

CITY OF WILDOMAR CITY COUNCIL
AGENDA

5:30 P.M. – CLOSED SESSION
7:00 P.M. - REGULAR MEETING

OCTOBER 27, 2010
Council Chambers
23873 Clinton Keith Road



Bridgette Moore, Mayor
Marsha Swanson, Mayor Pro Tem
Sheryl Ade, Council Member
Bob Cashman, Council Member
Scott Farnam, Council Member

City Manager
Frank Oviedo

City Attorney
Julie Hayward Biggs

WILDOMAR CITY COUNCIL REGULAR MEETING AGENDA October 27, 2010

ORDER OF BUSINESS: Public sessions of all regular meetings of the City Council begin at 7:00 P.M. Closed Sessions begin at 6:00 P.M. or such other time as noted.

REPORTS: All agenda items and reports are available for review at: Wildomar City Hall, 23873 Clinton Keith Road; Mission Trail Library, 34303 Mission Trail Blvd.; and on the City's website, www.cityofwildomar.org. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours.

PUBLIC COMMENTS: Prior to the business portion of the agenda, the City Council will receive public comments regarding any items or matters within the jurisdiction of the governing body. The Mayor will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Comment Card" available at the Chamber door. The completed form is to be submitted to the City Clerk prior to an individual being heard. Lengthy testimony should be presented to the Council in writing (10 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

ADDITIONS/DELETIONS: Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council.

CONSENT CALENDAR: Consent Calendar items will be acted on by one roll call vote unless Council members, staff, or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

PLEASE TURN ALL CELLULAR DEVICES TO VIBRATE OR OFF FOR THE DURATION OF THE MEETING. YOUR COOPERATION IS APPRECIATED.

CALL TO ORDER – CLOSED SESSION - 5:30 p.m.

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

ROLL CALL

ADJOURN CLOSED SESSION

CALL TO ORDER – REGULAR SESSION - 7:00 p.m.

ROLL CALL

MOMENT OF SILENCE

FLAG SALUTE

Boy Scout Crew 912

PRESENTATIONS

Code Enforcement Monthly Update

Author Tom McGraham

RTA Bus Driver Judith Culp

Proclamation – Eagle Scout Code Oosterbaan

LEUSD - Dr. Passarella

Delta Society

PUBLIC COMMENTS

This is the time for citizens to comment on issues not listed on the agenda. Under the provisions of the Brown Act, the City Council is prohibited from discussing or taking action on items not listed on the agenda. Each speaker is asked to fill out a "Public Comments Card" (located on the table by the Chamber door) and give the card to the City Clerk prior to the start of the meeting. Comments are limited to three (3) minutes per speaker. The Council encourages citizens to address them so that questions and/or concerns can be heard.

APPROVAL OF THE AGENDA AS PRESENTED

1.0 CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Council, the public, or staff request specific items be removed from the Consent Calendar for discussion and/or separate action.

1.1 Reading of Ordinances

RECOMMENDATION: Approve the reading by title only of all ordinances.

1.2 Minutes – September 8, 2010

RECOMMENDATION: That the City Council approve the Minutes as submitted.

1.3 Minutes – September 22, 2010

RECOMMENDATION: That the City Council approve the Minutes as submitted.

1.4 Warrant and Payroll Registers

RECOMMENDATION: That the City Council approve the following:

1. Warrant Register dated October 14, 2010, in the amount of \$95,821.85;
2. Warrant Register dated October 21, 2010, in the amount of \$54,270.44; and
3. Payroll Register dated October 15, 2010, in the amount of \$16,861.72.

1.5 Treasurer's Report

RECOMMENDATION: That the City Council approve the Treasurer's Report for September, 2010.

2.0 PUBLIC HEARINGS

No items are scheduled.

3.0 GENERAL BUSINESS

3.1 Save Our Parks Update

RECOMMENDATION: That the City Council receive and file the report.

3.2 Robles Auto Repair Shop Advisory Report

RECOMMENDATION: That the City Council consider having this item be heard directly by the City Council at the regular meeting of November 10, 2010.

CITY MANAGER REPORT

CITY ATTORNEY REPORT

COUNCIL COMMUNICATIONS

FUTURE AGENDA ITEMS

ADJOURNMENT

2010/11 City Council Regular Meeting Schedule

November 10	February 23	June 8	September 28
November 24	March 9	June 22	October 12
December 8	March 23	July 13	October 26
December 22	April 13	July 27	November 9
January 12	April 27	August 10	November 23
January 26	May 11	August 24	December 14
February 9	May 25	September 14	December 28

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any person that requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting, may request such modification, accommodation, aid or service by contacting the City Clerk either in person or by phone at (951) 677-7751, no later than 10:00 A.M. on the day preceding the scheduled meeting.

POSTING STATEMENT: On October 22, 2010, by 5:00 p.m., a true and correct copy of this agenda was posted at the three designated posting locations:
Wildomar City Hall, 23873 Clinton Keith Road
U.S. Post Office, 21392 Palomar Street
Mission Trail Library, 34303 Mission Trail Blvd

**CITY OF WILDOMAR
CITY COUNCIL REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 8, 2010**

CALL TO ORDER – CLOSED SESSION

The closed session of September 8, 2010, of the Wildomar City Council was called to order at 5:37 p.m.

