

**CITY OF WILDOMAR
CITY COUNCIL REGULAR COUNCIL MEETING MINUTES
MARCH 23, 2011**

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

The closed session of March 23, 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, Councilmen Cashman and Walker. Members absent: Councilwoman Moore.

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

The City Council will meet in closed session to confer with legal counsel pursuant to the provision of Government Code section 54956.9(a) with regard to the following matter of pending litigation: County of Riverside and City of Wildomar v. Jason Hayes et al., Riverside County Superior Court Case No. RIC 505588.

At 7:00 p.m. the City Council reconvened into open session, with Councilwoman Moore absent, making no announcements.

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

CALL TO ORDER – 6:30 P.M.

The regular meeting of March 23, 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: City Manager Oviedo, Assistant City Manager Nordquist, City Attorney Biggs, Planning Director Matt Bassi, Public Works Director Tim D'Zmura, Police Chief Fontneau, Community Services Director Willette, and City Clerk Lee.

Mike Sheehan from the VFW led the flag salute.

PRESENTATIONS

Mayor Swanson presented a Proclamation regarding Childhood Cancer Awareness Week, April 10-16, 2011. No one was able to come and accept the Proclamation, so it will be sent to them.

Mayor Swanson presented a Proclamation regarding Autism Awareness Month, April 2011, to New Vision Autism Center.

Mayor Swanson presented a Proclamation regarding Welcome Home Vietnam Veterans Day – March 27, 2011 to Mike Sheehan, Wildomar VFW. Certificates of Appreciation were also given to all the Viet Nam Veterans in the audience.

Sharon Heil gave an update from the Wildomar Historical Society.

Code Enforcement Officer Kowalski presented the monthly update.

PUBLIC COMMENTS

Gil Rasmussen, resident, stated he is a disabled veteran of the Viet Nam war. He thanked the Council for their recognition of the Viet Nam veterans, but, with all due respect, he is asking that the City put the war in the past. Nothing can change the treatment of the returning military in the 60's and 70's, and it's time to put it away. Honor all veterans on Veteran's Day, November 11. Additionally, we should honor only the honored dead on May 31, Memorial Day. It is important to honor those currently serving in battle now. He would like this to be the last time Viet Nam veterans are honored separate from November 11.

Terry Kelley, resident, stated about 6-8 months ago he brought it to a Council Member's attention that a great deal of parking tickets are being given in his neighborhood. They are also ticketing at stop signs when they should be patrolling at the schools when the schools let out for the day. He found a ticket on his car and his neighbor stated his son got a ticket, and then another neighbor said the same thing. Also, his next door neighbor has received a ticket as well. Many of the cars may be 6" – 8" into the sidewalk, and it's at night, so there is no safety issue. He lives in a cul-de-sac so parking is a premium. He feels this is an abuse of authority. The money from these tickets is not going to the City, it is in a slush fund going to Long Beach. He is requesting this issue be placed on the next Council agenda.

Robert Crebar, resident, stated he would like the issue just presented placed on the next Council agenda.

Kathe Crebar, resident, stated they live on a cul-de-sac and they bring their fifth wheel home when they are getting ready to take it out on a trip the following day. The refrigerator has to be plugged in about 12 hours before to get it ready. When they park it in their cul-de-sac the only driveway they block is their own, and they do not create a safety issue. They are getting tickets at 3:00 a.m. to ticket them and she wants to know why at that time. This is making it impossible to use their recreational vehicle. She would like this issue placed on the next Council agenda so this can be addressed.

Sharon Heil, resident, thanked the Autism center for the work they do. She stated that the Elk's Lodge use those with autism as their cleaning staff at the Lodge. They are the best employees they have and she encouraged other businesses to utilize their talents as well.

John Garrett, resident, stated that the LEAPS project has come back. He gave a handout to the Council regarding the project. There are new meetings on April 5 and April 6 regarding this project and encouraged the City to attend.

John Lloyd, Citizens for Wildomar Parks, thanked the Council for placing Measure D on the ballot for the citizens to voice their support. They are doing fundraisers to get this Measure passed.

Gerald Hall, resident, stated that due to personal issues, he will have to move out of Wildomar. He will still try to stay involved as he is very interested in Wildomar. He thanked the Council and has made some good friends in Wildomar. He wishes the City the best and hopes that Measure D will pass.

