



MINUTES CITY OF NORCO

CITY COUNCIL
REGULAR MEETING

CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
MARCH 20, 2013

- CALL TO ORDER: Mayor Azevedo called the meeting to order at 7:03 p.m.
- ROLL CALL: Mayor Kathy Azevedo, **Present**
Mayor Pro Tem Berwin Hanna, **Present**
Council Member Kevin Bash, **Present**
Council Member Herb Higgins, **Present**
Council Member Harvey C. Sullivan, **Present**
- PLEDGE OF ALLEGIANCE: Mayor Azevedo
- INVOCATION: Corona Church of the Open Doors
Pastor Fred Griffin
- PRESENTATION: Roland Smith, representing the Backcountry Horsemen of California Rendezvous, provided information regarding the event to be held at the George Ingalls Equestrian Event Center on March 22 – 24, and presented the City Council with tickets to the dinner and concert at the event.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

1. CITY COUNCIL CONSENT CALENDAR ITEMS:

M/S Sullivan/Bash to adopt the 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:
Special Meeting of February 27, 2013
Regular Meeting of March 6, 2013
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
- C. Recap of the Planning Commission Meeting of March 13, 2013.
Recommended Action: Receive and File (Planning Director)

- D. Annual Resolution Making Findings and Continuing Existing Rates for Maintaining Flood control Channels within County Service Area CSA-152. **Recommended Action: Adopt Resolution 2013-13, making findings and continuing existing rates for maintaining flood control channels within County Service Area CSA-152.** (Deputy City Manager/Director of Finance)
 - E. Swap Meet Permit 2012-01 (Meisenbach): Renewal of the Swap Meet Permit at 2816 Hamner Avenue within the C-G (Commercial General) Zone. **Recommended Action: Adopt Resolution No. 2013-14, renewing Swap Meet Permit 2012-01 for one year, with the ability to adjust the flat annual vendor business tax fee at that time.** (Planning Director)
 - F. Approval of an Extension to the Agreement for Part-Time/Temporary Employment of Public Works Director. **Recommended Action: Approve an Extension to the Agreement for Part-Time/Temporary Employment of Public Works Director.** (City Manager)
 - G. Approval for an Extension of the Contract for Annual Audit Services with Rogers, Anderson, Malody and Scott, LLP. **Recommended Action: Approve the contract extension for annual audit services with Rogers, Anderson, Malody and Scott, LLP.** (Deputy City Manager/Director of Finance)
2. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
3. CITY COUNCIL PRESENTATION/ACTION ITEM:
- A. Update on the Silverlakes Project. (City Manager)

City Manager Groves provided information regarding the timeline of the construction and development of the project and agreements/amended agreements approved by the City Council. She stated that the City is the owner of the property and the improvements made on it, and Balboa Management Group, LLC is the tenant who will construct and operate the Silverlakes Equestrian & Sports Park. She noted that construction began on the site in January of 2012, adding that the original approved agreements projected that the first phase of the project would be complete in March of 2013. She commented on the series of conditions that were required to be met from the City and from Balboa, noting the challenges that were faced by both.

R.J. Brandes, representing Balboa Management Group, provided information regarding the Silverlakes project and status of construction. He noted that Silverlakes is a very complex project that has experienced many difficulties, adding that this is a strategic partnership between the City and Balboa. Mr. Brandes commented on the project timeline; noting the challenges faced by the 2008 downturn in the economy, the flooded site, personal issues and difficulties with the deed restriction validation process. He noted that Balboa is in complete compliance with the City regarding this project and construction will begin again upon the final settlement agreement with his ex-wife. Mr. Brandes stated that investors are in place to fund the project upon the settlement, adding that if all goes

well, Silverlakes will open up by the end of this year. He further stated that the project was not held up because of the road construction. Mr. Brandes stated that more than \$6 million dollars of his own money has been invested in this project. He added that Silverlakes will help the economy in Norco and also help preserve the lifestyle. He further added that Silverlakes is a \$50 million project – Phase I.

Larry Palmer. Mr. Palmer commented on the project, noting that everything could have been avoided if the people of Norco would have been provided with a quarterly report explaining all of the problems. He further requested a line of communication to the people regarding this project, noting they should have a hard completion date.

Linda Dixon. Ms. Dixon thanked Mr. Brandes for bringing this project into this community.

Su Bacon. Ms. Bacon commented as a citizen, thanking Mr. Brandes for coming and apologized for the rumors and the miss-use of the media for bringing everyone to the meeting tonight. She added that a quarterly report would help.

Karen Leonard. Ms. Leonard commented on the devastation of the 2008 financial crisis to construction businesses.

Shane Johnston. Mr. Johnston asked who build and paid for the levy. In response, City Manager Groves stated that it was funded by the Riverside County Flood Control District.

Council Member Higgins commented on his concerns regarding Mr. Brandes' lenders. Mr. Brandes responded with a brief summary of his assets and lender's requests. Council Member Higgins noted that he is concerned about the respect of a person's private information, noting the electronic age we live in where nothing is private.

Mayor Pro Tem Hanna commented on the freedom of speech in America, adding that he has all the hopes and faith that this project will be completed.

Council Member Bash commented that the last few weeks have created a climate of distrust. He noted that this is an extraordinary project, adding the work that has been done to attract developers to the City that will compliment this project. He stated that Mr. Brandes deserves respect, noting everything he has invested in the community.

Mayor Azevedo commented on the fine example of the public/private partnership between the City and Balboa. She noted that problems that have come up which have delayed the project and the excitement of the community for Silverlakes to open.

