

**CITY OF WILDOMAR
CITY COUNCIL REGULAR COUNCIL MEETING MINUTES
FEBRUARY 24, 2011**

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

The adjourned regular meeting of February 24, 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 Cashman, Moore, and Walker. Members absent: None.

Staff in attendance: Assistant City Manager Nordquist, Assistant City Attorney Jex, 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

Chief Fontneau presented the Police Department K-9 Unit to the Council and community.

Code Enforcement Officer Kowalski presented the monthly update.

Mayor Swanson presented a book to Council Member Moore in honor of her year as Mayor.

PUBLIC COMMENTS

There were no public comments.

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

Council Member Cashman stated he would like to take item #1.6 separately.

A MOTION was made by Council Member Moore, seconded by Mayor Pro Tem Benoit, to approve the Consent Calendar, with the exception of item #1.6, as presented.

MOTION carried, 5-0.

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – January 25, 2011 Special Meeting

Approved the Minutes as submitted.

1.3 Warrant Registers and Payroll Register

Approved the following:

1. Warrant Register dated February 10, 2011, in the amount of \$882,386.51;
2. Warrant Register dated February 17, 2011, in the amount of \$8,996.46; and
3. Payroll Register dated February 18, 2011, in the amount of \$17,606.77.

1.4 Treasurer's Report

Received and filed the Treasurer's Report for January 2011.

1.5 Second Reading – Ordinance No. 59 Relating to Vehicle Impound Administrative Fee

Adopt an Ordinance entitled:

ORDINANCE NO. 59
AN ORDINANCE OF THE CITY OF WILDOMAR, CALIFORNIA, ADDING
CHAPTER 12.56 TO TITLE 12 ("VEHICLES AND TRAFFIC") OF THE
WILDOMAR MUNICIPAL CODE, ESTABLISHING A VEHICLE IMPOUND
ADMINISTRATIVE FEE

ITEMS REMOVED FROM THE CONSENT CALENDAR

1.6 Second Reading – Ordinance No. 60 Relating to Security for Subdivision Improvement Agreements

Council Member Cashman stated he has concerns that there is a natural time in which a subdivision is not built, that it should be looked at again. We have one from 2002 that could be coming forward soon that most people have never had an opportunity to comment on.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Council Member Moore, to adopt an Ordinance entitled:

ORDINANCE NO. 60
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AMENDING SECTIONS 16.60.010,
16.60.020, AND ADDING A NEW 16.60.030 OF THE WILDOMAR
MUNICIPAL CODE RELATING TO SECURITY FOR SUBDIVISION
IMPROVEMENT AGREEMENTS

MOTION carried, 5-0.

2.0 PUBLIC HEARINGS

2.1 An Ordinance and a Resolution Repealing the Robles Project

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Assistant City Attorney Jex presented the staff report. The approval of this project was legally challenged and the City has reached a settlement with the opposing party. Part of the settlement agreement stipulates that the City rescind the approval of the project, which is now before the Council.

There being no speakers, Mayor Swanson closed the public hearing.

A MOTION was made by Council Member Moore, seconded by Council Member Walker, to introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. 61

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, VACATING AND REPEALING ORDINANCE NO. 54 APPROVING CHANGE OF ZONE 7440(CITY PROJECT NO. 08-0162) TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WILDOMAR FROM RURAL RESIDENTIAL (R-R) TO GENERAL COMMERCIAL (C-1/C-P) FOR A 2.28 ACRE SITE LOCATED AT THE NORTHWEST CORNER OF PALOMAR STREET AND KILGORE LANE (ASSESSOR'S PARCEL NO. 380-140-004)

MOTION carried, 5-0.