APPROVAL OF THE AGENDA AS PRESENTED

City Attorney Biggs advised that item #3.2 will be continued, so the recommendation will read that the item will be continued.

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

MOTION carried, 5-0.

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, 5-0.

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – February 24, 2011 Adjourned Regular Meeting

Approved the Minutes as submitted.

1.3 Warrant and Payroll Registers

Approved the following:

1. Warrant Register dated March 10, 2011 in the amount of \$81,485.97;
2. Warrant Register dated March 17, 2011 in the amount of \$362,480.77; and
3. Payroll Register dated March 18, 2011 in the amount of \$17,704.78.

1.4 Treasurer's Report

Received and filed the Treasurer's Report for February, 2011.

1.5 Riverside Conservation Authority Membership Amendment

Approved the fourth amended and restated joint exercise of powers agreement creating the Western Riverside County Regional Conservation Authority.

2.0 PUBLIC HEARINGS

2.1 FY 2010-11 Financial Reports and FY 2011-12 Budget Program

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report stating that several things came about at the last minute. Therefore, so Staff is requesting that the Council continue the public hearing so Staff can pull all the issues together.

Mayor Swanson opened the public hearing.

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to continue the Public Hearing to April 13, 2011.

MOTION carried, 5-0.

3.0 GENERAL BUSINESS

3.1 Parks Update

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report stating that to date \$17,197.69 has been raised to be used for the maintenance of the parks. He updated the coming events.

Councilwoman Moore inquired what the options are for the City if Measure D does not pass.

City Attorney Biggs stated that this item is only in regards to the parks in general and is not regarding Measure D on the ballot. The money raised is used only for the maintenance of the parks and is not being used to support the Measure.

3.2 Amendment No. 1 to the Approved Settlement Agreement for CUP 09-0301 - Waite Street Mobile Home Park

This item is being continued to the next agenda.

3.3 Annexation of the Wildomar Cemetery District **RECOMMENDATION:**

City Clerk Lee read the title.

Mayor Swanson stated that she will be abstaining and leaving the room for this item as her house is within 500' of the Cemetery District boundary, so she has a conflict of interest on this issue.

Mayor Swanson left the dias.

Planning Director Bassi presented the staff report stating that LAFCO has preliminarily seen the report and changes have been made. LAFCO does require that the City adopt a Resolution authorizing submittal of the

application. They also require the Cemetery District do the same. There is a change on the Plan of Service, page 6, the correct total acreage is 11.5. There is also a change in Figure 2, which now reflects the correct number of parcels in the District.

Councilman Cashman stated that he and former Councilwoman Ade were on the Subcommittee which worked on the District and what the best options would be for the Cemetery District in the future. The Subcommittee is Mayor Swanson and himself. He is very happy to see this issue go forward to LAFCO.

Speakers:

Warren Repke, resident, stated he and his wife moved to Wildomar after 30 years in Orange County. Sadly, his wife passed away last year and he chose Wildomar Cemetery as her final resting place because of her love for the area and also how well cared for the cemetery is. He has read the staff report and service plan and has no objection to the proposal. He does have a concern that the proposal does not impact or compromise the high quality of maintenance of the grounds and buildings. He would like to see something in the plan that requires this. He did not see a budget for the next fiscal year and feels it should be in there.

City Manager Oviedo stated that once this is submitted to LAFCO, there will be additional information that LAFCO will require from the City. Part of that will be the financial data. All funds will be segregated so that the Cemetery District will be separate from the City.

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

RESOLUTION NO. 2011 - 16
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO SUBMIT AN
ANNEXATION APPLICATION TO THE RIVERSIDE COUNTY LOCAL
AGENCY FORMATION COMMISSION (LAFCO) TO TAKE
PROCEEDINGS FOR THE ESTABLISHMENT OF THE WILDOMAR
CEMETERY DISTRICT AS A SUBSIDIARY DISTRICT TO THE CITY OF
WILDOMAR

MOTION carried, 4-0, with Mayor Swanson abstaining.

Mayor Swanson returned to the dias.

3.4 Wildomar Park Land Acquisition Request

City Clerk Lee read the title.

Councilman Cashman stated that he will be abstaining and leaving the room for this item as his house is within 500' of this property, so he has a conflict of interest on this issue.

