

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
OCTOBER 12, 2011**

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

The closed session of October 12, 2011, of the Wildomar City Council was called to order by Mayor Swanson at 5:32 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 Attorney Biggs and City Clerk Lee.

PUBLIC COMMENTS

There were no speakers.

CLOSED SESSION

City Clerk Lee announced the following:

The City Council will meet in closed session to confer with its legal counsel pursuant to the provisions of Government Code Section 54956.9(b) regarding significant exposure to at least one and potentially several additional matters of litigation relating to LMD 2006-1 park assessment refunds.

The City Council will meet in closed session under the provisions of Government Code Section 54956.8 to consider and give direction to its property negotiator, Frank Oviedo, with regard to negotiations with the owner of record regarding the price and terms of possible acquisition of real property located at 23873 Clinton Keith Road, Wildomar, California.

At 5:32 p.m. the City Council convened into closed session, with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:35 p.m. the City Council reconvened into open session, with all Council Members present, making no announcements.

ADJOURN CLOSED SESSION

There being no further business, Mayor Swanson declared the closed session meeting adjourned at 6:35 p.m.

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

The regular meeting of October 12, 2011, of the Wildomar City Council was called to order by Mayor Swanson 6:35 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, City Attorney Biggs, Public Works Director D’Zmura, Planning Director Bassi, Community Services Director Willette, Fire Chief Beach, and City Clerk Lee.

The Flag Salute was led, and the colors posted, by the Temecula Valley Young Marines.

PRESENTATIONS

Mayor Swanson presented a Proclamation to the Temecula Valley Young Marines for Red Ribbon Week, October 24 - 30, 2011.

Mayor Swanson presented a Certificate of Appreciation to Joseph Masters for his efforts in assisting the Elsinore High School Library.

Mayor Swanson presented a Certificate of Congratulations to Superintendent Frank Passarella, Lake Elsinore Unified School District and Principal Dorri Neal, William Collier Elementary School for receiving the National Blue Ribbon School designation.

Chief Beach presented the Fire Department monthly update.

Public Works Director D’Zmura presented the Code Enforcement quarterly update.

PUBLIC COMMENTS

April Watkins and Lizet Hernandez, THINK Together, spoke about the free after school programs offered in Wildomar.

Ronda Kirkbride, resident, stated she still cannot get anyone to grade the dirt road, which is the only road available, to enter and exit her home. No one has contacted her, but she will keep coming back until someone talks to her.

John Garrett, resident, stated his astronomy club will be putting on an astronomy night at David A. Brown Middle School and Collier Elementary School. The County is pursuing an aggressive Ordinance regarding light trespass. When he gets a copy of the proposed Ordinance he will share it with the City.

Sharon Heil, resident, stated on October 15 the Wildomar Community Council (WCC) and the American Legion will hold a car show and flyers are available on the table. Additionally, the Elks will have their annual chili cook-off on October 15.

Gary Andre, resident, stated the red ribbons mean a great deal to him. He then spoke of the health issues brought on by drug abuse.

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 Consent Calendar as presented.

MOTION carried, 5-0.

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – September 9, 2011 Special Meeting

Approved the Minutes as submitted.

1.3 Minutes – September 14, 2011 Regular Meeting

Approved the Minutes as submitted.

1.4 Warrant and Payroll Registers

Approved the following:

1. Warrant Register dated 09-15-11 in the amount of \$289,708.46;
2. Warrant Register dated 09-22-11 in the amount of \$117,821.52;
3. Warrant Register dated 09-29-11 in the amount of \$33,874.94;
4. Warrant Register dated 10-06-11 in the amount of \$286,633.49;
5. Payroll Register dated 10-12-11 in the amount of \$40,537.73

1.5 Treasurer's Report

Approved the Treasurer's Report for July, 2011.

1.6 Memorandum of Understanding (MOU) With Riverside County for One Mass Care Shelter Trailer

Entered into a MOU with the County of Riverside for one fully stocked Mass Care and Shelter Trailer.

1.7 Acceptance of Subdivision Improvements for Parcel Map 35219 – Renaissance Plaza

Accepted as complete the subdivision improvements required for Parcel Map 35219, Renaissance Plaza, and directed Staff to file a Notice of Completion upon correction of items identified in the final inspection.

2.0 PUBLIC HEARINGS

There are no items scheduled.

3.0 GENERAL BUSINESS

3.1 Historic Highway 395 Multijurisdictional Corridor Study Project

City Clerk Lee read the title.

Ruthanne Taylor Berger, WRCOG Deputy Executive Director, presented the item to the City Council.

Mayor Swanson suggested that Staff put a link on the City's website to this project so citizens can be informed.

SPEAKERS:

Gary Andre, resident, stated before the City incorporated there was a roundtable meeting where a design for Old Town Wildomar was drawn up. He has distributed this to various Council Members and to the City Manager. Old Town Wildomar is along the 395 corridor.

Councilman Cashman stated when he hears that the look of Wildomar is different he is happy because he does not feel the citizens want to look like the rest. Cities are blending into one another, and he does not want Wildomar to look like the rest of 395.