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

RESOLUTION NO. 2011 - 10
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, VACATING AND REPEALING RESOLUTION NO. 2010-59 APPROVING PLOT PLAN 22249 (City Project No. 08-0162) FOR THE DEVELOPMENT OF A 17,288 SQUARE FOOT MULTI-TENANT AUTOMOTIVE REPAIR/RETAIL CENTER (ROBLES AUTOMOTIVE CENTER) ON A 2.28 ACRE SITE LOCATED AT THE NORTHWEST CORNER OF PALOMAR STREET AND KILGORE LANE (ASSESSOR'S PARCEL NO. 380-140-004) AND ALL OTHER RELATED ACTIONS

MOTION carried, 5-0.

2.2 City of Wildomar Community Facilities District No. 2011-1

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

City Clerk Lee stated that notice of the public hearing has been given and affidavit of publication is on file in the City Clerk's Office.

Assistant City Manager Nordquist presented the staff report stating this proposal is as a result of the Blue Ribbon Committee, Staff, and the consultants. The Council has options regarding this proposal. The Council can accept the recommendation as stated in the staff report; certain modifications can be made; deny the recommendation; or continue the item to March 7. He reviewed how the park funding was stopped and

the deliberations of the Blue Ribbon Committee that the Council appointed to review the options the City has in order to obtain park funding and maintenance. The Committee looked at how the City could fund park acquisition and construction east of the I-15. He explained how bonding works, the limits of how much bonded indebtedness, and how the community could benefit from this. Also, the Committee is recommending a senior exemption to those persons, 62 or older, who own and occupy parcels in the City. He explained that the money collected can only be used for park maintenance for Tax A, and only for acquisition and construction of parks for Tax B.

SPEAKERS

Kailee Carroll, resident, stated she is seven years old and has been selling lemonade in an effort to save the parks. She wants to keep the parks open because they are fun.

Martha Bridges (with donated time from Penny Boydstud), resident, stated she is in favor of keeping the existing parks open and she voted for the original assessment and gladly paid it. However, she doesn't think the Council is looking at the long term costs and risks of a CFD which is a Mello Roos. This would encumber all parcels for 35 years. The total cost of repayment of the \$5 million at 12% over 35 years would be almost \$21.5 million. In the meantime, all the parcels would be encumbered with this. There are downfalls to Mello Roos and this stays with your parcel until it is paid off. She also objects to the senior exemption mainly because it is illegal. You can only exempt parcels and she feels it is a gimmick to get seniors to think they can approve the tax and not pay for it. She would like to know if the parkland designated on the east side of the freeway has been transferred to the City. It is her understanding that it has not and is still owned by the County. It is important that everyone know the City would have to buy land as the City presently does not have title to any land for a park. In the original assessment it did not include recreation programs and she has always objected to the programs being limited to the very small percentage of children who play organized team sports and there are little to no adult programs. She is opposed to the CFD.

Steve Beutz, resident, stated stopthemoneygrab.com will be opposing this proposal. Instead of raising taxes the City can put two cents of every dollar into a lock box to fund parks. That would be enough so the City would not have to tax. The City could also not take trips to Sacramento, Las Vegas, and Tijuana to save money as well.

John Lloyd (with donated time from Tim Underdown), resident, stated he is the Chairman of the Blue Ribbon Committee and it was his pleasure to serve the community. He stated the fundraisers throughout the City have raised about \$15,000, which is not a great deal for what is needed, but it is something that can be used for the parks. The Committee looked at many factors for this recommendation. They wanted to keep it at, or below, what was paid before and also had to be a source to keep the parks going and not just a one-time thing. A park should be built, and it should be on the east side of the freeway as there currently are no parks there. They need to be a benefit to the entire community and should be funded by the same. After all the Committee meetings, the discussions, the debates, everyone recognizes the economic times of today, but they also realized the great benefit \$28 can bring to the community. He pointed out that the bond measure does not automatically create a \$5 million debt. When the time comes, the Council will hold hearings before any bonds can be sold. When this occurs the community has an opportunity to be heard. A bond is not a bad thing, as it allows a City to grow. In fact, the property that City Hall sits on was done with a bond. The entire growth on the eastside of Clinton Keith would not have been built without bonds. Not all taxes are bad. This is a tax you have control over and a voice in, and it is not a new tax. He recommends the Council approve the Resolutions and keep the parks open.

