



AGENDA
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
JULY 15, 2009

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Mayor Kathy Azevedo
Mayor Pro Tem Malcolm Miller
Council Member Frank Hall
Council Member Berwin Hanna
Council Member Richard L. MacGregor

PLEDGE OF ALLEGIANCE: Council Member Hanna

INVOCATION: Pastor Vernie Fletcher
Grace Fellowship Church

PROCLAMATION: Dan Evans, Norco Citizens Patrol

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

Next CRA Resolution No. 2009-16

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 request specific items be removed from the Consent Calendar)*
 - A. CRA Minutes, Adjourned Meeting of June 23, 2009.
CRA Minutes, Regular Meeting of July 1, 2009.
Recommended Action: Approve the CRA Minutes (City Clerk)
 - B. Award of Contract for the Sheriff Station Expansion Project.
Recommended Action: Award contract to Steve Julius Construction, San Clemente, California. (Director of Parks, Recreation & Community Services)
 - C. Acquisition Agreement for 1549-1569 Second Street (Ro, Et Al) for the Second Street Widening Project. **Recommended Action: Adopt CRA Resolution No. 2009-___, authorizing the approval of an Acquisition Agreement in the amount of \$42,706 and accept the offer of street dedication of real property at 1549-1569 Second Street (APN 125-100-036) to facilitate the Second Street Widening Project, and authorizing the Agency to enter into escrow for said property.** (City Engineer)

2. OTHER CRA MATTERS:

ADJOURNMENT OF CRA:

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

Next Ordinance No. 911
Next Resolution No. 2009-55

3. 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. 7 of the Agenda)*
- A. City Council Minutes Adjourned Meeting of June 23, 2009.
City Council Minutes Regular Meeting of July 1, 2009.
Recommended Action: Approve the City Council Minutes (City Clerk)
 - B. Planning Commission Action Minutes, Regular Meeting of July 8, 2009.
Recommended Action: Receive and File (Planning Manager)
 - C. Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments to Add Water Districts to the WRCOG Governing Board. **Recommended Action: Approve the Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments.** (Interim City Manager)
 - D. Approval of Quarterly Investment Report for Quarter Ended June 30, 2009. **Recommended Action: Receive and File.** (Deputy City Manager/Director of Finance)
 - E. Authorization for the Interim City Manager to Exclusively Negotiate with Blenheim Facility Management, LLC for a Lease Agreement to Operate the River Trails Riding Stables. **Recommended Action: Authorize Interim City Manager to negotiate exclusively with Blenheim Facility Management, LLC for an operational lease for River Trails Riding Stables.** (Director of Parks, Recreation & Community Services)

4. CONTINUED CITY COUNCIL PUBLIC HEARING:

A. Confirming Costs for Spring Weed Abatement

The 2009 Spring Weed Abatement Report of Costs lists property owners whose vacant parcels were abated by the Fire Department's weed abatement contractor for the 2009 Spring Weed Abatement Program. Staff has been informed that the abatement contractor has not completed the preparation of the property owner's list; therefore, staff is recommending the public hearing be continued to August 5, 2009.

Recommended Action: Continue the Public Hearing to August 5, 2009. (Fire Chief)

5. CITY COUNCIL PUBLIC HEARING:

A. Continuation of Landscape Maintenance Districts for 2009-10 Fiscal Year

Each of the previously established Landscape Maintenance Districts (LMD's) within the City require a public hearing on the annual levy of assessments on a fiscal year basis. The City Engineer has prepared the required Engineer's Reports for continuation of the LMD's which indicated that the boundary diagrams are unchanged from the previous fiscal year. No increases are proposed on the previously adopted assessment rates for LMD Nos. 1, 2, 3, and 5. The annual Consumer Price Index (CPI) adjustment per parcel assessment in all districts is 0% according to the 2008 CPI. In the case of LMD No. 4 (Norco Ridge Ranch), the proposed assessment for Fiscal Year 2009-10 is increasing to \$814.38, which is \$101.27 lower than the maximum allowed assessment set with the formation of the District plus previous CPIs. Surplus within the District not set aside for a trail improvement project is being credited to the assessment.

Recommended Actions:

- 1.) **Adopt Resolution No. 2009-___, (Beazer) Ordering the Continuation of Landscaping Maintenance District No. 1 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy**
- 2.) **Adopt Resolution No. 2009-___, (Western Pacific) Ordering the Continuation of Landscaping Maintenance District No. 2 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy**
- 3.) **Adopt Resolution No. 2009-___, (Centex) Ordering the Continuation of Landscaping Maintenance District No. 3 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy**

- 4.) **Adopt Resolution No. 2009-___, (Hawk's Crest) Ordering the Continuation of Landscaping Maintenance District No. 5 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy**
- 5.) **Adopt Resolution No. 2009-___, (Norco Ridge Ranch) Ordering the Continuation of Landscaping Maintenance District No. 4 and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy**
(City Engineer)

6. CITY COUNCIL ITEMS FOR ACTION:

- A. Request for a Waiver of Fees Not Yet Paid for a Proposed Conditional Use Permit

On January 21, 2009 the City Council adopted Resolution 2009-03 establishing new fees for City services based on a breakdown study of the hours needed for various applications for services and/or City approvals. The fee for a minor conditional use permit (CUP) for a resident (plus environmental and recording fees) is \$1,271 and the applicant is asking the City Council to waive the fees if the Planning Commission denies his conditional use permit request.

Recommendation: That a waiver of fees be approved if the Planning Commission denies a conditional use permit request. (Planning Manager)

7. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR:

8. 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.

9. OTHER MATTERS - COUNCIL OR STAFF:

10. 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.



MINUTES
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
ADJOURNED MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
JUNE 23, 2009

CALL TO ORDER: Mayor Azevedo called the meeting to order at 6:01 p.m.

ROLL CALL: Mayor Kathy Azevedo, **Present**
Mayor Pro Tem Malcolm Miller, **Present**
Council Member Frank Hall, **Present**
Council Member Berwin Hanna, **Present**
Council Member Richard L. MacGregor, **Present**

Staff Present -- Cooper, Frye, Jacobs, Okoro, Paakkonen, Petree and Thompson

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

Section 54957.6 – Conference with Labor Negotiator

Negotiating Parties: Interim City Manager Groves, Deputy City Manager/Director of Finance Okoro and Human Resources Analyst Paakkonen

Employee Organizations: Norco Firefighters Association
Norco Battalion Chiefs Association

RECONVENE PUBLIC SESSION: With no Closed Session Items to report, Mayor Azevedo reconvened the meeting at 7:03 p.m.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Miller

1. JOINT CRA/CITY COUNCIL CONTINUED PUBLIC HEARING:

- A. Approving and Adopting the City and the Norco Redevelopment Agency Operating Budgets Including Related Personnel Adjustments for Fiscal Year 2009-2010

On May 6, and June 3, 2009, City Council/Agency Board and staff held workshops to discuss the City and Norco Redevelopment Agency Operating Budgets for the Fiscal Year 2009-2010. Staff is recommending that the City Council/Agency Board open a public hearing to receive public input on the Proposed Budget and to approve the budgets at the end of the public hearing. Staff also recommends that the City Council approve the deletion of the position of Public Works/LMD Inspection Supervisor from Middle Management once the current incumbent retires; and the creation of the positions of Lead Worker/Inspector I and Inspector II.

Agenda Items 1.A. & 3.A.

Recommended Action: Adopt Resolution No. 2009- ____ approving and adopting the City Operating Budget and related personnel adjustments for Fiscal Year 2009-2010 and authorizing appropriations therefrom; and CRA Resolution No. 2009- ____, approving and adopting the Norco Redevelopment Agency Budget and related personnel adjustments for Fiscal Year 2008-2010 and authorizing appropriations therefrom. (Deputy City Manager/Director of Finance)

Interim City Manager Groves and Deputy City Manager/Director of Finance Okoro presented a brief overview of the proposed FY 2010 Budget. The total Operating Budget totals \$49,805,656, which is a \$3.4 million decrease over the last fiscal year budget. The total estimated General Fund budget shortfall of \$1,562,755 will be drawn from existing reserves to balance the budget. The emergency reserves are estimated at \$3.6 million, which is 15.8% of the total General Fund expenditures. In response to Mayor Pro Tem Miller, Okoro stated that 75% of sales tax comes in on a monthly basis and 25% comes in twice a year (January and May of each year). Also in response to Mayor Pro Tem Miller, Okoro noted that all changes to revenues are in the General Fund and reflect a net gain of \$438,120 from the preliminary budget. Okoro stated that the changes in expenditures are reflected in "Salaries and Benefits" resulting from the layoff of one Battalion Chief and concessions agreed upon with the Norco Firefighters Association. Okoro further noted that the elimination of one Motor Officer will result in the reduction to motor vehicle fines revenues.

Mayor/Chairman Azevedo OPENED the Joint CRA/City Council public hearing, indicating that proper notification had been made and asking for the appearance of those wishing to speak.

Vern Showalter, 2345 Corona. Mr. Showalter asked about the Fire Department tradeoff with the City of Corona and if we reduce fireman, will that contract be valid. Fire Chief Frye stated that because we are not laying off any Firefighters, the agreement will go before the Corona City Council in July.

Harvey Sullivan, 4561 Hillside. Mr. Sullivan welcomed the new Interim City Manager and believes she can give the City stability. He also thanked the Council for taking this action tonight as it benefits the whole City. He further noted that the reserves should be used in this way. Mr. Sullivan encouraged the Council to tighten its belts and to look at the Economic Development Department for revenues.

Mayor/Chairman Azevedo CLOSED the public hearing and thanked Deputy City Manager/Director of Finance Okoro for the amazing job he has done.

M/S Hall/Miller to Adopt Resolution No. 2009-50 approving and adopting the City Operating Budget and related personnel adjustments for Fiscal Year 2009-2010 and authorizing appropriations therefrom; and CRA Resolution No. 2009-15, approving and adopting the Norco Redevelopment Agency Budget and related personnel adjustments for Fiscal Year 2008-2010 and authorizing appropriations therefrom. The motion was carried by the following roll call vote:

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

2. PUBLIC COMMENTS OR QUESTIONS: No Public Comments.

3. OTHER MATTERS - COUNCIL OR STAFF: No Other Matters.

4. ADJOURNMENT: There being no further business to come before the City Council/Norco Redevelopment Agency, Mayor Azevedo adjourned the meeting at 7:19 p.m.

BRENDA K. JACOBS
CITY CLERK

/bj-72944



MINUTES
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
JULY 1, 2009

CALL TO ORDER: Mayor Azevedo called the meeting to order at 6:03 p.m.

ROLL CALL: Mayor Kathy Azevedo, **Present**
Mayor Pro Tem Malcolm Miller, **Present**
Council Member Frank Hall, **Present**
Council Member Berwin Hanna, **Present**
Council Member Richard L. MacGregor, **Present**

Staff Present Anglin, Cooper, DeGrado, Frye, Groves, Jacobs, Okoro, Robles and Thompson

City Attorney Harper – **Present**

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 Number: 2000 Hamner Avenue

Negotiating Parties: Interim Executive Director Groves and Deputy City Manager/Director of Finance Okoro; and Robert Hemborg and Dennis Horvath

Points Under Negotiation: Price and Terms of Payment

RECONVENE PUBLIC SESSION: With no Closed Session Items to report, Mayor Azevedo reconvened the meeting at 7:02 p.m.

PLEDGE OF ALLEGIANCE: Council Member Hall

INVOCATION: Pastor Vernie Fletcher
Grace Fellowship Church

PROCLAMATION: Corporal Scott Shafer -- **25-year law enforcement veteran who just recently transferred from the Norco Sheriff's Station, where he served as a Motor Officer for the last 10 years. During that 10-year period, he wrote almost 20,000 tickets.**

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

M/S Hall/Miller to approve the item as recommended on the CRA Consent Calendar. The motion was carried by the following roll call vote:

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

1. CRA CONSENT CALENDAR ITEMS:

- A. CRA Minutes, Regular Meeting of June 17, 2009. **Recommended Action: Approve the CRA Minutes** (City Clerk)

- B. Memorandum of Understanding with the Riverside County Economic Development Agency for a Second Disbursement of Neighborhood Stabilization Funds. **Recommended Action: Approve entering into a Memorandum of Understanding with the Riverside County Economic Development Agency to participate in a second disbursement of funding through the Neighborhood Stabilization Program.** (Housing Manager)

2. JOINT CRA/CITY COUNCIL ITEM FOR ACTION:

- A. Quit Claim Properties Located at 1495 and 1510 Second Street to the Norco Redevelopment Agency.

The Redevelopment Agency of the City of Norco funded the purchase of right-of-way for the widening of Second Street from the I-15 Freeway to Corona Avenue. Upon the purchase of these two properties, title was mistakenly taken in the name of the City of Norco, instead of the Redevelopment Agency of the City of Norco. This action is necessary to correct this oversight.

Recommended Action: Adopt Resolution No. 2009-____, authorizing the City to Quit Claim its interest in real properties located at 1495 and 1510 Second Street, purchased for the Second Street Widening Project, to the Norco Redevelopment Agency. (Director of Public Works)

City Attorney Harper noted that the Norco Redevelopment Agency purchased the properties for right-of way purposes as a part of the Second Street Widening Project and the Deeds were mistakenly recorded in the name of the City of Norco. The Quit Claim Deeds will correct this as they will be re-recorded in the name of the Agency.

M/S Miller/Hanna to Adopt Resolution No. 2009-50, authorizing the City to Quit Claim its interest in real properties located at 1495 and 1510 Second Street, purchased for the Second Street Widening Project, to the Norco Redevelopment Agency. The motion was carried by the following roll call vote:

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

3. CRA PUBIC HEARING:

- A. Purchase and Sale Agreement for Sale of an Infill House Located at 1495 Second Street

In September 2007, the City of Norco ("City") purchased a house located at 1495 Second Street to obtain street right-of-way necessary for the Second Street Widening Project. The house has since been renovated, a qualified buyer has been chosen through a competitive process. Staff is submitting the Purchase and Sale Agreement for Agency Board approval.

Recommended Action: Adopt CRA Resolution No. 2009-____, approving a Purchase and Sale Agreement for Sale of an Infill House located at 1495 Second Street. (Housing Manager)

Housing Manager DeGrado presented the CRA Item.

Council Member Hanna asked if this was the house where the barn was removed. In response, Housing Manager DeGrado stated it was not.

Chairman Azevedo OPENED the CRA public hearing, indicating that proper notification had been made and asking for the appearance of those wishing to speak. With no public comments, **Chairman Azevedo CLOSED** the public hearing.

M/S Hall/Hanna to Adopt CRA Resolution No. 2009-15, approving a Purchase and Sale Agreement for Sale of an Infill House located at 1495 Second Street. The motion was carried by the following roll call vote:

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

OTHER CRA MATTERS: No Other CRA Matters.

ADJOURNMENT OF CRA: 7:17 p.m.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

Item 4.F. was pulled from the City Council Consent Calendar by the Applicant for discussion under Item 6.

M/S Hanna/MacGregor 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, HALL, HANNA, MACGREGOR, MILLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

4. CITY COUNCIL CONSENT CALENDAR ITEMS: (

- A. City Council Minutes, Regular Meeting of June 17, 2009. Recommended Action: Approve the City Council Minutes (City Clerk)**
- B. Planning Commission Action Minutes, Regular Meeting of June 24, 2009. Recommended Action: Receive and File (Planning Manager)**
- C. Acceptance of Bureau of Justice Assistance Grant of \$10,140 to Fund Law Enforcement Overtime in FY2010. Recommended Action: Adopt Resolution No. 2009-51, authorizing staff to apply for and accept a Bureau of Justice Assistance Grant. (Lt. Cooper)**
- D. Approval of the Application and Certification Agreement for the Certified Local Government (CLG) Historic Preservation Program. Recommended Action: Adopt Resolution No. 2009-52, approving the Application and Certification Agreement for the Certified Local Government Historic Preservation Program. (Director of Economic Development)**
- E. Approval to Participate in the Riverside County Mortgage Certificate (MCC) Program. Recommended Action: Adopt Resolution No. 2009-53, approving participation in the Riverside County Mortgage Credit Certificate (MCC) Program (Housing Manager)**
- F. Request for Waiver of Underground Installation of Electrical Services for Development of a Residence at 1397 Parkridge Avenue. Recommended Action: That the City Council not waive the requirement for underground electrical service at 1397 Parkridge Avenue. (Planning Manager)**
- G. Cooperative Agreement between the City of Norco and the Riverside County Flood Control and Water Conservation District (RCFC&WCD) to Design and Construct Project No. 222-2-8-0085-01 and Project No. 222-2-8-0143-02. Recommended Action: That City Council Approve a Cooperative 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)**

5. CITY COUNCIL PUBLIC HEARING:

- A. Request to Change the Applicant on Record for an Approved Entertainment Permit that Allows Live Entertainment Subject to Conditions and to Expand the Permit to Include a Disc Jockey and Dancing at the Saddle Sore Saloon Located at 343 Sixth Street in the C-4 Zone. Entertainment Permit 2009-01 (DelaCruz)

The Saddle Sore Saloon restaurant located at 343 Sixth Street is in the process of being sold to a new owner (ref. Exhibit "A" – Location Map and Exhibit "B" –Site Plan). This is a request to allow a change in the applicant on record for an approved entertainment permit that allows live entertainment subject to conditions and to expand the permit to include a disc jockey and dancing. Adoption of the proposed resolution would continue the conditions of approval for the existing entertainment permit with minor modifications.

Recommended Action: Adopt Resolution No. 2009-___, approving Entertainment Permit 2009-01. (Planning Manager)

Senior Planner Robles presented the City Council Item.

Mayor Azevedo OPENED the CRA public hearing, indicating that proper notification had been made and asking for the appearance of those wishing to speak. With no public comments, Mayor Azevedo CLOSED the public hearing.

M/S Hall/MacGregor to Adopt Resolution No. 2009-54, approving Entertainment Permit 2009-01. The motion was carried by the following roll call vote:

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

6. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR:

Item 4.F. Request for Waiver of Underground Installation of Electrical Services for Development of a Residence at 1397 Parkridge Avenue. **Recommended Action: That the City Council not waive the requirement for underground electrical service at 1397 Parkridge Avenue. (Planning Manager)**

Senior Planner Robles presented the City Council Item stating that the Norco Municipal Code (NMC) requires that all facilities and wires for supplying and distributing electrical power and service be installed underground for new construction. The NMC does allow waivers from underground requirements upon a showing by the property owner (or public utility) that underground installation of wires is physically impractical. The property owner, Jose Lopez, is in the process of constructing a single family dwelling at 1397 Parkridge Avenue and is requesting a waiver of the underground requirement for electrical service. The waiver can only be approved by the City Council.

Jose Lopez, Applicant. Mr. Lopez asked the Council to approve the waiver.

M/S Azevedo/Hall to waive the requirement for underground electrical service at 1397 Parkridge Avenue. The motion was carried by the following roll call vote:

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

7. PUBLIC COMMENTS OR QUESTIONS: No Public Comments
8. OTHER MATTERS - COUNCIL OR STAFF:

Council Member Hanna reported on the Northwest Mosquito Abatement District decision to annex a portion of the City of Riverside into the District.

Council Member Hall reported that he participated in a conference call with other Board Members of the League of California Cities, during which the State budget crisis was discussed. He reported that all participants are "perplexed" just like everyone else in the State and the concern is that the State will try to balance the budget by taking local funds. Council Member Hall also stated that the League will be holding a summit on July 17 – 18, 2009 in Sacramento where participants will try to come up with suggestions regarding how to "straighten out" the way California is governed.

Mayor Azevedo reported on a few of the activities the UNLOAD Committee is working on. First, UNLOAD will be discussing the adoption of an ordinance, similar to one that the City of Corona has adopted, setting limits on the displays in storefront windows. Second, UNLOAD is discussing holding an event in Norco just before prom time to bring alcohol and drug awareness to the community. Third, Grace Fellowship Church holds a meeting the first Friday of every month for the youth in the community called VOICE, where they can "hang out" and talk, sing, etc. -- 85 attended the last meeting. UNLOAD is discussing future assistance to Grace Fellowship by holding VOICE in the amphitheatre next to Nellie Weaver Hall.

Council Member MacGregor reported that the City Council and the Interim City Manager attended the WRCOG General Assembly on June 25th at the Morongo Casino.

9. ADJOURNMENT: There being no further business to come before the City Council, Mayor Azevedo adjourned the meeting at 7:38 p.m.

BRENDA K. JACOBS
CITY CLERK

CITY OF NORCO STAFF REPORT

TO: Chairman and Members of the Norco Redevelopment Agency

FROM: Beth Groves, Interim Executive Director *Beth Groves*

PREPARED BY: Brian K. Petree, Director *BP*
Parks, Recreation and Community Services

DATE: July 15, 2009

SUBJECT: Award of Contract for the Sheriff Station Expansion Project

RECOMMENDATION: Award Contract to Steve Julius Construction of San Clemente, California, for the Sheriff Station Expansion Project and authorize the Interim Executive Director to approve change orders up to 10% of the contract.

SUMMARY: As part of the 2009/10 Capital Improvement Budget, the Norco Sheriff Station Expansion City Hall Improvement Project was identified for approval. Staff is requesting that the Agency Members approve an Award of Contract to Steve Julius Construction, of San Clemente, California in the amount of \$916,901.

BACKGROUND/ANALYSIS: As part of the 2009/10 Capital Improvement Budget the Norco Sheriff Station City Hall Improvement Project was identified as a project for Fiscal Year 2009/10. Staff advertised Notice to Invite Bids on April 19, 2009. Forty-three contractors pulled plans with fifty-nine contractors and sub-contractors in attendance at the pre-construction meeting.

On June 2, 2009, staff opened bids for the Norco Sheriff Station City Hall Improvement Project. Thirteen General Contractors submitted bids (Exhibit "A") for the project. Steve Julius was found to be the low bidder. Staff has conducted reference checks of the contractor for previous projects and has found satisfactory performance and compliance.

Subsequent to the bid opening, protests were received by two secondary bidders. As required by law, the proposed low bidder provided the City a response to the protests. After review by staff and the City Attorney, it was determined that the protests were invalid and it is recommended that the protests be denied and that the contract be awarded to the low bidder.

Staff is requesting that the Agency Members approve an Award of Contract to Steve Julius Construction, of San Clemente, California in the amount of \$916,901.

FINANCIAL IMPACT: This project was approved as part of the Capital Improvement Program for 2009/10 with a balance of \$1,078,300, of which \$433,250 from the Redevelopment Agency (RDA) and \$645,050 from Development Agreement Fees (DAG).

/jd-70938

Attachments: Breakdown of Bids
Agreement between Owner and Contractor

Agenda Item 1.B.

Norco Sheriff Station Expansion and City Hall Renovation

Company Name	Base Bid	Alt #1 Uni. Rest 601	Alt #2 Rest. 604/605	Alt #3 Exterior Eleva.	Alt. #4 Mini Blinds	Base Bid Plus Alternates
Steve Julius Construction	\$876,901.00	\$12,600.00	\$27,400.00	\$21,200.00	\$16,400.00	\$954,501.00
JRH Construction	\$931,166.00	\$23,231.00	\$71,146.00	\$13,800.00	-\$175.00	\$1,039,168.00
Thomco Construction, Inc.	\$903,245.00	\$24,735.00	\$85,873.00	\$24,876.00	\$4,801.00	\$1,043,530.00
Gamut Construction	\$913,401.00	\$22,736.00	\$107,355.00	\$10,982.00	\$3,581.00	\$1,058,055.00
Richardson Group	\$998,956.00	\$27,479.00	\$82,497.00	\$26,770.00	\$6,823.00	\$1,142,525.00
Hamel Contracting, Inc.	\$1,038,108.00	\$28,318.00	\$73,800.00	\$19,518.00	\$1,800.00	\$1,161,544.00
Hofmann Finn	\$1,043,865.00	\$18,129.00	\$61,589.00	\$16,346.00	\$24,143.00	\$1,167,072.00
M.R. Bracey Const., Inc.	\$1,088,242.00	\$25,089.00	\$69,394.00	\$11,026.00	\$8,376.00	\$1,202,127.00
Desert Ranger Construction	\$1,127,000.00	\$30,000.00	\$60,000.00	\$25,000.00	\$8,000.00	\$1,250,000.00
Avi-Con Inc. dba Ca Const.	\$1,127,000.00	\$43,000.00	\$100,000.00	\$33,000.00	\$4,300.00	\$1,307,300.00
JM Builders	\$1,165,000.00	\$30,000.00	\$85,000.00	\$28,000.00	\$9,000.00	\$1,317,000.00
Braaksma Construction	\$1,198,875.00	\$21,000.00	\$80,000.00	\$22,000.00	\$10,000.00	\$1,331,875.00
Newman Midland	\$1,233,940.00	\$15,400.00	\$99,200.00	\$13,100.00	\$7,300.00	\$1,368,940.00
	Base Bid	Alt #1	Alt #2	Base Bid + Alt #1 & #2		
Low Bid - Steve Julius Construction	\$876,901.00	\$12,600.00	\$27,400.00	\$916,901.00		

AGREEMENT

THIS AGREEMENT, entered into this 15th day of July, 2009 by and between Steve Julius Construction, hereinafter called the "Contractor" and the CITY OF NORCO PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT, CALIFORNIA, hereinafter called the "Owner".

WITNESSETH:

That the parties hereto have mutually covenanted and agreed as follows:

CONTRACT

The complete Contract includes all of the Contract Documents, to wit: the Invitation to Bid, the Instructions to Bidders, the Contractor's Proposal, the Bid Bond, the Payment and Performance Bonds, the General Conditions, the Supplementary General Conditions, the Drawings and Specifications, plus any Addenda thereto and this Agreement. All Contract Documents are intended to cooperate and be complementary so any work called for in one and not mentioned in the other, or vice versa, is to be executed the same as if mentioned in all items of the Contract Documents.

STATEMENT OF WORK:

The Contractor hereby agrees to furnish all tools, equipment, services, apparatus, facilities, transportation, labor and costs to include any materials for the completion of the project as described in the plans and specifications for City of Norco in strict accordance with the Drawings and Specifications dated April 22, 2009.

