

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
MAY 25, 2011**

**CALL TO ORDER – CLOSED SESSION – 5:30 p.m.**

The closed session of May 25, 2011, of the Wildomar City Council was called to order by Mayor Swanson at 5:30 p.m.

City Council Roll Call showed the following members in attendance: Mayor Swanson, Mayor Pro Tem Benoit, Council Members Moore, and Walker. Members absent: Council Member Cashman.

Staff in attendance: City Manager Oviedo, City Attorney Biggs, and City Clerk Lee.

City Clerk Lee announced the City Council will meet in closed session for the following matters:

1. The City Council will meet in closed session pursuant to the provisions of Government Code section 54956.9(a) to confer with legal counsel with regard to one matter of significant exposure to litigation relating to Beutz v. County of Riverside, Riverside Superior Court Case No. RIC457351.
2. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9(b) to confer with legal counsel with regard to the following matter of pending litigation: City of Wildomar v. Wildomar Patients Compassionate Group, Inc., Riverside County Superior Court Case No. RIC10022903, and RIC10022476.

At 6:30 p.m. the City Council reconvened into open session, with Council Member Cashman absent, making no announcements.

There being no further business, at 6:30 p.m., Mayor Swanson adjourned the closed session.

**CALL TO ORDER – REGULAR SESSION – 6:30 p.m.**

The regular meeting of May 25, 2011, of the Wildomar City Council was called to order by Mayor Swanson at 6:30 p.m.

City Council Roll Call showed the following Members in attendance: Mayor Swanson, Mayor Pro Tem Benoit, Council Members Moore, and Walker. Members absent: Council Member Cashman.

Staff in attendance: City Manager Oviedo, Assistant City Manager Nordquist, City Attorney Biggs, Public Works Director D'Zmura, Planning Director Bassi, Police Chief Fontneau, Community Services Director Willette, and City Clerk Lee.

The Flag Salute was led by Viet Tran, SCE Regional Manager.

## **PRESENTATIONS**

Barbara Spoonhour, WRCOG Program Manager, made a presentation to the City for being part of the Energy Leader Participation Program.

Mayor Swanson stated that Caltrans is not available to give their presentation and Staff will try to get this scheduled for another meeting.

Police Chief Fontneau presented the Police Department quarterly update.

## **PUBLIC COMMENTS**

Andy Morris, EVMWD Director, stated the Board has asked Staff to change their Administration Code regarding restaurant fees. It is hoped this will help and should save the business a significant amount in water and sewer fees.

Adam Wilson, Wildomar Youth Soccer Association, stated there are emails going around stating that there will be an additional \$49 fee on top of the fees already paid by the players. If this occurs the League will not be able to survive.

Assistant City Manager Nordquist stated there was discussion at the budget workshop held the previous night. A resident suggested that the various sports leagues pay additional fees in an attempt to keep the parks open. The City does not have anything like this in place and was suggested by a resident and is not the position of the City.

## **APPROVAL OF THE AGENDA AS PRESENTED**

**A MOTION** was made by Councilwoman Moore, seconded by Councilman Walker, to approve the agenda as presented.

**MOTION** carried, 4-0, with Councilman Cashman absent.

## **1.0 CONSENT CALENDAR**

A **MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to approve the Consent Calendar as presented.

**MOTION** carried, 4-0, with Councilman Cashman absent.

### **1.1 Reading of Ordinances**

Approved the reading by title only of all ordinances.

### **1.2 Minutes – April 27, 2011 Regular Meeting**

Approved the Minutes as submitted.

### **1.3 Minutes – May 11, 2011 Regular Meeting**

Approved the Minutes as submitted.

### **1.4 Warrant and Payroll Registers**

Approved the following:

1. Warrant Register dated May 12, 2011, in the amount of \$442,633.25;
2. Warrant Register dated May 19, 2011, in the amount of \$47,957.97; and
3. Payroll Register dated May 25, 2011, in the amount of \$17,577.93.

### **1.5 Treasurer's Report**

Approved the Treasurer's Report for April, 2011.

### **1.6 Waite Street Mobile Home Park – Conditional Use Permit No. 09-0301**

Received and filed the report.

### **1.7 Reject Claims for Damages against the City of Wildomar**

Rejected the following claims:

1. Claim against the City of Wildomar received 1/17/2011 - Donald Gilbertson
2. Claim against the City of Wildomar received 3/11/2011 - Jose Anibal Castillo Ayala
3. Claim against the City of Wildomar received 8/16/2010 - Laura Hamilton

## **2.0 PUBLIC HEARINGS**

### **2.1 Fiscal Year 2011/12 Proposed Budget**

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Assistant City Manager Nordquist stated Staff is requesting that this item be continued to the next meeting as some issues have not be resolved as of yet, specifically the Sheriff's contract.

