

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
DECEMBER 14, 2011**

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

The closed session of December 14, 2011, of the Wildomar City Council was called to order by Mayor Swanson at 5:35 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 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 54957 with regard to the following personnel matter: Performance Evaluation: City Manager.
2. The City Council will meet in closed session to confer with legal counsel with regard to one matter of potential initiation of litigation pursuant to the provisions of Government Code Section 54956.9(c). The underlying facts known to all parties relate to the processing of park assessment district refunds by the County of Riverside from general City of Wildomar revenues held by the County not collected by or from the park assessment district.

At 5:35 p.m. the City Council convened into closed session, with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:38 p.m. the City Council reconvened into open session, with all Council

Members present, making the following announcement:

City Attorney Biggs stated the City Council met in closed session regarding two matters. The first matter was the City Manager's review. Mr. Oviedo is not seeking an increase in compensation, however the City Council acknowledges under normal circumstances his performance would merit a salary increase. The Council agreed that under present economic times a salary increase is not realistic. While it was a very positive evaluation, there will be no change in the City Manager's salary compensation. There were some agreed upon changes to the City Manager's contract. The first is the termination without cause and severance provision will reset to a nine months severance package starting in January 2012. It will reduce by one month for the next three years. Also, the Council agreed to take whatever action is necessary to permit the City Manager to attend the League of California Cities City Manager's Department annual conference in February, 2012. The City Manager has been selected to give a presentation at that conference with Assistant City Attorney Jex. In order for him to give the presentation he must be registered for the conference. This was approved, 5-0, by the Council on a motion by Mayor Pro Tem Benoit, seconded by Mayor Swanson. On the other matter relating to the park assessment fees, there was no reportable action.

ADJOURN CLOSED SESSION

There being no further business, Mayor Swanson declared the closed session meeting adjourned at 6:40 p.m.

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

The regular meeting of December 14, 2011, of the Wildomar City Council was called to order by Mayor Swanson 6:40 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, Assistant Police Chief Adams, and City Clerk Lee.

The Flag Salute was led by Councilman Walker.

PRESENTATIONS

Mayor Swanson presented certificates to the Wildomar Pop Warner Football Team who won the Pacific Region West Coast Champions title.

Mayor Swanson presented certificates to the Wildomar Pop Warner Cheer and Dance Nationals, who won Second Place in the National Champs Sideline Competition title.

Fire Chief Beach was not available but did send the Fire Department monthly update.

PUBLIC COMMENTS

Glenn Cople, Original Christmas Tree Lane, thanked everyone for their help with a very successful event.

Dionna Fitch, Sycamore Academy, thanked the Council for their continued support of the Academy.

James Johnson, resident, stated he is a veteran and a Purple Heart recipient and he is greatly disappointed with the Council. He cannot understand why the light bulb has not been changed out on the light which illuminates the American flag in front of City Hall. He came to the November meeting to report that the light was out and was assured the light would be fixed. He came by later in the week and found that not only was the light not on but the flag has been taken down. He asked for an explanation.

Councilwoman Moore answered that the bulb was changed, but it was found that it is not the bulb but the wiring to the unit. The City does not own the building and had to ask to put the flag pole in and a light to shine on it. This was done by the building owner and not the City. The City has reported the problem to the owners for them to repair the light. The flag was taken down because the flag would not be properly illuminated at night until the light is fixed.

City Manager Oviedo stated that the property management company is currently looking into the problem with the electrical.

Michelle Watters, Sycamore Academy, thanked the Council for their support of Sycamore Academy.

APPROVAL OF THE AGENDA AS PRESENTED

A **MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilman Walker, to approve the agenda as presented.

MOTION carried, 5-0.

1.0 CONSENT CALENDAR

City Clerk Lee advised that an amendment was done to item #1.3 and a copy of the amendment has been given to each Council Member. She then asked Mr. Rasmussen if he still wished to speak to the item.

Mr. Rasmussen stated if the Council is approving the amendment he does not wish to speak.

A **MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilman Walker, to approve the consent calendar as amended.

MOTION carried, 5-0.

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – October 12, 2011 Regular Meeting

Approved the Minutes as presented.

