

**REGULAR MEETING
CITY OF WILDOMAR
CITY COUNCIL
AUGUST 27, 2008**

The regular meeting of the Wildomar City Council was called to order by Mayor Robert Cashman at 7:00 P.M. at Wildomar City Hall, Council Chambers.

Roll Call showed the following Council Members in attendance: Mayor Robert Cashman, Council Members Bridgette Moore, Sheryl Ade, Scott Farnam and Marsha Swanson.

Staff in attendance: City Manager John Danielson, City Attorney Julie Hayward Biggs, Gary Wayne, Planning Director, Michael Kashiwagi Development Services Director and City Clerk Sheryll Schroeder.

FLAG CEREMONY: The Flag Ceremony was given by Boy Scout Troop 332

INVOCATION: Mayor Cashman gave the invocation.

APPROVAL OF AGENDA:

Council Member Moore moved to approve the agenda, seconded by Council Member Swanson, seconded the motion. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

PRESENTATION:

Council Member Moore presented certificates to various community members involved in the incorporation efforts from the California Legislature and Board of Supervisors.

Mona Davies gave a presentation on behalf of the Community Outreach Ministry.

COMMUNICATIONS FROM THE PUBLIC:

Roger LeClerc addressed Council regarding various subjects; zip code 92530 consider a Wildomar district, voting yes on Proposition 2, cold winter shelter for homeless.

Darrin Ruble did not wish to speak.

CONSENT AGENDA:

Council Member Moore moved to approve the Consent Calendar, Items 1 – 5, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

1. Approved the reading by title only of all ordinances.
2. Approved the regular City Council minutes dated August 13, 2008.
3. Approved the Warrant Register dated August 19-20, 2008 in the amount of \$178,600.84.
4. Adopted Ordinance No. 15 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CONSOLIDATING THE CITY'S GENERAL MUNICIPAL ELECTIONS WITH THE STATEWIDE GENERAL ELECTION AND ESTABLISHING THE DATE OF THE CITY'S FIRST GENERAL MUNICIPAL ELECTION (Introduced at the August 13, 2008 meeting, Item 4.2)
5. Adopted ORDINANCE NO. 16 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, RELATING TO THE ESTABLISHMENT OF A PLANNING COMMISSION REPEALING AND THEN ADDING REPLACEMENT MUNICIPAL CODE SECTION 17.04.040 (Introduced at the August 13, 2008 meeting, Item 4.4)

GENERAL BUSINESS ITEMS:

6. Review and consider introduction of an ordinance that adopts certain titles of the Riverside County Code and codifies those adopted titles in the Wildomar Municipal Code.

ORDINANCE NO. 18 (Introduction) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING BY REFERENCE PORTIONS OF THE RIVERSIDE COUNTY CODE AS THE WILDOMAR MUNICIPAL CODE, INCLUDING THOSE PORTIONS THAT ADOPT BY REFERENCE THE FOLLOWING SECONDARY CODES: UNIFORM ADMINISTRATIVE CODE, 2001 CALIFORNIA BUILDING CODE, UNIFORM HOUSING CODE, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 2001 CALIFORNIA MECHANICAL CODE, 2001 CALIFORNIA PLUMBING CODE, UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2001 CALIFORNIA ELECTRICAL CODE, UNIFORM SIGN CODE, AND UNIFORM CODE FOR BUILDING CONSERVATION (Public Hearing scheduled for September 10, 2008)

City Attorney Biggs presented the staff report.

Mayor called for public comments, none being heard.

The City Clerk read the title of Ordinance No. 18.

Council Member Moore moved to introduce Ordinance No. 18 as read and schedule a public hearing for September 10, 2008, seconded by Council Member Swanson. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

7. Review and provide direction on the public request to reopen Wesley Street for public use, between Palomar Street and Como Street.

Michael Kashiwagi, Development Services, presented the staff report.

Mayor Cashman called for public comments.

Mary Ann Mealey spoke in favor of reopening Wesley Street.

Gary Andre supported reopening Wesley Street.

Jerry Cocess spoke in opposition of the reopening of the street.

Council Member Swanson noted the condition to allow the property to be split to smaller sizes was placed on the property by the County thirty years ago. She said the City could not pave all the dirt roads in the City but she was in favor of removing the fence.

