



MINUTES CITY OF NORCO

CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
AUGUST 15, 2012

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- CALL TO ORDER: Mayor Bash called the meeting to order at 7:00 p.m.
- ROLL CALL: Mayor Kevin Bash, **Present**
Mayor Pro Tem Kathy Azevedo, **Present**
Council Member Berwin Hanna, **Present**
Council Member Herb Higgins, **Present**
Council Member Harvey C. Sullivan, **Present**
- PLEDGE OF ALLEGIANCE: Mr. Larry Cusimano
- INVOCATION: Council Member Higgins
- PRESENTATION: Information Regarding Norco Pride Awards

Pat Overstreet, representing the Norco Pride Beautification Committee, provided some history regarding the Norco Pride Awards, noting that there are annually 12 worthy recipients of the award. She introduced local real estate agents from Norco First Team Real Estate and Keller Williams who donated money for yard signs for each recipient of an award. Ms. Overstreet further thanked them from the City and the Norco Pride Beautification Committee for the donations.

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

Council Member Hanna pulled Item 1.A. for discussion.

M/S Azevedo/Higgins to approve the remaining items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:

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

- A. City Council Minutes:
Regular Meeting of July 18, 2012 (Amended)
Special Meeting of August 1, 2012
Regular Meeting of August 1, 2012
Recommended Action: **Approve the City Council Minutes** (City Clerk)
PULLED FOR DISCUSSION
- B. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: **Approval** (City Clerk)

- C. Recap of Actions Taken at the Planning Commission Regular Meeting of August 8, 2012. **Recommended Action: Receive and File** (Planning Director)
- D. Acceptance of the Temescal Avenue, Reservoir Drive, Detroit Street and Pedley Avenue Street Overlay Project as Complete. **Recommended Action: Accept the Temescal Avenue, Reservoir Drive, Detroit Street and Pedley Avenue Street Overlay Project as complete and authorize the City Clerk to file the Notice of Completion with the County Recorder's Office.** (Deputy Director of Public Works/Senior Engineer)

2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:

- Item 1.A.** City Council Minutes:
Regular Meeting of July 18, 2012 (Amended)
Special Meeting of August 1, 2012
Regular Meeting of August 1, 2012
Recommended Action: **Approve the City Council Minutes** (City Clerk)

Council Member Hanna made the following correction to the Amended July 18, 2012 minutes:

Council Member Hanna commented on the block between ~~Sierra and Woodward~~ Temescal and Hillside and the traffic that moves fast through that area and further asked if the street will be widened”.

M/S Hanna/Sullivan to approve Amended Regular Meeting Minutes of July 18, 2012, and the Special and Regular Meeting Minutes of August 1, 2012. The motion was carried by the following roll call vote:

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

3. CITY COUNCIL PUBLIC HEARING:

- A. City Initiated Proposal to Change the Zoning from A-1 (Agricultural Low-Density) to H-D (Hospitality Development) Including the Adoption of a Specific Plan for Regulations on about 6.76 Acres Located at 1510 and 1550 Second Street (APNs 125-180-007 & 010)

This City-initiated proposal was considered at a Planning Commission public hearing at which time the above noted subject was discussed and considered. Resolution 2012-29 was presented as a recommendation for approval from the Planning Commission of the proposed zone change from the A-1-20 zone to the HD zone. Resolution 2012-30 was presented as a recommendation from the Planning Commission for approval of Hospitality Development Specific

Plan 2 to establish the development standards for the property in question. After consideration and approval of recommended changes to the Draft Specific Plan, the Planning Commission then voted to deny both resolutions for approval. At its August 1, 2012 meeting, the City Council voted to set the project for an appeal hearing.

Recommended Actions:

1.) Adopt Resolution No. 2012-____, concurring with the action of the Planning Commission and deny the appeal.

or

2.) a.) Adopt a Negative Declaration, and b.) Adopt Ordinance No. ____ for first reading, approving Zone Change 2012-08 with corresponding Hospitality Development Specific Plan 2, and General Plan Amendment 2012-02 to apply the Hospitality Development zone (HD) on 6.75 acres on the southwest corner of Second Street and Valley View Avenue. (Planning Director)

Planning Director King presented the public hearing item, reiterating that this is a City-initiated proposed Zone Change. He stated that the proposal was reviewed by the Planning Commission at two (2) different meetings in June and July, at which time text was changed and incorporated into the document presented to the City Council. He added that the Planning Commission recommended that the Zone Change be denied. Planning Director King stated that the property owner approached the City to alter the recommendation for a future project to reduce the footprint for the commercial area (4 acres), only on the west side adjacent to the freeway; the rest will remain residential (1.5 acres). The revised land use map was presented, as proposed by the developer. He added that the City is in agreement with the proposal and this is an option that can be discussed tonight.