Tracy Lobo, resident, stated she would like the news story that ran on ABC channel 7 to be shown. The clip was shown.

Scott Bradstreet, resident, stated he is new to Wildomar and is in favor of the parks bond. He related that he has a great deal of experience with parks. He offers his support and is willing to serve on any committee. The City does not have a great park base and he would like to see that get started. He urged the Council to move forward.

Chris Beatty, resident, stated the children deserve the parks. This may not be the best way tax, but she understands there needs to be a tax. She is not a property owner, but she is willing to write a check for whatever is needed for her part if it keeps the parks open. The children in Wildomar are collecting money now. At Wildomar Elementary they have a bottle in every room and the kids are putting in whatever they can in an effort to keep the parks open.

Gerald Hall, resident, stated he is in favor of the assessment. He has already made a donation of twice the money being asked for. He is on disability and still can afford this so he doesn't want to hear from other

seniors how they can't do it. We voted to become a City and have local control and that is what we have now. We need to come together as a community and keep these parks open for these kids. Everyone needs to go out there and see the numerous kids using the parks for sports. If these parks close you will start seeing graffiti everywhere. In regards to Mr. Beutz and Ms. Bridges, he has things he downloaded from the North County Times website that he is turning into the City as an official submission, a handout Mr. Beutz was handing out in the parking lot, and comments made by Ms. Bridges on a public domain. He would like the Council and City Attorney to go through these to see if there are any misleading statements given so the City can have a lawsuit against them. He is tired of them stating they are for everything and then they sue the City and cost more money than what is being asked for the parks.

Gil Rasmussen, resident, stated he is the publisher of Wildomar Magazine and is speaking on behalf of his readers. He is opposed to the proposal. He is in favor of an assessment tax for maintenance, but not for the expanded tax being asked for. His opinion is it is too confusing and will not pass. He reviewed the park assessments which have come before Wildomar in the past. This Council is relying upon the same Firm that did the County assessment that was legally challenged and found to be illegal. Should this pass, the City will again be legally challenged for the illegal senior exemption. This Council has spent nearly \$100,000 fighting medical marijuana, with more expensive litigation to come. Also, an additional \$42,000 was spent defending and ultimately surrendering regarding the approval of the Robles project.

Sheryl Ade, resident, stated she finds it ironic that the Council is asking the citizens to trust them in taking on a \$5 million bonded indebtedness, when the item just before this public hearing, was rescinding a poorly made decision on a change of zone. The Council did not take on their responsibility and instead passed it on to the Blue Ribbon Committee to make the decision. That way if the bond measure fails, they can blame the committee and those who voted no. There are other options, but the Council chose to let the committee go forward until there was no time left for other options. The Council has no other plan than Mello Roos, so if this fails, they are back to square one. Also by doing this the Council will have spent \$35,000 for an election, and \$16,000 for consultants. The property on the eastside of town was never transferred to the City from the County. Encumbering an entire City for property that doesn't belong to the City is insane. She is not against parks or an assessment. She is against a Mello Roos as there are other options.

Barbara Wilson, Sycamore Academy, stated while they were waiting to speak, she and the students did the math on the cost of the \$28 assessment. This is what they came up with: It is less than 8¢ per day; 47 cans or bottles per month recycled; and 54¢ per week. Childhood obesity is on the rise and children need a place to play. The children would want us to pay for the parks so they have a place to be kids.

Andy Morris, resident, stated he does coach Little League and Soccer. This is a great City and needs to keep its parks. Getting the 66 2/3rds vote will be difficult, especially when you have those in opposition to it. These people don't want parks, they don't want a City, and they are sending misinformation out stating this is tax grabbing. You cannot bring these people in and try to explain to them, because they are going to sue the City no matter what it does. It is unfortunate. His son said to him that he would pay the \$45 to the anti-park people out of his money so they can keep the parks open. He doesn't think that matters, because it isn't the dollar amount that these people are against. These people didn't want the City to incorporate to begin with, so they are going to make sure that it doesn't succeed. What we have to do as citizens is prove them wrong. He urged the Council to move forward with the tax. He finds it hard to believe that people can't understand \$28 and \$45.

