



# MINUTES CITY OF NORCO

CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY  
REGULAR MEETING  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
JULY 6, 2011

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

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

**Staff Present:** Bryan, Cooper, Groves, Jacobs, King, Okoro, Petree and Thompson

City Attorney Harper– **Present**

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

**Section 54956.9(c) – Conference with Legal Counsel - Anticipated Litigation**

Number of Potential Cases: 1

RECONVENE PUBLIC SESSION: Mayor Hanna reconvened the meeting at 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1): **City Attorney Harper stated that there were no reportable actions from Closed Session discussions.**

PLEDGE OF ALLEGIANCE: Council Member Azevedo

INVOCATION: St. Mel's Catholic Church  
*Father Declan Fogarty*

PRESENTATIONS: Sergeant Custodio Ponce  
In Recognition of Receiving the  
LAPD Medal of Valor

**Mayor Hanna presented a Certificate of Recognition to Sergeant Ponce in honor of him receiving the LAPD Medal of Valor.**

Parks and Recreation Month – July 2011

**Mayor Hanna presented a proclamation to Parks, Recreation & Community Services Director Petree in recognition of Parks and Recreation Month.**

Commission Service Appreciation  
*Glenn Hedges*

**Mayor Hanna presented a City Tile to Mr. Hedges in recognition of his service on the Streets, Trails & Utilities Commission.**

EDAC Service Appreciation  
*Jeff Compton*

**Mayor Hanna presented a City Tile to Mr. Compton in recognition of his service on the Economic Development Advisory Council (“EDAC”). Pat Overstreet, representing the Norco Regional Conservancy, presented Mr. Compton with a plaque recognizing his contributions to the Conservancy.**

**REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:**

1. CRA CONSENT CALENDAR ITEMS: **Mayor Hanna stated that the amount requested in Item 1.C. was input incorrectly on the agenda and should correctly state “Approval of First-Time Homebuyer Case No.2011-02 in the Amount of \$36,750”.**

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

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE**

- A. CRA Minutes:  
Regular Meeting of June 15, 2011  
**Recommended Action: Approve the CRA Minutes (City Clerk)**
  - B. Approval of First-Time Homebuyer Case No. 2011-01 in the Amount of \$29,250. **Recommended Action: Approval (Housing Manager)**
  - C. Approval of First-Time Homebuyer Case No.2011-02 in the Amount of ~~\$29,950~~ \$36,750. **Recommended Action: Approval (Housing Manager)**
2. OTHER CRA MATTERS: No other CRA matters

**ADJOURNMENT OF CRA: 7:15 p.m.**

**REGULAR CITY COUNCIL AGENDA AS FOLLOWS:**

3. CITY COUNCIL CONSENT CALENDAR ITEMS:

**Item 3.H was pulled by the public for discussion.**

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

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

- A. City Council Minutes:  
Regular Meeting of June 15, 2011  
Recommended Action: **Approve the City Council Minutes** (City Clerk)
- B. Recap of Actions Taken at the Planning Commission Regular Meeting of June 29, 2011. **Recommended Action: Receive and File** (Planning Director)
- C. Procedural Step to Approve Ordinance after Reading of Title Only.  
**Recommended Action: Approval** (City Clerk)
- D. Approval of a Cooperation Agreement for the City of Norco to Participate in the County of Riverside's Urban County Program for Fiscal Years 2012-13, 2013-14 and 2014-15. **Recommended Action: Adopt Resolution No. 2011-55 approving the Cooperation Agreement.** (Housing Manager)
- E. Approval of a Reimbursement Agreement between the City of Norco and Balboa Management Group, LLC. **Recommended Action: Adopt Resolution No. 2011-50, approving a Reimbursement Agreement between the City of Norco and Balboa Management Group, LLC to fund weed abatement and site maintenance of the Silverlakes property.** (Public Works Director)
- F. Acceptance of Bids and Award of Contract for the Norco Drive Sewer and Water Improvements Project. **Recommended Action: Accept bids submitted for the installation of sewer and water improvements and award a contract to Vido Samarzich, Inc. in the amount of \$166,446 and authorize the City Manager to approve contract change orders up to 10 percent of the contract amount.** (Public Works Director)