1.3 Minutes – November 9, 2011 Regular Meeting

Approved the Minutes as amended.

1.4 Minutes – November 29, 2011 Special Meeting

Approved the Minutes as presented.

1.5 Warrant and Payroll Registers

Approved the following:

1. Warrant Register dated November 3, 2011 in the amount of \$27,163.36;
2. Warrant Register dated November 11, 2011 in the amount of \$145,738.46;
3. Warrant Register dated November 23, 2011 in the amount of \$25,673.94;
4. Warrant Register dated December 1, 2011 in the amount of

- \$90,054.99; and
5. Payroll Register dated December 1, 2011 in the amount of \$40,735.94.

1.6 Treasurer's Report

Approved the Treasurer's Report for the month of August, 2011.

1.7 Treasurer's Report

Approved the Treasurer's Report for the month of September, 2011.

1.8 Treasurer's Report

Approved the Treasurer's Report for the month of October, 2011.

1.9 Proclamation Rescinding the Open Burn Ban

Adopted a Proclamation rescinding the Open Burn Ban Proclamation implemented on July 13, 2011.

1.10 Extension of Time for Plot Plan 23333 (Project 08-0166) - Located at Clinton Keith Road and Stable Lanes Road

Adopted a Resolution entitled:

RESOLUTION NO. 2011 - 54

A RESOLUTION OF CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING A ONE-YEAR EXTENSION OF TIME TO OCTOBER 28, 2012 FOR PLOT PLAN NO. 23333 (PROJECT 08-0166) 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 INTERSECTION OF CLINTON KEITH ROAD AND STABLE LANES ROAD (APN: 380-120-012 & 380-120-013)

1.11 Authorization to Participate in the Riverside County EDA Mortgage Credit Certification (MCC) Program

Adopted a Resolution entitled:

RESOLUTION NO. 2011 - 55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, PARTICIPATING WITH THE COUNTY OF RIVERSIDE MORTGAGE CREDIT CERTIFICATE (MCC) PROGRAM

1.12 Accept Drainage Easements Related to Tract 30155 and Quitclaim Them to Riverside County Flood Control District

Adopted Resolutions entitled:

RESOLUTION NO. 2011- 56
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE
CERTIFICATES OF ACCEPTANCE FOR SEVEN DRAINAGE
EASEMENTS RELATED TO TRACT 30155

And

RESOLUTION NO. 2011- 57
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE
QUITCLAIM DEEDS FOR EIGHT DRAINAGE EASEMENTS TO THE
RIVERSIDE COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

1.13 Second Reading and Adoption of Ordinance No. 65 – Repealing the E-Verify Program

Adopted an Ordinance entitled:

ORDINANCE NO. 65
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, REPEALING CHAPTER 3.09 OF THE
WILDOMAR MUNICIPAL CODE PERTAINING TO THE E-VERIFY
PROGRAM

2.0 PUBLIC HEARINGS

2.1 FY 2011 – 12 First Quarter Budget Report

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Assistant City Manager Nordquist presented the staff report.

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

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

RESOLUTION NO. 2011 - 58
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,

CALIFORNIA, AUTHORIZING AMENDMENTS TO THE FY 2011-12
BUDGETED REVENUES AND EXPENSES

MOTION carried, 5-0.

2.2 Allocation of Community Development Block Grant Funds

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Assistant City Manager Nordquist presented the staff report.

SPEAKERS:

Gary Andre, Chairman of the Wildomar Community Council (WCC) Multi-Use Trails Committee, speaking with time donated by Gil Rasmussen, stated he would like to receive money for trails but where it really belongs is with HOPE. He sees kids walking home from school and they have to walk in the street because there is no sidewalk and people are parked at the side of the road blocking people from walking along the side of the road. They would like to see some money for trails, but HOPE is very important right now.

Ron Hewison, HOPE, stated the "E" in HOPE covers the Lake Elsinore School District, so they don't just serve Lake Elsinore. They currently have over 400 families in Wildomar that they serve. They serve seniors, the disabled, and single parent households. They sincerely appreciate the support of Wildomar and the residents.

There being no further speakers Mayor Swanson closed the public hearing.

