



MINUTES CITY OF NORCO

CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
APRIL 21, 2010

CALL TO ORDER: Mayor Miller called the meeting to order at 6:02 p.m.

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

Staff Present: Carlson, Cooper, Groves, Jacobs, King, Okoro, Oulman, Petree and Thompson

City Attorney Harper – **Present**

City Manager Groves recommended that Item 6. B. titled “Fourth of July Jamboree” be added to the Agenda and staff’s recommendation will be to cancel the Fourth of July Jamboree for 2010. The urgency for adding this item is because there needs to be a decision made regarding the funding for the 4th of July event prior to the May 5, 2010 Regular Meeting and the need for action came to staff’s attention subsequent to the agenda being posted.

M/S Sullivan/Bash to add Item 6.B. to the Agenda. The motion was carried by the following roll call vote:

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

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

Section 54956.8 – Conference with Real Property Negotiator

Street Address or Parcel Numbers: 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 EnviroFinance Group

Points Under Negotiation: Price and Terms of Payment

Section 54957.6 – Conference with Labor Negotiator

Negotiating Parties: City Manager Groves and Deputy City Manager/Director of Finance Okoro

Employee Organization: Norco Battalion Chiefs Association
Norco Firefighters Association
Norco General Employees Association
Norco Public Works & Parks Maintenance Workers Association

RECONVENE PUBLIC SESSION: With nothing to report from Closed Session, Mayor Miller reconvened the meeting at 7:14 p.m.

PLEDGE OF ALLEGIANCE: Mayor Miller

INVOCATION: Pastor Vernie Fletcher
Grace Fellowship Church

PROCLAMATION: Child Abuse Prevention Month - April 2010
Sandra Davalos, Community Outreach Volunteer Coordinator for the Riverside County Child Abuse Prevention organization, received the Proclamation from Mayor Miller.

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

M/S Sullivan/Bash to approve the items as recommended on the CRA Consent Calendar. The motion was carried by the following roll call vote:

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

1. CRA CONSENT CALENDAR ITEMS:

- A. CRA Minutes:
Regular Meeting of April 7, 2010
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:

This joint public hearing includes several interrelated documents and actions related to the Silverlakes project on Hamner Avenue at the north end of the City. Staff has been working diligently with the Belstarr development team to negotiate the provisions in these complex agreements. Progress continues to be made and the developer has continued to fund the staff and consultant costs associated with the process. Canceling and re-posting the joint public hearing item to a date-certain will assure that all necessary documents and agreements are ready in order to provide a complete package to the City Council/Agency Board for consideration.

Recommended Actions: Cancel the joint public hearing. (Executive Director/City Manager)

Executive Director Groves provided a status update on the project and noted that the Development Agreement will go before the Planning Commission in May. She added that the City Council/Norco Redevelopment Agency joint public hearing will be determined when the documents are finalized.

M/S Hanna/Bash to cancel the joint public hearing. The motion was carried by the following roll call vote:

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

3. OTHER CRA MATTERS: No Other CRA Matters

ADJOURNMENT OF CRA: 7:23 p.m.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

4. CITY COUNCIL CONSENT CALENDAR ITEMS:

Mayor Miller stated that, for the record, a letter dated April 20, 2010 was received today from Cox, Castle & Nicholson, LLP, representing their client CACERF NORCO, LLC, regarding Item 4.F. City Attorney Harper stated that this agenda item did not need to be pulled for discussion, as the information was provided stating their client's opposition to the adoption of Ordinance No. 916.

Mayor Pro Tem Hanna pulled Item 4. G.

