

**CITY OF WILDOMAR  
CITY COUNCIL SPECIAL COUNCIL MEETING MINUTES  
JANUARY 25, 2011**

**CALL TO ORDER – CLOSED SESSION – 6:00 p.m.**

The closed session of January 25, 2011, of the Wildomar City Council was called to order by Mayor Swanson at 6:00 p.m.

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

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

City Clerk Lee announced that the City Council will meet in closed session to confer with its legal counsel pursuant to the provisions of Government Code Section 54956.9(a) regarding the following matter of pending litigation:

Protect Our Wildomar v. City of Wildomar RIC 10023703

At 7:00 p.m. the City Council reconvened into open session, with all Council Members present, making no announcements.

There being no further business, at 7:00 p.m., Mayor Swanson adjourned the closed session.

**CALL TO ORDER – SPECIAL SESSION – 7:00 p.m.**

The special meeting of January 25, 2011, of the Wildomar City Council was called to order by Mayor Swanson at 7:00 p.m.

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

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 Council Member Walker.

## **PRESENTATIONS**

Mayor Swanson presented a Certificate of Appreciation to Wildomar Deputy Richard Williams for his service to the City.

Mayor Swanson presented a Certificate of Congratulations to the Elsinore High School Football Team for winning the CIF title.

Mayor Swanson presented a Proclamation to the Wildomar Historical Society in honor of the inaugural Founder's Day Celebration, February 7 – 13, 2011.

Code Enforcement Officer Kowalski presented the monthly update.

## **PUBLIC COMMENTS**

Andy Morris, representing Wildomar Rotary, stated the next fundraiser scheduled is February 5, at Cal Oaks Bowl. The General Manager of the Bowling Alley is giving them the building at no cost for bowling and a poker tournament. He also stated the big BBQ event will be held on March 19 on Kevin Street.

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

A MOTION was made by Council Member Moore, seconded by Mayor Pro Tem Benoit, to approve the agenda as presented.

MOTION carried, 5-0.

## **1.0 CONSENT CALENDAR**

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

MOTION carried, 5-0

### **1.1 Reading of Ordinances**

Approved the reading by title only of all ordinances.

### **1.2 Warrant Registers**

Approved the following Warrant Registers:

1. Dated January 13, 2011, in the amount of \$41,222.45; and
2. Dated January 20, 2011, in the amount of \$37,277.11.

**1.3 Treasurer's Report**

Approved the Treasurer's Report for December, 2010.

**1.4 Appointments to the Public Agency Risk Sharing Authority of California (PARSAC)**

Adopted a Resolution entitled:

RESOLUTION NO. 2011 - 03  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, APPOINTING A REPRESENTATIVE AND ALTERNATE  
TO THE PUBLIC AGENCY RISK SHARING AUTHORITY OF  
CALIFORNIA (PARSAC) BOARD OF DIRECTORS

**1.5 Termination of Local Emergency Proclamation**

Adopted a Resolution entitled:

RESOLUTION NO. 2011 - 04  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, TERMINATING THE EXISTENCE OF A LOCAL  
EMERGENCY UNDER GOVERNMENT CODE SECTION 8630 AND  
CHAPTER 2.08 OF THE WILDOMAR MUNICIPAL CODE

**2.0 PUBLIC HEARINGS**

There are no items to be heard.

**3.0 GENERAL BUSINESS**

**3.1 Resolution Designating Time, Date, and Location of City Council Regular Meetings**

City Clerk Lee introduced the item and presented the staff report stating that during the Norming Session the start time of Council meetings was brought up. It was decided to move the start time from 7:00 p.m. to 6:30 p.m. She then related the start time of the surrounding cities' Council meetings noting that 6:30 p.m. is in line with other cities.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Council

Member Moore, to adopt a Resolution entitled:

RESOLUTION NO. 2011 - 05  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, DESIGNATING THE TIME, DATE, AND LOCATION OF  
CITY COUNCIL MEETINGS AND RESCINDING RESOLUTION NO. 08-  
05

MOTION carried, 5-0.

**3.2 Save Our Parks Update**

City Clerk Lee introduced the item.

Assistant City Manager Nordquist presented the staff report stating that he will address the Committee's proposal of a Community Facilities District under item #3.4. He then invited Chairman John Lloyd of the Blue Ribbon Committee to the podium to update the Council on the fundraising efforts.