Mayor Swanson stated we have \$15,000 to disperse between the applicants, with a minimum of \$5,000.

Councilwoman Moore stated it sounds like the WCC is taking themselves out of the running, is that correct?

Mr. Andre answered no. If there was a majority to go to an entity, he would put the majority to HOPE, and then the WCC would take some.

Kristan Lloyd, WCC, stated the Board voted to participate in the grant and

she appreciates what Mr. Andre is saying. However, the WCC is concerned with the safety of the kids in the area they are targeting. They would like to clean up the sides of the roadways where kids are walking to make it safer for them. That is what the committee voted on.

Mayor Pro Tem Benoit inquired are you talking about fencing.

Ms. Lloyd answered no. We will be talking with the City regarding the project. These are easements that have already been set aside.

Mayor Pro Tem Benoit inquired if any easements are already set aside.

Ms. Lloyd answered she doesn't know.

Discussion ensued regarding trails and easements.

Mayor Swanson stated she read that this also includes graffiti clean-up, would this be part of the project.

Ms. Lloyd answered yes.

Community Services Director stated the trails and the graffiti clean-up are two different projects.

Councilman Cashman stated there is no other organization out there that is getting volunteers for graffiti abatement, so if it takes \$5,000 then let's give them that.

Mayor Swanson stated how to allocate the other \$10,000.

It was the consensus of the City Council to allocate the \$10,000 to HOPE.

A MOTION was made by Councilman Cashman, seconded by Mayor Pro Tem Benoit, to allocate \$10,000 to HOPE, and \$5,000 to the WCC for graffiti abatement, and to adopt a Resolution entitled:

RESOLUTION NO. 2011 - 59
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AUTHORIZING THE ALLOCATION
OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR
FISCAL YEAR 2012/2013

and authorize the City Manager to execute all related application and

agreements.

MOTION carried, 5-0.

2.3 User Fees Review

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Assistant City Manager Nordquist presented the staff report.

City Clerk Lee advised that the recommendation should be to continue the item to the February 8, 2012 meeting instead of February 15, 2012.

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to continue the item to the February 8, 2012 meeting.

MOTION carried, 5-0.

3.0 GENERAL BUSINESS

3.1 Bundy Canyon Road Project Update

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report.

Patty Romo, Riverside County's Deputy Director of Transportation and Land Management Agency, gave an update of the Bundy Canyon Road project and other projects in the area.

3.2 Clinton Keith Interchange Construction Project Update and Project Communication Coordination

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report.

Dennis Green, President, Green Com, Inc., stated he will be heading up the public communications regarding the project. He will be keeping the public and the Council and City informed at every step of project. He

reviewed the various ways he will get the word out to everyone. He will also handle complaints and concerns.

City Manager Oviedo suggested that Mr. Green be invited to the next Economic Development Roundtable meeting in January to meet with the retailers and Developers that will be attending. This would be good so they can hear what is being planned, how this will affect their businesses and development, and meet with Mr. Green so they have a contact during the 18 month process.

3.3 Acquire Right of Way and Temporary Construction Easement for the Sidewalks to Schools Improvement Project (CIP 09-0014)

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report.

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

RESOLUTION NO. 2011 - 60
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ACQUISITION AGREEMENT, AND CERTIFICATES OF ACCEPTANCE FOR A GRANT OF PUBLIC RIGHT OF WAY AND A TEMPORARY CONSTRUCTION EASEMENT FOR THE SIDEWALKS TO SCHOOLS IMPROVEMENTS PROJECT (CIP 09-0014)

MOTION carried, 5-0.

3.4 Collier Elementary Sidewalk and Accessibility Improvement Project

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report.

Councilwoman Moore stated on Union there is a big dip there and gets flooded during the rains.

Public Works Director D'Zmura stated that Staff will incorporate that into the project during the design phase to address that issue.

A MOTION was made by Mayor Pro Tem Benoit, seconded by

Councilwoman Moore, to adopt a Resolution entitled:

RESOLUTION NO. 2011 - 61
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AMENDING THE FISCAL YEAR 2011/12 BUDGET AND
RELATED CAPITAL IMPROVEMENT PROGRAM TO REFLECT A
FEDERAL SAFE ROUTES TO SCHOOL GRANT TOTALING \$503,900
FOR THE COLLIER ELEMENTARY SIDEWALK AND ACCESSIBILITY
IMPROVEMENT PROJECT

MOTION carried, 5-0.

