

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
MAY 9, 2012**

**CALL TO ORDER – CLOSED SESSION - 5:30 P.M.**

The closed session of May 9, 2012, of the Wildomar City Council was called to order by Mayor Benoit at 5:30 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 111, Wildomar, California.

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

Staff in attendance: City Manager Oviedo, City Attorney Jex, and City Clerk Lee.

**PUBLIC COMMENTS**

There were no speakers.

**CLOSED SESSION**

City Attorney Jex stated there is a need to add an item to the agenda. This came to the attention of Staff after the posting of the agenda and Staff needs direction from the City Council prior to the next Council meeting. It is a pending litigation matter, Wildomar Patients Compassionate Group v. City of Wildomar.

**A MOTION** was made by Councilwoman Swanson, seconded by Councilwoman Moore, to add the item to the closed session.

**MOTION** carried, 5-0.

City Attorney Jex announced the item will read: 3. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9(a) to confer with legal counsel regarding one matter of pending litigation: Wildomar Patients Compassionate Group, Inc. v. City of Wildomar RIC10022903 and RIC 10022476.

City Clerk Lee read the following:

1. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9 (c) to confer with legal counsel with regard to two matters of potential initiation of litigation.
2. The City Council will meet in closed session pursuant to the provisions of Government code section 54956.9 (a) to confer with legal counsel regarding one matter of pending litigation: Alliance for Intelligent Planning v. City of Wildomar RIC1114945.

At 5:33 p.m. the City Council convened into closed session, with all Council Members present.

### **RECONVENE INTO OPEN SESSION**

At 6:31 p.m. the City Council reconvened into open session, with all Council Members present, making no announcements.

### **ADJOURN CLOSED SESSION**

There being no further business, Mayor Benoit declared the closed session meeting adjourned at 6:31 p.m.

### **CALL TO ORDER – REGULAR SESSION - 6:30 P.M.**

The regular meeting of May 9, 2012, of the Wildomar City Council was called to order by Mayor Benoit at 6:31 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 111, Wildomar, California.

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

Staff in attendance: City Manager Oviedo, Assistant City Manager Nordquist, City Attorney Jex, Public Works Director D'Zmura, Planning Director Bassi, Community Services Director Willette, Fire Chief Beach, Assistant Police Chief Adams, and City Clerk Lee.

The Flag Salute was led by Councilwoman Moore.

## **PRESENTATIONS**

Mayor Benoit presented a Certificate of Appreciation to the 2011 Wildomar Queens. The 2012 Wildomar Queens were then introduced.

Mayor Benoit presented a Certificate of Congratulations to the Elsinore High School Academic Decathlon Team.

Mayor Benoit presented a Proclamation for Asthma Awareness Month to Carey Poindexter.

Mayor Benoit presented a Proclamation for Mental Health Month.

Ron Hewison, HOPE, spoke regarding the Backpack for Kids Program.

Chief Beach presented the Fire Department monthly update.

No one was available to present the Chamber of Commerce update.

## **PUBLIC COMMENTS**

Scott Bammes, resident, stated there is a serious speeding issue on Lemon Street, between Mission Trail and Grape Street. Many animals have been killed due to speeding and it could have children instead of animals. Signs will not fix the problem and he would like to see speed bumps or stop signs.

Nelsy Rodriguez, Press Enterprise Reporter, stated she is the new reporter covering Wildomar and she wanted to introduce herself.

City Clerk Lee stated that she did receive an email from Pamela Hall speaking for Voices for Pets. She could not attend the meeting and wanted her email given to all Council and to state to the public that Timothy Kooyman who was convicted and imprisoned for torturing, mutilating, and killing multiple cats is due to be released on May 19. He will be living with his parents in Canyon Lake and she wanted all citizens to be aware of this and take precautions regarding their children and pets.

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

Councilwoman Moore stated she would like to move item #3.1 and have it heard before the Public Hearings and after the Consent Calendar.

