

Community Redevelopment Agency/City Council

Minutes

**2820 Clark Avenue, Norco CA 91760
(909) 270-5623**

Regular Meeting

June 1, 2005



Next CRA Ordinance No. 2

Next CRA Resolution No. 2005-
06

1. CALL TO ORDER: Mayor Higgins called the meeting to order at 6:00 p.m.

2. ROLL CALL: Council/Agency Members present: Azevedo, Clark, Hall, Sullivan and Higgins.

Staff present: Allred, Harper, Cooper, Daniels, Frye, McNay, Okoro, Oulman, Petree and Thompson.

3. CLOSED SESSION:

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

Section 54956.8 – Conference with Real Property Negotiator

Street Address or Parcel Number: APN 126-120-037-4

Negotiating Parties: City Manager/Executive Director,
representing the Norco Redevelopment Agency, and Caltrans

Points Under Negotiation: Discussion of Potential Acquisition of
Caltrans-Owned Site

Section 54956.95 – Liability Claims

Claimant: Pestano

Agency Claimed Against: City of Norco

RECONVENE PUBLIC SESSION: 7:03 p.m.

4. PLEDGE OF ALLEGIANCE: Council Member Clark

5. INVOCATION: Pastor Vernie Fletcher

Church Grace Fellowship

Presentation: Recognition of Recycle Round-up
Volunteers

Mayor Higgins presented certificates of appreciation to the volunteers who worked the Recycle Round-up.

M/S Sullivan/Hall to approve the item listed on the CRA Consent Calendar, the motion was carried by the following roll call vote:

AYES: AZEVEDO, CLARK, HALL, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CRA CONSENT CALENDAR

6. FROM THE EXECUTIVE DIRECTOR:

A. *CRA Minutes, Regular Meeting of May 18, 2005 - Approved the minutes of the meeting.*

7. JOINT CRA/CITY COUNCIL PUBLIC HEARINGS:

A. Approval of the Annual Budgets for the Redevelopment Agency and the City for Fiscal Year 2005/06. *After holding three budget workshops, the Redevelopment Agency and the City Council will conduct a public hearing on the proposed Fiscal Year 2005/06 Operating Budgets for the Redevelopment Agency and the City. At the conclusion of the public hearing, the Agency Board and the City Council may adopt the recommended budgets as proposed, make changes before adopting the budget or continue the item to the next meeting for adoption.*

CRA Resolution No. 2005-____, Approving and Adopting the Norco Redevelopment Agency Budget for Fiscal Year 2005-2006 and Authorizing Appropriations Therefrom; and **CC Resolution No. 2005-____**, Approving and Adopting the City Budget for Fiscal Year 2005-2006, and Authorizing Appropriations Therefrom. **Recommendation: Adoption** (Director of Fiscal and Support Services)

The Director of Fiscal and Support Services noted that three budget workshops have been held for the review of the City Manager's preliminary operating Budgets for the Redevelopment Agency and the City. He noted several minor changes that have been made to the preliminary budgets, as follows: The General Fund revenue projection has been updated to incorporate new trend information and the impact of the recently approved Consumer Price Index adjustment to certain City fees for service, monies have been added to fund a part-time Assistant Planner position that was inadvertently left out of the preliminary budget and the Crossing Guard function has been moved from Fiscal and Support Services Department to the Sheriff's Department. He recommended that the public hearing be opened and that the Budgets be approved.

Mayor Higgins declared the public hearing open, indicated that proper notification had been made and asked for the appearance of those wishing to speak.

Robert Shine, Norco Chamber of Commerce President, mentioned the ongoing difficulties within the Chamber membership but noted that work is on track for the Norco Valley Fair. He requested that the City Council approve the same amount as last year and consider paying the Chamber in January 2006

after the conclusion of the Fair and other Chamber activities. Mr. Shine also requested that consideration be given to assisting the Chamber with Fair security as was done last year.

Mayor Higgins closed the public hearing.

M/S Sullivan/Hall to adopt CRA Resolution No. 2005-06 and CC Resolution No. 2005-32 approving the Redevelopment Agency and the City budgets for FY 2005/06.