Chairman Lloyd stated he urged the Council to adopt the Resolutions regarding the Community Facilities District. This proposal is a unanimous decision from the Committee. January 23 was the Bingo fundraiser which was a great success. They received over \$600 from winners donating all or a portion of their winnings. After costs, over \$1,600 was raised throughout the event. These monies will be put toward education of the community regarding the parks.

Council Member Moore read an email she received from Gary Andre who could not attend the meeting. When the parks were closed there were numerous complaints about kids hanging around neighborhoods or playing in yards or the streets. Since the parks re-opened, the complaints have dropped dramatically to almost none. Parks are essential to a community and everyone should vote yes for parks.

**3.3 Resolution Adopting the Local Goals & Policies and Appraisal Standards Concerning the Use of the Community Facilities Act of 1982**

City Clerk Lee introduced the item.

Assistant City Manager Nordquist presented the staff report stating that prior to forming a Community Facilities District (CFD), the Council must adopt local goals and policies and appraisal standards.

A MOTION was made by Council Member Moore, seconded by Council Member Walker, to adopt a Resolution entitled:

RESOLUTION NO. 2011 - 06  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, APPROVING LOCAL GOALS AND POLICIES AND  
APPRAISAL STANDARDS

MOTION carried, 5-0.

**3.4 Proposed City of Wildomar Community Facilities District No. 2011-1**

City Clerk Lee introduced the item.

City Attorney Biggs stated the date of the public hearing will need to be changed. The public hearing can be no earlier than 30 days from today, so the public hearing date would be February 24, and will be changed in all the documents before the Council at this meeting.

Assistant City Manager Nordquist presented the staff report stating these are the Resolutions of Intention needed for the public hearing on February 24, 2011, to establish the CFD for parks. This issue would then go to the voters for their consideration. He stated that in September, 2010, the Court ruled against the assessment that was in place at that time, so the City is not receiving any monies to maintain and run the parks. He showed the monies needed in order to keep the parks maintained as they presently are. The Blue Ribbon Committee was established to look at the parks issue and bring forth a recommendation to the Council for the parks. The Committee has been out in the community asking what they would like to see. What they are supporting is a CFD for the present parks, and for future parks. It is a special tax with two parts. Tax A would be for the maintenance of the existing parks, and Tax B would be for future parks. The maximum the two components would be is \$45 per year and it would be on every parcel in Wildomar, including commercial and vacant parcels. There is an exemption, which would need to be applied for, that is for seniors 62 years of age or older who are living on the property. He then related how the monies would be spent on the parks. Additionally, the City Council can lower the amount each year if the budget warrants.

Council Member Moore stated the \$28 and \$45 charges are exactly what the voters voted on last time. The \$45 would not happen until another park was built. Both amounts had the CPI built in, but the County never increased it in the four years in was in place.

Mayor Pro Tem Benoit inquired if the senior exemption would cover both Tax A and Tax B.

Assistant City Manager Nordquist answered yes, they would be exempt from paying anything.

Mayor Swanson asked if the 66.67% approval would be from all of the registered voters, or just those who vote.

Assistant City Manager Nordquist answered it would be 66.67% approval of those voting at the election.

Council Member Cashman inquired what is the logic for not taking Tax A and Tax B as separate items.

Assistant City Manager Nordquist answered Tax B is the bond issue. In order to have a bond you have to have a dedicated stream of revenue to pay that amount. The \$17 that Tax B would represent tells the bond holders that money will always be there to pay the bonds. It also aids the City in setting the bonding limits.

Council Member Cashman asked why does this need to be just one ballot proposition and not two.

Shane Spicer, Webb Associates, answered having one measure is cost effective and doing it simultaneously with a rate structure the voters are familiar with, that being the \$28 and \$45. The City could go with just Tax A, but if in the future you would want to look at going back to the voters with Tax B, it would be expensive to go through this entire process again, which is what you would have to do. Also if they were separate on one ballot, it is their experience that it is confusing to the voter.

Council Member Cashman stated he has a hard time with the idea that the City will foreclose on a house simply because they have not made their \$17 payment.

Mr. Spicer answered the City would have a fiduciary responsibility to the bond holders to ensure that indebtedness is made. However, the issue of foreclosing on a \$17 delinquency is unlikely. There are steps you must take for a foreclosure and if a property owner is delinquent on the \$17, they are also delinquent on the other taxes owed. If an action is taken to foreclose, there would be other taxes that would take priority over the \$17. This is why it is highly unlikely.

