to look at various scheduling options to meet the City's essential coverage needs. If a change in schedule is necessary prior to June 30, 2010, the resulting change will be handled through an administrative side letter agreement between the City and Association.

FINANCIAL IMPACT: None

/ao-74285

Attachment: Resolution No. 2009-_____

RESOLUTION NO. 2009-____

A RESOLUTION OF THE CITY OF NORCO APPROVING EXTENSION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NORCO BATTALIONS CHIEFS ASSOCIATION THROUGH JUNE 30, 2010

WHEREAS, the current Memorandum of Understanding (MOU) between the City of Norco and Norco Battalion Chiefs Association is scheduled to expire on December 31, 2009; and

WHEREAS, the Norco Battalion Chiefs Association has conferred in good faith with the City and both parties have agreed that the expiring MOU and "side letter" shall be extended to June 30, 2010 on the same terms and conditions as the current MOU with no changes; and

WHEREAS, any scheduling change made during the term of the extended MOU shall be implemented through an administrative "side letter."

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Norco, does hereby authorize the extension of the MOU and "side letter" to June 30, 2010.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on December 16, 2009.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, City Clerk of the City of Norco, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the City Council of the City of Norco, California, at a regular meeting thereof held on December 16, 2009, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on December 16, 2009.

Brenda K. Jacobs, City Clerk
City of Norco, California

/jk-74316

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Michael Daly, Information Technology Manager 

DATE: December 16, 2009

SUBJECT: Authorization to Enter Into a Five-Year Lease Agreement with Konica/Minolta for Eight Digital Multi-Function Devices

RECOMMENDATION: Staff recommends that the City Council authorize staff to enter into a five-year lease agreement with Konica/Minolta for Two – Model C652, Four – Model C360 and Two – Model C200 Digital Multi-Function Devices.

SUMMARY: The current five-year lease agreement between the City and Xerox Corporation for two high volume copiers will expire in December 2009 and the copiers are in need of replacement after five years in service. Staff solicited and received eight proposals for replacement machines. After reviewing all proposals reviewed, staff concluded that the machines proposed by Konica/Minolta provide the best overall technical, functional and cost value to the City. Consequently, staff is recommending that the City Council authorize the City Manger to enter into a five-year lease for eight digital multi-function machines.

BACKGROUND/ANALYSIS: In December of 2004, the City entered into a five-year lease agreement with Xerox for two high volume Xerox copiers and one low volume Xerox color copier. The lease is due to expire in December of 2009. Over the past two months, staff has been reviewing several options to replace these machines. Request for Proposals (RFP) was developed by staff and distributed to identified vendors. The RFP was also published on the City's website. Eight proposals were received in response to the City's RFP. After preliminary review of the proposals by the IT Manager and IT Analyst, four proposals were determined to have met the City's technical and function requirements. The four proposals were further evaluated by selected employees from heavy user departments who concluded that the machines proposed by Konica/Minolta provide the best overall value to the City. In addition to the machines currently under lease from Xerox, there are other locations throughout the City that would benefit from updated networked, color, multi-function machines.

The machines that are being recommended under the new lease will meet the City's copying/scanning/printing needs, as identified by the user departments. Two large capacity machines will replace the existing Xerox machine in Administration and Engineering, four mid-range devices will be installed in Parks & Recreation, Sheriff,

Finance and Animal Control and two smaller devices will be installed at Public Works and Senior Center. The new devices will replace existing copiers and printers in each of these areas and provide networked scanning services for the City's electronic document management system.

During the evaluation and selection process for new machines, staff from Finance, City Clerk, Sheriff, Economic Development and Information Technology met and reviewed proposals from Xerox, Toshiba, Konica/Minolta and Ricoh, four companies identified as meeting the minimum functional requirements. Each proposal was reviewed and scored based on experience (30%), proposal meets requirements (30%), options and features (20%) and overall cost per copy (20%).

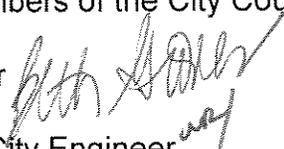
The cost of the lease for eight machines is \$927.72 per month plus additional per copy costs of \$.007 for black and white and \$.055 for color copies. Anticipated volumes of 70,000 per month of black and white and 10,000 per month of color copies would increase the total to approximately \$2,000 per month. Current lease costs for the existing Xerox copiers average \$3,000 per month with volumes of 60,000 per month black and white and 3,000 per month for color copies. Additional cost savings would be realized with the elimination of black and white laser printers (\$0.10 - \$0.20/page) and color deskjet printers (\$0.20 - \$0.35/page). All maintenance and supplies (except paper) are provided in the lease.

FINANCIAL IMPACT: The Konica/Minolta lease is estimated to cost the City \$2,000 per month. Funds were budgeted in the FY 2009-10 Computing and Communications Fund for the lease of three copiers, at a cost of \$2,233 per month. Additional funds were budgeted by other departments for various copiers and printer supplies. It is anticipated that additional savings will be realized. Staff expects a decrease in the cost of maintenance and supplies needed for the individual printers located throughout the City.

/md-74300

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: David Gilbertson, Deputy City Engineer 

DATE: December 16, 2009

SUBJECT: Acceptance of the Street Improvements Project at River Road and Second Street, as Complete

RECOMMENDATION: That the City Council accepts the Street Improvements Project at River Road and Second Street as complete and to file the Notice of Completion with the County Recorder's Office

SUMMARY: The Street Improvements at River Road and Second Street Project consisted of the installation of street and traffic signal improvements at River Road and Second Street. The project required change orders totaling \$63,512.66 for various items of work such as the reconstruction of a portion of the sidewalk, modifications to the existing driveways, additional signal and median modifications requested by the City of Corona, and the purchase of a traffic signal controller cabinet.

BACKGROUND/ANALYSIS: On March 4, 2009, the City Council awarded a public works contract to Hardy & Harper, Inc. in the amount of \$333,000 for the Street Improvements Project at River Road and Second Street. On June 17, 2009, the Norco Redevelopment Agency Board approved an additional appropriation of \$25,000 for some of the aforementioned additional costs. The final contract amount is \$396,512.66 which is 19% over the base contract award amount.

Hardy and Harper submitted a final change order in the amount of \$26,039.29, that included a traffic controller cabinet. This controller was originally authorized to be purchased and installed by JTB Supply Company in the amount of \$20,825.63. JTB Supply Company has agreed to reduce their invoicing in this amount and allow Hardy and Harper to purchase and install the controller. With the credit amount the final adjustment to the project cost will total \$5,213.66.

Work on the project has been completed to the satisfaction of the City Engineer and a Notice of Completion has been prepared. Staff is requesting that the City Council accept the work performed by Hardy & Harper, Inc. and authorize the City Clerk to record the Notice of Completion.

FINANCIAL IMPACT: Sufficient funds are available in the 2009/10 Street Capital Improvement Fund for the final invoice amount of \$5,213.66.

/wrt-74337

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager *Beth Groves*

PREPARED BY: William R. Thompson, Director of Public Works *wrt*

DATE: December 16, 2009

SUBJECT: Appropriation of Funds for the Renovation of Well No. 12

RECOMMENDATION: Adopt **Resolution No. 2009-____**, appropriating funds for the repair and rehabilitation of Well No. 12 in an amount not to exceed \$75,000.00

SUMMARY: Well No. 12 requires repairs to the tube, column and shaft due to metal fatigue and excessive wear to crucial mechanical parts. The pump has operated without interruption since 1998 when the depth of the pump bowls were extended. Well No. 12 is a critical groundwater source that extracts water locally from the Temescal Basin and discharges 1,250 gallons per minute or 1.8 million gallons per day into the distribution system for potable consumption and fire protection. At their December 7, 2009 meeting, the Streets, Trails and Utilities Commission unanimously supported the recommended action.

