

**CITY OF WILDOMAR
CITY COUNCIL MEETING MINUTES
JUNE 24, 2009**

The regular meeting of June 24, 2009, of the Wildomar City Council was called to order by Mayor Farnam at 7:02 p.m.

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

Flag Salute Council Member Ade led the Flag salute.

Presentations

Certificates of Achievement were given to the Wildomar Little League All-Stars.

Code Enforcement update was not given as they were not in attendance.

Mark Norton, Authority Administrator of the Lake Elsinore & San Jacinto Watersheds Authority gave a presentation regarding the efforts to date of the Authority to improve the water quality of Lake Elsinore and the watershed.

PUBLIC COMMENTS

Mayor Farnam advised if any one is present regarding Animal Friends of the Valley, the Council will not be hearing that item at this time, but it would be heard at a future meeting.

Gary Andre, resident, spoke regarding development in the City. He stated the zoning needs to be protected in the City as well as following the General Plan as closely as possible. However there are some changes that should be made, such as the property that is located at the southwest corner of Palomar Road and Clinton Keith Road. He feels it should be rezoned back to a Commercial/Retail designation. He stated the Planning Commission is ready to look at issues to help the processes along. He outlined what he feels should be started.

Vicki Long, Elsinore Murrieta Anza Resource Conservation District, stated they will hold an Open House on July 16, from 2:00 - 6:00 p.m., at their new office in Wildomar. They just signed an MOU with the City of Murrieta to work on weed abatement issues and they are looking forward to working with other cities as well.

1. CONSENT CALENDAR

Dixie Schleiger, resident, speaking on Item 1 O, stated there are people complaining that they would like the animal control contract to be with the County instead of

Animal Friends of the Valley. The complaints are really from issues when the animal control has been under the County and not Animal Friends of the Valley. She would like to make that known.

Council Member Cashman stated he would like to pull items 1 I and 1 K.

A Motion was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to approve the Consent Calendar with the exception of items 1 I and 1 K.

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

- 1 A. Approved the reading by title only of all ordinances
- 1 B. Approved the regular meeting minutes dated June 10, 2009
- 1 C. Approved Warrant Register dated June 10, 2009, in the amount of \$6,910.99; Approved Warrant Register dated June 24, 2009, in the amount of \$266,235.67; Approved Payroll Warrant Register dated June 8, 2009, in the amount of \$1,280.28; and Approved Payroll Warrant Register dated Jun 12, 2009, in the amount of \$1,894.17
- 1 D. Received and filed the Treasurer's Report for May 2009
- 1 E. Approved FY2008/09 Third Quarter Budget Changes
- 1 F. Adopted Resolution No. 09-35 Authorizing the City Manager to Execute a Consultant Service Agreement with Psomas for Assessment Engineering Services

RESOLUTION NO. 09 – 35
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR
AUTHORIZING THE CITY MANAGER TO EXECUTE A SOLE SOURCE
CONTRACT 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 \$33,054

- 1 G. Awarded the Traffic Signal Maintenance Services Contract
- 1 H. Adopted Resolution No. 09-36 Authorizing the City Manager to Execute a Cooperative Agreement Between the City of Wildomar and Riverside County for Slurry and Cape Seal Improvements

RESOLUTION NO. 09 – 36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A FINAL COOPERATIVE AGREEMENT BETWEEN THE CITY OF WILDOMAR AND RIVERSIDE COUNTY FOR SLURRY AND CAPE SEAL IMPROVEMENTS IN VARIOUS LOCATIONS IN WILDOMAR AS DETERMINED BY THE CITY ATTORNEY

- 1 J. Energy Efficiency and Conservation Block Grant Program information
- 1 L. Adopted Resolution No. 09-38 Establishing the Transient Occupancy Tax (TOT) Encouragement Program

RESOLUTION NO. 09 – 38
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ESTABLISHING THE TRANSIENT OCCUPANCY TAX ENCOURAGEMENT PROGRAM

- 1 M. Adopted Resolution No. 09-39 Authorizing the City Manager to Execute an Agreement for Services between the County of Riverside, Department of Environmental Health and the City of Wildomar

RESOLUTION NO. 09 – 39
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF WILDOMAR AND THE COUNTY OF RIVERSIDE FOR VECTOR CONTROL SERVICES, TECHNICAL ASSISTANCE PLAN REVIEW, INSPECTION AND OTHER SERVICES PROVIDED THROUGH THE COMMUNITY HEALTH AGENCY, DEPARTMENT OF ENVIRONMENTAL HEALTH

- 1 N. Adopted Resolution No. 09-40 Authorizing the City Manager to Execute an Agreement Between the County of Riverside, Transportation and Land Management Agency and the City of Wildomar

RESOLUTION NO. 09-40
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A FINAL PROFESSIONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF RIVERSIDE, TRANSPORTATION AND LAND MANAGEMENT AGENCY AND THE CITY OF WILDOMAR AS DETERMINED BY THE CITY ATTORNEY

- 1 O. Approved of an MOU with Riverside County Relating to Continuation of Governmental Services

ITEMS REMOVED FROM THE CONSENT CALENDAR

1 I. Award of Public Works Maintenance and Maintenance management Services Contract

Council Member Cashman stated he would like more explanation as to why the one company was picked over the other one.