- G. Award of Contract for Riverside County Flood Control and Water Conservation District Master Drainage Plan Storm Drain Design Services. **Recommended Action: Award a professional design services contract to Armstrong and Brooks Consulting Engineers for a not-to-exceed amount of \$94,555.** (Public Works Director)
- H. Discussion of Zoning Standards that Regulate the Maximum Number of Roosters Allowed on Properties in the A-1 Zone. **Recommended Action: Direct the Planning Commission to take the matter up for discussion and report back at a later date any proposed recommendations.** (Planning Director) **PULLED FOR DISCUSSION**

4. ITEMS PULLED FROM CITY COUNCIL CONSENT CALENDAR:

- 3.H. Discussion of Zoning Standards that Regulate the Maximum Number of Roosters Allowed on Properties in the A-1 Zone. **Recommended Action: Direct the Planning Commission to take the matter up for discussion and report back at a later date any proposed recommendations.** (Planning Director)

**Dave Henderson.** Mr. Henderson stated that he would like input from the Council before this item is discussed by the Planning Commission.

**Council Member Newton** commented on his concerns when he served on the Planning Commission in regards to the Council sending back items to the Planning Commission for discussion without direction and input from them. He further commented on a proposal he would suggest, that being placing a moratorium on the number of roosters during the time period that the Planning Commission discusses this item. City Attorney Harper stated that that would be a change to the Municipal Code and the number of roosters allowed would stay in place during a moratorium.

**Planning Director King** stated that he is recommending to the Planning Commission the establishment of a sub-committee that would consist of two members of the Planning Commission, Animal Control staff and Planning Division staff to discuss this and then bring it back to the Planning Commission to recommend a proposal to bring back to the City Council.

Discussion took place regarding cock fighting roosters and the problems associated with the raising of them.

**M/S Bash/Newton to direct the Planning Commission to take the matter up for discussion and report back at a later date any proposed recommendations. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

5. CITY COUNCIL PUBLIC HEARINGS:

- A. Consideration of documents related to Silverlakes Equestrian & Sports Park by and between the City of Norco and Balboa Management Group, LLC

*In January of 2008, the Norco City Council/Norco Redevelopment Agency ("City/Agency") approved a Memorandum of Understanding ("MOU") with Belstarr Sports Management, LLC to proceed with development of a recreation and park facility on the Silverlakes site. Balboa Management Group, LLC is the successor entity to Belstarr Sports Management, LLC and is hereby referred to as Balboa. The MOU outlined the roles, expectations, goals and responsibilities of the parties.*

*Subsequently, on March 4, 2009 the City Council approved Conditional Use Permit 2008-09 (CUP) and certified the project environmental impact report (EIR). Since that time, active negotiations have been underway resulting in key legal documents the City Council must approve for the development to proceed.*

*On August 11, 2010, the City of Norco Planning Commission conducted a public hearing to consider the Silverlakes Development Agreement and voted unanimously to approve Planning Resolution 2010-11 recommending that the City Council approve the Development Agreement. The Development Agreement was considered through the public hearing process at this same meeting.*

*Approval of these documents from the City Council is required so that Balboa in cooperation with the City of Norco can move forward with the development of the Silverlakes Equestrian & Sports Park.*

**Recommended Action: Approve and adopt in separate actions:**

- a. Norco Silverlakes Ground Lease by and between the City of Norco (Landlord) and Balboa Management Group, LLC (Tenant).**
- b. Norco Silverlakes Shared Use Agreement by and between the City of Norco (Landlord) and Balboa Management Group, LLC (Tenant).**
- c. Resolution No. 2011-\_\_\_, Restating the Conditions of Approval of Resolution No. 2009-08 (Adopted on March 4, 2009) relating to Conditional Use Permit No. 2008-09 for the Silverlakes Equestrian & Sports Park located on the east side of Hamner Avenue north of the Santa Ana River.**