Mayor Pro Tem Azevedo referenced the median on Fifth Street and noted that the weeds are very high. She noted that this location serves as the entrance to the Naval base and the prison and felt that the area should be abated. In response, the Director of Parks, Recreation and Community Services provided a cost estimate of a little over \$4,000 per year with a one-time cost of \$2,500 - \$3,000 to fix the irrigation lines and plant new landscaping. Discussion was held on the pros and cons of including this figure in the budget or whether a separate report was needed to address the matter. The City Manager reported on a meeting with the Warden tomorrow and indicated that staff could discuss this further and report back to the City Council at a later date.

Council Member Clark did not agree with using Development Agreement fees to pay for vehicle replacement costs. He noted that Development Agreement fees should be used on projects benefiting the citizens as these monies were paid as a result of losing the use of the hills. In addition, Council Member Clark wanted to remove the \$13,000 budgeted for the Chamber of Commerce based on their performance.

The motion was carried by the following roll call vote:

AYES: AZEVEDO, HALL, HIGGINS, SULLIVAN

NOES: CLARK

ABSENT: NONE

ABSTAIN: NONE

- B. Approval of the Capital Improvement Program for the Redevelopment Agency and the City for Fiscal Years 2006 – 2010. After conducting a Council workshop on May 18, 2005, the Redevelopment Agency Board and the City Council will conduct a public hearing on the Agency and the City Capital Improvement Program (CIP) for the fiscal years 2006 through 2010. At the conclusion of the public hearing, the Agency Board and the City Council may approve the proposed five-year CIP, make changes before adopting the CIP or continue the item to the next meeting for adoption..

CRA Resolution No. 2005-____, CC Resolution No. 2005-____,
Approval of the Capital Improvement Program for the Fiscal Years
2006 – 2010. **Recommendation: Adoption** (Director of Fiscal and
Support Services)

The Director of Fiscal and Support Services noted that a workshop was held for the City Council and Agency Members to review the preliminary five-year Capital Improvement Program budget for Fiscal Years 2006 - 2010. There have been no material changes from the preliminary project budget reviewed with Council and Agency Members on June 1, 2005. He recommended that the public hearing be held and that the five-year Capital Improvement program be approved.

Mayor Higgins declared the public hearing open, indicated that proper notification had been made and asked for the appearance of those wishing to speak. With no-one wishing to speak, Mayor Higgins closed the public hearing.

M/S Sullivan/Hall to adopt CRA Resolution No. 2005-07 and CC Resolution No. 2005-33 approving the Capital Improvement Program.

Mayor Higgins opposed the motion and did not see how the future development of Norco could be accurately projected.

The motion was carried by the following roll call vote:

AYES: AZEVEDO, CLARK, HALL, SULLIVAN

NOES: HIGGINS

ABSENT: NONE

ABSTAIN: NONE

CRA ITEM FOR ACTION

8. FROM THE EXECUTIVE DIRECTOR:

- A. *Competitive bids have been solicited for the demolition, removal, and clean-up of property at Silverlakes/A-Bar Ranch. This matter was discussed by the Agency Board on May 18, 2005 at which time the Board provided conceptual approval with direction to proceed with the demolition and clean-up of all four areas of the property as*

well as Alternate no. 1 for Area 1 and Alternate no. 1 for Area 4. The total cost for demolition and clean-up of all four areas is \$325,175.

Since the last Agency meeting, estimates have been obtained on costs to provide security fencing around the entire property. Cost estimates for the security fencing indicate that an additional allocation of up to \$80,000 will be needed and competitive bids will be solicited for this purpose as well. Total costs for the demolition and clean-up of all four areas and security fencing are estimated to be \$405,175.

CRA Resolution No. 2005-___, Appropriating Funds to Pay for the Demolition, Removal and Clean-Up of Property at Silverlakes/A-Bar Ranch. **Recommended Action: Adoption** (Director of Parks, Recreation and Community Services)

The Director of Parks, Recreation and Community Services reported that bids were received for the demolition, removal, and clean-up of property at Silverlakes/A-Bar Ranch and noted that this matter was discussed by the Agency Board on May 18, 2005. As directed by the Agency, a Resolution has been prepared to appropriate the monies needed to pay for the demolition and clean-up of all four areas of the property as well as Alternate No. 1 for Area 1 and Alternate No. 1 for Area 4. The total cost for demolition and clean-up of all four areas (including the alternates) is \$325,175.