BACKGROUND/ANALYSIS: On October 8, 2009, Well No. 12 unexpectedly ceased producing water. Operation staff immediately contacted the Layne Christensen Company to pull the well pump to inspect and evaluate the cause. While disassembling the pump assembly damage to the tube, column and shaft were discovered. The 250 hp motor was repaired and reinstalled in 2008 and will not require additional repairs. Staff is recommending the purchase and replacement of new tube, column, and shaft components along with the rehabilitation or reconditioning of the pump impellers and bowl assembly.

Based on the prompt service provided by Layne Christensen to remove and evaluate the damage, and the critical nature of the repairs, staff would like to move forward with negotiations to perform needed repairs and rehabilitation. The not to exceed amount includes pump removal, installation, well video and casing cleaning.

FISCAL IMPACT: In order to pay for the rehabilitation of Well No. 12, it will be necessary to appropriate \$75,000.00 from the Water Capital Improvement Program (144), where there is approximately \$8,000,000 of funding available.

Attachments: Deep Well Turbine Diagram
Layne Christensen Company Proposal

/wrt-74334

Agenda Item 4.J.

RESOLUTION NO. 2009-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO,
CALIFORNIA TO APPROPRIATE WATER CAPITAL IMPROVEMENT
PROGRAM FUNDS FOR THE REPAIR AND REHABILITATION OF
WELL NO. 12, LOCATED IN NORCO CALIFORNIA**

WHEREAS, the Norco City Council ("Council"), has approved a Capital Improvement Program for the construction of public improvements for the benefit of the Community; and

WHEREAS, the City of Norco owns and operates a public water distribution and treatment system; and

WHEREAS, Well No. 12 is a groundwater source constructed and improved to provide potable water and fire protection to the community; and

WHEREAS, adequate funding is available in the Water Capital Improvement Fund (Fund 144).

NOW THEREFORE, BE IT RESOLVED that an amount not to exceed of \$75,000 shall be appropriated from the Water Capital Improvement Fund (Fund 144) to repair and rehabilitate Well No. 12.

PASSED AND ADOPTED by the City Council at a regular meeting held on December 16, 2009.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

Resolution No. 2009-____

Page 2

December 16, 2009

I, Brenda K. Jacobs, City Clerk of the City of Norco, do hereby certify that the foregoing Resolution was adopted by the City Council of the City of Norco, California at a regular meeting thereof held on December 16, 2009 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

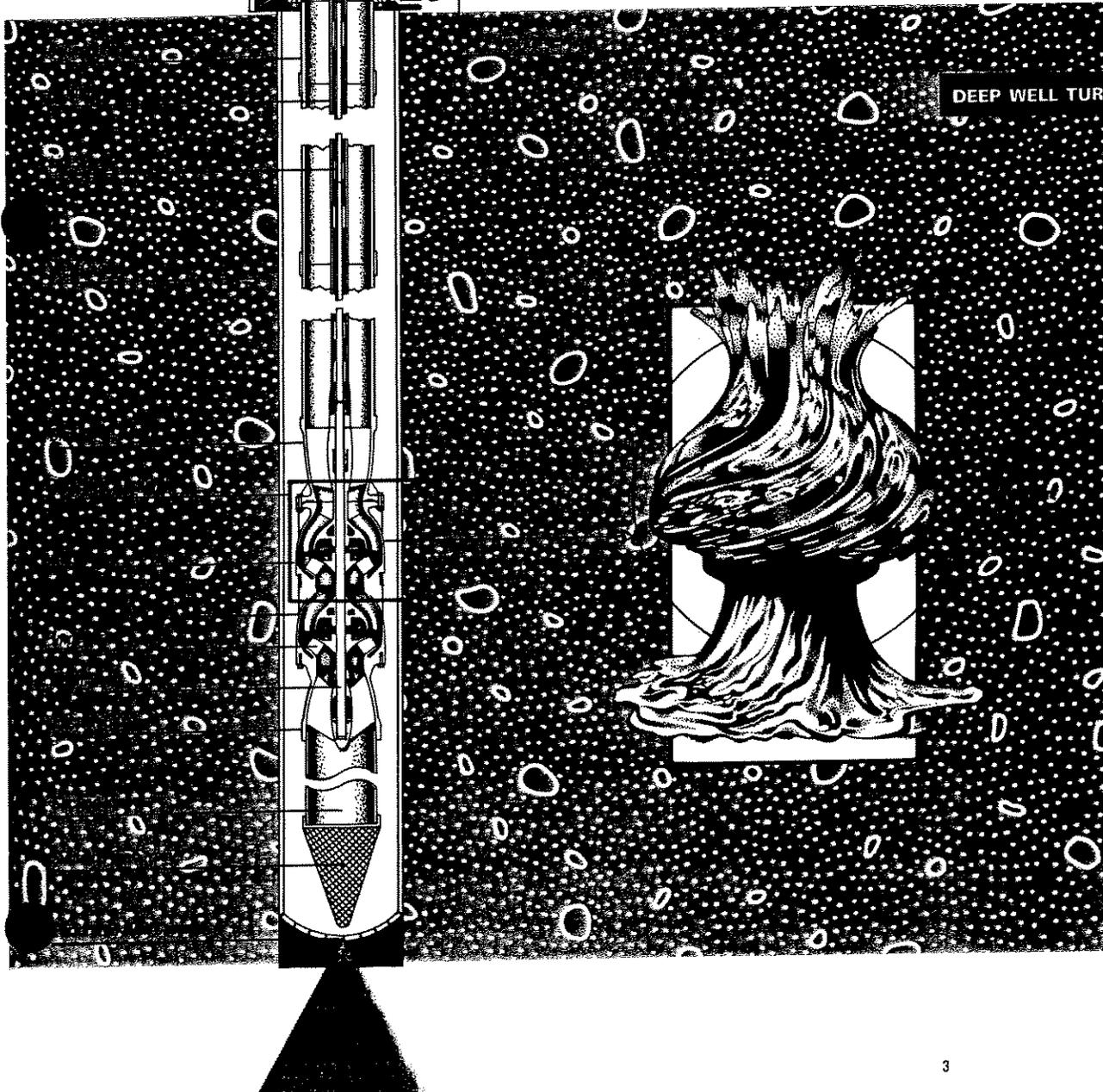
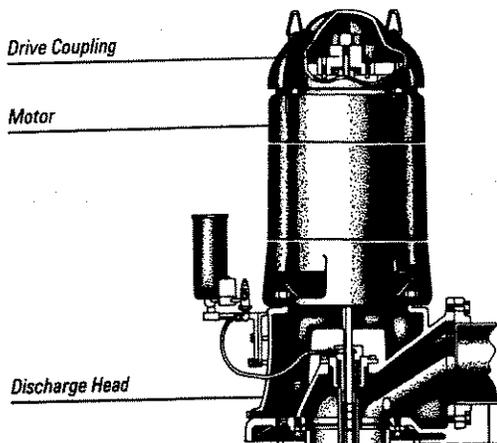
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on December 16, 2009.

Brenda K. Jacobs, City Clerk
City of Norco, California

/wrt-74335

DEEP WELL TURBINE PUMP

The deep well pump, or deep well turbine, is a centrifugal type pump mounted at the bottom of the well on a vertical shaft. One or more impellers and bowls on the shaft are assembled into a unit called the bowl assembly. This is the "heart" of the deep well pump, the actual pumping element. The bowl is much smaller and more compact than the pump case of a ground level unit. This allows the deep well pump to be installed in a small diameter well many feet below the surface of the ground.

