

**CITY OF WILDOMAR
CITY COUNCIL MEETING MINUTES
SEPTEMBER 23, 2009**

The regular meeting of September 23, 2009, of the Wildomar City Council was called to order by Mayor Farnam at 7:00 p.m.

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

Staff in attendance: City Manager Oviedo, City Attorney Biggs, Public Works Director Kashiwagi, Planning Director Hogan, Finance Director Nordquist, Fire Chief Beach, Police Chief Cleary, and City Clerk Lee.

The Flag Salute was led by Council Member Cashman.

PRESENTATIONS

Mayor Farnam and Mayor Pro Tem Moore presented certificates of appreciation to the Cub Scouts who volunteered their time this past summer working with special education kids.

PUBLIC COMMENTS

Henry Silvestre, resident, presented the Mayor with a tee shirt from the Mayor of Baja, Mexico.

Diana Autumn, Anne Sullivan Nursery School, stated recently the Planning Commission approved an expansion of their facility. They are currently trying to get funding for this. They went to the County for CDBG funds and they sent them back to the City. She urged the City to apply for these funds.

APPROVAL OF AGENDA AS PRESENTED

City Clerk Lee stated that Staff has requested that items 3.2 and 3.3 be pulled and tabled.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to table items 3.2 and 3.3 and approve the agenda as amended.

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

ITEMS PULLED AND TABLED FROM THE AGENDA

- 3.2 Adopt Resolution No. 09-66 Authorizing the City Manager or His Designee to Establish an Administrative Process for Real Property Acquisition and Relocation of Displaced Persons Required for City's Use and Purposes

RESOLUTION NO. 09 - 66
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ESTABLISHING AN ADMINISTRATIVE PROCESS FOR REAL PROPERTY ACQUISITION AND RELOCATION OF DISPLACED PERSONS RELATED TO CITY USE AND PURPOSES

- 3.3 Adopt Resolution No. 09-67 Delegation of Authority to the City Manager or His Designee to Execute Right of Way Certifications

RESOLUTION NO. 09 - 67
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DELEGATING AUTHORITY TO THE CITY MANAGER TO EXECUTE RIGHT OF WAY CERTIFICATIONS

1. CONSENT CALENDAR

Council Member Cashman requested 1.5 and 1.7 be pulled and taken separately, and to hear item 1.7 first.

Council Member Ade requested to pull item 1.2 and take it separately.

It was the consensus of the Council to take the pulled items in order.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Ade, to pull items 1.2, 1.5 and 1.7 from the Consent Calendar and hear them separately; and to approve the remainder of the Consent Calendar as presented.

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

- 1.1 Approved the reading by title only of all ordinances
- 1.3 Approved the following Warrant Registers and Payroll Warrant Registers:
1. Warrant Register dated September 9, 2009, in the amount of \$70,878.18.

2. Warrant Register dated September 17, 2009, in the amount of \$3,332.82.
 3. Warrant Register dated September 23, 2009, in the amount of \$32,216.44.
 4. Payroll Warrant Register dated September 18, 2009, in the amount of \$7,088.83.
- 1.4 Approved the Treasurer's Report – August 2009
- 1.6 Establishing Speed Limits on Bundy Canyon Road from Mission Trail to Wildomar City Limits and Palomar Street from Mission Trail to Corydon Street

Adopted Ordinance No. 36 entitled:

ORDINANCE NO. 36
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ESTABLISHING THE SPEED LIMIT ON
BUNDY CANYON ROAD FROM MISSION TRAIL TO THE WILDOMAR
CITY LIMITS AND PALOMAR STREET FROM MISSION TRAIL TO
CORYDON STREET

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION

- 1.2 Approve the regular meeting minutes dated September 9, 2009

Council Member Ade stated on page 4, second paragraph, "...after the appeal process", that is not correct and she did not vote in favor of this, she voted no.

Mayor Pro Tem Moore stated that could not have happened because two Council Members were absent, so the Ordinance would not have passed.

Council Member Ade retracted her comments.

A MOTION was made by Mayor Pro Tem Moore, seconded by Mayor Farnam, to approve item 1.2.

Roll call vote: Ayes – 3; Nays – 0; Abstain – 2, Council Members Cashman and Swanson. Motion carried.

- 1.5 Zoning Code Amendment 09-01

Adopt Ordinance No. 35 entitled:

ORDINANCE NO. 35
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AMENDING PORTIONS OF ZONING
ORDINANCE OF THE CITY OF WILDOMAR PERTAINING TO
DECISIONS AND APPEAL AUTHORITIES, AND OTHER MINOR
MODIFICATIONS (ZONING CODE AMENDMENT 09-01)

City Attorney Biggs stated there is a clerical error on the Ordinance. In Section 1 "compact parking spaces" should be deleted as per the direction of the City Council.