It was the consensus of the City Council to hear item #3.1 just before the Public Hearings and after the Consent Calendar.

## **1.0 CONSENT CALENDAR**

A **MOTION** was made by Councilwoman Moore, seconded by Councilwoman Swanson, to approve the Consent Calendar as presented, with the exception of item #1.7.

**MOTION** carried, 5-0.

### **1.1 Reading of Ordinances**

Approved the reading by title only of all ordinances.

### **1.2 Minutes – April 11, 2012 Regular Meeting**

Approved the Minutes as presented.

### **1.3 Warrant and Payroll Registers**

Approved the following:

1. Warrant Register dated April 5, 2012 in the amount of \$60,064.41;
2. Warrant Register dated April 12, 2012 in the amount of \$147,597.19;
3. Warrant Register dated April 19, 2012 in the amount of \$50,460.10;
4. Warrant Register dated April 26, 2012 in the amount of \$49,572.34; &
5. Payroll Register dated April 27, 2012 in the amount of \$45,944.72.

### **1.4 Treasurer's Report**

Approved the Treasurer's Report for March, 2012.

### **1.5 Additional Emergency Management Performance Grant Funds Award**

Approved the acceptance of an additional \$2,018 in funding for FY10 Homeland Security Grant Program (HSGP) from the Riverside County Fire/OES.

### **1.6 Tents for Emergency Services Award**

Approved the acceptance of 50 two-man tents from the Target Foundation.

### **1.8 Resolution of Support for ACA 1 (Jeffries)**

Adopted a Resolution entitled:

RESOLUTION NO. 2012 - 17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, SUPPORTING THE PASSAGE OF ASSEMBLY

## CONSTITUTIONAL AMENDMENT 1 (JEFFRIES)

### 1.9 Appropriations Limit for FY 2012-13

Adopted a Resolution entitled:

RESOLUTION NO. 2012 - 18  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, APPROVING THE APPROPRIATIONS LIMIT FOR FISCAL  
YEAR 2012-13

## ITEMS REMOVED FROM THE CONSENT CALENDAR

### 1.7 Almond Street Sidewalk Improvements Project

Gary Andre, resident, stated if Almond Street is blocked off with a curb the water drainage will be pushed off towards the school. This is a ranch community and at the visioning session it was very clear to keep the ranch community ranch, and to keep the urban community urban. At Clinton Keith Road and Grand Avenue Edison is putting in sidewalks and trails. Why waste the money when it is ranch estates there. He is concerned where sidewalks are being placed due to drainage issues.

Public Works Director D'Zmura presented the staff report.

Mayor Benoit stated he would have to abstain on this issue as he is within 300' of the proposed sidewalk. He then left the dais.

Councilwoman Moore stated at the public hearing held on the project at Almond and Bundy Canyon the residents wanted a sidewalk at this location.

Councilwoman Swanson stated that is correct, that was the main concern so that the kids would not be walking in the street.

Councilman Cashman stated he remembers that as well. He then asked if the Engineer can determine if it would be wise to put in the sidewalk,

Public Works Director D'Zmura stated the action before the Council with this staff report is to submit the grant application only. If the City is successful the first thing the Engineer will do is to evaluate this location.

**A MOTION** was made by Councilwoman Swanson, seconded by

Councilwoman Moore, to adopt a Resolution entitled:

RESOLUTION NO. 2012 - 16  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, AUTHORIZING THE SUBMITTAL OF A GRANT  
APPLICATION TO RIVERSIDE COUNTY TRANSPORTATION  
COMMISSION'S SB 821 BIKE/PEDESTRIAN FACILITIES PROGRAM  
FOR THE ALMOND STREET SIDEWALK IMPROVEMENT PROJECT

**MOTION** carried, 4-0-1, with Mayor Benoit abstaining.

Mayor Benoit returned to the dais.

## **ITEMS REORDERED ON THE AGENDA**

### **3.1 Clinton Keith Interchange Construction Project Update**

Karlie Gray, Green Com Public Relations, presented the update on the Clinton Keith interchange construction project.

