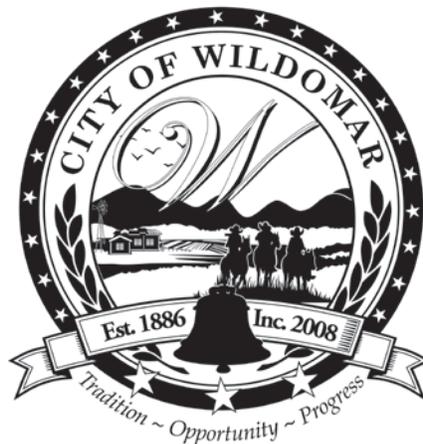


CITY OF WILDOMAR CITY COUNCIL AND  
WILDOMAR CEMETERY DISTRICT AGENDA

5:30 P.M. – CLOSED SESSION SPECIAL MEETING  
6:30 P.M. – REGULAR MEETING

JANUARY 11, 2012  
Council Chambers  
23873 Clinton Keith Road



Ben Benoit, Mayor/Chairman  
Timothy Walker, Mayor Pro Tem/Vice-Chairman  
Bob Cashman, Council Member/Trustee  
Bridgette Moore, Council Member/Trustee  
Marsha Swanson, Council Member/Trustee

City Manager/General Manager  
Frank Oviedo

City Attorney/District Attorney  
Julie Hayward Biggs

## **WILDOMAR CITY COUNCIL AND WILDOMAR CEMETERY DISTRICT REGULAR MEETING AGENDA JANUARY 11, 2012**

**ORDER OF BUSINESS:** Public sessions of all regular meetings of the City Council begin at 6:30 P.M. Closed Sessions begin at 5:30 p.m. or such other time as noted.

**REPORTS:** All agenda items and reports are available for review at: Wildomar City Hall, 23873 Clinton Keith Road; Mission Trail Library, 34303 Mission Trail Blvd.; and on the City's website, [www.cityofwildomar.org](http://www.cityofwildomar.org). Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours.

**PUBLIC COMMENTS:** Prior to the business portion of the agenda, the City Council will receive public comments regarding any items or matters within the jurisdiction of the governing body. The Mayor will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Comment Card" available at the Chamber door. The completed form is to be submitted to the City Clerk prior to an individual being heard. Lengthy testimony should be presented to the Council in writing (15 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

**ADDITIONS/DELETIONS:** Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council.

**CONSENT CALENDAR:** Consent Calendar items will be acted on by one roll call vote unless Council members, staff, or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

**PLEASE TURN ALL PHONES & OTHER DEVICES TO VIBRATE/MUTE/OFF  
FOR THE DURATION OF THE MEETING. YOUR COOPERATION IS  
APPRECIATED.**

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

**ROLL CALL**

**PUBLIC COMMENTS**

**CLOSED SESSION**

The City Council will meet in closed session 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.

The City Council will meet in closed session to confer with legal counsel pursuant to the provisions of Government Code Section 54958.9(a) regarding potential initiation of one matter of litigation regarding breach of contract and enforcement of conditions of approval imposed by issuance of a Conditional Use Permit for the Waite Street Mobile Home Park.

The City Council will meet in closed session to confer with legal counsel pursuant to the provisions of Government Code Section 54958.9(b) with regard to one matter of pending litigation: *City of Wildomar v. WPCG*

**RECONVENE INTO OPEN SESSION**

**ANNOUNCEMENTS**

**ADJOURN CLOSED SESSION**

## **PASSING OF THE GAVEL**

Immediate Past Mayor passes the gavel to the new Mayor.

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

## **ROLL CALL**

## **FLAG SALUTE**

## **PRESENTATIONS**

Recognition of 2011 Mayor - Marsha Swanson

Chamber of Commerce Update

Fire Department Monthly Update

Police Department Quarterly Update

Code Enforcement Quarterly Update

## **PUBLIC COMMENTS**

This is the time when the City Council receives general public comments regarding any items or matters within the jurisdiction of the City Council that do not appear on the agenda. Each speaker is asked to fill out a "Public Comments Card" available at the Chamber door and submit the card to the City Clerk. Lengthy testimony should be presented to the Council in writing (15 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker. Prior to taking action on any open session agenda item, the public will be permitted to comment at the time it is considered by the City Council.

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

The City Council to approve the agenda as it is herein presented, or, if it the desire of the City Council, the agenda can be reordered at this time.

