

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
OCTOBER 28, 2009**

The regular meeting of October 28, 2009, of the Wildomar City Council was called to order by Mayor Farnam at 7:05 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 Ade.

**PRESENTATIONS**

Mayor Farnam presented a Certificate of Congratulations to Danny Bedford, Wildomar's young author, on writing his first book, "The Shadow Phantom Begins".

Jan Kuebel and Veronica Langworthy gave the Library quarterly update.

Holly Kowalski, Code Enforcement Officer, presented the monthly update.

Council Member Ade requested to receive a list of the case numbers of the cases that are closed.

Mayor Farnam introduced Council Member Scott Mann from the City of Menifee.

**PUBLIC COMMENTS**

Gerald Babinski, representing the Lake Elsinore and Wildomar Elks Lodge #2591, thanked the City for helping them get their building to the point it is presently. He asked if there are any grants or monies they can apply for to help them continue.

City Manager Oviedo stated he should talk with Finance Director Nordquist.

Sharon Heil, resident, stated she would appreciate the City doing anything they can to help the Elks get into their new Lodge. Since all that has happened, the Elks have lost many of their fundraisers. As soon as they can get into the building they can have their fundraisers again and those monies go back into the

community in many ways. The Elks will be holding a fundraiser barbeque on November 14 and she encouraged everyone to attend.

Roger LeClerc, resident, stated that we need to take care of the homeless, especially as the nights get colder. He also thanked the City Council for the drawing of the Districts and for Measure K.

Gina Castanon, resident, stated that she and others have a small group who are supporting Measure I. They have signs for anyone who is interested. They also did a telephone and email blast in support of Measure I. She encouraged everyone to vote in support of Measure I.

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

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

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

### **1.0 CONSENT CALENDAR**

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to approve the Consent Calendar as amended.

Council Member Ade stated she has a comment on item #1.3, page 3, #3, the way it is presented is misleading as it appears there was consensus on this, and there was not. These are to come back at the next norming session to discuss further.

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

- 1.1 Approved the reading by title only of all ordinances
- 1.2 Approved the Regular Meeting Minutes dated October 14, 2009.
- 1.3 Approved the Special Norming Session Minutes dated October 15, 2009.
- 1.4 Approved the following Warrant Registers and Payroll Warrant Registers:
  1. Warrant Register dated October 14, 2009 in the amount of \$107,743.62;
  2. Warrant Register dated October 22, 2009 in the amount of \$519,811.82;

3. Payroll Warrant Register dated October 16, 2009 in the amount of \$7,088.83.

1.5 Approved the Treasurer's Report for September, 2009.

1.6 Received and Filed the Notice of Decision for the Eagle Eye Storage project (09-0280).

## **2.0 PUBLIC HEARINGS**

2.1 Continue the Public Hearing Regarding Clinton Keith Animal Hospital (Continued from 09-09-09).

Mayor Farnam opened the public hearing.

Planning Director Hogan stated there are some provisions for water and waste water treatment that are not in place as of yet. Until they get those approvals from the EVMWD, Staff cannot recommend an approval and suggests this public hearing be continued to a date uncertain. Staff will have to re-notice the public hearing once the applicants have the necessary approvals.

Jack Monroe, J & M Consultants, representing the applicant Henry Luzuriaga, stated they would prefer to continue this to a date certain in December. They are trying to get the Water District to respond in a timely manner.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to continue the public hearing to December 9, 2009.

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

2.2 Cimarron Plaza (Stable Lanes Commercial Center)-Environmental, Zone Change, Plot Plan and Parcel Map.

Mayor Farnam opened the public hearing.

Planning Director Hogan presented the staff report.

Council Member Ade asked if the ingress and egress could be shown and explained.

Jim Bach, representing Cimarron Plaza, showed on the map where the ingress and egress are and how the circulation will work.

Discussion ensued regarding the traffic signal.

Council Member Ade thanked the developer for bringing a higher-end plaza to the City. She also read the mitigated negative declaration and thought it was very well done.