Councilman Walker stated he sees this as an opportunity to have a niche in this project. He wants the City to participate, but does not want Wildomar squeezed into a bubble. Wildomar should have its own identity.

Mayor Swanson stated she sees this as a way to stay unique. She can see street cars going from Lake Elsinore to Temecula down Historic 395, or some type of shared transportation. She thinks this is a great idea and it's all the cities working together.

3.2 City Parks Update and Council Direction

City Clerk Lee read the title.

City Manager Oviedo presented the staff report.

SPEAKERS:

City Clerk Lee stated that an email was received from Janice Hare regarding this issue and that a copy of the email was given to each Council Member.

John Lloyd, Friends for Wildomar Parks, stated they have struggled, but they now have their base structure. They are currently working on fundraising. They are unsure that Leagues are going to be able to raise the money they were hoping to.

Councilman Cashman stated closing Marna O'Brien Park is not an option. Some of the grass can be taken out and other types of vegetation can be planted so that the watering and maintenance costs will go down. It could have solar lights and the big lights on the field would be paid for by the users. This would bring the cost of the lighting down. This is not the

parks we would like to have, and it is not what they will be in the future, but he would like to find a way to hold the line somehow so that when we have money in the future we don't have to start from nothing.

Mayor Swanson stated no one wants to close the parks and no one wants to start over. All of the ideas have already been gone over and they will all cost the City money to implement. If there is no one there to take care of it, and there are no lights, the tagging and ripping up of the bathrooms takes place. No one wants to close down the parks, but presently there isn't a solution to this.

Councilman Cashman stated by putting in solar lighting the electrical costs will come down by quite a bit.

Mayor Pro Tem Benoit stated but who is going to pay to put them in and maintain them especially if they get stolen.

Mayor Swanson stated there is no money for parks in the budget, so who would pay for all of this. She doesn't want to see the parks closed but she doesn't know what else to do.

Mr. Lloyd stated they are already doing some of that. They have the electrical costs down to \$311 and they are watering the park so minimal that there is almost as much dirt as there is grass. They are doing everything minimally, but they still need to come up with \$44,000.

Councilman Cashman stated he feels the City should see if the City can come up with \$44,000 and keep that park open.

Craig Santiago, Friends for Wildomar Parks Treasurer, stated they have been getting the community more involved with the efforts. It is more than the sports leagues, the citizens have to pitch in as well. If the other two parks close, people will start opening their eyes and doing what they can to prevent Marna O'Brien from closing down as well. Because it has taken time to get organized since the vote in June, they are just now getting their feet under them and making progress in the areas of graffiti clean-up and taking care of the restrooms. He feels they can get the money to keep Marna O'Brien open.

Mayor Pro Tem Benoit inquired why the money isn't coming in from the sports leagues.

Mr. Santiago answered that Little League pulled out.

Tim Trudeau, Wildomar Little League and Girls softball, stated they banked on 250 players, but it is just the girls softball that plays there. The Wildomar Little League plays on the field by the cemetery and cannot help with Marna as they have the other field to maintain.

Mr. Santiago stated the reason they have that number in the budget is because they do use the park for T-Ball as well as girls softball. In addition, Little League practices there as well.

Councilwoman Moore stated if 2,000 residents donated \$28 per year, that would give the group enough money to run just the basics at the park.

Mr. Santiago stated we are doing our best to keep on top of the graffiti problem and cleaning of the bathrooms. This is being checked every day and taken care of.

Councilwoman Moore stated they are looking into getting a sign put up stating that the parks are not maintained by the City and having a number to call to report problems.

Discussion ensued regarding starting a non-profit organization; getting the water and electrical bills in the non-profits name; fundraising efforts; closing Windsong and Heritage Parks; Liability at Marna O'Brien.

Laura Kelly, Wildomar Little League, stated they do not want to see the park close. Their numbers are down, however, they still need to run their League and maintain another field.

Discussion ensued regarding how the public cannot expect the Leagues cannot pay for this park on its own; Getting a report from the non-profit on how much money has been raised, and how much has been spent.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilman Walker, to close Heritage and Windsong parks; and receive a quarterly report from the Friends for Wildomar Parks showing the fundraising amounts and what has been paid.

Councilwoman Moore stated the gate at Heritage Park needs to be opened to get kids to and from school.

City Manager Oviedo answered there has been a funding issue from the start of the discussions for this. The School states it does not have the money to pay someone to open and close the gates, and neither does the

City. They also raised the issue of liability, and they want the City to take the liability for these kids. Staff will continue to meeting with the School District on this. The School has not received any complaints since the gates have been locked.

MOTION carried, 5-0.

3.3 Implementation Agreement for the National Pollution Discharge Elimination System Urban Runoff Discharge Permit (MS4 Permit)

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report.

Supervising Engineer Palmer explained the MS4 Permit.

Councilwoman Moore inquired if there is the ability to have car washes.

Supervising Engineer Palmer stated he would have to check into provisions that would include the fundraising car washes.