George Taylor, resident, stated he would like to clarify the senior exemption. Every senior who owns property in Wildomar, and who resides on that property, is going to be assessed. What will happen is seniors, over the age of 62, have the ability to opt out after they have been assessed. The City would reimburse those who come to City Hall and fill out a form each year. In terms of Mello Roos, parks are a good investment, and someone has to pay for them.

Veronica Langworthy, resident, stated where she lives is in an RDA, so her property is very encumbered. When she first moved to Wildomar the parks were closed and fenced off. There were weeds, and the area was deplorable. When the assessment was passed and the parks opened, the parks were beautiful and people were using them. Also, property values bumped up a little because of the parks. She feels you get much more in value than the \$28 paid in the assessment. She is in favor of the assessment to keep improving the community. She is not sure why citizens against this aren't speaking up and sharing their solutions with the citizens regarding this. They could have been involved with the Blue Ribbon Committee, but they chose not to, so a solution was really not their point.

Daniel Chambliss and Chelsea Finch, residents, stated he would like the citizens to save the parks for the kids.

Kaylee Garner, resident, stated she is in favor of the parks and feels families could donate their time to help out with landscaping and such to help keep costs down. Her and her family will be putting together a horse play day to save the parks, and it's not just for horses. Everyone is invited to attend and she will inform the City when they have a date. She has four kids and does not want to see the parks close. She remembers when the parks were closed and fenced off. The crime rate was up and there was graffiti everywhere.

Diana Stinson, Wildomar Pop Warner & Seniors, stated she lives on the east side of town and there are no big parks there, or even little parks. She is on the Board for Wildomar Pop Warner and they use Marna O'Brien. She worked 20 years at Lake Perris and it is used by many people and their families. By taking away the parks, by saying it is unaffordable, you saying that your children are unaffordable. Whatever the cost is, she is willing to pay it. She is a senior citizen and will pay and not ask for an exemption.

Gene Trosper, resident, stated he is in opposition to the proposal tonight. Has anyone looked at unemployment and home foreclosures in the area. Everyone is tightening their belts and now is not the time to tax the citizens against their will and make financial decisions for strangers. Are the parks that important that you need to put yet another strain on people. It was said that one coffee per month is equivalent to the cost monthly for the assessment. However, people have cut that out of their budgets because they simply can't afford it. If the citizens are cutting back to the bare basics, then so should the City. It is arrogant to say it is affordable when there are those that cannot. Also, Little Leagues around the country are buying their own facilities instead of insisting everyone pay for it. Wildomar should follow suit and insist Little League find their own facility. He urged the Council to quit pitting citizen against citizen.

Mayor Swanson asked if the City received any written protests at, or before, the hearing.

City Clerk Lee answered yes, there were two received, however that is not a majority of landowners in the district, or a majority of the landowners of the exempt properties.

There being no further speakers, Mayor Swanson closed the public

comments.

Councilman Cashman inquired if the senior exemption is legal.

Neil Yeager, legal counsel regarding formation of Community Facility Districts, stated seniors have been used in CFDs, and most notably in School Districts. However, anyone can challenge anything, so he cannot state that it won't lead to litigation. This not based on property, it is based on benefit. Those properties that are exempt are exempt by class, such as Federal property, State property, Churches (now and in the future), etc. We are not exempting seniors, we are exempting property that is owned and occupied by seniors, and only when they file an exemption each year, which is a class of people. He can say he feels the senior exemption would hold up to a challenge, but he cannot guarantee it 100%.

Mayor Pro Tem Benoit inquired if it has ever been challenged.

Mr. Yeager answered to his knowledge, no, however there can always be a first time.

Councilman Cashman inquired if Tax A and Tax B could be separated on the ballot.