Discussion ensued regarding traffic controls on Baxter and communication with the City of Murrieta regarding directing traffic to I-215 during the I-15 freeway shutdowns.

## **2.0 PUBLIC HEARINGS**

### **2.1 FY 2011/12 Third Quarter Budget Report**

City Clerk Lee read the title.

Mayor Benoit opened the public hearing.

Assistant City Manager Nordquist presented the staff report.

Discussion ensued regarding the monies going to NPDES and what they do with it; what the consequences are if the monies are not paid.

There being no speakers Mayor Benoit closed the public hearing.

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

RESOLUTION NO. 2012 - 19  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE FY 2011/12  
BUDGETED REVENUES AND EXPENSES

**MOTION** carried, 5-0.

**2.2 FY 2012-13 Budget**

City Clerk Lee read the title.

Mayor Benoit opened the public hearing.

City Manager Oviedo presented the organization chart and an overview of the budget.

Assistant City Manager Nordquist presented the staff report.

Planning Director Bassi spoke regarding: update on the Housing Element.; LED monument signs; and comprehensive lighting ordinance.

Discussion ensued regarding the General Plan update and cost.

**SPEAKERS:**

Jake Schlepp, California Lutheran High School, stated the technology of LED lighting has come a long way. It can be fine tuned to meet the City's guidelines. He also supports bringing the Planning Department in-house.

John Campbell, California Lutheran High School, stated the LED sign would benefit the school and community immensely. They would be able to get information out to the community through the use of the sign.

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

Councilman Cashman stated concerning bringing the Planning Director in house, the approach taken from incorporation was not to burden the City with personnel. To date being a contract City has served the City well. He would like to see the fully burdened cost for a full-time person. There may be a need for this position, but can the City afford it. If this goes forward he wants the position advertised. There could be other people that are just as qualified.

Mayor Pro Tem Walker stated he has the same concerns as Councilman Cashman. We don't want to be overly burdened with health and PERS costs. He talked with City Manager Oviedo regarding this.

Councilwoman Swanson stated she shares the same concerns, but feels it is time to have some employees. There is a problem when someone comes to City Hall and can't talk to a Planner because they are only at City Hall on certain days, at certain times. She feels in this area it will be a cost savings.

Councilwoman Moore stated she agrees. Bringing the two positions in-house will bring the number of employees to ten. Having been a City for almost four years, it certainly shows the City is not doing a mass hiring. She then explained about the animal control services and the cost. She and Assistant City Manager Nordquist are trying to get Wildomar's cost down and go to a cost based on population, not on animal counts. It's a very difficult situation.

Mayor Benoit stated Staff has done a good job in analyzing whether the City can save money by bringing a position in-house or leaving it as a contract position. He feels there is a need to bring these positions under the City.

Discussion ensued regarding the motor vehicle license fees.

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

RESOLUTION NO. 2012 - 20  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, AUTHORIZING AN ADOPTION OF THE FY 2012-13  
BUDGETED REVENUES AND EXPENSES

**MOTION** carried, 5-0.

**A MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to approve the position descriptions of a Planning Director and a Community Services Manager and authorize the addition of positions to the City's Table of Organization.

**MOTION** carried, 5-0.

At 8:47 p.m. the City Council recessed.

At 8:53 p.m. the City Council reconvened into open session, with all Council Members present.

### **3.0 GENERAL BUSINESS**

#### **3.2 Draft Five-Year Capital Improvement Program (FY 2012/13 to 2016/17)**

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report.

#### **3.3 Landscaping & Lighting Maintenance District No. 89-1-Consolidated & Street Lighting Zones**

City Clerk Lee read the title.

City Engineer Palmer presented the staff report.

