

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR COUNCIL MEETING MINUTES  
MARCH 24, 2010**

The regular meeting of March 24, 2010, of the Wildomar City Council was called to order by Mayor Moore at 7:00 p.m.

City Council Roll Call showed the following Members in attendance: Mayor Moore, Mayor Pro Tem Swanson, Council Members Ade, Cashman, and Farnam.

Staff in attendance: City Manager Oviedo, Assistant City Manager Nordquist, City Attorney Biggs, Public Works Director Kashiwagi, Planning Director Hogan, Police Chief Cleary, Fire Chief Beach and City Clerk Lee.

**MOMENT OF SILENCE**

A moment of silence was observed.

**FLAG SALUTE**

The Girl Scouts – Super Troop #4005 and Troop #267 presented the colors and led the flag salute.

**PRESENTATIONS**

Mayor Moore presented a Proclamation celebrating “Welcome Home Vietnam Veterans” Day to Michael Sheehan, VFW Post #1508, and certificates to the Vietnam Veterans in attendance.

At 7:10 p.m. the City Council took a recess.

At 7:16 p.m. the City Council reconvened, with all Council Members present.

Mayor Moore presented a Proclamation regarding Child Abuse Prevention Month, April 2010.

Code Enforcement Kowalski presented the monthly report.

**PUBLIC COMMENTS**

Angel Bravo, resident, stated that the cost of a building permit for his patio cover is too high.

Gina Castanon, resident, stated she is running for City Council. She has been following the finances of the City closely and this is one of the reasons why she is running. The budget is not sustainable and no rainy day budget. There is also no accountability for contract personnel. The General Plan needs to be done, and is so important to the City and no money to do it. For the last two years the citizens have been shut out. Regardless of whatever Sacramento says, Council Member Swanson should have to run for her seat in November. This is what was promised to the people when the City went back to "at-large". She wants to bring the community back into the decision-making process.

Diane O'Malley, resident, spoke regarding law enforcement and her appreciation for them.

Gilbert Paulsen, Inflatables International, stated he has donated an inflatable for the upcoming barbeque challenge and the first Farmer's Market. He just wanted to introduce himself and looks forward to working with the City in the future.

George Taylor, resident, representing RACES, gave an update on what they have been doing in the City.

Henry Silvestre, Wildomar Rotary, spoke regarding the upcoming barbeque stating he is inviting the entire community. There will be 40 cooking teams, vendors, and a great deal of fun.

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

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

Roll call vote: Ayes – 5; Nays – 0. Motion carried.

## **1.0 CONSENT CALENDAR**

A MOTION was made by Council Member Ade, seconded by Council Member Cashman, to approve the agenda as presented, with the exception of item #1.7 and #1.8.

Roll call vote: Ayes – 5; Nays – 0. Motion carried.

### **1.1 Reading of Ordinances**

Approved the reading by title only of all ordinances.

**1.2 Minutes – March 10, 2010 Regular Meeting**

Approved the Minutes as submitted.

**1.3 Warrant and Payroll Registers**

Approved:

1. Warrant Register dated March 10, 2010 in the amount of \$54,746.89;
2. Warrant Register dated March 17, 2010 in the amount of \$33,905.13;  
and
3. Payroll Warrant Register dated March 3, 2010 in the amount of \$814.17.

**1.4 Treasurers Report**

Approved the Treasurers Report for February, 2010.

**1.5 Emergency Operations Plan Adoption**

Adopted:

RESOLUTION NO. 2010 - 12  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, ADOPTING THE WILDOMAR EMERGENCY OPERATION  
PLAN (EOP)

**1.6 Designation of Agent Resolution**

Adopted:

RESOLUTION NO. 2010 - 13  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, ADOPTING THE OFFICE OF EMERGENCY SERVICES  
FORM 130 DESIGNATING CITY AGENTS

**1.9 Second Reading of Ordinance No. 47 – Outdoor Advertising Displays and Structures**

Adopted an Ordinance entitled:

ORDINANCE NO. 47  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, AMENDING SECTIONS 17.252.020 AND  
17.252.030 OF THE WILDOMAR MUNICIPAL CODE PERTAINING TO  
OUTDOOR ADVERTISING DISPLAYS

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**1.7 Amendment No. 1 to Public Works Maintenance and Maintenance Management Services Agreement - PV Maintenance**

Gina Castanon, resident, stated in light of the newspaper article today, this is a huge hit to the budget to just have a blanket approval and no discussion or staff report. Have the invoices been checked and or are we in the same place as the City of Menifee. During this last big storm, had the drains been cleaned out properly before the storm we would not have had the problems we had.