TIME FOR COMPLETION:

The work shall be commenced on a date to be specified in a written order from the Owner and shall be completed within 120 calendar days of the "Notice to Proceed" order.

It is expressly agreed that except for extensions of time duly granted in the manner and for the reasons specified in the General Conditions for bidders, the project will be completed within the stated time; or liquidated damages will be assessed at \$500 per calendar day, until the job is completed to the satisfaction of the OWNER. (Section: 23. Bidder Instruction)

COMPENSATION TO BE PAID TO CONTRACTOR:

The Owner agrees to pay and the Contractor agrees to accept in full consideration for the performance of the Contract, subject to additions and deductions as provided in the General Conditions, the sum of:

NINE HUNDRED SIXTEEN THOUSAND NINE HUNDRED ONE DOLLARS (\$916,901), as agreed upon by City of Norco PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT

The sum is to be paid according to the schedule as provided in the General Conditions.

Pursuant to Labor Code Section 1861, the Contractor gives the following certifications: "I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workmen's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this Contract". The applicable Wage Determination for said project is the one published 10-days prior to bid opening. Whenever there is State-funding involved, the highest of the two (State and Federal) wage decision prevails. Any sub-tier Contract(s) resulting from this contract must contain the same contractual language as the original contract.

IN WITNESS WHEREOF, the parties hereto on the day and year, first written above, have executed this agreement in 10 (ten) day counterparts.

Type of Contractor's organization - _____

If other than individual or corporation, list names of all members who have authority to bind firm.

IF OTHER THAN CORPORATION EXECUTE HERE

Attest: Firm Name _____
Signature _____
Address _____
Contractor's License Number _____

IF CORPORATION, FILL OUT FOLLOWING AND EXECUTE

Name of President of Corporation _____
Name of Secretary of Corporation _____
Corporation is organized under the laws of state of _____
Firm Name _____
Signature _____
Officer Title _____
Address _____
Contractor's License Number _____

CITY OF NORCO, CALIFORNIA

ATTEST

Agency Secretary

Date

OWNER

By: _____
Kathy Azevedo, Chairman
Norco Redevelopment Agency

Date

72993

CITY OF NORCO STAFF REPORT

TO: Chairman and Members of the Norco Redevelopment Agency

FROM: Beth Groves, Interim Executive Director *Beth Groves*

PREPARED BY: Dominic C. Milano, City Engineer *DCM*

DATE: July 15, 2009

SUBJECT: Acquisition Agreement for 1549-1569 Second Street (Ro, Et Al) for the Second Street Widening Project

RECOMMENDATION: Adopt **CRA Resolution No. 2009-___**, authorizing the approval of an Acquisition Agreement in the amount of \$44,706.00 and accept the offer of street dedication of real property at 1549-1569 Second Street (APN 125-100-036) to facilitate the Second Street Widening Project, and authorizing the Agency to enter into escrow for said property.

SUMMARY: In order for the Second Street Improvement Project to proceed, 2,418.26 square feet of real property at 1549-1569 Second Street needs to be acquired by the Norco Redevelopment Agency ("Agency") for the widening of Second Street and the realignment of Valley View Avenue into Second Street. Negotiation with the affected property owner has been successful and an agreement has been reached to purchase a small portion of the properties for \$44,706.00. The purchase price includes the cost for the property (\$41,106), the temporary construction easement (\$1,600), and escrow fees (\$2,000).

BACKGROUND/ANALYSIS: On December 1, 2004, the Agency Board authorized the execution of the contract for professional services with DMC Design Group, Inc, for preparation of plans and specifications for the construction of the Second Street improvements between the I-15 Freeway and Corona Avenue. The accepted design resulted in the need for certain properties along Second Street to relinquish portions of their frontage to accommodate the widening of Second Street. On September 7, 2005, the Agency Board authorized DMC Design Group to proceed with obtaining appraisals for those affected properties.

DMC Group retained Overland, Pacific & Cutler, Inc. (OPC) as the Agency's acquisition consultant and to answer questions the property owners may have. The Agency also contracted with Boznanski & Company, an independent appraisal firm, to appraise all the affected properties. The Agency is in receipt of a three-volume report, prepared by Boznanski & Company, containing a complete appraisal of the 17 affected properties.

After the acquisition of 2 of the 17 parcels, the Agency Board directed staff to obtain updated appraisals for a "sampling" of the remaining properties and for City staff to negotiate the purchases. City staff has received the updated appraisals and has successfully negotiated the purchase of 14 of these properties, 2 properties being full acquisitions.

Agenda Item 1.C.

Acceptance of Real Property known As 1549-1569 Second Street
Page 2
July 15, 2009

It is recommended that the Agency Board formally approve the Agreement for this property acquisition (1549-1569 Second Street, APN 125-100-036) and authorize the Agency to enter into escrow for the purchase.

FINANCIAL IMPACT: Funds are appropriated in the FY 2009-10 Agency CIP Budget for the Second Street Right-of-Way Acquisition in the amount of \$44,706.00. The Agency/City previously has purchased or has formally accepted agreements with 14 of the necessary properties. Negotiations are almost complete for the 2 of the 3 remaining properties. The estimated cost for the 3 remaining parcels is \$21,000.00. Agency staff is marketing the surplus parcel at 1468 Second Street to the adjacent property owner at a minimum price of \$60,000.00.

Attachments: CRA Resolution No. 2009-__
Agreement for Acquisition of Real Property

/wrt-73053

CRA RESOLUTION NO. 2009-__

A RESOLUTION OF THE NORCO REDEVELOPMENT AGENCY AUTHORIZING APPROVAL OF AN ACQUISITION AGREEMENT IN THE AMOUNT OF \$44,706.00 TO PURCHASE REAL PROPERTY AT 1549-1569 SECOND STREET IN ORDER TO OBTAIN RIGHT-OF-WAY TO FACILITATE THE SECOND STREET WIDENING PROJECT, AND AUTHORIZING THE AGENCY TO ENTER INTO ESCROW FOR SAID PROPERTY.

WHEREAS, the Norco Redevelopment Agency ("Agency"), under provision of the California Community Redevelopment Law, is engaged in activities necessary for the execution of the Redevelopment Plan for Norco Redevelopment Project Area No. One ("Project Area"); and

WHEREAS, in order to effectuate the provisions of that Redevelopment Plan, the Agency proposed to purchase certain real property within the Project Area for the Second Street Widening Project; and

WHEREAS, the Agency and Owner have entered into agreement to sell 2,418.26 square feet of property located at 1549-1569 Second Street in Norco, California to the Agency; and

WHEREAS, the terms of negotiations have been determined and a fair market value has been reached in the amount of \$41,106.00 plus \$1,600.00 for the right-to-enter to construct for the said property and \$2,000.00 for escrow fees for a grand total amount of \$44,706.00.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The payment for funds for the acquisition of these properties is in accordance with Section 33445 (a) of the Community Redevelopment Law of the State of California, more particularly "that improvements are of benefit to the Project Area of or the immediate neighborhood in which the project is located."

SECTION 2. The Norco Redevelopment Agency in regular session assembled on July 15, 2009 hereby approves the acquisition of the real property located at 1549-1569 Second Street in the amount of \$44,706.00 and authorizes the Agency to enter into escrow for same property.

PASSED AND ADOPTED by the Norco Redevelopment Agency at a regular meeting held on July 15, 2009.

Chairman, Norco Redevelopment Agency

ATTEST:

Secretary, Norco Redevelopment Agency

I, Brenda Jacobs, Secretary of the Norco Redevelopment Agency, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the Norco Redevelopment Agency at a regular meeting thereof held on July 15, 2009 by the following vote of the Norco Redevelopment Agency Members:

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 July 15, 2009.

Secretary, Norco Redevelopment Agency

/wrt-73052

APN: 125-100-036
TITLE REPORT NO: O-SA-1970817 (08)
PROJECT: Norco – Second Street Improvements

**AGREEMENT FOR ACQUISITION OF REAL PROPERTY
AND JOINT ESCROW INSTRUCTIONS**

THIS AGREEMENT is entered into this _____ day of _____, 2009 by and between the City of Norco (hereinafter called "Buyer"), and Hwang Hee Kim, Helen Kim, Yong Wun Chung, Seung Ja Chung, James. S. Ro, Trustee of the Ro Family Trust, Linda Ro, Trustee of the Ro Family Trust, Won S. Lee, and Sun Ok Lee (hereinafter called "Seller") for acquisition by Buyer of certain real property hereinafter set forth.

IT IS HEREBY MUTUALLY AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. AGREEMENT TO SELL AND PURCHASE. Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, upon the terms and conditions set forth in this Agreement (hereinafter called "Agreement"), all that certain real property (hereinafter called "Property") situated in the City of Norco, County of Riverside, State of California, and legally described as follows:

SEE EXHIBITS "A" (GRANT DEED), "B" (TEMPORARY CONSTRUCTION EASMENT) AND
"C" (DEDICATION OR RIGHT-OF-WAY DRAWING) ATTACHED HERETO
AND BY THIS REFERENCE MADE A PART HEREOF

2. PURCHASE PRICE. The total purchase price, payable in cash through escrow, shall be the sum of

Forty-One Thousand, One Hundred and Six Dollars for Right-of-Way
(\$41,106.00)
and
One-Thousand, Six Hundred Dollars for Temporary Construction Easement
(\$1,600.00)

3. CONVEYANCE OF TITLE. Seller agrees to convey by Grant Deed to Buyer fee simple title to the property free and clear of all recorded and unrecorded liens, encumbrances, assessments, easement, leases, and taxes EXCEPT:
 - a. Non-delinquent taxes for the fiscal year in which this transaction closes which shall be cleared and paid in the manner required by Section 4986 of the Revenue and Taxation Code, if unpaid at the close of this transaction.
 - b. Quasi-public utility, public alley, public alley easements, and rights of way of record (except rights in any such items conveyed under this Agreement).
 - c. Items numbered 3, 4, and 5 in the above referenced preliminary title report issued by First American Title Company, dated June 16, 2005.

- 3.1 Seller agrees to convey to Buyer a Temporary Construction Easement in, on, over and above the portion of the subject property to reconstruct existing improvement depicted on the attached Exhibit "C" and incorporated herein by this reference.
4. TITLE INSURANCE POLICY. Escrow Agent shall, following recording of said deed(s) to Buyer, provide the City with CLTA Standard Coverage Policy of Title Insurance in the amount of \$41,106.00 issued by First American Title Company. Title Company showing the title to the property vested in Buyer, subject only to the exceptions set forth in Paragraph 3 of this Agreement and the printed exceptions and stipulations in said policy. Buyer agrees to pay the premium charged therefore.
5. ESCROW. Buyer agrees to open an escrow in accordance with this Agreement at an escrow company of Buyer's Choice. This Agreement constitutes the joint escrow instructions of the Buyer and Seller, and Escrow Agent to whom these instructions are delivered is hereby empowered to act under this Agreement. The parties hereto agree to perform all acts reasonably necessary to close escrow in the shortest possible time.

Seller shall execute and deliver said deed(s) as referenced in Paragraph 3, above, to Escrow Agent concurrently with this Agreement, or as soon as possible thereafter when said deeds are available. After opening of escrow, Buyer will deposit an executed Certificate of Acceptance with Escrow Agent. Buyer agrees to deposit the purchase price upon demand of Escrow Agent. Buyer and Seller agree to deposit with Escrow Agent any additional instruments as may be reasonably necessary to complete this transaction.

All funds received in this escrow shall be deposited with other escrow funds in a general escrow account(s) and may transferred to any other such escrow account in any State or National Bank doing business in the State of California. All disbursements shall be made by check from such account.

6. ESCROW AGENT IS AUTHORIZED TO, AND SHALL:
- a. Pay and charge Seller, upon Seller's written approval, for any amount necessary to place title in the condition necessary to satisfy Paragraph 3 of this Agreement;
 - b. Pay and deduct from the amount shown in Paragraph 2 above, any amount necessary to satisfy any delinquent taxes together with penalties and interest thereon, and/or delinquent or non-delinquent assessments or bonds except those which title is to be taken subject to accordance with the terms of this Agreement;
 - c. Pay and deduct from the amounts payable to Seller under Paragraph 2 of this Agreement, up to and including the total amount of unpaid principal and interest on note(s) secured by mortgage(s) or deed(s) of trust, if any, and all other amounts due and payable in accordance with terms and conditions of said trust deed(s) or mortgage(s) including late charges, if any, except penalty (If any), for payment in full advance of maturity, shall, upon demand(s) be made payable to the mortgagee(s) or beneficiary(ies) entitled thereunder;

- d. Pay and charge Buyer for all recording fees incurred in this transaction including payment of reconveyance fees and forwarding fees for partial or full reconveyances of deeds of trust or release or mortgage by Buyer.
- e. Pay and charge Buyer for any escrow fees, charges, and costs payable under Paragraph 7 of this Agreement;
- f. Disburse funds and deliver deeds when conditions of this escrow have been fulfilled by Buyer and Seller.

The term "close of escrow", if and where written in these instructions, shall mean the date necessary instruments of conveyance are recorded in the office of the County Recorder. Recordation of instruments delivered through this escrow is authorized if necessary or proper in the issuance of said policy of title insurance.

All time limits within which any matter herein specified is to be performed may be extended by mutual agreement of the parties hereto. Any amendment of, or supplement to, any instructions must be in writing.

TIME IS OF THE ESSENCE IN THESE INSTRUCTIONS AND ESCROW IS TO CLOSE AS SOON AS POSSIBLE.

7. ESCROW FEES, CHARGES, AND COSTS. Buyer agrees to pay all Buyer's and Seller's usual fees, charges, and costs which arise in this escrow.
8. FULL AND COMPLETE SETTLEMENT. Seller hereby acknowledges that the compensation paid to Seller through this Agreement constitutes full and complete settlement of any and all claims against Buyer, by reason of Buyer's acquisition of the Property, specifically including, but not limited to, any and all damages to Seller's remainder property by reason of the acquisition of the subject Property or the installation of the improvement project in the manner proposed, the value of improvements pertaining to the realty, leasehold improvements, any and all claims of rental or leasehold value and loss of business goodwill (excluding relocation benefits, if any), and any and all claims in inverse condemnation and for pre-condemnation damages, and any and all other claim Seller may have, whether or not specifically mentioned here, relating directly or indirectly to the acquisition by Buyer of this subject Property; however, Seller and Buyer, and each and all of their collective agents representatives, attorneys, principals, predecessors, successors, assigns, administrators, executors, heirs, and beneficiaries, hereby release the other party, and each of them, from any and all obligations, liabilities, claims. Costs, expenses, demands, debts, controversies, damages, causes of action, including without limitations those relating to just compensation, damages, which any of them now have, or might hereafter have by reason of any matter or thing arising out or in any way relating to any condemnation action affecting the subject Property.
9. CONSTRUCTION CONTRACT AND CURATIVE WORK.
 - a. It is understood and agreed by and between parties hereto in addition to the compensation shown in Paragraph 2 hereinabove, the Buyer, its

contractors or assigns, shall perform the following construction contract items at the time of the installation of the proposed project:

- i. Reconnect walkways, driveway system, and private road connection to 2nd Street.
- ii. Restore existing yard fencing to new property line.

All work performed under this Agreement shall conform to all applicable building, fire, and sanitary laws, ordinances and regulations relating to such work and shall be completed in a good and workmanlike manner. All structures, improvements, or other facilities, when removed, and relocated or reconstructed by the Buyer, shall be left in as good condition as found.

- b. It is understood and agreed by and between the parties hereto that the compensation paid to Seller through this Agreement includes the value of and cost to remove, relocate, reconstruct, and/or refurbish the following improvements located on the Property.
 - i. Landscaping affected by roadway construction.
 - ii. Walkways, driveway, and private road affected by the road widening.

10. PERMISSION TO ENTER ON PREMISES. Seller hereby grants to Buyer, its authorized agents, or contractors, if necessary by reason of the above-mentioned improvements, the right to enter upon Seller's property upon 48 hours prior written notice to perform the construction items referred to in Paragraphs 9a and 9b above and to make necessary and reasonable inspections. Right of entry shall be in the form of a temporary easement, attached to this agreement as Exhibit "B". Temporary easement shall extend for a period of six (6) months commencing forty-eight (48) hours after buyer provides written notification to seller of its intent to commence construction.
11. RENTAL AND LEASEHOLD INTEREST. Seller warrants that there are no third parties in possession of any portion of the Property as lessees, tenants at sufferance, trespassers, or invites, and that there are no oral or written recorded or unrecorded leases or other agreements concerning all or any portion of the Property exceeding one month. Seller agrees to hold Buyer harmless and reimburse Buyer for any and all of its losses and expenses occasioned by reason of any lease of said property held by any tenant of Seller for a period exceeding one month, EXCEPT: None.
12. EMINENT DOMAIN DISMISSAL. Seller and Buyer acknowledge that this transaction is a negotiated settlement and there was no threat of condemnation. Seller acknowledges that the sums received from Buyer under this Agreement constitute full payment of just compensation (including, but not limited to, compensation for the fair market value of the real property taken, severance damages, improvements to realty, furniture, fixtures, equipment, the value of any leasehold interest, loss of inventory, loss of business goodwill, court costs, litigation expenses, and any interest which might be due on such matters). Seller acknowledges that the amounts paid under this Agreement constitute to the total amount due Seller, and that no further payment are due, owing or payable. Seller waives any other claims it might have for further payment or further compensation, and also waives any and all claims to any money on deposit in said action and further

waives all attorney's fees, costs, disbursements, and expenses incurred in connection therewith.

13. WARRANTIES, REPRESENTATIONS, AND COVENANTS OF SELLER. Seller hereby warrants, represents, and/or covenants to Buyer that:

- a. To the best of Seller's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings affecting the Property or any portion thereof, at law, or in equity before any court or governmental agency, domestic or foreign.
- b. To the best of the Seller's knowledge, neither the execution of this Agreement nor the performance of the obligations herein will conflict with, or breach any of the provisions of any bond, note, evidence of indebtedness, contract, lease, or other agreement to which the Seller's property may be bound.
- c. Until closing, the Seller shall not do anything which would impair Seller's title any of the Property.
- d. To the best of the Seller's knowledge, neither the execution of this Agreement nor the performance of the obligations herein will conflict with, or breach any of the provisions of any bond, note, evidence of indebtedness, contract, lease, or other agreement to the instrument to which Seller's property may be bound.
- e. Until closing, Seller shall, upon learning of any fact or condition which would cause any of the warranties and representations in these Warranties, Representations, and Covenants of Seller Section not to be true as of closing, immediately give written notice of such fact or condition to Buyer.
- f. Seller, at time of execution of this Agreement, is seized of the Property in fee simple absolute and is the lawful owner of and has good, indefeasible title to the Property.

14. HAZARDOUS WASTE. Neither Seller nor, to the best of the Seller's knowledge, any previous owner, tenant, occupant, or user of the property used, generated, released, discharges, stored, or disposed of any hazardous waste, toxic substances, or related materials ("Hazardous Materials") on, under in, or about the Property, or transported any Hazardous Materials to or from the Property. Seller shall not cause or permit the presence, use, generation, release, discharge, storage, or disposal of any Hazardous Materials on, under, in, or about, or the transportation of any Hazardous Materials to or from, the Property. The term "Hazardous Material" shall mean any substance, material, or waste which is or becomes regulated by any local governmental authority, the State of California, or the United States Government, including but not limited to, any material or substance which is (i) defined as a "hazardous waste", "extremely hazardous waste", or "restricted hazardous waste" under Section 25115, 25117, or 25122.7, or listed pursuant to Section 25140 of the California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control Law), (ii) defined as "hazardous substance" under Section

25316 of the California Health and Safety Code, Division 20, Chapter 6.8 (Carpenter-Presley-Tanner Hazardous Substance Account Act), (iii) defined as "hazardous material", "hazardous substance", or "hazardous waste" under Section 25501 of the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Materials Release Response Plans and Inventory), (iv) defined as a "hazardous substance" under Section 25281 of the California Health and Safety Code, Division 20, Chapter 6.7 (Underground Storage of Hazardous Substances), (v) petroleum, (vi) asbestos, (vii) polychlorinated byphenyls, (viii) listed under Article 9 or defined as "hazardous" or "extremely hazardous" pursuant to Article 11 of Title 22 of the California Administrative Code, Division 4, Chapter 20, (ix) designated as "hazardous substances" pursuant to Section 311 of the Clean Water Act, (33 U.S.C. §1317), (x) defined as a "hazardous waste" pursuant to Section 1004 of the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq. (42 U.S.C. §6903) or (xi) defined as a "hazardous substances" pursuant to Section 101 of the Comprehensive Environmental Response, Compensation, as amended by Liability Act, 42 U.S.C. §9601 et seq. (42 U.S.C. §9601).

15. COMPLIANCE WITH ENVIRONMENTAL LAWS. To the best of the Seller's knowledge, the Property complies with all applicable laws and governmental regulations including, without limitation, all applicable federal, state, and local laws pertaining to air and water quality, hazardous waste, waste disposal, and other environmental matters, including but not limited to the Clean Water, Clean Air, Federal Water Pollution Control, Solid Waste Disposal, Resource Conservation Recovery, and Comprehensive Environmental Response Compensation and Liability Acts, and the California Environmental Quality Act, and the rules, regulations, and ordinances of the city within the subject property is located, the California Department of Health Services, the Regional Water Quality Control Board, the State Water Resources Control Board, the Environmental Protection Agency, and all applicable federal, state, and local agencies, and bureaus.
16. INDEMNITY. Seller agrees to indemnify, defend, and hold Buyer harmless from and against any claim, action, suite, proceeding, loss, cost, damages, liability, deficiency, fine, penalty, punitive damage, or expense (including without limitation, attorney's fees), resulting from, arising out of, based upon (i) the presence, release, use, generation, discharge, storage, or disposal of any Hazardous Material, on, under, in or about, or the transportation, of any such materials to or from, the Property, or (ii) the violation, or alleged violation, of any statute, ordinance, order, rule, regulation, permit, judgment, or license, relating to the use, generation, release, discharge, storage, disposal, or transportation of the Hazardous Materials on, under, un, or about, to or from, the Property. This indemnity shall include, without limitation, any damage, liability, fine, penalty, punitive damage cost, or expense arising from or out of any claim, action, suit, or proceeding for personal injury (including sickness, disease, or death, tangible, or intangible property damage, compensation for lost wages, business income, profits or other economic loss, damage to the natural resource or the environment, nuisance, pollution, contamination, leak, spill, release, or other adverse effect on the environment). This indemnity extends only to liability created prior to or up to the date this escrow shall close. Seller shall not be responsible for acts or omissions to act post close of this escrow.
17. COUNTERPARTS. This agreement may be executed in counterparts, each of which so executed shall, irrespective of the date of its execution and delivery, be deemed an

original, and all such counterparts together shall constitute one and the same instrument.

18. CONTINGENCY. It is understood and agreed between the parties hereto that the completion of this transaction, and the escrow created hereby, is contingent upon the specific acceptance and approval of the Buyer herein. The execution of these documents and the delivery of same to Escrow Agent constitute said acceptance and approval.
19. BROKERS. Seller, James S. Ro, states that he is representing the sellers in this transaction and that he is a licensed real estate broker in the State of California and as such, he will be receiving a six (6) percent commission paid through escrow out of the purchase price of \$41,106.00. Sellers by executing this document acknowledge and approve this commission with the execution of this agreement. Buyer and Seller agree to indemnify one another against any claims, suits, damages, and costs incurred or resulting from the claims of any person for any fee or remuneration due in connection with this transaction pursuant to a written agreement made with said claimant.
20. JURISDICTION AND VENUE. This Agreement shall be governed by and constructed in accordance with the laws of the State of California. The parties consent to the jurisdiction of the California Courts with venue in Riverside County.
21. ASSIGNMENT. The terms and conditions, covenants, and agreements, set forth herein shall apply to and bind the heirs, executors, administrators, assigns, and successors of the parties hereto. Buyer may freely assign any and all if its interest or rights under this Agreement or under the Escrow without the consent of Seller.
22. COOPERATION. Each party agrees to cooperate with the other in the closing of this transaction and, in that regard, to sign any and all documents, which may be reasonably necessary, helpful, or appropriate to carry out the purposes and intent of this Agreement including, but not limited to, releases or additional agreements.
23. ENTIRE AGREEMENT, WAIVER, AND MODIFICATION. This Agreement is the entire Agreement between the parties with respect to the subject matter of this Agreement. It supersedes all prior agreements and understandings, whether oral or written, between the parties with respect to the matters contained in this Agreement. Any waiver, modification, consent or acquiescence with respect to any provision of this Agreement shall be set forth in writing and duly executed by or on behalf of the party to be bound thereby. No waiver by any party of any breach hereunder shall be deemed a waiver of any other or subsequent breach.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year set forth hereinabove.

MAILING ADDRESS OF SELLER

Hwang Hee Kim

Helen Kim

Yong Wun Chung

Seung Ja Chung

James S. Ro, Trustee of Ro Family Trust

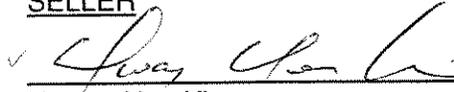
Linda Ro, Trustee of Ro Family Trust

Won S. Lee

Sun Ok Lee

C/O James S. Ro
Crown Investment Realty
13043 Magnolia Street
Garden Grove, CA 92844

SELLER

✓ 

Hwang Hee Kim

✓ 

Helen Kim



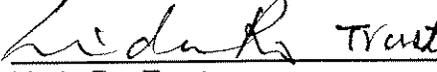
Yong Wun Chung



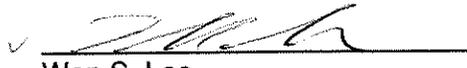
Seung Ja Chung



James S. Ro, Trustee



Linda Ro, Trustee

✓ 

Won S. Lee

✓ 

Sun Ok Lee

MAILING ADDRESS OF BUYER

City of Norco
2870 Clark Avenue
Norco, CA 92860

BUYER

Approved:

By: _____

Date

Approved as to Form:

By: _____



ACTION MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
JULY 8, 2009

1. CALLED TO ORDER: **7:00 p.m.**
2. ROLL CALL: **Chair Wright, Vice-Chair Jaffarian, Commission Members Harris, Hedges, Newton**
3. STAFF PRESENT: **Planning Manager King, Executive Secretary Dvorak**
4. PLEDGE OF ALLEGIANCE: **Vice-Chair Jaffarian**
5. APPEAL NOTICE: **Read by staff.**
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA:

Harvey Sullivan spoke of a recent review by the City Council regarding new proposed regulations on the size of accessory buildings and asked the Planning Commission to carefully consider the appropriateness of already existing regulations before recommending the enactment of code amendments that may be too harsh and too restricting on property owners.
7. APPROVAL OF MINUTES: Minutes of June 24, 2009, **Approved 4-0-1 (Jaffarian abstaining).**
8. CONTINUED ITEMS: Review of Draft Land Use Element Update (from June 10, 2009). **Provided recommended changes to the proposed update of the Land Use Element that will be advertised for a public hearing with the Planning Commission at a future meeting. This item will eventually require approval by the City Council and the date for that review has not yet been determined.**
9. PUBLIC HEARINGS: **None**
10. BUSINESS ITEMS: **None**
11. CITY COUNCIL:
 - A. City Council Action Minutes dated July 1, 2009
 - B. City Council Minutes dated June 17, 2009
Received and filed.

