

**CITY OF WILDOMAR
CITY COUNCIL REGULAR COUNCIL MEETING MINUTES
APRIL 14, 2010**

The regular meeting of April 14, 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, Assistant City Attorney Jex, Public Works Director Kashiwagi, Planning Director Hogan, Police Chief Cleary, and City Clerk Lee.

MOMENT OF SILENCE

A moment of silence was observed.

FLAG SALUTE

Boy Scouts Crew 912 presented colors and led the flag salute.

PRESENTATIONS

Mayor Moore presented certificates to children from Cornerstone Church who raised money for Haitian Support.

Agnes Rita, Librarian, introduced herself to the City as she is the new Librarian at the Mission Trail Library. She then gave an update of the Library.

Chief Beach was not available for the Fire Department monthly update.

Henry Silvestre presented the Chamber of Commerce monthly update.

PUBLIC COMMENTS

Henry Silvestre, Wildomar Rotary, invited everyone to the BBQ that will take place on April 17, 2010, at Marna O'Brien Park.

Doug Lech, resident, complimented the Police Department on their great service to the business owners and citizens of Wildomar. He contacted the Chief of Police regarding an incident at his business and within one week the individuals involved were arrested. He also encouraged more Neighborhood Watch groups.

Wayne Williams, We the People, stated they have CDs of the Town Hall meeting in Lake Elsinore regarding medical marijuana. He then left several copies for anyone interested.

Sunni Almond, Korrie's Pilates Place, thanked the City for their support of the Wishes for Children event. This year it will be held on May 22 and invited everyone to attend.

Gary Andre, resident, spoke regarding the State Water Resources Board on the new construction general permit. He urged the Council to have the speaker that was presenting the information to come to a future meeting to present this important information.

John Lloyd, Parks Committee, stated the committee has been together for many years and transitioned over after incorporation of the City. He thanked everyone for all the work done. Because the City really does not have the funds for a Parks and Recreation program, he feels the committee needs an energetic cheerleader to get volunteers involved and coordinate the efforts for parks and recreation. He has decided to step down from the committee as he feels there would be someone who could do this job better than he could.

Mayor Moore and Mayor Pro Tem Swanson, who also serve on the Parks and Recreation Committee, thanked Mr. Lloyd for his help and guidance over the last ten years.

Mr. Lloyd also expressed thanks to Code Enforcement for quick service regarding the illegal fruit vendors in the City.

Diane O'Malley, resident, (received donated time from Gina Castanon and Tim Underdown), spoke regarding a code of ethics which she urged the City Council to adopt.

APPROVAL OF THE AGENDA AS PRESENTED

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

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

1.0 CONSENT CALENDAR

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

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 24, 2010 Regular Meeting

Approved the Minutes as submitted.

1.3 Warrant and Payroll Registers

Approved:

1. Warrant Register dated March 24, 2010, in the amount of \$200,391.65;
2. Warrant Register dated April 2, 2010, in the amount of \$199,221.94;
3. Warrant Register dated April 8, 2010, in the amount of \$90,551.78; and
4. Payroll Warrant Register dated April 2, 2010, in the amount of \$288.50.

1.4 Consultant Service Agreement with Psomas

Adopted:

RESOLUTION NO. 2010 – 15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR ASSESSMENT ENGINEERING SERVICES FOR COMMUNITY SERVICE AREAS 22, 142, AND 103 AND LANDSCAPE MAINTENANCE DISTRICT 2006-1 FOR A NOT-TO-EXCEED AMOUNT OF \$37,115.00

1.5 Planning Commission Vacancy

1. Accepted the resignation of Planning Commissioner Scott Nowak and declared a vacancy, effective April 23, 2010, on the Planning Commission; and
2. Directed the City Clerk to advertise the vacancy, starting April 23, 2010, for a period of 30 calendar days.