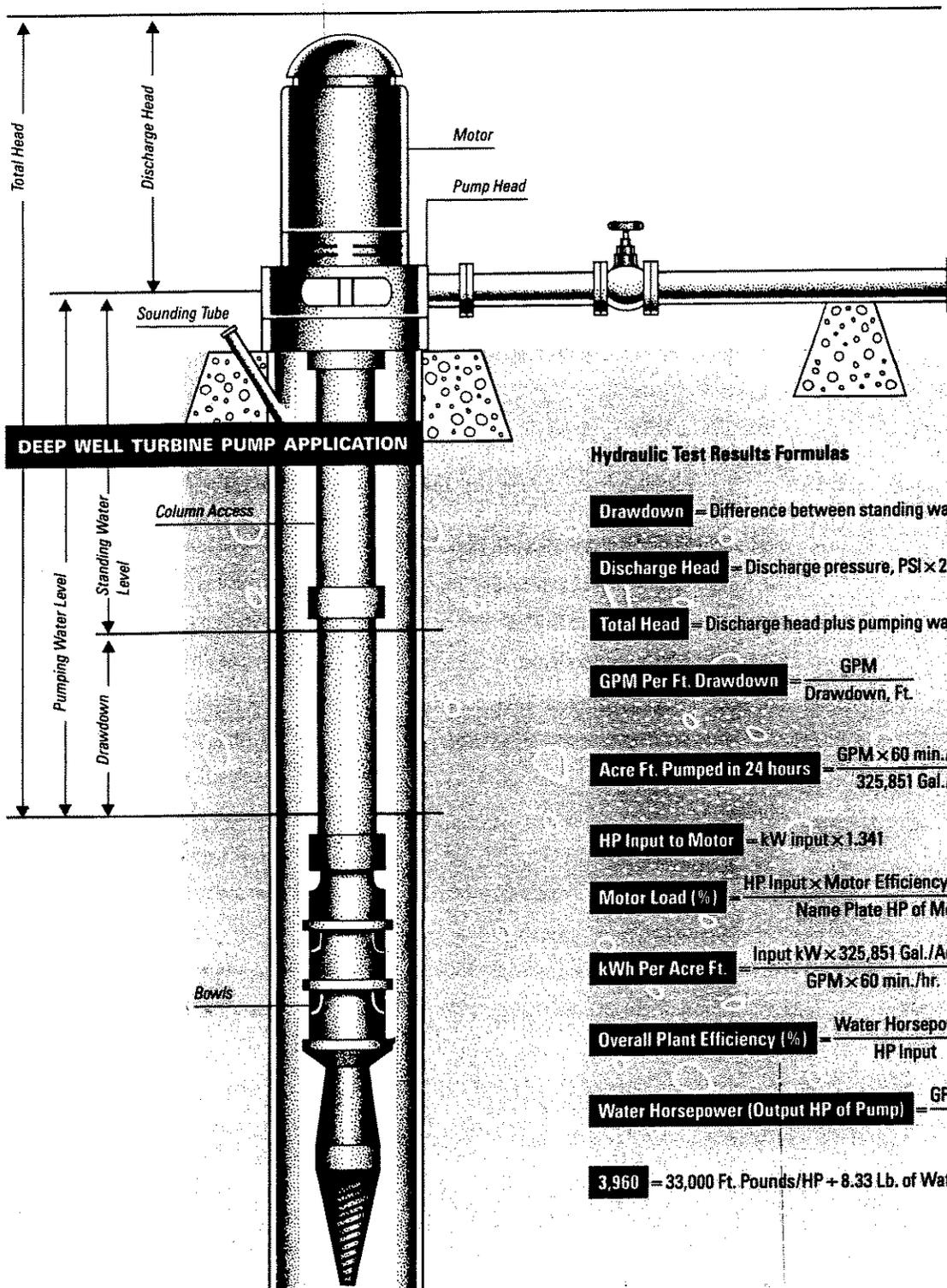


SUBMERSIBLE PUMP

As the name implies, the submersible pump and motor are immersed in water or other liquid being pumped. Though not quite as efficient as other pump designs, it is practical where above ground space is at a premium or straight line access to the liquid source is not possible. The submersible pump is also attractive because of the reduced noise level when the pump is underground. A submersible pump operates the same as a deep well turbine pump, except that the electric motor is located near the pump.

Pump Test Program Edison pump testmen conduct complete and accurate efficiency tests on water and other liquid pumps free of charge to assist customers

in making the most efficient use of every kilowatt of electricity. The of flow, the total head and the power input to the pumping plant are measured



Hydraulic Test Results Formulas

Drawdown = Difference between standing water level, ft., and pumping water level

Discharge Head = Discharge pressure, PSI \times 2.31 ft. of head

Total Head = Discharge head plus pumping water level, ft.

GPM Per Ft. Drawdown = $\frac{\text{GPM}}{\text{Drawdown, Ft.}}$

Acre Ft. Pumped in 24 hours = $\frac{\text{GPM} \times 60 \text{ min./hr.} \times 24 \text{ hr.}}{325,851 \text{ Gal./Acre Ft.}} = \frac{\text{GPM}}{226.3}$

HP Input to Motor = kW input \times 1.341

Motor Load (%) = $\frac{\text{HP Input} \times \text{Motor Efficiency in Percent}}{\text{Name Plate HP of Motor}}$

kWh Per Acre Ft. = $\frac{\text{Input kW} \times 325,851 \text{ Gal./Acre Ft.}}{\text{GPM} \times 60 \text{ min./hr.}}$ = $\frac{\text{Input kW} \times 5,431}{\text{GPM}}$

Overall Plant Efficiency (%) = $\frac{\text{Water Horsepower}}{\text{HP Input}} \times 100$

Water Horsepower (Output HP of Pump) = $\frac{\text{GPM} \times \text{Total Head}}{3,960}$

3,960 = 33,000 Ft. Pounds/HP + 8.33 Lb. of Water/Gallon

December 27, 2009

Quote: 25056

Bill Thompson
City of Norco Public Works Department
2870 Clark Ave
Norco, CA 92860

RE: Well 12 - Rebuild bowl assembly, replace column tube and shaft, rebuild motor, reinstall

Dear Bill :

We are pleased to present our project estimate for the referenced work to be performed at . We have prepared this estimate based upon the following information:

- Column Pipe Size: 10 inches.
- Pump HP: 250 HP.

Our proposal is valid until 01/26/2010 and is subject to the attached Terms and Conditions. Our terms and conditions are hereby incorporated by reference and constitutes a part of this offer. Please let us know if you have any questions.

Layne Christensen Company has been the industry leader in groundwater development since 1882. Our full range of water-related service encompasses: initial site selection; well field design and development; well drilling and development; pump installation and repair; water treatment; aquifer investigation and remediation, and well rehabilitation.

Thank you for choosing Layne Christensen Company and giving us the opportunity to be your water resource solution.

Sincerely,
Layne Christensen Company



Dennis Skinner
Account Manager
909-322-3765



Layne Christensen Company

11001 Etiwanda Ave, Fontana, CA 92337 • Phone: (909) 390-2833 • Fax: (909) 390-6097

CA License # 510011

www.laynechristensen.com

Quote - 12/01/2009

Billing Type Billing for all Time and Materials Based on Quote

Mobilization/Demobilization	<u>Qty</u>	<u>Unit Price</u>	<u>Total</u>
Install Pump	1	\$ 1,884.96	\$ 1,884.96
			Sub-Total \$ 1,884.96

Labor Charges	<u>Hours</u>	<u>Unit Price</u>	<u>Ext Price</u>
Install Pump	16	\$ 471.24	\$ 7,539.84
Shop Work	78	\$ 71.04	\$ 5,541.12
			Sub-Total \$ 13,080.96

Material Charges	<u>Qty</u>	<u>Unit Price</u>	<u>Ext Price</u>
Bowl Assembly parts	1	\$ 5,051.85	\$ 5,051.85
Column 20' x 10"	17	\$ 953.70	\$ 16,212.96
Column 10' x 10"	1	\$ 583.33	\$ 583.33
Tube and shaft 20' x 3" x 1 15/16"	17	\$ 1,055.56	\$ 17,944.44
Clean and paint head	1	\$ 185.19	\$ 185.19
Stretch assembly	1	\$ 453.70	\$ 453.70
Oil solenoid	1	\$ 157.41	\$ 157.41
Line shafts 20' x 1 15/16"	3	\$ 355.56	\$ 1,066.67
Rebuilt by Superior	1	\$ 10,911.11	\$ 10,911.11
			Sub-Total \$ 52,566.67

Invoice Sub-Total	\$ 67,532.59
PPE Charges	\$ 80.00
Consumables	\$ -
Tax	\$ 4,731.00

Grand Total \$ 72,343.59

This quote is valid for a period of 30 days from the date of this ESTIMATE and is subject to the attached TERMS AND CONDITIONS. The TERMS AND CONDITIONS are hereby incorporated by reference and constitute a part of this offer.