Public Works Director Kashiwagi explained this went through a process based on qualifications rather than the low bid. Staff reviewed the proposals and interviewed all three firms and then Staff narrowed it down to two firms. After further background checks and discussion, Staff chose PV Maintenance because they currently perform services for four other cities in Southern California and would therefore have more staff to service the City of Wildomar. They would in fact, have two employees who are solely assigned to Wildomar. In addition, they provided a good understanding of what the City is looking for. In terms of cost, there is a savings in what we will be getting from this company.

A Motion was made by Council Member Swanson, seconded by Mayor Pro Tem Moore, to award the Public Works Maintenance and Maintenance Management Services Contract to PV Maintenance, Inc. and authorize the City Manager to execute the contract.

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

1 K. Adopt Resolution No. 09-37 Intention to Grant Electricity Franchise

Council Member Cashman stated he wants to be clear that this is not the contract itself, it is just a posting of notice and at a later date the Council will then decide as to whether to approve the contract or not.

City Attorney Biggs answered that is correct. This is just a notice that there is a public hearing scheduled for the Council's deliberation.

Council Member Cashman asked if the fees still pass to the City regardless of whether the City has a contract or not.

City Attorney Biggs answered the franchise fees will still pass through to the City. Currently the City is entitled to those fees after incorporating and assuming the contract. However, it goes through Riverside County and there is an administrative cost for that activity. What a separate agreement would

do is establish a direct relationship with the utility. This is one of many franchises that will be coming forward in the future.

Council Member Cashman stated he is looking ahead and this would grant Edison an exclusive until 2039. What if in the near future a developer comes in with solar power or something else, would this constrain us from that.

Viet Tran, Region Manager of Edison, explained this would not constrain the City. This franchise is merely a license to allow Edison to operate their facilities and infrastructures within the City limits.

City Attorney Biggs stated a franchise is the use of the streets only.

Council Member Cashman stated would there be a problem putting into the contract that the City has other options in the future.

Mr. Tran answered this contract is only to allow us to operate in the City and is not limiting. It does not grant Edison an exclusive right in the City, so the City's ability to explore other options is there.

City Attorney Biggs stated it is only exclusive as to the property they are using, but is not exclusive in any other way.

Mr. Tran stated it does not mean Edison is the sole provider in the City, it grants us the ability to maintain and service our lines, poles, and infrastructure within the City limits.

A Motion was made by Mayor Pro Tem Moore, seconded by Council Member Ade, to Adopt Resolution No. 09-37 Intention to Grant Electricity Franchise.

RESOLUTION NO. 09 - 37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, DECLARING ITS INTENTION TO GRANT AN ELECTRICITY
FRANCHISE TO THE SOUTHERN CALIFORNIA EDISON COMPANY

Roll Call vote: Ayes - 5; Nays - 0. Motion carried.

2. PUBLIC HEARINGS

- 2 A. Adopt Resolution No. 09-41 approving the FY2009/2010 Operating and Capital Budgets

Mayor Farnam opened the Public Hearing.

Finance Director Nordquist gave a presentation on the proposed budget. He gave an overview of the process and then reviewed each Department's proposed budget. He also explained Staff is still negotiating contracts with animal services so those have not been finalized as of yet. This is why Staff is asking for 30 and 60 day extensions while Staff works with these agencies.

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

A Motion was made by Council Member Swanson, seconded by Mayor Pro Tem Moore, to adopt Resolution No. 09-41 adopting the proposed City of Wildomar FY 2009/10 Operating and Capital budgets as specified in the budget documents.

RESOLUTION NO. 09 - 41

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING THE PROPOSED CITY OF WILDOMAR FISCAL
2009/10 OPERATING AND CAPITAL BUDGETS AS SPECIFIED IN THE
BUDGET DOCUMENTS**

Council Member Cashman stated there is an item he was hoping would be in the budget, and one item that is in the budget that would not be needed. He would like to propose using the money for the item that is not needed to fund the one that is not in the budget. He would like to add an item to the City Council budget called "Community Support Activities". He is proposing that each Council Member have the discretion to use these funds for various community organizations. He would like to propose each Council Member have \$10,000 to use for these activities, to be dispersed as they see the need.

Council Member Swanson inquired where the \$50,000 would come from.

Council Member Cashman answered from the City Manager's budget, specifically "Transition Services".

Discussion ensued regarding the transition to a full-time, permanent City Manager; and what the proposed item would be used for.

The Motion was amended to add a \$0 place holder for the City Council's discretion for community support activities, to be reviewed at the quarterly reviews.