Council Member Moore asked if the Fire Department was contacted to get their opinion on opening the street. Mr. Kashiwagi noted that they had not been contacted and Council Member Moore requested their input.

Council Member Farnam moved that letters be sent to property owners and to residents of the Windmill track, perform due diligence and return the item to Council.

Council Member Ade seconded the motion.

Council Member Farnam explained that he supported private property rights and wanted the residents to express their views. He also wanted to hear from the Sheriff and Fire Departments.

Council Member Ade agreed and noted that Palomar was due to be widened and the line of sight would be addressed at that time.

Mayor Cashman said he wanted to make sure the property rights of the people were protected. He explained that there were questions about whether the twenty-five year rule had been exceeded and whether all the dedications were invalid.

Council Member Swanson agreed that the Council needed to hear from the residents but also from emergency services.

Roll Call on the motion that letters be sent to property owners and to residents of the Windmill track, perform due diligence and return the item to Council: vote: - Ayes: 5, Nays: 0. Motion Carried.

8. Report on and consider the City's position on the re-designation of the City Community Trails and the addition of two critical linkages.

Gary Andre, Trails Commissioner, gave a power point presentation of the current trails and the two linkages.

Planning Director Gary Wayne presented the staff report. He added that the General Plan would need amending, which would take considerable time and could only be amended four times a year.

Council Member Ade moved to direct the City Manager to send a letter to the Board of Supervisors acknowledging the Council's support of the redesignation of the City's community trails to regional trails and support the addition of two critical linkages. Motion seconded by Council Member Moore. Roll call vote: - Ayes: 5, Nays: 0. Motion Carried.

9. Review and consider adoption of a Resolution adopting a Conflict of Interest Code.

RESOLUTION NO. 08-61 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A CONFLICT OF INTEREST CODE

City Attorney Biggs presented the staff report.

There were no public comments.

Council Member Moore moved to approve Resolution No. 08-61, seconded by Council Member Ade. Roll call vote: - Ayes: 5, Nays: 0. Motion Carried.

10. Consider initiation of the application process for membership in the Board of the Western Riverside County Regional Conservation Authority (WRCRCA) and the Riverside County Habitat Conservation Agency (RCA).

Planning Director Wayne presented the staff report, there were no public comments.

Council Member Swanson moved to authorize the City Manger to apply for membership in the Board of the Western Riverside County Regional Conservation Authority (WRCRCA) and the Riverside County Habitat Conservation Agency (RCA). Motion seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

By census, Mayor Cashman was selected as the City's representative to the WRCHCA and Council Member Farnam as the alternate."

11. Consider the request from the Wildomar Community Council Street Fair and Car Show dated August 3, 2008.

Development Services Director Michael Kashiwagi introduced the staff report.

Public Comments:

John Lloyd spoke in favor of the request and explained the corrected request for financial participation was reduced from \$1,427 to \$677.

Kami Sabetzadeh added his support for the request and the Fair.

Sharon Heil spoke in favor of the request.

Nancy Noble and Edy Rodarme did not wish to speak

Various Council Members expressed concern over the request for financial assistance, citing a possible precedent.

Chief Fetherolf noted that the request to close Mission Trail had not been reviewed by safety forces. He explained that if this was a City sponsored event, the City would accept the liability and the cost of safety forces.

Council Member Ade noted her concern that there was no mechanism in place to receive and review requests and allocate the City's total dollar amount for financial assistance and she requested a moratorium on future requests.

Council Member Farnam felt that the City could make an exception in this case, approve with a not to exceed amount and review future requests for financial assistance on a case by case basis.

Council Member Moore moved to approve the request and at that time there was not an amount to exceed. She said Council Member Swanson then made an amendment to the motion, Council Member Ade then made a substitute motion. She requested that the amendment motion and substitute motion be added to the minutes.

Council Member Moore moved to support the Wildomar Community Council Fair and car show in the amount of \$677.50, seconded by Council Member Swanson.

Council Member Swanson moved to approve the financial support not to exceed \$1,500 and if more, the remainder should come out of the funds raised.

Ade amended the motion, if approved, do a moratorium until mechanism in place for future.