City Council Roll Call showed the following members in attendance: Mayor Moore, Council Members Ade, Cashman and Farnam. Members absent: Mayor Pro Tem Swanson.

Staff in attendance: City Manager Oviedo, City Attorney Biggs, Police Chief Fontneau, and City Clerk Lee.

City Clerk Lee announced that the City Council will meet in closed session pursuant to Section 54956.9(b) of the California Government Code to confer with legal counsel with regard to one matter of significant exposure to litigation.

At 7:00 p.m. the City Council reconvened into open session making no announcements.

There being no further business, at 7:00 p.m. Mayor Moore adjourned the closed session.

CALL TO ORDER – REGULAR SESSION

The regular meeting of September 8, 2010, of the Wildomar City Council was called to order by Mayor Moore at 7:00 p.m.

City Council Roll Call showed the following Members in attendance: Mayor Moore, Council Members Ade, Cashman, and Farnam. Members absent: Mayor Pro Tem Swanson

Staff in attendance: City Manager Oviedo, Assistant City Manager Nordquist, City Attorney Biggs, Supervising Engineer Crawford, Planning Director Hogan, Police Chief Fontneau, Fire Chief Beach, and City Clerk Lee.

A moment of silence was observed and the flag salute was led by Boy Scout Troop 196.

PRESENTATIONS

Jasper the Alpaca was presented. He is a registered therapy alpaca and the only one in the United States.

Mayor Moore presented a Proclamation to Westley Greuel in honor of his achieving the Eagle Scout rank.

Sycamore Academy gave an update on the start of their second year.

Chief Beach presented the Fire Department monthly update.

Community Services Director Willette presented the monthly update.

The Chamber of Commerce monthly update was not given.

PUBLIC COMMENTS

Robert Skiff, Murrieta resident, stated Inland Valley Hospital does not have the standards the community needs. He feels it is a substandard hospital. He has spoken with several people who have been misdiagnosed and contract serious infections while they are there.

Gerry Hall, resident, thanked the Fire Department for the quick action given to the recent fire.

APPROVAL OF THE AGENDA AS PRESENTED

Mayor Moore stated she would like to move 3.0 General Business before 2.0 Public Hearings.

A MOTION was made by Council Member Farnam, seconded by Council Member Cashman, to move 3.0 General Business before 2.0 Public Hearings.

Roll call vote: Ayes – 4; Nays – 0; Absent – 1, Mayor Pro Tem Swanson. Motion carried.

City Clerk Lee advised of a speaker for item #1.4 on the Consent Calendar.

Martha Bridges, resident, stated she is concerned about what is being placed on the Consent Calendar. There is too much money involved with this item for it to

be placed there. Also, there needs to be more information than what is being provided as far as financial impact to the City. Also, how much further are we going to go with the County.

A MOTION was made by Council Member Farnam, seconded by Council Member Cashman, to approve the Consent Calendar as presented.

Council Member Cashman stated these concern need to be discussed.

A MOTION was made by Council Member Cashman, seconded by Council Member Ade, to pull item #1.4 on the Consent Calendar for separate discussion and action.

Roll call vote: Ayes – 2, Council Members Ade and Cashman; Nays – 2, Mayor Moore and Council Member Farnam; Absent – Mayor Pro Tem Swanson. Motion failed.

A MOTION was made by Council Member Farnam, seconded by Mayor Moore, to approve the Consent Calendar as presented.

Council Member Ade stated she did not wish to hold up anything on the Consent Calendar.

City Manager Oviedo stated that Supervising Engineer Crawford could give a brief explanation of item #1.4.

Supervising Engineer Crawford stated this is a service that the City is need of from the County. Also contained in the agreement are items that the City might need on an “as needed” basis and the City will only pay for those services when they are utilized. This would be the second year the City would have this contract.

City Manager Oviedo stated this is very common for a new City. Until Staff is comfortable that the City is at a level that we can provide those services, we will need an agreement such as this.

Roll call vote: Ayes – 3, Mayor Moore, Council Members Ade and Farnam; Nays – 1, Council Member Cashman; Absent – Mayor Pro Tem Swanson. Motion carried.

1.0 CONSENT CALENDAR

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Warrant Registers

Approved the following Warrant Registers:

1. Dated August 11, 2010 in the amount of \$56,570.92;
2. Dated August 19, 2010 in the amount of \$389,250.42;
3. Dated August 26, 2010 in the amount of \$161,702.65;
4. Dated September 2, 2010 in the amount of \$332,014.09.

1.3 Treasurer's Report

Approved the Treasurer's Report for July, 2010.

1.4 Agreement with the County of Riverside Transportation and Land Management Agency (TLMA)

Adopted a Resolution entitled:

RESOLUTION NO. 2010 - 46
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A
PROFESSIONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF
RIVERSIDE, TRANSPORTATION AND LAND MANAGEMENT AGENCY AND
THE CITY OF WILDOMAR

3.0 GENERAL BUSINESS

3.1 Intent to Participate in the Southwest Financing Authority

City Clerk Lee presented the item.