Mr. Bach thanked Council Member Ade and stated the timing of the opening of this is uncertain. Presently they do not have tenants and are in the process of getting additional permits that are necessary.

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

A MOTION was made by Council Member Ade, seconded by Mayor Pro Tem Moore, to adopt Resolution No. 09-69.

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

**RESOLUTION NO. 09-69**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR PROJECT NO. 08-0166 THAT IS LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES WAY KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013**

A MOTION was made by Council Member Cashman, seconded by Council Member Swanson, to introduce Ordinance No. 37.

**ORDINANCE NO. 37**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF WILDOMAR FOR A PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES WAY FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL, KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013**

which title was read.

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

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to adopt Resolution No. 09-70.

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

RESOLUTION NO. 09-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING PARCEL MAP 35935 TO SUBDIVIDE THE 4.16-ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES STREET INTO TWO PARCELS AND PROVIDE FOR ADDITIONAL ROAD DEDICATION ALONG STABLE LANES WAY, KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013

A MOTION was made by Council Member Swanson, seconded by Mayor Pro Tem Moore, to adopt Resolution No. 09-71.

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

RESOLUTION NO. 09-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING PLOT PLAN 08-0166 TO ALLOW FOR THE DEVELOPMENT OF TWO COMMERCIAL RETAIL BUILDINGS TOTALING 20,894 SQUARE FEET AND A 9,305 SQUARE FOOT DAYCARE FACILITY ON A 4.16-ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES WAY KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013

### **3.0 GENERAL BUSINESS**

#### **3.1 Consideration of Membership Changes on the Planning Commission.**

Mayor Farnam stated that Planning Commissioner Miguel Casillas has resigned from the Commission as he is moving out of the City. How to fill that vacancy will be discussed, but he wanted to introduce the entire item first. He stated that he regrets that this item has turned into a media circus and blog controversy before the City Council has had a chance to hear it. He has been approached by more than one person concerning certain aspects of the Planning Commission. In addition, there was a very lively discussion regarding planning items at the last norming session. He feels it would be logical to schedule a joint meeting/work shop with the

Council and Commission. It should be a facilitated meeting to discuss goals, expectations, relationships and what is and is not appropriate behavior. He would like to get this scheduled as soon as possible.

Discussion ensued regarding holding the joint meeting and the benefits of such a session.

City Manager Oviedo stated it would be appropriate at this time for the Council to accept the resignation of Commissioner Casillas. Then the other issues can be addressed.

Council Member Swanson stated Commissioner Casillas did everything he could to remain in Wildomar, but there are just no houses available. He has given her the letter of resignation from the Commission. She stated the City is losing a great Commissioner. She then explained the process of replacing him and the qualifications.

Mayor Farnam accepted the letter of resignation and declared a vacancy on the Planning Commission. He then thanked Commissioner Casillas for an outstanding job.

Speakers:

Several speakers withdrew their speaker slips.

George Taylor, resident, stated he is withdrawing his letter and commended the Council for agreeing to a joint meeting.

Martha Bridges, resident, stated she commends the Council for agreeing to the joint meeting, however, she wants to be sure that in that meeting the public is represented and be able to participate.

Gerry Stevenson, resident, stated she is in favor of Commissioner Andre and his great work on the Commission. He was instrumental in the paperwork for incorporation of the City and with the trail system.

Gina Castanon, resident, stated she agrees this was a media circus, however she feels Mayor Farnam contributed to it by his comments in the paper. She stated that Commissioner Andre has been a very loyal person to the City. She commended the Council for agreeing to the joint meeting, but cautioned them regarding trying to control someone's actions and comments.

Gerald Hall, resident, stated he has been following the media hype and feels that it is stemming from the Cornerstone Church project. Just because he does not agree with everyone on the Council does not mean he is doing a bad job. There needs to be people who stand up from time to time and not just say "yes".

George Cambero, resident, stated he agrees with the joint meeting and is in support of Commissioner Andre.