Council Member Moore moved to support the request of the Wildomar Community Council street fair and car show in an amount not to exceed \$1,500 and a moratorium on future events until a mechanism is in place. Seconded by Council Member Swanson. Roll Call Vote: - Ayes: 4, Nays: 1, Council Member Farnam. Motion Carried

12. Consider request to authorize the City Manager to negotiate a contract with Terry Fitzwater for management of Administrative Services for the City of Wildomar in an amount not to exceed \$8,500 per month.

City Manager Danielson offered the staff report.

Public Comments:

Gina Castanon spoke in opposition to the request.

Council Members expressed desire to have the City Manager offer a request for proposals for these services to secure the best service at a fair and equitable cost.

Council Member Ade moved to approve the request of the City Manager, seconded by Council Member Swanson. Roll Call vote: - Ayes: 3: Nays: 1, Council Member Moore, Abstention: 1, Council Member Farnam. Motion Carried.

CITY COUNCIL COMMENTS:

Council Member Moore thanked Albertsons for the donation of the cake for this evening's first Council meeting in the City Hall.

Various Council Members thanked staff for their efforts.

Council Member Ade reported on a recent code enforcement activities behind the Albertsons store. She added that John Boyd, code enforcement officer, would be willing to attend a meeting once a month to provide an update.

Mayor Cashman advised of a meeting of the Five Centers Cultural Park, August 28, 2008 at 7:00 P.M. at the Library. He thanked staff for recent efforts at the Ronald Reagan School.

CITY MANAGER REPORT:

City Manager John Danielson explained that Terry Fitzwater and he had been working on a benefits analysis and he asked for two Council Members to volunteer to assist in evaluating the final two teams. Council Member Ade and Council Member Swanson volunteered.

Mr. Danielson advised that he had invited the fire and law enforcement to attend a meeting once a month to provide an update. After some discussion, it was agreed to have the fire and law enforcement at the beginning of the first meeting of each month and code enforcement at the last meeting of the month.

Chief of Police, Lewis Fetherolf, introduced Lieutenant Shelly Kennedy Smith, patrol division manager. Lieutenant Smith gave a brief history of her career. Chief Fetherolf noted that for the first seven weeks of incorporation, they surpassed the 2,750th call for service in the City. He explained the contract was still being reviewed by legal counsel.

CITY ATTORNEY REPORT:

City Attorney Julie Hayward Biggs reported the Ste. Marie case verses the City of Wildomar had been won and that Mr. Marie had filed a request for a new trial. The motion was pending and counsel was responding accordingly. In addition, she said, she had been asked by the County of Riverside to assist in some of their work in regard to the case by Mr. Ste. Marie in the case against LAFCO and unless there was other direction from the City, she would play a supporting role in that action.

FUTURE AGENDA ITEMS:

Council Member Swanson spoke about a group called "Search Dogs of Riverside County" and she wished to have them make a short presentation to Council.

Council Member Moore requested membership in AQMD be on one of the September agendas. Mr. Kashiwagi said it would be on the September 10th agenda.

Council Member Farnam said he thought Council agreed to return to the visioning process in September which would include the logo and branding. He felt that Council might be able to look at some design guideline changes, ridgeline ordinances and hillside plant material. He wished to agendize that for September. He also wish to agendize franchise fees, vendors and the revenue generated. He wished to add to a future agenda the possibility of a flag pole in the front planter of City Hall. He asked for costs of blinds of tinting of the windows of the Council Chambers by next meeting. He finalized by asking for an educational presentation on redevelopment. Council Member Ade noted that the subcommittee on visioning, her and Council Member Farnam, need to get back together.

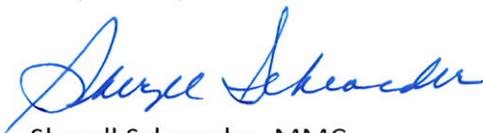
Council Member Ade noted that September 1, 2008 was the deadline for applications for the Planning Commission. She wanted that on the next agenda. She reiterated that Council had asked staff for a status on the request for a white paper on redevelopment.

ADJOURNMENT:

No further business to come before the Council, Council Member Moore moved to adjourn, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0.
Motion Carried.

The regular meeting of the Wildomar City Council adjourned at 9:15 P.M.

Respectfully submitted:



Sheryll Schroeder, MMC
City Clerk