City Engineer Kashiwagi presented the staff report for both item #1.7 and #1.8 as they are related. The monies to pay for the storm expenditures will be coming from Measure A, which is item #1.8.

Assistant City Manager Nordquist stated the City is in the process of getting up to 92% of the funds reimbursed through the State since this was a state of emergency.

City Engineer Kashiwagi stated that as soon as the newspaper articles were out, the City immediately did an audit of the invoices to ensure that everything was correct. Staff has concluded that all invoices were correct, and the correct amounts were paid.

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to approve Amendment No.1 to the Public Works Maintenance and Maintenance Management Services Agreement with PV Maintenance, Inc to cover costs associated with response and repairs during and after the January 2010, storm event.

Roll call vote: Ayes – 5; Nays – 0. Motion carried.

**1.8 Amendments to Measure A Expenditure Plan and concurrent amendments to Fiscal Year 09/10 Budget and City Capital Improvement Program**

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to adopt Resolution No. 2010-14.

Roll call vote: Ayes – 5; Nays – 0. Motion carried.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, APPROVING THE AMENDMENTS TO THE MEASURE A  
EXPENDITURE PLANS AND APPROVING THE RELATED CHANGES  
TO FISCAL YEAR 09/10 BUDGET AND CITY'S CAPITAL  
IMPROVEMENT PROGRAM

## **2.0 PUBLIC HEARINGS**

### **2.1 Kasiri-Nauert Zone Change**

Mayor Moore opened the Public Hearing.

City Planner Hogan presented the staff report.

Robert Tyler, representing Mr. Nauert, stated he is available to answer questions.

Mayor Pro Tem Swanson inquired if the commercial business that is presently there going to continue.

Mr. Nauert answered yes as they are growing.

Discussion ensued regarding the zone change; the business that is on the property; and permits.

Council Member Ade stated allowing a metal building in the business park is setting a bad precedent.

Discussion ensued regarding a façade on the building.

#### **SPEAKERS:**

Gary Andre, resident, read the definition of "home occupation" from the County. This business is a code violation. The City needs a Plot Plan from the applicants.

Diane O'Malley, resident, inquired if the Planning Commission has a Code of Ethics, and if not, when they would adopt one.

City Attorney Biggs informed Ms. O'Malley this is the time to give testimony on this particular project.

Gil Rasmussen, resident, stated property A should be approved, but

property B should be denied. He urged the Council to table property B and approve property A.

Henry Silvestre, resident, stated he feels the owners are trying to do the right thing.

Kristan Lloyd, resident, stated she supports the small business owner.

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

Discussion ensued regarding the possible illegal business being run there; the zone change; Property A having the zone change and Property B being tabled for now.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Mayor Moore, to adopt Resolution No. 2010-15.

RESOLUTION NO. 2010 – 15  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, ADOPTING A NEGATIVE  
DECLARATION FOR PROJECT NO. 09-0392 LOCATED AT  
36030 JANA LANE AND KNOWN AS ASSESSOR'S PARCEL NO.  
380-290-008

Council Member Cashman stated this is not the way to do business. We should wait until Staff has had an opportunity to work with the applicants. A change of zone without knowing what will be going there is not good.

Council Member Ade stated if he is given the change of zone it doesn't guarantee it will come back with a Plot Plan. There are buildings on these properties and she agrees with Council Member Cashman.

City Attorney Biggs stated a development agreement may be a viable option on this.

Roll call vote: Ayes – 3; Nays – 2, Council Members Ade and Cashman. Motion carried.

City Clerk Lee presented an Ordinance entitled:

ORDINANCE NO. 48  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR AMENDING THE OFFICIAL ZONING MAP FOR THE

CITY OF WILDOMAR FROM RURAL RESIDENTIAL (R-R) TO  
MANUFACTURING-SERVICE COMMERCIAL (M-SC) FOR  
PROPERTY LOCATED AT 36030 JANA LANE AND KNOWN AS  
ASSESSOR'S PARCEL NO. 380-290-008

Which title was read.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Council Member Farnam, to introduce Ordinance No. 48.

Roll call vote: Ayes – 3; Nays – 2, Council Members Ade and Cashman.  
Motion carried.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Council Member Farnam, to table the matter concerning Property B.

Roll call vote: Ayes – 5; Nays – 0. Motion carried.

### **3.0 GENERAL BUSINESS**

#### **3.1 Trails Ad-Hoc Committee Creation and Appointments 2010**

Assistant City Manager Nordquist presented the staff report.

