

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
NOVEMBER 14, 2012**

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

The closed session of November 14, 2012, of the Wildomar City Council was called to order by Mayor Benoit at 5:30 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 111, Wildomar, California.

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

Staff in attendance: City Manager Oviedo, City Attorney Jex, and City Clerk Lee.

**PUBLIC COMMENTS**

There were no speakers.

**CLOSED SESSION**

City Clerk Lee announced the following:

1. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9(c) to confer with legal counsel with regard to one matter of potential initiation of litigation.
2. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9(b) to confer with legal counsel with regard to one matter of significant exposure to litigation regarding a potential challenge to the City's proposed Housing Element.

At 5:31 p.m. the City Council convened into closed session with all Council Members present.

**RECONVENE INTO OPEN SESSION**

At 6:31 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 Benoit declared the closed session meeting adjourned at 6:31 p.m.

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

The regular meeting of November 14, 2012, of the Wildomar City Council was called to order by Mayor Benoit at 6:31 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 111, Wildomar, California.

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

Staff in attendance: City Manager Oviedo, Assistant City Manager Nordquist, City Attorney Jex, Public Works Director D'Zmura, Planning Director Bassi, Community Services Director Willette, Fire Chief Beach, Assistant Police Chief Adams, and City Clerk Lee.

The Flag Salute was led by Councilwoman Swanson.

## **PRESENTATIONS**

The Clinton Keith interchange construction project update was given.

Mayor Benoit presented a Proclamation for Bullying Awareness Day, December 12, 2012.

Fire Chief Beach presented the Fire Department update.

## **PUBLIC COMMENTS**

Glenn Cople, Original Christmas Tree Lane, stated it is that time of year for the annual event and gave the City Council a flyer for the event.

David Madsen, SCAQMD, stated he is the Senior Information Specialist for the District and gave a brief update.

Evan Patula, Sarai Peleitz, Hudyia Hashem, EHS Habitat for Humanity, stated they are currently fundraising to get a charter at the high school. They are very excited to get a club at the High School.

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

Mayor Benoit stated he would like to move the Council Communications portion of the agenda to just before the Consent Calendar for tonight. Usually by the end of the meeting most of the public is gone and he would like to try having it at the beginning of the meeting instead.

**A MOTION** was made by Councilwoman Moore, seconded by Councilwoman Swanson, to approve the agenda as presented, with the exception of having a Council Communications portion just before the Consent Calendar.

**MOTION** carried, 5-0.

## **COUNCIL COMMUNICATIONS**

Councilwoman Moore stated she attended the RTA meeting and gave an update.

Councilwoman Swanson stated she has made it a point to go to all the various meetings of the boards and committees that we have representation on. The first meeting she went to was WRCOG, and she has gone to RTA. She also attended the trip to the Hoover Dam.

Mayor Pro Tem Walker stated he did go on the Hoover Dam trip with Councilwoman Swanson and City Manager Oviedo. It was very informative.

Mayor Benoit stated he has attended the WRCOG meeting and talked about the HERO program. He was also Principal for the Day at David A. Brown Middle School. He gave an update on the Riverside Division of the League of California Cities and the efforts in getting our VLF monies back. He also stated he will most likely be the next Board Member for the SCAQMD which has been represented by the City of Riverside since the 1990's.

### **1.0 CONSENT CALENDAR**

**A MOTION** was made by Councilwoman Swanson, seconded by Councilwoman Moore, 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 12, 2012 Regular Meeting**

Approved the Minutes as presented.

**1.3 Minutes – September 22, 2012 Special Meeting**

Approved the Minutes as presented.

**1.4 Minutes – October 10, 2012 Regular Meeting**

Approved the Minutes as presented.

**1.5 Minutes – October 16, 2012 Special Meeting**

Approved the Minutes as presented.

**1.6 Warrant and Payroll Registers**

Approved the following:

1. Warrant Register dated 10-04-12 in the amount of \$133,218.31;
2. Warrant Register dated 10-05-12 in the amount of \$17,998.37;
3. Warrant Register dated 10-11-12 in the amount of \$183,817.72;
4. Warrant Register dated 10-18-12 in the amount of \$8,065.31;
5. Warrant Register dated 10-18-12 in the amount of \$13,566.00;
6. Warrant Register dated 10-25-12 in the amount of \$90,368.80;
7. Warrant Register dated 11-01-12 in the amount of \$91,938.73; &
8. Payroll Register dated 11-01-12 in the amount of \$46,824.78.

**1.7 Treasurer's Report**

Approved the Treasurer's Report for September, 2012.

**2.0 PUBLIC HEARINGS**

**2.1 Wildomar Municipal Code**

City Clerk Lee read the title and presented the staff report.

Mayor Benoit opened the public hearing.

There being no speakers Mayor Benoit closed the public hearing.

**A MOTION** was made by Councilwoman Swanson, seconded by

Councilwoman Moore, to adopt an Ordinance entitled:

ORDINANCE NO. 73  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, ADOPTING BY REFERENCE THE  
WILDOMAR MUNICIPAL CODE AND THE FOLLOWING  
SECONDARY CODES ADOPTED BY REFERENCE THEREIN:  
UNIFORM ADMINISTRATIVE CODE (1997 EDITION), 2010  
CALIFORNIA BUILDING CODE AND APPENDICES C, G, H, I and  
K, 2010 CALIFORNIA RESIDENTIAL CODE, 2010 CALIFORNIA  
GREEN BUILDING CODE, 2010 CALIFORNIA ELECTRICAL CODE  
AND APPENDICES A, B, C, G AND H , 2010 CALIFORNIA  
MECHANICAL CODE AND APPENDIX A, 2010 CALIFORNIA  
PLUMBING CODE AND APPENDICES, 1997 UNIFORM HOUSING  
CODE, UNIFORM CODE FOR THE ABATEMENT OF  
DANGEROUS BUILDINGS (1997 EDITION), UNIFORM SWIMMING  
POOL, SPA AND HOT TUB CODE (2000 EDITION), UNIFORM  
SIGN CODE (1997 EDITION), UNIFORM CODE FOR BUILDING  
CONSERVATION (1997 EDITION)

which title was read.