12. PLANNING COMMISSION: Oral Reports from Representatives on Various Committees/Commissions, **No reports.**
13. STAFF: Current Work Program, **Received and filed.**
14. OTHER MATTERS

Commission Member Hedges asked about the status of Wall Design and efforts to enforce the material storage restrictions that were adopted by the Planning Commission.

Commission Member Newton reported that the City is setting a bad example because sprinklers are going on at 10:00 a.m., being left on for an excessive amount of time causing run-off, and watering flowers during the heat of the day which is damaging to the plants themselves. Planning Manager King reported that this item has already been discussed at a Senior Staff Meeting and that measures are underway to correct the situation.

15. ADJOURNED: **8:10 p.m.**

/sk-73076

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, Interim City Manager 

DATE: July 15, 2009

SUBJECT: Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments to Add Water Districts to the WRCOG Governing Board

RECOMMENDATION: Approve the Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments

SUMMARY: The Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments (WRCOG) is required to be signed by all of the member agencies in order for the WRCOG Governing Board to allow Water Districts to have the right to cast formal votes on matters presented to the Executive Committee and General Assembly. In addition, the Water Districts will be voting members of the Administration & Finance Committee and the Technical Advisory Committee (TAC).

BACKGROUND: Since July 1, 2008, representatives of the Eastern Municipal Water District (EMWD) and the Western Municipal Water District (WMWD) have acted as ex officio nonvoting members on the WRCOG Executive Committee. On January 14, 2009, the Administration & Finance Committee directed staff and legal counsel to prepare documentation to continue this relationship and formally revise the WRCOG Joint Powers Agreement (JPA) to include the Water Districts as members of the Executive Committee and General Assembly. As members of the WRCOG governing boards, the Water Districts would have the right to cast formal votes on matters presented to the Executive Committee and General Assembly. The Districts also become voting members of the Administration & Finance Committee and the TAC, subject to changes in the WRCOG Bylaws that will be presented to the Executive Committee at next month's meeting,

Because the Water Districts do not participate in the Transportation Uniform Mitigation Fee (TUMF) program, the Water Districts have agreed that their voting privileges will not extend to matters related to the TUMF program. This is consistent with their existing ex officio membership.

In order to implement these changes, the WRCOG member agencies will need to approve an amendment to the WRCOG JPA to include the Water District members as voting members on the Executive Committee and General Assembly. The Water

Amendment to the Joint Powers Agreement of WRCOG

Page 2

July 15, 2009

Districts will not, however, be formal "contracting parties" to the JPA in order to preserve WRCOG's authority to operate the TUMF program. However, WRCOG and each of the Water Districts will enter into separate MOUs establishing the legal relationship between WRCOG and the Water Districts, including the Water Districts' obligation to pay dues as set forth in the WRCOG budget.

The agreements do not set forth a specific term for this arrangement, but do permit either Water District or WRCOG to terminate the relationship upon 60 days written notice.

FINANCIAL IMPACT: None.

/bj-73027

Attachment: Amendment to the Joint Powers Agreement of the WRCOG

**AMENDMENT TO THE JOINT POWERS AGREEMENT OF
THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS
TO ADD WATER DISTRICTS TO THE WRCOG GOVERNING BOARD**

This Amendment to the Joint Powers Agreement (“Amended Agreement”) is made and entered into on the 11th day of May, 2009, by and between sixteen cities located within western Riverside County and the County of Riverside (collectively the “Parties”).

RECITALS

WHEREAS, sixteen cities located within western Riverside County and the County of Riverside have entered into a Joint Powers Agreement on April 1, 1991, and through subsequent amendments thereto (the “JPA”), to form the Western Riverside Council of Governments (“WRCOG”); and

WHEREAS, the Western Municipal Water District and the Eastern Municipal Water District (the “Water Districts”) have approached WRCOG to express that their involvement in WRCOG will be beneficial to both WRCOG member agencies and the Water Districts; and

WHEREAS, the Water Districts believe that cooperation with WRCOG will create synergies which will facilitate a variety of joint goals, including (1) improved coordination on major infrastructure planning; (2) improved and consistent implementation of landscape water conservation ordinances; (3) improved coordination of shared legislative and regulatory strategies; (4) better positioning to overcome resource management challenges; and (5) improved regional response and compliance with a merging case law tightening the connection between land use and water resources; and

WHEREAS, WRCOG agrees and strongly supports coordination with the Water Districts, and believes that permitting the Water Districts membership on the WRCOG Governing Body is the best manner which would most efficaciously serve the interests of the WRCOG member agencies and the Water Districts; and

WHEREAS, pursuant to Government Code sections 6500 *et seq.*, the parties to the JPA desire to amend the JPA to add the Water Districts to the Governing Body of WRCOG.

MUTUAL UNDERSTANDINGS

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions hereinafter stated, the Parties hereto agree as follows:

Section 1: Section 2.1 to the JPA is hereby amended to read as follows:

2.1 Parties.

The parties to WRCOG shall be the County of Riverside and each city located within western Riverside County which has executed or hereafter executes this Agreement, or any addenda, amendment, or supplement thereto and agrees to such become a member upon such terms and conditions as established by the general counsel or Executive Committee, and which has not, pursuant to provisions hereof, withdrawn therefrom. Only the parties identified in this section shall be considered contracting parties to the JPA under Government Code section 6502.

Section 2: Section 2.4 to the JPA is hereby amended to read as follows:

2.4 Governing Body.

2.4.1. WRCOG shall be governed by a General Assembly with membership consisting of the appropriate representatives from the County of Riverside, each city which is a signatory to this Agreement, Western Municipal Water District, and Eastern Municipal Water District, the number of which shall be determined as hereinafter set forth. The General Assembly shall meet at least once annually, preferably scheduled in the evening. Each member agency of the General Assembly shall have one vote for each mayor, council member, county supervisor, and water district board member present at the General Assembly. The General Assembly shall act only upon a majority of a quorum. A quorum shall consist of a majority of the total authorized representatives, provided that members representing a majority of the member agencies are present. The General Assembly shall adopt and amend by-laws for the administration and management of this Agreement, which when adopted and approved shall be an integral part of this Agreement. Such by-laws may provide for the management and administration of this Agreement.

2.4.2. There shall be an Executive Committee which exercises the powers of this Agreement between sessions of the General Assembly. Members of the Executive Committee shall be the Mayor from each of the member cities, four members of the Riverside County Board of Supervisors and the President of each Water District, the remaining member of the Board of Supervisors shall serve as an alternate, except any City Council, at its discretion, can appoint a Mayor Pro Tem or other city council member in place of the Mayor and each water district board, at its discretion, can appoint another board member in place of the President. The Executive Committee shall act only upon a majority of a quorum. A quorum shall consist of a majority of the member agencies. Membership of the Water Districts on the General Assembly and Executive Committee of WRCOG shall be conditioned on the Water Districts entering into a separate Memorandums of Understanding with WRCOG.

Section 3: Section 2.18 is hereby added to the JPA to read as follows:

2.18 Water Districts and TUMF Matters.

Pursuant to this Joint Powers Agreement, WRCOG administers the Transportation Mitigation Fee ("TUMF") for cities in western Riverside County. The fee was established prior to the Water District's involvement with WRCOG and will fund transportation improvements for the benefit of the County of Riverside and the cities in western Riverside County. As such, the Western Municipal Water District and the Eastern Municipal Water District General Assembly and Executive Committee Members shall not vote on any matter related to the administration of the TUMF program or the expenditure of TUMF revenues.

Section 4: Section 3.5 is hereby added to the JPA to read as follows:

3.5 Contributions from Water Districts.

The provisions of section 3.4 above shall be inapplicable to the Western Municipal Water District and the Eastern Municipal Water District. The amount of contributions from these water districts shall be through the WRCOG budget process.

Section 5: This amendment is to become effective upon execution by all of the parties that are currently signatories to the JPA.

Section 6: All other provisions and terms of the JPA are to remain unchanged.

Section 7: This Amendment may be executed in counterparts.

IN WITNESS WHEREOF, the Parties hereto have caused this Amended Agreement to be executed and attested by their officers thereunto duly authorized as of the date first above written.

[SIGNATURES ON FOLLOWING PAGES]

ATTEST:

City Clerk
City of Banning

CITY OF BANNING

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Beaumont

CITY OF BEAUMONT

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Calimesa

CITY OF CALIMESA

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Canyon Lake

CITY OF CANYON LAKE

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Corona

CITY OF CORONA

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Hemet

CITY OF HEMET

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Lake Elsinore

CITY OF LAKE ELSINORE

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Menifee

CITY OF MENIFEE

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Moreno Valley

By: _____

Dated: _____

CITY OF MORENO VALLEY

By _____
Mayor

ATTEST:

City Clerk
City of Murrieta

By: _____

Dated: _____

CITY OF MURRIETA

By _____
Mayor

ATTEST:

City Clerk
City of Norco

By: _____

Brenda K. Jacobs
Dated: July 15, 2009

CITY OF NORCO

By _____
Mayor Kathy Azevedo

ATTEST:

City Clerk
City of Perris

By: _____

Dated: _____

CITY OF PERRIS

By _____
Mayor

ATTEST:

City Clerk
City of Riverside

CITY OF RIVERSIDE

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of San Jacinto

CITY OF SAN JACINTO

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Temecula

CITY OF TEMECULA

By: _____

By _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Wildomar

CITY OF WILDOMAR

By: _____

By _____
Mayor

Dated: _____

ATTEST:

County Clerk
County of Riverside

COUNTY OF RIVERSIDE

By: _____

By _____
Chairman

Dated: _____

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, Interim City Manager 

PREPARED BY: Andy Okoro, Deputy City Manager/Director of Finance 

DATE: July 15, 2009

SUBJECT: Approval of Quarterly Investment Report for Quarter Ended June 30, 2009

RECOMMENDATION: Staff recommends that the City Council receive and file the Quarterly Investment Report for the Quarter Ended June 30, 2009.

SUMMARY: Staff is recommending that the City Council receive and file the City's quarterly investment report for the quarter ended June 30, 2009. This report has been prepared to meet the requirements of the applicable sections of the Government Code.

BACKGROUND/ ANALYSIS: The City's Investment Policy requires the Treasurer or Chief Fiscal Officer to render a quarterly report to the legislative body. The report is to be prepared in accordance with Government Code Section 53646 (b)(1) and should contain detailed information on all securities, investments, and monies of the local agency; a statement of compliance of the portfolio with the Statement of Investment Policy; and a statement of the City's ability to meet its cash flow requirements for the next six months. The law further requires that the quarterly report be submitted to the legislative body within 30 days from the end of the quarter. This report meets the requirements of the Investment Policy and Government Code and covers the City as well as the Norco Redevelopment Agency.

The attached schedules (attachments 1 through 4) for the quarter ended June 30, 2009 have been prepared to meet the detailed requirements of the Government Code and the City's Investment Policy as approved by the Council on April 15, 2009. It is to be noted that the Investment Policy excludes certain investments of the City (bond proceeds) from these requirements. This means that funds from bond proceeds are invested in accordance with the provisions of the bond indentures rather than the provisions of the Investment Policy. Consequently, in determining whether the portfolio holdings are in compliance with the Government Code and the approved Investment Policy, investments of bond proceeds have been excluded.

Attachment 1 provides a summary schedule of the City's portfolio holdings by type as of June 30, 2009. This summary also provides information on whether or not each investment category complies with the limitations imposed by law and the City's Investment Policy. Investments that are subject to the Statement of Investment Policy are operating/idle funds managed by the Treasurer within the provisions of the approved Investment Policy. During the quarter ended June 30, 2009, operating portfolio increased by a total of \$7 million to \$48.9 million compared the previous quarter ending balance of \$41.9 million. This expected increase was mainly due to receipt of tax increment and special district assessments in the fourth quarter.

Attachment 2 provides a graphical breakdown of the portfolio holdings by investment type as of June 30, 2009 for those investments that are subject to the Investment Policy.

A summary of investments not subject to the provisions of the Investment Policy (bond proceeds and debt service reserve funds) is also presented on Attachment 1. These funds are invested in accordance with applicable bond indenture provisions. During the quarter ended June 30, 2009, bond proceeds and debt service reserve fund portfolio decreased by \$0.5 million due to drawdown from Tax Allocation Bond proceeds to pay for applicable capital project expenditures.

Attachment 3 provides a detailed listing of the City's portfolio holdings as required by the Government Code. In this listing, "N/A" is used to denote that the information is not available or applicable. The market value of LAIF has been reported to equal cost because the City's investments in LAIF are readily liquid and the market value of these investments approximates cost. Agency Securities issued by United States Government Sponsored Entities carry standard ratings of "AAA" from Moody's and Standard and Poors Investor Service.

Attachment 4 provides the required cash flow and compliance statement by the Chief Fiscal Officer/Treasurer

FINANCIAL INPACT: This is an informational item. There is no fiscal impact.

/jk-73036

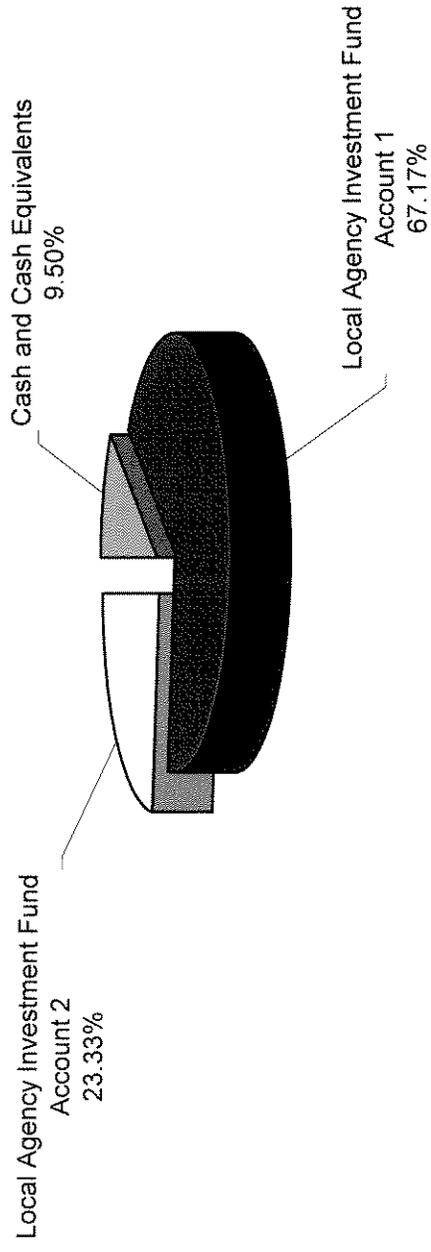
Attachments: 1) Portfolio Summary
2) Summary Graph
3) Portfolio Details – "Investments Not Subject..."
4) Certification Form

City of Norco, California
 Portfolio Summary
 As of June 30, 2009

City Investments Subject to Investment Policy	Market Value	Percentage	Policy Maximum	Compliance
Cash and Cash Equivalents	\$ 4,649,011	9.50%	15.00%	In Compliance
Local Agency Investment Fund Account 1	32,874,344	67.17%	\$40.0 Million	In Compliance
Local Agency Investment Fund Account 2	11,420,444	23.33%	\$40.0 Million	In Compliance
Total	<u>\$ 48,943,799</u>	<u>100.00%</u>		

City Investments Not Subject to Investment Policy	Market Value	Percentage
Community Facilities Districts	\$ 3,560,951	7.25%
Sewer and Water System	21,796,795	44.39%
Assessment Districts	389,872	0.79%
Refunding Tax Allocation Bonds	23,353,294	47.56%
Total	<u>\$ 49,100,911</u>	<u>100.00%</u>

**Summary of City Portfolio
(Investments Subject to Investment Policy)
As of June 30, 2009**



City of Norco, California
 Portfolio Details
 As of June 30, 2009
 Investments Subject to Policy

Cash & Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Checking Accounts	Wells Fargo	N/A	N/A	0.000%	N/A	1,405,511	1,405,511
			Subtotal	Wells Fargo					1,405,511	1,405,511
4/8/2009	Various	N/A	Certificate Deposit	Allstate Bank	N/A	N/A	Various	N/A	243,500	243,500
4/21/2009	Various	N/A	Certificate Deposit	Citizen Business Bank	N/A	N/A	Various	N/A	3,000,000	3,000,000
			Subtotal	Wells Fargo					3,243,500	3,243,500

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund Account 1	State of California	N/A	N/A	N/A	N/A	32,874,344	32,874,344
N/A	N/A	N/A	Local Agency Investment Fund Account 2	State of California	N/A	N/A	N/A	N/A	11,420,444	11,420,444
			Subtotal						44,294,788	44,294,788
			Total Investments Subject to Policy						48,943,799	48,943,799

City of Norco, California
 Portfolio Details
 As of June 30, 2009
 Investments Not Subject to Policy (Bond Proceeds)
 Community Facilities Districts

Cash and Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	First American Treasury Obligation	94466600 US Bank	N/A	N/A	0.000%	N/A	4	4
N/A	N/A	N/A	First American Treasury Obligation	94496801 US Bank	N/A	N/A	0.000%	N/A	14	14
N/A	N/A	N/A	First American Treasury Obligation	94496805 US Bank	N/A	N/A	0.000%	N/A	158,808	158,808
N/A	N/A	N/A	First American Treasury Obligation	94644000 US Bank	N/A	N/A	0.000%	N/A	141,593	141,593
N/A	N/A	N/A	First American Treasury Obligation	94644004 US Bank	N/A	N/A	0.000%	N/A	189,085	189,085
N/A	N/A	N/A	First American Treasury Obligation	791884004 US Bank	N/A	N/A	0.000%	N/A	515,784	515,784
N/A	N/A	N/A	First American Treasury Obligation	794148002 US Bank	N/A	N/A	0.000%	N/A	1,716,196	1,716,196
N/A	N/A	N/A	First American Treasury Obligation	794148003 US Bank	N/A	N/A	0.000%	N/A	44,501	44,501
Subtotal									2,765,984	2,765,984

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund Account 1 (CFD)	97-1 State of California	N/A	N/A	N/A	N/A	794,967	794,967
Subtotal									794,967	794,967
Total Community Facilities Districts									3,560,951	3,560,951

Investments Not Subject to Policy (Bond Proceeds)
 Sewer and Water System

Cash and Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	31846V708	First American Prime Obligations	130584001 US Bank	AAA	N/A	0.000%	N/A	32,248	32,248
N/A	N/A	31846V708	First American Prime Obligations	130584004 US Bank	AAA	N/A	0.000%	N/A	2,103	2,103
N/A	N/A	31846V708	First American Prime Obligations	130584005 US Bank	AAA	N/A	0.000%	N/A	4,776	4,776
Subtotal									39,127	39,127

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund Account 1 (Sewer/Water)	1998 State of California	N/A	N/A	N/A	N/A	2,470,755	2,470,755
Subtotal									2,470,755	2,470,755

U.S. and Agency Securities

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
1/23/2009	1/23/2012	3128X8VC3	FHLMC MTN	130584001 US Bank	AAA	2.000%	2.000%	1,400,000	1,400,000	1,398,054

City of Norco, California
 Portfolio Details
 As of June 30, 2009

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value	
4/21/2009	12/21/2009	3133XTJ31	Federal Home Loan Bks	130584004 US Bank	AAA	0.570%	0.570%	2,000,000	2,000,000	2,001,880	
4/14/2009	2/9/2010	3133XTH74	Federal Home Loan Bks	130584004 US Bank	AAA	0.620%	0.620%	2,000,000	2,000,000	2,002,500	
4/14/2009	10/13/2010	31331GSR1	Federal Farm Credit Bks	130584004 US Bank	AAA	1.200%	1.200%	3,000,000	3,000,000	3,000,930	
4/22/2009	7/22/2011	3136FHKJ3	FNMA MTN	130584004 US Bank	AAA	1.750%	1.750%	3,000,000	3,000,000	3,001,890	
4/21/2009	1/27/2012	3136FHKC8	FNMA MTN	130584004 US Bank	AAA	1.990%	1.990%	2,500,000	2,500,000	2,512,500	
4/14/2009	4/13/2012	31398AWN8	FNMA MTN	130584004 US Bank	AAA	2.150%	2.150%	3,000,000	3,000,000	3,003,750	
4/15/2009	10/15/2012	3128X8WD0	FHLMC MTN	130584004 US Bank	AAA	2.300%	2.300%	2,366,000	2,366,000	2,365,409	
Subtotal										19,266,000	19,286,913
Total Sewer and Water System										21,775,882	21,796,795

Investments Not Subject to Policy (Bond Proceeds)
 Assessment Districts

Cash and Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	First American Treasury	95459622 US Bank	N/A	N/A	0.000%	N/A	389,872	389,872
Subtotal										389,872
Total Assessment Districts										389,872

Investments Not Subject to Policy (Bond Proceeds)
 Refunding Tax Allocation Bonds

Cash & Cash Equivalents

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	First American Treasury Obligations	94416782 US Bank	N/A	N/A	0.00%	N/A	1	1
N/A	N/A	N/A	First American Treasury Obligations	94416781 US Bank	N/A	N/A	0.00%	N/A	79	79
N/A	N/A	N/A	First American Treasury Obligations	94416783 US Bank	N/A	N/A	0.00%	N/A	167,875	167,875
N/A	N/A	N/A	First American Treasury Obligations	94432430 US Bank	N/A	N/A	0.00%	N/A	4	4
N/A	N/A	N/A	First American Treasury Obligations	94432432 US Bank	N/A	N/A	0.00%	N/A	286	286
N/A	N/A	N/A	First American Treasury Obligations	94432433 US Bank	N/A	N/A	0.00%	N/A	1	1
N/A	N/A	N/A	First American Treasury Obligations	94432435 US Bank	N/A	N/A	0.00%	N/A	143	143
N/A	N/A	N/A	First American Treasury Obligations	94432440 US Bank	N/A	N/A	0.00%	N/A	3	3
N/A	N/A	N/A	First American Treasury Obligations	94432441 US Bank	N/A	N/A	0.00%	N/A	2	2
N/A	N/A	N/A	First American Treasury Obligations	94432445 US Bank	N/A	N/A	0.00%	N/A	319	319
N/A	N/A	N/A	First American Treasury Obligations	94662500 US Bank	N/A	N/A	0.00%	N/A	17	17
N/A	N/A	N/A	First American Treasury Obligations	94662503 US Bank	N/A	N/A	0.00%	N/A	308	308
N/A	N/A	N/A	First American Treasury Obligations	94662504 US Bank	N/A	N/A	0.00%	N/A	1,288	1,288

City of Norco, California
 Portfolio Details
 As of June 30, 2009

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	First American Treasury Obligations	94662507 US Bank	N/A	N/A	0.00%	N/A	4,045	4,045
N/A	N/A	N/A	First American Treasury Obligations	787891004 US Bank	N/A	N/A	0.00%	N/A	1,381	1,381
N/A	N/A	N/A	First American Treasury Obligations	792126003 US Bank	N/A	N/A	0.00%	N/A	2,050	2,050
N/A	N/A	N/A	First American Treasury Obligations	792126004 US Bank	N/A	N/A	0.00%	N/A	1,504	1,504
N/A	N/A	N/A	First American Treasury Obligations	129543003 US Bank	N/A	N/A	0.00%	N/A	976,465	976,465
N/A	N/A	N/A	First American Treasury Obligations	129543005 US Bank	N/A	N/A	0.00%	N/A	4,660	4,660
			Subtotal						1,160,432	1,160,432

Local Agency Investment Fund

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	N/A	N/A	Local Agency Investment Fund Account 2	2001 TABs State of California	N/A	N/A	N/A	N/A	114	114
N/A	N/A	N/A	Local Agency Investment Fund Account 2	2003 TABs State of California	N/A	N/A	N/A	N/A	8,370,603	8,370,603
			Subtotal						8,370,717	8,370,717

U.S. and Agency Securities

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
3/23/2009	3/23/2012	3136FHEV3	FNMA M T N	792126003 US Bank	AAA	2.375%	2.360%	1,515,000	1,515,000	1,523,045
4/13/2009	4/13/2012	31398AVW8	FNMA M T N	94662504 US Bank	AAA	2.150%	2.150%	1,400,000	1,400,000	1,401,750
6/3/2009	6/3/2011	3133XTV45	Federal Home Loan Bks	94662506 US Bank	AAA	1.130%	1.130%	5,630,000	5,586,255	5,617,670
6/29/2009	6/29/2011	3128X8R53	FHLMC MTN	94662506 US Bank	AAA	1.620%	1.620%	2,025,000	2,025,000	2,036,664
			Subtotal					10,570,000	10,526,255	10,579,129

Investment Agreements

Purchase Date	Maturity Date	CUSIP #	Description of Security	Account	Rating	Coupon Rate	Yield to Maturity	Face Value	Cost	Market Value
N/A	3/1/2030	N/A	Guaranteed Investment Contract	94432433 US Bank	N/A	N/A	5.71%	N/A	2,161,566	2,161,566
N/A	3/1/2030	N/A	Guaranteed Investment Contract	94432443 US Bank	N/A	N/A	5.16%	N/A	347,000	347,000
N/A	2/27/2015	N/A	Guaranteed Investment Contract	787891003 US Bank	N/A	N/A	3.41%	N/A	734,450	734,450
			Subtotal						3,243,016	3,243,016
			Total Refunding Tax Allocation Bonds						23,300,420	23,353,294
			Total Investments Not Subject to Policy						49,027,125	49,100,911

Attachment 4

Quarterly Investment Portfolio

For the Quarter Ended June 30, 2009

As required by the Government Code, the Director of Fiscal and Support Services certifies that the investments reported in the accompanying schedules (Attachments 1 through 3) comply with the City of Norco Investment Policy and that sufficient liquidity along with anticipated revenues are available to meet the City and Redevelopment Agency budgeted expenditure requirements for the next six months ending December 31, 2009.