**CITY OF NORCO
MEMORANDUM**

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, City Manager 

PREPARED BY: Steve King, Planning Manager 

DATE: December 16, 2009

SUBJECT: General Plan Amendment 2009-01A-C, Zone Code Amendment 2009-01, Zone Change 2009-01, and Zone Change 2009-02; City-Initiated Proposals to Add a New Land Use Designation Entitled Preservation and Development to the General Plan and to Change the Land Use Designations and Zoning on Two Non-Contiguous Groupings of Properties.

RECOMMENDATION: **Adopt:**

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."

SUMMARY: 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.

This project was originally advertised for November 4, 2009 and was continued off-calendar to allow the Planning Commission more review time. On November 25, 2009 the Planning Commission recommended approval on all items.

BACKGROUND: The Land Use Element is one of seven required elements in the General Plan. Per state guidelines the Land Use Element should address the following issues pursuant to the State General Plan Guidelines:

1. distribution of housing, business, and industry;
2. distribution of open space;
3. distribution of mineral resources;
4. distribution of recreational facilities and opportunities;
5. location of educational facilities;
6. location of public buildings and grounds;
7. location of solid and liquid waste facilities and renewable energy facilities;
8. identification of areas subject to flooding; and
9. other private and public uses of land as necessary.

An overall update to the Land Use Element was approved by the City Council on October 7, 2009. The changes in the update were minor and reflected goals and policies that had

already been discussed and adopted through other avenues, including the update to the Housing Element. The changes also included updated data showing the latest figures for population growth and economic development.

This proposed amendments would create a new land use designation entitled "Preservation and Development" along with a new zone entitled the same. The intent is to "provide for the coordinated development of planned commercial projects in an orderly and aesthetically pleasing manner that recognizes and preserves significant natural landscape features, open lands, and historical buildings." These amendments would also change the land use designation and zoning on two groupings of properties where issues of preservation will ultimately need to be considered:

Area 1: Approximately 428 acres located north of the Norco Hills Specific Plan, east of Hillside Avenue and south and west of the Norco Ridge Ranch Specific Plan (ref. Exhibit "A"). Change the existing land use designation from Industrial – Special Research (ISR) and Hillside (HS), to Preservation and Development (PAD).

Area 2: Approximately 475 acres located around Lake Norconian, north of Third Street, east of Western Avenue, south of Fifth Street, and west of the City Hall/School District complex (ref. Exhibit "B"). Change the existing land use designations from Public Lands (PL) and Institutional (IN), to Preservation and Development (PAD).

ANALYSIS: The proposed General Plan Amendments, and related zone code amendment and zone changes, was recommended for approval by the Planning Commission because there are areas in the City where intense development has not occurred because of previous or existing land uses that have been there since the City incorporated. As a result there are large expanses of open spaces combined with significant resources that should be protected when and if those properties come available for development as other uses.

Those resources include unique and significant features, both natural and built, that define the community and represent a significant part of the City's history. There currently is not zoning in place to guide appropriate development once those properties become available for private ownership and/or development; and the current zoning on Area 1 which is General Manufacturing is not compatible with the adjoining residential neighborhoods (ref. Exhibit "C" – Permitted and Conditionally-Permitted Uses, M-2 Zone).

Area 1 is the land that was associated with Wyle Laboratories that existed when the City incorporated. The facility itself was primarily a closed facility to the public because of the sensitive nature of some of the tests that were performed there. The zoning that existed when the City incorporated was conducive to the testing that occurred at the facility and allowed primarily heavy industrial uses. This same zoning was carried over from Riverside County after the City incorporated and still exists today.

Wyle Laboratories has since vacated the property and a clean-up is being overseen by the State Department of Toxic Substances Control. Roughly half of the property, that portion associated with the upper basin, has already been declared clean and can be considered

for development under the current zoning (ref. Exhibit "D" – Area 1 Portion Declared Clean).

The proposed PAD land use designation and zoning would allow development only after a specific plan has been prepared, and would only allow development within the confines of a planned commercial development, a planned recreational development, or a planned resort development with no permanent residential development allowed. Development could only occur after resources have been identified for preservation and the methods for protecting those resources established.

Area 2 consists of those properties originally associated with the Norconian Hotel and Resort, and now includes the Naval Surface Warfare Center, Riverside Community College, and the California Rehabilitation Center. Land use decisions on these properties are currently under the jurisdiction of these other public agencies. And while these state and federal agencies do work with the City on major projects and decisions, the new proposed zoning would only be applicable when any of these properties change to private ownership. The intent is to have that zoning in place before any of the properties do come under private ownership so that significant historical and natural resources will have immediate protection thereupon.

Ultimately, protection of resources in both Areas 1 and 2 will come by way of specific plans and related environmental documents that will identify the significant resources and what implementation measures will be needed to protect them. Once that has been accomplished, development on non-impacted properties will be permitted through planned commercial development standards that will be set by the specific plans as approved by the Planning Commission and City Council.

Attachments: Resolution No. 2009-____ – General Plan Amendment 2009-01A
Resolution No. 2009-____ – General Plan Amendment 2009-01B
Resolution No. 2009-____ – General Plan Amendment 2009-01C
Ordinance No. ____ – Zone Code Amendment 2009-01
Ordinance No. ____ – Zone Change 2009-01
Ordinance No. ____ – Zone Change 2009-02
Exhibit "A" – Area 1 Existing Zoning
Exhibit "B" – Area 2 Existing Zoning
Exhibit "C" – Permitted and Conditionally-Permitted Uses, M-2 Zone
Exhibit "D" – Area 1 Portion Declared Clean

/sk-74306

RESOLUTION NO. 2009-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING GENERAL PLAN AMENDMENT 2009-01A TO AMEND THE LAND USE ELEMENT BY ADDING A NEW LAND USE CATEGORY TO BE TITLED "PRESERVATION AND DEVELOPMENT." GENERAL PLAN AMENDMENT 2009-01A

WHEREAS, the CITY OF NORCO initiated General Plan Amendment 2009-01A, an amendment to Norco General Plan Land Use Element, to add a new land use category entitled "Conservation and Development;" and

WHEREAS, the General Plan Amendment was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, the General Plan Amendment was scheduled for public hearing on November 25, 2009 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the Planning Commission held a public hearing and received both oral and written testimony pertaining to the General Plan Amendment; and

WHEREAS, the Planning Commission adopted Resolution 2009-19 recommending to the City Council that General Plan Amendment 2009-01A be approved; and

WHEREAS, the General Plan Amendment was duly submitted to said City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, the General Plan Amendment was scheduled for public hearing on November 4, 2009 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, prior to opening the public hearing said item was taken off-calendar; and

WHEREAS, the General Plan Amendment was duly re-submitted to said City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to the General Plan Amendment; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project will not create significant impact pursuant to the California Environmental Quality

Act (CEQA) and the City of Norco Environmental Guidelines and a Negative Declaration was adopted.

NOW, THEREFORE, the City Council of the City of Norco does hereby make the following FINDINGS AND DETERMINATIONS:

I. FINDINGS:

- A. The proposed General Plan Amendment is consistent with, and not contrary to, the Norco General Plan Land Use Element and the Zoning Code since the project addresses land use on properties that are either currently under jurisdiction of another public agency or are properties recently vacated where zoning for the previous use is incompatible with existing land use patterns in the area.
- B. The General Plan Amendment will establish the land use category to which new zoning and new zoning regulations will have to be created.
- C. The project (proposed amendment) has been determined to not have a significant effect pursuant to the California Environmental Quality Act and the City of Norco Environmental Guidelines and a Negative Declaration has been adopted.