The Director reported that estimates have been obtained on the cost to provide security fencing around the entire property and estimated that no more than \$80,000 would be needed. Competitive bids will be solicited once funding approval is received. The total cost for the demolition and clean-up of all four areas and security fencing are estimated to be \$405,175. The Director recommended that the Resolution be adopted making the necessary findings and appropriating the funds, that the contract be awarded to Interior Demolition in the amount of \$325,175, that the Executive Director be authorized to approve change orders up to 10% of the contract amount and that the Agency authorize the budgeting of \$80,000 for fencing.

In response to Agency Member Sullivan, the Director noted that the estimate was based on putting fencing along Hamner Avenue, between the stables and the property and right down the middle of the property. This estimate is for permanent fencing and the actual cost could be less depending on the type of fencing and the locations chosen.

In response to Agency Member Clark, the Director addressed the fencing down the middle of the property, noting that there could be a need for it if a temporary

use were approved. In response to Agency Member Sullivan, the Director noted that fencing is needed to stop people from dumping on the property.

Agency Member Hall noted the large amount of money involved. He concurred with the need for fencing but noted that the real safety concerns are with the buildings. He supported removing the buildings and clearing some of the weeds at a cost less than what is being proposed.

Agency Member Azevedo noted that the dangerous buildings are in Area 1 and supported clearing this area and fencing the property for safety reasons. She did not see the need to clean the remaining areas until a recommendation is made from the Parks, Recreation and Community Services Commission and the use of the park is discussed.

M/S Azevedo/Sullivan to clean Area #1 (Including Alternate #1 for Area #1) and fence the property by adopting CRA Resolution No. 2005-08, awarding the Contract to Interior Demolition in the Amount of \$142,420, authorizing the Executive Director to approve contract change orders up to 10% of the contract amount and approving the budgeting of \$80,000 for fencing.

In response to Chairman Higgins, the Director of Parks, Recreation and Community Services noted that there are large holes at the park being concealed by weeds. If the other areas are not done, at the very least the Director noted that the areas should be fenced and "No Trespassing" signs placed.

A substitute motion was made by Agency Member Clark to adopt CRA Resolution No. 2005-08, award the Contract to Interior Demolition in the Amount of \$325,175, authorized the Executive Director to approve contract change orders up to 10% of the contract amount and approve the budgeting of \$80,000 for fencing. Chairman Higgins seconded the substitute motion.

In response to Agency Member Hall, it was noted that there was about a \$200,000 difference in cost between the first and the second motion.

The substitute motion did not carry by the following roll call vote:

AYES: CLARK, HIGGINS

NOES: AZEVEDO, HALL, SULLIVAN

ABSENT: NONE

ABSTAIN: NONE

The initial motion to clean Area #1 and fence the property carried by the following roll call vote:

AYES: AZEVEDO, HALL, SULLIVAN

NOES: CLARK, HIGGINS

ABSENT: NONE

ABSTAIN: NONE

Chairman Higgins pointed out that the statement has been made that the property is not safe and also had a concern with fencing off public property. Agency Member Clark requested that the Fire Department abate the weeds on the property.

OTHER MATTERS: None.

ADJOURNMENT OF CRA: 7:40 P.m.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

Next Ordinance No. 835

Next Resolution No. 2005-32

M/S Sullivan/Azevedo to approve the items listed on the Consent Calendar, the motion was carried by the following roll call vote:

AYES: AZEVEDO, CLARK, HALL, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CONSENT CALENDAR

9. FROM CITY MANAGER:

A. City Council Minutes, Regular Meeting of May 18, 2005 - Approved the minutes of the meeting.

B. Project Status Update for Wyle Laboratories Norco Facilities Site. Recommended Action: Receive and File (Director of Community Development) – Received and filed.

