

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
JUNE 13, 2012**

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

The closed session of June 13, 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, City Clerk Lee, and Clerk Morales.

PUBLIC COMMENTS

There were no speakers.

CLOSED SESSION

Clerk Morales read the following:

1. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9 (a) to confer with legal counsel with regard to the following matter of pending litigation: City of Wildomar v. Wildomar Patients Compassionate Group, Inc., Riverside County Superior Court Case No. RIC10022903 and RIC10022476.
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 5:31 p.m. the City Council convened into closed session, with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:30 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 6:30 p.m.

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

The regular meeting of June 13, 2012, of the Wildomar City Council was called to order by Mayor Benoit at 6:30 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, Assistant City Manager Nordquist, City Attorney Jex, Public Works Director D'Zmura, Planning Director Bassi, Community Services Director Willette, Fire Chief Beach, Police Chief Fontneau, Assistant Police Chief Adams, City Clerk Lee, and Clerk Morales.

The Flag Salute was led by Assistant City Manager Nordquist.

PRESENTATIONS

Dennis Green, Green.Com, Inc, presented an update on the Clinton Keith Interchange Construction Project.

Chief Beach presented the Fire Department monthly update.

Police Chief Fontneau presented the Police Department quarterly report.

PUBLIC COMMENTS

Barbara Hale, Sycamore Academy, presented a plaque to the City Council for all of the support from the City.

APPROVAL OF THE AGENDA AS PRESENTED

A **MOTION** was made by Councilwoman Moore, seconded by Councilwoman Swanson, to approve the agenda as presented.

MOTION carried, 5-0.

1.0 CONSENT CALENDAR

A **MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, 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 – May 9, 2012 Regular Meeting

Approved the Minutes as presented.

1.3 Warrant and Payroll Registers

Approved the following:

1. Warrant Register dated May 3, 2012 in the amount of \$31,077.11;
2. Warrant Register dated May 10, 2012 in the amount of \$217,476.39;
3. Warrant Register dated May 17, 2012 in the amount of \$105,608.49;
4. Warrant Register dated May 22, 2012 in the amount of \$10,624.17;
5. Warrant Register dated May 31, 2012 in the amount of \$25,575.64; &
6. Payroll Register dated May 31, 2012 in the amount of \$47,442.83.

1.4 Treasurer's Report

Approved the Treasurer's Report for April, 2012.

1.5 Claim Rejection – Parra

Rejected the claim made by Kaitlyn Parra and direct Staff to notify the claimants.

1.6 County Free Library Advisory Committee (CFLAC) Appointment

Directed the City Clerk to advertise and take letters of interest and/or resumes of Wildomar residents to serve on the CFLAC as the Wildomar representative.

2.0 PUBLIC HEARINGS

2.1 Housing Element Adoption – General Plan Amendment No. 12-01

Clerk Morales read the title.

City Attorney Jex stated that just before the start of the meeting, Staff received a letter protesting this item and raising some legal issues. Staff and the City Attorney's Office have not had time to read through the letter in detail and analyze it. He would recommend to open the public hearing, take any testimony, and continue the item to the next Council meeting.

Mayor Benoit opened the public hearing.

There were no speakers.

A MOTION was made by Councilwoman Swanson, seconded by Councilwoman Moore, to continue the item to the City Council meeting of July 11, 2012.

MOTION carried, 5-0.

2.2 Landscaping & Lighting Maintenance District No. 89-1-Consolidated & Street Lighting Zones

Clerk Morales read the title.

Mayor Benoit opened the public hearing.

Chris Vogt, Project Manager, presented the staff report.

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

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

RESOLUTION NO. 2012- 25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONES 3, 29, 30, 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 OF THE CITY OF WILDOMAR AND LEVYING

ASSESSMENTS ON ALL LOTS AND PARCELS OF LAND THEREIN FOR FISCAL YEAR 2012-13; AND AUTHORIZE THE COUNTY OF RIVERSIDE TO ADMINISTER THE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED BUDGET FOR FISCAL YEAR 2012-13

MOTION carried, 5-0

2.3 Tax and Equity Fiscal Responsibility Act (TEFRA) Hearing for the Tres Lagos Senior Housing Project (Project No. 08-0165)

Clerk Morales read the title.

Mayor Benoit opened the public hearing.

Planning Director Bassi presented the staff report.

Caitlyn Longtow, representative of the California Statewide Communities Development Authority, stated they are the issuer of the project. She briefly explained the two Resolutions.

