

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
JULY 27, 2011**

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

The closed session of July 27, 2011, of the Wildomar City Council was called to order by Mayor Swanson at 5:30 p.m.

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

City Clerk Lee announced the following:

The City Council will meet in closed session pursuant to the provisions of Government Code Section 54957 with regard to the following personnel matter:

Performance Evaluation: City Manager

At 5:31 p.m. Mayor Pro Tem Benoit arrived.

At 6:30 p.m. the City Council reconvened into open session, with all Council Members present, making the following announcement:

Mayor Swanson stated the City Council met in closed session regarding the performance evaluation of the City Manager. The details of which will be discussed further in item #3.1 on the agenda.

At 6:31 p.m. Mayor Swanson adjourned the closed session.

**CALL TO ORDER – REGULAR SESSION – 6:30 p.m.**

The regular meeting of July 27, 2011, of the Wildomar City Council was called to order by Mayor Swanson 6:30 p.m.

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

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

The Flag Salute was led by Councilwoman Moore.

## **PRESENTATIONS**

Code Enforcement Monthly Update – Tabled at this time.

## **PUBLIC COMMENTS**

Gary Andre, resident, stated he is now a certified Chaplain. He gave a copy of his certification to the City Clerk.

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

A **MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, 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 Benoit, to approve the agenda as presented.

**MOTION** carried, 5-0.

#### **1.1 Reading of Ordinances**

Approved the reading by title only of all ordinances.

#### **1.2 Minutes – July 7, 2011 Special Meeting**

Approved the Minutes as submitted.

#### **1.3 Minutes – July 13, 2011 Regular Meeting**

Approved the Minutes as submitted.

#### **1.4 Warrant and Payroll Registers**

Approved the following:

1. Warrant Register dated July 14, 2011 in the amount of \$4,737.94 and \$22,688.57;

2. Warrant Register dated July 21, 2011 in the amount of \$1,426.80 and \$250,285.06; and
3. Payroll Register dated July 22, 2011 in the amount of \$17,744.68.

**1.5 Treasurer's Report**

Approved the Treasurer's Report for June, 2011.

**1.6 Authorized Agent for California Emergency Management Agency**

Adopted a Resolution entitled:

RESOLUTION NO. 2011 - 39  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, DESIGNATING THE CITY MANAGER AS THE  
AUTHORIZED AGENT FOR THE CALIFORNIA EMERGENCY  
MANAGEMENT AGENCY

**2.0 PUBLIC HEARINGS**

**2.1 Landscaping and Lighting Maintenance District No. 89-1-Consolidated and Street Lighting Zones**

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Public Works Director D'Zmura and Mark Hughes, County of Riverside Transportation Department, presented the staff report.

There being no speakers Mayor Swanson closed the public hearing.

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

RESOLUTION NO. 2011-37  
A RESOLUTION OF THE CITY OF WILDOMAR, CALIFORNIA,  
CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONE 3,  
LOCATIONS 7, 23, 24, 25, 29, 35, 42, 43, 45, 47 AND 49; ZONE 29,  
LOCATION 2; ZONE 30, LOCATIONS 1 AND 2; ZONE 42, ZONE 51;  
ZONE 52; ZONE 59; ZONE 62; ZONE 67; ZONE 71; AND ZONE 90; AND  
STREET LIGHTING ZONE 18, STREET LIGHTING ZONE 26, STREET  
LIGHTING ZONE 27, STREET LIGHTING ZONE 35, STREET LIGHTING  
ZONE 50, STREET LIGHTING ZONE 70, STREET LIGHTING ZONE 71

STREET LIGHTING ZONE 73, AND STREET LIGHTING ZONE 88 OF  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-  
CONSOLIDATED (HEREINAFTER "L&LMD NO. 89-1-C") AND LEVYING  
ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF  
LAND THEREIN WITHIN THE BOUNDARIES OF SAID ZONES AND  
STREET LIGHTING ZONES FOR FISCAL YEAR 2011-12

**2.2 County Service Area Charges for FY 2011-12**

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Public Works Director D'Zmura presented the staff report.

There being no speakers Mayor Swanson closed the public hearing.