### **1.0 CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Council, the Public, or Staff request that specific items are removed from the Consent Calendar for separate discussion and/or action.

#### **1.1 Reading of Ordinances**

**RECOMMENDATION:** Approve the reading by title only of all ordinances.

#### **1.2 Minutes – December 7, 2011 Special Meeting**

**RECOMMENDATION:** Staff recommends that the City Council approve the Minutes as presented.

#### **1.3 Minutes – December 14, 2011 Regular Meeting**

**RECOMMENDATION:** Staff recommends that the City Council approve the Minutes as presented.

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

**RECOMMENDATION:** Staff recommends that the City Council approve the following:

1. Warrant Register dated December 8, 2011 in the amount of \$83,952.98;
2. Warrant Register dated December 15, 2011 in the amount of \$72,216.23;
3. Warrant Register dated December 22, 2011 in the amount of \$80,339.94;
4. Warrant Register dated December 29, 2011 in the amount of \$27,610.75;
5. Warrant Register dated January 5, 2012 in the amount of \$131,422.93; and
6. Payroll Register dated January 6, 2012 in the amount of \$74,705.23.

**1.5 Treasurer's Report**

**RECOMMENDATION:** Staff recommends that the City Council approve the Treasurer's Report for the month of November, 2011.

**1.6 Statement of Understanding (SOU) With Riverside County Office of Emergency Services and Consideration of the Disaster Corps Uniform Code of Conduct**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Approve the SOU with Riverside County Office of Emergency Services to establish guidelines for collaboration and coordination between California Volunteers and the Disaster Corps Program and
2. Adopt the Disaster Corps Uniform Code of Conduct which will hold City of Wildomar volunteers to the highest standards of personal conduct, with the emphasis on professionalizing, coordinating, and connecting volunteers in the Disaster Corps program.

**1.7 Award of Homeland Security Grant Program FY11**

**RECOMMENDATION:** Staff recommends that the City Council accept \$5,153 in funding for Homeland Security Grant Program (HSGP) FY11 from the California Emergency Management Agency (CalEMA).

**1.8 Additional Emergency Management Performance Grant Funds**

**RECOMMENDATION:** Staff recommends that the City Council accept an additional \$3,641 in funding for FY09 Homeland Security Grant Program (HSGP) from the Riverside County Fire/OES.

**1.9 Disadvantaged Business Enterprise (DBE) Goal**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Adopt a Resolution entitled:

RESOLUTION NO. 2012 - \_\_\_\_\_  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, APPROVING THE ANNUAL  
ANTICIPATED DISADVANTAGED BUSINESS ENTERPRISE  
LEVEL

2. Adopt a Resolution entitled:

RESOLUTION NO. 2012 - \_\_\_\_\_  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY ENGINEER  
OR HIS DESIGNEE TO SIGN ALL RELATED DBE  
FORMS/AGREEMENTS, AND FUNDING AGREEMENTS TO  
RECEIVE FEDERAL GRANT FUNDS

**1.10 City Manager Contract Amendment**

**RECOMMENDATION:** Staff recommends that the City Council approve the Second Amendment to the Agreement for Employment for City Manager.

**1.11 Second Reading and Adoption of Ordinance No. 66 – Sex Offenders**

**RECOMMENDATION:** Staff recommends that the City Council adopt an Ordinance entitled:

ORDINANCE NO. 66  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, ADDING A NEW CHAPTER 9.55 TO THE  
WILDOMAR MUNICIPAL CODE RELATING TO SEX OFFENDER  
RESIDENCY AND LOITERING PROHIBITIONS

**2.0 PUBLIC HEARINGS**

**2.1 Zoning Ordinance Amendment No. 11-03 – Manufacturing Brewers**

**RECOMMENDATION:** The Planning Commission recommends that the City Council introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. \_\_\_\_\_  
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.  
11-03 AMENDING CHAPTER 17.100 (M-SC MANUFACTURING-  
SERVICE COMMERCIAL ZONE) AND 17.104 (M-M MANUFACTURING  
MEDIUM ZONE) OF THE CITY OF WILDOMAR ZONING ORDINANCE  
TO ALLOW MANUFACTURING BREWERS WITHIN AN EXISTING  
ENCLOSED BUILDING AS A PERMITTED USE

**2.2 Zoning Ordinance Amendment No. 11-02 - Receive and File Process and Appeal Procedures Clarification**

**RECOMMENDATION:** The Planning Commission recommends that the City Council introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. \_\_\_\_\_  
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

**3.0 GENERAL BUSINESS**

**3.1 Proposed Cable Ski Park Presentation**

**RECOMMENDATION:** Staff recommends that the City Council receive and file the presentation.

**3.2 Update on RV/Mini-Storage Moratorium**

**RECOMMENDATION:** Staff recommends that the City Council discuss the current moratorium related to boat storage, recreational vehicle storage, self-storage facilities and mini-warehouse uses in commercial and residential zones, and provide Staff with direction on whether to proceed with a Zoning Ordinance Amendment.