City Attorney Biggs advised about the difference between Ad-Hoc Committees and Standing Committees concerning the Brown Act.

Gary Andre, resident, stated the community wants this. He also discussed about monument signage.

Gina Castanon, resident, inquired why residents can't be involved with the committee. All of the committees are Ad-Hoc where it is just two Council Members and Staff. There is not enough community involvement.

Mayor Moore stated we do invite the public to attend our meetings, and in fact have invited Ms. Castanon to the Finance Ad-Hoc Committee.

Council Member Ade stated the need to involve people from the community that are involved with this.

City Attorney Biggs stated if you want this to be a standing committee, the meetings would need to be noticed, Minutes taken, and open to the public.

Council Members Ade and Cashman voiced their desire to have a standing advisory committee rather than an Ad-Hoc.

City Manager Oviedo stated the Ad-Hoc approach was chosen due to staffing issues that he will also address in the City Manager's Report.

Council Member Ade stated this committee is too important to the citizens and we have come too far to stop now.

George Taylor, resident, stated there is a trails committee that does exist and they should be included with this.

City Attorney Biggs advised the Ad-Hoc Committee can invite anyone they wish to attend the meetings.

A MOTION was made by Council Member Cashman, seconded by Mayor Pro Tem Swanson, to create a Trails Ad-Hoc Committee and appoint two Members to the committee.

Roll call vote: Ayes – 5; Nays – 0. Motion carried.

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to appoint Council Members Ade and Cashman to the Ad-Hoc Committee.

Roll call vote: Ayes – 5; Nays – 0. Motion carried.

### **CITY MANAGER REPORT**

City Manager Oviedo stated he would like to bring forward a review of projects and priorities. Staff is at saturation point and the concern is things falling through the cracks.

Several months ago a request was made that perhaps the City absorb the Cemetery District. Staff is taking steps in looking at it.

Staff is continuing to shut down the fruit vendors on the roadside. We will be putting information on the website.

Lastly, he showed the Ad that the City put in the Business Journal of the Inland Empire Magazine.

### **CITY ATTORNEY REPORT**

City Attorney Biggs stated there is still no word on the Beutz case. Additionally, Assistant City Attorney Jex will attend the next City Council meeting as she will be absent.

### **COUNCIL COMMUNICATIONS**

Council Member Cashman advised the Higher Education Subcommittee and the Animal Shelter Subcommittee will be meeting this Friday.

Council Member Ade stated her pleasure with the first Economic Subcommittee meeting and looks forward to more.

Mayor Pro Tem Swanson agreed with Council Member Ade and also advised everyone to turn in their census.

Mayor Moore stated she has a flyer regarding some musician workshops. A Sixth Grader from David A. Brown is a finalist in the Heinz ketchup contest. She urged everyone to vote. She urged everyone to get their 72 hour emergency kits and there are flyers on the table regarding this. The first Farmers Market will be April 5 at Marna O'Brien Park. She asked that everyone turn in their census and there are forms available at the Library. She also noted several other events she attended.

### **FUTURE AGENDA ITEMS**

There was nothing to add.

### **ADJOURN TO CLOSED SESSION**

At 9:32 p.m. the City Council convened into closed session, with all Council Members present.

The City Council met in closed session pursuant to the provisions of Government Code Section 54956.8 to authorize and direct its property negotiator, Frank Oviedo, City Manager, with regard to potential acquisition of the following parcels of real property from the current owners of record. Under discussion will be the terms and conditions of acquisition of the property:

APN 376-140-022 - owner of record Thomas and Elizabeth R. Plott  
APN 380-110-045 - owner of record Wildomar Square Partners, LLC  
APN 380-240-001 - owner of record CHOA Murrieta, LLC  
APN 380-240-003 - owner of record Kim/Kwak  
APN 380-240-007 - owner of record Richard S. Pavelec & Cissy Fisher, Trustees  
APN 380-110-034 - owner of record Sierra Noble, Inc.  
APN 380-240-008 - owner of record Archland Property II, LP  
APN 380-240-023 - owner of record Tesoro Sierra Properties, LLC

**ADJOURN TO OPEN SESSION**

At 9:45 p.m. the City Council reconvened into open session, with all Council Members present, making no announcements.

**ADJOURNMENT**

There being no further business, Mayor Moore declared the meeting adjourned at 9:45 p.m.

Respectfully submitted by,



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Debbie A. Lee, CMC  
City Clerk