Mayor Farnam stated what is going on has absolutely nothing to do with the Cornerstone Church project as has been stated. He looks forward to a joint meeting with the Commission so as to ensure everyone is on the same page.

Mayor Pro Tem Moore stated the joint meeting should be held after the appointment of the new Commissioner.

City Clerk Lee stated the 30 day posting period is over November 29, so it is possible to have the appointment on December 9.

It was the consensus of the Council to hold the workshop after December 9, if the ratification is complete by then.

Council Member Ade stated the resulting media circus and concerns in the community did not just happen. There were comments made. She encouraged the public to attend the joint session and feels an evening meeting would work the best. She also stated that before we have more norming consensus, we should honor the ones that are already in place. Additionally, if there are concerns with fellow Council Members, we should go to them and speak with them rather than finding out through the Press.

Mayor Farnam agreed.

### 3.2 Economic Incentives – Development Impact Fees Reduction

Planning Director Hogan presented the staff report.

Speakers:

Scott Mann, Council Member of the City of Menifee, stated he is in favor of items 3.2 and 3.3. He gave a handout to the Council. The City of Menifee has a program that they have implemented which cut their development impact fees. It has been a big success since it has been implemented.

He urged the Council to reduce their fees as well, and reduce the TUMF fees.

Jean Alexander-Booth, representing First 5 Riverside, stated she is in favor of the Council reducing the building fees. She explained the First 5 Riverside program and stated lower fees would help the child care profession.

Garth Erdossy, representing Oak Springs Ranch, LLC, stated he supports lower DIF and TUMF fees. He recommends a time limit of one year. They are ready to build, however, if the fees were lower, it would make the project easier to build.

Kristan Lloyd, resident, stated she has reviewed the data provided by Staff and it shows that our fees are lower than everyone around us. For that reason she does not see a need to reduce the fees. When growth returns to California and the Valley, this area will thrive. She feels a reduction would be to the detriment of the community. Those who want to build in Wildomar should help build the infrastructure. If we do not collect these fees, how will we build the infrastructure needed in the future.

Diana Autumn, representing Anne Sullivan Nursery School, stated she is in support of lower fees. They are a small business and are having a hardship with the fees. For a small business the fees are making it prohibitive for them to expand.

Jeanne Weiler, representing Anne Sullivan Nursery School, stated she is in agreement with the previous speaker. This is a service to the community, but the fees are stopping their expansion.

Gina Castanon, resident, stated this is not the time for Wildomar to cut fees. She agrees with the comments made by Kristan Lloyd. She encouraged the Council to leave the fees as they are, and the TUMF fees as well.

James Bach, MDMG, Inc., stated he is in support of lower fees and urged the Council to reduce them. He spoke about the various projects they have going in the City. He also urged reduction of the TUMF fees as well.

Mark Knorringa, BIA, stated he urged support of reducing the DIF and TUMF fees. He feels this will stimulate the economy of the area.

Henry Silvestre, resident and business owner, stated he supports the

lower fees as he feels it will stimulate the economy of Wildomar. He would like to see the city grow the right way.

Don Saunders, resident, stated infrastructure is not here and the developers have gotten by. He recommends that if the Council approves this, that there be a very stringent time frame on it. The traffic issues around this valley are bad due to no infrastructure.

John Lloyd, resident, stated he does not feel the fees should be lowered. He listened to the City of Menifee's program, but what happens in the future when they need the money they did not collect for infrastructure due to the growth.

Mayor Farnam stated there are so many people unemployed in this area, and there is a need to do something to stimulate this economy. We have to take care of our residents. He recommends a 50% reduction of fees, across the board, to sunset in one year.

Council Member Swanson stated she does not agree with 50% across the board. Wildomar is so much lower than the surrounding cities, except for a few categories. She would definitely like to look at single family, possibly others, but not a 50% reduction. Every day she sees the demand for houses in the City, so the demand is here. The roads and sidewalks are built by the builder, not the City or the County. The fees need to be looked at individually.

