



# MINUTES CITY OF NORCO

CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY  
REGULAR MEETING  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
JULY 20, 2011

---

CALL TO ORDER: Mayor Hanna called the meeting to order at 6:03 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:** Cooper, Groves, Jacobs, King, Okoro, Petree and Thompson

City Attorney Harper– **Present**

Council Member Sullivan requested that a matter be added to Closed Session to discuss an email publication distributed by one of the Council Members that he believes may have violated the California Fair Political Practices Commission regulations and the City's Norms and Procedures. City Attorney Harper stated that he would review the publication and determine if this should be discussed in Closed Session at a later meeting, adding that there was no legal basis to add this matter to Closed Session at this time.

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 a matter of potential litigation was discussed in Closed Session and there were no reportable actions taken.**

PLEDGE OF ALLEGIANCE: Council Member Sullivan

INVOCATION: Calvary Chapel – Norco  
*Pastor Louie Montieth*

PRESENTATION: Norco Horsemen's Association  
*Ten Top Trails that Need Improvement*  
**Glenn Hedges, representing the Norco Horsemen's Association (NHA), presented the NHA list of ten of the most needed trail improvements for distribution to the Council.**

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

1. CRA CONSENT CALENDAR ITEMS:

**M/S Bash/Newton 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 July 6, 2011  
**Recommended Action: Approve the CRA Minutes (City Clerk)**

2. OTHER CRA MATTERS: No other CRA matters

ADJOURNMENT OF CRA: 7:05 p.m.

**REGULAR CITY COUNCIL AGENDA AS FOLLOWS:**

3. CITY COUNCIL CONSENT CALENDAR ITEMS:

A member of the public pulled Item 3.D. for discussion. Council Member Sullivan commented on Item 3.A. regarding a public comment made at the July 6, 2011 meeting as stated in the Minutes, noting that there was not a "moratorium" placed on pavers (Page 11 of the July 6, 2011 Minutes), but instead there was a suspension of permits issued for the installation of pavers. Council Member Newton pulled Item 3.C.

**M/S Bash/Sullivan 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 July 6, 2011  
**Recommended Action: Approve the City Council Minutes (City Clerk)**
- B. Recap of Actions Taken at the Planning Commission Regular Meeting of July 13, 2011. **Recommended Action: Receive and File (Planning Director)**

- C. Quarterly Investment Report for Quarter Ended June 30, 2011. **Recommended Action: Receive and File** (Deputy City Manager/Director of Finance) **PULLED FOR DISCUSSION**
  - D. Approval of an Agreement with the City of Corona for Battalion Chief Services with the City of Norco. **Recommended Action: Approve an Agreement with the City of Corona for Battalion Chief Services in the amount of \$110,000.** (Fire Chief) **PULLED FOR DISCUSSION**
  - E. Approval of a Cooperative Reimbursement Agreement between the City of Norco and the Riverside County Flood Control & Water Conservation District to Construct the North Norco Channel Line N-5A. **Recommended Action: Approve Project No. 2-0-00136 Funding Agreement between the City of Norco and the Riverside County Flood Control and Water Conservation District and authorize the City Manager to execute the Agreement.** (Director of Public Works)
  - F. Ratification of the Fiscal Year 2011-12 Western Riverside County Regional Wastewater Authority Budget. **Recommended Action: Adopt Resolution No. 2011-56, approving the 2011-12 Western Riverside County Regional Wastewater Authority Budget.** (Director of Public Works)
  - G. Approval of a Water, Sewer and Recycled Utilities Service Contract between the City of Norco and the Naval Weapons Station (NWS) Seal Beach Detachment Corona, California. **Recommended Action: Approve a Water, Sewer and Recycled Utilities Contract between the City of Norco and the Naval Weapons Station, Seal Beach Detachment Corona, California and authorize the City Manager to execute the agreement.** (Director of Public Works)
4. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
- 3.C. Quarterly Investment Report for Quarter Ended June 30, 2011. **Recommended Action: Receive and File** (Deputy City Manager/Director of Finance)

**Council Member Newton** thanked Deputy City Manager/Director of Finance Okoro for the report. He commented on the reserve fund investments totaling over \$20 million and the risk potential, if the federal debt limit is not extended, to the bond market and asked what precautions are being taken to protect the City's investments.

**Deputy City Manager/Director of Finance Okoro** responded that staff invests in quality grade investments through government sponsored agencies, all of which are AAA rated securities. He added that there is a potential, because of what is happening in the federal government, that government sponsored investments may be threatened.

**M/S Newton/Bash to receive and file the Quarterly Investment Report for the Quarter ended June 30, 2011. The motion was carried by the following roll call vote:**

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

3.D. Approval of an Agreement with the City of Corona for Battalion Chief Services with the City of Norco. **Recommended Action: Approve an Agreement with the City of Corona for Battalion Chief Services in the amount of \$110,000.** (Fire Chief)

**Vern Showalter.** Mr. Showalter commented on the Agreement and asked what gives the City the impression that an outsider will be better.

**City Manager Groves** responded that the City is not hiring the Battalion Chiefs as employees, but will be contracted to provide incident command only.