II. DETERMINATION: NOW THEREFORE, the City Council of the City of Norco, California, in session assembled December 16, 2009 does hereby approve General Plan Amendment 2009-01A, approving the new Preservation and Development Land Use Category.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on December 16, 2009.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs
City Clerk
City of Norco, California

The City Clerk of the City of Norco, California, does certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Norco at a regular meeting thereof held on December 16, 2009 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on December 16, 2009.

Brenda K. Jacobs
City Clerk
City of Norco, California

/sk-73979

RESOLUTION NO. 2009-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING GENERAL PLAN AMENDMENT 2009-01B TO AMEND THE LAND USE CATEGORIES ON PROPERTY GENERALLY CORRESPONDING TO THE FORMER WYLE LABORATORIES PROPERTY FROM INDUSTRIAL RESEARCH AND HILLSIDE TO PRESERVATION AND DEVELOPMENT. GENERAL PLAN AMENDMENT 2009-01B (APN 123-080-028; 123-260-003, -004, -006, -010; 123-250-007, -006, -005; 123-320-001; 123-330-011, -001, -036)

WHEREAS, the City of Norco, California initiated General Plan Amendment 2009-01B on property generally described as:

Portions of Sections 8, 17, 18 of T. 3S., R. 6W as shown on Map Book 123, Pages 8, 26, 25, 32, 33, of Maps, Records of Riverside County, State of California.

WHEREAS, the General Plan Amendment was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, the General Plan Amendment was scheduled for public hearing on November 25, 2009 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the Planning Commission held a public hearing and received both oral and written testimony pertaining to the General Plan Amendment; and

WHEREAS, the Planning Commission adopted Resolution 2009-20 recommending to the City Council that General Plan Amendment 2009-01B be approved; and

WHEREAS, the General Plan Amendment was duly submitted to said City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, the General Plan Amendment was scheduled for public hearing on November 4, 2009 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, prior to opening the public hearing said item was taken off-calendar; and

WHEREAS, the General Plan Amendment was duly re-submitted to said City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to the General Plan Amendment; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project will not create significant impact pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines and a Negative Declaration was adopted.

NOW, THEREFORE, the City Council of the City of Norco does hereby make the following FINDINGS AND DETERMINATIONS:

I. FINDINGS:

- A. The proposed General Plan Amendment is consistent with, and not contrary to, the Norco General Plan Land Use Element and the Zoning Code since the project addresses land use on properties that are either currently under jurisdiction of another public agency or are properties recently vacated where zoning for the previous use is incompatible with existing land use patterns in the area.
- B. The General Plan Amendment will change the land use category for which new zoning and new zoning regulations will apply that are consistent with the General Plan.
- C. The project (proposed amendment) has been determined to not have a significant effect pursuant to the California Environmental Quality Act and the City of Norco Environmental Guidelines and a Negative Declaration has been adopted.

II. DETERMINATION: NOW THEREFORE, the City Council of the City of Norco, California, in session assembled December 16, 2009 does hereby approve General Plan Amendment 2009-01B, changing the land use designation on said properties from Industrial Special Research and Hillside to Preservation and Development..

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on December 16, 2009.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs
City Clerk
City of Norco, California

The City Clerk of the City of Norco, California, does certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Norco at a regular meeting thereof held on December 16, 2009 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on December 16, 2009.

Brenda K. Jacobs
City Clerk
City of Norco, California

/sk-73980

RESOLUTION NO. 2009-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING GENERAL PLAN AMENDMENT 2009-01C TO AMEND THE LAND USE CATEGORIES ON PROPERTY GENERALLY CORRESPONDING TO THE FORMER NORCONIAN RESORT AROUND LAKE NORCONIAN FROM INSTITUTIONAL AND PUBLIC LANDS TO PRESERVATION AND DEVELOPMENT. GENERAL PLAN AMENDMENT 2009-01C (APN 129-190-003, -002; 129-200-008, -007, -005; 129-210-006, -005, -004)

WHEREAS, the City of Norco, California initiated General Plan Amendment 2009-01C on property generally described as:

Portions of Sections 1, 8, 11, 12, of T. 3S., R. 7W as shown on Map Book 129, Pages 19, 20, 21 of Maps, Records of Riverside County, State of California.

WHEREAS, the General Plan Amendment was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, the General Plan Amendment was scheduled for public hearing on November 25, 2009 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the Planning Commission held a public hearing and received both oral and written testimony pertaining to the General Plan Amendment; and

WHEREAS, the Planning Commission adopted Resolution 2009-21 recommending to the City Council that General Plan Amendment 2009-01C be approved; and

WHEREAS, the General Plan Amendment was duly submitted to said City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, the General Plan Amendment was scheduled for public hearing on November 4, 2009 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, prior to opening the public hearing said item was taken off-calendar; and

WHEREAS, the General Plan Amendment was duly re-submitted to said City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, at the time set, the City Council held a public hearing and received both oral and written testimony pertaining to the General Plan Amendment; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project will not create significant impact pursuant to the California Environmental Quality Act (CEQA) and the City of Norco Environmental Guidelines and a Negative Declaration was adopted.

NOW, THEREFORE, the City Council of the City of Norco does hereby make the following FINDINGS AND DETERMINATIONS:

I. FINDINGS:

- A. The proposed General Plan Amendment is consistent with, and not contrary to, the Norco General Plan Land Use Element and the Zoning Code since the project addresses land use on properties that are either currently under jurisdiction of another public agency or are properties recently vacated where zoning for the previous use is incompatible with existing land use patterns in the area.
- B. The General Plan Amendment will change the land use category for which new zoning and new zoning regulations will apply that are consistent with the General Plan.
- C. The project (proposed amendment) has been determined to not have a significant effect pursuant to the California Environmental Quality Act and the City of Norco Environmental Guidelines and a Negative Declaration has been adopted.

II. DETERMINATION: NOW THEREFORE, the City Council of the City of Norco, California, in session assembled December 16, 2009 does hereby approve General Plan Amendment 2009-01C, changing the land use designation on said properties from Institutional and Public Lands to Preservation and Development.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on December 16, 2009.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs
City Clerk
City of Norco, California

The City Clerk of the City of Norco, California, does certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Norco at a regular meeting thereof held on December 16, 2009 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on December 16, 2009.

Brenda K. Jacobs
City Clerk
City of Norco, California

/sk-73981

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO APPROVING AN AMENDMENT TO TITLE 18, BY ADDING CHAPTER 18.62 WITH ANY RELATED CROSS-REFERENCES IN OTHER CHAPTERS AS NEEDED ESTABLISHING THE PRESERVATION AND DEVELOPMENT ZONE. ZONE CODE AMENDMENT 2009-01.

WHEREAS, the CITY OF NORCO initiated Zone Code Amendment 2009-01, an amendment to Norco Municipal Code Title 18 (Zoning Code), adding Chapter 18.62 to establish the Preservation and Development Zone with related development standards; and

WHEREAS, THE Zone Code Amendment was duly submitted to said City's Planning Commission for decision at a public hearing for which proper notice was given; and

WHEREAS, the Zone Code Amendment was scheduled for public hearing on November 25, 2009 on or about 7 p.m. in the Council Chambers at 2820 Clark Avenue, Norco, California 92860; and

WHEREAS, at the time set, the Planning Commission held a public hearing and received both oral and written testimony pertaining to the Zone Code Amendment; and

WHEREAS, based on findings of fact, the Planning Commission adopted Resolution 2009-23 recommending to the City Council that Zone Code Amendment 2009-01 be approved for reasons set forth in said Resolution; and

WHEREAS, hearing of said Zone Code Amendment was duly noticed and scheduled for public hearing by the City Council at its meeting of November 4, 2009, on or about 7 p.m. in the Council Chambers of the Norco City Hall, 2820 Clark Avenue, Norco, California, 92860; and

WHEREAS, prior to opening the public hearing said item was taken off-calendar; and

WHEREAS, the Zone Code Amendment was duly re-submitted to said City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, said City Council held a public hearing and received oral and written testimony pertaining to said Zone Code Amendment; and

WHEREAS, the City of Norco acting as the Lead Agency has determined that the project will not create a significant impact pursuant to the California Environmental Quality

Act (CEQA) and the City of Norco Environmental Guidelines and Negative Declaration was adopted.