- C. **Resolution No. 2005-___**, Appropriating Funds and Awarding Contract to Antelope Equipment in the Amount of \$50,125 for the Widening of the North Half of North Drive between California Avenue and Wyatt Place. **Recommended Action: Adoption of Resolution and Award of Contract** (Director of Public Works) – **Adopted Resolution No. 2005-34, Awarded Contract to Antelope Equipment in the Amount of \$50,125 and Authorized the City Manager to Approve Change Orders up to 10% of the Contract Amount.**
- D. **Resolution No. 2005-___**, Making Findings and Continuing Existing Rates for Maintaining Flood Control Channels within County Service Area CSA-152. **Recommended Action: Adoption** (Director of Fiscal and Support Services) – **Adopted Resolution No. 2005-35.**
- E. **Resolution No. ___**, Appropriating Funds and Awarding Contract to Hardy and Harper, Inc. in an amount not to exceed \$60,000 for repairs to various street segments throughout the City of Norco. **Recommended Action: Adoption** (Director of Public Works) – **Adopted Resolution No. 2005-36 and Awarded Contract to Hardy & Harper in an Amount Not to Exceed \$60,000.**
- F. Approving and Adopting the Amendment to Employment Agreement between the City of Norco and the City Manager. **Recommended Action: Approval** (Director of Fiscal and Support Services) – **Approved.**
- G. Approval of 2005 General Municipal Election: **Resolution No. 2005-___**, Requesting the County Board of Supervisors to Conduct the Election; **Resolution No. 2005-___**, Calling and Giving Notice of Election; and **Resolution No. 2005-___**, Adopting Regulations for Candidates for Elective Office. **Recommended Action: Adoption** (City Clerk) – **Adopted Resolution Nos. 2005-37, 2005-38 and 2005-39.**
- H. Acceptance of Public Improvements for American RV and Boat Storage Located at 1034 Parkridge Avenue (American Property Management). **Recommended Action: Approval** (Director of Public Works) – **Approved and Authorized the Reduction of Securities to 10% for the One Year Maintenance Period.**
- I. Approval of Final Parcel Map 33223 Located on the East Side of Hamner Avenue between Fifth and Sixth Streets (Chaparral Partners, LLC). **Recommended Action: Approval** (City Engineer) – **Approved the Map, Authorized the City Clerk to Sign the Map and the Mayor to Execute the Subdivision Agreement.**

- J. Order of Procedure and Resolutions Necessary for the Annual Assessment Levy Continuing Landscape Maintenance Districts No. 1 – Beazer, Tract 28765; No. 2 – Western Pacific, Tract 25779; No. 3 – Centex, Tract 28826, No. 4 – Norco Ridge Ranch – Tracts 29588 and 29589 and No. 5 – Hawk ’s Crest – Tract 30230:

Resolution No. 2005-40, (Beazer); **Resolution No. 2005-41**, (Western Pacific); **Resolution No. 2005-42**, (Centex); **Resolution No. 2005-43**, (Norco Ridge Ranch); **Resolution No. 2005-44**, (KB Home), Approving the Engineer’s Preliminary Report for the Annual Levy of Assessments for the Fiscal Year 2004-2005 in Said District;

Resolution No. 2005-45, (Beazer); **Resolution No. 2005-46**, (Western Pacific); **Resolution No. 2005-47**, (Centex); **Resolution No. 2005-48**, (Norco Ridge Ranch); **Resolution No. 2005-49**, (KB Home), Declaring City’s Intention to Provide for an Annual Levy and Collection of Assessments for Certain Maintenance in an Existing District, and Setting a Time and Place for the Public Hearing. **Recommended Action: Adoption** (City Engineer)

- K. Action Agenda for Planning Commission Meeting of May 25, 2005. **Recommended Action: Receive and File** (Director of Community Development) – **Received and Filed.**

END OF CONSENT CALENDAR

11. PUBLIC HEARING:

- A. Approval of Rite-Aid Pharmacy Tentative Parcel Map.

The Tentative Parcel Map will combine four existing lots on the northwest corner of Sixth Street and Valley View Avenue into one parcel to allow for development of a Rite-Aid Pharmacy approved by the City Council on April 6, 2005. The approved project was conditioned so that the four parcels are combined prior to issuance of a building permit.