Assistant City Manager Nordquist presented the staff report.

Gil Rasmussen, resident, questioned if the City has sufficient funds for this contract and if all alternatives had been looked at. He feels the City should hire an animal control officer. He researched salary, vehicles, licensing, and housing, and feels Staff should look at this as he feels it is feasible for the City.

A MOTION was made by Council Member Farnam, seconded by Council Member Cashman, to adopt a Resolution entitled:

RESOLUTION NO. 2010 - 47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A
LETTER OF INTENT, IDENTIFYING DESIRED CONDITIONS, FOR THE
CITY OF WILDOMAR TO JOIN THE SOUTHWEST COMMUNITIES
FINANCING AUTHORITY

Council Member Ade stated she has concerns. Have the other City Council's agreed to these conditions and is this typically how it is done.

City Manager Oviedo stated yes, this is how it is done, and once this is given to the Authority, the other City Council's will have to agree to it.

Temecula Council Member Maryann Edwards explained how the JPA adds new members.

Council Member Ade questioned the license fee increase. She does not see any backup information on this agreement. Also, are there other options.

City Manager Oviedo stated this Resolution is really only deal points and not specifics. This is a starting point in the negotiations. The only other shelter available to us is 33 miles away in Ramona, which is where the expense would come in if we had our own officer.

Assistant City Manager Nordquist stated the field service is not part of the Resolution at this point.

Council Member Ade stated she is not comfortable with this or raising the fees.

Mayor Moore stated the raising of fees will come back to the Council before it can be done.

Roll call vote: Ayes – 4; Nays – 0; Absent – Mayor Pro Tem Swanson.
Motion carried.

3.2 Medical Benefits

City Clerk Lee presented the item.

Assistant City Manager Nordquist presented the staff report.

Martha Bridges, resident, stated that given the economic climate of today and the foreseeable future, this benefit package is excessive. The present package for employees and Council is equal to, or in excess of, what major corporations provide for their employees. The City is on a survival budget and the Council should consider if this is not excessive.

A MOTION was made by Council Member Farnam, seconded by Council Member Ade, to adopt a Resolution entitled:

RESOLUTION NO. 2010 - 48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AND FIXING THE EMPLOYER'S CONTRIBUTION FOR EMPLOYEES AND THE EMPLOYER'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS

Council Member Cashman inquired if the long term commitments to retirement benefits encumber the City in any way.

Assistant City Manager Nordquist stated 20 – 30 years from now it could, but by putting the savings aside now, the City will have the money when that occurs.

Roll call vote: Ayes – 4; Nays – 0; Absent – Mayor Pro Tem Swanson. Motion carried.

2.0 PUBLIC HEARINGS

2.1 Medical Marijuana Ordinance

City Clerk Lee presented the item.

Mayor Moore stated that due to the number of speakers, a time limit of two minutes will be applied.

Mayor Moore opened the public hearing.

City Manager Oviedo presented the staff report.

City Attorney Biggs gave an overview of the Anaheim case regarding medical marijuana dispensaries.

City Manager Oviedo stated that at the previous hearing in April, Staff did schedule Riverside County Supervisor Jeff Stone to speak to this issue. He was unable to attend that night but is here now. He brings a unique perspective as he is a Pharmacist and is very familiar with this issue.

Supervisor Stone stated as a Pharmacist you are taught that Federal Law trumps State Law unless it is stricter than Federal Law. He reviewed the various drugs on the various schedules and how marijuana was first introduced and how it was first used and the continued use today. The County will be undertaking an Ordinance for medical marijuana next week and the Ordinance will be dealing only with collectives and cooperatives, not dispensaries. There are several issues that need to be addressed:

- *Maximum number of collectives and cooperatives in the City;
- *The size of the collectives and cooperatives;
- *Require that they register annually with the Police Department;
- *Records of acquisition and what is dispensed;
- *Location and zoning of collectives and cooperatives;
- *Distances from churches, schools, and places where children congregate;
- *Conditions of operation for storefront collectives and cooperatives;
- *Service hours posted;
- *Web based closed circuit monitoring;
- *Carefully monitored fire and burglar alarm systems;
- *Alcohol sale and consumption prohibitions;
- *Storage requirements for dried medical marijuana;
- *Require inspection from the Fire and Code Enforcement Departments when medical marijuana is cultivated indoors;
- *Establish visibility prohibitions and require security measures to prevent non-patient access when medical marijuana is cultivated outdoors; how are you going to secure that;
- *Prohibit for-profit operations;
- *Prohibit minors in the facilities; Go further with the prohibition of minors in the cooking, preparation, and manufacturing of medical marijuana;
- *Prohibit consumption of medical marijuana at the collective or cooperative;
- *Prohibit the collective or cooperation from providing medical marijuana to any persons other than the member of the collective or cooperative;
- *Provide medical marijuana to a member of the collective or cooperative from a prescription from a Doctor for a patient who resides in Wildomar;
- *Require that the proof of participation records be maintained for a period of three years, and the Police Department should be able to go in, at any time, without any warrants, to check said records;