NOW, THEREFORE, the City Council of the City of Norco does hereby ordain as follows:

Title 18 (Zoning) of the Norco Municipal Code be revised as follows:

Chapter 18.62
PRESERVATION AND DEVELOPMENT ZONE

Sections:

- 18.62.02 Intent and Purpose.
- 18.62.04 Applicability.
- 18.62.06 Uses permitted through approval of a Specific Plan.
- 18.62.08 Residential Uses.
- 18.62.10 Specific Plan Requirement.

18.62.02 Intent and Purpose.

The Preservation and Development Zone is intended to provide for the coordinated development of planned commercial projects in an orderly and aesthetically pleasing manner that recognizes and preserves significant natural landscape features, open lands, and historical buildings. The Zone establishes a more comprehensive review procedure with flexibility in development standards to accommodate existing features. It is intended that areas with the PAD Zone are developed in a manner that will reflect the unique character of the congruous area upon which the zoning exists whether it be natural conditions or the built environment.

18.62.04 Applicability.

The regulations and general rules set forth in this Chapter shall apply in Preservation and Development Zones. The regulations provide for a review of comprehensive development plans and for use and development on existing lots. Where a conflict occurs between the requirements of this chapter and other City requirements, this Chapter shall apply. Any proposed project including, but not limited to, division of land, site plan or any grading wholly or partially within a Preservation and Development Zone shall be subject to the provisions of this Chapter.

18.62.06 Uses permitted through approval of a Specific Plan.

The following category of uses (excluding permanent residential uses) may be permitted upon approval of a Specific Plan. A detailed list and description of

individually permitted uses and development standards will be established with the adopted Specific Plan pursuant to Chapter 18.52.

- (1) Planned mixed-use commercial/office park projects.
- (2) Planned recreational projects.
- (3) Planned resort projects.

18.62.08 Residential Uses.

Permanent residential uses are not permitted. Transient occupancy residential uses related to tourism and travel can be permitted through approval of a Specific Plan pursuant to Section 18.62.06.

18.62.10 Specific Plan Requirement

To assure that the requirements of this chapter are properly met and the area is comprehensively planned, a Specific Plan as authorized in the California Government Code (commencing with Section 65450) and processed in the manner set forth in Chapter 18.52 (Specific Plan) of this Code must be in effect prior to the approval of any subdivision of land, and prior to the grading of property for anything other than emergency public safety purposes.

SECTION 2: EFFECTIVE DATE: This Ordinance shall become effective 30 days after final passage thereof.

SECTION 3: SEVERABILITY: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, and phrase, hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases hereof be declared invalid or unconstitutional.

SECTION 4: POSTING: The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall cause the same within 15 days of its passage to be posted at no less than five public places within the City of Norco.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held December 16, 2009.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk

City of Norco, California

I, BRENDA K. JACOBS, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on December 16, 2009 and thereafter at a regular meeting of said City Council duly held on January 20, 2010, it was duly passed and adopted by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on January 20, 2010.

Brenda K. Jacobs, City Clerk
City of Norco, California

/sk-72795

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA AMENDING TITLE 18 OF THE NORCO ZONING ORDINANCE BY CHANGING THE ZONING ON PROPERTY ASSOCIATED WITH THE FORMER WYLE LABORATORIES FROM GENERAL MANUFACTURING AND HILLSIDE TO PRESERVATION AND DEVELOPMENT. ZONE CHANGE 2009-01 (APN 123-080-028; 123-260-003, -004, -006, -010; 123-250-007, -006, -005; 123-320-001; 123-330-011, -001, -036)

WHEREAS, the City of Norco, California initiated Zone Change 2009-01 on property generally described as:

Portions of Sections 8, 17, 18 of T. 3S., R. 6W as shown on Map Book 123, Pages 8, 26, 25,32, 33 of Maps, Records of Riverside County, State of California.

WHEREAS, said application has been duly submitted to the City's Planning Commission for decision and recommendation at a public hearing on or about 7 p.m. on November 25, 2009, for which proper notice was given; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence, and

WHEREAS, based on findings of fact, said Planning Commission did adopt Planning Commission Resolution 2009-24 recommending that the City Council approve Zone Change 2009-01 for reasons set forth in said resolution; and

WHEREAS, hearing of said zone change was duly noticed and scheduled for public hearing by the City Council at their meeting of November 4, 2009 on or about 7 p.m. in the Norco City Council Chambers, 2820 Clark Avenue, Norco, California, 92860; and

WHEREAS, prior to opening the public hearing said item was taken off-calendar; and

WHEREAS, the Zone Change was duly re-submitted to said City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, hearing of said zone change was duly re-noticed and scheduled for public hearing by the City Council at their meeting of December 16, 2009 on or about 7 p.m. in the Norco City Council Chambers, 2820 Clark Avenue, Norco, California, 92860; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the project will not create significant negative impact pursuant to the California Environmental Quality Act and the City of Norco Environmental Guidelines and a Negative Declaration was adopted.

NOW, THEREFORE, the City Council of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

- A. The proposed zone change does comply with all applicable requirements of the Norco Municipal Code, the Zoning Ordinance and the General Plan in that the proposed zoning is consistent with the General Plan Land Use Designation of Preservation and Development.
- B. The proposed zone change is reasonably compatible with the area immediately surrounding the project site in that the property has been recently vacated and is not being used and the new zoning will require development pursuant to standards to be set forth within a specific plan to insure compatibility to surrounding areas.
- C. The proposal is not detrimental or non-desirable to the public convenience or general welfare of the persons residing or working in the surrounding neighborhood.
- D. The proposal is not injurious to surrounding properties, nor does the project adversely impact the use of adjoining parcels.
- E. The City of Norco has been determined to be the lead agency for environmental reporting purposes pursuant to State and local environmental guidelines, and has determined that the project will not create a significant impact pursuant to the California Environmental Quality Act and the City of Norco Environmental Guidelines and a Negative Declaration was adopted.

II. DETERMINATION:

NOW, THEREFORE, in light of evidence and testimony presented at the hearing on this application, and in conformity with the findings set forth hereinbefore, and with the requirements necessary for the approval of the Zone Change, the City Council for the City of Norco does hereby approve Zone Change 2009-01.

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held December 16, 2009.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on December 16, 2009 and thereafter at a regular meeting of said City Council duly held on January 20, 2010, it was duly passed and adopted by the following vote of the City Council.

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on January 20, 2010.

Brenda K. Jacobs, City Clerk
City of Norco, California

/sk-73986

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA AMENDING TITLE 18 OF THE NORCO ZONING ORDINANCE BY CHANGING THE ZONING ON PROPERTY ASSOCIATED WITH THE FORMER NORCONIAN RESORT AROUND LAKE NORCONIAN FROM OPEN SPACE AND LIMITED DEVELOPMENT TO PRESERVATION AND DEVELOPMENT. ZONE CHANGE 2009-02 (APN 129-190-003, -002; 129-200-008, -007, -005; 129-210-006, -005, -004)

WHEREAS, the City of Norco, California initiated Zone Change 2009-02 on property generally described as:

Portions of Section 31 of T. 2S., R. 6W as shown on Map Book 152, Pages 6, 7 of Maps, Records of Riverside County, State of California.