**A MOTION** was made by Councilwoman Swanson, seconded by Councilwoman Moore, to adopt a Resolution entitled:

##### RESOLUTION NO. 2012 - 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ORDERING PREPARATION OF THE ENGINEER'S REPORT REGARDING THE PROPOSED ASSESSMENTS TO BE LEVIED AND COLLECTED FOR FISCAL YEAR 2012-13 WITHIN ZONES 3 (LOCATIONS 7, 23, 24, 25, 29, 35, 42, 43, 45, 47, 49, AND 53), 29 (LOCATION 2), 30 (LOCATIONS 1 AND 2), 42, 51, 52, 59, 62, 67, 71, AND 90, AND STREET LIGHTING ZONES 18, 26, 27, 35, 50, 70, 71, 73, AND 88 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

**MOTION** carried, 5-0.

**A MOTION** was made by Councilwoman Swanson, seconded by Councilwoman Moore, to adopt a Resolution entitled:

##### RESOLUTION NO. 2012 - 23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN ZONES 3 (LOCATIONS 7, 23, 24, 25, 29, 35, 42, 43, 45, 47, 49, AND 53), 29 (LOCATION 2), 30 (LOCATIONS 1 AND

2), 42, 51, 52, 59, 62, 67, 71, AND 90, AND STREET LIGHTING ZONES 18, 26, 27, 35, 50, 70, 71, 73, AND 88 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED FOR FISCAL YEAR 2012-13 SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNUAL ASSESSMENT AND ORDERING NOTICE OF THE PUBLIC HEARING TO BE GIVEN CONSISTENT WITH THE LANDSCAPING AND LIGHTING ACT OF 1972

**MOTION** carried, 5-0.

### **CITY MANAGER REPORT**

City Manager Oviedo reported the following:

1. SB1566 will be heard on May 14. This is the Bill which would fix the problem of the motor vehicle license fees that were taken from the four newest cities.
2. The City will again be a vote by mail drop off location. The ballot box is located in the lobby of City Hall.
3. The Council Chambers will be a polling location for the June 5 election. This is the first year the City will be hosting a location.

### **CITY ATTORNEY REPORT**

City Attorney Jex reported the City Attorney Budget Subcommittee will be meeting on May 14 to discuss budget related items concerning the City Attorney.

### **COUNCIL COMMUNICATIONS**

Councilwoman Moore reported the following:

1. She attended the RTA meeting and they are going through their budget.
2. She attended the CERT event that Community Services Director Willette did. She thanked her for the training opportunities she provides.
3. There will be a bicycle safety event on May 19 in the shopping center where City Hall is located. It is sponsored by Rotary.
4. There is a City-wide clean up event on May 12.

Councilman Cashman reported in honor of the City of Wildomar's birthday, on

July 1 the Historical Society will be ringing the bell located at Wildomar Elementary School and invited everyone to attend. It will take place on July 1 at 1:00 p.m.

Mayor Pro Tem Walker stated the monthly economic development roundtable was well attended. The topic was the development impact fees.

Mayor Benoit stated there is a great deal of activity at RCTC. They just locked up a federal loan to improve the 91 Freeway from Orange County to Riverside. This is a huge project and a great win for this region. He also attended WRCOG and RCHCA meetings.

City Manager Oviedo stated because of the early-bird deadline for the League of California Cities annual conference, Staff needs to know which Council Members would like to attend. The conference is in September in San Diego.

Mayor Benoit stated he would like to attend as he has not attended in the past.

City Manager Oviedo stated the voting delegate will need to change and Staff will bring that forward at the next meeting.

### **FUTURE AGENDA ITEMS**

- \*PERS retirement employee portion currently paid by the City
- \*Police overtime with there is unused monies in the budget.

### **ADJOURN THE CITY COUNCIL**

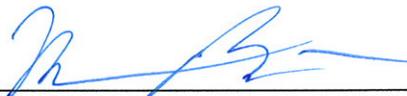
There being no further business, Mayor Benoit declared the meeting adjourned at 9:23 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC  
City Clerk



Ben J. Benoit  
Mayor