Shane Spicer, Webb & Associates, stated they were intentionally put together as they go hand in hand. If Tax A does not pass, but Tax B does, it defeats the purpose of why this was on the ballot to begin with. Tax A pays for the maintenance of existing parks, Tax B pays for acquiring land and building a park, but no maintenance.

Discussion ensued regarding the cost of the election; costs of the election in November 2009, and November 2010.

Councilman Cashman stated that he feels Tax A should be separated from Tax B as there would be less confusion.

Councilman Walker stated he doesn't feel Tax B will pass at this time. He thinks it should just be Tax A because it would at least give us the maintenance money we need to keep the parks open. This is not a new tax, we were paying this prior to November, 2010, and we all know it. The problem is this is being thrown at people by others in order to confuse people. It is bad that there is no park on the east side, but eventually that will come. Additionally, he does not like people making remarks about things they know nothing about. The City sent he and Mayor Pro Tem

Benoit to Sacramento to be trained on how to run a City. We go to Las Vegas to the International Conference of Shopping Centers annual conference in order to get companies to come to Wildomar to help us build a solid base in our community. They don't come to you, you have to go to them, and that's one of the biggest conferences where they are altogether in one spot. It is harmful to a City when a small group of people stop business from coming to Wildomar. Every time we try to get a company here, we get a lawsuit from these people, and he is tired of it and wants it to stop. He was elected to protect the City, and that is what he is doing, not "P.O.W." who is only protecting special interest groups.

Councilwoman Moore stated it was stated that if the assessment fails the Council would blame the Blue Ribbon Committee. She would never blame them should it not pass. These people have given their time, and with some of them, years of their time to bring parks back once already. It is now time to do it again, and once again they offered their time. They did their research, they went out into the community for input, they put the recommendation together, and she trusts their recommendation completely. She commends the Committee and fully supports the recommendations. If this does not go through, there will never be a park on the east side, ever. We need more parks in this City. This City is going to grow and these three parks are not enough. She stands by both Tax A and Tax B together.

Mayor Swanson stated she agrees completely with Councilwoman Moore's comments. She is willing to do whatever it takes to get this passed, and if that means taking Tax B off, she is willing to do that, but it will mean spending more tax dollars later to get it back on the ballot when times are better. The last speaker said we are trying to ram a tax down the throats of the citizens, but it will take 2/3rds vote to pass it, which means it's more than a simple majority of citizens who will want it. She does not have kids that use the park, but every time she drives by, there are lots of kids using the park. One day there were three Temecula school busses there visiting the park. Temecula residents pay an incredible amount in assessments for parks, yet they were at Marna O'Brien.

Mayor Pro Tem Benoit stated he feels Tax B will be difficult to pass. He would like to be able to collect funds to eventually build a park on the east side, however, he doesn't feel the support is there right now. He suggested taking Tax B off and leaving it as just Tax A.

Mayor Swanson inquired if this could be continued so that answers could

come back regarding taking Tax B off of the ballot.

Assistant City Manager Nordquist stated this could be continued to a special meeting of Monday, March 7, at 6:30 p.m. to discuss just this issue and nothing else.

Discussion ensued regarding a possible phone survey regarding the issues surrounding this proposal.

It was the consensus of the City Council to not do a phone survey.

It was suggested that the public hearing be continued to March 7, 2011 at 6:30 p.m. Staff is to bring back three options: Tax A & B (as presented); Tax A only; Tax B only.

Mr. Yeager stated if Tax A and Tax B were separated then there would have to be two rates and methods of tax for each. Staff could come back with just Tax A, and at a future time the Council could come back and then amend the District.

Discussion ensued regarding splitting Tax A and Tax B.

Assistant City Manager Nordquist stated if Tax B passed, and Tax A didn't, you could go purchase land and build a park, but you would have no way to maintenance the new park because Tax A didn't pass. It doesn't make sense to split them. Without Tax A you cannot do Tax B.

It was the consensus of the City Council not to split Tax A and Tax B.