- *Require the owner and workers of the cooperative or collective have the appropriate background checks;
- *Require that the Managers are a member of the collective or cooperative that they are managing;
- *Prohibit a worker from working in a collective or cooperative if in the previous ten years they have convicted of a felony or a crime of moral turpitude, or is on probation or parole for the sale or distribution of a controlled substance;
- *Require that no qualified patient with an identification card, or primary care giver, may be a member at the same time of more than one collective or cooperative;
- *Prohibit collectives and cooperatives from storing more than \$200 in cash overnight and requiring twice daily bank drops;
- *Require a state licensed, uniformed security guard patrol a two block radius during all hours of operation;
- *24 hour telephone number for receiving complaints and inquiries;
- *Require an annual audit that is verified by a reputable CPA;
- *Require that a physician that is writing a prescription for a controlled substance have a DEA license;
- *Making sure that the name of the patient, the date dispensed, the potency of the marijuana is inscribed on the label with the following Federal caution: "It is a violation of Federal Law for anyone to utilize a prescription for anyone other than for whom it was prescribed";
- *Require that only MDs, DOs, NDs be the only ones that can write these prescriptions and that they must be in good standing with their medical boards; and
- *A maximum of five refills or six months is the expiration of the prescription.

This is a very complicated issue. He recommends that if the City moves forward with this Ordinance that it be strengthened.

Assistant Sheriff Williams then spoke stating if the Council goes forward with this make sure the research is there. He is working with the County on their Ordinance regarding the enforcement aspect. The primary agency on these is Code Enforcement and they work very closely with this Department.

SPEAKERS:

Mrs. N.L. Mitchell, resident was not able to stay but wanted her opposition to the Ordinance voiced.

Veronica Langworthy, resident, stated if this is allowed the city will be known as Weed-o-mar and all the good work that has been done will be for naught. The Laguna Woods Ordinance will not work in Wildomar. She wants the children to be thought of and property owners as well. She feels the threat of a lawsuit by the ones who want this is nothing more than bullying.

Maria Walker, resident, stated she has a brother that is addicted to marijuana and there was a great deal of pain and suffering in her home. He stole from her and her family and it cost a great deal of money to replace everything. She does not want others to have to grow up this way. The cost of policing this could cripple the City's budget.

Tim Walker, resident, stated this is a Federal issue and it trumps the State. This will be out of control. The Council's job is to protect the public.

Ginger Carlson, resident, stated smoking marijuana is the most abused drug in the United States. It is not recommended for any disease. She does not want it in Wildomar.

Robert Skiff, Murrieta resident, stated he has had several surgeries and has been in an extreme amount of pain. He never took marijuana and didn't need it as there are pain medications that take care of the discomfort.

Gloria Young, resident, stated she is against the Ordinance. She is concerned about the children of the community.

Gil Rasmussen, resident, stated medical marijuana is State Law and the Council took an oath to uphold the State Constitution. He thanked Council Member Ade for her leadership.

Gerry Hall, resident, stated he is concerned about the enforcement of this. He distributed a report regarding these dispensaries and cooperatives. A good deal of the crimes do not occur at the dispensary or cooperative, they occur when they are followed by others who will do harm or even kill. How will the Council feel if that happens here after the Council approves the Ordinance. Additionally, since there is a Council Member absent tonight he would like this continued until the full Council is present.

William Sump, Wildomar Patients Compassionate Group, stated there is a great deal of misinformation regarding medical marijuana. He understands how the community feels about it, but he would hope they

would understand the needs of those who need it. He urged the Council to allow the safe access to medical marijuana within the community.

Norman Smith, resident, stated he agreed with Mr. Hall's comments.

Martha Bridges, resident, stated she is in opposition to the Ordinance. She suggests that if the Council wishes to adopt an Ordinance in the future that it be put on the ballot for voter approval. The majority of residents in Wildomar do not want this.

Steve Price, resident, read from a white paper that he got from the California Police Chief's Task Force regarding medical marijuana. He is opposed to this and asked the Council not to adopt the Ordinance.

Chris Allen, resident, was not present.

Don Whildin, Murrieta resident, stated he is opposed to the Ordinance.

George Taylor, resident, stated given the amount of letters and emails received against the Ordinance, he is recommending that the Ordinance not be adopted.

Garin Heslop, Canyon Lake resident and a member of a Temecula cooperative, stated he understands this is a difficult decision. He has seen the benefit of using medical marijuana and is in favor of it.

Mary Austin, resident, stated her concerns have been made and she is opposed to the Ordinance.

Greg Langworthy, resident, stated there have been unintended consequences of this compassionate use law. This has been a convenient cover-up for the illegal use of marijuana. He is opposed to the Ordinance.

Nancy Johnson, resident, stated she lives off the Cottonwood Canyon area where a number of crimes involving drugs occur. This will complicate the issues already existing. She is opposed to this Ordinance.

Steve Beutz, resident, stated legal action has been threatened if the Council does not adopt this Ordinance. This is an untrue statement. If this Ordinance is adopted, the public could get a referendum to stop the Ordinance. The public can also put in term limits and recall Council Members. He is opposed to the Ordinance.

Ron Downey, Nuevo resident and member of Wildomar Patients Compassionate Group, stated he is in favor of the Ordinance. There are more bank robberies and pharmacy robberies, are those to be prohibited as well.

Chris Yap, Murrieta resident and member of Wildomar Patients Compassionate Group, stated he is in favor of the Ordinance. Those who need this need safe access to medical marijuana. It is an alternative solution to other drugs for pain. Having regulations is good and can be done.

Mark Macias, resident, stated this Ordinance would do more harm than good and he is against it. He is concerned about abuse and recreational uses.

Mike Hendricks, resident, urged the Council to not adopt the Ordinance.

Renee Hendricks, resident, stated she is opposed to this Ordinance. They left Victorville after 17 years to get away from this type of thing. She urged the Council to oppose the Ordinance.

Kyle Castanon, resident and applicant for a cooperative, stated he feels the Ordinance is very strong and is good. He urged the Council to vote for the Ordinance. He passed out a paper regarding ways that he would run his dispensary.

Gina Castanon, resident, stated she would like to know how much money the City has spent in developing this Ordinance. She has several changes to the Ordinance, and is in support of it. She urged the Council to adopt the Ordinance for safe access for those who choose to use medical marijuana.

Katherine Bailey, resident, stated the Ordinance is good, but could use some amendments. She would like the Council to adopt the Ordinance and put it in place.

Wayne Williams, resident, stated he is in favor of the Ordinance. He stated that the crime rate during Prohibition was high, and when it was repealed the crime rate dropped. He urged the Council to think about that.

Joe Nazarowski, Lake Elsinore resident and representing San Bernardino Patient Association, stated he operates a dispensary. They have never had a problem due to precautions they have in place such as armed

security. He is in favor of the Ordinance.

Ronald Reinke, resident, stated he is in opposition of the Ordinance.

Kelly Renee, Canyon Lake resident, stated she is in favor of the Ordinance and uses medical marijuana.

Jake Aguiar, resident, stated he is opposed to the Ordinance. He does not want Wildomar to be a leader in this when there are other issues that Wildomar can take the lead on.

At 9:47 p.m. the City Council took a recess.

At 9:53 p.m. the City Council reconvened, with Mayor Pro Tem Swanson absent.

It was the consensus of the City Council to extend the meeting to 10:30 p.m.

Council Member Ade stated Supervisor Stone had some good comments and how can we incorporate those into the City's Ordinance.

City Attorney Biggs stated she would recommend to hold off on this Ordinance and model an Ordinance after the one the County will be doing.

Council Member Ade stated she agrees and would also like to read what Kyle Castanon submitted.

Council Member Farnam stated after months of gathering information, talking with experts in this field, and talking with the residents, he has to put his own personal feelings aside and go with what the residents are wanting.

Council Member Ade stated that many people will not show up and support it because of the issue.

Mayor Moore stated they can phone, write a letter, or an email anonymously.

Council Member Ade stated there is a stigma attached to it and that is why they won't come forward. They don't want people to know. We have not heard from everyone on this and there is still the law to consider.

Council Member Cashman stated he feels there should be cooperatives and at some point the State will force us to do it. However, all he has

heard mostly is the residents don't want it. He therefore doesn't want to go forward with this until the City is forced to do it.

Council Member Ade stated we are not talking about recreational use. We are talking about safe access for those who wish to use medical marijuana.

Council Member Cashman stated he personally doesn't oppose it, however after listening to Supervisor Stone we have deficiencies in this Ordinance and he would rather wait to see what the County does.

Council Member Ade stated her concurrence with waiting to see the County Ordinance. Our job is to listen to both sides, not just those who don't want it. She would like to come into compliance with State law.

Mayor Moore stated she would like to know how much money has been spent to put this Ordinance in place. She did not want to spend one more penny on this issue, and now you want to postpone it. Back in April she wanted to wait until after the November election to see what the outcome is of the Proposition and see what the State is going to do. Also we knew back then that the County was working on an Ordinance.

Council Member Ade stated we do represent the community and have listened to both sides. We are talking about safe access to this.

Council Member Cashman stated he feels there are those who need medical marijuana and they will have to continue getting it the way they have been getting it. He doesn't like that, but he just can't support this Ordinance.

A MOTION was made by Council Member Farnam, seconded by Council Member Cashman, to make no changes to the current Ordinance in effect.

Roll call vote: Ayes – 3; Nays – 1, Council Member Ade; Absent – 1, Mayor Pro Tem Swanson. Motion carried.

CITY MANAGER REPORT

Nothing to report.

CITY ATTORNEY REPORT

Nothing to report.

COUNCIL COMMUNICATIONS

Council Member Ade stated in regards to the SCAG meeting she attended, GHG target goals for the carbon, the regional council rejected the goals for the carbon and asked for lower goals and outlined conditions they wanted enacted. In regards to RTA and bus shelters, we have to bring every one of them in compliance with ADA. There would be a huge cost involved.

Council Member Farnam thanked everyone for coming out to the meeting and sharing their thoughts. He also thanked everyone who sent in emails, letters, and called in. They are moving forward at RCTC on the 91 freeway widening.