M/S Bash/Azevedo to approve the items as recommended on the amended 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: NONE

- A. City Council Minutes:
Regular Meeting of April 7, 2010
Recommended Action: Approve the City Council Minutes (City Clerk)
- B. Planning Commission Action Minutes, Regular Meeting of April 14, 2010.
Recommended Action: Receive and File (Planning Manager)
- C. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
- D. Annual Adoption of City Investment Policy. **Recommended Action: Approve and Adopt the Investment Policy without modification.**
(Deputy City Manager/Director of Finance)
- E. Approval of Quarterly Investment Report for Quarter Ended March 31, 2010. **Recommended Action: Receive and File** (Deputy City Manager/Director of Finance)
- F. **Ordinance No. 916, Second Reading.** Zone Change 2009-01 -- A City-Initiated Proposal to Change Existing Zoning on Property Corresponding to the Former Wyle Laboratories Property from "General Manufacturing" and "Hillside" to "Preservation and Development." **Recommended Action: Adopt Ordinance No. 916** (City Clerk)

- G. **Ordinance No. 922, Second Reading.** Code Change 2010-03. -- Adding Chapter 9.90 "Regulation of Smoking in Public Parks" to the Municipal Code. **Recommended Action: Adopt Ordinance No. 922** (City Clerk)
PULLED FOR DISCUSSION
- H. Acceptance of Bids and Award of Contract to Construct Norco MDP Lateral NB-3 Storm Drain Improvement Project. **Recommended Action: Award the contract for the Norco Master Drain Project (MDP) Lateral NB-3 Storm Drain Improvement Project to B and A Construction, Inc. in the amount of \$710,249.79 and authorize the City Manager to approve contract change orders up to 10 percent of the contract amount.** (Director of Public Works)
- I. Acceptance of the Various Parcels in Norco Ridge Ranch Dedicated by Norco Ridge Ranch LLC. **Recommended Action: Accept the offer of Dedication and authorize the Mayor to sign the Acceptance Certificate.** (Director of Public Works)
- J. First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Norco to Implement AB 811. **Recommended Action: 1.) Adopt Resolution No. 2010-17, modifying its consent to the inclusion of properties within the City's incorporated area in the Western Riverside Council of Governments contractual assessment program to consent to the addition of water efficiency improvements to the improvements authorized to be financed through such programs; and 2.) Approve the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Norco to implement AB 811.** (City Manager)

5. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR:

- 4.G. **Ordinance No. 922, Second Reading.** Code Change 2010-03 -- Adding Chapter 9.90 "Regulation of Smoking in Public Parks" to the Municipal Code. **Recommended Action: Adopt Ordinance No. 922** (City Clerk)

Mayor Pro Tem Hanna stated that he believes that this Ordinance infringes on citizens rights and is against the adoption of Ordinance No. 922.

M/S Bash/Azevedo to adopt Ordinance No. 922. The motion was carried by the following roll call vote:

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

6. CITY COUNCIL ITEM FOR ACTION:

- A. Resolution Setting Terms of Office and Increasing Membership of the Economic Development Advisory Council (EDAC) from Eight to Nine Members, and Appointment of Two Candidates to the EDAC. **Recommended Action: Adopt Resolution No. 2010-____ and make appointments to the EDAC.** (Economic Development Director)

Economic Development Director Oulman stated that on April 1, 2010, the Economic Development Advisory Council (EDAC) held a special meeting to review three applications for the appointment of a candidate to the one EDAC vacancy on the Committee. After reviewing the applications, the EDAC recommended the City Council increase EDAC membership from eight members to nine in order to appoint both Edward Dixon and Edward Ramirez to the EDAC.

City Manager Groves clarified that the terms would be set at four-years for the two new members appointed to the EDAC and added that initially, from the remaining five members (excluding the two Council Members), three members will serve a three-year term and two members will serve a four-year term. *The proposed resolution stated a five-year term and will be corrected to note the four-year term.* City Manager Groves noted that the terms will be determined by a lottery drawing at the EDAC meeting on Thursday, April 22, 2010.

Council Member Bash stated that both candidates were very impressive and would be excellent additions to the EDAC.

Council Member Azevedo commented on how exciting this is and noted that at one time, the Council had even talked about disbanding this group.

Mayor Pro Tem Hanna stated that the current EDAC Members all have good ideas regarding expanding the economic development within the City.

Pat Overstreet. Ms. Overstreet stated that Ed Dixon is a man of sterling character and supported his appointment to the EDAC.

Jeanine Adams. Ms. Adams spoke in support of Ed Dixon's appointment.