Assistant City Manager Nordquist stated you could put two measure on the ballot, one being Tax A & Tax B, and one that would be just Tax A.

It was the consensus of the City Council for staff to bring two proposals on March 7, one being Tax A & B, and one for just Tax A.

A MOTION was made by Councilman Walker, seconded by Councilman Cashman, to continue Resolution No. 2011-11 to the special meeting of March 7, 2011, at 6:30 p.m.

RESOLUTION NO. 2011 - 11
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, DETERMINING THE VALIDITY OF
PRIOR PROCEEDINGS; ESTABLISHING COMMUNITY

FACILITIES DISTRICT NO. 2011-1 (WILDOMAR PARKS) OF THE CITY OF WILDOMAR; AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN SAID COMMUNITY FACILITIES DISTRICT; ESTABLISHING AN APPROPRIATIONS LIMIT; AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID COMMUNITY FACILITIES DISTRICT

MOTION carried, 5-0.

A MOTION was made by Councilman Walker, seconded by Councilman Cashman, to continue Resolution No. 2011-12 to the special meeting of March 7, 2011, at 6:30 p.m.

RESOLUTION NO. 2011 - 12
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2011-1 (WILDOMAR PARKS) OF THE CITY OF WILDOMAR DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$5,000,000 WITHIN SAID COMMUNITY FACILITIES DISTRICT

MOTION carried, 5-0.

A MOTION was made by Councilman Walker, seconded by Councilman Cashman, to bring back options: Tax A alone; Tax A & B together, both with the senior exemption left in.

MOTION carried, 5-0.

At 8:50 p.m. the City Council recessed.

At 8:55 p.m. the City Council reconvened into open session with all Council Members present.

3.0 GENERAL BUSINESS

3.1 Calling a Special Election

City Clerk Lee stated that since the previous item regarding the proposed ballot measure was continued, and this item would call the election, then this item would also need to be continued to the same date.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Council Member Walker, to continue Resolution No. 2011-13 to March 7, 2011.

RESOLUTION NO. 2011 - 13
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 7, 2011, FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2011-1 AND REQUESTING THE COUNTY TO CONSOLIDATE THE ELECTION WITH THE STATEWIDE ELECTION TO BE HELD ON THAT DATE

MOTION carried, 5-0.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Council Member Walker, to continue Resolution No. 2011-14 to March 7, 2011.

RESOLUTION NO. 2011 - 14
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING AND SETTING PRIORITIES FOR FILING OF WRITTEN ARGUMENTS REGARDING THE BALLOT MEASURE TO BE PLACED ON THE BALLOT FOR THE JUNE 7, 2011 SPECIAL ELECTION; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE; AND REPEALING RESOLUTION NO. 09-53

MOTION carried, 5-0.

3.2 Save Our Parks Update

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report stating that a Town Hall meeting was scheduled for March 5 as an informational meeting for the Measure. Since the item is continued, the meeting will be March 12.

Community Services Director Willette stated there will be a fundraiser for teens on May 6 and explained all the activities that will be available.

Assistant City Manager Nordquist stated the Blue Ribbon Committee will meet one more time and then they will disband.

3.3 Western Riverside Council of Governments (WRCOG) AB811 Augmentation of Financing Program Authorization

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the information contained in the staff report.

Mayor Pro Tem Benoit stated he has seen this project through WRCOG and also through one of his clients who is a solar power company in the desert. He feels this is a good program for homeowners who wish to go to solar power.

Barbara Spoonhour, WRCOG, stated they will come to the Council in April to provide a full program update. She gave a brief overview of how the program works and how the cities fit into this program.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Council Member Moore, to adopt a Resolution entitled:

RESOLUTION NO. 2011 - 15
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, MODIFYING ITS CONSENT TO THE INCLUSION OF
PROPERTIES WITHIN THE CITY'S INCORPORATED AREA IN THE
WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS
CONTRACTUAL ASSESSMENT PROGRAM TO CONSENT TO THE
ADDITION OF WATER EFFICIENCY IMPROVEMENTS TO THE
IMPROVEMENTS AUTHORIZED TO BE FINANCED THROUGH SUCH
PROGRAM

MOTION carried, 5-0.