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

RESOLUTION NO. 2011 - 40  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, ADOPTING COUNTY SERVICE AREA CHARGES FOR  
FISCAL YEAR 2011-12

**MOTION** carried, 5-0.

City Clerk Lee advised that Assistant City Manager Nordquist is not present in the Chambers yet for item #2.3, so item #2.4 will be taken at this time.

**2.4 Five-Year Capital Improvement Program and Measure A Expenditure Plan (FY 2011/12 to 2015/16)**

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Public Works Director D'Zmura presented the staff report.

There being no speakers Mayor Swanson closed the public hearing.

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

RESOLUTION NO. 2011- 42  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, ADOPTING A FIVE-YEAR CAPITAL  
IMPROVEMENT PROGRAM FOR FISCAL YEARS 2011/12 TO  
2015/16 AND AMENDING THE BUDGET FOR FISCAL YEAR  
2011/2012

**MOTION** carried, 5-0.

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

RESOLUTION NO. 2011 - 43  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, APPROVING THE MEASURE A  
EXPENDITURE PLAN FOR FISCAL YEARS 2011/12 TO 2015/16

**MOTION** carried, 5-0.

**A MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilman Walker, to approve the Measure A Expenditure Plan for Local Streets and Roads, and authorize the Public Works Director to submit the plans to the Riverside County Transportation Commission (RCTC); The Public Works Director or designee is also authorized to make adjustments to the Measure A Expenditure Plan, if needed, to reflect more current Measure A projections as obtained by RCTC.

**MOTION** carried, 5-0.

### **2.3 Trash Collection Services Liens**

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Assistant City Manager Nordquist presented the staff report.

There being no speakers Mayor Swanson opened the public hearing.

Councilman Cashman stated he does not think the Council should adopt this. It appears that if you are only one month in default they can place a lien on the property. There doesn't appear to be a minimum amount that triggers a lien. The contract with the waste haulers should spell this out.

Some of these liens are for services not provided, and that is not right because there could be no one living at the property. The contract should be reworked. Also, there is no exemption for self-haulers, and some of these properties could be on this lien list.

Mayor Swanson stated trash service is not automatic; it is something you sign up for.

Councilwoman Moore inquired if he had contacted Waste Management to ask all of these questions.

Councilman Cashman answered no because he heard it was a contractual obligation, and the contract would have to be looked at. He would like to know more about these liens.

Councilwoman Moore stated she did contact Waste Management and the list is from 2010, so it is not recent. Also, they can't stop picking up trash just because they are not paying their bill. As long as there is someone living there and putting trash out, they have to pick it up.

Councilman Cashman stated if there is no one living there they are still placing a lien on the property.

Mayor Swanson stated only if they signed up for service and then did not stop the service. You have to sign up for service and you also have to stop service.

Councilman Cashman stated there will be several people surprised to see this new lien on their property that the Council put there.

Councilwoman Moore stated these people have been notified several times to pay their bill, and they are not paying. They are very aware of this. She urged him to contact Waste Management.

Councilman Walker stated he is not in favor of putting liens on people's property. The trash hauler should take the trash cans away so they wouldn't be taking any more trash from the property and making the bill bigger.

Discussion ensued regarding the waste hauler contracts and how the lien process works; and have provisions in the contracts for self-haulers.

**A MOTION** was made by Mayor Pro Tem Benoit, seconded by

Councilwoman Moore, to adopt a Resolution entitled:

RESOLUTION NO. 2011 - 41  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, AFFIRMING SPECIAL ASSESSMENTS AND LIENS  
AGAINST PARCELS OF LAND FOR UNPAID AND DELINQUENT  
CHARGES FOR TRASH COLLECTION SERVICES TO BE PLACED ON  
THE PROPERTY TAX ROLLS

**MOTION** carried, 4-1, with Councilman Cashman dissenting.

### **3.0 GENERAL BUSINESS**

#### **3.1 Budget Reduction Plan**

City Clerk Lee read the title.

City Manager Oviedo presented the staff report. He reviewed the impacts that SB 89 has had on the City, and the impacts to the other three new cities, with the fiscal impact to Wildomar being \$1.8 million. Staff is recommending that \$1.5 million is reduced in the Police budget. Staff has met with representatives of the Sheriff's Department and all have mutually agreed that it is not ideal, but it has to be done. The Police contract is the biggest hit to the City's budget.