Council Member Sullivan thanked Mr. Brandes for coming and answering a lot of questions. He noted that he had met with Mr. Brandes and following that meeting, he spoke with the newspaper reporter. He noted that he is just doing the job he was elected to do.

4. CITY COUNCIL PUBLIC HEARING:

- A. Zone Code Amendment 2013-02; Specific Plan 85-1, Amendment 8; Specific Plan 90-01, Amendment 12; and, Specific Plan 91-02, Amendment 6 regarding the Allowance of Massage Businesses as Ancillary Uses in Commercial Zones.

This item is a City-initiated proposal to allow massage businesses as an ancillary use in the subject zoning districts. Currently, the only zone in the City that allows massage services is the C-G zone with the approval of a conditional use permit (CUP). Staff has received requests for massage services to operate within a beauty salon as opposed to a "stand alone" operation.

Recommended Action: Adopt Ordinance No. 960 for first reading.
(Planning Director)

Planning Director King presented the public hearing item.

Council Member Higgins asked if those businesses with a CUP would die, or be grandfathered in. In response, Planning Director King stated that the CUP does not die. He added that for those that have existing CUPS (and are ancillary), if they can, and want, to expand up to the 20%, they would be allowed to do so as a permitted use, and not have to amend their CUP. He added that inspections are not completed at this time for existing CUPS.

Council Member Sullivan asked if a full-blown massage parlor would still require a CUP. In response, Planning Director King stated yes, even the ancillary businesses would need to go through a background check with Sheriff's department.

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

Blanca Pegg. Ms. Pegg stated that she has been a business owner for last 25 years, the last 14 years as a massage therapist. She noted that she had some issues with the current CUP process, adding that she has a legitimate business and there needs to be an easier process.

Vern Showalter. Mr. Showalter stated that massage therapy is a legitimate business.

Mayor Azevedo CLOSED the public hearing.

Mayor Azevedo stated that she concurs with what Ms. Pegg said regarding massage being a legitimate business, noting she is an advocate for small business.

M/S Bash/Higgins to adopt Ordinance No. 960 for first reading. The motion was carried by the following roll call vote:

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

5. PUBLIC COMMENTS OR QUESTIONS:

Geoff Kahan. Mr. Kahan commented on the Congressional Medal of Honor received by George Alan Ingalls. He requested that a proclamation be made proclaiming April 16th as George Alan Ingalls Day.

Pamela Smith. Ms. Smith invited everyone to attend the State of the City event on April 4 at the Norco High School Performing Arts Center beginning at 6:30 p.m.

Bonnie Slager. Ms. Slager commented on a safety clinic put on by the Norco Horsemen's Association on April 7th.

Kathleen Kramer. Ms. Kramer asked about transportation for the Senior Citizens in Norco. In response, Director Petree noted that the City has a current program at the Senior Center through a Riverside County Transportation Commission Grant.

Pat Overstreet. Ms. Overstreet invited everyone to the next RURAL meeting at which time Council Member Higgins and Lt. Hedge will be speaking.

6. CITY COUNCIL COMMUNICATIONS AND REPORTS ON REGIONAL BOARDS AND COMMISSIONS:

Council Member Bash:

- Recommended that the flag at City Hall be flown at half-mast on April 16 and also that the Vietnam commemorative flag be flown at that same time. He also requested that a ceremony be held by the Mayor.

Mayor Pro Tem Hanna:

- Reported on the Riverside County Transportation Commission meeting he attended, noting the issues with the Perris Valley Commuter Line.
- Commented that a recent Norco Hall of Fame Inductee, Mr. Garret Gomez, has been nominated to the Thoroughbred Hall of Fame.

Mayor Azevedo:

- Stated that the Norco Relay for Life will be held on April 6 and 7 and invited everyone to participate.
- Reported on the Western Riverside Council of Governments Finance and Administration Committee meeting she attended at which time it was voted down to phase in the full 2013 Construction Cost Index in 2.5% increments every six months to coincide with the Nexus Update.

- Commented on her concerns regarding Council Member Sullivan serving on the Zoning and Development Issues Working Group and recommended that a discussion be agendized to discuss this.

M/S Azevedo/Hanna to agendize a discussion regarding Council Member Sullivan's appointment on the zoning and Development Issues Working Group. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- Stated that April 3 will be declared as "Toby Gerhart Day" at which time he will be providing autographs at the Boot Barn center from 4-6 p.m. followed by a presentation at the City Council meeting.,

7. CITY MANAGER / STAFF COMMUNICATIONS:

- A. Oral Update on Alleged Code Violations at 2309 Reservoir Drive. (City Manager)

City Manager Groves stated that this is a code enforcement action. She noted that Mosquito and Vector Control responded the next day to the site and added that the other code issues have been addressed.

Coleen Daniel. Ms. Daniel presented a file to each Council Member regarding her code complaints on this site. She further commented on her concerns regarding the City's Code Enforcement Officer.

Council Member Higgins stated that this is a next door neighbor, noting his concerns with how the Code Enforcement Officer responded to the complaint. He further commented on his concerns with code complaints and how they are responded to.

Mayor Pro Tem Hanna noted that that the Mosquito and Vector Control also treats problems with rats.

Council Member Bash stated that he supports the Council taking action on code enforcement.

Council Member Sullivan commented on his concerns regarding a previous Council meeting at which time the policy for written code complaints was discussed, adding that the Council needs to move forward and have something done.

M/S Higgins/Bash to receive and file the report. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

8. **ADJOURNMENT:** There being no further business to come before the City Council, Mayor Azevedo adjourned the meeting at 8:35 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK