

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
AUGUST 8, 2012**

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

The regular meeting of August 8, 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 and Moore. Members absent: Councilwoman Swanson.

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 Kennedy-Smith, Assistant Police Chief Adams, and City Clerk Lee.

The Flag Salute was led by Councilman Cashman.

**PRESENTATIONS**

Green Com, Inc. presented the Clinton Keith interchange construction project update.

Mark Dennis, Public Affairs for Lake Elsinore Unified School District presented an update on bus transportation.

Chief Beach presented the Fire Department update.

**PUBLIC COMMENTS**

Zia Bossenmeyer, For the Animals Low Cost Spay and Neuter Clinic, stated they are currently mobile and are based out of Lake Elsinore. She gave an overview of the services they provide, and will be providing in the future.

Kristan Lloyd, Wildomar Historical Society, stated the property that the David A. Brown house was moved to has been put up for auction. The plans for the house are for it to become a museum for Wildomar's history. The Historical Society is asking the City Council for assistance with preservation efforts in the form of grants and monies for preservation that the City may be able to receive to assist with such efforts.

Jessica Lloyd, resident, thanked the City Council and Staff for allowing her to go forward with her Girl Scout project at the cemetery. She thanked the community and the businesses of the community for helping her complete the project. The project is now finished and she is now giving the benches to the community. She wished the community the best.

Tim Sigler-Smalz, Journey Christian Ministries, stated they had a fund raiser last week for Wildomar Parks. He thanked everyone for the efforts in preserving the parks for everyone in the community. He then presented the check to the Friends For Wildomar Parks.

George Wasenius, resident, stated he thanks everyone for the efforts regarding the parks. His concerns are safety issues on Bundy Canyon Road and would like the City to take action on Bundy Canyon Road.

Alyssa Lloyd, resident, stated she has been working on the cemetery directory as her Girl Scout project. She was to be done today, however some welding issues delayed the project. Everything is inputted and ready to be printed, and the map is done. She will finish the project before she leaves for College.

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

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

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

## **1.0 CONSENT CALENDAR**

Councilman Cashman requested to take item #1.6 and #1.7 separate.

## **ITEMS REMOVED FROM THE CONSENT CALENDAR**

### **1.6 Ordinance 70 Second Reading - Amendment to the Zoning Ordinance Related to Nonconforming Structures and Uses**

Councilman Cashman stated he likes the concept of grandfathering in businesses that were in Wildomar prior to incorporation; however the Ordinance is unclear as to what is being grandfathered in. He is asking again what is being grandfathered in.

Planning Director Bassi answered the Ordinance is not targeted toward a specific project. This Ordinance is City-wide, so any new business falls under these changes.

Councilman Cashman stated he cannot support the Ordinance because it doesn't state specifically which businesses it is targeting.

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

ORDINANCE NO. 70  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, ADOPTING AN EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION  
15061(B)(3) OF CEQA AND APPROVING ZONING ORDINANCE  
AMENDMENT NO. 12-01 AMENDING CHAPTER 17.184  
(NONCONFORMING STRUCTURES AND USES)

**MOTION** carried, 3-1-1, with Councilman Cashman dissenting, and Councilwoman Swanson absent.

**1.7 Safe Routes to School (SR2S) Program Grant**

City Clerk Lee advised there is a speaker on this item.

Gary Andre, resident, with donated time from Sheryl Ade, stated there is a walking/biking trail that is not showing on the correct side and there are additional trails that need to be taken into consideration. He gave handouts on how to build a trail correctly. He would like to get the plans reviewed and approved by the Planning Commission.

Councilman Cashman stated this was not pulled off the Consent Calendar even though there was a trails issue, so is the City considering this.

Public Works Director D'Zmura stated this item is limited to just accepting the grant monies for this project, it is not the design. The project presently is in the design concept stage and Staff is working with Mr. Andre and others to address the trails issue as well as other issues. When the design is complete, the plans will come back to the City Council for final approval. This is the process Staff has done on all previous sidewalks.

Mayor Pro Tem Walker stated this should have gone to the subcommittee so that these types of questions and concerns could be talked about.

A **MOTION** was made by Mayor Pro Tem Walker, seconded by Councilwoman Moore, to approve the remainder of the Consent Calendar as presented.

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

**1.1 Reading of Ordinances**

Approved the reading by title only of all ordinances.

**1.2 Minutes – June 27, 2012 Special Meeting**

Approved the Minutes as presented.

**1.3 Warrant and Payroll Registers**

Approved the following:

1. Warrant Register dated 07-05-12 in the amount of \$77,502.72;
2. Warrant Register dated 07-11-12 in the amount of \$74,583.54; 3;
3. Warrant Register dated 07-11-12 in the amount of \$598.59;
4. Warrant Register dated 07-19-12 in the amount of \$200,281.32;
5. Warrant Register dated 07-19-12 in the amount of \$899.89;
6. Warrant Register dated 07-26-12 in the amount of \$142,929.56;
7. Warrant Register dated 07-26-12 in the amount of \$17,059.81; &
8. Payroll Register dated 07-31-12 in the amount of \$44,747.06.

**1.4 Treasurer's Report**

Approved the Treasurer's Report for June, 2012.

**1.5 Ordinance No. 69 Second Reading– Amendment to the Zoning Ordinance – Mini-Warehouse/Self-Storage Uses**

Adopted an Ordinance entitled:

**ORDINANCE NO. 69**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3) OF CEQA AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 12-02 AMENDING CHAPTER 17.72 (C-1/C-P ZONE) TO PROHIBIT MINI-WAREHOUSE/SELF-STORAGE FACILITIES; AND AMENDING CHAPTERS 17.96 (I-P INDUSTRIAL-PARK ZONE), 17.100 (M-SC MANUFACTURING-SERVICE COMMERCIAL ZONE), 17.104 (M-M MANUFACTURING-MEDIUM ZONE) AND 17.108 (M-H MANUFACTURING-HEAVY ZONE) TO REQUIRE A CONDITIONAL USE PERMIT FOR MINI-WAREHOUSE/SELF-STORAGE USES SUBJECT TO THE DEVELOPMENT STANDARDS OF SECTION 17.240

**1.7 Safe Routes to School (SR2S) Program Grant**

Accepted a State-Legislated Safe Routes to School (SR2S) Program Grant; and adopt a Resolution entitled:

RESOLUTION NO. 2012 - 35  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, AMENDING THE FISCAL YEAR  
2012/13 BUDGET AND RELATED CAPITAL IMPROVEMENT  
PROGRAM TO REFLECT THE ACCEPTANCE OF THE  
CALTRANS SAFE ROUTES TO SCHOOL GRANT AWARD  
TOTALING \$170,800 FOR THE GRAND AVENUE  
BIKE/PEDESTRIAN SIDEWALK SAFETY IMPROVEMENT  
PROJECT

**2.0 PUBLIC HEARINGS**

**2.1 Trash Collection Services Liens**

City Clerk Lee read the title.

Mayor Benoit opened the public hearing.

Assistant City Manager Nordquist presented the staff report and reviewed the revised staff report which was given to each Council Member and the public.

Discussion ensued regarding the self-hauler exemption.

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

Discussion ensued regarding the different amounts due between the two haulers and why the late charges have gone for so long.

It was the consensus of the City Council for Staff to look into a self-hauler exemption and bring it back to the City Council for review.

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

RESOLUTION NO. 2012 - 36  
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, 3-1-1, with Councilman Cashman dissenting, and Councilwoman Swanson absent.

**2.2 Save Wildomar Community Parks Funding Measure**

City Clerk Lee read the title.

Mayor Benoit opened the public hearing.

Assistant City Manager Nordquist presented the staff report.

Councilman Cashman inquired if this would be on all parcels, or just those parcels that are occupied.

Assistant City Manager Nordquist answered all parcels.

**SPEAKERS:**

Sheryl Ade, resident, stated on the Resolution, second "Whereas", the word "permanently" should be deleted as it is not correct. In the Staff Report it states that there is 77% support for a park assessment and that is not truthful. Also, in the Ordinance it speaks of an Oversight Committee and she feels it is redundant. There will be an independent annual audit and a Finance Director and the Oversight Committee is to advise the Council on expenditure of revenues, and she feels this is the job of the Finance Department. She would like clarification of this section.

Ray Addington, resident, with time donated from Elizabeth Addington, stated a 10 year old boy named Brandon lost his life in a drainage ditch in which he was playing because at the time the parks were all closed. He supports parks and is part of Friends For Wildomar Parks. The City needs this assessment to ensure that the parks will be open.

Kristen West, resident, with time donated from Kristan Lloyd, stated she is in favor of the parks measure. She supports all aspects of the measure. She reviewed what Friends For Wildomar Parks has been doing in keeping Marna O'Brien park open. She stated there may be more support if the monies could also be used for horse trails.

John Lloyd, resident, stated Wildomar's property values were about 15% lower than Murrieta's when the parks were closed. When the parks reopened, Wildomar's property values came up and equaled those of Murrieta. Since the closing of the two parks, and barely keeping Marna O'Brien Park open, property values went back down 15%. It shows that parks are important whether you go to the park or not, it does affect your property values.

Isabel Andino, Friends For Wildomar Parks, stated there has been tremendous support for Marna O'Brien park. She related the efforts at the park.

City Clerk Lee stated she has slips from those not wishing to speak, but are in favor: Lonita Palius, JoAnn Honeycutt, Theresa Bush, and Van Wilfinger. There were also numerous emails received of which the Council received a copy, and also new emails as well.

James Bush, resident, stated that he is in favor of the parks assessment.

**A MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to delete the word "permanently" in the second "Whereas" of the Resolution, and adopt a Resolution entitled:

RESOLUTION NO. 2012 - 37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, SUBMITTING ON THE CITY COUNCIL'S OWN MOTION, TO THE QUALIFIED ELECTORS A PROPOSED ORDINANCE CREATING THE SAVE WILDOMAR COMMUNITY PARKS FUNDING MEASURE AND MAKING FINDINGS THAT THE ACTION IS NOT SUBJECT TO OR IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER 14 CALIFORNIA CODE OF REGULATIONS SECTIONS 15378(B)(4), 15301 AND 15061(B)(3)

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

### **3.0 GENERAL BUSINESS**

#### **3.1 Consideration of Resolutions Relating to a Special Tax to Establish the Save Wildomar Community Parks Funding Measure**

City Clerk Lee read the title and then presented the staff report.

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

RESOLUTION NO. 2012 - 38  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO THE APPROVAL OF A LOCAL PARCEL TAX MEASURE TO SPECIFICALLY BENEFIT WILDOMAR PARKS; REQUESTING THE COUNTY TO CONSOLIDATE THE ELECTION WITH THE STATEWIDE ELECTION TO BE HELD ON THAT DATE; AND REQUESTING THE SERVICES OF THE REGISTRAR OF VOTERS

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

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

RESOLUTION NO. 2012 - 39  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

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

RESOLUTION NO. 2012 - 40  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

**3.2 Appointment of Ad Hoc Committee to Draft Support Argument for Community Parks Measure**

City Clerk Lee read the title.

City Manager Oviedo presented the staff report.

**A MOTION** was made by Mayor Pro Tem Walker, seconded by Councilwoman Moore, to appoint Mayor Benoit and Mayor Pro Tem Walker to serve on an Ad Hoc Committee to draft an argument in support for the Community Parks Measure on the November ballot and the remaining City Council Member's affirmed their names may be used on the argument once it is complete and submitted to the City Clerk.

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

**3.3 Communications Contract Amendment**

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report.

Sheryl Ade, resident, stated she is in opposition to this amendment.

Gil Rasmussen, Wildomar Magazine, stated he is in opposition to this proposal. The political reality is the proposed tax will not pass and yet the City spends more money in the hope that it will.

Maria Walker, resident, stated she is in favor of the proposal. This is a professional way to do this and she wants parks for the kids and the communities.

Veronica Langworthy, resident, stated she is in favor of the proposal and is a great professional way to do this. The City needs to move forward and open all the parks for the kids.

Kristen West, resident, stated she is in favor of the proposal, however the amount of money sounds excessive, as does the cost per brochure.

John Lloyd, resident, stated he is in favor of the proposal. It is very important to educate the community.

Kristan Lloyd, resident, stated she is in favor of the proposal. At the last

election she was hearing that since the City did not do anything it appeared that the City was not on board with the proposed tax.

James Bush, resident, stated \$35,500 is a lot of money. The citizens have to rely on the City to ensure there is good content in the brochures.

Mayor Benoit showed a sample of what the Lew Edwards Group have done for the City of Desert Hot Springs. Last time the City did a tri-fold flyer that was available at City Hall, it was not mailed out.

Councilman Cashman inquired how the three mailers will be done during the election cycle.

Dave Mason, Lew Edwards Group, answered one will go out before absentee voters receive their ballots, and the other two would be between the time voters receive their absentee ballots and election day.

Discussion ensued regarding the timing of the mailings.

Councilman Cashman stated he would like the City to do this, but it appears we don't have the resources, so he will support hiring a firm. Wildomar is not like other cities and there are groups of people who have, to them, legitimate concerns. You will need to listen to them and take their concerns into consideration.

Councilwoman Moore stated this is a huge decision. There was maybe 20 people total who volunteered for the undertaking last time. Also, the \$28 can only be used for parks and the State cannot take it away. This is not an issue about her and her re-election campaign as has been said by some. Councilwoman Swanson brought the park issue up, not her. This proposal must go forward as the biggest complaint from the public was they didn't know about the Measure. This is the absolute last shot at this assessment and we need professional mailers.

Mayor Pro Tem Walker stated we need a professional to handle the education portion.