#### **SPEAKERS:**

Gary Andre, resident, stated he is not in favor of cutting the Planning Commission. It is too important to the community.

Monty Goddard, resident, stated he is concerned about the cut to law enforcement and feels it will be non-existent. He also suggested that the parks have fences around them that can be locked up at night.

Sheryl Ade, resident, with donated minutes from Gerry Stevenson, stated eliminating the Planning Commission is not good and dangerous. It is also contrary to the foundation principles of cityhood. None of the Council Members have any understanding of their lawful duties because if they had, there would not have been the lawsuits. She does not feel the Council has read the General Plan cover to cover as she has more than once. She does not agree with cutting the stipends of the Council and she feels it will restrict who can serve on the Council.

Martha Bridges, resident, stated everyone has a copy of the letter she submitted regarding the budget reductions. She is opposed to the massive cut in Police Services. It is essential to the community. The CFA stated we should have 25 officers by now. Cutting Police at this time is detrimental. We need to compare the ratio of Officers to the population, not hours. Also, what is "temporary", this has not been explained to the citizens. A hacksaw was taken to the budget and is not good for the public. The Planning Commission is absolutely essential to the community and should not be cut.

It was the consensus of the City Council to adjust the budget as follows:

<u>Department</u>	<u>Current Year</u>	<u>Recurring</u>
Police services	\$1,540,000	\$1,540,000
Fire	\$29,000	\$29,000
City Council-Eliminate Stipend	\$13,750	\$0
City Council-Medical Benefits	\$60,000	\$39,000
City Council-PERS Employee Share	\$1,100	\$1,100
City Council-1 Meeting Month	\$16,400	\$16,400
City Council-Meeting/Conferences	\$8,000	\$8,000
City Admin-Salary Reductions	\$17,600	\$22,800
City Admin-Unused Medical	\$14,400	\$14,400
City Clerk-Unused Medical	\$2,000	\$2,000
City Clerk-Defer Codification	\$20,000	\$20,000
Admin Services-Accounting	\$12,800	\$12,800
Admin Services-Meeting/Conferences	\$1,200	\$1,200
Non Departmental-SCAG Membership	\$3,000	\$0
Non Departmental-Lease	\$3,000	\$3,000
All Depts.-Cancel Life Insurance	\$15,000	\$15,000
Dev. Services – Contract bill rates	\$30,662	\$30,600
Planning Commission Merge	\$4,000	\$0
Planning/Building-Reduce hours	\$54,500	\$54,500
Code Enforcement-Reduce hours	\$10,500	\$10,500
Community Services	\$0	\$2,700

**A MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilman Walker, to adopt the budget reductions plan for the remainder of FY 2011-2012, as outlined.

**MOTION** carried, 5-0.

### **3.2 Review of Grants Received**

City Clerk Lee read the title.

City Manager Oviedo presented the staff report stating not all items listed are competitive grants, some are in-kind donations.

SPEAKERS:

Sheryl Ade, resident, stated she has concerns as to how this is being presented. Things that are not grants are being listed as grants. She also suggested that when using acronyms, please spell them out.

### **CITY MANAGER REPORT**

There was nothing to report.

### **CITY ATTORNEY REPORT**

There was nothing to report.

### **COUNCIL COMMUNICATIONS**

Councilman Cashman stated the 10 year anniversary of the Library is July 30.

Councilwoman Moore stated July 29 is Wildomar night at the Storm Stadium.

Councilman Walker stated he recently vacationed in Canada where there is a tax that the people are fighting. So they have their problems, just like we do.

Mayor Swanson stated she just returned from Italy where she travelled with Rotary. They visited various cities and met Mayors from all over.

### **FUTURE AGENDA ITEMS**

- \*Trails
- \*Regency Park and the School
- \*Planning Matrix – Planning Commission authority

\*Volunteer Citizen Patrol

**ADJOURNMENT**

There being no further business, at 8:24 p.m. Mayor Swanson declared the meeting adjourned.

Submitted by:

Approved by:



Debbie A. Lee, CMC  
City Clerk



Marsha Swanson  
Mayor