

**CITY OF WILDOMAR
CITY COUNCIL REGULAR COUNCIL MEETING MINUTES
AUGUST 11, 2010**

The regular meeting of August 11, 2010, of the Wildomar City Council was called to order by Mayor Moore at 7:00 p.m.

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

Staff in attendance: City Manager Oviedo, Assistant City Manager Nordquist, City Attorney Biggs, Engineering Supervisor Crawford, Planning Director Hogan, Police Chief Fontneau, Fire Chief Beach, and City Clerk Lee.

A moment of silence was observed and the flag salute was led by Council Member Farnam.

PRESENTATIONS

Martha Bridges, Butterfield Trails Committee President, made a presentation outlining what the Committee has been working on and what they are striving to accomplish in the future.

Veronica Langworthy presented the Library update.

Chief Beach presented the Fire Department monthly report.

Community Services Director Willette presented the Community Services monthly report.

Henry Silvestre presented the Chamber of Commerce monthly update.

PUBLIC COMMENTS

Donald Lambert, Murrieta resident, stated he has researched the medical marijuana issue. There is still stigma against this and he stated that he supports the issue.

Gerald Hall, resident, presented reports regarding medical marijuana and the danger of them. He is opposed to medical marijuana and urged the citizens of the city to voice their opposition or agreement, but to talk with the City Council.

Anthony Karapetyan, Love Earth Recycling in Wildomar, stated they are providing a needed service to the citizens and the City. They are having issues with the City regarding zoning and Code Enforcement and asked the City Council to support them in their efforts to stay in the City.

Mayor Moore stated she did receive a phone call and email while she was on vacation. She has asked for a meeting with all parties and Planning Director Hogan. This meeting will be set in the very near future.

Danielle Soto, SCAQMD, stated she is the new representative in the County and wanted to introduce herself to the City.

Ted Wegener, Menifee resident, stated he feels the medical marijuana issue is not good for the City. There will be a bad element coming into the City related to it. Additionally, it is not federally legal.

Steve Robinson, Love Earth Recycling, stated he is in support of the recycling business. He is the owner of the property and he feels it is a needed facility.

Diane O'Malley, resident, spoke regarding the election in November.

APPROVAL OF THE AGENDA AS PRESENTED

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to approve the agenda as presented.

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

1.0 CONSENT CALENDAR

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to approve the Consent Calendar as presented.

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

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – July 28, 2010 Regular Meeting

Approved the Minutes as submitted.

1.3 Warrant Registers

Approved the following Warrant Registers:

1. Dated July 30, 2010 in the amount of \$233,255.97; and
2. Dated August 5, 2010 in the amount of \$631,773.48.

2.0 PUBLIC HEARINGS

2.1 Establishing Code Enforcement Vehicle Parking Fee Schedule (Cont. from 07-14-10)

City Clerk Lee presented the item.

Mayor Moore opened the public hearing.

Assistant City Manager Nordquist presented the staff report.

There being no speakers Mayor Moore closed the public hearing.

Council Member Ade, referencing Exhibit A2, the \$292.09 subsidy, asked that it be explained.

Assistant City Manager Nordquist stated the total service cost is \$347.09 and the fine would be \$55, therefore the subsidy would be \$292.09 per violation.

Council Member Ade stated there will most likely be more than 5 violations and she feels the number is very low. She feels this may be cost prohibitive due to the subsidy.

Assistant City Manager Nordquist clarified the costs and stated that there is no history to go back on since the City is so new.

Council Member Cashman inquired about public and private streets and what the City can legally do. He would like the regulation to address larger properties on public roads.

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to adopt Resolution No. 2010 - 42 as presented.

Roll call vote: Ayes – 4; Nays – 1, Council Member Cashman. Motion carried.

RESOLUTION NO. 2010 - 42
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING FINES FOR CERTAIN PARKING
VIOLATIONS CONTAINED IN CHAPTER 12.20 OF THE WILDOMAR
MUNICIPAL CODE

2.2 Community Service Area Charges for FY 2010-11

City Clerk Lee presented the item.

Mayor Moore opened the public hearing.

Supervising Engineer Crawford presented the staff report.

There being no speakers Mayor Moore closed the public hearing.

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to adopt Resolution No. 2010 - 43 as presented.

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

RESOLUTION NO. 2010 - 43
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ESTABLISHING COMMUNITY SERVICE AREA
CHARGES WITHIN THE CITY FOR FISCAL YEAR 2010/11

2.3 Wildomar Square Extension of Time – CUP 08-0072

City Clerk Lee presented the item.

Mayor Moore opened the public hearing.

Planning Director Hogan presented the staff report.

Discussion ensued regarding how extensions are given.

SPEAKERS:

Gina Meador, resident, stated she does not oppose the project. She and her neighbors would like an impact report on the traffic at Hidden Springs and Clinton Keith.

David Horenstein, DH Holdings (Developer), stated he appreciates the

support. He appreciates that the Council is considering the time extension as he feels it will help the project.

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

Discussion ensued regarding extensions and whether to consider them on a case by case basis, or give all projects an extension.

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to adopt Resolution No. 2010-44.