Council Member Cashman asked if all projects are covered by this.

Planning Director Hogan stated it is any decision of the Planning Commission. It can be a large or small project.

Council Member Cashman inquired what is the criteria that would make this automatically come before the City Council.

Planning Director Hogan answered there are two parts to this. Any decision by the Planning Commission would come to the Council in the form of a receive and file of a notice of decision. Any amendment to an Ordinance, or General Plan would automatically go before the Council as the legislative body of the City, with a recommendation from the Planning Commission.

Council Member Cashman stated that the Plot Plans and Parcel Maps do not come to the Council.

Planning Director Hogan answered that is correct. The normal approval body for those is the Planning Commission. However, the Council does have a review in the receive and file process.

City Attorney Biggs stated the Council can chose to change the code and have more issues brought before them automatically, however the Planning Commission would hear them, process them and make a recommendation to the Council.

Council Member Ade stated she would like this discussed during the norming session and would like no action on this Ordinance until after the

session. She was not comfortable when this was introduced. More information has been given that they didn't have at the last meeting and she would like to review this in more detail and know how it will be implemented.

A MOTION was made by Council Member Ade, seconded by Council Member Cashman, to table this Ordinance until after it can be discussed during the norming session on October 15, 2009.

Mayor Farnam stated he does not want to go back over the items on an agenda where two Council Members were absent. That can be discussed in the norming session as well. Presently the City is working with the County Ordinances we adopted and slowly we are moving them over to the Municipal Code. But he doesn't want to call a norming session every time this happens or nothing will get done. We have a Planning Commission member that we each selected as an individual Council Member and he is not going to second guess what they do. If they are not to be trusted to do this, then we should not have a Commission. We need to trust them.

Council Member Ade stated she did not say we should go to a norming session every time we don't agree. She said that the Council did not have all the information and details, and we still don't have the procedure on how to handle the appeals. This is too important of an issue to move ahead on this. She is also not saying she does not trust the Planning Commission, she just wants all the details and information that they did not have at the introduction of the Ordinance.

Council Member Swanson stated she was one of the absent members at the last meeting, however, she has read the information and she agrees with the decision that was made. She also puts trust in the Planning Commission, however, she does not think that holding this item over until have the norming session will hurt anything.

Mayor Pro Tem Moore stated that Planning is not her forte, so she met with Planning Director Hogan and went through the Ordinance. She is fine with the Ordinance, however, she is in agreement with Council Member Swanson, that holding it over will not hurt anything.

Roll call vote: Ayes – 4; Nays – 1, Mayor Farnam. Motion carried.

- 1.7 Receive and File the Notice of Decision for the Cornerstone Community Church Parking Lot Expansion (08-0163)

Gary Andre, Planning Commissioner, stated he is not opposed to the project, he is opposed to the direction it is going. He read a letter regarding the project.

John Garrett, resident, stated his issue is lighting and the impact it has. This would be a good time to ask them to come into compliance with the existing Ordinance before they add more.

Ofelia Filanc, resident, stated she is submitting copies of memos, letters, petitions, etc. going back to 2002. She is also submitting copies of the County Planning Commission meetings regarding this project.

Mary Flores, resident, stated not everyone adjacent to Cornerstone Church were notified of the Planning Commission meeting even though they put into the record that they were to be notified. She reviewed the County's staff report and the City's. She highlighted several issues contained in both. She went over these issues. She is encouraging the Council to continue this item and take a second look at this project.

Council Member Cashman stated he has not been able to see the conditions that were done and those that were just talked about. He would like the details and take another look at it. The trucks on Bundy Canyon and Monte Vista are problematic. He would like the City Council to review this.

City Attorney Biggs stated this item can be pulled and the City Council asked to take jurisdiction of this item. If that is done the Council would hear this project. If the Council chooses to receive and file the decision of the Planning Commission, then the Commission's decision would stand and the ten day window to appeal the decision would start tomorrow.

Mayor Farnam stated the Council will not be hearing this project tonight. He questioned the letter written by Council Member Cashman to the County Planning Commission on the project.

Council Member Cashman stated the City had not incorporated at the time of that hearing and he wrote the letter as a citizen of Riverside County. He wants to be sure that at the end of all this what were the conditions put in place. Right now he cannot see those.

Council Member Swanson inquired if he read the recommendations to the Planning Commission of staff. It is very comprehensive.

Council Member Cashman answered he did, but it seems the details are not there.

Council Member Ade stated Cornerstone is a part of our community, as are other projects. She is well aware of this project and has listened to the tapes of the Planning Commission regarding this project. Members of the community spoke passionately and emotionally, both church members and non-members. She understands both sides of this issue. She does not want to see this become something that divides the community as other projects have done. She feels more can be done to help mitigate some of the issues regarding this project.