Mayor Pro Tem Moore stated the County has already reduced their fees to sunset in August 2010. If we were still the County we would have no say. This is why we became a City, for local control. She stated she supports reducing the fees, but she would need to see the numbers first.

Council Member Cashman stated he has a problem with reducing the fees. We would ask the County where the infrastructure is and it was because their fees were so low, there was no infrastructure. When we became a City we adopted the same fees, so we are already low. To reduce these fees would be a detriment. We will have more people, which means more service, but not the infrastructure. That money has to come from somewhere, so it would be a reduction of services. Perhaps in order to stimulate the area we shouldn't just be looking at construction jobs. We are a small City and certainly not the economic engine of this valley.

Discussion ensued who would pay for the infrastructure should the fees be reduced.

Council Member Ade stated the City of Menifee has the luxury of reducing their fees. They have more open land and commercial/industrial areas than Wildomar. The land next to City Hall was zoned commercial until the County rezoned it for homes before we incorporated. We are losing revenue because of this decision. She read on the WRCOG web page that DIF is going to be lowered even further in 2011/2012. She feels we have a responsibility to hold monies for infrastructure. There is a reason for DIF, the word "impact". She wants certainty, but she doesn't see it by reducing the fees. As for jobs, we need to look at a broader view than construction. Developers will go where the land is. They may not come to Wildomar as soon as we would like, but they will come. Reducing the fees is a risk she is not willing to take. Perhaps the BIA would like to create a fund to help out the smaller developers, why should that be on the backs of the citizens. The fees are not for running the City. They are for infrastructure and services. She is not comfortable with the reductions and cannot support it.

Council Member Swanson stated she can live with a 50% reduction on single family and a harder look at the rest of them, for a time certain. They would also have to start their projects in a timely manner. This should sunset in one year.

Mayor Farnam asked how Staff would ensure the when they pay the fees that the projects start within the time frame.

Planning Director Hogan stated Staff would prohibit paying in advance. There would have to be a building permit and inspections done on the development. It would have to be paid prior to certificate of occupancy or the connection of utilities. In that way we know the project is already there.

City Attorney Biggs stated this is the time for Council to give direction. Staff will need to bring the fees forward at the next meeting. Because they are fees, they do not become effective for 60 days.

Council Member Ade stated she would like to see the impact on the budget and how the City will pay for items we should be collecting for.

Planning Director Hogan stated that staff will come back to the Council with a 50% across the board reduction, one year sunset, prepayment is not allowed, must be paid prior to occupancy, and a limit of the number of permits.

Discussion ensued regarding where the money will come from for the infrastructure needed in the future that wasn't collected for.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, for Staff to bring back at the next meeting a Resolution showing: 50% reduction in DIF for residential and commercial; No prepayment of the reduced DIF; A limited number of reductions available; A sunset of one year.

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

City Manager Oviedo stated that the item will be on the agenda for November 12, 2009 Council agenda.

### 3.3 Transportation Uniform Mitigation Fee (TUMF) Comprehensive Update

Public Works Director Kashiwagi gave the staff report stating this is only for information tonight, no action is needed.

Speakers:

Scott Mann, Menifee Council Member, stated he hopes the surrounding cities do not lower their fees. They are already taking sales tax from everyone. In relation to the TUMF, it was a 17-1-1 vote to lower the TUMF. Additionally, he showed what the City of Menifee did to stimulate their City. It doesn't mean you must do the same, it was just an example of how lowering fees has helped them. He then explained the "Menifee Money" card program.

Mark Knorringa, BIA, stated they support the TUMF reductions.

Gil Rasmussen, resident, stated he does not appreciate elected officials from other cities coming to Wildomar and being glib about what is being debated.

Council Member Cashman inquired if the reduction is approved, how long the time frame stretches out before we can use TUMF funds for Wildomar.

Mayor Farnam answered it does not stretch out the time frame because funds would still be collected. In addition there are stimulus funds that can be utilized as well.