City Manager Oviedo presented the staff report stating that there does not appear to be a formal letter requesting the property. There are options regarding the property. The Council can request that the property be given to the City, or request that the County make improvements that may be needed to assist in keeping it in good order as they maintain it until such time as they no longer own the property.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to authorize staff to draft a letter formally requesting acquisition of the 22 acre park property from Riverside County or request that the County provide the necessary improvements and/or cleanup of the property on a recurring basis.

MOTION carried, 4-0, with Councilman Cashman abstaining.

Councilman Cashman returned to the dias.

3.5 Caltrans Community-Based Transportation Planning Grant Program

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report. Staff is proposing a \$100,000 grant of which 90% is provided with a 10% match.

Councilwoman Moore stated this is definitely something that is needed in Wildomar and thanked Staff for all of their efforts.

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

RESOLUTION NO. 2011 - 17
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING SUBMITTAL OF A CALTRANS
COMMUNITY BASED TRANSPORTATION PLANNING GRANT
PROGRAM APPLICATION

MOTION carried, 5-0.

3.6 **Assessments and Liens for Unpaid and Delinquent Charges for Trash Collection Services**

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report stating that this Resolution would only pertain to Waste Management and CR&R. This program was in effect prior to incorporation.

Councilman Cashman stated how many properties are included in this.

Assistant City Manager Nordquist answered he does not have that information.

Councilman Cashman stated what if you have a piece of property, you don't live there and no trash is being collected from there, would that matter.

Assistant City Manager Nordquist answered it is only if you have signed up for service and are delinquent on your bill.

Councilman Cashman stated it does not say that.

Assistant City Manager Nordquist stated this is for unpaid bills only which means you would have signed up for service.

Alex Bracivich, CR&R, stated delinquencies are only placed when someone requesting service, and has received service, has not paid the bill.

Councilman Cashman inquired if someone is disputing the bill, who do they call.

Assistant City Manager Nordquist answered the trash company.

Mr. Bracivich stated they can resolve those issues, if they can be resolved. There are numerous notifications that go out before a lien is placed on the property. It is not automatic, there is a process.

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

RESOLUTION NO. 2011 - 18
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING SPECIAL ASSESSMENTS AND LIENS
AGAINST PARCELS OF LAND FOR UNPAID AND DELINQUENT
CHARGES FOR TRASH COLLECTION SERVICES

MOTION carried, 5-0.

CITY MANAGER REPORT

City Manager Oviedo reported the following:

*City Staff will be at the meetings regarding the LEAPS project on April 5 & 6.

*The Clinton Keith/Hidden Springs grant to modify the traffic signal has been approved.

*Chamber of Commerce annual installation dinner will be this coming Saturday, March 26.

CITY ATTORNEY REPORT

City Attorney Biggs stated she is happy to be back after her illness.

COUNCIL COMMUNICATIONS

Councilman Walker stated how do we address the issue of the white coned sidewalk by Ronald Reagan Elementary School.

Mayor Pro Tem Benoit stated that was part of the sidewalk project, however the property owner would not give the right-of-way to the City so a sidewalk could be installed.

Councilwoman Moore thanked the Rotary Club for the great BBQ competition event. Councilman Cashman, Mayor Swanson, and she went to the Elks scholarship dinner and it was great. She wished John Lloyd a happy birthday.

Councilman Cashman stated that Councilman Walker, Gary Andre, and he met regarding the trails in Wildomar. It is coming along and they will be coming to the Council with their recommendations. Also, the environmental report regarding

the LEAPS towers should be at the Library or at City Hall and he is requesting that the City receive a copy of it.

Mayor Pro Tem Benoit stated that the BBQ event was great and the Boy Scouts did a great job.

Mayor Swanson stated it was a great day for the BBQ and the businesses definitely were used for all the supplies needed by the BBQ folks. Councilwoman Moore, City Manager Oviedo, and she attended the League Division meeting in Palm Desert. It was a great meeting. The City's newest restaurant, Los Reyes, is open for business. Lastly, she wished happy birthday to her husband.

FUTURE AGENDA ITEMS

*Options regarding the parks if Measure D does not pass, including the assets

*LEAPS Towers route

*PERS retirement being provided for Council

*List of County properties in Wildomar and the status to run through the Intergovernmental Subcommittee for recommendation to the City Council

ADJOURNMENT

There being no further business, Mayor Swanson declared the meeting adjourned at 7:57 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Marsha Swanson
Mayor