WHEREAS, said application has been duly submitted to the City's Planning Commission for decision and recommendation at a public hearing on or about 7 p.m. on November 25, 2009, for which proper notice was given; and

WHEREAS, at said time and place, said Planning Commission heard and considered both oral and written evidence, and

WHEREAS, based on findings of fact, said Planning Commission did adopt Planning Commission Resolution 2009-25 recommending that the City Council approve Zone Change 2009-02 for reasons set forth in said resolution; and

WHEREAS, hearing of said zone change was duly noticed and scheduled for public hearing by the City Council at their meeting of November 4, 2009 on or about 7 p.m. in the Norco City Council Chambers, 2820 Clark Avenue, Norco, California, 92860; and

WHEREAS, prior to opening the public hearing said item was taken off-calendar; and

WHEREAS, the Zone Change was duly re-submitted to said City Council for decision at a public hearing for which proper notice was given; and

WHEREAS, hearing of said zone change was duly re-noticed and scheduled for public hearing by the City Council at its meeting of December 16, 2009 on or about 7 p.m. in the Norco City Council Chambers, 2820 Clark Avenue, Norco, California, 92860; and

WHEREAS, the City of Norco, acting as the Lead Agency, has determined that the project will not create significant negative impact pursuant to the California Envi-

ronmental Quality Act and the City of Norco Environmental Guidelines and a Negative Declaration was adopted.

NOW, THEREFORE, the City Council of the City of Norco does hereby make the following FINDINGS AND DETERMINATION:

I. FINDINGS:

- A. The proposed zone change does comply with all applicable requirements of the Norco Municipal Code, the Zoning Ordinance and the General Plan in that the proposed zoning is consistent with the General Plan Land Use Designation of Preservation and Development.
- B. The proposed zone change is reasonably compatible with the area immediately surrounding the project site in that the property, while not vacant or vacated, and not presently under jurisdiction of the City even though within City boundaries, eventually will require new zoning and development standards to be set forth within a specific plan, to insure compatibility to surrounding areas once the effected properties come under jurisdiction of the City.
- C. The proposal is not detrimental or non-desirable to the public convenience or general welfare of the persons residing or working in the surrounding neighborhood.
- D. The proposal is not injurious to surrounding properties, nor does the project adversely impact the use of adjoining parcels.
- E. The City of Norco has been determined to be the lead agency for environmental reporting purposes pursuant to State and local environmental guidelines, and has determined that the project will not create a significant impact pursuant to the California Environmental Quality Act and the City of Norco Environmental Guidelines and a Negative Declaration was adopted.

II. DETERMINATION:

NOW, THEREFORE, in light of evidence and testimony presented at the hearing on this application, and in conformity with the findings set forth hereinbefore, and with the requirements necessary for the approval of the Zone Change, the City Council for the City of Norco does hereby approve Zone Change 2009-02.

Ordinance No. ____
Page 3
December 16, 2009

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held December 16, 2009.

Mayor of the City of Norco, California

ATTEST:

Brenda K. Jacobs, City Clerk
City of Norco, California

I, BRENDA K. JACOBS, City Clerk of the City of Norco, California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Norco, California, duly held on December 16, 2009 and thereafter at a regular meeting of said City Council duly held on January 20, 2010, it was duly passed and adopted by the following vote of the City Council.

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Norco, California, on January 20, 2010.

Brenda K. Jacobs, City Clerk
City of Norco, California

/sk-73987

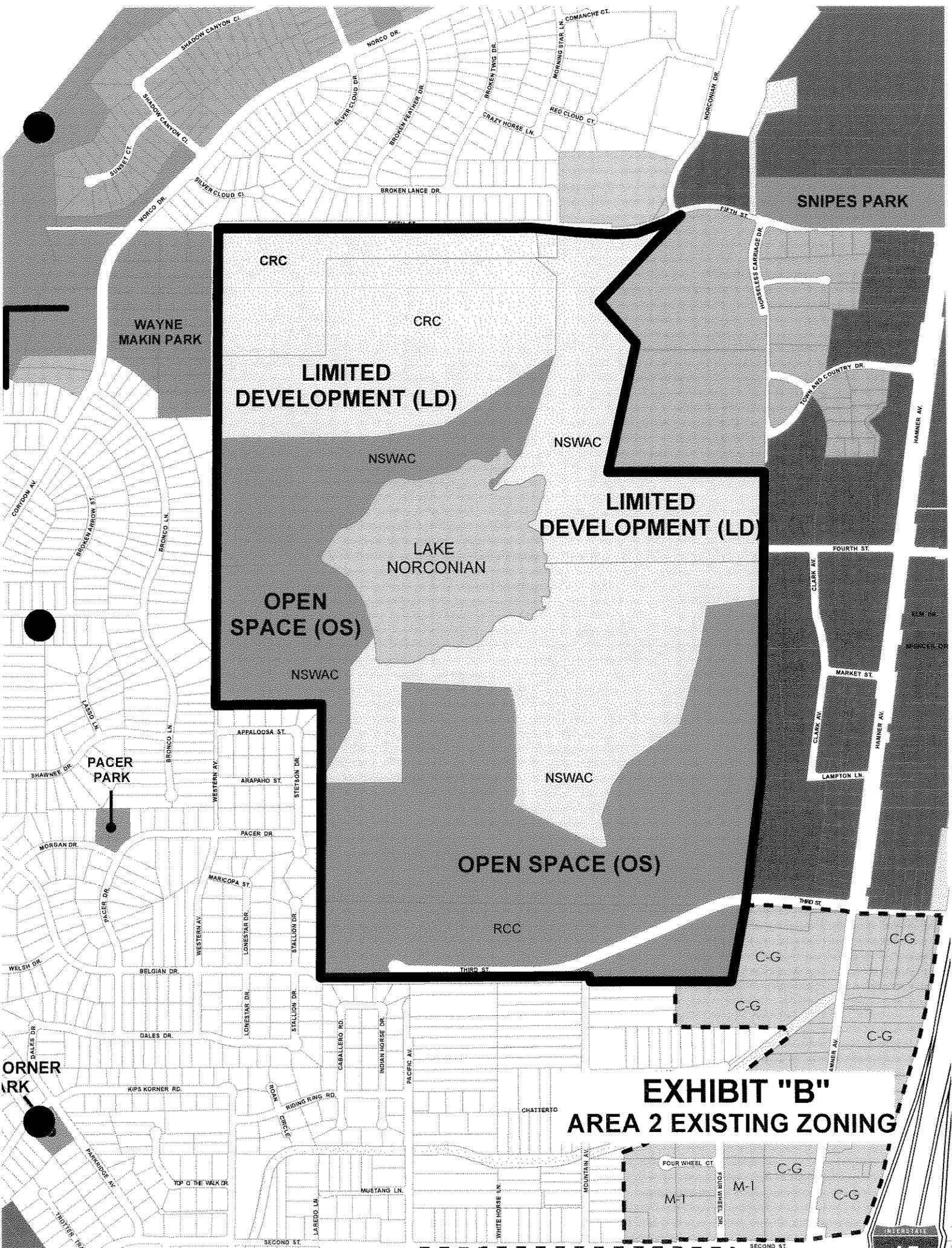


EXHIBIT "B"
AREA 2 EXISTING ZONING

M-2 Zone Permitted, Conditionally-Permitted Uses

18.25.02 Intent and Purpose.

This zone is intended to provide for the orderly development of manufacturing, research and development, wholesale and distribution, warehousing, and other compatible uses within the community. The provisions of this zone are intended to insure that industrial development will be protected from intrusion by inharmonious uses, that it will be provided with adequate space and accessory facilities and that adjacent, non-industrial areas will be protected from potential conflicts with industrial development.

18.25.06 Permitted Uses.

The following uses are permitted and land shall be used and buildings and structures shall hereafter be erected, altered, enlarged, or otherwise modified for the following uses only:

- (1) All manufacturing and processing except those listed as conditional uses in this zone.
- (2) Wholesaling and warehousing.
- (3) Research, development and testing laboratories.
- (4) Accessory buildings and uses:
 - (a) The keeping of animals in connection with a legally nonconforming residential or agricultural use, in conformance with the provisions of Chapter 18.35 (STANDARDS AND PROCEDURES RELATED TO ANIMAL KEEPING).
 - (b) Exhibition of products produced on the premises or available for wholesale distribution.
 - (c) Administrative, professional, medical, and business offices and facilities incidental to permitted industrial uses on the premises.
 - (d) Cafeterias, cafes, restaurants, auditoriums, or recreational facilities incidental to permitted industrial uses on the premises.
 - (e) Gasoline service facilities and other truck or automobile service facilities for vehicles used in conjunction with permitted industrial activities on the premises.
- (5) Other similar uses by Commission Determination, in accordance with Chapter 18.42 (SIMILAR USES).
- (6) Shoeing horses, if said use is not being conducted at a fixed place of business, which is being operated wholly or partially for farrier purposes.
- (7) Farrier at a place of business which is being operated wholly or partially for farrier purposes.
- (8) Miniwarehouses which comply with Section 18.30.44 (Miniwarehouses). (Amended by Ord. 528 Sec. 6, 1984; Ord. 409 Sub. Sec. 2, 3, 1978 and Ord. 306 Sec. 17, 1974).