ITEMS REMOVED FROM THE CONSENT CALENDAR

1.6 Second Reading of Ordinance No. 48 – Kasiri-Nauert Zone Change

Council Member Cashman stated he opposed this at the first reading because he does not like approving things that have no definition. A Developer Agreement was discussed at the last reading and he would like to know how that would help in this situation.

Assistant City Attorney Jex stated he was not at the last meeting but the basics of a developer agreement is a contract in which they agree to certain things, such as construction deadlines, or elements of construction. The City agrees to such things as freezing impact fees should those go up.

ORDINANCE NO. 48
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, 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

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

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

2.0 PUBLIC HEARINGS

2.1 Zoning Ordinance Amendment 10-01 - Rural Residential Zone Building Setbacks

City Clerk Lee presented an Ordinance entitled:

ORDINANCE NO. 49
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AMENDING CHAPTER 17.16 OF
MUNICIPAL CODE OF THE CITY OF WILDOMAR PERTAINING TO
BUILDING SETBACKS IN THE RURAL RESIDENTIAL ZONING
(ZONING CODE AMENDMENT 10-01)

Which title was read.

Mayor Moore opened the public hearing.

City Planner Hogan presented the staff report.

SPEAKERS:

Gary Andre, resident, stated he spoke with the County Deputy Director regarding this. He then read information from the County regarding Rural Residential Zones and what the setbacks are.

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

Council Member Ade stated in the staff report it states there are no setbacks, yet they are on the County's website. She would like this tabled as she does not understand why this was done. This already existed within the Code the City adopted. The areas of concern are not half-acre and she feels it is not the appropriate way to approach this. She is also concerned about the percent buildable.

A MOTION was made by Council Member Ade, seconded by Council Member Cashman, to table the item.

Planning Director Hogan stated he has a copy of the zoning ordinance the City adopted and it has no setbacks. He added that buildable area and lot coverage are two different standards. The buildable area is the potential area to build on after you take out the building setbacks. The lot coverage standards are in place no matter what. The greater the buildable area, the more flexibility the owner has, and that is what prompted Staff to come forward with the item.

Discussion ensued regarding water, sewer, septic systems in various areas of the City including Cottonwood Canyon and Sedco Hills; consistency zoning;

Roll call vote: Ayes – 2; Nays – 3, Mayor Moore, Mayor Pro Tem Swanson, Council Member Farnam. Motion failed.

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to introduce Ordinance No. 49, as amended: for lots 69 feet or less in width: front 20 feet, side 5 feet, rear 20 feet; For lots

greater than 70 feet wide: front 20 feet, side 5 & 10 feet, rear 20 feet.

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

2.2 Zoning Ordinance Amendment 10-01 – Second Dwelling Units

Mayor Moore opened the public hearing.

City Planner Hogan presented the staff report.

Speakers:

Gary Andre, Planning Commissioner, stated he is not opposed to second units. He gave a handout to the City Council. He added that he worked with the County for years on the General Plan for this area prior to incorporation. He related how the City needs to preserve the integrity of ranch properties. He voted no on this at the Planning Commission because this is not what the people wanted, they wanted to keep the rural feel of the community.

Veronica Langworthy, resident, stated they would like to build a second unit, completely separate from the main house. She showed a picture of the type of unit she would like to build.

Greg Langworthy, resident, stated he understands the concerns of the City, but they are just under the 20,000 square foot lot size and they would like to build the second unit. He would like the Council to reconsider.

George Taylor, resident, stated he would like to clarify that this would not affect The Farm.

Planning Director Hogan verified that it is true.

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

Discussion ensued regarding variances for unusually shaped lots, such as the Langworthy property; businesses that would be home-based in second units; impacts on the community; environmental issues.

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to table this item to an undetermined date.

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

3.0 GENERAL BUSINESS

3.1 Review and Approval of the Policy, Process and Procedures for Implementation of the Unpaved Roadway Enhancement Program – CIP 0013

City Engineer Kashiwagi presented the staff report.

Mayor Pro Tem Swanson inquired if a group of property owners wanted to get this done sooner, could they each put in a set amount of money per property to get their street done sooner.