**A MOTION** was made by Mayor Pro Tem Walker, seconded by Councilwoman Moore, to approve an amendment to the Lew Edwards Group Contract for Communication Services in the amount of \$35,500.

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

### **3.4 Community Communication Outreach Program**

City Clerk Lee read the title.

City Manager Oviedo presented the staff report.

George Taylor, Farm Property Owners Associations, stated he will have this item on the HOA agenda for tomorrow night. He read a letter from the HOA Board of Directors. The Board is directed by their governing documents and they are a private community. They do not allow outside communication at their meetings.

Sheryl Ade, resident, stated apparently the City's website and Facebook page are not working. She recommends that the Council go back to having two meetings per month. Also, she does not like being characterized as a nay-sayer and negative.

Councilwoman Moore stated, by way of background, she was contacted by a Farm resident who didn't feel communication from the City was getting to the Farm. It was suggested to get a monthly article in the Farm newsletter regarding the Council meetings and it would not be political.

Mayor Pro Tem Walker stated there are folks out there that don't look at the website or Facebook. This would be another avenue, but also people need to take the responsibility to keep informed.

Mayor Benoit stated the HOAs can be told that there are regular updates on the website, and then it is up to them whether or not they wish to include any information in their newsletters.

It was the consensus of the City Council to direct Staff to work with City of Wildomar Homeowners Associations, neighborhoods, and residents in general, in an effort to ensure City information is properly disseminated and communication regarding neighborhood issues and concerns are heard through a coordinated effort.

### **3.5 Establishing a City of Wildomar and City of Lake Elsinore Subcommittee**

City Clerk Lee read the title.

City Manager Oviedo presented the staff report.

Mayor Benoit stated he would like to serve on the subcommittee and he recommends the other member be Mayor Pro Tem Walker since he is slated to be Mayor next year.

Councilwoman Moore stated she is not interested in being on the subcommittee, however, Councilwoman Swanson stated she would like to be on the subcommittee.

**A MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to appoint Mayor Benoit and Mayor Pro Tem Walker to meet as a subcommittee with the City of Lake Elsinore for the purpose of coordinating common policy issues between the two bordering cities.

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

### **3.6 Public Nuisance Abatement Program**

City Clerk Lee read the title.

City Manager Oviedo presented the staff report.

Assistant Police Chief Adams related the events regarding one of the properties where there has been significant calls for service.

**A MOTION** was made by Councilman Cashman, seconded by Mayor Pro Tem Walker, to appropriate \$20,000 from the City's reserves to fund the abatement of certain nuisance properties that have not responded to the City's efforts to obtain voluntary compliance.

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

### **3.7 Ordinance Repealing the City's Ordinance Creating a Redevelopment Agency**

City Clerk Lee read the title.

City Attorney Jex presented the staff report.

**A MOTION** was made by Mayor Pro Tem Walker, seconded by Councilwoman Moore, to adopt an urgency Ordinance entitled:

ORDINANCE NO. 72  
AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

WILDOMAR, CALIFORNIA, REPEALING ORDINANCE 08-11 CREATING  
THE REDEVELOPMENT AGENCY FOR THE CITY

**MOTION** carried, 4-0-1, with Councilwoman Swanson absent.

**CITY MANAGER REPORT**

City Manager Oviedo reported the following:

1. The sidewalk at Ronald Reagan Elementary School will be open on Monday. The only portion that will not be open is the asphalt which will complete the roadway.
2. VLF meetings were held between the new cities and the League.

City Clerk gave an update on the nomination period and as of today there are two official candidates, and two potential candidates coming in later in the week.

**CITY ATTORNEY REPORT**

City Attorney Jex stated he City Council has to be very careful now that a Measure is to be placed on the ballot. There are rules and regulations regarding what the Council can and cannot do. He will redistribute the memo he had previously sent out regarding this topic.

**COUNCIL COMMUNICATIONS**

Councilwoman Moore stated she had attended the Autism Task Force meeting. RTA is launching a new service targeting the disabled. She will also be attending the meeting tomorrow night regarding Nevada Hydro.

Mayor Pro Tem Walker stated he attended the Chamber Breakfast where Sheriff Sniff was the speaker.

Mayor Benoit stated he did attend the WRCOG meeting. Also the meeting with the League of California Cities regarding the VLF funds went well.

**FUTURE AGENDA ITEMS**

- \*Brown House
- \*JPA with Murrieta and Temecula

**ADJOURN THE CITY COUNCIL**

There being no further business, Mayor Benoit declared the meeting adjourned at 9:33 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC  
City Clerk



Ben J. Benoit  
Mayor