18.25.08 Uses Which may be Permitted by a Conditional Use Permit.

The following uses may be permitted subject to approval of a conditional use permit as provided in Chapter 18.45 (CONDITIONAL USE PERMITS):

- (1) Restaurants and coffee shops.
- (2) Industrial hospitals and clinics.

- (3) Industrial training centers.
- (4) Automobile and truck service stations which comply with Section 18.33 (SERVICE STATIONS).
- (5) Small or large animal hospital, shelter, or kennel.
- (6) Public utility uses, both publicly and privately owned.
- (7) Governmental and civic uses.
- (8) Dwelling, used exclusively by a caretaker or watchman of a permitted industrial use, and his family. Yards shall be governed by Site Plan Review.
- (9) Abattoir (slaughterhouse).
- (10) Airport or landing field.
- (11) Auto wrecking yard.
- (12) Blast furnace.
- (13) Borrow pit, commercial.
- (14) Boiler shop or works.
- (15) Coke ovens.
- (16) Fat rendering.
- (17) Fish cannery.
- (18) Gas, storage of, in excess of one thousand (1,000) cubic feet.
- (19) Incineration, reduction or dumping of offal, garbage, or refuse on a commercial scale.
- (20) Junk yard.
- (21) Lumber mill.
- (22) Manufacture of:
 - (a) Acetylene gas.
 - (b) Acid.
 - (c) Ammonia.
 - (d) Asphalt or products.
 - (e) Asbestos.
 - (f) Brick tile or terra cotta.
 - (g) Babbit metal.
 - (h) Bleaching powder.
 - (i) Carbon, lampblack or graphite.
 - (j) Cement.
 - (k) Celluloid.
 - (l) Chlorine gas.
 - (m) Coaltar or products.
 - (n) Creosote or products.
 - (o) Explosives.
 - (p) Fireworks.
 - (q) Fertilizer, including open storage on a commercial scale.
 - (r) Gas, illuminating.
 - (s) Gelatine.
 - (t) Glucose.
 - (u) Glue or size.

- (v) Guncotton or products.
- (w) Gypsum.
- (x) Insulating material (such as "Rock Wool" and similar products)
- (y) Lime or products.
- (z) Matches.
- (aa) Phenol.
- (bb) Pickles.
- (cc) Plaster of Paris.
- (dd) Poison.
- (ee) Potash.
- (ff) Pulp, paper, and strawboard.
- (gg) Rubber.
- (hh) Sauerkraut.
- (ii) Soap, except by cold process.
- (jj) Tar or asphalt roofing.
- (kk) Turpentine.
- (ll) Vinegar.
- (23) Meat packing plant.
- (24) Oil reclaiming plant.
- (25) Ore reduction plant.
- (26) Petroleum refinery.
- (27) Rock or slag crusher or quarry.
- (28) Rock, sand, or gravel pit.
- (29) Rolling mill.
- (30) Rubber reclaiming plant.
- (31) Saltworks.
- (32) Sand blasting plant.
- (33) Sewer farm or sewage disposal.
- (34) Smelting.
- (35) Stockyards, commercial.
- (36) Storage of petroleum products above ground in excess of one thousand (1,000) barrels.
- (37) Storage or bailing of rags or paper, except wholly within a building or behind a compact wall not less than six (6) feet in height.
- (38) Tannery.
- (39) Wool pulling or scouring plant.
- (40) Wood or bone distillation.
- (41) Oil well drilling or oil processing.
- (42) Area for the storage, alteration, or repair of a relocated building or structure.
- (43) Cotton gins.

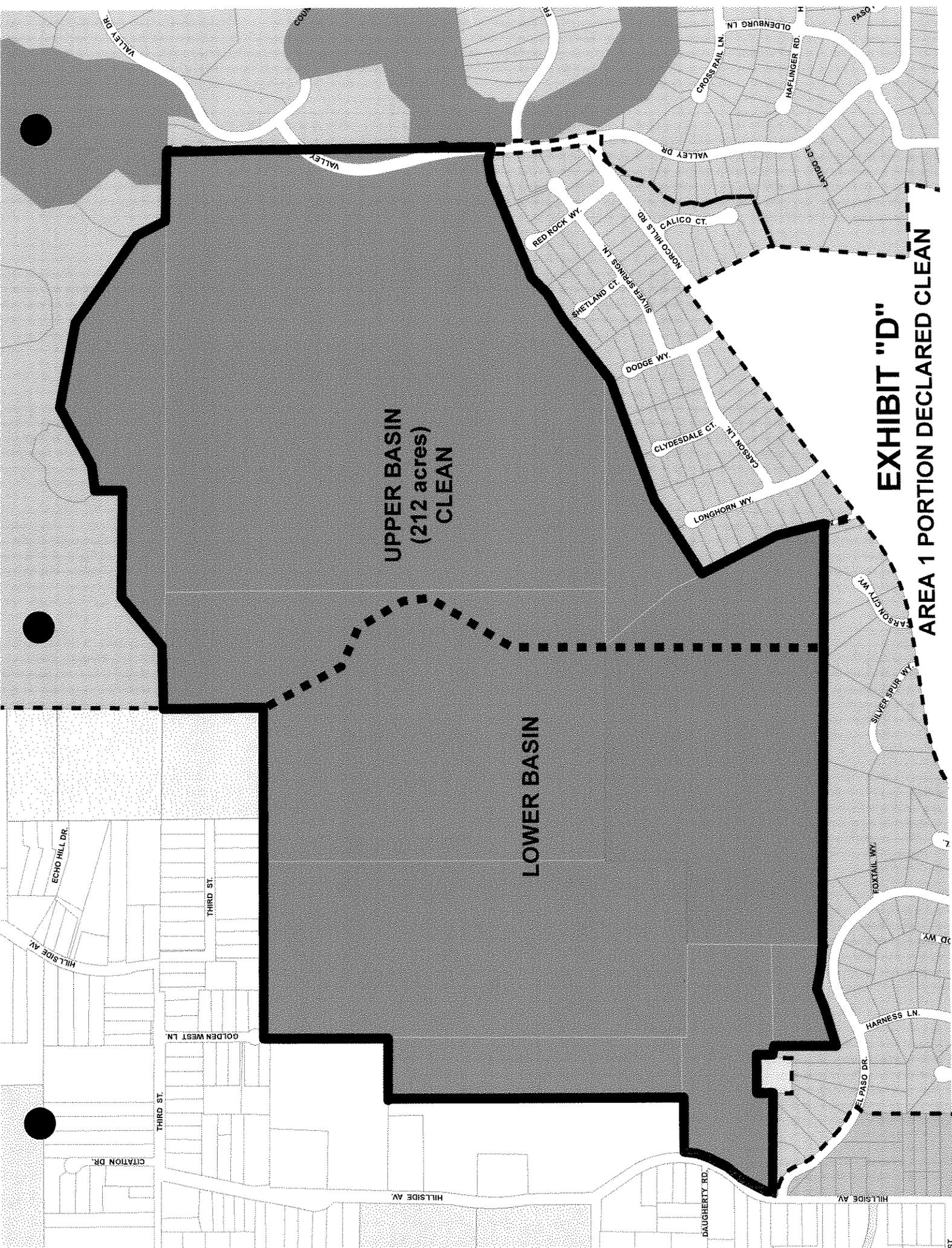


EXHIBIT "D"
AREA 1 PORTION DECLARED CLEAN