FUTURE AGENDA ITEMS

Council Member Farnam stated he hears we may be challenged on the prohibition of cooperatives, he would like to know what the City's fee schedule is on fining people who open their doors in violation.

City Attorney Biggs stated it is through Code Enforcement and it is limited by State Law. It can be checked and Staff can update the Council on it.

Council Member Ade stated she would like the City to move forward on the Old Town plan. We can get grant money on this from SCAG.

ADJOURNMENT

There being no further business, Mayor Moore declared the meeting adjourned at 10:15 p.m.

Respectfully submitted,

Debbie A. Lee, CMC
City Clerk

**CITY OF WILDOMAR
CITY COUNCIL REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 22, 2010**

CALL TO ORDER – CLOSED SESSION - 6:00 p.m.

The regular meeting closed session of September 22, 2010, of the Wildomar City Council was called to order by Mayor Moore at 6:03 p.m.

Members in attendance: Mayor Moore, Mayor Pro Tem Swanson, Council Member Farnam. Members absent: Council Members Ade and Cashman.

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to add an additional matter to the closed session pursuant to the provisions of Government Code Section 54956.9(b) one matter of significant exposure to litigation.

Roll call vote: Ayes – 3; Nays – 0; Absent – 2, Council Members Ade and Cashman. Motion carried.

City Clerk Lee announced that the City Council will meet in closed session to confer with legal counsel pursuant to the provisions of Government Code Section 54956.9(b) with regard to two matters of significant exposure to litigation.

ADJOURN CLOSED SESSION

At 7:00 p.m. the City Council reconvened into open session, with Council Members Ade and Cashman absent, making no announcements.

There being no further business, Mayor Moore declared the closed session portion of the agenda adjourned at 7:00 p.m.

CALL TO ORDER – 7:00 p.m.

The regular meeting regular session of September 8, 2010, of the Wildomar City Council was called to order by Mayor Moore at 7:00 p.m.

City Council Roll Call showed the following Members in attendance: Mayor Moore, Mayor Pro Tem Swanson, Council Member Farnam. Members absent: Council Members Ade and Cashman.

Staff in attendance: City Manager Oviedo, Assistant City Manager Nordquist, City Attorney Biggs, Supervising Engineer Crawford, Planning Director Hogan, Police Chief Fontneau, and City Clerk Lee.

A moment of silence was observed and the flag salute was led by Boy Scout Troop 332.

PRESENTATIONS

Mayor Moore presented certificates to Anthony and Jordan Ramos, two youths who assisted with notifying residents affected by the recent fire.

Patty Dorati, owner of the Wildomar Gazette, presented the City with a check for \$354.00 which was collected at the recent Wildomar Night at the Storm Stadium.

Barbara Spoonhaur, WRCOG, presented the Energy Leader Partnership update.

Gary Welsh, Rough Riders Motorcycle Club, presented the City with a POW/MIA Flag to fly at City Hall.

Jose Carvajal, LEUSD, presented an update.

Code Enforcement Kowalski presented the monthly update.

PUBLIC COMMENTS

Sharon Heil, Elks Club member, stated on September 26 the Elks Ladies will hold their first dance at the new facility. The Christmas Tree Lane will also be held this year at the new facility and it is a great fundraiser for them for scholarships. On behalf of the Elks, she thanked the City Council for the assistance in getting the facility open. In November the Senior Thanksgiving Dinner will be held and Boy Scout Troop 332 will be assisting them with that. She added that when she was in Santa Barbara on vacation they noticed that the streets are watered down three times a week. There is a worker standing there sweeping away the debris so that the system does not get clogged. She would like the City to consider something like this.

Diane O'Mally, resident, spoke regarding voting and democracy.

APPROVAL OF THE AGENDA AS PRESENTED

Mayor Moore stated she needs to add an additional item to the agenda as item #3.3 to direct Staff with to prepare a park funding strategy. This matter came up after the posting of the agenda and immediate action is required.

A MOTION was made by Council Member Farnam, seconded by Mayor Pro Tem Swanson, to add item #3.3 as noted and approve the agenda as amended.

Roll call vote: Ayes – 3; Nays – 0; Absent – 2, Council Members Ade and Cashman. Motion carried.

1.0 CONSENT CALENDAR

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

Roll call vote: Ayes – 3; Nays – 0; Absent – 2, Council Members Ade and Cashman. Motion carried.

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – August 11, 2010 Regular Meeting

Approved the Minutes as submitted.

1.3 Warrant Registers and Payroll Register

Approved the following:

1. Warrant Register dated September 8, 2010, in the amount of \$342,243.60;
2. Warrant Register dated September 16, 2010, in the amount of \$6,929.92; and
3. Payroll Register dated July 3 – September 10, 2010, in the amount of \$86,859.46.

1.4 Treasurer's Report

Approved the Treasurer's Report for August, 2010.

2.0 PUBLIC HEARINGS

There were no Public Hearings scheduled.

3.0 GENERAL BUSINESS

3.1 City of Wildomar Personnel Rules

City Clerk Lee presented the item.

City Manager Oviedo presented the staff report.

Bob Deshazer, CSCA representative, stated the hearings do not take that long for the employee to get their due process. He feels it should not be cut out and he is opposed to At-Will employment. Employees can be fired even if they are government workers. At-Will employment takes away employees rights.