Resolution No. 2005-___, Tentative Parcel Map 33429 (Pacific Development Group): A Request to Combine Four Lots Located on the Northwest Corner of Sixth Street and Valley View Avenue into One Lot within the C-4 (Commercial) Zone **Recommended Action: Approval** (Director of Community Development)

The Director of Community Development addressed the request to combine parcels to build the pharmacy/convenience store at the Northwest corner of Sixth Street and Valley

View Avenue. The minimum lot size is 20,000 square feet with a minimum width of 80 feet and a minimum depth of 175 feet. The four lots combined equal 2.05 acres with a frontage of approximately 320 feet along Sixth Street and approximately 207 feet along Valley View Avenue.

The project, along with the corresponding conditional use permit that was approved for Rite Aid, has been conditioned to replace existing street and trail improvements along Sixth Street and replace them with street and trail improvements for both Sixth Street and Valley View Avenue to the current City standards. Sixth Street will be improved to a pavement width of 64 feet (32-foot half-street) within the existing 100-foot right-of-way with a 12-foot trail to replace the existing sub-standard trail. Valley View Avenue will be improved to a pavement width of 36 feet (18-foot half-street) within a right-of-way width of 60 feet. This will include a 12-foot trail on the west side of the street that will be developed with these street improvements.

The Director reported that this matter has been reviewed by the Planning Commission, who recommended approval. The Commission also recommended that the City Council reconsider their decision regarding the existing street trees on Valley View Avenue and require that the trail be meandered from the standard street and trail section so as to avoid the existing trees. In conclusion, the Director recommended that the Resolution be adopted approving Tentative Parcel Map 33429.

Council Member Sullivan noted that Condition #25 should not reference installing sidewalks. He also inquired about the street width and the type of trees on Valley View. In response, the Public Works Director indicated that the trees on Valley View are very old and noted that they are not a very good street tree.

Mayor Higgins declared the public hearing open, indicated that proper notification had been made and asked for the appearance of those wishing to speak.

Bob Superneau with RHL Design Group, Inc., confirmed that the trees were in poor condition and noted that the plans have been revised to do full street improvements.

Berwin Hanna, confirmed that the trail width on Valley View would be 12'.

Mayor Higgins closed the public hearing.

M/S Azevedo/Hall to adopt Resolution No. 2005-50 approving Tentative Parcel Map 33429 as amended to remove the word "sidewalk" from Condition #25, motion was carried by the following roll call vote:

AYES: AZEVEDO, CLARK, HALL, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ITEMS FOR ACTION

12. FROM CITY MANAGER:

A. Animal Control Division Dog Bite Procedure.

At the May 18, 2005 City Council meeting, staff was requested to provide information regarding the procedure that the Animal Control Division has in place when dog bites occur.

Animal Control Division Dog Bite Procedure. **Recommended Action: Receive and File** (Director of Parks, Recreation and Community Services)

The City Manager indicated that the Animal Control Superintendent is present to answer any questions. In response, Council Member Clark noted that the report does not address the two situations that he had agenda'd and asked for an oral report.

The Animal Control Superintendent addressed the incident with the Turley's, noting that prior to the dog attack on their sheep, 7 goats were killed and one of the three dogs was caught. She believed that two dogs had killed the Turley's sheep and reported that traps were set and the area canvassed with no result. Later on, a dog was caught in one of the traps but there was no proof that this dog killed the sheep. The Turley's want the name of the owner of the dog caught in the trap and she did not release this information as this dog was not even in town when the sheep were killed. There is no connection. She noted that restitution has been paid to the owner of the goats and the owner of the dog caught in the trap has been cited.

The Animal Control Superintendent discussed the recent incident whereby a horse was attacked by a dog, noting that the dog was impounded and has been adopted out-of-State. She noted that Animal Control's mission is to adopt 100% of the dogs impounded and noted that if staff was not able to place the dog appropriately, he would have been humanely put down.

In response to Council Member Clark, the Superintendent affirmed that the accepting agency was aware of the dog's nature. In response to Council Member Clark, the City Attorney did not see any long term liability arising from this situation.