- d. **Ordinance No. 2011-\_\_\_, for first reading. Approving the Development Agreement between the City of Norco and Balboa Management Group, LLC for the Silverlakes Equestrian & Sports Park.**
- e. **Resolution No. 2011-\_\_\_, approving findings that the Silverlakes Equestrian & Sports Park Project is consistent with the Deed Restriction on the 122-acre Silverlakes Property.**
- f. **Funding, Construction and Acquisition Agreement by and between the City of Norco and Balboa Management Group, LLC, a Delaware Limited Liability Company.**

*(City Manager)*

**City Manager Groves** introduced the public hearing item and provided a brief history of the Silverlakes Equestrian & Sports Park project. She commented on the City Council actions required to proceed with the development. The current site plan was presented, detailing the highlights of the development.

**Mr. R. J. Brandes**, representing Balboa Management Group, LLC, stated that this project is “about the City of Norco” and thanked everyone for their support, noting that this project has been a team effort.

**Larry Kosmont**, representing Kosmont Companies, provided detailed information on the project and the process and terms as stated in the key documents presented for City Council approval.

**Council Member Newton** thanked the City Manager and staff for all of their hard work. In response to his question, Public Works Director Thompson confirmed that the offsite, water and sewer improvements will be funded by Water and Sewer Fund Bond Proceeds.

**Mayor Pro Tem Bash** stated that he was a part of this project since it started and thanked all of the individuals that contributed throughout the years. He further stated that this project is creating for 99 years a place for kids and noted the legacy it is creating and the economic engine it will serve as.

**Council Member Azevedo** thanked Mr. Brandes and his team for their efforts and stated -- “let the games begin.”

**Council Member Sullivan** commented on the City’s purchase of Silverlakes noting that he did not support the purchase at that time because of the high cost. He thanked Mr. Brandes for his efforts.

**Mayor Hanna** stated that he was behind this project from the beginning and thanked City staff and Mr. Brandes for their efforts.

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

**Judy Bonham.** Ms. Bonham asked where portable stalls would be placed on the site. Mr. Brandes noted on the site plan where 1,200 – 1,400 stalls could be located.

**Julian Smith.** Mr. Smith stated that he is an adjacent property owner to the site and asked some questions regarding the size of the proposed multi-purpose building and the financial investment the project requires. City Manager Groves responded that the actual size of the multi-purposed building is yet to be determined. Mr. Brandes stated that this project will be a model for other cities and further stated that he has put time into knowing that this project will “pay the bills.” Mr. Smith asked if there will be any commercial facilities on this project and also how flooding in the future will be prevented on the site. City Manager Groves commented on the deed restriction adding that there is no plan for a permanent riding stable. She further commented on the protection dike that has been built to prevent future flooding.

**Pat Overstreet.** Ms. Overstreet thanked everyone for their work on this project and added that she also believes that it will serve as the economic engine to save this town.

**Bobbie Pope.** Ms. Pope asked if there would be western horse events scheduled. Mr. Brandes responded that there would be.

**Mayor Hanna CLOSED the public hearing.**

**M/S Bash/Newton to approve the Norco Silverlakes Ground Lease by and between the City of Norco (Landlord) and Balboa Management Group, LLC (Tenant). The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**M/S Azevedo/Sullivan to approve the Norco Silverlakes Shared Use Agreement by and between the City of Norco (Landlord) and Balboa Management Group, LLC (Tenant). The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**M/S Hanna/Newton to adopt Resolution No. 2011-51, Restating the Conditions of Approval of Resolution No. 2009-08 (Adopted on March 4, 2009) relating to Conditional Use Permit No. 2008-09 for the Silverlakes Equestrian & Sports Park located on the east side of Hamner Avenue north of the Santa Ana River. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE**