**MOTION** carried, 5-0.

### **3.0 GENERAL BUSINESS**

#### **3.1 Parks Update**

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report.

City Clerk Lee presented an update on the election results of the November 6, 2012 election.

Discussion ensued regarding the election process and possibilities for the parks.

#### **3.2 Solid Waste Franchise First Amendment Term and Payment**

City Clerk Lee read the title.

City Manager Oviedo presented the staff report.

Councilwoman Swanson thanked the City Manager for all of his efforts.

Councilwoman Moore stated on the agreement, first page, last "Whereas", it states that this will not be passed on to the rate payers, instead of "shall not", can we put in "will not".

City Attorney Jex answered "shall not" means "will not", so there would be no need to change it.

Councilwoman Moore stated of Waste Management, she met with residents in The Farm, and they have a concern. They have one black trash can, which is once per week pick up, and they also have a green can and recycling can which is only picked up every other week. They would like to have all three picked up weekly.

Waste Management stated that was under the old agreement with the County. We can look into this and make the change not just for The Farm, but City wide.

**A MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to approve the first amendments to the City's solid waste franchise agreements with CR&R Incorporated and Waste Management and authorize the City Manager to execute the amendments.

**MOTION** carried, 5-0.

### **3.3 Solid Waste Franchises Second Amendment Additional Services and Fee Adjustments**

City Clerk Lee read the title.

City Manager Oviedo presented the staff report.

**A MOTION** was made by Councilwoman Moore, seconded by Councilwoman Swanson, to approve the second amendment to the City's solid waste franchise agreements with CR&R Incorporated and Waste Management and authorize the City Manager to execute the Amendments.

**MOTION** carried, 5-0.

**3.4 Maintenance Contracts for the Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zones 3 (Locations 7, 23, 24, 25, 29, 35, 42, 43, 45, 47, 49, & 53), 29 (Location 2), 30 (Locations 1 & 2), 42, 51, 52, 59, 62, 67, 71, & 90, and Street Lighting Zones 18, 26, 27, 35, 50, 70, 71, 73, & 88**

City Clerk Lee read the title.

Public Works Director D’Zmura presented the staff report.

**A MOTION** was made by Mayor Pro Tem Walker, seconded by Councilwoman Moore, to authorize Staff to pursue the assumption of the responsibilities and oversight for the maintenance contracts for Zone 3, locations 7, 23, 24, 25, 29, 35, 42, 43, 45, 47 & 49; Zone 29, location 2; Zone 30, locations 1 & 2; Zones 42, 51, 52, 59, 62, 67, 71, & 90; and Street Lighting Zones 18, 26, 27, 35, 50, 70, 71, 73, & 88 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter “L&LMD No. 89-1c”) effective January 1, 2013.

**MOTION** carried, 5-0.

**3.5 Classification and Compensation Plan**

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report.

Discussion ensued regarding the differences between education and experience, and requiring licensing in certain positions; and retirement plan tiers.

**A MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to adopt a Resolution entitled:

RESOLUTION NO. 2012 - 43  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, ESTABLISHING THE  
CLASSIFICATION/COMPENSATION PLAN AND AUTHORIZING THE  
ADDITION OF 33 POSITION DESCRIPTIONS IN ACCORDANCE WITH  
ORDINANCE NO. 53

**MOTION** carried, 5-0.

### **3.6 Accounting and Administrative Support Services Contracts for Temporary/Part-time Personnel**

City Clerk Lee read the title.

Assistant City Manager Nordquist presented the staff report.

Councilman Cashman inquired when the Interwest contract will come up for renewal.

Assistant City Manager Nordquist answered they did submit the rates for these services.

**A MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Walker, to:

1. Accept the proposals submitted in response to the request for proposal issued on October 4, 2012;
2. Approve a contract with M. V. Cheng and Associates to provide accounting and administrative support services on a part-time/temporary basis; and
3. Approve a contract with Robert Half International to provide accounting and administrative support services on a part-time/temporary basis.

**MOTION** carried, 5-0.

### **CITY MANAGER REPORT**

City Manager Oviedo reported the following:

January 16 – 18, 2013 is the new Mayors and Council Members Academy in Sacramento.

The City hosted the Southwest Leadership meeting on November 13, 2012.

He attended the Hoover Dam tour which was well received.

### **CITY ATTORNEY REPORT**

City Attorney Jex gave an update in the Court of Appeals City of Costa Mesa case involving contracting out positions that were once in-house.

**COUNCIL COMMUNICATIONS**

Councilwoman Moore stated the Breakfast with Santa annual event will be December 15, 2012 at Wildomar Elementary School.

**FUTURE AGENDA ITEMS**

There were no items.

**ADJOURN THE CITY COUNCIL**

There being no further business, Mayor Benoit declared the meeting adjourned at 8:13 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC  
City Clerk



Timothy Walker  
Mayor