SPEAKERS

William Leach, Palm Communities, thanked the City Council for their support of this project.

Adrian Peters, Palm Communities, gave a brief history of their project and thanked the Council for their support of the project.

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

Discussion ensued regarding the 55 year covenants.

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

RESOLUTION NO. 2012 - 26
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING AND DIRECTING EXECUTION OF AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY

MOTION carried, 5-0.

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

RESOLUTION NO. 2012 - 27
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR APPROVING THE ISSUANCE OF MULTI-FAMILY
HOUSING REVENUE BONDS BY THE CALIFORNIA STATEWIDE
COMMUNITIES DEVELOPMENT AUTHORITY FOR THE TRES
LAGOS SENIOR HOUSING APARTMENTS

MOTION carried, 5-0.

2.4 Five-Year Capital Improvement Program (FY 2012/13 to 2016/17)

Clerk Morales read the title.

Mayor Benoit opened the public hearing.

Public Works Director D'Zmura presented the staff report.

There being no speakers Mayor Benoit closed the public hearing.

Councilwoman Moore stated that Staff has done a great job with obtaining grant monies.

Councilwoman Swanson stated that the document was easy to follow and thanked Staff for doing a great job.

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

RESOLUTION NO. 2012 - 21
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT
PROGRAM FOR FISCAL YEARS 2012/13 TO 2016/17

MOTION carried, 5-0.

2.5 Authorization of Annual Rate Adjustment for CR&R

Clerk Morales read the title.

Mayor Benoit opened the public hearing.

Assistant City Manager Nordquist presented the staff report stating that there were changes to the staff report and read the changes.

There being no speakers Mayor Benoit closed the public hearing.

Councilman Cashman inquired why all the changes in the staff report.

Assistant City Manager Nordquist answered it was from further review of the staff report and the correlation with the agreement.

Councilman Cashman inquired if the City is in negotiations with the hauler.

City Manager Oviedo answered the City is not currently negotiating regarding the franchise. Staff is currently looking at whether there are potential amendments that can be made to the contract.

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

RESOLUTION NO. 2012 - 28
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE ANNUAL RATE ADJUSTMENT TO
FEES RELATED TO CR&R COLLECTION SERVICES

3.0 GENERAL BUSINESS

3.1 Development Impact Fee Study Presentation

Clerk Morales read the title.

Public Works Director D'Zmura, Chris Vogt, and Joe Colgan presented the staff report.

Mayor Pro Tem Walker stated he is happy this has come forward. This was presented at the Economic Development Roundtable and received many comments from the building community. He would like to move it forward so that specific fees can be discussed.

Councilwoman Swanson stated she is not okay with moving it forward. She would like to see some of the numbers reworked. This is not the time

to do this just as housing is starting to come back. This can be done anytime, just not now.

Discussion ensued regarding the fees; adjusting the fees; and trails and flood control fees.

City Manager Oviedo stated Staff is looking for direction from the City Council because when this comes back it is for adoption. Staff has heard from the BIA and knows what their issues are, so Staff would like to know from the Council what they would like to see. Staff is hearing the issues are trails, and commercial & industrial fees.

Discussion ensued regarding components of the fees including commercial & industrial, trails, community center, animal shelter, and flood control & drainage; and holding a study session regarding the fees.

It was the consensus of the City Council to hold a study session regarding the development impact fees study.

3.2 FY 2012-13 Budget – Decision Packages

Clerk Morales read the title.

Assistant City Manager Nordquist presented the staff report.

Jacob Schlepp, California Lutheran High School, stated they are in favor of item #2 regarding the LED monument sign ordinance amendment. He would like to look at other types of signs other than monument signs.

Discussion ensued regarding which issues are mandated and which issues are something that the City would like to do; and bringing a map forward with certain areas for the General Plan/Zoning code update.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to approve: Fifth Round Housing Element Update (with CEQA compliance – State Mandated) - \$13,500; LED Monument Sign Ordinance Amendment - \$3,000; and Comprehensive Light Pollution Ordinance Update - \$12,500; and defer General Plan/Zoning Code Update (Multi-year project funding) - \$150,000.

MOTION carried, 5-0.

3.3 Appointment of Volunteer Trails Coordinator and Acceptance of Trail Names

Clerk Morales read the title.

Assistant City Manager Nordquist presented the staff report.

Gary Andre, resident, stated he was told to put the names on the map as directed. The direction was Rodarme Trail was to be put on and not Jon Rodarme. He recommends that it be Jon Rodarme.