Andy Okoro, Deputy City Manager/Director of Finance

/jk-73037

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, Interim City Manager 

PREPARED BY: Brian K. Petree, Director 
Parks, Recreation and Community Services Department

DATE: July 15, 2009

SUBJECT: Authorization for the Interim City Manager to Exclusively Negotiate with Blenheim Facility Management, LLC for a Lease Agreement to Operate the River Trails Riding Stables

RECOMMENDATION: Authorize the Interim City Manager to negotiate exclusively with Blenheim Facility Management, LLC for an operational lease for River Trails Riding Stables.

SUMMARY: In 2008, the Lessee of the River Trails Riding Stables, Elizabeth Price, provided the City of Norco her intent to retire and terminate the existing Lease Agreement after 28 years with the City of Norco in June of 2009. Upon receipt of the notice, staff requested authorization from City Council in January, 2009 to solicit proposals for a new operator for the existing riding stables.

BACKGROUND/ANALYSIS: In 2008, the Lessee of the River Trails Riding Stables, Elizabeth Price, provided the City of Norco her intent to retire and terminate the existing Lease Agreement after 28 years with the City of Norco in June of 2009. Upon receipt of the notice, staff requested authorization from City Council in January, 2009 to solicit proposals for a new operator for the existing riding stables.

Staff solicited proposals from six companies who have experience or who provided notice of interest in managing and operating the riding stables. Proposals were received from three firms, Virginia Storlee, Hart Ranch and Livestock, and Blenheim Facility Management. A selection Committee consisting of the Deputy City Manager/Director of Finance, Director of Parks, Recreation and Community Services, Senior Engineer, Community Development Manager and the Animal Control Superintendent evaluated the proposals. After review, the Selection Committee conducted interviews with the three firms who submitted proposals.

The Committee evaluated the proposals based on the following criteria: The proposer's experience running a successful riding and rental stable that demonstrates the expertise in operating an equestrian business, financial capacity to start and manage riding rental operations under a ground lease, fiscal capacity and means to construct improvements and maintain the property to the City's satisfaction, and demonstrates the need to provide experienced sub-contractor and staff to operate and administer this type of business.

Staff concluded that Blenheim Facility Management provided the strongest proposal for consideration. As currently proposed, Blenheim would be subcontracting with Western Destinations for the daily operations of the Rivertrails property. Staff is asking for authorization to exclusively negotiate a Facility Lease Agreement to manage and operate the Rivertrails Riding Stables with Blenheim Facility Management. Upon completion of the negotiation, staff will return to the City Council and provide a recommendation.

bp/72882

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, Interim City Manager *Beth Groves*

PREPARED BY: Jack Frye, Fire Chief

DATE: July 15, 2009

SUBJECT: Public Hearing Confirming Costs for Spring Weed Abatement

RECOMMENDATION: Continue the public hearing to August 5, 2009.

SUMMARY: The 2009 Spring Weed Abatement Report of Costs lists property owners whose vacant parcels were abated by the Fire Department's weed abatement contractor for the 2009 Spring Weed Abatement Program. Staff has been informed that the abatement contractor has not completed the preparation of the property owner's list; therefore, staff is recommending the public hearing be continued to August 5, 2009.

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, Interim City Manager 

PREPARED BY: Dominic C. Milano, City Engineer 

DATE: July 15, 2009

SUBJECT: **Public Hearing:** A Hearing Ordering the Continuation of Landscape Maintenance Districts and Confirming a Diagram and Assessment and Providing for an Annual Assessment Levy for Districts No. 1 - Beazer, Tract 28765; No. 2 – Western Pacific, Tract 25779; No. 3 – Centex, Tract 28626; No. 4 – Norco Ridge Ranch, Tracts 29588 and 29589; and No. 5 – Hawk's Crest, Tract 30230

Resolution No. 2009-___, (Beazer); **Resolution No. 2009-___**, (Western Pacific); **Resolution No. 2009-___**, (Centex); **Resolution No. 2009-___**, (Norco Ridge Ranch); **Resolution No. 2009-___**, (Hawk's Crest), Ordering the Continuation of a Landscaping Maintenance District and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy.

RECOMMENDATION: That the City Council opens the Public Hearing and if no more than 50 percent of the property owners within the District protest, it would be appropriate to adopt **Resolution No. 2009-___**, (Beazer); **Resolution No. 2009-___**, (Western Pacific); **Resolution No. 2009-___**, (Centex); **Resolution No. 2009-___**, (Norco Ridge Ranch); **Resolution No. 2009-___**, (Hawk's Crest), Ordering the Continuation of a Landscaping Maintenance District and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy.

SUMMARY: Each of the previously established Landscape Maintenance Districts (LMD's) within the City require a public hearing on the annual levy of assessments on a fiscal year basis. The City Engineer has prepared the required Engineer's Reports for continuation of the LMD's which indicated that the boundary diagrams are unchanged from the previous fiscal year. No increases are proposed on the previously adopted assessment rates for LMD Nos. 1, 2, 3, and 5. The annual Consumer Price Index (CPI) adjustment per parcel assessment in all districts is 0% according to the 2008 CPI. In

PUBLIC HEARING: Ordering the Continuation of Landscape Maintenance District No. 1 - Beazer, Tract 28765; No. 2 – Western Pacific, Tract 25779; No. 3 – Centex, Tract 28626; No. 4 – Norco Ridge Ranch, Tracts 29588 and 29589; and No. 5 – Hawk’s Crest, Tract 30230

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July 15, 2009

the case of LMD No. 4 (Norco Ridge Ranch), the proposed assessment for Fiscal Year 2009-10 is increasing to \$814.38, which is \$101.27 lower than the maximum allowed assessment set with the formation of the District plus previous CPIs. Surplus within the District not set aside for a trail improvement project is being credited to the assessment.

BACKGROUND/ANALYSIS: The following information applies to each Landscape Maintenance District as designated:

LMD No. 1 - On February 3, 1999, City Council adopted Landscape Maintenance District No. 1 for Tract 28765 (Beazer Homes) comprised of 67 lots. The District was formed to maintain landscaping along the River Road frontage of the tract. The estimated cost to maintain the District is proposed to increase from \$11,613 to \$12,141 but with the application of previous year’s surpluses, the assessment per lot will remain at the 2008/09 level of \$125.33 for a net assessment of \$8,397.00.

LMD No. 2 - On January 27, 2000, City Council adopted Landscape Maintenance District No. 2 for Tract No. 25779 (Western Pacific) comprised of 215 lots. The District was formed to maintain landscaping along the Norco Hills Road and Hidden Valley Parkway frontages of the tract as well as selected interior slopes, wetland, equestrian trail, and parkway maintenance. The estimate of cost to maintain the District is proposed to increase from \$171,732 to \$186,496 but with the application of previous year’s surpluses, the assessment is proposed to remain at previous year’s level of \$575.03 per parcel for a net assessment of \$125,931.

LMD No. 3 - On June 6, 2001, City Council adopted Landscape Maintenance District No. 3 for Tract 28626 (Centex) comprised of 82 lots. The District was formed to maintain landscaping along Norco Hills Road and certain designated slopes within the District as well as all equestrian trails in the development. The proposed estimate of costs to maintain the District will increase from \$78,283 to \$85,412, but with the application of previous year’s surpluses, the assessment is proposed to remain at the previous year’s level of \$868.43 per parcel for a net assessment of \$71,211.

LMD No. 4 – On October 2, 2002, City Council adopted Landscape Maintenance District No. 4 for Tracts 29588 and 29589 (Norco Ridge Ranch) comprised of 586 lots. The District was formed to maintain landscaping within certain slopes, irrigated and non-irrigated, fuel modification areas, parkway landscaping, equestrian trails, natural open space and wetlands area. In Fiscal Year 2005-06, a full year’s levy was assessed in this District (\$471,548 budget, \$804.69 per parcel). With the exception of the acceptance of the equestrian trail in the latter part of the Fiscal Year, the majority of the improvements to be maintained as part of the District were not accepted as anticipated. These improvements were again anticipated to be accepted within the first quarter of

PUBLIC HEARING: Ordering the Continuation of Landscape Maintenance District No. 1 - Beazer, Tract 28765; No. 2 – Western Pacific, Tract 25779; No. 3 – Centex, Tract 28626; No. 4 – Norco Ridge Ranch, Tracts 29588 and 29589; and No. 5 – Hawk’s Crest, Tract 30230

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July 15, 2009

Fiscal Year 2006-07. The surplus of funds collected in Fiscal Year 2005-06 was credited to the property owners in Fiscal Year 2006-07. The per parcel levy that year was reduced from \$863.29, with a District budget of \$490,060 to an assessment of \$327.41 per parcel with the application of the surplus. In Fiscal Year 2007-08, the budget was again set at \$490,068 with credited surpluses reducing the per parcel assessment to the previous level of \$327.41. With the exception of the equestrian trail and the landscaping within the Beazer subdivisions of this District, the majority of the landscaping was not accepted by the City for maintenance until the later part of 2007/08 Fiscal Year. All trails and landscaping are now being maintained by the City. Not identified as surplus was the “operating reserve” for trail maintenance (line item balance of \$82,000) and \$50,000 of unexpended Fiscal Year 2006-07 Trail Maintenance Funds. As directed by the City Council, \$173,000 of previous year’s “surplus” and trails operating reserve was set aside to improve those trails which continually erode during rain storms. At a cost of \$22,000, a pilot program was undertaken on Vandermolen Drive to test the effectiveness of four different trail surface materials. The consensus was that “soil cement” was the most effective trail surface material. The cost of this product on a 12-foot wide trail, including edge header board, is \$22.00 per lineal foot. A second pilot program utilizing catch basins adjacent to driveways has also been completed and is being evaluated. A third pilot program utilizing soil cement “bumps” to direct water to the street has also been installed and is proving effective. A citizen’s group is working with staff in evaluating the programs and will recommend a construction project prior to the next rainy season. The proposed budget for Fiscal Year 2009-10 is proposed to increase from \$445,940 to \$478,611 due to increased utility costs. The maximum assessment rate allowed per parcel of \$915.65 could generate a total assessment of \$510,017 which exceeds the amount necessary to maintain the district. In 2008-09, with the application of previous surpluses and increasing the 2007-08 assessment by the CPI of 4.2%, a per parcel assessment of \$341.16 was levied. A trail improvement project as committed to by previous City Council action of \$173,000 (2007-08) and the accumulation of years of trail reserve funds less expenditures, a surplus of approximately \$25,000 exists. This is being credited back to the District. The per parcel levy for the upcoming Fiscal Year 2009/10 is \$814.38.

LMD No. 5 – On January 7, 2004 City Council adopted Landscape District No. 5 for Tract 30230 (Hawks Crest) comprised of 50 lots. The District was formed to maintain certain exterior slopes, parkway landscaping, equestrian trails and the two park lots. The estimate of cost to maintain the District will increase from \$50,545 from to \$53,401 but with the application of previous year’s surpluses, the assessment is proposed to remain at the previous year’s level of \$961.45 per parcel for a net assessment of \$48,073.

PUBLIC HEARING: Ordering the Continuation of Landscape Maintenance District No. 1 - Beazer, Tract 28765; No. 2 – Western Pacific, Tract 25779; No. 3 – Centex, Tract 28626; No. 4 – Norco Ridge Ranch, Tracts 29588 and 29589; and No. 5 – Hawk’s Crest, Tract 30230

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July 15, 2009

It would be appropriate for City Council to open the public hearing, giving opportunity for those wishing to speak on the matter. If, at the conclusion of the public hearing, no more than 50 percent of the property owner’s protest, it would then be appropriate for City Council to adopt the attached resolutions affirming the Engineer’s Reports and ordering assessment levies on each property within the Districts for ensuing fiscal year.

FINANCIAL IMPACT: The City maintains a separate fund for each LMD. Collections from the assessment/levy are deposited into each district’s fund and are used to pay for district-related expenditures.

/73046

Attachments: Engineer’s Report (5)
 Resolutions (5)

ENGINEER'S REPORT

FOR

LANDSCAPE MAINTENANCE DISTRICT NO. 1 (BEAZER)

FISCAL YEAR 2009-2010

PREPARED FOR THE

CITY OF NORCO

RIVERSIDE COUNTY, CALIFORNIA

PREPARED BY:

DOMINIC C. MILANO, P.E.

CITY ENGINEER

**ENGINEER'S REPORT
CITY OF NORCO**

**LANDSCAPE MAINTENANCE DISTRICT NO. 1 (BEAZER)
FISCAL YEAR 2009-2010**

The undersigned respectfully submits the enclosed report as directed by the City Council.

Date: June 3, 2009

By: 
Dominic C. Milano, P.E.
R.C.E. No. 27172
City Engineer

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was filed with me on _____, 2009.

City Clerk, City of Norco
Riverside County, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Norco, California, on _____, 2009.

City Clerk, City of Norco
Riverside County, California

By: _____

**FISCAL YEAR 2009-2010
CITY OF NORCO**

**ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF THE
LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH
22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, and in accordance with the Resolution of Initiation, being Resolution No. 98-97, adopted by the Council of the City of Norco, State of California, in connection with the proceedings for:

**CITY OF NORCO
LANDSCAPING MAINTENANCE DISTRICT NO. 1 (BEAZER)**

Hereinafter referred to as the "Assessment District," I, Dominic C. Milano, P.E. authorized representative of the City of Norco, the duty appointed ENGINEER OF WORK, submit herewith the "Report" consisting of four parts as follows:

PART A

Plans and specifications for the improvements are as set forth herein and are on file in the Office of the Clerk of the City.

PART B

An estimate of cost of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth herein.

PART C

The Diagram of the Assessment District Boundaries showing the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District, and the lines and dimensions of each lot or parcel of land within the Assessment District has been submitted to the Clerk of the City. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made part of this Report. The legal description of the Assessment District is attached hereto.

PART D

An assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District.

PART A

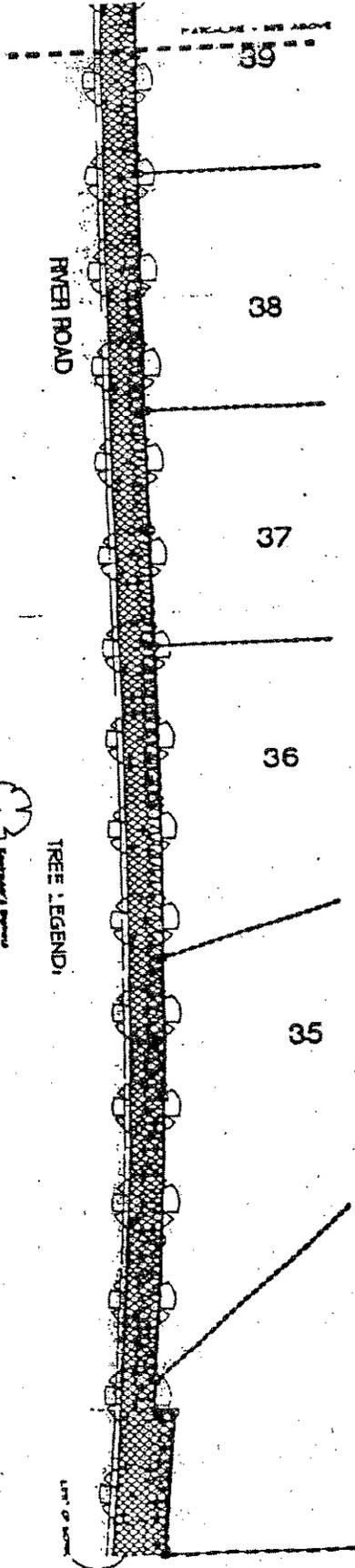
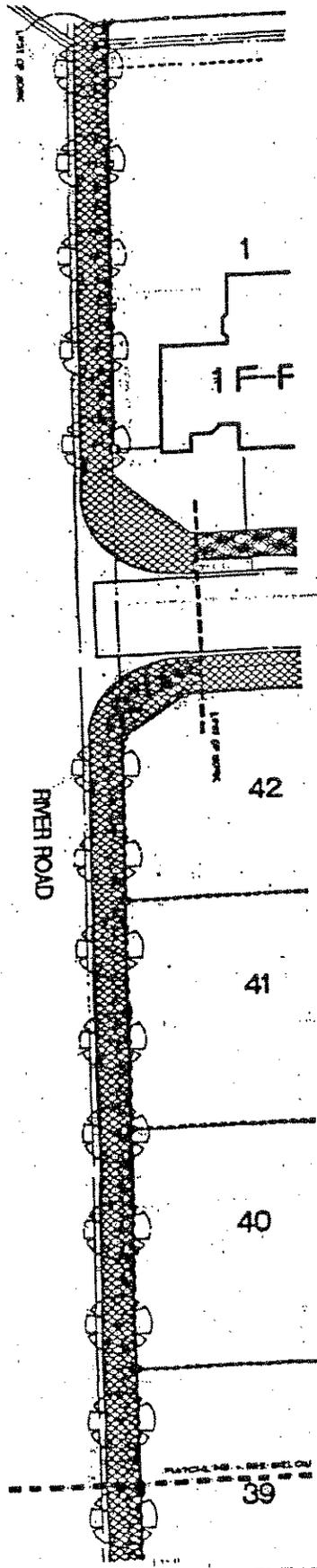
PLANS AND SPECIFICATIONS

**DESCRIPTION OF IMPROVEMENTS
FOR THE CITY OF NORCO
LANDSCAPE MAINTENANCE DISTRICT NO. 1 (BEAZER)
FISCAL YEAR 2009-2010**

The improvements are the operation, maintenance, and servicing of landscaping, wetlands, horse trails, hardscaping, and masonry, and appurtenant facilities including but not limited to personnel, electrical energy, utilities such as water, materials, contracting services, and other items necessary for the satisfactory operation of these services, described as follows:

LANDSCAPING

Landscaping, planting, shrubbery, trees, irrigation, hardscapes, masonry wall surfaces, fixtures, and appurtenant facilities in the River Road public right-of-way (parkway area), along the frontage and adjacent to the proposed boundary of said Assessment District. A reduced scale plan depicting the improvements is attached hereto.



GENERAL LANDSCAPE NOTES:

1. ALL STREET LIGHTS AND TRAFFIC SIGNALS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE LATEST EDITION OF THE NATIONAL FIRE ALARM AND SIGNAL CODE (NFPA 72).

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REGULATIONS.

GROUND COVER LEGEND:

1. GRASS (10% COVER)

2. GRASS (20% COVER)

3. GRASS (30% COVER)

4. GRASS (40% COVER)

5. GRASS (50% COVER)

6. GRASS (60% COVER)

7. GRASS (70% COVER)

8. GRASS (80% COVER)

9. GRASS (90% COVER)

10. GRASS (100% COVER)

TREE LEGEND:

1. BIRCH

2. PINE

3. OAK

4. MAPLE

5. Sycamore

6. Elm

7. Cedar

8. Juniper

9. Redwood

10. Sequoia

BIRCH LEGEND:

1. BIRCH (10% COVER)

2. BIRCH (20% COVER)

3. BIRCH (30% COVER)

4. BIRCH (40% COVER)

5. BIRCH (50% COVER)

6. BIRCH (60% COVER)

7. BIRCH (70% COVER)

8. BIRCH (80% COVER)

9. BIRCH (90% COVER)

10. BIRCH (100% COVER)

DIG ALERT:

1. DIG ALERT (10% COVER)

2. DIG ALERT (20% COVER)

3. DIG ALERT (30% COVER)

4. DIG ALERT (40% COVER)

5. DIG ALERT (50% COVER)

6. DIG ALERT (60% COVER)

7. DIG ALERT (70% COVER)

8. DIG ALERT (80% COVER)

9. DIG ALERT (90% COVER)

10. DIG ALERT (100% COVER)



ESTIMATE OF COST

LANDSCAPE MAINTENANCE DISTRICT NO. 1 (BEAZER) NORCO, CALIFORNIA

The cost of the operation, maintenance, and servicing of the improvements for Fiscal Year 2009-2010 as described in Part A, are summarized herein and described below:

ITEM	DESCRIPTION	QUANTITY	ANNUAL COST PER YEAR
1	LANDSCAPE MAINTENANCE: includes all pruning, weed and pest control, fertilization, turf care, trash and debris cleanup, irrigation to include maintenance and repair, water cost, electrical cost for controllers, tree trimming up to 15 feet, tree staking, backflow testing, rodent control and plant replacement.	16,900 S.F.	\$ 2,819.00
2	HARDSCAPE MASONRY: including graffiti removal, repair cracks, heaving and breakage.	6,970 S.F. (wall)	\$ 392.00
3	LIGHTING MAINTENANCE: cleaning and repair, fixture replacement, and observation.	N/A	\$ 0
4	WATER UTILITY COST: cost for annual water utility within district.		\$ 1,829.00
5	ENERGY MAINTENANCE: annual cost for power based on a fixed rate for an irrigation electrical pedestal.		\$ 456.00
6	SUPERVISOR OBSERVATION: cost for landscaping contractual observation to include punch list review and follow-up to completion.		\$ 2,874.00
	SUBTOTAL:		\$ 8,370.00
7	CONTINGENCY: 10 percent		\$ 837.00
8	REPLACEMENT RESERVE: 2.9 percent		\$ 243.00
9	INCIDENTALS: including Engineer's Report and proceedings, administration, printing, and advertising.		\$ 2,691.00
	TOTAL ANNUAL COSTS:		\$ 12,141.00

Costs from City of Norco average of landscape maintenance costs for the City. Source of information Chris Wyrick and Brian Petree of the Department of Parks, Recreation and Community Services.

Annual assessments shall be calculated based on updated numbers and upon annual adjustments to the assessment rate as provided in the Engineer's Report.

The total annual levy of assessments hereunder may be increased annually by an amount not to exceed the increase in the consumer price index applicable to the City of Norco. The CPI for 2008 was 0%. In no case may the increase exceed the actual cost of providing the services rendered within and pursuant to the District.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purposes as stated herein. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance remaining on July 1 must be carried over to the next fiscal year.

PART C

ASSESSMENT DIAGRAM

As Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside, for the year when this Report was prepared, and are incorporated by reference herein and made a part of this Report. A reduced scale map depicting the assessment diagram is attached hereto. Also attached as Exhibit "A" is the Legal Description of Assessment District.

EXHIBIT A

***LEGAL DESCRIPTION
LANDSCAPE MAINTENANCE DISTRICT NO. 1 (BEAZER)***

That certain real property situated in the City of Norco, County of Riverside, State of California, more particularly described as follows:

Lots 1 through 12 inclusive, and Lots 14 through 68, inclusive, of Tract No. 28765 in the City of Norco, County of Riverside, State of California, as per map recorded in Book 274, Pages 95 through 98, inclusive, of Maps in the Office of the County Recorder of Said County.

PART D

ASSESSMENT

WHEREAS, on February 3, 1999, the City Council of the City of Norco, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the California Streets and Highways Code (the "Act") adopted its Resolution of the City Council of the City of Norco Initiating Proceedings for the Formation for a Maintenance Assessment District and thereafter formed Landscape Maintenance District No. 1 (Beazer) (the "District") as more particularly described in said proceedings; and

WHEREAS, said resolution directed the undersigned to prepare and file a report pursuant to Section 22565, et seq., of said Act;

WHEREAS, at this time, this City Council is desirous to provide for the annual levy of assessments for the territory within the District for the next ensuing fiscal year, to provide for the costs and expenses necessary for continual maintenance of improvements within said District; and

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby makes the following assessment to cover the portion of the estimated cost of the maintenance of said improvements and the costs and expenses incidental thereto to be paid by said District.

The amount to be paid for the maintenance of said improvement, and the expenses incidental thereto, are as follows:

	(1) As Filed	(2) As Preliminarily Approved	(3) As Finally Approved
Cost of Maintenance	\$ 9,450.00	\$ 9,450.00	\$ _____
Incidental Expenses	\$ 2,691.00	\$ 2,691.00	\$ _____
Total Cost	\$ 12,141.00	\$ 12,141.00	\$ _____
Surplus or (Deficit) from Previous Fiscal Year	\$ 3,744.00	\$ 3,744.00	\$ _____
NET TO BE ASSESSED FOR FISCAL YEAR 2009-2010	\$ 8,397.00	\$ 8,397.00	\$ _____

As required by said Act, a diagram is hereto attached showing the exterior boundaries of said District. The lines and dimensions of each lot or parcel of land within the said District as the same existed at the time of the passage of said resolution are as shown on the maps of the County Assessor of the County of Riverside. Reference is hereby made to said maps and said maps shall govern for all details concerning the lines and dimensions of such lots and parcels.

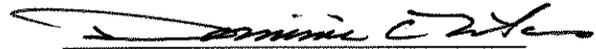
I do hereby assess the net amount to be assessed upon all assessable lots or parcels of land within said District by apportioning that amount among the several lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the maintenance of said improvements, and more particularly set forth in the list hereto attached and by reference made a part hereof.

Said assessment is made upon the several lots or parcels of land within the District in proportion to the estimated benefits to be received by said lots or parcels, respectively, from the maintenance of said improvements. The diagram and the assessor's map are the documents to which reference is hereby made for a more particular description of said property.