**M/S Azevedo/Bash to adopt Ordinance No. 934, for first reading. Approving the Development Agreement between the City of Norco and Balboa Management Group, LLC for the Silverlakes Equestrian & Sports Park. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE**

**M/S Sullivan/Newton to adopt Resolution No. 2011-52, approving findings that the Silverlakes Equestrian & Sports Park Project is consistent with the Deed Restriction on the 122-acre Silverlakes Property. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE**

**M/S Bash/Hanna to approve the Funding, Construction and Acquisition Agreement by and between the City of Norco and Balboa Management Group, LLC, a Delaware Limited Liability Company. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE**

- B. Amendment to the Norco Municipal Code to Establish the Criteria for One, Two, and Three Year Dog Licensing Throughout the City of Norco

*Code Amendment 2011-03 is a City-initiated proposal to amend Title 6 of the Norco Municipal Code (NMC) for "Dog Licensing Process" for rabies control required by the State of California. This code amendment is to establish criteria for the one, two, and three year dog licensing process. In addition, it will standardize the process with other agencies' rabies licensing programs.*

**Recommended Action: Adopt Ordinance No. \_\_\_\_ for first reading.**  
(Parks, Recreation & Community Services Director)

Director Petree introduced the public hearing item.

Mayor Hanna OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, Mayor Hanna CLOSED the public hearing.

M/S Bash/Sullivan to adopt Ordinance No. 935 for first reading. The motion was carried by the following roll call vote:

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

- C. Amendments to the City's Comprehensive Fee Resolution

*On June 2, 2010, the City Council adopted Resolution No. 2010-26 updating the fees for general City services. On October 20, 2010, the City Council adopted Resolution No. 2010-61, amending the General Fees not included in the previous revision to include Parks, Recreation & Community Services. Again on May 4, 2011, City Council adopted Resolution No. 2011-22, revising fees for the Building Division services. This proposed Resolution recommends adjustments to certain fees based on the changes to the Consumer Price Index from March 2010 to March 2011 and addition of certain new fees to the Comprehensive Fee Schedule.*

**Recommended Action: Adopt Resolution No. 2011-\_\_\_\_, updating and adjusting fees for General City Services.** (Deputy City Manager/Director of Finance)

**Deputy City Manager/Director of Finance Okoro** introduced the public hearing item stating that it is being proposed that certain user fees be adjusted by applying the Consumer Price Index from March 2010 through March 2011, which was 3.1 percent during that time period. He stated that there are a few other fees being recommended to add as those services are now being provided to justify those fees.

**Council Member Newton** asked if there are fees charged for illegal grading without permits and also asked if there is anything in place to charge a fee for a “stop work notice” or the ability to fine the contractor. Public Works Director Thompson responded that this action is covered in the Norco Municipal Code and not in user fees. He added that the City does not have a “stop work notice” fee as such.

**Council Member Sullivan** asked if the fee for Moreno Arena was a fully burdened fee for people out of town. Parks, Recreation & Community Services Director Petree responded that the Council had adopted that there would no longer be groups 1, 2 and 3; only a group 3. He added that the rate to rent the facility is fully burdened, adding that all of the local groups were identified by the Council as special interest groups and have a pro-rated fee increase in place.

**Mayor Hanna OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With on one wishing to speak, Mayor Hanna CLOSED the public hearing.**

**M/S Bash/Newton to adopt Resolution No. 2011-53, updating and adjusting fees for General City Services. The motion was carried by the following roll call vote:**

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**D. Public Hearing Confirming Costs for Spring Weed Abatement**

*The 2011 Spring Weed Abatement Report of Costs lists property owners whose vacant parcels were abated by the Fire Department's weed abatement contractor for the 2011 Spring Weed Abatement Program. After Council adopts the Resolution, property owners will be invoiced for payment of the abatement.*

**Recommended Action: Adopt Resolution No. 2011-\_\_\_\_, confirming the report of costs for abatement of weeds and hazardous vegetation as a public nuisance and imposing special assessment liens on vacant parcels within the City. (Fire Department)**

**Fire Chief Bryan** introduced the public hearing item stating that this is the second part of this year's weed abatement process. He noted that there were a limited number of parcels that required abatement by the City. Fire Chief Bryan commented on the abatement of the property owned by Russell Jackson, noting that there were some

communication problems with the individual and recommended that the resolution be adopted with the addition that this property owner will not be charged the administrative fee.