City Manager Oviedo stated we have been directing the groups over to the Grease Monkey if they wish to have a car wash. Grease Monkey has been very accommodating with this as they have the permits and infrastructure to do this type of activity.

Discussion ensued regarding the budgeted amount for this permit; and inspections of businesses.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to approve and authorize the City Manager to execute the National Pollutant Discharge Elimination System Urban Runoff Discharge Permit Implementation Agreement.

MOTION carried, 5-0.

3.4 Housing Element Update (2006 – 2013)

City Clerk Lee read the title.

Planning Director Bassi presented the staff report.

SPEAKERS:

Gary Andre, resident, with donated time from Richard Heil, stated in 2007 and 2008 the citizens worked with the County on the General Plan for the new City of Wildomar. He spoke about the Mission Trail/I-15 mixed use planning area overlay and gave the Council a handout regarding this.

Sheryl Ade, resident, with donated time from Gil Rasmussen, stated SCAG can do some of the studies at no cost, so someone should contact them regarding this. She then asked if the \$18,000 is for the full element and will this be broke down by task, hours and personnel.

Planning Director Bassi answered \$18,000 is the full cost and the Council will receive a breakdown of costs, as always.

Ms. Ade stated the senior project that was approved is going to the County for funding, so that is about 570 units. The project next to City Hall is seeking low income housing even though he proposed high-end, so that may flip. There are grants available, but they come with strings attached. The City Manager needs to be careful when he goes to Sacramento because he will have to make decisions. As for public input, you expect to get input on this plan at a meeting where it is just being explained. This is a somewhat complex issue, so there will not be a great deal of input. There should be a workshop first and then later have the public input.

City Attorney Biggs stated there have been issues brought up that somehow there will be secret meetings and decisions made at those meetings and it simply is not the case. The City Manager does not have authority to make any decision at all, as the City Council has full authority for all decisions. She gave various options the Council and community will have regarding the housing element.

Councilman Cashman stated that the City of Eastvale and the City of Wildomar are very different cities. He asked how the transfer of the County's portion of RHNA (Regional Housing Needs Allocation) translates to the two cities.

Planning Director Bassi stated the numbers that the County will give us will only apply to our area of the County that they were once in charge of, so Eastvale's numbers will not be mixed in with Wildomar's and vice-versa.

Councilman Cashman inquired the affordable housing in Wildomar will be taken from the County and put in Wildomar, correct?

Planning Director Bassi stated yes, and that Staff will ensure it.

Discussion ensued regarding the County's element which has been deemed flawed by the State; and the Habitat areas to be exempted.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilman Walker, to receive and file the report and allocate \$18,000 for preparation of the 2006 - 2013 City of Wildomar Housing Element.

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

Mayor Swanson thanked the Staff for the in-depth report and making it very clear.

CITY MANAGER REPORT

City Manager Oviedo reported the following:

The medical marijuana dispensary operated by William Sump has been closed.

The EVMWD held the bi-monthly meeting.

The legal challenge to SB 89 has been filed by the League of California Cities. He has met with the City Manager's of the other cities affected and a lobbying trip is being planned.

He and Assistant City Manager Nordquist met with the County's CAO Office regarding the effects of SB 89 and possible help from the County.

November 2 is the joint meeting between the City Council and the Planning Commission.

He will participate in Principal for the Day next week.

CITY ATTORNEY REPORT

City Attorney Biggs reported on the crackdown by the Federal Government of medical marijuana dispensaries.

COUNCIL COMMUNICATIONS

Councilman Walker stated he went to the League Annual Conference in San Francisco. He found the sessions informative.

Councilwoman Moore stated: she attended the RTA meeting; Marna O'Brien clean up day is coming up; Animal shelter event; the WCC event this coming weekend; Race for the Cure; and the Mayor's Ball this weekend.

Mayor Pro Tem Benoit stated he attended a water tour of the delta. He will be attending the Principal of the Day. He attended RCTC, WRCOG and RCH. SB 469 was a Bill on the Governor's desk and he went to the Press Conference to veto the Bill as the Mayor asked that he attend in her place. The Governor listened and did veto the Bill.

Councilman Cashman stated he will be attending the WCC car show as a Historic Society member and he will also be selling his book.

Mayor Swanson stated she went to the League's Administrative Services Policy Committee meeting in San Francisco. The Tort reform went over great. Also they will consider a Resolution to stop having to publish Ordinances and Notices in the newspaper. This is an outdated form of notification in light of the electronic age. It is cheaper and easier to post on the City's website. This would save Wildomar and other cities thousands of dollars that could be used elsewhere. She attended a League meeting as well. Anne Sullivan School will have their Grand Opening tomorrow morning.

FUTURE AGENDA ITEMS

- *Maintenance of dirt roads
- *Bid for contract services
- *Fee structure for development (fixed fee versus deposit based)
- *Business registration/business license software

ADJOURNMENT

There being no further business, at 9:23 p.m. Mayor Swanson declared the meeting adjourned.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Marsha Swanson
Mayor