**Council Member Azevedo** commented on the 2004 Agreement with the City of Corona for Battalion Chief Services that cost the City approximately \$260,000, noting the proposed Agreement for Battalion Chief Services in the amount of \$110,000. She stated that the City will have immediate coverage and will not be responsible for unfunded liabilities, adding that the City will have great Battalion Chief coverage at a reduced cost.

**M/S Sullivan/Bash to approve an Agreement with the City of Corona for Battalion Chief Services in the amount of \$110,000. The motion was carried by the following roll call vote:**

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

5. LEGISLATIVE MATTERS -- SECOND READING: *(No new evidence will be heard from the public as the public hearing has been closed regarding all items listed.)*

A. Ordinance Approving the Development Agreement between the City of Norco and Balboa Management Group, LLC for the Silverlakes Equestrian & Sports Park. **Recommended Action: Adopt Ordinance No. 934 for second reading.** (City Clerk)

**M/S Bash/Azevedo to adopt Ordinance No. 934 for second reading. The motion was carried by the following roll call vote:**

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

- B. Ordinance Amending the Norco Municipal Code to Establish the Criteria for One, Two, and Three Year Dog Licensing Throughout the City of Norco. **Recommended Action: Adopt Ordinance No. 935 for second reading.** (City Clerk)

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

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

6. CITY COUNCIL PUBLIC HEARINGS:

- A. Public 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

*The “Landscaping and Lighting Act of 1972” requires an Engineer’s Report for the existing Landscape Maintenance Districts (LMDs) be reviewed and approved annually by the City Council after a Public Hearing to continue assessments for the districts. The formation of the five districts allow for an annual increase not to exceed the Consumer Price Index (CPI). The annual CPI adjustment per parcel assessment in all districts was 1.3% according to the published 2010 CPI.*

**Recommended Actions: That the City Council open 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. 2011-\_\_\_, (Beazer); Resolution No. 2011-\_\_\_, (Western Pacific); Resolution No. 2011-\_\_\_, (Centex); Resolution No. 2011-\_\_\_, (Norco Ridge Ranch); Resolution No. 2011-\_\_\_, (Hawk’s Crest), Ordering the Continuation of a Landscaping Maintenance District and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy. (City Engineer)**

**City Engineer Milano** introduced the public hearing item.

**Council Member Sullivan** commented on the decreased cost to maintain LMD No. 2 and asked if the assessment per parcel went up due to the CPI.

**City Engineer Milano** responded that the budget for LMD No. 2 dropped because the surplus has been exhausted and the assessment per parcel did go up per the CPI.

**Council Member Newton** asked City Engineer Milano to confirm that the costs for the scope of work (observation) and administration are not doubled up. He noted that the reports are not consistent in how they reflect the costs.

**City Engineer Milano** responded that there is no duplication in the dollars and clarified that he has left the verbiage the same as the Districts were set up.

**Council Member Newton** commented on LMD No. 4, noting discussions from previous Council meetings regarding fuel modifications on the undeveloped lots.

**Director of Parks, Recreation & Community Services Petree** stated that these are all private lots and they are not included in LMD No. 4. He added that the property owner has been contacted and informed that the fuel modification needs to be addressed under the Norco Municipal Code. **City Engineer Milano** added that if the 29 lots are developed, they would be included in the boundaries of LMD No. 4 and will be assessed as such.

**Council Member Azevedo** commented on the additional 82 drains proposed to be installed in LMD No. 4 and asked when that work would be completed.

**City Engineer Milano** responded that after the first good rain, staff will check for any adjustments to the design that need to be made before going out to bid for the next 82 drains. He added that \$200,000 is left in the fund for the installation of the remaining drains.

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

**Roy Hungerford.** Mr. Hungerford stated that this is the first year that they are happy. He added that everyone is doing a great job noting that the drains look good. He further stated that a trail maintenance plan is the one thing that needs to be completed. Mr. Hungerford commented on weeds between the curb and pavement on Branding Iron and Wild Horse that need to be addressed.

**Mayor Hanna CLOSED the public hearing.**

**M/S Bash/Hanna to adopt Resolution No. 2011-57, (Beazer); Resolution No. 2011-58, (Western Pacific); Resolution No. 2011-59, (Centex); Resolution No. 2011-60, (Norco Ridge Ranch); Resolution No. 2011-61, (Hawk's Crest), Ordering the Continuation of a Landscaping Maintenance District and Confirming a Diagram and Assessment and Providing for Annual Assessment Levy. The motion was carried by the following roll call vote:**

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

**B. Rate Adjustments Proposed by Waste Management of the Inland Empire**

*The existing fifteen-year Franchise Agreement provides that Waste Management is entitled to receive rate adjustments for inflation (based on the Consumer Price Index) and "pass through" disposal cost increases. The Agreement further provides that such rate adjustments shall not be unreasonably withheld. The rate adjustments include a Consumer Price Index (CPI) increase of 3.0 percent from March 2010 to March 2011. It is the City Attorney's opinion that this CPI rate adjustment does not trigger Proposition 218 provisions as the existing agreement provides that the franchisee is entitled to adjust rates on an annual basis to cover increased costs due to inflation based on increases in the CPI. Therefore, following the public hearing process, staff is recommending approval of the proposed rates. The new rates will become effective on August 1, 2011.*