Mayor Swanson stated that even in this economy, there have not been any foreclosures by a CFD in Wildomar.

City Manager Oviedo related that in Northern California there were CFDs in the City he worked in. What you discover is if the homeowner cannot pay \$17, they have much bigger issues than just that because that is just a minor fraction of the tax bill.

A MOTION was made by Council Member Cashman, seconded by Council Member Walker, include the senior exemption, and to:

1. Adopt a Resolution entitled:

RESOLUTION NO. 2011 - 07  
RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE  
CITY OF WILDOMAR TO ESTABLISH COMMUNITY FACILITIES  
DISTRICT NO. 2011-1 (WILDOMAR PARKS) OF THE CITY OF  
WILDOMAR AND TO AUTHORIZE THE LEVY OF SPECIAL  
TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2011-1  
(WILDOMAR PARKS) OF THE CITY OF WILDOMAR

and;

2. Adopt a Resolution entitled:

RESOLUTION NO. 2011 - 08  
RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE  
CITY OF WILDOMAR TO INCUR BONDED INDEBTEDNESS IN  
THE AMOUNT OF NOT TO EXCEED \$5,000,000 WITHIN  
PROPOSED COMMUNITY FACILITIES DISTRICT NO. 2011-1  
(WILDOMAR PARKS) OF THE CITY OF WILDOMAR

and;

3. Set a date of February 24, 2011, at 6:30 p.m. (or as soon thereafter) for a public hearing on the matter.

MOTION carried, 5-0.

### **CITY MANAGER REPORT**

City Manager Oviedo reported that the February 24 public hearing will be a

Thursday. He inquired if the Council wishes to not have a regular meeting on February 23 and instead put all the items on February 24.

It was the consensus of the City Council to have all the items that would have been heard on February 23 to be put on the agenda for February 24.

City Manager Oviedo stated that as per the Resolution adopted at this meeting, the next Council meeting, and every one thereafter, will begin at 6:30 p.m. and not 7:00 p.m. He stated that he, Mayor Pro Tem Benoit, and Council Member Walker attended the new Council Member training that is presented by the League of California Cities in Sacramento. He felt it was an excellent training, and especially networking with Council Members from other cities.

### **CITY ATTORNEY REPORT**

There was nothing to report.

### **COUNCIL COMMUNICATIONS**

Council Member Walker stated the training was very good and he learned a great deal. He discovered that all the cities are facing difficult budgets as no one has money. Everyone is cutting, including Wildomar, and we have to do this as best we can and save our cities because Sacramento is spending too much and will be looking at cities and their redevelopment funds. The Governor stopped in and talked with everyone there trying to get support for the taking of redevelopment monies. The cities were not responding well to that idea.

Mayor Pro Tem Benoit stated he also felt the training was very good. He feels the Governor could look at other areas to cut rather than coming after local governments. All in all it was a great trip.

Council Member Cashman stated that he and Council Member Moore, who are the finance subcommittee, met to start looking over what the budget looks like. He felt it was a productive meeting. He is also excited about the inaugural founder's week, February 7-13.

Council Member Moore stated she and Mayor Swanson attended an event at Sycamore Academy. They spoke to the 5th and 6th grade students and then they all walked over to City Hall to talk with the City Manager. She also attended the Chamber Mixer, met with Senator Anderson, attended the Bingo fundraiser, and met with Council Member Cashman as the Finance Subcommittee. She

urged everyone to shop local as the City needs the tax dollars. Also, on January 22, the Wildomar Scouts received many awards at the annual dinner, and she would like to bring them to a future meeting to acknowledge them.

Mayor Swanson stated she was in Sacramento to attend the League's Policy Committee meeting. One of the speakers they had was from the FPPC and he was amazing. She urged everyone to get educated on the park issue and to help promote it.

### **FUTURE AGENDA ITEMS**

- \*\*Scouting awards winners (Moore)
- \*\*Review of City Attorney contract for possible cost savings (Benoit)
- \*\*Appointment to the Riverside County Free Library Advisory Committee (Moore)

### **ADJOURNMENT**

There being no further business, Mayor Swanson declared the meeting adjourned at 8:10 p.m.

Respectfully submitted,

  
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Debbie A. Lee, CMC  
City Clerk