**Mayor Hanna OPENED** the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, **Mayor Hanna CLOSED** the public hearing.

**M/S Bash/Sullivan to adopt Resolution No. 2011-54, confirming the report of costs for abatement of weeds and hazardous vegetation as a public nuisance and imposing special assessment liens on vacant parcels within the City, with the caveat that the property owner of Parcel No. 131310015-9 (Russell Jackson) will not be charged the administrative fee.** The motion was carried by the following roll call vote:

**AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

6. PUBLIC COMMENTS OR QUESTIONS:

**Jim Williamson.** Mr. Williamson commented on the pavers discussed in previous Council meetings and stated that pavers are safe and would like to see them stay. He added that it is the fault of the rider if there is an accident and there is nothing unsafe about the pavers.

**Judy Bonham.** Ms. Bonham commented on the article in the newspaper regarding the pavers and stated that she does not think that the pavers caused the accident as reported and further stated that she does not think there is a need to remove the pavers.

**Bobbie Pope.** Ms. Pope commented on the pavers, noting two new installations since the moratorium was put in place. She further commented on the pavers installed in the "flat land" and believes they are dangerous. Ms. Pope added that the trails need to be open and safe for all riders.

7. OTHER MATTERS – COUNCIL:

**Council Member Sullivan**

 Thanked everyone that came to the street dedication for Dr. Malcolm G. Miller, M.D. Way, noting what a great man Malcolm was and he was also highly respected.

**Council Member Azevedo:**

- # Commented on an alternative material that is being looked at by City staff that could possibly be used instead of the pavers.
- # Noted that one of the events that can be held at the Silverlakes Equestrian & Sports Park is the 4<sup>th</sup> of July event.
- # Commented on the National Day of the Cowboy, noting the highlights of the opening ceremonies that will take place. She requested that the City Seal be placed on the City's wagon that is going to be used at that event.

**Mayor Pro Tem Bash:**

- # Commented on the pavers placed at Cavaletti Park, as a part of the ADA requirements. He also commented on the step-over in the Park and noted the problems it is causing. Parks, Recreation & Community Services Director Petree stated that there is off-road activity in and around the Park and added that the step-over will be removed, which is currently not placed correctly.
- # Commented on the support being received for portions of the Navy Base to be designated as historic sites.
- # Stated that money has been raised for four stained glass windows in the chapel on the Navy Base (12 total in the chapel).

**Council Member Newton:**

- # Asked if the discussion regarding the Rebuild Letter was scheduled on the Planning Commission agenda. Planning Director King responded that this is scheduled on the next agenda.
- # Requested that the step-over at Cavaletti Park be removed quickly.
- # Asked Parks, Recreation & Community Services Director Petree about the fuel modification on 30 entitled lots in LMD No. 4. Director Petree responded that he will discuss this with Chief Bryan as these are private lots.

**Mayor Hanna:**

- # Asked Public Works Director Thompson if information could be provided regarding how to access the trails across the training dike. Director Thompson responded that a ramp will be built with a spray on it so that it will keep it from not getting slippery, adding that it should be finished by next week Friday.

8. OTHER MATTERS – STAFF: No comments from City staff.

Louis Davis, Regional Manager from Southern California Edison, presented a check in the amount of \$500 to the City in support of the National Day of the Cowboy event.

9. ADJOURNMENT: There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 8:55 p.m.

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BRENDA K. JACOBS, CMC  
CITY CLERK