Michael Perry, resident, stated he is concerned about attraction and retention of employees. If the At-Will employment is only in Wildomar, it will not match the neighboring cities and could cause a problem with attracting or retaining employees.

Mayor Moore inquired, you can't fire someone based on race or gender or something similar, correct?

City Attorney Biggs stated the City can fire anyone for any reason so long as it is not an illegal reason. Civil Rights protection laws still apply and the employees are protected. There is a disciplinary process which may or may not lead to termination.

Mayor Moore inquired if the City Manager found, in the other cities he had worked in, if attraction or retention were a problem.

City Manager Oviedo answered there were never any issues with employees who were At-Will. Also, there is no need to fear the At-Will status if you are doing your job, and that is what it comes down to. Should a termination be necessary, regardless of what system you have in place, you work with the attorney's office and the first thing they are going to ask for is documentation. You still need documentation to protect everyone.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Council

Member Farnam, to introduce and Ordinance entitled:

ORDINANCE NO. 53
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AMENDING CHAPTER 2.06 OF THE
WILDOMAR MUNICIPAL CODE ESTABLISHING THE CITY OF
WILDOMAR PERSONNEL RULES

Roll call vote: Ayes – 3; Nays – 0; Absent – 2, Council Members Ade and Cashman. Motion carried.

3.2 Agreement Amendments for Community Services and Park Maintenance

City Clerk Lee presented the item.

Assistant City Manager Nordquist presented the staff report.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Council Member Farnam, to authorize the City Manager to sign the amendment to the contracts with Diamond W Events, CTAI Pacific Greenscape Landscape Services, AA Janitorial Services, and Protection Rescue Security Services.

Roll call vote: Ayes – 3; Nays – 0; Absent – 2, Council Members Ade and Cashman. Motion carried.

ITEM ADDED TO THE AGENDA

3.3 Parks Funding Strategy

Assistant City Manager Nordquist presented the staff report regarding the recent Court action that has resulted in losing all the funding for the City's parks.

Andy Morris, resident, stated we need the parks, and that is what he is hearing in the community. The Blue Ribbon committee is a must and needs to happen immediately, don't wait.

Mayor Pro Tem Swanson stated we can't wait and it has to happen now. It is a shame that a few people can bring the parks to a closure, but it is time to band together and keep the parks open.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Council Member Farnam, to direct Staff to have an RFP for the engineering report in the next 30 days, and to put together a Blue Ribbon Committee immediately.

Roll call vote: Ayes – 3; Nays – 0; Absent – 2, Council Members Ade and Cashman. Motion carried.

City Manager Oviedo stated that Staff will put together parameters for the Blue Ribbon Committee and bring it back to Council in due haste.

It was the consensus of the City Council to hold a Town Hall Meeting at Marna O'Brien Park at 7:00 p.m. on Wednesday, September 29, 2010. Please bring any and all ideas to the City on how to save the parks.

CITY MANAGER REPORT

There was nothing to report.

CITY ATTORNEY REPORT

There was nothing to report.

COUNCIL COMMUNICATIONS

Mayor Pro Tem Swanson stated she, Mayor Moore, and Council Members Farnam and Cashman attended the League of California Cities annual conference in San Diego. She and Mayor Moore were very intrigued about a program that the City of Santa Clarita has regarding a community preservation program. It is City-wide and they clean up graffiti and other projects, and raise funds to do this, and she would like to look into it. She also talked about having a Wildomar postcard that could be used in economic development efforts. She would also like if all the norming procedures were put together in one book so that it could be referenced easily.

Mayor Moore thanked everyone who went to the Mayor's Ball. They raised \$1,191 for emergency services. She also urged to vote Yes on 22, and No on 26. October 1 is a dinner the Rotary Club is presenting to benefit the VFW. She also attended: Heroes with Heart dinner; United Way Day of Caring; and a Mass care shelter exercise.

FUTURE AGENDA ITEMS

Mayor Moore inquired if a norming session will be scheduled soon.

City Manager Oviedo stated yes, it will be scheduled after the election and the new Council is seated. At that time he would like to go through the norming and also establish goals and priorities with the new Council.

Mayor Moore stated she would like one of the norming items to address a plan to reimburse the City when a Council Member is scheduled, and paid for, to attend an event and they do not show up and do not let the City Manager know that they will not be attending.

Mayor Pro Tem Swanson suggested travelling and meeting guidelines.

ADJOURNMENT

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

Respectfully submitted,

Debbie A. Lee, CMC
City Clerk

CITY OF WILDOMAR CITY COUNCIL
Agenda Item #1.4
CONSENT CALENDAR
Meeting Date: October 27, 2010

TO: Mayor and City Council
FROM: Gary Nordquist, Assistant City Manager
SUBJECT: Warrant Registers and Payroll Register

STAFF REPORT

RECOMMENDATION:

That the City Council approve the following:

1. Warrant Register dated October 14, 2010, in the amount of \$95,821.85;
2. Warrant Register dated October 21, 2010, in the amount of \$54,270.44; and
3. Payroll Register dated October 15, 2010, in the amount of \$16,861.72.