In response to Mayor Higgins, the Superintendent affirmed that restitution has been paid to the owners of the goats and that a citation was issued to the owner of the dog that was caught in a trap.

M/S Clark/Hall to receive and file the report, motion was carried by the following roll call vote:

AYES: AZEVEDO, CLARK, HALL, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

B. Report on Municipal Code Fines.

Council Member Clark has requested a report regarding the fine amounts for infraction and misdemeanor violations, as well as for Administrative Citations. Administrative Citations are processed through the City and range from \$100 up to \$500. Infraction and misdemeanor violations are processed through the judicial system. Typically, the courts will not issue a fine with an infraction, but will require correction of the violation. A conviction of a misdemeanor would be punished by a fine of not more than \$1,000 at the discretion of the court.

Review of Municipal Code Fines Levied for Non-Compliance with Norco Municipal Code. **Recommended Action: Direction Requested on Fine Amounts to Be Imposed.** (Director of Community Development)

The Director of Community Services reported that Council Member Clark had requested that this matter be agendaized. He reviewed the use of Administrative Citations as an alternative method of enforcement for minor violations of the Municipal Code. The fines are as follows: A fine not exceeding one hundred dollars (\$100) for a first violation; a fine not exceeding two hundred dollars (\$200) for a second violation of the same ordinance within three years; a fine not exceeding five hundred dollars (\$500) for each additional violation of the same ordinance within three years. He also addressed infractions and misdemeanors but noted that typically the court will require that the problem be corrected but fines are at the discretion of the court. The Director noted that if a change is desired, a public hearing would be scheduled so that the City Council can consider an Ordinance enacting the change.

Council Member Clark noted that the report does not address his concerns with contractors working on Sunday. He had asked that some sort of fine be created so that contractors and developers will pay attention to the City's laws. In response, the Director of Community Development affirmed that a report could be agendized for the next meeting dealing directly with that type of violation.

M/S Clark/Azevedo to direct staff to bring back specific violation and penalty fees pertaining to contractors and developers, motion was carried by the following roll call vote:

AYES: AZEVEDO, CLARK, HALL, HIGGINS, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

13. DISCUSSION OF REMOVED CONSENT CALENDAR ITEMS.

No items were removed from the Consent Calendar.

14. PUBLIC COMMENTS OR QUESTIONS

Audrey Evans, 3540 Hillside, noted that the Laguna Beach homes sliding down the hills today are proof that it is not safe to build on a hillside. She noted that there is no geologist at City Hall and wondered how building could be allowed on the mountainsides without this type of review. In addition, Mrs. Evans mentioned the issue with the contractor and his unpaid water bill and inquired why steps were not taken to get this bill paid. She requested a moratorium on building.

Robert Leonard, 4475 Hillside, noted that his neighbor is conducting a business out of his home and indicated that he had discussed this concern with the City Manager. Several hours later, his neighbor threatened him. Mr. Leonard believed that the City Manager had called his neighbor and had given him his name. He noted that this was a violation of his rights and felt that his life and his wife's life were in jeopardy. Mayor Higgins indicated that he would check into the matter and speak with Mr. Leonard tomorrow.

Jeanne Guertin, 4370 California, requested that a complaint from Linda Waggoner be agendized on the City's requirements to install street improvements in front of her home. The home is located on the corner of Seventh and California.

Sally Stein, 1631 El Paso, noted that there is still traffic and speeding on El Paso and asked for the matter to be agendized.

Emmet McKune, 1508 Valley, noted that since the last meeting he has not seen one police car in his neighborhood. He referenced the amount of trash and debris along Norco Hills Road and wondered how D.R. Horton can be approved when City services are stretched to the limit.

Berwin Hanna, thanked the Parks, Recreation and Community Services Department for their work on the dirt in the arena at Ingalls Park.

Brent Sakamoto, 2940 Driftwood, noted two recent incidents involving the Sheriff's Department whereby the boy's body was not found immediately and an officer shot and killed a dog. He noted the need to look at how these situations can be avoided in the future.

Jim Morrison, 217 Fifth, also commented on the incident whereby the officer shot the dog, noting that the dog was shot while fleeing. To date, they have not heard from the Sheriff's Department as to why this incident happened. Mr. Morrison inquired on the criteria for the use of deadly force against an animal.