Each lot or parcel of land assessed is described in the assessment list by reference to its parcel number as shown on the Assessor's Maps of the County of Riverside for the Fiscal Year 2009-2010 and includes all of such parcel. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

City of Norco

Dated: JUNE 3, 2009



Dominic C. Milano, P.E.
City Engineer

EXHIBIT B

METHOD AND FORMULA OF ASSESSMENT SPREAD

The law requires and the statutes provide that assessments, as levied pursuant to the provisions of the "Landscaping and Lighting Act of 1972," must be based on the benefit that the properties receive from the works of improvement. The statute does not specify the method or formula that should be used in any special assessment district proceedings. The Assessment Engineer is appointed for the purpose of making an analysis of the facts and determining the correct apportionment of the assessment obligation. For these proceedings, the City has based its determination on standard assessment practices utilized by consulting civil engineers with a background of experience in the design of such works of improvement and experience in the completion of assessment district formation projects.

IDENTIFYING THE BENEFIT

First of all, it is necessary to identify the benefit that the public improvement will render to the properties within the Assessment District. The landscaping, irrigation, and equestrian trails have been designed and will be constructed for the benefit of enhanced aesthetics and neighborhood identity for all properties within the Assessment District.

APPORTIONMENT OF COSTS

In further making the analysis, it is necessary that the property owners receive a special and direct benefit distinguished from that of the general public. In this case, several factors are being used in the final method and spread and assessment.

The individual parcels of land within the Assessment District are currently developed or have the potential for development to single family residential units. The proposed improvements are designed to enhance the appearance and appeal of the District and all of the parcels within. The improvements will provide a sense of neighborhood identity for the District. As such, each parcel will benefit equally from the proposed improvements.

In conclusion, it is my opinion that the assessments for the referenced Assessment District have been spread in direct accordance with the benefits that each parcel receives from the works of improvements.

**LIST OF ASSESSMENTS
LANDSCAPE MAINTENANCE DISTRICT NO. 1 (BEAZER)
FISCAL YEAR 2009-2010**

Lot No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Lot No.	As Preliminarily Approved	As Finally Confirmed and Recorded
1	\$125.33		45	\$125.33	
2	\$125.33		46	\$125.33	
3	\$125.33		47	\$125.33	
4	\$125.33		48	\$125.33	
5	\$125.33		49	\$125.33	
6	\$125.33		50	\$125.33	
7	\$125.33		51	\$125.33	
8	\$125.33		52	\$125.33	
9	\$125.33		53	\$125.33	
10	\$125.33		54	\$125.33	
11	\$125.33		55	\$125.33	
12	\$125.33		56	\$125.33	
13	\$0 (City)		57	\$125.33	
14	\$125.33		58	\$125.33	
15	\$125.33		59	\$125.33	
16	\$125.33		60	\$125.33	
17	\$125.33		61	\$125.33	
18	\$125.33		62	\$125.33	
19	\$125.33		63	\$125.33	
20	\$125.33		64	\$125.33	
21	\$125.33		65	\$125.33	
22	\$125.33		66	\$125.33	
23	\$125.33		67	\$125.33	
24	\$125.33		68	\$125.33	
25	\$125.33				
26	\$125.33				
27	\$125.33				
28	\$125.33				
29	\$125.33				
30	\$125.33				
31	\$125.33				
32	\$125.33				
33	\$125.33				
34	\$125.33				
35	\$125.33				
36	\$125.33				
37	\$125.33				
38	\$125.33				
39	\$125.33				
40	\$125.33				
41	\$125.33				
42	\$125.33				
43	\$125.33				
44	\$125.33				

ENGINEER'S REPORT

FOR

**LANDSCAPE MAINTENANCE DISTRICT NO. 2
(WESTERN PACIFIC – TRACT 25779)**

FISCAL YEAR 2009-2010

PREPARED FOR THE

**CITY OF NORCO
RIVERSIDE COUNTY, CALIFORNIA**

PREPARED BY:

DOMINIC C. MILANO, P.E.

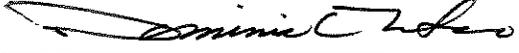
CITY ENGINEER

**ENGINEER'S REPORT
CITY OF NORCO**

**LANDSCAPE MAINTENANCE DISTRICT NO. 2
(WESTERN PACIFIC – TRACT 25779)
FISCAL YEAR 2009-2010**

The undersigned respectfully submits the enclosed report as directed by the City Council.

Date: June 3, 2009

By: 

Dominic C. Milano, P.E.
R.C.E. No. 27172
City Engineer

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was filed with me on _____, 2009.

City Clerk, City of Norco
Riverside County, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Norco, California, on _____, 2009.

City Clerk, City of Norco
Riverside County, California

By: _____

**FISCAL YEAR 2009-2010
CITY OF NORCO**

**ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF THE
LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH
22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, and in accordance with the Resolution of Initiation, being Resolution No. 98-97, adopted by the Council of the City of Norco, State of California, in connection with the proceedings for:

**CITY OF NORCO
LANDSCAPING MAINTENANCE DISTRICT NO. 2
(WESTERN PACIFIC – TRACT 25779)**

Hereinafter referred to as the "Assessment District," I, Dominic C. Milano, P.E. authorized representative of the City of Norco, the duty appointed ENGINEER OF WORK, submit herewith the "Report" consisting of four parts as follows:

PART A

Plans and specifications for the improvements are as set forth herein and are on file in the Office of the Clerk of the City.

PART B

An estimate of cost of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth herein.

PART C

The Diagram of the Assessment District Boundaries showing the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District, and the lines and dimensions of each lot or parcel of land within the Assessment District has been submitted to the Clerk of the City. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made part of this Report. The legal description of the Assessment District is attached hereto.

PART D

An assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District.

PART A

PLANS AND SPECIFICATIONS

**DESCRIPTION OF IMPROVEMENTS
FOR THE CITY OF NORCO
LANDSCAPE MAINTENANCE DISTRICT NO. 2
(WESTERN PACIFIC – TRACT 25779)
FISCAL YEAR 2009-2010**

The improvements are the operation, maintenance, and servicing of landscaping, wetlands, horse trails, hardscaping, and masonry, and appurtenant facilities including but not limited to personnel, electrical energy, utilities such as water, materials, contracting services, and other items necessary for the satisfactory operation of these services, described as follows:

LANDSCAPING

Landscaping, planting, shrubbery, trees, irrigation, hardscapes, masonry wall surfaces, fixtures, and appurtenant facilities located within public right-of-way (parkways), easements (slope and trail) and publicly owned parcels within the boundary of the Assessment District except as specifically excluded.

PART B

ESTIMATE OF COST

**LANDSCAPE MAINTENANCE DISTRICT NO. 2 (WESTERN PACIFIC)
NORCO, CALIFORNIA**

The cost of the operation, maintenance, and servicing of the improvements for Fiscal Year 2009-2010 as described in Part A, are summarized herein and described below:

ITEM	DESCRIPTION	QUANTITY	ANNUAL COST PER YEAR
1	LANDSCAPE MAINTENANCE: includes all pruning, weed and pest control, fertilization, turf care, trash and debris cleanup, irrigation to include maintenance and repair, backflow testing, rodent control and plant replacement for Hidden Valley Parkway.	57,480 S.F. (1.32 A)	Included in parkway maintenance
2	EQUESTRIAN TRAIL: includes minor grading, replacement of wooden posts and rails, and addition of decomposed granite for trail surface.	352,500 S.F. (8.09 A)	\$ 46,782.00
3	SLOPE MAINTENANCE: includes same activities as Item 1 for exterior slopes along Hidden Valley Parkway and Norco Hills Road as well as private slopes adjacent to wetlands area at Lots 77, 78, 89, 90, and 91.	175,344 S.F. (4.03 A)	Included in parkway maintenance
4	MAINTENANCE OF WETLAND (LOT 71): trash and debris cleanup, plant replacement, pest and rodent control.	159,510 S.F. (3.66 A)	\$ 8,177.00
5	PARK MAINTENANCE (LOT 2): trash and debris cleanup, mowing, fertilization, turf care, pest and rodent control, and observation.	53,485 S.F. (1.23 A)	\$ 9,067.00
6	PARKWAY MAINTENANCE: includes all pruning, weed and pest control, fertilization, ground cover, trash and debris cleanup, irrigation to include maintenance and repair, backflow testing, rodent control and plant replacement.	128,604 S.F. (2.95 A)	\$ 39,086.00
7	UTILITIES: includes cost of water and electrical for controller for all areas.	L.S.	\$ 62,712.00
	SUBTOTAL:		\$ 165,824.00
8	OBSERVATION: staff time to manage District.	L.S.	\$ 15,494.00
9	INCIDENTALS: including Engineer's Report and proceedings, administration, printing, and advertising.		\$ 2,691.00
10	CONTINGENCY: 1.5 percent		\$ 2,487.00
	TOTAL ANNUAL COSTS:		\$ 186,496.00

Costs from City of Norco average of landscape maintenance costs for the City. Source of information Chris Wyrick and Brian Petree of the Department of Parks, Recreation and Community Services.

Annual assessments shall be calculated based on updated numbers and upon annual adjustments to the assessment rate as provided in the Engineer's Report.

The total annual levy of assessments hereunder may be increased annually by an amount not to exceed the increase in the

consumer price index (CPI) applicable to the City of Norco. In no case may the increase exceed the actual cost of providing the services rendered within and pursuant to the District. The CPI for 2008 was 0%.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purposes as stated herein. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance remaining on July 1 must be carried over to the next fiscal year.

PART C

ASSESSMENT DIAGRAM

As Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside, for the year when this Report was prepared, and are incorporated by reference herein and made a part of this Report. A reduced scale map depicting the assessment diagram is attached hereto. Also attached as Exhibit "A" is the Legal Description of Assessment District.

EXHIBIT A

***LEGAL DESCRIPTION
LANDSCAPE MAINTENANCE DISTRICT NO. 2 (WESTERN PACIFIC)***

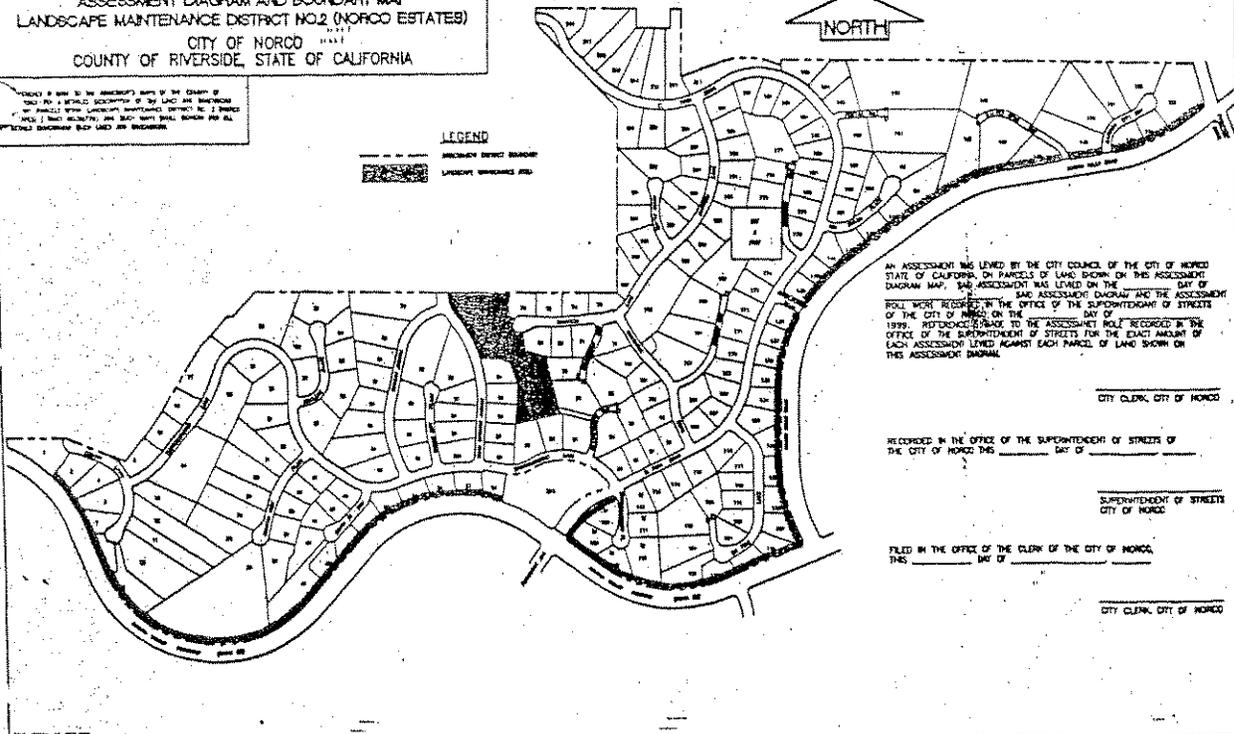
That certain real property situated in the City of Norco, County of Riverside, State of California, more particularly described as follows:

Lots 3 through 70 inclusive, and Lots 72 through 221, exclusive of Lot 219, of Tract No. 25779 in the City of Norco, County of Riverside, State of California, as per map recorded in Book 284, Pages 20 through 30, inclusive, of Maps in the Office of the County Recorder of Said County.

ASSESSMENT DIAGRAM AND BOUNDARY MAP
 LANDSCAPE MAINTENANCE DISTRICT NO.2 (NORCO ESTATES)
 CITY OF NORCO
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

REFER TO THE CITY OF NORCO'S MAPS OF THE CITY OF NORCO FOR A DETAILED DESCRIPTION OF THE LAND AND IMPROVEMENTS ON PARCELS WITHIN LANDSCAPE MAINTENANCE DISTRICT NO. 2 (NORCO ESTATES) AND ALSO REFER TO THE CITY OF NORCO'S MAPS FOR ALL OTHER DISTRICTS WITHIN THE CITY OF NORCO.

LEGEND
 [Symbol] ASSESSMENT DISTRICT BOUNDARY
 [Symbol] LANDSCAPE MAINTENANCE DISTRICT



AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF NORCO STATE OF CALIFORNIA ON PARCELS OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM MAP. SAID ASSESSMENT WAS LEVIED ON THE _____ DAY OF _____ 1999. REFERENCED BACK TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

CITY CLERK, CITY OF NORCO

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF NORCO THIS _____ DAY OF _____

SUPERINTENDENT OF STREETS
 CITY OF NORCO

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF NORCO THIS _____ DAY OF _____

CITY CLERK, CITY OF NORCO

PART D
ASSESSMENT

WHEREAS, on October 20, 1999, the City Council of the City of Norco, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the California Streets and Highways Code (the "Act") adopted its Resolution of the City Council of the City of Norco Initiating Proceedings for the Formation for a Maintenance Assessment District and thereafter formed Landscape Maintenance District No. 2 (Western Pacific) (the "District") as more particularly described in said proceedings; and

WHEREAS, said resolution directed the undersigned to prepare and file a report pursuant to Section 22565, et seq., of said Act;

WHEREAS, at this time, this City Council is desirous to provide for the annual levy of assessments for the territory within the District for the next ensuing fiscal year, to provide for the costs and expenses necessary for continual maintenance of improvements within said District; and

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby makes the following assessment to cover the portion of the estimated cost of the maintenance of said improvements and the costs and expenses incidental thereto to be paid by said District.

The amount to be paid for the maintenance of said improvement, and the expenses incidental thereto, are as follows:

	(1) As Filed	(2) As Preliminarily Approved	(3) As Finally Approved
Cost of Maintenance	\$ 183,805.00	\$ 183,805.00	\$ _____
Incidental Expenses	\$ 2,691.00	\$ 2,691.00	\$ _____
Total Cost	\$ 186,496.00	\$ 186,496.00	\$ _____
Surplus or (Deficit) from Previous Fiscal Year	\$ 60,565.00	\$ 60,565.00	\$ _____
NET TO BE ASSESSED	\$ 125,931.00	\$ 125,931.00	\$ _____
FOR FISCAL YEAR 2009-2010			

As required by said Act, a diagram is hereto attached showing the exterior boundaries of said District. The lines and dimensions of each lot or parcel of land within the said District as the same existed at the time of the passage of said resolution are as shown on the maps of the County Assessor of the County of Riverside. Reference is hereby made to said maps and said maps shall govern for all details concerning the lines and dimensions of such lots and parcels.

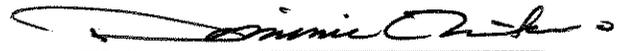
I do hereby assess the net amount to be assessed upon all assessable lots or parcels of land within said District by apportioning that amount among the several lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the maintenance of said improvements, and more particularly set forth in the list hereto attached and by reference made a part hereof.

Said assessment is made upon the several lots or parcels of land within the District in proportion to the estimated benefits to be received by said lots or parcels, respectively, from the maintenance of said improvements. The diagram and the assessor's map are the documents to which reference is hereby made for a more particular description of said property.

Each lot or parcel of land assessed is described in the assessment list by reference to its parcel number as shown on the Assessor's Maps of the County of Riverside for the Fiscal Year 2009-2010 and includes all of such parcel. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

City of Norco

Dated: June 3, 2009



Dominic C. Milano, P.E.
City Engineer

EXHIBIT B

METHOD AND FORMULA OF ASSESSMENT SPREAD

The law requires and the statutes provide that assessments, as levied pursuant to the provisions of the "Landscaping and Lighting Act of 1972," must be based on the benefit that the properties receive from the works of improvement. The statute does not specify the method or formula that should be used in any special assessment district proceedings. The Assessment Engineer is appointed for the purpose of making an analysis of the facts and determining the correct apportionment of the assessment obligation. For these proceedings, the City has based its determination on standard assessment practices utilized by consulting civil engineers with a background of experience in the design of such works of improvement and experience in the completion of assessment district formation projects.

IDENTIFYING THE BENEFIT

First of all, it is necessary to identify the benefit that the public improvement will render to the properties within the Assessment District. The landscaping, irrigation, and equestrian trails have been designed and will be constructed for the benefit of enhanced aesthetics and neighborhood identity for all properties within the Assessment District.

APPORTIONMENT OF COSTS

In further making the analysis, it is necessary that the property owners receive a special and direct benefit distinguished from that of the general public. In this case, several factors are being used in the final method and spread and assessment.

The individual parcels of land within the Assessment District are currently developed or have the potential for development to single family residential units. The proposed improvements are designed to enhance the appearance and appeal of the District and all of the parcels within. The improvements will provide a sense of neighborhood identity for the District. As such, each parcel will benefit equally from the proposed improvements.

In conclusion, it is my opinion that the assessments for the referenced Assessment District have been spread in direct accordance with the benefits that each parcel receives from the works of improvements.

**LIST OF ASSESSMENTS
LANDSCAPE MAINTENANCE DISTRICT NO. 2 (WESTERN PACIFIC)
FISCAL YEAR 2009-2010**

Lot No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Lot No.	As Preliminarily Approved	As Finally Confirmed and Recorded
3	\$575.03		46	\$575.03	
4	\$575.03		47	\$575.03	
5	\$575.03		48	\$575.03	
6	\$575.03		49	\$575.03	
7	\$575.03		50	\$575.03	
8	\$575.03		51	\$575.03	
9	\$575.03		52	\$575.03	
10	\$575.03		53	\$575.03	
11	\$575.03		54	\$575.03	
12	\$575.03		55	\$575.03	
13	\$575.03		56	\$575.03	
14	\$575.03		57	\$575.03	
15	\$575.03		58	\$575.03	
16	\$575.03		59	\$575.03	
17	\$575.03		60	\$575.03	
18	\$575.03		61	\$575.03	
19	\$575.03		62	\$575.03	
20	\$575.03		63	\$575.03	
21	\$575.03		64	\$575.03	
22	\$575.03		65	\$575.03	
23	\$575.03		66	\$575.03	
24	\$575.03		67	\$575.03	
25	\$575.03		68	\$575.03	
26	\$575.03		69	\$575.03	
27	\$575.03		70	\$575.03	
28	\$575.03		71	\$575.03	
29	\$575.03		72	\$575.03	
30	\$575.03		73	\$575.03	
31	\$575.03		74	\$575.03	
32	\$575.03		75	\$575.03	
33	\$575.03		76	\$575.03	
34	\$575.03		77	\$575.03	
35	\$575.03		78	\$575.03	
36	\$575.03		79	\$575.03	
37	\$575.03		80	\$575.03	
38	\$575.03		81	\$575.03	
39	\$575.03		82	\$575.03	
40	\$575.03		83	\$575.03	
41	\$575.03		84	\$575.03	
42	\$575.03		85	\$575.03	
43	\$575.03		86	\$575.03	
44	\$575.03		87	\$575.03	
45	\$575.03				

**LANDSCAPE MAINTENANCE DISTRICT NO. 2 (WESTERN PACIFIC)
FISCAL YEAR 2009-2010**

Lot No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Lot No.	As Preliminarily Approved	As Finally Confirmed and Recorded
88	\$575.03		132	\$575.03	
89	\$575.03		133	\$575.03	
90	\$575.03		134	\$575.03	
91	\$575.03		135	\$575.03	
92	\$575.03		136	\$575.03	
93	\$575.03		137	\$575.03	
94	\$575.03		138	\$575.03	
95	\$575.03		139	\$575.03	
96	\$575.03		140	\$575.03	
97	\$575.03		141	\$575.03	
98	\$575.03		142	\$575.03	
99	\$575.03		143	\$575.03	
100	\$575.03		144	\$575.03	
101	\$575.03		145	\$575.03	
102	\$575.03		146	\$575.03	
103	\$575.03		147	\$575.03	
104	\$575.03		148	\$575.03	
105	\$575.03		149	\$575.03	
106	\$575.03		150	\$575.03	
107	\$575.03		151	\$575.03	
108	\$575.03		152	\$575.03	
109	\$575.03		153	\$575.03	
110	\$575.03		154	\$575.03	
111	\$575.03		155	\$575.03	
112	\$575.03		156	\$575.03	
113	\$575.03		157	\$575.03	
114	\$575.03		158	\$575.03	
115	\$575.03		159	\$575.03	
116	\$575.03		160	\$575.03	
117	\$575.03		161	\$575.03	
119	\$575.03		163	\$575.03	
120	\$575.03		164	\$575.03	
121	\$575.03		165	\$575.03	
122	\$575.03		166	\$575.03	
123	\$575.03		167	\$575.03	
124	\$575.03		168	\$575.03	
125	\$575.03		169	\$575.03	
126	\$575.03		170	\$575.03	
127	\$575.03		171	\$575.03	
128	\$575.03				
129	\$575.03				
130	\$575.03				
131	\$575.03				

**LANDSCAPE MAINTENANCE DISTRICT NO. 2 (WESTERN PACIFIC)
FISCAL YEAR 2009-2010**

<u>Lot No.</u>	<u>As Preliminarily Approved</u>	<u>As Finally Confirmed and Recorded</u>	<u>Lot No.</u>	<u>As Preliminarily Approved</u>	<u>As Finally Confirmed and Recorded</u>
172	\$575.03		216	\$575.03	
173	\$575.03		217	\$575.03	
174	\$575.03		218	\$575.03	
175	\$575.03		219	\$575.03	
176	\$575.03		220	\$575.03	
177	\$575.03		221	\$575.03	
178	\$575.03				
179	\$575.03				
180	\$575.03				
181	\$575.03				
182	\$575.03				
183	\$575.03				
184	\$575.03				
185	\$575.03				
186	\$575.03				
187	\$575.03				
188	\$575.03				
189	\$575.03				
190	\$575.03				
191	\$575.03				
192	\$575.03				
193	\$575.03				
194	\$575.03				
195	\$575.03				
196	\$575.03				
197	\$575.03				
198	\$575.03				
199	\$575.03				
200	\$575.03				
201	\$575.03				
202	\$575.03				
203	\$575.03				
204	\$575.03				
206	\$575.03				
207	\$575.03				
208	\$575.03				
209	\$575.03				
210	\$575.03				
211	\$575.03				
212	\$575.03				
213	\$575.03				
214	\$575.03				
215	\$575.03				

TOTAL TO BE ASSESSED IS \$125,931.00

/dm-72693

ENGINEER'S REPORT

FOR

**LANDSCAPE MAINTENANCE DISTRICT NO. 3
(CENTEX- TRACT 28626)**

FISCAL YEAR 2009-2010

PREPARED FOR THE

**CITY OF NORCO
RIVERSIDE COUNTY, CALIFORNIA**

PREPARED BY:

DOMINIC C. MILANO, P.E.

CITY ENGINEER

**FISCAL YEAR 2009-2010
CITY OF NORCO**

**ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF THE
LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH
22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, and in accordance with the Resolution of Initiation, being Resolution No. 98-97, adopted by the Council of the City of Norco, State of California, in connection with the proceedings for:

**CITY OF NORCO
LANDSCAPING MAINTENANCE DISTRICT NO. 3
(CENTEX – TRACT 28626)**

Hereinafter referred to as the "Assessment District," I, Dominic C. Milano, P.E. authorized representative of the City of Norco, the duty appointed ENGINEER OF WORK, submit herewith the "Report" consisting of four parts as follows:

PART A

Plans and specifications for the improvements are as set forth herein and are on file in the Office of the Clerk of the City.

PART B

An estimate of cost of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth herein.

PART C

The Diagram of the Assessment District Boundaries showing the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District, and the lines and dimensions of each lot or parcel of land within the Assessment District has been submitted to the Clerk of the City. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made part of this Report. The legal description of the Assessment District is attached hereto.

PART D

An assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District.