3.5 Sex Offender Residency and Loitering Prohibition Ordinance

City Clerk Lee read the title.

City Attorney Biggs presented the staff report.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. 66
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADDING A NEW CHAPTER 9.55 TO THE
WILDOMAR MUNICIPAL CODE RELATING TO SEX OFFENDER
RESIDENCY AND LOITERING PROHIBITIONS

MOTION carried, 5-0.

3.6 Mayor and Mayor Pro Tem Appointment for 2012

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

Mayor Swanson turned over the meeting to the City Clerk for nominations and election of the Mayor and Mayor Pro Tem for 2012.

City Clerk Lee opened the floor for nominations for Mayor for 2012.

Mayor Swanson nominated Mayor Pro Tem Benoit.

Hearing no further nominations City Clerk Lee closed the nominations and called for the vote.

On a 5-0 vote, Mayor Pro Tem Benoit was elected Mayor for 2012.

City Clerk Lee opened the floor for nominations for Mayor Pro Tem for 2012.

Mayor Pro Tem Benoit nominated Councilman Walker.

Hearing no further nominations City Clerk Lee closed the nominations and called for the vote.

On a 5-0 vote, Councilman Walker was elected Mayor Pro Tem for 2012.

3.7 Committees, Commissions, and Boards Appointments

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

It was the consensus of the City Council to keep the appointments as they are presently.

RECESS THE CITY COUNCIL

At 7:59 p.m. Mayor Swanson recessed the City Council meeting until after the Wildomar Cemetery District meeting.

RECONVENE THE CITY COUNCIL

At 8:05 p.m. Mayor Swanson reconvened the City Council meeting with all Council Members present.

CITY MANAGER REPORT

City Manager Oviedo reported that the City of Jurupa Valley has a meeting scheduled with the Governor's Office next week. That meeting was being confused with the meeting our Lobbyists were trying to set up with the Governor. Also the Subcommittee will be meeting with Supervisor Buster next week at his office in Riverside. At the January 11 regular meeting Staff will bring forward a Resolution requesting deferral of the City's first year costs. This is being requested by the County to formalize the agreement. Finally, we did receive the sales tax numbers for the last quarter and they are up from the last report.

CITY ATTORNEY REPORT

There was no report.

COUNCIL COMMUNICATIONS

Councilman Cashman wished everyone a Merry Christmas.

Mayor Pro Tem wished everyone a Merry Christmas. He then reported that SCAG is working on a draft 2012/2035 Regional Transportation Plan. This is a workshop for elected officials to be held on January 20, 2012 at 10:00 a.m. at the County Administration Offices in Riverside. There has been a great deal of back and forth regarding the last piece of property needed to build the Clinton Keith Road project. More monies were needed and RCTC approved an additional \$24 million to purchase the property for the RCHCA to secure the Federal permit regarding endangered species.

Councilwoman Moore stated this Saturday is the annual breakfast with Santa at the Fire Station. She is also selling Bingo tickets for the Friends of Wildomar Parks fundraiser at the Elks Lodge on January 15. She attended: Highway 395 Corridor project meeting; Riverside County Sheriff's Blue Light ceremony; Elks Christmas Tree Lane; Community Outreach Ministry; and the SCEIU breakfast.

Councilman Walker stated the Subcommittee met with the EVMWD and got an update on projects. He wished everyone a Merry Christmas and a Happy Hanukah.

Mayor Swanson stated she judged at the Christmas Tree Lane event. She thanked Mayor Pro Tem Benoit for the iPad training session earlier. She then thanked the Council for a great year as Mayor. She also thanked the Staff for all of the support given to her. She then wished everyone a Merry Christmas.

FUTURE AGENDA ITEMS

*Zoning on County owned lands in Wildomar

ADJOURNMENT

There being no further business, at 8:18 p.m. Mayor Swanson declared the City Council meeting adjourned.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Ben J. Benoit
Mayor