Discussion ensued regarding other trail names.

A MOTION was made by Councilman Cashman, seconded by Mayor Pro Tem Walker, to appoint Gary Andre as the Volunteer Trails Coordinator to a two year term effective June 14, 2012 and expiring June 14, 2014.

MOTION carried, 5-0.

A MOTION was made by Councilman Cashman, seconded by Mayor Pro Tem Walker, to adopt a Resolution entitled:

RESOLUTION NO. 2012 - 29
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING THE ADDITION OF
TRAIL NAMES TO THE EXISTING CITY OF WILDOMAR MULTI-
USE TRAILS PLAN MAP

MOTION carried, 5-0.

3.4 Sidewalks to Schools Improvement Project – George Avenue Improvements (CIP 09-0014A)

Clerk Morales read the title.

City Engineer Palmer presented the staff report.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to authorize the City Manager to execute a construction contract with STI, Inc. in the amount of \$63,565.50 for the Sidewalks to Schools Improvement Project, George Avenue Improvements (CIP 09-0014A); and Authorize the City Engineer to approve change orders not to exceed 10% of the contract amount.

MOTION carried, 5-0.

3.5 County Service Area Charges for Fiscal Year 2012-13

Clerk Morales read the title.

City Engineer Palmer presented the staff report.

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

RESOLUTION NO. 2012 - 30
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ESTABLISHING COMMUNITY SERVICE AREA
CHARGES WITHIN THE CITY FOR FISCAL YEAR 2012/2013

MOTION carried, 5-0.

3.6 League of California Cities Annual Conference Business Meeting Voting Delegate and Alternate

Clerk Morales read the title.

A MOTION was made by Mayor Benoit, seconded by Mayor Pro Tem Walker, to appoint Mayor Pro Tem Walker as the Voting Delegate and Mayor Benoit as the Alternate Voting Delegate.

MOTION carried, 5-0.

3.7 Calling a General Municipal Election on November 6, 2012

Clerk Morales read the title.

City Clerk Lee presented the staff report.

Councilwoman Swanson inquired if the City were to put a Measure on the November ballot, how much more would the cost go up for the cost of the election.

City Clerk Lee answered approximately \$12,000.

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

RESOLUTION NO. 2012 - 31
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL
MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6,
2012, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY
THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA
RELATING TO GENERAL LAW CITIES

MOTION carried, 5-0.

CITY MANAGER REPORT

City Manager Oviedo reported the following:

*June 21 the annual City Manager lunch will take place at the Diamond Club and it is the City Managers presenting the State of the City.

*SB1566 update (VLF issues) has not made it out of the Appropriations Subcommittee.

*Preliminary sales tax numbers are up again in the last quarter.

At this time the City Council took up Item #3.3, item #2

Gary Andre stated that Edy Rodarme wanted the Rodarme Trail to read Jon Rodarme Trail.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to amend the previous motion, and to name the trail "Jon Rodarme Trail" and not "Rodarme Trail".

MOTION carried, 5-0.

CITY ATTORNEY REPORT

City Attorney Jex reported he will get a memo to the City Council and Staff regarding election campaigning and duties and what you can legally do and what you cannot do.

COUNCIL COMMUNICATIONS

Councilwoman Moore stated she attended the RTA meeting, and the Highway 395 meeting. The animal shelter meeting was today and Assistant City Manager Nordquist and she did their very best to sway the JPA Board to base costs based on population and not animal count. They were unsuccessful in changing the minds of the Board Members.

Councilwoman Swanson stated she attended the League meeting in Indian Wells. She is also on a League Committee and they were cautioned to read and understand Measures A and D very carefully. The speaker at the dinner was very good and interesting.

Councilman Cashman stated he went to the PARSAC meeting in Sacramento and learned about risk management. He also attended the Movie in the Park where there was about 200 people.

Mayor Pro Tem Walker stated he has been attending the CSTI training this week with Mayor Benoit and Staff.

Mayor Benoit stated August 3 is Wildomar Night at the Storm stadium. He congratulated Gary Andre on being named Volunteer Trails Coordinator. He then talked about the CSTI training. He attended WRCOG, RCHCA, RCTC, and SCAG.

FUTURE AGENDA ITEMS

*Parks Measure for November ballot

ADJOURN THE CITY COUNCIL

There being no further business, Mayor Benoit declared the meeting adjourned at 9:22 p.m.

Submitted by:



Debbie A. Lee, CMC
City Clerk

Approved by:



Ben J. Benoit
Mayor