PART A

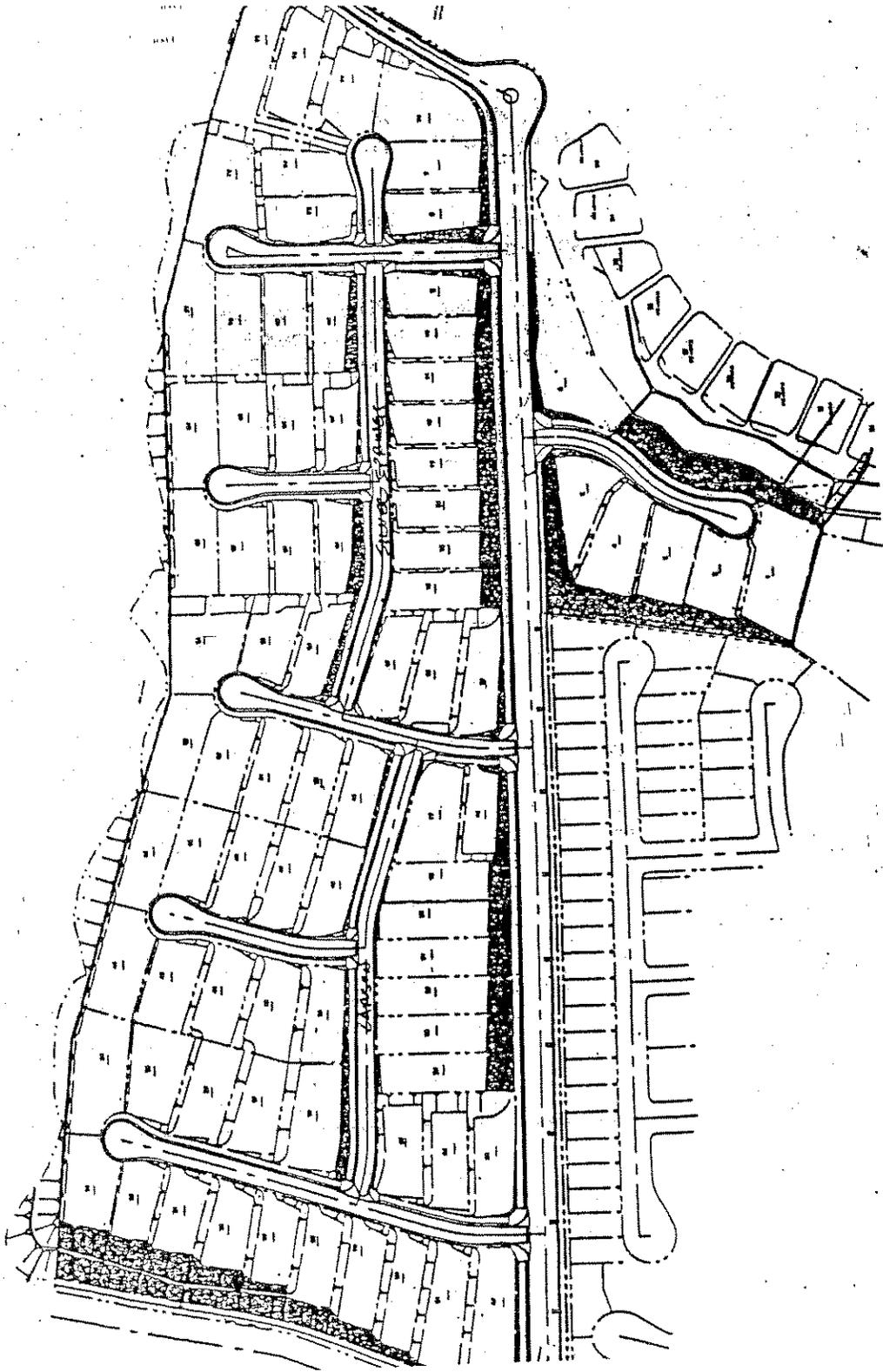
PLANS AND SPECIFICATIONS

**DESCRIPTION OF IMPROVEMENTS
FOR THE CITY OF NORCO
LANDSCAPE MAINTENANCE DISTRICT NO. 3
(CENTEX – TRACT 28626)
FISCAL YEAR 2009-2010**

The improvements are the operation, maintenance, and servicing of landscaping, horse trails, hardscaping, and masonry, and appurtenant facilities including but not limited to personnel, electrical energy, utilities such as water, materials, contracting services, and other items necessary for the satisfactory operation of these services, described as follows:

LANDSCAPING

Landscaping, planting, shrubbery, trees, irrigation, hardscapes, masonry wall surfaces, fencing, fixtures, and appurtenant facilities located within public rights-of-way (parkways), easements (slope and trail) and publicly owned parcels within the boundary of the Assessment District except as specifically excluded.



PART B

ESTIMATE OF COST

**LANDSCAPE MAINTENANCE DISTRICT NO. 3 (CENTEX – TRACT 28626)
NORCO, CALIFORNIA**

The cost of the operation, maintenance, and servicing of the improvements for Fiscal Year 2009-2010 as described in Part A, are summarized herein and described below:

ITEM	DESCRIPTION	QUANTITY	ANNUAL COST PER YEAR
1	LANDSCAPE MAINTENANCE (INTERIOR): includes all pruning, weed and pest control, fertilization, turf care, trash and debris cleanup, irrigation to include maintenance and repair, backflow testing, rodent control, plant replacement, and observation.	48,843 S.F. (1.12 A)	\$ 27,771.00
2	EQUESTRIAN TRAIL: includes minor grading, replacement of wooden posts and rails, and addition of decomposed granite for trail surface.	92,100 S.F. (2.11 A)	\$ 12,211.00
3	SLOPE MAINTENANCE: includes same activities as Item 1 for exterior slopes along Parkview Drive and Norco Hills Road as well as private slopes at Lots 1, 2, 3, and 4.	186,541 S.F. (4.28 A)	\$ Included in landscape maintenance
4	UTILITIES: includes cost of water and electrical for controller for all landscape areas.	L.S.	\$ 35,578.00
	SUBTOTAL:		\$ 75,560.00
5	OBSERVATION: includes cost for landscape contractor management.	L.S.	\$ 6,250.00
6	INCIDENTALS: including Engineer's Report and proceedings, administration, printing, and advertising.		\$ 2,091.00
7	CONTINGENCY: 2.0 percent		\$ 1,511.00
	TOTAL ANNUAL COSTS:		\$ 85,412.00

Costs from City of Norco average of landscape maintenance costs for the City. Source of information Chris Wyrick and Brian Petree of the Department of Parks, Recreation and Community Services.

Annual assessments shall be calculated based on updated numbers and upon annual adjustments to the assessment rate as provided in the Engineer's Report.

The total annual levy of assessments hereunder may be increased annually by an amount not to exceed the increase in the consumer price index applicable to the City of Norco. In no case may the increase exceed the actual cost of providing the services rendered within and pursuant to the District for 2008 the CPI was 0%.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purposes as stated herein. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance remaining on July 1 must be carried over to the next fiscal year.

PART C

ASSESSMENT DIAGRAM

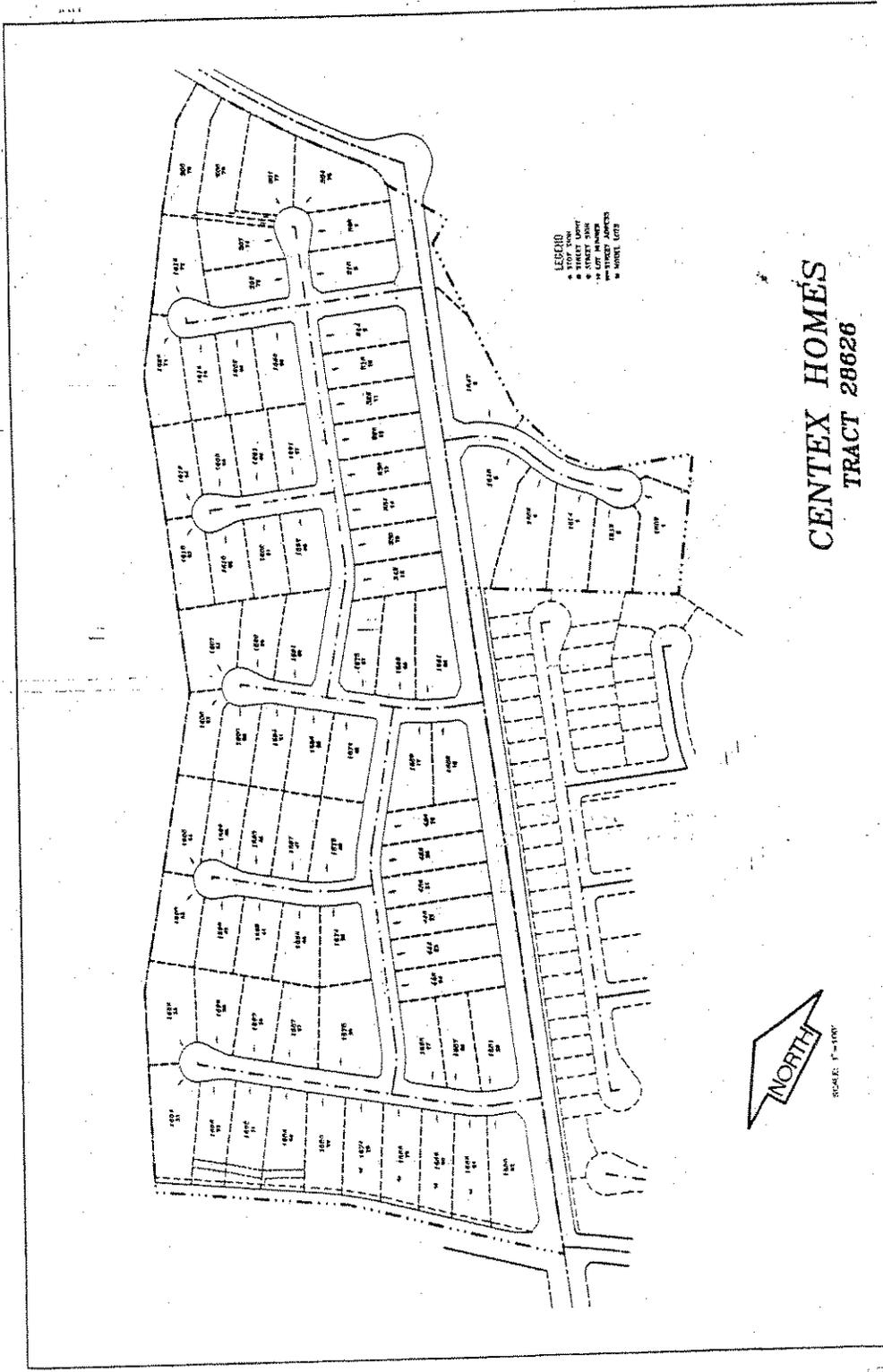
As Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside, for the year when this Report was prepared, and are incorporated by reference herein and made a part of this Report. A reduced scale map depicting the assessment diagram is attached hereto. Also attached as Exhibit "A" is the Legal Description of Assessment District.

EXHIBIT A

**LEGAL DESCRIPTION
LANDSCAPE MAINTENANCE DISTRICT NO. 3 (CENTEX – TRACT 28626)**

That certain real property situated in the City of Norco, County of Riverside, State of California, more particularly described as follows:

Lots 1 through 82 inclusive, of Tract No. 28626 in the City of Norco, County of Riverside, State of California, as per map recorded in Book 295, Pages 46 through 53, inclusive, of Maps in the Office of the County Recorder of Said County.



CENTEX HOMES
TRACT 28626



PART D
ASSESSMENT

WHEREAS, on April 18, 2001, the City Council of the City of Norco, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the California Streets and Highways Code (the "Act") adopted its Resolution of the City Council of the City of Norco Initiating Proceedings for the Formation for a Maintenance Assessment District and thereafter formed Landscape Maintenance District No. 3 (Centex – Tract 28626) (the "District") as more particularly described in said proceedings; and

WHEREAS, said resolution directed the undersigned to prepare and file a report pursuant to Section 22565, et seq., of said Act;

WHEREAS, at this time, this City Council is desirous to provide for the annual levy of assessments for the territory within the District for the next ensuing fiscal year, to provide for the costs and expenses necessary for continual maintenance of improvements within said District; and

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby makes the following assessment to cover the portion of the estimated cost of the maintenance of said improvements and the costs and expenses incidental thereto to be paid by said District.

The amount to be paid for the maintenance of said improvement, and the expenses incidental thereto, are as follows:

	(1) As Filed	(2) As Preliminarily Approved	(3) As Finally Approved
	<hr/>	<hr/>	<hr/>
Cost of Maintenance	\$ 83,321.00	\$ 83,321.00	\$ _____
Incidental Expenses	\$ 2,091.00	\$ 2,091.00	\$ _____
Total Cost	\$ 85,412.00	\$ _____	\$ _____
Surplus or (Deficit) from			
Previous Fiscal Year	\$ 14,201.00	\$ 14,201.00	\$ _____
NET TO BE ASSESSED	\$ 71,211.00	\$ 71,211.00	\$ _____
FOR FISCAL YEAR			
2009-2010			

As required by said Act, a diagram is hereto attached showing the exterior boundaries of said District. The lines and dimensions of each lot or parcel of land within the said District as the same existed at the time of the passage of said resolution are as shown on the maps of the County Assessor of the County of Riverside. Reference is hereby made to said maps and said maps shall govern for all details concerning the lines and dimensions of such lots and parcels.

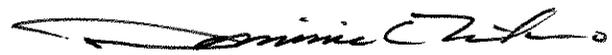
I do hereby assess the net amount to be assessed upon all assessable lots or parcels of land within said District by apportioning that amount among the several lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the maintenance of said improvements, and more particularly set forth in the list hereto attached and by reference made a part hereof.

Said assessment is made upon the several lots or parcels of land within the District in proportion to the estimated benefits to be received by said lots or parcels, respectively, from the maintenance of said improvements. The diagram and the assessor's map are the documents to which reference is hereby made for a more particular description of said property.

Each lot or parcel of land assessed is described in the assessment list by reference to its parcel number as shown on the Assessor's Maps of the County of Riverside for the Fiscal Year 2009-2010 and includes all of such parcel. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

City of Norco

Dated: June 3, 2009



Dominic C. Milano, P.E.
City Engineer

EXHIBIT B

METHOD AND FORMULA OF ASSESSMENT SPREAD

The law requires and the statutes provide that assessments, as levied pursuant to the provisions of the "Landscaping and Lighting Act of 1972," must be based on the benefit that the properties receive from the works of improvement. The statute does not specify the method or formula that should be used in any special assessment district proceedings. The Assessment Engineer is appointed for the purpose of making an analysis of the facts and determining the correct apportionment of the assessment obligation. For these proceedings, the City has based its determination on standard assessment practices utilized by consulting civil engineers with a background of experience in the design of such works of improvement and experience in the completion of assessment district formation projects.

IDENTIFYING THE BENEFIT

First of all, it is necessary to identify the benefit that the public improvement will render to the properties within the Assessment District. The landscaping, irrigation, and equestrian trails have been designed and will be constructed for the benefit of enhanced aesthetics and neighborhood identity for all properties within the Assessment District.

APPORTIONMENT OF COSTS

In further making the analysis, it is necessary that the property owners receive a special and direct benefit distinguished from that of the general public. In this case, several factors are being used in the final method and spread and assessment.

The individual parcels of land within the Assessment District are currently developed or have the potential for development to single family residential units. The proposed improvements are designed to enhance the appearance and appeal of the District and all of the parcels within. The improvements will provide a sense of neighborhood identity for the District. As such, each parcel will benefit equally from the proposed improvements.

In conclusion, it is my opinion that the assessments for the referenced Assessment District have been spread in direct accordance with the benefits that each parcel receives from the works of improvements.

**LIST OF ASSESSMENTS
 LANDSCAPE MAINTENANCE DISTRICT NO. 3 (CENTEX – TRACT 28626)
 FISCAL YEAR 2009-2010**

<u>Lot No.</u>	<u>As Preliminarily Approved</u>	<u>As Finally Confirmed and Recorded</u>	<u>Lot No.</u>	<u>As Preliminarily Approved</u>	<u>As Finally Confirmed and Recorded</u>
1	\$868.43		45	\$868.43	
2	\$868.43		46	\$868.43	
3	\$868.43		47	\$868.43	
4	\$868.43		48	\$868.43	
5	\$868.43		49	\$868.43	
6	\$868.43		50	\$868.43	
7	\$868.43		51	\$868.43	
8	\$868.43		52	\$868.43	
9	\$868.43		53	\$868.43	
10	\$868.43		54	\$868.43	
11	\$868.43		55	\$868.43	
12	\$868.43		56	\$868.43	
13	\$868.43		57	\$868.43	
14	\$868.43		58	\$868.43	
15	\$868.43		59	\$868.43	
16	\$868.43		60	\$868.43	
17	\$868.43		61	\$868.43	
18	\$868.43		62	\$868.43	
19	\$868.43		63	\$868.43	
20	\$868.43		64	\$868.43	
21	\$868.43		65	\$868.43	
22	\$868.43		66	\$868.43	
23	\$868.43		67	\$868.43	
24	\$868.43		68	\$868.43	
25	\$868.43		69	\$868.43	
26	\$868.43		70	\$868.43	
27	\$868.43		71	\$868.43	
28	\$868.43		72	\$868.43	
29	\$868.43		73	\$868.43	
30	\$868.43		74	\$868.43	
31	\$868.43		75	\$868.43	
32	\$868.43		76	\$868.43	
33	\$868.43		77	\$868.43	
34	\$868.43		78	\$868.43	
35	\$868.43		79	\$868.43	
36	\$868.43		80	\$868.43	
38	\$868.43		82	\$868.43	
39	\$868.43				
40	\$868.43				
41	\$868.43				
42	\$868.43				
43	\$868.43				
44	\$868.43				

/dm-72694

ENGINEER'S REPORT

FOR

**LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH – TRACTS 29588 AND 29589)**

FISCAL YEAR 2009-2010

PREPARED FOR THE

CITY OF NORCO

RIVERSIDE COUNTY, CALIFORNIA

PREPARED BY:

DOMINIC C. MILANO, P.E.

CITY ENGINEER

**ENGINEER'S REPORT
CITY OF NORCO**

**LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH – TRACTS 29588 AND 29589)
FISCAL YEAR 2009-2010**

The undersigned respectfully submits the enclosed report as directed by the City Council.

Date: June 3, 2009

By: 
Dominic C. Milano, P.E.
R.C.E. No. 27172
City Engineer

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was filed with me on _____, 2009.

City Clerk, City of Norco
Riverside County, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Norco, California, on _____, 2009.

City Clerk, City of Norco
Riverside County, California

By: _____

**FISCAL YEAR 2009-2010
CITY OF NORCO**

**ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF THE
LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH
22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, and in accordance with the Resolution of Initiation, being Resolution No. 2009-___, adopted by the Council of the City of Norco, State of California, in connection with the proceedings for:

**CITY OF NORCO
LANDSCAPING MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH – TRACTS 29588 AND 29589)**

Hereinafter referred to as the "Assessment District," I, Dominic C. Milano, P.E. authorized representative of the City of Norco, the duty appointed ENGINEER OF WORK, submit herewith the "Report" consisting of five parts as follows:

PART A – PLANS AND SPECIFICATIONS

Contains a description of the improvements that are to be maintained or serviced by the District.

PART B – ESTIMATE OF COST

Identifies the estimated cost of the services or maintenance to be provided by the District, including incidental costs and expenses in connection herewith.

PART C – METHOD OF APPORTIONMENT

Describes the basis on which the costs have been apportioned to each parcel of land within the Assessment District, in proportion to the estimated benefits to be received by such lots and parcels.

PART D – ASSESSMENT ROLL

Identifies the maximum assessment to be levied on each benefited lot or parcel of land within the Assessment District.

PART E – ASSESSMENT DIAGRAM

The Diagram of the Assessment District Boundaries showing the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District, and the lines and dimensions of each lot or parcel of land within the Assessment District has been submitted to the Clerk of the City. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made part of this Report. The legal description of the Assessment District is attached hereto.

PART A

PLANS AND SPECIFICATIONS

**DESCRIPTION OF IMPROVEMENTS
FOR THE CITY OF NORCO
LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH TRACTS 29588 AND 29589)
FISCAL YEAR 2009-2010**

The improvements to be maintained and serviced include landscaping as described herein.

Landscaping and Appurtenant Improvements:

Improvements include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, and appurtenant facilities, in public rights-of-way, parkways, slopes, trails, open space and dedicated easements within the boundaries of said Assessment District. The following are the facilities to be maintained within the District:

Slopes, Parkway and Trails

1. Slope landscaping-non-irrigated (3.78 acres)
2. Slope landscaping-irrigated (13.17 acres)
3. Fuel modification areas (17.66 acres)
4. Parkway landscaping (1.11 acres)
5. Equestrian trails (26.54 acres)

Open Space and Wetlands Areas

1. Natural open space – non-irrigated (384.34 acres)
2. Wetlands area – non-irrigated (13.04 acres)

The District will fund costs in connection with the District maintenance and servicing including, but not limited to, labor, electrical energy, water, materials, contracting services, administration, and other expenses necessary for the satisfactory maintenance and operation of these improvements.

Maintenance means the furnishing of services and materials for the ordinary and usual operation, maintenance and servicing of the landscaping and appurtenant improvements, including repair, removal or replacement of all or part of any of the landscaping or appurtenant improvements; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste, and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Operating and servicing means the furnishing of water for the irrigation of the landscaping, the maintenance of irrigation controllers and appurtenant facilities and the furnishing of telephone services and electric energy, and administration of all aspects of the operation, maintenance and servicing of the improvements.

The plans and specifications for the improvements, showing the general nature, location and the extent of the improvements, are on file in the office of the City Engineer and are by reference herein made a part of this report.

PART B

ESTIMATE OF COST

**LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH-TRACTS 29588 & 29589)
NORCO, CALIFORNIA**

The estimated costs for the operation, maintenance and servicing of the facilities, shown below, are the estimated costs of maintenance if the facilities were fully maintained for Fiscal Year 2009-10. The 1972 Act provides that the total cost of the maintenance and services, together with incidental expenses, may be financed from the assessment proceeds. The incidental expenses may include engineering fees, legal fees, printing, mailing, postage, publishing, and all other related costs identified with district proceedings.

Direct Costs	
Natural Open Space	\$ 21,682.00
Wetlands Area	\$ 63,832.00
Contractual Maintenance	\$111,929.00
Non-Irrigated Slope Landscaping	
Irrigated Slope Landscaping	
Fuel Modification	
Zone B "Irrigated Zone"	
Zone C "Thinning Zone"	
Zone D "Thinning Zone"	
Parkway Landscaping	
Equestrian Trails	\$103,255.00
Utilities	\$ 90,331.00
Operating Contingency (5% max)	\$ 19,551.00
Subtotal-Direct Costs	\$410,580.00
Administrative Costs (5% max)	
Observation	\$ 20,529.00
Incidentals	\$ 2,730.00
Operating Reserve for Trail Maintenance	\$ 44,772.00
TOTAL ANNUAL BUDGET	\$478,611.00

The 1972 Act requires that a special fund to set up for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purpose as stated herein. The City may advance funds to the District, if needed, to ensure adequate cash flow, and will be reimbursed for any such advances upon receipt of assessments. Any surplus or deficit remaining on July 1 must be carried over to the next fiscal year.

The total annual levy of assessments hereunder may be increased annually by an amount not to exceed the increase in the consumer price index applicable to the City of Norco. In no case may the increase exceed the actual cost of providing the services rendered within and pursuant to the District.

PART C

METHOD OF APPORTIONMENT

The law requires and the statutes provide that assessments, as levied pursuant to the provisions of the "Landscaping and Lighting Act of 1972," must be based on the benefit that the properties receive from the works of improvement. The statute does not specify the method or formula that should be used in any special assessment district proceedings. The Assessment Engineer is appointed for the purpose of making an analysis of the facts and determining the correct apportionment of the assessment obligation. For these proceedings, the City has based its determination on standard assessment practices utilized by consulting civil engineers with a background of experience in the design of such works of improvement and experience in the completion of assessment district formation projects.

REASON FOR THE ASSESSMENT

The assessment is proposed to be levied to defray the costs of the operation, servicing and maintenance of landscaping and appurtenant improvements within the public rights-of-way, as previously defined herein in Part A of this Report.

APPORTIONMENT OF COSTS

In further making the analysis, it is necessary that the property owners receive a special and direct benefit distinguished from that of the general public. In this case, several factors are being used in the final method and spread and assessment.

The individual parcels of land within the Assessment District are currently developed or have the potential for development to single family residential units. The proposed improvements are designed to enhance the appearance and appeal of the District and all of the parcels within. The improvements will provide a sense of neighborhood identity for the District. As such, each parcel will benefit equally from the proposed improvements.

In conclusion, it is my opinion that the assessments for the referenced Assessment District have been spread in direct accordance with the benefits that each parcel receives from the works of improvements.

The amount to be paid for the maintenance of said improvements, and the expenses incidental thereto, are as follows:

	(1) As Filed	(2) As Preliminarily Approved	(3) As Finally Approved
Cost of Maintenance	\$ 475,881.00	\$ 475,881.00	
Incidental Expenses	<u>\$ 2,730.00</u>	<u>\$ 2,730.00</u>	<u>\$</u>
Total Cost	\$ 478,611.00	\$ 478,611.00	\$
Surplus or (Deficit) from Previous Fiscal Year	<u>\$ 25,000.00</u>	<u>\$ 25,000.00</u>	<u>\$</u>
NET TO BE ASSESSED FOR FISCAL YEAR 2009-2010	\$ 453,611.00	\$ 453,611.00	\$

The table below provides the assessment apportionment for the various development areas within the Norco Ridge Ranch Specific Plan and shows the maximum annual assessment rate per planned SFR lot. The golf course lots are undeveloped.

<u>Tract Nos.</u>	<u>Planned SFR Lots</u>	<u>Total Assessment Estimate</u>	<u>Maximum* Asmt. Rate per Planned SFR Lot</u>
Tr 29588-1,-2,-3,-4,-5	318	\$291,177.00	\$915.65/lot
Tr 29589-1,-2,-3	239	\$218,840.00	\$915.65/lot
Golf Course Lots	27	\$ 0	\$915.65/lot
City Reservoir	2	\$ 0	\$0 / lot
	<u>586</u>	<u>\$510,017.00</u>	

The table below provides the final approved assessment apportionment without the previous year's surplus has been applied.