Council Member Cashman asked if the existing TUMF are already spent.

Mayor Farnam answered they are not all spent. Wildomar's projects are in a nexus. Certain monies are applied to that nexus. When projects are shovel-ready, they move to the front of the line.

Discussion ensued Wildomar's projects in the nexus and how the funding will come about; If Wildomar collects more TUMF fees it does not mean the projects will move ahead of others that cut their fees; and if TUMF would cover Baxter (Staff to come back with information on this).

#### 3.4 Selection Process of Mayor and Mayor Pro Tem

City Clerk Lee presented the staff report.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to adopt Resolution No. 09-72.

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

#### RESOLUTION NO. 09-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ESTABLISHING A METHOD FOR THE SELECTION AND APPOINTMENT OF A MAYOR AND MAYOR PRO TEMPORE AND REPEALING RESOLUTION NO. 08-09

#### 3.5 Tag Line for City Logo

Mayor Farnam stated the logo designer, Wendy Holder, stated she would put together a use guide for the logo, as was previously requested.

Council discussion and deliberation of the various suggestions.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to adopt "Tradition•Opportunity•Progress" as the tag line for the logo.

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

### **CITY MANAGER REPORT**

City Manager Oveido reported starting Monday, November 2, the City will switch

to the 4/10 work week. City Hall will be open Monday – Thursday from 7:30 a.m. to 6:00 p.m. The next City Council meeting will be held on Thursday, November 12 due to the holiday on November 11. Also, the higher education subcommittee did meet with Mt. San Jacinto Community College committee. Everyone agreed to assemble a group of community leaders to assist the college in prioritizing the types of disciplines that will be taught at the school so they can design the school around that. In January the President Superintendent will be presenting this to the Board. This is a big step and he is hoping he, the higher education subcommittee, and any Council Member, could attend that meeting. From there a letter of intent would be sent to the State Chancellor who oversees the community colleges. This is a big first step for a new city.

### **CITY ATTORNEY REPORT**

No report.

### **COUNCIL COMMUNICATIONS**

Council Member Swanson stated Assemblyman Nastande is having a meeting on November 3 at the Starbuck's in Canyon Hills. It is a meet and greet as he is going out into his district to meet the constituents. She wished Mayor Pro Tem Moore a happy birthday. Also, she got to see Chief Cleary in his Scout Leader uniform at the Boy Scouts honor to Assemblyman Jeffries. On November 11, there will be a Veterans Day ceremony at the cemetery at 3:00 p.m.

Mayor Pro Tem Moore stated there was another meeting with the Faith-based organizations on October 15, which was also the great shake-out day. On November 7 the Santa Margarita Watershed Cleanup will take place. The first meeting of the HAM radio classes was held on October 27. She also reminded everyone to vote on November 3.

Council Member Ade stated she went to LAFCO last week. They had the Municipal Review and Sphere of Influence on their agenda. Because the Eastvale incorporation request took up the entire morning, the Board of Supervisors didn't even want a staff report, they just voted. Eastvale was not approved as there are some fiscal concerns, so it will be brought back.

City Attorney Biggs stated they just had a significant win in the courts regarding Carmel Valley incorporation. A second court has now gone on report saying there is no need for environmental review for incorporations.

Mayor Farnam stated on October 27 he attended the GOP Liberty dinner at Casino Morongo. It was a great opportunity to meet with the local legislators. Also, the City of Wildomar's booth won the chili cook-off at the Farm. It was a great event.

### **FUTURE AGENDA ITEMS**

No future agenda items.

Council Member Swanson announced that City Clerk Lee has moved to Wildomar and City Manager Oviedo will be moving his family this coming weekend. She added that the City has two employees and both are Wildomar residents.

### **ADJOURNMENT**

There being no further business, Mayor Farnam declared the meeting adjourned at 10:23 p.m.

Respectfully submitted,



Debbie A. Lee, CMC  
City Clerk