Roll Call vote: Ayes - 5; Nays - 0. Motion carried.

3. GENERAL BUSINESS ITEMS

3 A. Transitioning Parks to the City of Wildomar

City Manager Danielson gave the staff report stating the Parks and Recreation Committee is giving a recommendation to the Council to transition all remaining and future funds and parks to the City.

Finance Director Nordquist stated from a fiscal standpoint, this transition would be favorable to the City. There is a recurring revenue stream which would support the maintenance and programs at the parks.

Mayor Pro Tem Moore stated she and Council Member Swanson did look at this and it was difficult to establish monies as there was no documentation to work from in terms of the utilities. They felt the City could provide programs at a greater savings.

Council Member Ade thanked Mayor Pro Tem Moore and Council Member Swanson for their work on this issue.

A Motion was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to have all funding designated to the City and have all recreation programs run through the City.

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

At 9:05 p.m. the City Council took a recess.

At 9:16 p.m. the City Council reconvened into open session, with all Council Members present.

3 B. Districting Options and NDC Report on Public Input for the City of Wildomar

Doug Johnson, President of the National Demographics Corporation, gave a report on the public process regarding districting maps and the questions and concerns which were brought up during the public meetings. He then

reviewed the five maps that were submitted and the three maps NDC drew for consideration.

City Attorney Biggs then gave a presentation regarding a review of how this question came to be and what the choices are the City Council has regarding this issue.

Council Member Swanson inquired when this would need to be on the ballot.

City Attorney Biggs answered the sooner the City can do it, the better, so Staff is looking to get this on the November 2009 ballot.

Council Member Ade stated the upside and downside of this issue needs to be looked at. The upside is we would have time to challenge, but the downside is when the census count comes out we may have to change the maps since this is based on the 2000 census.

City Attorney Biggs answered that is correct.

Discussion ensued regarding the ability of the City Council to redraw maps, based solely on numbers, without going to the electorate; the ability to draw the district maps initially without going to the electorate; the option of asking the electorate if they would like to go back to an "at-large" system; what is a "community of interest".

Council Member Ade stated if we have Districts, we still have one budget and a decision in one District affects the whole City. When the City was incorporated it was based on cohesiveness and one community. She feels this goes in the other direction.

Mr. Johnson stated there are two more forums with the public regarding the election systems. It will have a great deal of information for the public. He explained that 92% of the cities in California are at-large and when you look at cities with less than 70,000, the percentage goes up higher.

Discussion ensued regarding districts with a balanced population, but the registered voters were much smaller; and the feedback they are getting from the public to not have districts.

Mr. Johnson stated they are looking for the City Council to adopt a map at this meeting so that they have something to show the people at the forums and to the newspapers.

Mayor Farnam proposed "Farnam 2", "NDC B" or "NDC C" as the District map.

Discussion ensued regarding all the proposed maps; and having to go through a new norming process again due to priorities changing.

Wes Lobo, resident, stated drawing lines based on who lives in what District, is very short-sighted. Also, it was stated that the continuity on the Council would be disrupted. That could be for about four to six years, but not beyond that and Wildomar will be a City for longer than that. He asked that the lines not be drawn by where the Council lives.

A Motion was made by Council Member Swanson, seconded by Council Member Cashman, to designate NDC "C" as the map to be attached to the Ordinance that will be brought back to establish the system of election by district; And that the district numbers to be districts 2 and 4 to match the election in 2010, and districts 1, 3, and 5 to match the election in 2012.

City Attorney Biggs advised that once this goes to the public, and they choose that as the map, those will be the Districts. There is time to change your minds or wait until the next meeting. You have not chosen a map officially until the Council adopts an Ordinance. The Districts will need to be numbered as well.

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

CITY MANAGER REPORT, John Danielson

No report was given.

CITY ATTORNEY REPORT, Julie Hayward Biggs

No report was given.

COUNCIL COMMUNICATIONS

Council Member Ade commended Mayor Farnam and Mayor Pro Tem Moore for the time and effort they put in dealing with the City.

Council Member Swanson stated she attended the Edison presentation on solar energy. They are giving money for those who want to have solar power. She would like this looked at for the parks.

Mayor Pro Tem Moore stated the third emergency summit was held last week at City Hall. Another Church came on board and another Church stated they have gone back to their congregation and discussed emergency preparedness and it is starting to get more attention. She also advised of the City's First Birthday celebration on July 1, 2009 at Elsinore High School.

Mayor Farnam stated he was appointed to the Inter-regional Policy Committee. They will look at various issues affecting the regions. He also advised that the State may take a percentage of our property taxes. He encourages everyone to send a letter to the Legislators telling them to keep their hands off of our funds.

FUTURE AGENDA ITEMS

No items were given.

ADJOURNMENT

There being no further business, Mayor Farnam declared the meeting adjourned at 10:42 p.m.

Respectfully Submitted:



Debbie A. Lee, CMC
City Clerk