3.4 Award a Construction Contract for Sidewalks to Schools Improvement Project (CIP 09-0014)

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report stating there is an updated staff report that was presented to the Council. This was necessitated because a protest letter was submitted to the City after the posting of the agenda. He then read the new staff report verbatim.

Councilman Cashman stated he would like to be advised of any historic

trees that may be removed for this project. They may be able to be saved.

Public Works Director D'Zmura stated there will be an arborist involved in the project and there are no plans to remove any trees, but should there be, the City Council will be advised.

Mayor Pro Tem Benoit stated is there something we can give those around Ronald Reagan Elementary School explaining why we couldn't get that project in this bid. Also, are we going to lose funding since we couldn't get that done this time.

Public Works Director D'Zmura answered the City could not get the needed right-of-way for that project. Trying to get the right-of-way from the property owner has been problematic and that's why it was pulled from this project. There is a Phase II to the sidewalk project and the City's goal is to obtain the right-of-way by the time that phase comes around.

Mayor Pro Tem Benoit inquired if the unused funds for this phase are going to be lost, or if the City can retain those funds.

Public Works Director D'Zmura answered the City will be asking Caltrans and the County if the funds can be put toward the next phase. There will definitely be unused funds also because the bids came in so low. We have to finish the project first and close it out before we can do anything.

Mayor Swanson inquired if there are any speakers.

City Clerk Lee answered there are no speakers.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to authorize the City Manager to execute a construction contract with STI in the amount of \$198,987.55 for the Sidewalks to Schools Improvement Project, Central Street Area Improvements (CIP 09-0014), including for the City Engineer to approve change orders not to exceed 10% of the contract amount.

MOTION carried, 5-0.

3.5 Proposal to Provide Interim Management Services to the Wildomar Cemetery District

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report.

Gil Rasmussen, Wildomar Cemetery District President, stated Assistant City Manager Nordquist made a presentation to the Board of Trustees of the Cemetery District. The Board voted to accept the proposal.

Councilman Walker stated as he reads the report, is the \$4,000 per month coming out of the General Fund.

Assistant City Manager Nordquist answered the Cemetery District will be paying the City \$4,000 per month for the management services.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilman Cashman, to authorize the City Manager to enter into an agreement and sign the required documents for the City to provide management services on an interim basis to the Wildomar Cemetery District.

MOTION carried, 5-0.

CITY MANAGER REPORT

There was nothing to report.

CITY ATTORNEY REPORT

There was nothing to report.

COUNCIL COMMUNICATIONS

Councilman Cashman stated he and Mayor Swanson met as the Intergovernmental Subcommittee to talk about the Cemetery District and the result is what was on the agenda for this meeting.

Councilwoman Moore stated she attended the RTA meeting earlier. They did approve the Go Pass Program. She and Mayor Swanson will be at Donald Graham Elementary School tomorrow for the Pennies for Parks fundraiser they did. Also, there was an editorial in the Californian regarding the proposed parks measure. She then read the last two sentences of the editorial.

Mayor Pro Tem Benoit stated he attended a ground breaking ceremony with RCTC for the I-215 interchange project. It expands the freeway to three lanes from the I-215/I-15 interchange to Scott Road. There is a little bit of anxiety with Menifee because their half of the project is not coming along as well as they would like.

Mayor Swanson stated she received an invitation from Sycamore Academy. They are having an Open House on March 16, at 5:30 p.m. and they would like to have Council Members attend.

FUTURE AGENDA ITEMS

- *Autism awareness presentation
- *Subdivision Map Act education

ADJOURNMENT

There being no further business, Mayor Swanson declared the meeting adjourned at 9:34 p.m.

Approved by:

Submitted by:



Marsha Swanson
Mayor



Debbie A. Lee, CMC
City Clerk