City Attorney Harper stated that the following options can be considered and based on the Charter, requires a 4/5 vote to approve:

- Concur with the Planning Commission and deny the Zone Change;
- Approve the Zone Change with the Specific Plan as modified by the Planning Commission (prior to recommending denial);
- Approve the Zone Change with a modification to the Specific Plan to add a land use map that delineates a residential land use district adjacent to Valley View (1.5 acres) and a commercial district adjacent to the freeway (4.0 acres);
- Approve the Zone Change with a reduction in the area that the Zone Change would apply to (e.g., only to the commercial portion) leaving the property along Valley View Avenue zoned A-1-20;
- Change the zone but not approve the Specific Plan at this time and require one to be submitted at a later date; or
- Continue the public hearing to allow whatever changes, including a reduction in the zone area or changes to the Specific Plan, to be brought at a future meeting.

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

John Kort. Mr. Kort spoke in opposition of the City-initiated proposal.

Mike Mayer. Mr. Mayer spoke in opposition of the City-initiated proposal.

Deborah Cumming. Ms. Cumming spoke in opposition of the City-initiated proposal.

Jennifer Gitchen. Ms. Gitchen spoke in opposition of the City-initiated proposal.

Larry Cusimano. Mr. Cusimano spoke in opposition of the City-initiated proposal.

Pat Overstreet. Ms. Overstreet spoke in opposition of the City-initiated proposal.

Theo Zoetemelk. Mr. Zoetemelk spoke in opposition of the City-initiated proposal.

Richard MacInnis. Mr. MacInnis spoke in opposition of the City-initiated proposal.

Patricia Cousin. Mr. Cousin spoke in opposition of the City-initiated proposal.

Rob Was. Mr. Was spoke in support of the City-initiated proposal.

Brian McCormick. Mr. McCormick spoke in opposition of the City-initiated proposal.

Vern Showalter. Mr. Showalter spoke in opposition of the City-initiated proposal..

Marisol Kort. Ms. Kort spoke in opposition of the City-initiated proposal.

Arlene Arricaberri. Ms. Arricaberri spoke in opposition of the City-initiated proposal.

Patrick Duffin. Mr. Duffin spoke in opposition of the City-initiated proposal.

Debbie Duffin. Mr. Duffin spoke in opposition of the City-initiated proposal.

Jeanine Adams. Mr. Adams spoke in opposition of the City-initiated proposal.

David Burwell. Mr. Burwell spoke in opposition of the City-initiated proposal.

Ron Berger. Mr. Berger spoke in opposition of the City-initiated proposal.

Doris Higgins. Ms. Higgins spoke in opposition of the City-initiated proposal.

Frank An. Mr. An, owner and developer of the site, stated that this proposal is good for him and the City. He noted that the City needs hotels and commented on how this future development would benefit the City and produce jobs.

Mayor Bash CLOSED the public hearing.

Council Member Sullivan commented on the project and the conditions that were placed on the property by the Planning Commission. He further commented on the Zoning and Development Issues Working Group that is discussing the need to re-zone some sites to hospitality to bring in more revenue sources, noting the City's revenue problems. He stated that he has met with Mr. An regarding the property and further did accept a campaign contribution from him. Council Member Sullivan stated that he is in favor of the zone change.

Council Member Higgins commented on the City's Charter and the need for a super majority vote to change the zoning to Commercial Hospitality Zone. He further commented on the ordinance, citing different sections that he was not in agreement with. Council Member Higgins stated that he agrees with no commercial east of the 15 Freeway, noting that he is not in support of this proposal. He added that the City needs revenue, but revenue that is compatible with this lifestyle.

Council Member Hanna commented on the property and its proximity to the freeway, noting that the City needs money to sustain its lifestyle and also needs rooms for people to stay. He further commented on other available properties on Hamner Avenue, noting that they are not big enough. Council Member Hanna stated that if the property is re-zoned, it could create a buffer, further stating that he supports the zone change.

Mayor Pro Tem Azevedo commented on the City's lifestyle and the need for future reserves, noting that sales tax is the number one revenue source for the City. She noted that a decision needs to be made to either build hotels to increase sales tax revenue; change the City's lifestyle and reduce police and fire protection; or initiate a tax. Mayor Pro Tem Azevedo stated that she is torn because of the need to maintain the City's lifestyle; noting this clearly is not residential property located that close to the freeway. She stated that she wants to continue to receive input from the Planning Commission.

Mayor Bash stated that he remembers when the site was commercial, adding that it once was a beautiful street. He commented on the need to preserve the City's lifestyle, noting that he needs to be confident that if it got built, it would improve the street. Mayor Bash stated that now is not the right time, noting he needs to be reassured that the proposal will protect the neighborhood.

M/S Higgins/Bash to concur with the Planning Commission and deny the Zone Change.

UNDER DISCUSSION: Council Member Hanna received confirmation that there is not a project and the Council is voting on the Zone Change and the Specific Plan.

SUBSTITUTE M/S Azevedo/Sullivan to send the proposal back to the Planning Commission for its opportunity to review the new site map.