M/S Sullivan/Bash to adopt Resolution No. 2010-18 and appoint Edward Dixon and Edward Ramirez to the EDAC. The motion was carried by the following roll call vote:

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

- B. Fourth of July Jamboree. **Recommended Action: Cancel the Fourth of July Jamboree for 2010.** (City Manager)

City Manager Groves stated that discussions have taken place at staff level regarding the annual Fourth of July Jamboree. She noted that budgetary shortfalls due to the downward trends in sales and other tax revenues have become a reality and reduction measures must be addressed to help alleviate the burden to the General Fund. After reviewing budget projections, staff has recommended that the Jamboree should be cancelled until such time that the City recovers from the economic challenges it is currently facing. City Manager Groves added that the Norco Lions Club has offered to assist with the event, but stated that they would have fewer volunteers than in the past.

Council Member Sullivan inquired if any donations have been received. Director Petree stated that in good years we receive about \$3,000 and to this date, under \$1,000 has been received.

Council Member Bash stated that in his opinion, this is the beginning of a “belt tightening.” He added that in the next couple of years, the City will need to make serious cutbacks and noted that as a community, we can come up with something other than fireworks.

John Box. Mr. Box asked if a deposit had been made and if so, would it be forfeited. City Manager Groves stated that a deposit has not yet been made and added that the need to make that deposit was the reason that this decision needed to be made at this meeting.

Pat Overstreet. Ms. Overstreet stated that if we truly are belt tightening, we cannot “burn money” on fireworks.

Greg Newton. Mr. Newton inquired if the pyrotechnical company is from Norco. Director Petree stated that is it not located in Norco, but is the company that has traditionally provided the service at the lowest cost.

Linda Dixon. Ms. Dixon stated that she agrees with Council Member Bash and would much rather see the Sheriff Department out on the streets than concentrated at a community event.

Vern Showalter. Mr. Showalter stated that Norco residents were upset last year because the fireworks were affecting their animals.

Council Member Azevedo commented that she would rather see the City do something that would benefit the residents and recommended that a “concert in the park” could be held. She added that it would be nice if Sixth Street could be re-stripped in the red, white and blue colors. Council Member Azevedo also would like to see the red, white and blue banner program going by the Fourth of July.

Council Member Sullivan stated that he hates to see this event go away, but agrees with the other Council Members. He added that he would like to see this event brought back in the future and held at Silverlakes.

Mayor Miller stated that he supports the cancellation of the Fourth of July Jamboree as times are tough and we can find less expensive ways to celebrate.

Fire Chief Carlson stated that he had recommended in the past that this venue should not be used as it is a poor and dangerous location.

M/S Bash/Hanna to cancel the Fourth of July Jamboree for 2010. The motion was carried by the following roll call vote:

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

7. PUBLIC COMMENTS OR QUESTIONS:

Denise Shoemaker. Ms. Shoemaker spoke representing the Norco Horseman's Association and thanked the City for assisting with Casino Night. She also thanked City employee Patty Ireland for her assistance, as she was wonderful to work with. Ms. Shoemaker presented a plaque to Mayor Miller in appreciation for the City being a sponsor of Casino Night.

Pat Overstreet. Ms. Overstreet commented on the Friends of Norco Hills Ranch Tour to be held on Saturday, May 22. She also received clarification from City Attorney Harper that, per the Norco Municipal Code, they did not need a permit to distribute the flyers.

Jeanine Adams. Ms. Adams reminded everyone about the Crystal Apple Awards to be presented on Tuesday, April 27th and encouraged the Council Members to attend to support the teachers receiving the awards. She also reminded everyone about the clean up day on April 24th at the Navy Base, as well as the Founders Day event on May 1st.

8. OTHER MATTERS – COUNCIL:

- A. City Council Position on the Safe, Clean and Reliable Drinking Water Supply Act of 2010. (Council Member Azevedo)

Council Member Azevedo stated that Council was provided information that she received at the WRCOG Executive Committee meeting and personally, she is not ready to support this. She noted that the reason she abstained from voting on this issues was because it is an \$11.8 billion bond issue attached to the General Fund of the State. Council Member Azevedo stated that she did her homework and contacted Assemblyman Miller, who is not in support of the bond. She also noted that the school employees believe that this would affect the funding for education. Council Member Azevedo stated that until we can research this better, she supports staff's idea for Norco to stay neutral and not take a position.