<u>Tract Nos.</u>	<u>Planned SFR Lots</u>	<u>Total Assessment Estimate</u>	<u>Assessment</u>
Tr 29588-1,-2,-3,-4,-5	318	\$258,973.61	\$814.38/ lot
Tr 29589-1,-2,-3	239	\$194,637.91	\$814.38/ lot
Golf Course Lots	27	\$ 0	\$0 / lot
City Reservoir	2	\$ 0	\$0 / lot
	<u>586</u>	<u>\$453,611.00</u>	

*The maximum annual maintenance assessment rates may be increased each year by the annual change in the Consumer Price Index (CPI), during the preceding year ending in March, for All Urban Consumers, for the Los Angeles, Riverside and Orange County areas. The CPI for 2008 was 0%, for a maximum assessment of \$915.65/lot.

The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase.

PART D

ASSESSMENT ROLL

The Assessment Roll is a listing of the proposed assessment for Fiscal Year 2009-2010 apportioned to each lot or parcel, as shown on the last equalized roll of the Assessor of the County of Riverside. The Assessment Roll is provided below and is incorporated herein.

The description of each lot or parcel is part of the records of the Assessor of the County of Riverside and these records are, by reference, made part of this Report.

The following list of parcels will be assessed for landscape maintenance:

**LIST OF ASSESSMENTS
LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH – TRACTS 29588 & 29589)
FISCAL YEAR 2009-2010**

Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded
1230800150	\$814.38		1235100048	\$814.38	
1230800194	\$814.38		1235100059	\$814.38	
1230800226	\$0.00	undeveloped	1235100060	\$814.38	
1230800248	\$0.00	undeveloped	1235100071	\$814.38	
1230800282	\$814.38		1235100082	\$814.38	
1230800303	\$0.00	undeveloped	1235100093	\$814.38	
1230800325	\$814.38		1235100103	\$814.38	
1230800347	\$0.00	Vacant	1235100114	\$814.38	
1230800358	\$0.00	undeveloped	1235110018	\$814.38	
1230800369	\$0.00	undeveloped	1235110029	\$814.38	
1230800370	\$0.00	Golf Course Lot	1235110030	\$814.38	
1230800381	\$0.00	undeveloped	1235110041	\$814.38	
1230800523	\$814.38		1235110052	\$814.38	
1230800534	\$814.38		1235110063	\$814.38	
1230800545	\$0.00	Vacant	1235110074	\$814.38	
1230800633	\$814.38		1235110085	\$814.38	
1230800644	\$814.38		1235110096	\$814.38	
1230800655	\$814.38		1235110106	\$814.38	
1230800666	\$814.38		1235200016	\$814.38	
1230800709	\$0.00	undeveloped	1235200027	\$814.38	
1230800710	\$0.00	undeveloped	1235200038	\$814.38	
1234500153	\$814.38		1235200049	\$814.38	
1234500164	\$814.38		1235200050	\$814.38	
1234500175	\$814.38		1235200061	\$814.38	
1234500186	\$814.38		1235200072	\$814.38	
1234500197	\$814.38		1235200083	\$814.38	
1234500207	\$814.38		1235200094	\$814.38	
1234500218	\$814.38		1235200104	\$814.38	
1234500229	\$814.38		1235200115	\$814.38	
1234500230	\$814.38		1235200126	\$814.38	
1234500263	\$814.38		1235200137	\$814.38	
1234500274	\$814.38		1235200148	\$814.38	
1234500285	\$814.38		1235210019	\$814.38	
1235000069	\$814.38		1235400018	\$814.38	
1235000070	\$814.38		1235400029	\$814.38	
1235000081	\$814.38		1235400030	\$814.38	
1235000092	\$814.38		1235400041	\$814.38	
1235000102	\$814.38		1235400052	\$814.38	
1235000113	\$814.38		1235400063	\$814.38	
1235000124	\$814.38		1235400074	\$814.38	
1235000146	\$814.38		1235400085	\$814.38	
1235000157	\$814.38		1235400096	\$814.38	
1235000168	\$814.38		1235400106	\$814.38	
1235000179	\$814.38		1235400117	\$814.38	
1235000180	\$814.38		1235400128	\$814.38	
1235100015	\$814.38		1235400139	\$814.38	
1235100026	\$814.38		1235400140	\$814.38	
1235100037	\$814.38		1235400151	\$814.38	

**LIST OF ASSESSMENTS
LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH – TRACTS 29588 & 29589)
FISCAL YEAR 2009-2010**

Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded
1235400162	\$814.38		1235700055	\$814.38	
1235400173	\$814.38		1235700066	\$814.38	
1235400184	\$814.38		1235700077	\$814.38	
1235400195	\$814.38		1235700088	\$814.38	
1235400205	\$814.38		1235700099	\$814.38	
1235400216	\$814.38		1235700109	\$814.38	
1235400227	\$814.38		1235700110	\$814.38	
1235500019	\$814.38		1235700121	\$814.38	
1235500020	\$814.38		1235700132	\$814.38	
1235500031	\$814.38		1235700143	\$814.38	
1235500064	\$814.38		1235700154	\$814.38	
1235500075	\$814.38		1235700165	\$814.38	
1235500086	\$814.38		1235700176	\$814.38	
1235500097	\$814.38		1235800012	\$814.38	
1235500107	\$814.38		1235800023	\$814.38	
1235500118	\$814.38		1235800034	\$814.38	
1235500129	\$814.38		1235800090	\$814.38	
1235500196	\$814.38		1235800188	\$814.38	
1235500206	\$814.38		1235900013	\$814.38	
1235510012	\$814.38		1235900024	\$814.38	
1235510023	\$814.38		1235900035	\$814.38	
1235510034	\$814.38		1235900046	\$814.38	
1235510045	\$814.38		1235900057	\$814.38	
1235510056	\$814.38		1235900068	\$814.38	
1235600010	\$814.38		1235900079	\$814.38	
1235600021	\$814.38		1235900080	\$814.38	
1235600032	\$814.38		1235900091	\$814.38	
1235600043	\$814.38		1235900101	\$814.38	
1235600054	\$814.38		1235900112	\$814.38	
1235600065	\$814.38		1235900123	\$814.38	
1235600076	\$814.38		1235900134	\$814.38	
1235600087	\$814.38		1235900145	\$814.38	
1235600098	\$814.38		1235900156	\$814.38	
1235600108	\$814.38		1235910016	\$814.38	
1235600119	\$814.38		1235910027	\$814.38	
1235600120	\$814.38		1235910038	\$814.38	
1235610013	\$814.38		1235910049	\$814.38	
1235610024	\$814.38		1235910050	\$814.38	
1235610035	\$814.38		1235910061	\$814.38	
1235610046	\$814.38		1235910072	\$814.38	
1235610057	\$814.38		1235910083	\$814.38	
1235610068	\$814.38		1235920019	\$814.38	
1235610079	\$814.38		1235920020	\$814.38	
1235700011	\$814.38		1235920031	\$814.38	
1235700022	\$814.38		1236000013	\$814.38	
1235700033	\$814.38		1236000024	\$814.38	
1235700044	\$814.38		1236000035	\$814.38	

**LIST OF ASSESSMENTS
LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH – TRACTS 29588 & 29589)
FISCAL YEAR 2009-2010**

Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded
				\$814.38	
1236000046	\$814.38		1236130035	\$814.38	
1236000057	\$814.38		1236130046	\$814.38	
1236000068	\$814.38		1236130057	\$814.38	
1236000079	\$814.38		1236130068	\$814.38	
1236000080	\$814.38		1236130079	\$814.38	
1236000091	\$814.38		1236130080	\$814.38	
1236000101	\$814.38		1236200015	\$814.38	
1236000112	\$814.38		1236200026	\$814.38	
1236000123	\$814.38		1236200037	\$814.38	
1236000134	\$814.38		1236200048	\$814.38	
1236000178	\$814.38		1236200059	\$814.38	
1236000189	\$814.38		1236200060	\$814.38	
1236000190	\$814.38		1236200071	\$814.38	
1236000200	\$814.38		1236210018	\$814.38	
1236000211	\$814.38		1236210029	\$814.38	
1236000222	\$814.38		1236210030	\$814.38	
1236000233	\$814.38		1236210041	\$814.38	
1236020019	\$814.38		1236210052	\$814.38	
1236020020	\$814.38		1236210063	\$814.38	
1236020031	\$814.38		1236210074	\$814.38	
1236020042	\$814.38		1236210085	\$814.38	
1236020053	\$814.38		1236210096	\$814.38	
1236020064	\$814.38		1236210106	\$814.38	
1236020075	\$814.38		1236210117	\$814.38	
1236020086	\$814.38		1236210128	\$814.38	
1236020097	\$814.38		1236210139	\$814.38	
1236020107	\$814.38		1236210140	\$814.38	
1236020118	\$814.38		1236210151	\$814.38	
1236100014	\$814.38		1236210162	\$814.38	
1236100025	\$814.38		1236210173	\$814.38	
1236110017	\$814.38		1236300016	\$814.38	
1236110028	\$814.38		1236300027	\$814.38	
1236110039	\$814.38		1236300038	\$814.38	
1236120010	\$814.38		1236300049	\$814.38	
1236120021	\$814.38		1236300050	\$814.38	
1236120032	\$814.38		1236300061	\$814.38	
1236120043	\$814.38		1236300072	\$814.38	
1236120054	\$814.38		1236300083	\$814.38	
1236120065	\$814.38		1236300094	\$814.38	
1236120076	\$814.38		1236300104	\$814.38	
1236120087	\$814.38		1236300115	\$814.38	
1236120098	\$814.38		1236300126	\$814.38	
1236120108	\$814.38		1236300137	\$814.38	
1236120119	\$814.38		1236300148	\$814.38	
1236120120	\$814.38		1236300159	\$814.38	
1236130013	\$814.38		1236300160	\$814.38	
1236130024	\$814.38		1236300171	\$814.38	

**LIST OF ASSESSMENTS
LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH – TRACTS 29588 & 29589)
FISCAL YEAR 2009-2010**

Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded
1236300182	\$814.38		1236600086	\$814.38	
1236300193	\$814.38		1236600097	\$814.38	
1236300203	\$814.38		1236600107	\$814.38	
1236300214	\$814.38		1236600118	\$814.38	
1236300225	\$814.38		1236600129	\$814.38	
1236300236	\$814.38		1236600130	\$814.38	
1236400017	\$814.38		1236600141	\$814.38	
1236400028	\$814.38		1236610012	\$814.38	
1236400039	\$814.38		1236610023	\$814.38	
1236400040	\$814.38		1236610034	\$814.38	
1236400051	\$814.38		1236610045	\$814.38	
1236400105	\$814.38		1236610056	\$814.38	
1236400116	\$814.38		1236610067	\$814.38	
1236400127	\$814.38		1236610078	\$814.38	
1236400138	\$814.38		1236610089	\$814.38	
1236400149	\$814.38		1236610090	\$814.38	
1236400150	\$814.38		1236610100	\$814.38	
1236400161	\$814.38		1236610111	\$814.38	
1236400172	\$814.38		1236700010	\$814.38	
1236400183	\$814.38		1236700021	\$814.38	
1236400194	\$814.38		1236700032	\$814.38	
1236400204	\$814.38		1236700043	\$814.38	
1236400215	\$814.38		1236700054	\$814.38	
1236500018	\$814.38		1236700065	\$814.38	
1236500029	\$814.38		1236700076	\$814.38	
1236500030	\$814.38		1236700087	\$814.38	
1236500041	\$814.38		1236700098	\$814.38	
1236500052	\$814.38		1236710013	\$814.38	
1236500063	\$814.38		1236710024	\$814.38	
1236500074	\$814.38		1236710035	\$814.38	
1236500085	\$814.38		1236710046	\$814.38	
1236500096	\$814.38		1236710057	\$814.38	
1236500106	\$814.38		1236710068	\$814.38	
1236500117	\$814.38		1236710079	\$814.38	
1236500128	\$814.38		1236710080	\$814.38	
1236500139	\$814.38		1236710091	\$814.38	
1236500140	\$814.38		1236710101	\$814.38	
1236510011	\$814.38		1236710112	\$814.38	
1236510022	\$814.38		1236710123	\$814.38	
1236510033	\$814.38		1236710134	\$814.38	
1236600019	\$814.38		1236710145	\$814.38	
1236600020	\$814.38		1236710156	\$814.38	
1236600031	\$814.38		1236710167	\$814.38	
1236600042	\$814.38				
1236600053	\$814.38				
1236600064	\$814.38		1682500031	\$0.00	undeveloped
1236600075	\$814.38		1682500042	\$0.00	undeveloped

**LIST OF ASSESSMENTS
LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH – TRACTS 29588 & 29589)
FISCAL YEAR 2009-2010**

Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded
1682500053	\$0.00	undeveloped	1682700011	\$814.38	
1682500064	\$0.00	undeveloped	1682700022	\$814.38	
1682500075	\$0.00	undeveloped	1682700033	\$814.38	
1682500086	\$0.00	undeveloped	1682700044	\$814.38	
1682500097	\$0.00	undeveloped	1682700055	\$814.38	
1682500107	\$0.00	undeveloped	1682700066	\$814.38	
1682500118	\$0.00	undeveloped	1682700077	\$814.38	
1682500129	\$0.00	undeveloped	1682700088	\$814.38	
1682500130	\$814.38		1682700099	\$814.38	
1682500141	\$0.00	undeveloped	1682700109	\$814.38	
1682500152	\$0.00	undeveloped	1682700110	\$814.38	
1682500163	\$0.00	undeveloped	1682700121	\$814.38	
1682500174	\$0.00	undeveloped	1682700132	\$814.38	
1682500185	\$0.00	Vacant	1682700143	\$814.38	
1682500196	\$0.00	undeveloped	1682700154	\$814.38	
1682500206	\$0.00	undeveloped	1682700165	\$814.38	
1682500217	\$814.38		1682710014	\$814.38	
1682500228	\$0.00	undeveloped	1682710025	\$814.38	
1682500239	\$0.00	undeveloped	1682710036	\$814.38	
1682500240	\$0.00	undeveloped	1682710047	\$814.38	
1682500251	\$0.00	Vacant	1682710058	\$814.38	
1682500262	\$0.00	undeveloped	1682800012	\$814.38	
1682500273	\$814.38		1682800023	\$814.38	
1682500284	\$814.38		1682800034	\$814.38	
1682500295	\$0.00	undeveloped	1682800045	\$814.38	
1682600010	\$814.38		1682800056	\$814.38	
1682600021	\$814.38		1682800067	\$814.38	
1682600032	\$814.38		1682810015	\$814.38	
1682600043	\$814.38		1682810026	\$814.38	
1682600054	\$814.38		1682810037	\$814.38	
1682600065	\$814.38		1682810048	\$814.38	
1682600076	\$814.38		1682810059	\$814.38	
1682600087	\$814.38		1682810060	\$814.38	
1682600098	\$814.38		1682810071	\$814.38	
1682600108	\$814.38		1682810082	\$814.38	
1682600119	\$814.38		1682820018	\$814.38	
1682600120	\$814.38		1682820029	\$814.38	
1682600131	\$814.38		1682820030	\$814.38	
1682600142	\$814.38		1682820041	\$814.38	
1682600153	\$814.38		1682900013	\$814.38	
1682600164	\$814.38		1682900024	\$814.38	
1682600175	\$814.38		1682900035	\$814.38	
1682600186	\$814.38		1682900046	\$814.38	
1682600197	\$814.38		1682900057	\$814.38	
1682600207	\$814.38		1682900068	\$814.38	
1682600218	\$814.38		1682900079	\$814.38	
1682600229	\$814.38		1682900080	\$814.38	

**LIST OF ASSESSMENTS
LANDSCAPE MAINTENANCE DISTRICT NO. 4
(NORCO RIDGE RANCH – TRACTS 29588 & 29589)
FISCAL YEAR 2009-2010**

Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded
1682900091	\$814.38		1683000321	\$814.38	
1682900101	\$814.38		1683000332	\$814.38	
1682900112	\$814.38		1683000343	\$814.38	
1682910016	\$814.38		1683000354	\$814.38	
1682910027	\$814.38		1683000365	\$814.38	
1682910038	\$814.38		1683000376	\$814.38	
1682910049	\$814.38		1683000387	\$814.38	
1682910050	\$814.38		1683000398	\$814.38	
1682910061	\$814.38		1683100014	\$814.38	
1682920019	\$814.38		1683110017	\$814.38	
1682920020	\$814.38		1683110028	\$814.38	
1682920031	\$814.38		1683110039	\$814.38	
1682920042	\$814.38		1683110040	\$814.38	
1682920053	\$814.38		1683110051	\$814.38	
1682920064	\$814.38		1683110062	\$814.38	
1682920075	\$814.38		1683110073	\$814.38	
1683000013	\$814.38		1683110084	\$814.38	
1683000024	\$814.38		1683110095	\$814.38	
1683000035	\$814.38		1683110105	\$814.38	
1683000046	\$814.38		1683110116	\$814.38	
1683000057	\$814.38		1683110127	\$814.38	
1683000068	\$814.38		1683110138	\$814.38	
1683000079	\$814.38		1683110149	\$814.38	
1683000080	\$814.38		1683110150	\$814.38	
1683000091	\$814.38		1683110161	\$814.38	
1683000101	\$814.38		1683110172	\$814.38	
1683000112	\$814.38		1683110183	\$814.38	
1683000123	\$814.38		1683120010	\$814.38	
1683000134	\$814.38		1683120021	\$814.38	
1683000145	\$814.38		1683120032	\$814.38	
1683000156	\$814.38		1683120043	\$814.38	
1683000167	\$814.38		1683120054	\$814.38	
1683000178	\$814.38		1683120065	\$814.38	
1683000189	\$814.38		1683120076	\$814.38	
1683000190	\$814.38		1683120087	\$814.38	
1683000200	\$814.38		1683120098	\$814.38	
1683000211	\$814.38		1683200015	\$814.38	
1683000222	\$814.38		1683200026	\$814.38	
1683000233	\$814.38		1683200037	\$814.38	
1683000244	\$814.38		1683200048	\$814.38	
1683000255	\$814.38		1683200059	\$814.38	
1683000266	\$814.38		1683200060	\$814.38	
1683000277	\$814.38		1683200071	\$814.38	
1683000288	\$814.38		1683200082	\$814.38	
1683000299	\$814.38		1683200093	\$814.38	
1683000309	\$814.38		1683200103	\$814.38	
1683000310	\$814.38		1683200114	\$814.38	

**LIST OF ASSESSMENTS
 LANDSCAPE MAINTENANCE DISTRICT NO. 4
 (NORCO RIDGE RANCH – TRACTS 29588 & 29589)
 FISCAL YEAR 2009-2010**

Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Parcel No.	As Preliminarily Approved	As Finally Confirmed and Recorded
1683200125	\$814.38				
1683200136	\$814.38				
1683200147	\$814.38				
1683200158	\$814.38				
1683200169	\$814.38				
1683200170	\$814.38				
1683210018	\$814.38				
1683210029	\$814.38				
1683210030	\$814.38				
1683210041	\$814.38				
1683210052	\$814.38				
1683210063	\$814.38				
1683210074	\$814.38				
1683210085	\$814.38				
1683210096	\$814.38				
1683210106	\$814.38				
1683210117	\$814.38				
1683210128	\$814.38				
1683210139	\$814.38				

PART E

ASSESSMENT DIAGRAM

An Assessment Diagram for the Assessment District is on file in the office of the City Engineer. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside, for the year when this Report was prepared, and are incorporated by reference herein and made part of this Report. A reduced scale map depicting the assessment diagram is attached hereto.

ENGINEER'S REPORT

FOR

LANDSCAPE MAINTENANCE DISTRICT NO. 5 (HAWK'S CREST)

FISCAL YEAR 2009-2010

PREPARED FOR THE

CITY OF NORCO

RIVERSIDE COUNTY, CALIFORNIA

PREPARED BY:

DOMINIC C. MILANO, P.E.

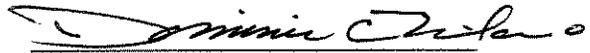
CITY ENGINEER

**ENGINEER'S REPORT
CITY OF NORCO**

**LANDSCAPE MAINTENANCE DISTRICT NO. 5
(HAWK'S CREST – TRACT 30230)
FISCAL YEAR 2009-2010**

The undersigned respectfully submits the enclosed report as directed by the City Council.

Date: June 3, 2009

By: 
Dominic C. Milano, P.E.
R.C.E. No. 27172
City Engineer

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was filed with me on _____, 2009.

City Clerk, City of Norco
Riverside County, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Norco, California, on _____, 2009.

City Clerk, City of Norco
Riverside County, California

By: _____

**FISCAL YEAR 2009-2010
CITY OF NORCO**

**ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF THE
LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH
22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, and in accordance with the Resolution of Initiation, being Resolution No. 99-76, adopted by the Council of the City of Norco, State of California, in connection with the proceedings for:

**CITY OF NORCO
LANDSCAPING MAINTENANCE DISTRICT NO. 5
(HAWK'S CREST- TRACT 30230)**

Hereinafter referred to as the "Assessment District," I, Dominic C. Milano, P.E. authorized representative of the City of Norco, the duty appointed ENGINEER OF WORK, submit herewith the "Report" consisting of four parts as follows:

PART A

Plans and specifications for the improvements are as set forth herein and are on file in the Office of the Clerk of the City.

PART B

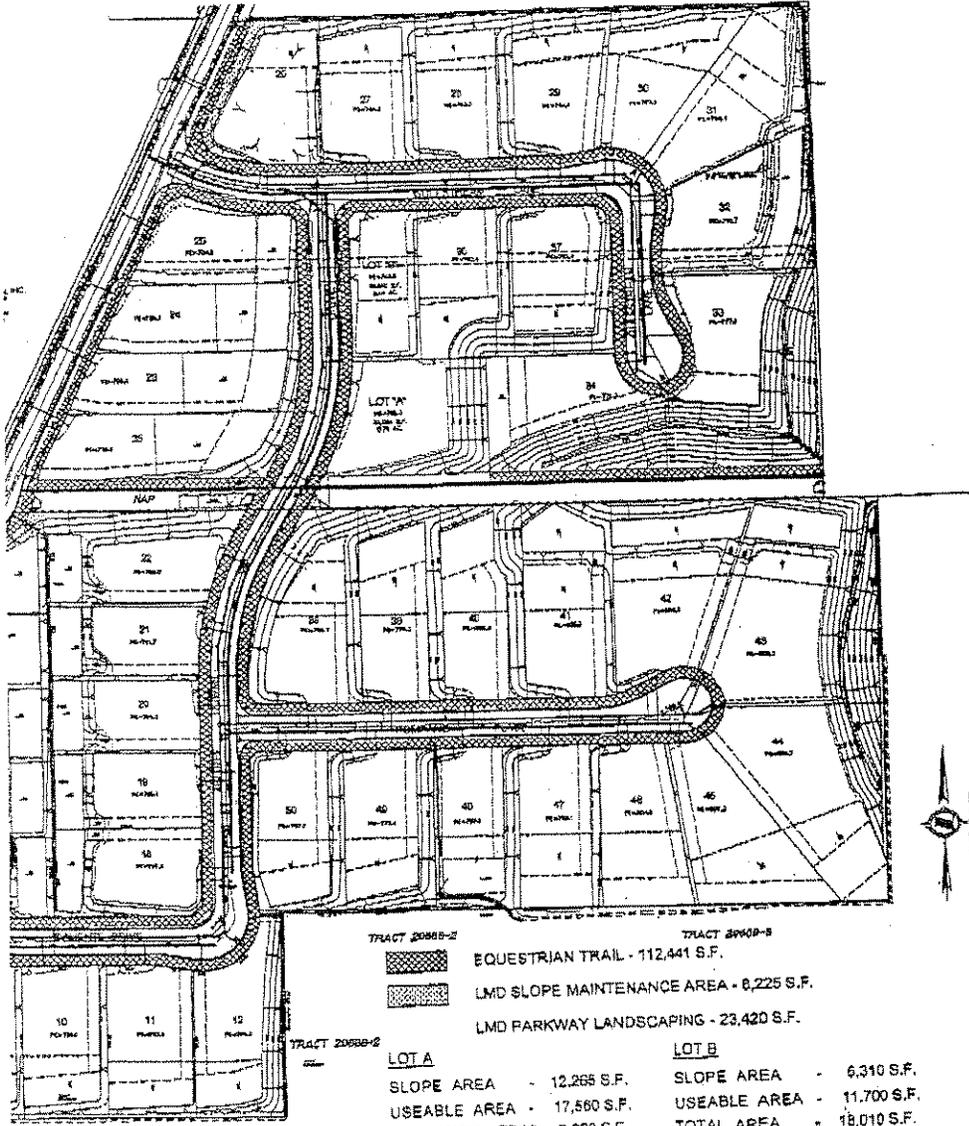
An estimate of cost of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth herein.

PART C

The Diagram of the Assessment District Boundaries showing the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District, and the lines and dimensions of each lot or parcel of land within the Assessment District has been submitted to the Clerk of the City. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made part of this Report. The legal description of the Assessment District is attached hereto.

PART D

An assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District.



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PART A

PLANS AND SPECIFICATIONS

**DESCRIPTION OF IMPROVEMENTS
FOR THE CITY OF NORCO
LANDSCAPE MAINTENANCE DISTRICT NO. 5
(HAWK'S CREST – TRACT 30230)
FISCAL YEAR 2009-2010**

The improvements are the operation, maintenance, and servicing of landscaping, horse trails, hardscaping, and masonry, and appurtenant facilities including but not limited to personnel, electrical energy, utilities such as water, materials, contracting services, and other items necessary for the satisfactory operation of these services, described as follows:

LANDSCAPING

Landscaping, planting, shrubbery, trees, irrigation, hardscapes, masonry wall surfaces, fencing, fixtures, and appurtenant facilities located within public rights-of-way (parkways), easements (slope and trail) and publicly owned parcels within the boundary of the Assessment District except as specifically excluded.