Kelly Cromer, 42011 4th Street West, Lancaster, addressed the Conditional Use Permit issued to Gentle Giants Rescue, noting that she had signed affidavits on the poor condition of the animals, microchips are not being used, people are being given false information, the dogs are being sold and not rescued, etc. She asked that this be referred to either the Planning Commission or the Council so that the Conditional Use Permit could be revoked.

Richard Hallam, 4301 Temescal, noted a recent incident whereby one of his plumbers refused to go into the house at the dog rescue as there were 40 dogs in one room.

15. OTHER MATTERS - COUNCIL OR STAFF:

- A. Status of Draft Development Plan for Hidden Valley (D.R. Horton)
(Council Member Clark)

Council Member Clark indicated that he asked for this matter to be agendaized for clarification purposes and inquired on the zoning of the property. In response, the Director of Community Development noted that D.R. Horton has not asked for a zone change but have asked that the Specific Plan requirement be waived. This is being discussed with the City Attorney and he noted that the zoning could possibly be A-1-20.

Council Member Clark noted that every planning rule is being broken and did not understand why this was necessary. Discussion was held with the City Attorney noting that the Council agreed to draft up a site development plan and to review it with the Commissions. There is no commitment to approving this project.

Council Member Clark noted that this process is being used so that the Charter requirement could be avoided. In response, the City Attorney noted that the Hillside zoning allows the City to waive the requirement for a Specific Plan. The City Attorney indicated that the draft site development plan has more provisions in it than most zones require and noted that it was prudent to at least consider the development in an effort to save money in unnecessary litigation.

Discussion was held regarding the limitation of having just one meeting with each Commission. If there was a lot of public testimony, Council Member Clark wondered if the meeting could be continued to another night. After discussion, the City Attorney noted that the meeting could be continued to another date so that all public testimony could be heard.

Mayor Pro Tem Azevedo addressed the perception that she supported this development. She was comfortable denying the project last year due to the amount of massive grading being proposed. The Mayor Pro Tem outlined the parameters being proposed for this new project including keeping the ridgelines intact, 100 acres of open space, the large size of the homes, etc. For the record, she was interested in meeting with N.A.G. and other organizations to explore ways in which to deny the project.

Council Member Hall noted that Norco could lose a lot more than just losing a court case. He mentioned the State's affordable housing crisis and noted that it is not inconceivable in the future for the State to mandate affordable housing in Norco. Once three key areas are developed, Norco would be immune to action by the State.

M/S Hall/Sullivan to receive and file the report, motion was carried by the following roll call vote:

AYES: AZEVEDO, CLARK, HALL, SULLIVAN

NOES: NONE

ABSENT: NONE

ABSTAIN: HIGGINS

B. City Council Subcommittee Reports

Mayor Higgins indicated that he attended a Mosquito Abatement District meeting and reported that the DEET formula is being changed.

In response to Council Member Sullivan, the Director of Community Development noted that he would check on the street improvements being placed at California and Seventh Street, specifically at it relates to the width of the street, and put a report in the Council's packet.

Mayor Pro Tem Azevedo inquired on efforts being taken to battle the West Nile virus. Mayor Higgins indicated that the Mosquito Abatement District responds quickly to complaints and indicated that he could get the District's report listing the spraying being done and get it to the Council in their weekly packet. Also, a list of the areas of concern needing spraying would also be beneficial and Mayor Higgins indicated that he would furnish this to the Council.

Mayor Pro Tem Azevedo asked that the Streets and Trails Commission review placing a trail on Mountain Avenue.

In response to Mayor Higgins, the Public Works Director affirmed that street limit signs had been placed on El Paso. He noted that a report on the speed of traffic and the placement of speed bumps at El Paso will go the Commission in July. The trail fence spacing and sign spacing will be going to the Commission on Monday.

16. ADJOURNMENT - There being no further business to come before the Council, Mayor Higgins adjourned the meeting at 9:05 p.m.

DEBRA L. MCNAY, CMC

CITY CLERK

/dm-56862