

**CITY OF WILDOMAR
CITY COUNCIL REGULAR COUNCIL MEETING MINUTES
JANUARY 13, 2010**

CALL TO ORDER (CLOSED SESSION)

The regular meeting of January 13, 2010, of the Wildomar City Council was called to order by Mayor Moore at 6:00 p.m.

City Council Roll Call showed the following Members in attendance: Mayor Moore, Mayor Pro Tem Swanson, Council Members Ade (arrived at 6:01 p.m.), Cashman, and Farnam. Absent: None.

Staff in attendance: City Manager Oviedo, City Attorney Biggs, Public Works Director Kashawagi, and City Clerk Lee.

At 6:00 p.m. the City Council convened into closed session:

**POTENTIAL LITIGATION – Two Matters
Government Code Section 54956.9(b)**

The City Council will meet in closed session to confer with legal counsel regarding two matters of significant exposure to litigation.

ADJOURN CLOSED SESSION

At 7:05 p.m. the City Council reconvened into open session, with all Council Members present, making no announcements.

There being no further business, Mayor Moore adjourned the closed session at 7:05 p.m.

CALL TO ORDER (OPEN SESSION)

The regular meeting of January 13, 2010, of the Wildomar City Council was called to order by Mayor Moore at 7:05 p.m.

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

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

MOMENT OF SILENCE

Council Member Ade stated she objects to the moment of silence. It is on the agenda in lieu of prayer and forced on everyone. She is not comfortable with it and will leave the room.

Mayor Moore called for a moment of silence.

FLAG SALUTE

Boy Scout Troop 332 led the flag salute.

SPECIAL PRESENTATIONS

Mayor Moore was sworn in as Mayor by City Clerk Lee.

Mayor Moore presented a plaque to Council Member Farnam for his service as the 2009 Mayor. She also presented him with a scrap book she created showing photo highlights from his year as Mayor. Council Member Farnam thanked everyone for their support.

Mayor Moore presented the Official City of Wildomar "Mayors" plaque showing the names of the 2008 Mayor Bob Cashman and 2009 Mayor Scott Farnam. At the end of each Mayor's term their name will be added to the plaque. The plaque will hang in the Council Chambers.

Mayor Moore thanked her family, friends, the City Council, and citizens. She then said a few words regarding her upcoming year as Mayor.

At 7:20 p.m. the City Council took a recess.

At 7:33 p.m. the City Council reconvened, with all Council Members present.

Mayor Moore presented Certificates of Appreciation to the Wildomar Principals for their dedication to the education of the children of Wildomar.

Mayor Moore presented certificates to the winners of the Holiday Lights contest.

Chief Beach presented the Fire Department monthly report.

The Chamber of Commerce presented the Chamber monthly report.

The Police Gang Unit gave a brief presentation and overview of the services they provide.

PUBLIC COMMENTS

Tyler Watkins, Lake Elsinore resident, stated he would like the City to consider installing water fountains at Heritage Park. He would also like some way for the dogs to also have water.

Mona Davies, Community Outreach Ministry, stated they are inviting everyone help them save our kids. They are in the Race for Humanity and area recipient. Everything they raise between now and April will be matched by Riverside County Supervisor of the Third District. She outlined the program.

Vicki Long, resident, presented the annual Mountain Lion calendar to the City Council. She stated she has been talking with City Manager Oviedo regarding starting an MOU with RCD and with the cities and that this will be coming soon.

Richard Shepler, Sycamore Academy, stated they have presented a Charter School petition to the Lake Elsinore School District and they were approved. He presented and explained what they give the kids for their homework.

Diane O'Malley, resident, stated she attended the last Planning Commission. She explained about the land that she owns. She would like to know about a Neighborhood Watch system, and if a Neighborhood Watch is not in place in the City, she would like it to be. She then spoke about cameras and crimes. She presented the City Council with various handouts.

APPROVAL OF THE AGENDA AS PRESENTED

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

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

1.0 CONSENT CALENDAR

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

City Attorney Biggs stated the City Council did receive an errata sheet regarding item #1.5. The changes are only clerical and does not change the Ordinance.

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

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Warrant Registers and Payroll Warrant Registers

Approved the following Registers:

1. Warrant Register dated December 9, 2009, in the amount of \$312,122.25;
2. Warrant Register dated December 16, 2009, in the amount of \$50,890.34;
3. Warrant Register dated December 22, 2009, in the amount of \$8,445.09;
4. Warrant Register dated December 30, 2009, in the amount of \$170,451.79;
5. Payroll Warrant Register dated December 9, 2009, in the amount of \$1,077.60;
6. Payroll Warrant Register dated December 11, 2009, in the amount of \$4,982.90;
7. Payroll Warrant Register dated December 24, 2009, in the amount of \$4,982.20;
8. Payroll Warrant Register dated January 7, 2010, in the amount of \$6,274.70.