A MOTION was made by Council Member Ade, seconded by Council Member Cashman, for the City Council to assume jurisdiction over the Cornerstone Community Church expansion project, 08-0163, and direct Staff to schedule a Public Hearing and provide the legally required public hearing notice.

Roll call vote: Ayes – 2; Nays – 3, Mayor Farnam, Mayor Pro Tem Moore, Council Member Swanson. Motion failed.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to receive and File the Notice of Decision for the Cornerstone Community Church Parking Lot Expansion (08-0163).

Roll call vote: Ayes – 3; Nays – 2, Council Members Ade & Cashman. Motion carried.

City Attorney Biggs advised the ten day appeal period starts tomorrow.

2. PUBLIC HEARINGS

There were no public hearings to be heard.

3. GENERAL BUSINESS

3.1 Overview of Code Enforcement – Oral Report

Public Works Director Kashiwagi presented the report and power point presentation. This presentation gave an overview of what code enforcement does and how it works.

Tracy Lobo, resident, stated she has a neighbor that is running a produce business out of their house. They have been dealing with this for one year. They have cars coming and going, big rigs, loud noises, talking, drinking, yelling and cursing. The big rigs are gone, but the cars keep coming and going until all hours. When they know someone is watching they change their hours. They feel the produce they are selling is a health concern to the community. They have many cats and a dog. The quality of life they have is non-existent now. This business must be stopped and not moved around to another location in the City. How much longer do they have to wait before the City takes action.

City Manager Oviedo stated he has been made aware of this case and he has requested that a meeting be set with the Lobo's to address the issues.

3.4 City Logo and Tag Line

Gina Castanon, resident, stated, in regards to the tag line suggestions, could there be more time given for additional input. Also, she would like to see the tag line with the word "cornerstone" in it taken off the list as it is not appropriate. She also has an issue with the word "value" as it had nothing to do with the incorporation efforts.

Mayor Farnam stated he would like to take the logo first and then address the tag lines.

Discussion ensued regarding the sun rays of the sun; Color of the wheat; and what the logo will look like when it is shrunk down to a pin size.

Council Member Ade stated the City needs a style guide for the logo. She had two examples of other entities' guides which she gave to City Clerk Lee.

Discussion ensued regarding the guidelines and the logo.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson to adopt the color "harvest" for the color of the wheat on the City logo.

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

Mayor Farnam stated, in regards to the tag line, he found some "guidelines" regarding selecting a tag line: attributes, message, differentiation, and ambassadorship. He would like to use this as a guide.

He suggested giving this some more time for community input.

Discussion ensued regarding how to create a tag line and where it will be used.

It was the consensus of the City Council to bring this back to the City Council in 30 days.

City Clerk Lee stated this can be put on the website to garner more exposure. Additionally, would the Council like to remove #2 off the suggested tag line list.

It was the consensus of the City Council to remove tag line suggestion #2 off the list; and to add "High Point of the Valley" and "Tradition*Pride*Opportunity" to the list; and to add the guidelines to the norming session on October 15, 2009.

CITY MANAGER REPORT

City Manager Oviedo reported he has opened escrow on a home in Wildomar and will be moving his family down soon.

CITY ATTORNEY REPORT

City Attorney Biggs stated they had a great turnout at the dinner at the League of California Cities annual conference.

COUNCIL COMMUNICATIONS

Mayor Pro Tem Moore invited everyone to the Wildomar Community Fair on October 3. She and Community Services Director Willette attended another CALEMA emergency preparedness class. Last Saturday the Rotary Club took part in the United Way Days of Caring and painted the VFW. The Mayor's Ball was last Saturday night and it was a very enjoyable evening. She and Mayor Farnam attended the TIP Dinner which was well attended. She also attended the Tobacco Advisory Coalition meeting.

Council Member Cashman stated he went to the RCHCA meeting. They did propose another parcel be bought in Wildomar for the habitat corridor. He commented on the letter he sent regarding the Cornerstone project-he merely

asked that the project come to the new City for approval.

Council Member Ade stated she did attend the League of California Cities annual conference business meeting and dinner that City Attorney Bigg's firm held.

Mayor Farnam stated he attended the WRCOG meeting where they did reduce the TUMF fees 50% for one year. This will come before the City Council within the next 30 days.

FUTURE AGENDA ITEMS

Revisit the Development Impact Fees;
Mt. San Jacinto Community College "Go Pass";
School District Ad Hoc Subcommittee of Mayor Farnam & Mayor Pro Tem Moore;
4/10 Work Schedule-Close City Hall on Fridays

ADJOURNMENT

There being no further business, Mayor Farnam declared the meeting adjourned at 8:45 p.m.

Respectfully submitted,



Debbie A. Lee, CMC
City Clerk