**SPEAKERS:**

Scott Bradstreet, resident, stated it would be ridiculous to close the parks. He urged the Council to keep the parks open.

**A MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to continue the public hearing to the regular City Council meeting of June 8, 2011.

**MOTION** carried, 4-0, with Councilman Cashman absent.

## **3.0 GENERAL BUSINESS**

### **3.1 Park Closure Options**

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report. He reviewed the various options available should Measure D not pass.

**SPEAKERS:**

Susan Lane, Menifee resident, stated the suggestion that Heritage and Windsong parks being "streamlined" by having the residents who live in the surrounding tract to form an HOA and take over those parks is a horrible idea. They are public parks and should be maintained by the neighborhoods. HOAs are not good as they have no accountability.

George Taylor, resident, stated he is in favor of Measure D and urged the residents to pass the Measure. Opponents to Measure D have stated that

there are other options to fund the parks, but have not stated what that is and perhaps the City should look into other options. After the County spent \$7 million to bring the parks back, it would be a shame to fence them off again. Also, once they close we will never see them reopened again.

Gerald Hall, Murrieta resident, stated selling the parks is not an option, leasing would be a better option. If the parks are closed Wildomar will lose all sense of community. He feels the \$49 fee that was recommended is only to derail the parks.

Gil Rasmussen, Wildomar Magazine, stated he feels the suggestions he made at the budget workshop last evening are not appropriate for this item. He suggested people log on to his website to view the suggestions. If the Council makes any decision at this meeting to close the parks, you are in essence saying that the Measure is losing. This discussion needs to take place after the election.

Andy Morris, resident, stated he does not want the parks to be sold. They need to be kept. He prefers they be fenced for the time being. Sycamore Academy is looking for a site, perhaps Marna O'Brien Park can be leased to them.

Tim Underdown, Wildomar Little League, stated he has also seen the emails going around regarding the sports leagues. Wildomar Little League currently leases the ball field behind the cemetery and it is run completely with volunteers. However it is a battle to keep volunteers running the field, especially during the off-season. He does not see it working for the City. The cost of maintaining it is very expensive to Little League, and it would be very costly for the City.

Barbara Wilson, Sycamore Academy, stated California is not ranked very high in health issues and a good deal of it goes back to lack of parks. This is especially hitting the children as they cannot go to the gym as adults can do. Parks are needed to help battle childhood obesity.

John Lloyd, Citizens for Wildomar Parks, stated he is against the \$49 to the sports league recommendation. The bottom line is the citizens need to decide if they want parks. If they have to be closed, he is not in favor of selling the parks.

Anna Yamasaki, resident, read from a letter she submitted regarding support for Measure D and keeping the parks open.

Mayor Swanson read a letter from Dr. Frank Passarella of the Lake Elsinore Unified School District supporting parks in Wildomar.

Councilman Walker stated he feels all of the Council Members want to keep the parks open however we have to have the money to do that. It is not a matter of the City cutting back as there is nowhere to cut. The truth of the matter is, this comes down to \$28 per year to keep them open. Also, the County is looking at the City because they would like to give us the land for a new park on the east side, but they know the City will need an assessment in place for it. If Measure D fails, then the park land on the east side will not happen. This issue is at the mercy of the citizens. Additionally, Developers are looking to see if the citizens even care enough about their community to fund parks. If the answer is no, they will have second thoughts about coming into Wildomar.

Councilwoman Moore stated if the parks are closed she does not see how the City would ever come up with the money to reopen them. The County spent \$7 million to bring the parks back for use. All of the parks are used extensively. This is up to the citizens to keep these parks going. The parks are used every day and by various different people, groups, and Leagues.

Mayor Pro Tem Benoit stated if the Measure is defeated he would like to look at fencing off part of Marna O'Brien, but keeping open the kid's area. Also what is the liability and where is that being paid from currently.

Assistant City Manager Nordquist stated it is currently bundled in with the other insurance the City pays.