1.3 Claim Rejections – Mackey & Sisler-Williams

Rejected the following claims and directed staff to notify the claimants:

- 1). Claim number 7-2009 for money or damages against the City of Wildomar received 09/14/2009, Claimants: Sisler-Williams;
- 2). Claim number 9-2009 for money or damages against the City of Wildomar received 09/14/2009, Claimants: Mackay.

1.4 Rescind Open Fire Permit Proclamation

Adopted a Proclamation rescinding the open burn ban implemented on July 22, 2009, as per Chief Hawkins of the California Department of Forestry and Fire Protection.

1.5 Ordinance No. 40 – DLC Almond Office – Second Reading and Adoption

Adopted:

ORDINANCE NO. 40

ZONE CHANGE 09-0265 A NON-CODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF WILDOMAR FOR THREE PARCELS LOCATED AT THE NORTHWEST CORNER OF ALMOND STREET AND BUNDY CANYON ROAD, FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL, KNOWN AS ASSESSOR'S PARCEL NO. 366-210-052, 366-210-053 AND 366-210-054

Council Member Cashman asked if Ordinance No. 40 had to come back because of the changes made tonight.

City Attorney Biggs answered no because they are clerical changes and are not substantive changes.

Council Member Cashman stated that by approving this Ordinance the Council just approved having the storage yard on this property and the City will have trouble not having the storage yard there. The Developer said he would not have a storage yard there, so it is disturbing. Also the residents are worried about the traffic on that street and the City should have someone look into this concern.

A MOTION was made by Council Member Ade, seconded by Council Member Cashman, to reconsider item #1.5.

Roll call vote: Ayes – 3; Nays – 2, Mayor Moore and Mayor Pro Tem Swanson; Motion carried.

A MOTION was made, and amended, by Council Member Ade, seconded by Council Member Farnam, to approve item #1.5.

Council Member Ade stated she is not opposed to the zone change but is opposed to the project. Does this ordinance only cover the zone change?

Planning Director Hogan answered this is only the change of zone. The approval of the conditions and the project will come to the Council on January 27.

Council Member Cashman inquired if the Council will have a choice regarding the conditions.

City Attorney Biggs answered yes. This only changes the zone and does

not address the conditional use permit.

Council Member Ade stated on page two of the Ordinance it states "...would allow for an administrative office and nursery/materials yard...".

City Attorney Biggs stated the language could be deleted from the Ordinance.

Discussion ensued regarding the language.

Council Member Cashman stated he would still like the traffic issue looked at since the residents were so concerned about it.

It was the consensus of the City Council to have the sentence read "...would allow for an administrative office and nursery...".

Roll call vote: Ayes – 4; Nays – 1, Council Member Cashman; Motion carried.

2.0 PUBLIC HEARINGS

2.1 Beecher Street Zone Change

Mayor Moore opened the public hearing.

Planner Kanani presented the staff report.

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

Discussion ensued regarding the mobile home on the property; why a conceptual project and not a proposed project; the current use of the property should the zone change be approved; keeping the property as farm land and the impact on the dairy; Lots A, B, C easements; including the current General Plan designations for the surrounding areas in the staff report.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Council Member Ade, to adopt Resolution No. 2010-01.

Roll call vote: Ayes – 4; Nays – 1, Council Member Cashman; Motion carried:

RESOLUTION NO. 2010 - 01
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR
ADOPTING A NEGATIVE DECLARATION FOR PROJECT NO. 09-0335
THAT IS LOCATED AT 32085 BEECHER STREET KNOWN AS
ASSESSOR'S PARCEL NO. 370-090-036

City Clerk Lee introduced an ordinance entitled:

ORDINANCE NO. 41
ZONE CHANGE 09-0335 A NON-CODIFIED ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING
THE OFFICIAL ZONING MAP FROM RURAL RESIDENTIAL TO
MANUFACTURING-SERVICE COMMERCIAL AT 32085 BEECHER
STREET KNOWN AS ASSESSOR'S PARCEL NO. 370-090-036

Which title was read.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Council Member Farnam, to introduce Ordinance No. 41.

Roll call vote: Ayes – 4; Nays – 1, Council Member Cashman; Motion carried.

2.2 Rancho Mirlo Zone Change

Mayor Moore opened the public hearing.

Planner Kanani presented the staff report.

Discussion ensued regarding the zoning; the difference between Estate 2 acre and 2 acre.

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

Discussion ensued regarding the existing structures; the difference between Estate 2 and 2 acre; why there is a difference in the maps the City has.

At 9:20 p.m. the City Council took a recess.

At 9:26 p.m. the City Council reconvened into open session, with all Council Members present.

Jim Bach, Markam Development Management Group, stated they work in

the area that is being discussed. He then clarified the difference in the zoning.