City Manager Groves stated that water issues are important and added that there are an extreme number of bonds on the November ballot. She noted that she supports watching to see what position the League takes on this issue and for the Council to take no action at this time. City Manager Groves referred to the City's Administrative Policy regarding the procedures for sending letters or resolutions in support of or opposition to matters before the legislature, which was established to ensure that letters sent have the approval of the City Council, and/or are supported by the League of California Cities.

Council Member Bash asked Public Works Director Thompson what his opinion was on this issue. Director Thompson stated that we need to take a look at this as there are a lot of water issues that need to be solved in California. He added that water agencies are all struggling in the region.

Mayor Pro Tem Hanna stated that we should wait and see what the League recommends.

Mayor Miller stated that he feels extremely strongly that the City Council should support this bond. He noted that the present water infrastructure was designed for 16 million residents and currently there are 38 million residents in the State of California. He further added that the State's agriculture is suffering and we cannot live without water. Mayor Miller stated that like any legislation with so many stakeholders, there are aspects of the legislation disliked by many. However, a solution to the water crises in California must be found.

Vern Showalter. Mr. Showalter stated that he supported the City holding a neutral position as bonds are not the answer.

Director Thompson stated for the record that because we depend on imported water in the State of California, he suggests that it would make good sense to go to those agencies that claim that we are making them suffer and suggest that they come develop a desalter facility to enable the State to use the water that is available on the coast.

M/S Azevedo/Bash to take no Council action at this time. The motion was carried by the following roll call vote:

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

Mayor Pro Tem Hanna:

 Reported that he heard complaints regarding the gaps in the Horseweek Parade.

Council Member Bash:

- # Reported that a Norco resident, Elizabeth Becerra, qualified and completed the Boston Marathon in 4 hours and 13 minutes.
- # Attended the ground breaking for the CNUSD Ramirez Intermediate School.
- # Received a letter representing the Norco Chamber of Commerce and was discouraged with its written threats.

Council Member Azevedo:

- # Reported on the Special Corona-Norco Schools Committee meeting held, where it was made clear to the District that she was not going to back down as she wants Norco to have at least one member on the School Board.
- # Attended the Front Porch Grand Opening that the Corona Chamber hosted.
- # Thanked Council Member Bash and City Historian Ron Snow for submitting her name as she received word that she is a recipient of a California Preservation Foundation President's Award for 2010. This award recognizes special achievements by individuals or organizations in preserving California's rich and diverse historic resources. She will be recognized May 12 and 13 in Grass Valley, California.

Council Member Sullivan:

- # Noted that he will report the comment made by Mayor Pro Tem Hanna regarding the parade to the Horseweek Committee, as he serves on that Committee.
- # Commented that the Council does not need to worry about the old Chamber of Commerce as he attended the luncheon meeting put on by the new Norco Area Chamber of Commerce and Visitor's Center and they have a great program going. He added that he is impressed with what they have accomplished.
- # Commented on the Corona-Norco Schools Committee meeting where they talked about the representation from Norco on the School Board.
- # Reported on the new web site called "Norco Now" <http://www.norconow.com/> where there is good information provided regarding opportunities and activities in Norco.

Mayor Miller:

- # Attended the Norco Area Chamber of Commerce and Visitor's Bureau luncheon and was impressed with the leadership of the group. He added that they will work with the City to help promote business.

9. OTHER MATTERS – STAFF:

City Manager Groves:

- # Stated that the Town Hall Meeting on April 29, 2010 will be held at 7 p.m. instead of 6 p.m. She noted that this is a full meeting of the full City Council with the purpose of providing the "big picture" regarding the City's finances as well as options for potential revenue measures, including a utility user tax and a parcel tax.

10. ADJOURNMENT: There being no further business to come before the City Council, Mayor Miller adjourned the meeting at 8:30 p.m.

BRENDA K. JACOBS
CITY CLERK

/bj-75378