**3.3 Stop Sign on Perla Place at Brillante Drive**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2012 - \_\_\_\_\_  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE INSTALLATION OF A STOP SIGN ON NORTHBOUND PERLA PLACE AT BRILLANTE DRIVE

**3.4 Resolution Requesting Extension of Repayment Time Period for Transition Year Services**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2012 - \_\_\_\_\_

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

**3.5 Update Regarding Medical Marijuana Following Appellate Ruling in City of Riverside v. Inland Empire Patient's Health and Wellness Center**

**RECOMMENDATION:** Staff recommends that the City Council consider implications of the ruling in *City of Riverside v. Inland Empire Patient's Health and Wellness Center* with regard to enforcement options in the City of Wildomar and give direction to staff.

**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

**COUNCIL COMMUNICATIONS**

**FUTURE AGENDA ITEMS**

**ADJOURN THE CITY COUNCIL**

In accordance with Government Code Section 54952.3, I, Debbie A. Lee, City Clerk of the City of Wildomar, do hereby announce the following:

In accordance with Resolution No. WCD2011 - 04 of the Wildomar Cemetery District, the Board of Trustees will receive no compensation or stipend for the convening of the following regular meeting of the Wildomar Cemetery District.

## **CONVENE WILDOMAR CEMETERY DISTRICT**

### **CALL TO ORDER**

### **ROLL CALL**

### **PUBLIC COMMENTS**

This is the time when the Board of Trustees receives general public comments regarding any items or matters within the jurisdiction of the Wildomar Cemetery District that do not appear on the agenda. Each speaker is asked to fill out a "Public Comments Card" available at the Chamber door and submit the card to the Clerk of the Board. Lengthy testimony should be presented to the Board in writing (15 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker. Prior to taking action on any open session agenda item, the public will be permitted to comment at the time it is considered by the Board.

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

The Board of Trustees to approve the agenda as it is herein presented, or if it the desire of the Board, the agenda can be reordered at this time.

## **4.0 CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Board, the Public, or Staff request that specific items are removed from the Consent Calendar for separate discussion and/or action.

### **4.1 Minutes – December 14, 2011 Regular Meeting**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Minutes as presented.

### **4.2 Warrant Register**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve Warrant Register dated January 5, 2012, in the amount of \$8,171.08.

### **4.3 Treasurer’s Report – September, 2011**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Treasurer’s Report for September, 2011.

### **4.4 Treasurer’s Report – October, 2011**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Treasurer’s Report for October, 2011.

### **4.5 Treasurer’s Report – November, 2011**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Treasurer’s Report for November, 2011.

## **5.0 PUBLIC HEARINGS**

There are no items scheduled.

## **6.0 GENERAL BUSINESS**

There are no items scheduled.

## **GENERAL MANAGER REPORT**

**CEMETERY DISTRICT ATTORNEY REPORT**

**BOARD COMMUNICATIONS**

**FUTURE AGENDA ITEMS**

**ADJOURN WILDOMAR CEMETERY DISTRICT**

**2012 City Council/Wildomar Cemetery District Regular Meeting Schedule**

February 8	August 8
March 7	September 12
April 11	October 10
May 9	November 14
June 13	December 12
July 11	

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any person that requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting, may request such modification, accommodation, aid or service by contacting the City Clerk either in person or by phone at 951/677-7751, no later than 10:00 a.m. on the day preceding the scheduled meeting.

I, Debbie A. Lee, Wildomar City Clerk, do certify that on January 6, 2012, by 5:00 p.m., a true and correct copy of this agenda was posted at the three designated posting locations:

Wildomar City Hall, 23873 Clinton Keith Road,  
U.S. Post Office, 21392 Palomar Street,  
Mission Trail Library, 34303 Mission Trail Blvd.

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Debbie A. Lee, CMC  
City Clerk