Mayor Pro Tem Benoit stated can we find out how much the insurance would be if we just shut down part of the park versus shutting down the entire park. He does agree with everyone that this is a sad situation. It was brought up about the amount of parks Murrieta has and Temecula has. Those citizens pay a great deal more than the \$28 per year being requested in Wildomar. Also, the County did not have the money to keep the parks open in Wildomar and asked for an assessment. The City simply does not have the money to keep the parks open. He does not feel volunteers would work in the long run. In the beginning there would a great deal, but after some time, they would leave.

Mayor Swanson stated this is sad and it is hard to have this conversation, but it is one that needs to be had. She is hoping the citizens will pass Measure D. She thanked all the volunteers for their time and efforts in

getting the word out. She thanked the Blue Ribbon Committee for coming together and bringing the recommendation. It may not be the one everyone wants or what will work, but it is still only \$28. No matter what you call it, CFD, Mello Roos, or whatever, they are all the same. It is up to the citizens as to what they want.

City Manager Oviedo stated he would like to clarify the funding mechanism the City is proposing because there is a great deal of talk in the community that the Community Facilities District is different from a Community Services District. A Community Services District is no different from a Community Facilities District in all practical terms. It is a parcel based tax that can cause a lien much like a Mello Roos. Community Services Districts were created by law specifically for Counties only.

### **3.2 Joint Representation Agreement Regarding the City of Wildomar and the Wildomar Cemetery District**

City Clerk Lee read the title.

City Attorney Biggs presented the staff report stating the Cemetery District has voted to retain her and her firm to represent the Cemetery District in the Local Agency Formation Commission (LAFCO) process. In order for this happen she and firm must give notice to the City and the City must consent to this. To the best of her knowledge there are no conflicts between the District and the City.

Mayor Swanson stated that she will need to leave the Dias as she has a conflict of interest due to her property being located close to the cemetery. She then left the Dias and the Chambers.

**A MOTION** was made by Councilwoman Moore, seconded by Councilman Walker, to approve the Joint Representation Agreement for the City of Wildomar and Wildomar Cemetery District relating to proceedings before the Riverside County Local Agency Formation Commission.

**MOTION** carried, 3-0, with Mayor Swanson abstaining and Councilman Cashman absent.

Mayor Swanson returned to the Dias.

### **CITY MANAGER REPORT**

City Manager Oviedo stated Mayor Swanson, Councilman Walker, and he attended the annual ICSC (International Conference of Shopping Centers) conference in Las Vegas. He was a good conference and was fruitful. This year the mood was very upbeat compared to last year. He already has a meeting set with a Developer, so it could be good news for the City. Also last week he signed a document for the upcoming CDBG funds for the next three years. This will be coming forward to the Council in the very near future. Finally, the City has once again been awarded another sidewalk to schools grant for \$168,000. This will be the portion on Grand Avenue between Central and David A. Brown Middle School.

City Clerk Lee stated that the City does have a ballot box in City Hall to take any mail-in ballots. On Election day you can drop it off at any polling location or at the Registrar's Office.

### **CITY ATTORNEY REPORT**

There was nothing to report.

### **COUNCIL COMMUNICATIONS**

Mayor Pro Tem Benoit stated he is glad to hear about the ICSC conference and leads being followed up on already. He is anxious to hear about anything that may come of this.

Councilman Walker stated he would like Staff to follow up on a meeting that was held with Supervisor Buster's Office regarding the Mt. San Jacinto campus that is being proposed. Also, the ICSC conference was very good. He also met with EDA in Riverside regarding some issues that can help Wildomar develop its economy. He also talked about using some of the County property located within Wildomar to hold one-time use events such as a rodeo. They appear to be very receptive to that.

Councilwoman Moore stated she appreciates Councilman Walker for his dedication and passion to help Wildomar. She attended the JPA meeting regarding the Animal Shelter. They will be placing on a future agenda to look at a difference methodology for the bond. On May 14 she attended the City-wide clean up at Elsinore High School and Ronald Reagan Elementary School. Attended the Chamber mixer, the clean-up at the VFW, and the Wildomar



Cemetery clean up for the Memorial Day service. She urged everyone to vote on June 7.

Mayor Swanson stated the ICSC conference was great. The Economic Development roundtable was well attended and Staff has some great ideas that came from it. She also reminded everyone of the Memorial Day service on Monday.

### **FUTURE AGENDA ITEMS**

- \*Paperless agendas – I-Pads
- \*Economic Development Roundtables to be held every month

### **ADJOURNMENT**

There being no further business, at 8:05 p.m. Mayor Swanson declared the meeting adjourned.

Submitted by:

Approved by:



Debbie A. Lee, CMC  
City Clerk



Marsha Swanson  
Mayor