City Engineer Kashiwagi answered the City would welcome that.

Council Member Ade inquired what happens when, during the five year assessment, the maintenance amount goes up.

City Engineer Kashiwagi answered that is one of the risks the City takes on and the City would have to take that on.

A MOTION was made by Mayor Pro Tem Swanson, second by Council Member Ade, to approve the Process and Procedures for Implementation of the Unpaved Roadway Enhancement Program – CIP 0013 and direct Staff to proceed with completion of an application form, posting and soliciting applications for potential projects on the City's web site, and bring back to the City Council a recommended list of unpaved roadway applications for further approval.

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

3.2 City Council Meeting Norms

City Manager Oviedo presented the staff report.

There were no speakers present (Martha Bridges submitted a speaker form but was not present).

It was the consensus of the City Council for the following norms:

* Time limits on Presentations at the beginning of the meeting

10 minutes maximum per presentation; 30 minutes total time for all presentations.

* Time limits on Speakers

9 minutes total; maximum of 2 donations of time - list the names, and all donators must be present in the room at the time of speaking.

* Scheduling of Closed Sessions

All closed sessions will be scheduled before the regular meeting.

* Meeting time limitations and durations

The meeting is to last no longer than 10:00 p.m.; Should the Council still be session at 10:00 p.m., the Mayor will stop the meeting to inquire if the City Council would like to continue past the 10:00 p.m. limitation.

CITY MANAGER REPORT

City Manager Oviedo stated there was a traffic collision at Clinton Keith and Hidden Springs. As a result the signal was on flash for a while. There does appear to be damage to the signal as a result of the accident. The contractor who handles the signals in the City will be working on it tomorrow.

Discussion ensued regarding Caltrans not informing the City of the ramp closures, nor did they place the signs appropriately.

City Manager Oviedo stated staff will be meeting with FEMA tomorrow regarding the storm damage. He then commended Les Chapman, Public Works, regarding his handling of the water line that is going through on Palomar.

CITY ATTORNEY REPORT

There was nothing to report.

COUNCIL COMMUNICATIONS

Council Member Cashman stated he would like to be working on the budget, as a Council Member, rather than waiting until it is presented to the Council. He also commented on the Hospital and the fines being imposed on them.

Council Member Ade stated she is going to the SCAG General Assembly in May.

Council Member Farnam stated the California Transportation Commission unanimously approved for RCTC to move forward on the 91 Freeway expansion. Some money has been obtained on AB811 by WRCOG.

Mayor Pro Tem Swanson stated she had a teleconference meeting with PARSAC to close some considerable claims. She also attended the EVMWD art event. She voiced her thanks to John Lloyd for his service on the Parks Committee and also commended Community Services Director Willette for the success of the Farmer's Market.

Mayor Moore stated she agrees with Mayor Pro Tem Swanson regarding the Farmer's Market. She also attended the Art event. She did get pictures of the Census Baby who was born on April 1. She did go to The Storm baseball game on April 2 to recognize students who are involved in a recycling project. She attended a LEUSD meeting. She met with the Tobacco Coalition. She attended the VFW ceremony to re-present the Proclamation for Viet Nam Veterans. She encouraged everyone to attend the BBQ on Saturday. On May 15 there will be a bicycle safety event in the parking lot at City Hall.

Council Member Farnam thanked Community Services Director Willette for getting the new City pins done and handed out.

FUTURE AGENDA ITEMS

Council Member Ade inquired if anyone on Staff is communicating with SCAG regarding monies they have for the General Plan update. Some of these have deadlines and it is in May. The City missed it last year and would not want to miss it again. She also suggested putting the cemetery committee under Intergovernmental as it is appropriate.

It was the consensus of the City Council to add that to the Intergovernmental Committee.

ADJOURNMENT

There being no further business, at 9:40 p.m. Mayor Moore declared the meeting adjourned.

Respectfully submitted by:



Debbie A. Lee, CMC, City Clerk