The motion was carried by the following roll call vote:

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

MOTION FAILED TO PASS

M/S Higgins/Bash to concur with the Planning Commission and deny the Zone Change. The motion was carried by the following roll call vote:

AYES: HIGGINS/BASH
NOES: AZEVEDO, HANNA, SULLIVAN
ABSENT: NONE
ABSTAIN: NONE

MOTION FAILED TO PASS

M/S Sullivan/Hanna to approve the Zone Change with a modification to the Specific Plan to add a land use map that delineates a residential land use district adjacent to Valley View (1.5 acres) and a commercial district adjacent to the freeway (4.0 acres). The motion was carried by the following roll call vote:

AYES: AZEVEDO, HANNA, SULLIVAN
NOES: BASH/HIGGINS
ABSENT: NONE
ABSTAIN: NONE

City Attorney Harper stated that the Zone Change failed to pass with no further motion and action taken.

9:10 p.m. Mayor Bash RECESSED the meeting.

9:26 p.m. Mayor Bash RECONVENED the meeting.

4. CITY COUNCIL DISCUSSION/ACTION ITEMS:

- A. Revisions to Code Compliance Policies and Procedures. Recommended Action: Approve the recommended change to the Code Compliance Administrative Policy that requires a written complaint requirement before a residential violation is investigated. (City Manager)**

City Manager Groves presented the item for Council discussion, stating that the written complaint requirement was removed from the proposed draft Administrative Policy. She added that the City will receive reporting through numerous ways, but will still need a name provided.

Council Member Higgins commented on some of the issues he had with the courtesy notice left on the door, noting that the property owner should receive the notice at the same time. He also stated that he would recommend combining Nos. two (2) and three (3) in the Complaint Prioritizing section. He emphasized that the priority should be the immediate threat to public health or safety.

Mayor Pro Tem Azevedo stated that she is concerned that the fees should be made stiffer.

Council Member Sullivan stated that he opposes the changes and is in favor of keeping the written complaint policy.

M/S Hanna/Higgins to approve the changes to Procedures Section, No. 3 (state that the Courtesy Notice will be sent to the property owner at the same time the Notice is left on the door) and to the Complaint Prioritizing Section (Combine Nos. two (2) and three (3)). The motion was carried by the following roll call vote:

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

- B. Discussion of Norco Citizens Patrol's Role and Parking Citation Authority.
Recommended Action: Discuss and provide direction as needed. (City Manager)

City Manager Groves presented the item for Council discussion.

Council Member Higgins commented on his concerns regarding too many people parking on the horse trails, noting the added responsibilities to the Sheriff's Department following its reductions made to the department. He asked for confirmation regarding the number of parking citations issued and the number of parking warning issued, stating that there are not enough parking citations issued. He noted that the trails are what make Norco unique, adding his concerns regarding safety on the trails. He added that enforcement should be directed by what is important to the community.

Mayor Bash commented on his concerns regarding speeding on Hamner Avenue. He stated that he liked the idea of issuing warnings on the horse trails, noting that some people do not know Norco and may only be visiting, adding that he would like to see it tempered a bit. In response to his concerns, Lt. Hedge stated one of the benefits of the Citizens on Patrol issuing warnings is that it is a good community tool.

Council Member Sullivan commented that there have been problems with this for many years, noting that when there was more money there were more officers. He suggested adding information to entry signs into the City stating that when horses or children are present, fines are doubled. City Manager Groves responded that this was discussed in the past and would require legislation.

The report was received and filed with no action taken by the City Council.

5. PUBLIC COMMENTS OR QUESTIONS:

Pat Overstreet. Ms. Overstreet announced the opening of Sons of Liberty Aleworks in Norco.

Eric Norris. Mr. Norris, representing the City of Eastvale, commented on the EIR process for the Horse Manure to Energy Conversion Facility. He requested time to meet with City staff for dialogue regarding the City of Eastvale's role in this project. He added that the City of Eastvale will be submitting comments in response to the EIR.

Greg Newton. Mr. Newton commented on an article regarding horses owned by Mrs. Romney.

Pamela Smith. Ms. Smith introduced the new Executive Director of the Norco Chamber of Commerce & Visitor's Center, Diane Collins.

Greg Bowen. Mr. Bowen announced that the Cowgirls will participate in the 2012 Rose Parade and will also be performing on December 29 at the Equifest.

Jeanine Adams. Ms. Adams commented as a member of the Lake Norconian Club Foundation regarding the decision to close the California Rehabilitation Center facility, noting that the decisions made should be for the good of the community.

6. CITY COUNCIL COMMUNICATIONS:

A. Reports on Regional Boards and Commissions

Council Member Hanna:

- Attended a Northwest Mosquito and Vector Control District meeting, at which time they toured the new facility.

B. City Council Announcements

Council Member Sullivan:

Stated his concerns regarding a property owner that lives adjacent to a business on Sixth Street. He asked the Planning Division staff to review the CUP and recommended revoking it if there are any violations. He asked that a report be submitted to the Planning Commission following the review and investigation.

7. CITY MANAGER REPORTS: None

8. ADJOURNMENT: There being no further business to come before the City Council, Mayor Bash adjourned the meeting at 10:50 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK