

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
FEBRUARY 8, 2012**

CALL TO ORDER – CLOSED SESSION - 5:30 P.M.

The closed session of February 8, 2012, of the Wildomar City Council was called to order by Mayor Benoit at 5:30 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 111, Wildomar, California.

City Council Roll Call showed the following Members in attendance: Mayor Benoit, Mayor Pro Tem Walker, Council Members Cashman, Moore, and Swanson. Members absent: None.

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

PUBLIC COMMENTS

There were no speakers.

CLOSED SESSION

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

1. Pursuant to the provisions of Government Code Section 54957 with regard to the following personnel matter: Performance Evaluation: City Attorney.
2. To confer with legal counsel with regard to one matter of potential initiation of litigation pursuant to the provisions of Government Code Section 54956.9(c). The underlying facts known to all parties relate to the processing of park assessment district refunds by the County of Riverside from general City of Wildomar revenues held by the County not collected by or from the park assessment district.

At 5:31 p.m. the City Council convened into closed session, with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:30 p.m. the City Council reconvened into open session, with all Council Members present, making no announcements.

ADJOURN CLOSED SESSION

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

CALL TO ORDER – REGULAR SESSION - 6:30 P.M.

The regular meeting of February 8, 2012, of the Wildomar City Council was called to order by Mayor Benoit 6:31 p.m. at the Wildomar Council Chambers, 23973 Clinton Keith Road, Suite 111, Wildomar, California.

City Council Roll Call showed the following Members in attendance: Mayor Benoit, Mayor Pro Tem Walker, Council Members Cashman, Moore, and Swanson. Members absent: None.

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

Mayor Benoit requested a moment of silence in remembrance of the 14 year old Wildomar child who died earlier in the week in the Farm community.

The Flag Salute was led by Councilwoman Swanson.

PRESENTATIONS

Mayor Benoit presented a Proclamation to Jeff Thomas, Chief Building Official, who is leaving the City of Wildomar.

Mayor Benoit advised the presentation for Autism Speaks is tabled.

Jeff George, Wildomar Chamber of Commerce, presented the Chamber update.

Chief Beach presented the Fire Department update.

PUBLIC COMMENTS

Sharon Heil, resident, stated on March 3 is a dinner and dance with proceeds going to the Veterans programs. Also, she asked if a house is repossessed, how taxes are paid to the City.

Councilwoman Swanson answered that the taxes can accrue for up to five years at which time the County takes possession of the property and auctions it for the taxes due and then pays everyone who is entitled to receive the tax proceeds. In the meantime, no one is paid until such time as the house is sold or the County takes possession.

Tom Patterson, resident, stated he and his wife moved to Wildomar two and one half years ago. It was very peaceful and quiet until December, 2011 when the Lake Elsinore motocross park was reopened. Even inside the house with all windows and doors closed you can hear it loud. He has complained to the City of Lake Elsinore and was told they have been getting a great number of complaints and they would look into it. The noise is really bad and it is starting to affect their health. He would like some help and he submitted a log to the City Clerk of all the noise events since December, 2011.

Mayor Benoit stated he has talked with the Lake Elsinore Mayor and they are well aware of the problem. They are currently looking into some options, so the message has been received there.

Gil Rasmussen, Wildomar Magazine, stated he has been focusing on the Liberty Quarry issue. This came before the City Council early on and the City Council decided to stay out of it since it is not in the city limits of Wildomar. He has been digging around and the City of Wildomar is a friend of Liberty Quarry on Facebook. This is implied consent and the City of Wildomar should not "friend" Liberty Quarry unless the issue is publicly addressed, with each Council Member stating if they have taken money from Liberty Quarry and let the citizens decide.

Dionna Fitch, Sycamore Academy, stated they have been in talks with Lake Elsinore Unified School District (LEUSD) to get some funding. They have also renegotiated their lease with the shopping center and it appears they will be located in the shopping center for another two years. She invited everyone to their annual Science Showcase which will be held on February 28 at 6:00 p.m.

APPROVAL OF THE AGENDA AS PRESENTED

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

MOTION carried, 5-0.

1.0 CONSENT CALENDAR

A **MOTION** was made by Councilwoman Moore, seconded by Councilwoman Swanson, to approve the Consent Calendar as presented.

Councilman Cashman stated on item #1.6, he will vote for this based on the appeal process being reviewed, which Staff has assured him is coming forward soon.

MOTION carried, 5-0.

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – January 11, 2012 Regular Meeting

Approved the Minutes as presented.

1.3 Warrant and Payroll Registers

Approved the following:

1. Warrant Register dated January 12, 2012 in the amount of \$38,744.44;
2. Warrant Register dated January 18, 2012 in the amount of \$48,489.60;
3. Warrant Register dated January 26, 2012 in the amount of \$1,211,287.70; and
4. Payroll Register dated January 27, 2012 in the amount of \$22,247.72.

1.4 Treasurer's Report

Approved the Treasurer's Report for the month of December, 2011.

1.5 Western Riverside Energy Leader Partnership (WRELP) Grant Funds

Accepted funding from the Western Riverside Energy Leader Partnership (WRELP) grant not to exceed \$148,261.87.

1.6 FY 2010-11 Comprehensive Annual Financial Report (CAFR)

Adopted a Resolution entitled:

RESOLUTION NO. 2012 - 05
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ACCEPTING THE COMPREHENSIVE ANNUAL
FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED JUNE
30, 2011

1.7 Extension of Time for Plot Plan 23333 (Project 08-0166) - Veterinary Hospital located at 35951 Salida Del Sol

Adopted a Resolution entitled:

RESOLUTION NO. 2012 - 06
A RESOLUTION OF CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, APPROVING A ONE-YEAR EXTENSION OF TIME TO
DECEMBER 9, 2012 FOR PLOT PLAN NO. 08-0133 TO ALLOW THE
DEVELOPMENT OF A 6,000 SQUARE-FOOT VETERINARY HOSPITAL
AND A 4,500 SQUARE- FOOT ROUGH GRADED PAD ON A 3.0 ACRE
PARCEL LOCATED AT 35951 SALIDA DEL SOL (APN: 362-250-014)

1.8 Revised Resolution Requesting Extension of Repayment Time Period for Transition Year Services

Adopted a Resolution entitled:

RESOLUTION NO. 2012 - 07
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, REQUESTING EXTENSION OF TIME FOR REPAYMENT
OF TRANSITION YEAR SERVICES COSTS TO COUNTY OF RIVERSIDE
AND RESCINDING RESOLUTION NO. 2012-04

1.9 Second Reading and Adoption of Ordinance No. 67 – Zoning Ordinance Amendment No. 11-02 – Receive and File Process and Appeal Procedures

Adopted an Ordinance entitled:

ORDINANCE NO. 67
A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING AN EXEMPTION FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3)
OF CEQA AND APPROVING ZONING ORDINANCE AMENDMENT NO.
11-02 AMENDING CHAPTER 17.192 (PERMIT APPLICATIONS) OF THE
CITY OF WILDOMAR ZONING ORDINANCE

2.0 PUBLIC HEARINGS

2.1 User Fees Review (Cont. from 12-14-11)

City Clerk Lee read the title.

Mayor Benoit opened the public hearing.

A MOTION was made by Councilwoman Moore, seconded by Councilwoman Swanson, to continue the item to the April 11, 2012 regular meeting.

MOTION carried, 5-0.

2.2 FY 2011-12 Mid-Year Budget Report and FY 2012-13 Budget Program

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report.

Mayor Benoit opened the public hearing.

There being no speakers Mayor Benoit closed the public hearing.

A MOTION was made by Councilwoman Swanson, seconded by Councilwoman Moore, to adopt a Resolution entitled:

RESOLUTION NO. 2012 - 08
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE FY 2011-12
BUDGETED REVENUES AND EXPENSES

MOTION carried, 5-0.

2.3 Zoning Ordinance Amendment No. 11-04 – City Initiated Zoning Ordinance Amendment Related to Approval Periods and Extensions of Time for Plot Plans

City Clerk Lee read the title.

City Planner Bassi presented the staff report.

Mayor Benoit opened the public hearing.

SPEAKERS:

Sheryl Ade, resident, stated she cannot find on the City's web page a place that shows when Planning Director Hearings are held. She attended hearings numerous times at the County as they are open to the public. She suggests that this be added to the web page and notification for those who wish to receive the notices of the hearings. She stated she would like to be notified of the hearings.

There being no further speakers Mayor Benoit closed the public hearing.

Councilman Cashman stated sometimes, even if it is a cost savings, the ability for public input and disclosure is more important than cost savings. This amendment would put this into a hearing instead of a Council or Commission meeting which is where the public looks for these types of issues. Sometimes the people who live in these places know better what should go in rather than the Planning Director because he doesn't live here. With all the extensions a plot plan could have been approved five years or more ago, and in the meantime people have moved into the area and are not aware of this. He is afraid this could happen here if we move away from community input.

Councilwoman Swanson stated when these projects were first heard it was at an open public hearing, so there was an opportunity to address the issue.

Councilman Cashman stated he just doesn't want the public left out.

Councilwoman Swanson stated she agrees with Ms. Ade and she would like to see the Director's Hearings posted on the website and notifications sent out. She does not feel it is right to have these developers jump through all the hoops and go through the process just to have the economy fall apart, so they should not have to start all over again. It's the same for a homeowner who is building a home. Financing is very hard to come by and we need to keep construction going as it is vital right now.

Councilman Cashman stated there has to be a limit on how long an approval can be extended before it has to come back.

Planning Director Bassi stated the initial approval is for two years, and the code allows three, one-year time extensions. After five years, if they have not pulled permits, the project expires and they will have to start over. This is for plot plans only.

Councilman Cashman stated he just wants it clear that the public be kept informed.

Mayor Pro Tem Walker stated plot plans can be a very time consuming process and he is not for stifling the process. By the time the project is built there was a great deal of time and money expended and he does not want to hinder the process.

Mayor Benoit stated he agrees with Mayor Pro Tem Walker and Councilwoman Swanson. He would rather see a builder expending efforts in getting funding rather than coming back before us again when we had just approved it three years before.

A MOTION was made by Councilwoman Swanson, seconded by Mayor Pro Tem Walker, to introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. 68
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADOPTING AN EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION
15061(B)(3) OF CEQA AND APPROVING ZONING ORDINANCE
AMENDMENT NO. 11-04 TO AMEND SECTION 17.216.070 (PLOT
PLANS) OF THE WILDOMAR ZONING ORDINANCE RELATED TO
APPROVAL PERIODS AND EXTENSIONS OF TIME FOR PLOT PLANS

which title was read.

MOTION carried, 5-0.

3.0 GENERAL BUSINESS

3.1 Clinton Keith Interchange Construction Project Update

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report stating that the construction contract was awarded by the County Board of Supervisors for the project. It is anticipated that the project will start in April, 2012 and will take approximately 18 months to finish.

It was the consensus of the City Council to hold the ground breaking on

Friday, March 23 in the afternoon.

3.2 Park Operations-Draft Agreement Review

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report.

Juan Corea, President of Friends for Wildomar Parks, introduced the Board Members. He reviewed some of the fundraisers they have had.

Greg Santiago, Treasurer of Friends for Wildomar Parks, stated they had a Bingo event that raised over \$7,000. They anticipate raising more than \$4,000 with the Goodwill drive. They also have the 2,000 for \$28 campaign on-going which has raised almost \$3,000. For the Movie in the Park events they raised \$907 for the first event, and \$546 for the second one. They are planning to hold another movie in April.

Mayor Benoit inquired who is renting the field and how much revenue has been seen from that.

Mr. Santiago answered the \$3,300 is from the past summer that they have to collect. \$1,400 is what they would make throughout the year. There are two travel teams using the field as well as the football, soccer and baseball. There would also be tournaments.

Mayor Benoit stated he is hearing that football is not paying.

Mr. Santiago answered when Friends for Wildomar Parks took over the park Pop Warner football paid some of the costs to the City that Friends for Wildomar Parks would have paid. Now Pop Warner and Friends for Wildomar Parks need to settle what is owed. Going forward the Leagues will pay \$5 per child and \$50 per team for the field. There is a \$15 discount for Wildomar teams only.

Mayor Benoit inquired when the City will see the financials for Friends for Wildomar Parks.

Mr. Santiago answered when Friends for Wildomar Parks goes into closed session with the Council.

Mayor Benoit stated there won't be a closed door meeting. Everything needs to be out in the open. The City's books are open for anyone to see

and Friends for Wildomar Parks has to be the same way because the people have a right to know, as does the City. We need to see that this organization is viable and we don't get a surprise that you are out of money and no longer able to function. What was submitted was a budget, but there are no actual numbers and the City needs to see that.

Mr. Santiago stated when a bill comes in, they pay it. There is no hiding the books from anyone.

Mr. Corea stated they would like to have a meeting with Assistant City Manager Nordquist and go over their budget line by line and then bring it to the full Council.

Discussion ensued regarding open public records.

Kristen West, Event Coordinator for Friends for Wildomar Parks, stated as with any new business it takes time to get up and running, but they are being diligent at getting the fields rented. There are Leagues that are calling and wanting to rent the fields. Pop Warner takes a majority of the fields, but it is all fair and balanced between all the fields. They are in the process now of switching to a new accounting system, so all the input is taking place now.

Mayor Benoit inquired when a Profit and Loss statement would be available to the City.

Ms. West answered by the end of the month.

Councilwoman Moore thanked the Board for their support and diligence in keeping the park open.

Mayor Benoit stated it is important to start out open and transparent so that no one gets a surprise down the line. Just to review, the Board will meet with Staff to discuss the budget and that will come forward next month to the Council.

Mayor Pro Tem Walker stated everyone is trying to keep the park open and one of the keys to this is getting business to move into the City. It is tough to raise money at the non-profit level. If everyone comes together and supports what is coming down the line and quit harassing and blocking new business, it would great. The City needs to keep tax money in the City and we need new business. Everyone needs to shop Wildomar and encourage your friends to do the same.

City Manager Oviedo stated he is not sure it is clear what type of agreement will be coming back to the Council. There is a suggestion for a joint-use agreement which is quite different from contracting an entity to run the park. This would expose the City to a different financial arrangement.

Discussion ensued how other cities in the State are handling park issues.

It was the consensus of the City Council to look into a joint use agreement regarding the parks.

Mayor Benoit stated is there any thought being given to establishing a small CSD around Windsong Park. It would be worth having a quick meeting regarding this with those residents. If there is no interest we need to do something with the property so we are not constantly fixing the fence and replacing the locks.

Councilwoman Swanson suggested getting something out to the community to see if anyone would be interested in buying or leasing the site.

Councilman Cashman stated perhaps something like a subscription to the park that way people who do want to use it would be able to and pay for it.

It was the consensus of the City Council to bring this item back to a future Council meeting agenda.

3.3 FY 2011/12 California Supplemental Law Enforcement Services Fund (SLESF) Grant Program

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report.

A MOTION was made by Mayor Pro Tem Walker, seconded by Councilwoman Moore, to adopt a Resolution entitled:

RESOLUTION NO. 2012 - 09
A RESOLUTION OF THE COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, RECOMMENDING THE USE OF \$100,000 FROM THE
2011-12 STATE BUDGET TO PROVIDE FUNDING ADDITIONAL
PUBLIC SAFETY PERSONNEL

MOTION carried, 5-0.

3.4 Substitution of Subdivision Improvement Agreement and Securities with Lennar for Tract No. 30839 - Shadow Canyon

City Clerk Lee read the title.

City Engineer Palmer presented the staff report.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to approve and authorize the City Manager to execute the subdivision improvement agreement with Lennar for Tract No. 30839, Shadow Canyon.

MOTION carried, 5-0.

3.5 Roadway Improvements Agreement for Mission Trail and Traffic Signal Maintenance Agreement

City Clerk Lee read the title.

City Engineer Palmer presented the staff report.

Councilwoman Moore stated it is difficult to get out on Lemon and these lights will be so close together.

City Engineer Palmer stated they will be timed appropriately to alleviate traffic issues.

A MOTION was made by Councilwoman Swanson, seconded by Mayor Pro Tem Walker, to approve and authorize the City Manager to execute the improvement agreements with McMillin Land Development for roadway improvements on Mission Trail, and a traffic signal maintenance agreement with the City of Lake Elsinore.

MOTION carried, 5-0.

CITY MANAGER REPORT

City Manager Oviedo reported the following:

1. Direction was given that a letter is sent to County Flood Control regarding

the maintenance of Murrieta Creek regarding Clinton Keith bridge. That letter was sent out on January 26, 2012.

2. There was a conference call with our Lobbyist, Gonsalves and Sons. There is a date set for going to Sacramento and meeting with various Legislators regarding the VLF fix. The date is February 15, 2012 and he will be attending with the Mayor and Mayor Pro Tem.
3. The Subcommittee met with EVMWD. A topic that came up was County Water, which is a private company in the Bundy Canyon/Cottonwood Canyon area. We are trying to get a joint meeting between the City, EVMWD, Eastern, County Health, and the State to see if there is some solution for these residents.
4. Assemblyman Nestande had a conference call regarding the ending of redevelopment agencies. He is gathering information from cities with redevelopment agencies to perhaps draft legislation to help with this issue.
5. The City Manager Conference was held last week and went really well. He made the presentation with Assistant City Attorney Jex.

CITY ATTORNEY REPORT

City Attorney Biggs reported the one development in terms of the VLF fallout, was that this morning the Los Angeles LAFCO denied and dismissed the petition of the incorporation of the City of East Los Angeles. This could bring some pressure in Sacramento, or enhance the pressure. There will probably be a petition for reconsideration. She then stated that she will be leaving her position as City Attorney for the City of Wildomar. She will assist in the transition to another attorney if that is the desire of the Council and the Firm. She thanked the City Council for the opportunity to serve as City Attorney.

COUNCIL COMMUNICATIONS

Councilwoman Moore advised that RTA will be celebrating their 35th anniversary with a luncheon in March. She added that the latest fundraiser for the Friends for Wildomar Parks is still going on. They are asking for unwanted or unused items to donate to Goodwill.

Councilwoman Swanson stated Century 21 in Lake Elsinore will be hosting a St. Patrick's Day party and all the money goes toward student scholarships. She

added that she will not be attending the next City Council meeting as she will be travelling.

Councilman Cashman stated he and Councilwoman Moore had an opportunity to speak with the lawyers regarding the park assessment and they have generated something from those talks.

Mayor Pro Tem Walker stated he and City Manager Oviedo went to a luncheon in San Bernardino where Mr. Oviedo made a presentation. He felt that Mr. Oviedo did a great job. He attended the EVMWD meeting and they do have some projects in the works. In two weeks the dip in the road on Palomar will be addressed as Lennar has taken over that tract.

Mayor Benoit stated he attended RCA and WRCOG and both groups are dealing with all types of budget issues. He attended a two-day RCTC meeting. He also went on a trip with Western Municipal Water District out to the Colorado River where the water for the Wildomar area comes from.

FUTURE AGENDA ITEMS

- **Lake Elsinore motocross park noise study
- **Where did the County RDA money go
- **Graffiti issues

ADJOURN THE CITY COUNCIL

There being no further business Mayor Benoit declared the meeting adjourned at 8:37 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Ben J. Benoit
Mayor