City Clerk Lee introduced an Ordinance entitled:

ORDINANCE NO. 42
ZONE CHANGE 7525 A NON-CODIFIED ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING
THE OFFICIAL ZONING MAP FROM RURAL RESIDENTIAL TO RURAL
RESIDENTIAL 2 ACRE AT 23160 RANCHO MIRLO KNOWN AS
ASSESSOR'S PARCEL NO. 380-160-015

Which title was read.

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to adopt Ordinance No. 42.

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

3.0 GENERAL BUSINESS

3.1 FY2008-09 Preliminary Year End Report and FY2009-10 First Quarter Budget Report

Assistant City Manager Nordquist gave the staff presentation.

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to receive and file the report.

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

3.2 Clinton Keith Road Widening – Mitigated Negative Declaration

Planning Director Hogan presented the staff report.

Council Member Ade stated the correct spelling is "Arya Drive" not "Ayra Drive".

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to adopt Resolution No. 2010-02 as corrected.

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

RESOLUTION NO. 2010 - 02
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, APPROVING THE MITIGATED NEGATIVE
DECLARATION FOR THE WIDENING OF CLINTON KEITH ROAD
BETWEEN ARYA DRIVE AND THE MURRIETA CITY LIMITES (EA
42207)

**3.3 Urgency Ordinance – Trailer and Boat Storage, Mini-Warehouse
Moratorium**

Planning Director Hogan presented the staff report.

Council Member Farnam inquired if there are applications pending.

Planning Director Hogan answered no, this would be for any future applications.

City Attorney Biggs stated this does not preclude applications being submitted, it precludes approval of them.

City Clerk Lee introduced an urgency ordinance entitled:

ORDINANCE NO. 43
AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADOPTING AND IMPOSING A
TEMPORARY MORATORIUM ON THE APPROVAL OF
RECREATIONAL VEHICLE, TRAILER AND BOAT STORAGE, AND
SELF-STORAGE FACILITIES AND MINI-WAREHOUSE USES IN
COMMERCIAL AND RESIDENTIAL ZONES IN THE CITY

Which title was read.

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to adopt Ordinance No. 43.

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

3.4 Disaster Relief Ordinance and Disaster Service Worker Resolution

Community Services Director Willette presented the staff report.

A MOTION was made by Council Member Farnam, seconded by Mayor

Pro Tem Swanson, to adopt Resolution No. 2010 - 03.

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

RESOLUTION NO. 2010 – 03
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, RELATIVE TO WORKERS' COMPENSATION BENEFITS
FOR REGISTERED VOLUNTEER "DISASTER SERVICE WORKERS"
AND REPEALING RESOLUTION NO. 09-22

City Clerk Lee introduced and Ordinance entitled:

ORDINANCE NO. 44
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA,
AMENDING WILDOMAR MUNICIPAL CODE CHAPTER 2.08
PROVIDING FOR THE ADMINISTRATION OF DISASTER
OPERATION AND RELIEF IN THE CITY OF WILDOMAR AND
REPEALING ORDINANCE NO. 28

Which title was read.

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to introduce Ordinance No. 44.

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

3.5 Committees, Commissions, and Boards Appointments

City Clerk Lee presented the staff report.

Proposed changes/deletions as follows:

* Change the title and scope of the "Transitional/County Committee" to "Intergovernmental Relations Committee" to continue communication with the County on the properties in the City that have not been transitioned yet.

* League of Cities representative would be Council Member Farnam and the alternate would be Mayor Pro Tem Swanson.

* Representation to the Urban Land Institute would be Council Member Farnam

* Representation to the International Conference of Shopping Centers would be Council Member Farnam

It was the consensus of the City Council to make these changes.

CITY MANAGER REPORT

The Higher Education Subcommittee did meet with the Mt. San Jacinto Community College District subcommittee. They will be starting their facilities master plan process.

CITY ATTORNEY REPORT

There was no report.

COUNCIL COMMUNICATIONS

Council Member Ade stated she does have information that was presented at the subcommittee of SCAG, however she did not have it with her and will defer the update to the next meeting.

Council Member Cashman inquired if the logo will be on the Sheriff cars.

City Manager Oviedo stated Staff is working with Chief Cleary on this presently. This will be brought to the City Council at the January 27, 2010 meeting for approval.

Council Member Farnam stated at RCTC the news is that there are Federal funds for transportation regionally. At WRCOG there is an all day workshop this week. Additionally there will be two all day workshops for RCTC coming up in February.

Mayor Pro Tem Swanson stated she and Mayor Moore attended the League of Cities general meeting. She has brought petitions to keep the State out of the city's general fund.

Mayor Moore stated while they were there an earthquake happened. She urged everyone to be prepared for emergencies and have the 72 hour kits on hand.

FUTURE AGENDA ITEMS

There were no items.

ADJOURNMENT

There being no further business, Mayor Moore declared the meeting adjourned at 10:13 p.m.

Respectfully submitted,



Debbie A. Lee, CMC
City Clerk