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

RESOLUTION NO. 2010 - 44
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING AN EXTENSION OF
TIME FOR CONDITIONAL USE PERMIT 08-0072 FOR THE
WILDOMAR SQUARE SHOPPING CENTER LOCATED AT THE
SOUTHEAST CORNER OF CLINTON KEITH AND HIDDEN
SPRINGS ROADS, AND KNOWN AS ASSESSOR'S PARCEL NO.
380-110-045

It was the consensus of the City Council to direct Staff as follows:

The City Council would like to adopt an Ordinance allowing for a one time automatic three year extension for any conditional use permits, upon request of the Developer, and determination by the Planning Director that no change has occurred. There would be an appeal process in the Ordinance as well.

3.0 GENERAL BUSINESS

3.1 Five Year Capital Improvement Program (FY2010-11 to 2014-15)

City Clerk Lee presented the item.

Public Works Director Kashiwagi presented the staff report.

Discussion ensued regarding the LED lights and light scattering.

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to adopt Resolution No. 2010 – 45 as presented.

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

RESOLUTION NO. 2010 - 45
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT
PROGRAM FOR FISCAL YEARS 2010/11 TO 2014/15 AND AMENDING
THE FISCAL YEAR 2010/11 BUDGET

3.2 E-Verify Program Discussion

City Clerk Lee presented the item.

City Manager Oviedo presented a brief report.

Discussion ensued regarding enforcement; the City not having a business license program.

Gerald Hall, resident, stated the E-Verify program will return jobs back to legal citizens of the United States. He outlined options as to how the City could implement the program.

Ted Wegener, Menifee resident, stated that when they came to the Council with this item they did not realize Wildomar did not have a business license, which is key. Wildomar could put a check box on the registration form regarding e-verify.

It was the consensus of the City Council to insert into any contract that they will abide by the E-Verify program.

3.3 Economic Development Subcommittee Work Plan

City Clerk Lee presented the item.

City Manager Oviedo presented the staff report.

Discussion ensued regarding farming and dairy.

Diane O'Malley, resident, stated she does not feel the City can afford to hire an Economic Developer to implement this program.

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to approve the Ad Hoc Economic Development

Subcommittee work plan and ask the Subcommittee to report back to the City Council quarterly on progress from each of the goals outlined in the plan.

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

3.4 City of Wildomar Personnel Rules

City Clerk Lee presented the item.

City Manager Oviedo presented the staff report stating Staff would like this item to be continued for further research.

It was the consensus of the City Council to continue this item to the next regular meeting.

3.5 Ballot Argument for Measure R

City Clerk Lee presented the item.

City Attorney Biggs stated there is an error in the last sentence and should read "...so that Wildomar will be in compliance with...".

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to approve the amended ballot argument to appear in support of Measure R on the November 2, 2010 ballot.

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

CITY MANAGER REPORT

City Manager Oviedo stated the City Clerk has an update on the Council candidates.

City Clerk Lee advised there are six verified candidates for the November 2, 2010 election: Ben Benoit, Marsha Swanson, Martha Bridges, Kristan Lloyd, Sheryl Ade, and Tim Walker. Additionally, there is one person who filed at the deadline, Ruben Hernandez, and the Clerk's Office is awaiting word from the Registrar's Office if he qualified.

City Manager Oviedo inquired if the Council would like to go dark for the next meeting on August 25.

It was the consensus of the City Council that if there is no pressing business, to cancel the August 25 meeting.

City Manager Oviedo stated all that is going on with various organizations regarding the fallout from the City of Bell's Manager and Council salaries and benefits. He stated that his contract is an open, public record and can be received through a request with the Clerk's office.

CITY ATTORNEY REPORT

City Attorney Biggs stated her attorney firm is not involved with Bell in any way. She did participate in a radio talk show regarding this issue. This issue needed the input of the community, which were not present. They also need a newspaper, which they do not have.

COUNCIL COMMUNICATIONS

Council Member Cashman stated he was just on a business trip in Indiana and he was thankful to get back to Wildomar as he likes the small town atmosphere and not the big city.

Mayor Pro Tem Swanson thanked the Economic Development Subcommittee putting together a plan and not spending money on it.

Council Member Ade stated she would like it if City Council Members and Planning Commissioners refrain from wearing any type of "Vote for me" badges during the meeting during the election cycle.

City Attorney Biggs stated she will get a memo to the Council regarding this issue as it comes up in every City.

Council Member Farnam stated, regarding AB811, he does not think applications will be available in September as there are issues regarding the implementation.

Mayor Moore stated when she returned home after vacation she was saddened to find that Council Member Farnam would not be seeking re-election. She then wished all the candidates the best of luck in the Council election and hoped that campaigning would be in a fair, honest, non-smearing way. She stated that the

Mayor's Ball will be held on September 18 at Marna O'Brien Park. The proceeds will go into Wildomar Emergency Preparedness and the theme of the evening is summer memories. She thanked Mayor Pro Tem Swanson for her leadership during the time she was on vacation.

FUTURE AGENDA ITEMS

- *Draft Plan of Old Town Wildomar
- *Add trucks to the Municipal Code
- *Towing fees
- *Business License Program

ADJOURNMENT

There being no further business, at 9:35 pm. Mayor Moore declared the meeting adjourned.

Respectfully submitted,



Debbie A. Lee, CMC
City Clerk