**PART B
ESTIMATE OF COST**

**LANDSCAPE MAINTENANCE DISTRICT NO. 5 (KB HOME TRACT 30230)
NORCO, CALIFORNIA**

The cost of the operation, maintenance, and servicing of the improvements for Fiscal Year 2009-2010 as described in Part A, are summarized herein and described below:

ITEM	DESCRIPTION	QUANTITY	ANNUAL COST PER YEAR
1	LANDSCAPE MAINTENANCE (PARK-FLAT): includes all pruning, weed and pest control, fertilization, turf care, trash and debris cleanup, irrigation to include maintenance and repair, backflow testing, rodent control, plant replacement, and observation.	11,700 S.F. (0.269 A)	\$ 9,067.00
2	ARENA MAINTENANCE: includes grading & replenishment of DG and maintenance of rail.	17,560 S.F. (0.403 A)	Included in No. 1
3	EQUESTRIAN TRAIL: includes minor grading, replacement of wooden posts and rails, and addition of decomposed granite for trail surface.	115,671 S.F.	\$ 15,337.00
4	LANDSCAPE MAINTENANCE (SLOPE – PARK & ARENA): includes plant maintenance, weed and pest control, and debris cleanup.	18,575 S.F. (0.426 A)	\$ 5,294.00
5	SLOPE MAINTENANCE : includes same activities as Item 1 but for exterior slopes along Fifth Street and California Avenue.	8,225 S.F. (0.19 A)	\$ Included in No. 4
6	LANDSCAPE MAINTENANCE (PARKWAYS): includes weeding, feeding of ground cover and maintenance & trimming of street trees.	23,420 S.F. (0.538 A)	\$ Included in No. 4
7	UTILITIES: includes cost of water and electricity for controller for all areas.	L.S.	\$ 11,992.00
	SUBTOTAL:		\$ 41,690.00
8	OBSERVATION: including staff time to oversee Contractor maintaining District.	L.S.	\$ 5,810.00
9	INCIDENTALS: including Engineer's Report and proceedings, administration, printing, and advertising.		\$ 2,691.00
10	CONTINGENCY: 7.7 percent		\$ 3,210.00
	TOTAL ANNUAL COSTS:		\$ 53,401.00

Costs from City of Norco average of landscape maintenance costs for the City. Source of information Chris Wyrick and Brian Petree of the Department of Parks, Recreation and Community Services.

Annual assessments shall be calculated based on updated numbers and upon annual adjustments to the assessment rate as provided in the Engineer's Report.

The total annual levy of assessments hereunder may be increased annually by an amount not to exceed the increase in the consumer price index applicable to the City of Norco. In no case may the increase exceed the actual cost of providing the services rendered within and pursuant to the District. The CPI increase for 2008 was 0%.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purposes as stated herein. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance remaining on July 1 must be carried over to the next fiscal year.

PART C

ASSESSMENT DIAGRAM

As Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Riverside, for the year when this Report was prepared, and are incorporated by reference herein and made a part of this Report. A reduced scale map depicting the assessment diagram is attached hereto. Also attached as Exhibit "A" is the Legal Description of Assessment District.

EXHIBIT A

**LEGAL DESCRIPTION
LANDSCAPE MAINTENANCE DISTRICT NO. 5 (HAWK'S CREST)**

That certain real property situated in the City of Norco, County of Riverside, State of California, more particularly described as follows:

Lots 1 through 50 inclusive, of Tract No. 30230 in the City of Norco, County of Riverside, State of California, as per map recorded in Book 344, Pages 40 through 45, inclusive, of Maps in the Office of the County Recorder of Said County.

PART D
ASSESSMENT

WHEREAS, on November 5, 2003, the City Council of the City of Norco, California, pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the California Streets and Highways Code (the "Act") adopted its Resolution of the City Council of the City of Norco Initiating Proceedings for the Formation for a Maintenance Assessment District and thereafter formed Landscape Maintenance District No. 5 (Hawk's Crest) (the "District") as more particularly described in said proceedings; and

WHEREAS, said resolution directed the undersigned to prepare and file a report pursuant to Section 22565, et seq., of said Act;

WHEREAS, at this time, this City Council is desirous to provide for the annual levy of assessments for the territory within the District for the next ensuing fiscal year, to provide for the costs and expenses necessary for continual maintenance of improvements within said District; and

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the City Council of said City, hereby makes the following assessment to cover the portion of the estimated cost of the maintenance of said improvements and the costs and expenses incidental thereto to be paid by said District.

The amount to be paid for the maintenance of said improvement, and the expenses incidental thereto, are as follows:

	(1) As Filed	(2) As Preliminarily Approved	(3) As Finally Approved
Cost of Maintenance	\$ 50,710.00	\$ 50,710.00	\$
Incidental Expenses	\$ 2,691.00	\$ 2,691.00	\$
Total Cost	\$ 53,401.00	\$ 53,401.00	\$
Surplus or (Deficit) from Previous Fiscal Year	\$ 5,328.00	\$ 5,328.00	\$
NET TO BE ASSESSED FOR FISCAL YEAR 2009-2010	\$ 48,073.00	\$ 48,073.00	\$

As required by said Act, a diagram is attached showing the exterior boundaries of said District. The lines and dimensions of each lot or parcel of land within the said District as the same existed at the time of the passage of said resolution are as shown on the maps of the County Assessor of the County of Riverside. Reference is hereby made to said maps and said maps shall govern for all details concerning the lines and dimensions of such lots and parcels.

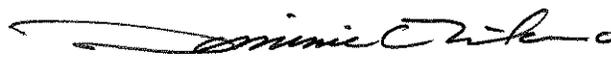
I do hereby assess the net amount to be assessed upon all assessable lots or parcels of land within said District by apportioning that amount among the several lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the maintenance of said improvements, and more particularly set forth in the list hereto attached and by reference made a part hereof.

Said assessment is made upon the several lots or parcels of land within the District in proportion to the estimated benefits to be received by said lots or parcels, respectively, from the maintenance of said improvements. The diagram and the assessor's map are the documents to which reference is hereby made for a more particular description of said property.

Each lot or parcel of land assessed is described in the assessment list by reference to its parcel number as shown on the Assessor's Maps of the County of Riverside for the Fiscal Year 2009-2010 and includes all of such parcel. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

City of Norco

Dated: June 3, 2009

A handwritten signature in black ink, appearing to read "Dominic C. Milano", written over a horizontal line.

Dominic C. Milano, P.E.
City Engineer

EXHIBIT B

METHOD AND FORMULA OF ASSESSMENT SPREAD

The law requires and the statutes provide that assessments, as levied pursuant to the provisions of the "Landscaping and Lighting Act of 1972," must be based on the benefit that the properties receive from the works of improvement. The statute does not specify the method or formula that should be used in any special assessment district proceedings. The Assessment Engineer is appointed for the purpose of making an analysis of the facts and determining the correct apportionment of the assessment obligation. For these proceedings, the City has based its determination on standard assessment practices utilized by consulting civil engineers with a background of experience in the design of such works of improvement and experience in the completion of assessment district formation projects.

IDENTIFYING THE BENEFIT

First of all, it is necessary to identify the benefit that the public improvement will render to the properties within the Assessment District. The landscaping, irrigation, and equestrian trails have been designed and will be constructed for the benefit of enhanced aesthetics and neighborhood identity for all properties within the Assessment District.

APPORTIONMENT OF COSTS

In further making the analysis, it is necessary that the property owners receive a special and direct benefit distinguished from that of the general public. In this case, several factors are being used in the final method and spread and assessment.

The individual parcels of land within the Assessment District are currently developed or have the potential for development to single family residential units. The proposed improvements are designed to enhance the appearance and appeal of the District and all of the parcels within. The improvements will provide a sense of neighborhood identity for the District. As such, each parcel will benefit equally from the proposed improvements.

In conclusion, it is my opinion that the assessments for the referenced Assessment District have been spread in direct accordance with the benefits that each parcel receives from the works of improvements.

**LIST OF ASSESSMENTS
 LANDSCAPE MAINTENANCE DISTRICT NO. 5 (HAWK'S CREST – TRACT 30230)
 FISCAL YEAR 2009-2010**

Lot No.	As Preliminarily Approved	As Finally Confirmed and Recorded	Lot No.	As Preliminarily Approved	As Finally Confirmed and Recorded
1	\$961.45		45	\$961.45	
2	\$961.45		46	\$961.45	
3	\$961.45		47	\$961.45	
4	\$961.45		48	\$961.45	
5	\$961.45		49	\$961.45	
6	\$961.45		50	\$961.45	
7	\$961.45				
8	\$961.45				
9	\$961.45				
10	\$961.45				
11	\$961.45				
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15	\$961.45				
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17	\$961.45				
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34	\$961.45				
35	\$961.45				
36	\$961.45				
37	\$961.45				
38	\$961.45				
39	\$961.45				
40	\$961.45				
41	\$961.45				
42	\$961.45				
43	\$961.45				
44	\$961.45				

RESOLUTION NO. 2009-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA ORDERING THE CONTINUATION OF A LANDSCAPING MAINTENANCE DISTRICT AND CONFIRMING A DIAGRAM AND ASSESSMENT AND PROVIDING FOR ANNUAL ASSESSMENT LEVY

WHEREAS, the City Council of the City of Norco, California, has initiated proceedings for the continuation of a Landscape Maintenance District and the annual levy of said assessments for said District pursuant to the terms and provisions of the "Landscaping and Street Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California, in a district known and designated as:

CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 1 (BEAZER, TRACT 28765)

(hereinafter referred to as the "District"); and

WHEREAS, the City Council has ordered the preparation of a report and the City Engineer has prepared and filed with this City Council a report pursuant to law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intent to levy and collect assessments for the next ensuing fiscal year relating to the above-referenced District, and further did proceed to give notice of the time and place for a Public Hearing on all matters relating thereto; and,

WHEREAS, at this time this City Council has heard all testimony and evidence, has tabulated all protests received, and desires to proceed with the annual levy of assessments.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1: That the above recitals are all true and correct.

SECTION 2: That upon conclusion of the Public Hearing, protests submitted in opposition to continuation of the District filed, and not withdrawn, did not represent property owners more than 50 percent of the area of assessable land within the District, and all protests are overruled and denied.

SECTION 3: That this City Council hereby confirms the diagram and assessment as submitted and orders the annual levy of the assessment for the fiscal year and in the amounts as set forth in the Engineer's Report and as referred to in the Resolution of Intent as previously adopted relating to said annual assessment levy.

SECTION 4: That the diagram and assessment as set forth and contained in said Report are hereby confirmed and adopted by this City Council.

SECTION 5: That the adoption of this Resolution constitutes the levy of the assessment for the fiscal year.

SECTION 6: That the estimates of costs, the assessment diagram, the assessments and all other matters, as set forth in the Engineer's Report, pursuant to said "Landscaping and Street Lighting Act of 1972", as submitted, are hereby approved, adopted by this City Council and hereby confirmed.

SECTION 7: That the maintenance works and/or improvements are contemplated by the Resolution of Intent shall be performed pursuant to law and the County Auditor shall enter on the County Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner that County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer of said City.

SECTION 8: That the City Treasurer has previously established a special fund known as the CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 1, (BEAZER, TRACT NO. 28765) into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of this Resolution and law and including any surplus amounts in those funds established for the existing Districts and said transfer shall be made and accomplished soon as said monies have been made available to said City Treasurer.

SECTION 9: That the City Engineer is hereby ordered and directed to file a certified copy of the diagram and assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

SECTION 10: That a certified copy of the assessment and diagram shall be filed in the office of the City Engineer, with a duplicate copy on file in the Office of the City Clerk and open for public inspection.

Resolution No. 2009-____, Beazer
Page 3
July 15, 2009

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on July 15, 2009.

Mayor of the City of Norco, California

ATTEST:

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

I, BRENDA JACOBS, City Clerk of the City of Norco, California, 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 July 15, 2009, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand affixed the official seal of the City of Norco, California, held on July 15, 2009.

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

/73047

RESOLUTION NO. 2009-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO ORDERING THE CONTINUATION OF A LANDSCAPING MAINTENANCE DISTRICT AND CONFIRMING A DIAGRAM AND ASSESSMENT AND PROVIDING FOR ANNUAL ASSESSMENT LEVY

WHEREAS, The City Council has initiated proceedings for the continuation of a Landscaping Maintenance District and the annual levy of assessments for said District pursuant to the terms and provision of the "Landscaping and Street Lighting Act of 1972," being Part 2 of Division 15 of the Streets and Highways Code of the State of California, in a district known and designated as:

CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 2 (WESTERN PACIFIC, TRACT 25779)

WHEREAS, the City Council has ordered the preparation of a report and the City Engineer has prepared and filed with this City Council a report pursuant to law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for the next ensuing fiscal year relating to the above-referenced District, and further did proceed to give notice of the time and place for a Public Hearing on all matters relating thereto; and,

WHEREAS, at this time, this City Council has heard all testimony and evidence, has tabulated all protests received, and desires to proceed with the annual levy of assessments.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. That the above-recitals are all true and correct.

SECTION 2. That upon the conclusion of the Public Hearing, protests submitted in opposition to continuation of the District filed, and not withdrawn, did not represent property owners owning more than fifty percent (50%) of the area of assessable land within the District, and all protests are overruled and denied.

SECTION 3. That this City Council hereby confirms the diagram and assessment as submitted and orders the annual levy of the assessment for the fiscal year and in the amounts as set forth in the Engineer's Report and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

SECTION 4. That the diagram and assessment as set forth and contained in said Report are hereby confirmed and adopted by this City Council.

SECTION 5. That the adoption of this Resolution constitutes the levy of the assessment for the fiscal year.

SECTION 6. That the estimates of costs, the assessment diagram, the assessments and all other matters, as set forth in Engineer's "Report," pursuant to said "Landscaping and Street Lighting Act of 1972," as submitted, are hereby approved, adopted by this City Council and hereby confirmed.

SECTION 7. That the maintenance works and/or improvements contemplated by the Resolution of Intention shall be performed pursuant to law and the County Auditor shall enter on the County Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer of said City.

SECTION 8. That the City Treasurer has previously established a special fund known as the CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 2, (WESTERN PACIFIC, TRACT 25779) into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of this Resolution and law and including any surplus amounts in those funds established for the existing Districts and said transfer shall be made and accomplished as soon as said monies have been made available to said City Treasurer.

SECTION 9. That the City Engineer is hereby ordered and directed to file a certified copy of the diagram and assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

SECTION 10. That a certified copy of the assessment and diagram shall be filed in the office of the City Engineer, with a duplicate copy on file in the Office of the City Clerk and open for public inspection.

PASSED and ADOPTED by the City Council of the City of Norco at a regular meeting held on July 15, 2009.

Mayor of the City of Norco, California

ATTEST:

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

I, Brenda Jacobs, City Clerk of the City of Norco, California, 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 July 15, 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 July 15, 2009.

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

/73048

RESOLUTION NO. 2009-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA ORDERING THE CONTINUATION OF A LANDSCAPING MAINTENANCE DISTRICT AND CONFIRMING A DIAGRAM AND ASSESSMENT AND PROVIDING FOR ANNUAL ASSESSMENT LEVY

WHEREAS, the City Council of the City of Norco, California, has initiated proceedings for the continuation of a Landscape Maintenance District and the annual levy of said assessments for said District pursuant to the terms and provisions of the "Landscaping and Street Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California, in a district known and designated as:

CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 3 (CENTEX, TRACT 28626)

(hereinafter referred to as the "District"); and

WHEREAS, the City Council has ordered the preparation of a report and the City Engineer has prepared and filed with this City Council a report pursuant to law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intent to levy and collect assessments for the next ensuing fiscal year relating to the above-referenced District, and further did proceed to give notice of the time and place for a Public Hearing on all matters relating thereto; and,

WHEREAS, at this time this City Council has heard all testimony and evidence, has tabulated all protests received, and desires to proceed with the annual levy of assessments.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1: That the above recitals are all true and correct.

SECTION 2: That upon conclusion of the Public Hearing, protests submitted in opposition to continuation of the District filed, and not withdrawn, did not represent property owners more than 50 percent of the area of assessable land within the District, and all protests are overruled and denied.

SECTION 3: That this City Council hereby confirms the diagram and assessment as submitted and orders the annual levy of the assessment for the fiscal year and in the amounts as set forth in the Engineer's Report and as referred to in the Resolution of Intent as previously adopted relating to said annual assessment levy.

SECTION 4: That the diagram and assessment as set forth and contained in said Report are hereby confirmed and adopted by this City Council.

SECTION 5: That the adoption of this Resolution constitutes the levy of the assessment for the fiscal year.

SECTION 6: That the estimates of costs, the assessment diagram, the assessments and all other matters, as set forth in the Engineer's Report, pursuant to said "Landscaping and Street Lighting Act of 1972", as submitted, are hereby approved, adopted by this City Council and hereby confirmed.

SECTION 7: That the maintenance works and/or improvements are contemplated by the Resolution of Intent shall be performed pursuant to law and the County Auditor shall enter on the County Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner that County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer of said City.

SECTION 8: That the City Treasurer has previously established a special fund known as the CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 3, (CENTEX, TRACT NO. 28626) into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of this Resolution and law and including any surplus amounts in those funds established for the existing Districts and said transfer shall be made and accomplished soon as said monies have been made available to said City Treasurer.

SECTION 9: That the City Engineer is hereby ordered and directed to file a certified copy of the diagram and assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

SECTION 10: That a certified copy of the assessment and diagram shall be filed in the office of the City Engineer, with a duplicate copy on file in the Office of the City Clerk and open for public inspection.

Resolution No. 2009-____, Centex
Page 3
July 15, 2009

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on July 15, 2009.

Mayor of the City of Norco, California

ATTEST:

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

I, BRENDA JACOBS, City Clerk of the City of Norco, California, 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 July 15, 2009, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand affixed the official seal of the City of Norco, California, held on July 15, 2009.

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

/73049

RESOLUTION NO. 2009-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO ORDERING THE CONTINUATION OF A LANDSCAPING MAINTENANCE DISTRICT AND CONFIRMING A DIAGRAM AND ASSESSMENT AND PROVIDING FOR ANNUAL ASSESSMENT LEVY

WHEREAS, The City Council has initiated proceedings for the continuation of a Landscaping Maintenance District and the annual levy of assessments for said District pursuant to the terms and provision of the "Landscaping and Street Lighting Act of 1972," being Part 2 of Division 15 of the Streets and Highways Code of the State of California, in a district known and designated as:

CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 4 (NORCO RIDGE RANCH, TRACT 29588 AND 29589)

WHEREAS, the City Council has ordered the preparation of a report and the City Engineer has prepared and filed with this City Council a report pursuant to law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for the next ensuing fiscal year relating to the above-referenced District, and further did proceed to give notice of the time and place for a Public Hearing on all matters relating thereto; and,

WHEREAS, at this time, this City Council has heard all testimony and evidence, has tabulated all protests received, and desires to proceed with the annual levy of assessments.

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SECTION 7. That the maintenance works and/or improvements contemplated by the Resolution of Intention shall be performed pursuant to law and the County Auditor shall enter on the County Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer of said City.

SECTION 8. That the City Treasurer has previously established a special fund known as the CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 4, (NORCO RIDGE RANCH, TRACT 29588 AND 29589) into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of this Resolution and law and including any surplus amounts in those funds established for the existing Districts and said transfer shall be made and accomplished as soon as said monies have been made available to said City Treasurer.

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PASSED and ADOPTED by the City Council of the City of Norco at a regular meeting held on July 15, 2009.

Mayor of the City of Norco, California

ATTEST:

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City of Norco, California

I, Brenda Jacobs, City Clerk of the City of Norco, California, 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 July 15, 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 July 15, 2009.

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

/73051

RESOLUTION NO. 2009-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORCO, CALIFORNIA ORDERING THE CONTINUATION OF A LANDSCAPING MAINTENANCE DISTRICT AND CONFIRMING A DIAGRAM AND ASSESSMENT AND PROVIDING FOR ANNUAL ASSESSMENT LEVY

WHEREAS, the City Council of the City of Norco, California, has initiated proceedings for the continuation of a Landscape Maintenance District and the annual levy of said assessments for said District pursuant to the terms and provisions of the "Landscaping and Street Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California, in a district known and designated as:

CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 5 (HAWKS CREST – KB HOME)

(hereinafter referred to as the "District"); and

WHEREAS, the City Council has ordered the preparation of a report and the City Engineer has prepared and filed with this City Council a report pursuant to law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intent to levy and collect assessments for the next ensuing fiscal year relating to the above-referenced District, and further did proceed to give notice of the time and place for a Public Hearing on all matters relating thereto; and,

WHEREAS, at this time this City Council has heard all testimony and evidence, has tabulated all protests received, and desires to proceed with the annual levy of assessments.

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SECTION 5: That the adoption of this Resolution constitutes the levy of the assessment for the fiscal year.

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SECTION 7: That the maintenance works and/or improvements are contemplated by the Resolution of Intent shall be performed pursuant to law and the County Auditor shall enter on the County Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner that County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer of said City.

SECTION 8: That the City Treasurer has previously established a special fund known as the CITY OF NORCO LANDSCAPING MAINTENANCE DISTRICT NO. 5, (HAWKS CREST – KB HOME) into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of this Resolution and law and including any surplus amounts in those funds established for the existing Districts and said transfer shall be made and accomplished soon as said monies have been made available to said City Treasurer.

SECTION 9: That the City Engineer is hereby ordered and directed to file a certified copy of the diagram and assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

SECTION 10: That a certified copy of the assessment and diagram shall be filed in the office of the City Engineer, with a duplicate copy on file in the Office of the City Clerk and open for public inspection.

Resolution No. 2009-____, Hawks Crest – KB Home
Page 3
July 15, 2009

PASSED AND ADOPTED by the City Council of the City of Norco at a regular meeting held on July 15, 2009.

Mayor of the City of Norco, California

ATTEST:

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

I, BRENDA JACOBS, City Clerk of the City of Norco, California, 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 July 15, 2009, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand affixed the official seal of the City of Norco, California, held on July 15, 2009.

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

/73050

CITY OF NORCO STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Beth Groves, Interim City Manager *Beth Groves*

PREPARED BY: *SK* Steve King, Planning Manager

DATE: July 15, 2009

SUBJECT: Request for a Waiver of Fees not yet Paid for a Proposed Conditional Use Permit

RECOMMENDATION: That a waiver of fees be approved if the Planning Commission denies a conditional use permit request.

SUMMARY: On January 21, 2009 the City Council adopted Resolution 2009-03 establishing new fees for City services based on a breakdown study of the hours needed for various applications for services and/or City approvals. The fee for a minor conditional use permit (CUP) for a resident (plus environmental and recording fees) is \$1,271 and the applicant is asking the City Council to waive the fees if the Planning Commission denies his conditional use permit request.

BACKGROUND: Mr. Moreno has requested a building permit to restore a damaged roof on a non-conforming residence located at 3946 Temescal Avenue. The land use is non-conforming because the house is located in the Commercial (C-4) zone which does not allow residences. As a non-conforming use the structure can continue to be used as a residence provided that the use has been continual, which this one has been. Also, a non-conforming use cannot be enlarged, altered, or moved without approval of a CUP.

Mr. Moreno received approval from the Planning Commission to rebuild the roof on the non-conforming structure. Upon applying for the building permit it was discovered that the structure did not have footings and would need them before permits on the roof could be issued. With the new work needed for the footings the cost of the entire project is approaching the cost of building a new structure. The applicant considers that a preferable alternative over restoring the existing building. Since the structure is non-conforming the CUP is needed for a new structure. The applicant is requesting that the application fee be waived (refunded) if the Planning Commission ultimately denies the CUP request.

In order for the applicant to receive a waiver, the City Council must first approve the request. The applicant's justification for the waiver is attached (Exhibit "A" – Letter dated June 30, 2009). Typically the fees are paid first and then the applicant requests a refund with the waiver. Since the applicant already has a permit to rebuild the roof, and

Waiver of Fee Request

Page 2

July 15, 2009

because of the new expense of the footings, he does not want to spend the money on the CUP request if it is going to be denied. The project so far has proven to be more expensive than when originally considered. With the CUP the applicant can adjust the funding package for the project and cover the application fee; and in his letter the applicant states that he is willing to pay the fee if the CUP is approved. But if the CUP is denied the applicant would still need to finish the new roof, and the potential loss of the CUP application fee would be more of a burden on an already strained budget.

In the attached letter, the applicant is requesting a waiver of fees in the amount of \$2,724, which is the wrong amount. That amount is what a commercial applicant pays rather than a resident so the actual amount being requested is \$1,271; and again, this is a request to have the fees refunded if the CUP is denied. No CUP application fees have been paid yet. Typically it is the City's position that fees not be waived but in this case the applicant is only requesting the waiver if the CUP request to the Planning Commission is denied. Based on the above, staff has recommended approval of the waiver request. The applicant still needs to file the CUP application so it is not known when the request will be presented to the Planning Commission.

/sk-73020

Attachments: Letter dated June 30, 2009

Dear Norco City Council,

My name is Raul Moreno and I purchased the property located at 3946 Temescal Ave, Norco, CA 92860 on March 11, 2009. I purchased the property not knowing that the property was zoned commercial and it's current use of residential was nonconforming. I intend to use the property as a residential home and keep my horses at the property.

After I purchased the property I went out of town for a few days, I hired some guys to cut trees down around the property while I was gone. Shortly after, I received a phone call from one of the workers stating that a large tree branch had fallen on the roof and the entire roof caved in. The next day I received a call from Craig Welch from the building department and was told to come in to talk.

When I got back from my trip, I met with Craig and explained everything that had acquired up to that point. Then I started the process with the city to be able to rebuild a new roof. It has been a very difficult and expensive process. While this has been taking place the home has been sitting destroyed and vacant since March. I have been given permission from the city to rebuild the roof but during the process I discovered that there are no footings under the foundation and multiple other problems with the property. At this point the cost is extremely high to make the property livable and I could rebuild the entire property for a few thousand more.

I am asking that you consider allowing me to build a beautiful new residential structure on the property where I can live safely with my horses. I now know that the property is zoned commercial but I have already been given permission to use the property as nonconforming residential. The property is situated between residential structures; the two to the south are zoned commercial and being used as nonconforming residential and all the properties to the north are zoned residential.

I have been told that I need to pay \$2,724 which is non refundable just to ask permission from the city council and if I'm denied the money will not be refunded. I'm asking ahead of time that if I'm denied, the money be refunded to me. If I'm approved I have no problem with any fees I may have to pay.

Thank you for taking your time to hear about my situation and considering my proposal to build a beautiful safe livable nonconforming residential structure.

Sincerely,

Raul Moreno



(951) 734-0323

EXHIBIT

"A"