**Recommended Action: Adopt Resolution No. 2011-\_\_\_\_, amending the Agreement between the City of Norco and USA Waste of California, Inc., DBA Waste Management of the Inland Empire, for the collection, transportation, recycling, and disposal of solid waste and approving rates therefore. (Deputy City Manager/Director of Finance)**

**Deputy City Manager/Director of Finance** introduced the public hearing item. He stated that the proposed rates reflect a CPI adjustment of 3.9 percent from March 2010 to March 2011 and will be applied to all service components. He further stated that the solid waste component will not be changed because the County of Riverside made no adjustments to the tipping fee; the green waste disposal costs reflect a 18.6 percent decline because the green waste will now be disposed of in Chino; and the tipping fee for manure disposal will be increased per the "pass-through" adjustment.

**Council Member Newton** asked Julie Reyes, representing Waste Management, about the fuel surcharge and the timeframes involved with that. She responded that she did a six year rate review and in 2008, Waste Management requested an extraordinary increase for fuel. She noted that over last several years, the cost per gallon of fuel has increased from \$1.61 to the latest amount of \$4.21 and added that the 2008 increase was the only increase ever requested. Council Member Newton commented on the fleet conversion to compressed natural gas (CNG) and Ms. Reyes noted that 85% of the Waste Management fleet in Norco runs on CNG. Council Member Newton further

commented on the cost for basic service that will go down, noting that the change in the green waste disposal cost drives the overall number down. Ms. Reyes confirmed that there is no additional charge for scout service.

**Mayor Pro Tem Bash** commented on the reduced rates, noting that the residents will appreciate that. He further thanked Ms. Reyes and Waste Management for their community service efforts.

**Council Member Azevedo** also thanked Ms. Reyes and Waste Management for their community service and contributions to the City.

**Council Member Sullivan** commented on the CRT (cathode ray tube) Curb Side collection rate of \$22.98/month. Ms. Reyes notes that this collection is for electronic items.

**Mayor Hanna** thanked Ms. Reyes and Waste Management for the decrease in rates.

**Ms. Reyes** talked briefly about the “at your door” service that will be proposed and discussed with City staff. This proposed service will provide a household hazardous waste collection at your door and would be convenient to residents with a guaranteed disposal.

**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/Newton** to adopt Resolution No. 2011-62, amending the Agreement between the City of Norco and USA Waste of California, Inc., DBA Waste Management of the Inland Empire, for the collection, transportation, recycling, and disposal of solid waste and approving rates therefore. The motion was carried by the following roll call vote:

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

7. PUBLIC COMMENTS OR QUESTIONS:

**Vern Showalter.** Mr. Showalter commented on the Norco Fire Department “working out on his time” noting that he has issue with that. He also noted that signs have been located in trees in front of both fire stations for over a week and he questioned why the Fire Department couldn’t police their own area.

8. OTHER MATTERS – COUNCIL:

**Council Member Azevedo:**

- ✚ Proposed that the Norco Area Chamber of Commerce & Visitors Center provide “welcome bags” to new residents that include information about the City. A representative from the Chamber was present and noted that they are working on this.

**Mayor Pro Tem Bash:**

- ✚ Congratulated Public Works Director Thompson on the contract approved with the Navy for water, sewer and recycled utilities service. He requested that Director Thompson find out if the pumps have been placed in the Norconian Hotel and asked that he continue to be kept informed on what is going on.

**Council Member Newton:**

- ✚ Asked Public Works Director Thompson about the street light equestrian crossing at Sixth and Sierra. Director Thompson responded that four intersections were affected where improvements were completed by Southern California Edison during which time a phased condition took place and should be fixed in about 10 days.
- ✚ Asked Director Thompson about the schedule for Second Street in relation to the high school being open. Director Thompson responded that AT&T should have its work completed by this week Friday and the contractor should be back on the job by Monday. He added that he hopes to complete the project in the next 14 days.
- ✚ Commended Parks, Recreation & Community Services Director Petree for the work in Norco Ridge Ranch, noting that it looks good. He also commended Jessica Hochderffer, from the Parks and Recreation Department, for her work putting together the Friday Concerts in the Park.

**Mayor Hanna:**

- ✚ Asked Director Petree about the “jump rail” at Cavaletti Park. Director Petree stated that this will be inspected tomorrow.
- ✚ Asked Director Thompson about a call he received from the manager of Browning Motors regarding the weeds located by the Interstate 15 off-ramp behind his lot. Director Thompson responded that the City has abated the weeds on City property and he has contacted Caltrans to clean the weeds from its property.
- ✚ Commented on the National Day of the Cowboy events to be held on Saturday. He noted that the volunteers are working hard and encouraged everyone to attend.

9. OTHER MATTERS – STAFF: None received

10. ADJOURNMENT: There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 8:00 p.m.

---

BRENDA K. JACOBS, CMC  
CITY CLERK