BACKGROUND:

The City of Wildomar requires that the City Council audit payments of demands and direct the City Manager to issue checks. The Warrant and Payroll Registers are submitted for approval.

FISCAL IMPACTS:

These Warrant and Payroll Registers will have a budgetary impact in the amount noted in the recommendation section of this report. These costs are included in the Fiscal Year 2010-11 Budget.

Submitted by:

Approved by:

Gary Nordquist
Assistant City Manager

Frank Oviedo
City Manager

City of Wildomar
 Payroll Warrant Register
 October 15, 2010

<u>ACH Date</u>	<u>Payee</u>	<u>Description</u>	<u>Amount</u>
10/15/2010	Payroll People	9/25-10/08/10 Staff and council	16,861.72
		TOTAL	16,861.72

City of Wildomar
Warrant Register
 October 21, 2010

<u>Num</u>	<u>Name</u>	<u>Memo/Description</u>	<u>Amount</u>
200055	Bio-Tox Laboratories	Sheriff Lab Svc	489.01
200056	Burke, Williams and Sorenson	Legal Svc Sept 2010	25,705.18
200057	CalPERS	Medical Benefits Oct 2010	5,293.20
200058	Crime Scene Steri-Clean	Accident Scene Clean up	939.10
200059	Department of Justice	Sheriff-Blood Alc Analysis	140.00
200060	Image Printing Systems	Office Supplies	220.22
200061	North County Times	Public Hearing Notice 10/2/10	133.28
200062	Ontrac	Overnight Delivery Svc	47.44
200063	PV Maintenance	Gas Tax, TCRP Storm Resp March-April 2010	21,303.01
		TOTAL	54,270.44

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
Bank code : wf						
200036	10/14/2010	000033 AMERICAN FORENSIC NURSES	58906		BLOOD DRAW	246.48
200037	10/14/2010	000080 BURKE, WILLIAMS AND SORENSON,, LL 140207			LEGAL SVCS-AUGUST 2010	32,261.55
					Total :	32,261.55
200038	10/14/2010	000028 CALPERS	1020103		PERS CONTRIB STAFF 9/25-10/8/10	3,138.37
			720100		PERS CONTRIB COUNCIL JULY 201	305.41
			720103		PERS CONTRIB STAFF 7/3-7/16/10	3,137.46
			720104		PERS CONTRIB STAFF 7/17-7/31/10	3,137.46
			820100		PERS CONTRIB AUG 2010	305.41
			820103		PERS CONTRIB 7/31-8/13/10	3,137.46
			820104		PERS CONTRIB STAFF 8/14-8/27/10	3,137.46
			920100		PERS CONTRIB COUNCIL SEPT 20	305.41
			920103		PERS CONTRIB CM 8/28-9/10/10	3,138.37
			920104		PERS CONTRIB CM 9/11-9/24/10	3,138.37
					Total :	22,881.18
200039	10/14/2010	000011 CR&R INC.	245873		DUMP AND RETURN 40 YD BOX	255.29
					Total :	255.29
200040	10/14/2010	000041 CTAI PACIFIC GREENSCAPE	19148		O'BRIEN MAINT SEPT 2010	3,800.00
			19160		CSA 103 MAINT SEPT 2010	460.00
			19169		O'BRIEN IRRIGATION REPAIR SEPT	52.46
			19170		HERITAGE IRRIGATION REPAIR SE	50.10
					Total :	4,362.56
200041	10/14/2010	000036 DATAQUICK	B1-1868472		CODE ENF SOFTWARE SEPT 2010	157.76
					Total :	157.76
200042	10/14/2010	000137 DE GROOT, ROBERT	10-4-10		GUEST SPEAKER FOR EMERG PRI	83.10
					Total :	83.10
200043	10/14/2010	000022 EDISON	10-2-10		CSA 103 ELECTRICITY SEPT 2010	34.43
			10-6-10A		CSA 22 ELECTRICITY SEPT 2010	3,023.76
			10-6-10B		CITY LIGHTS SEPT 2010	379.18

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
200043	10/14/2010	000022 EDISON	(Continued) 10-6-10C 10-7-10		CSA 103 ELECTRICITY SEPT 2010 CSA 142 ELECTRICITY SEPT 2010 Total :	12,997.10 1,852.33 18,286.80
200044	10/14/2010	000014 GARY NORDQUIST	10-11-10		REIMB FOR MEDICAL INS SEPT 2010 Total :	975.66 975.66
200045	10/14/2010	000024 GUARDIAN	10-4-10		DENTAL/HEALTH BENEFITS SEPT 2010 Total :	224.34 224.34
200046	10/14/2010	000136 HOF FINANCIAL	09-0270		REFUND 09-0270 Total :	370.99 370.99
200047	10/14/2010	000016 INNOVATIVE DOCUMENT SOLUTIONS	94956		COPIER SVC SEPT 2010 Total :	462.38 462.38
200048	10/14/2010	000048 MURRIETA LOCK AND SAFE, INC.	4367		COPIES OF KEYS TO CITY HALL Total :	48.94 48.94
200049	10/14/2010	000049 NORTH COUNTY TIMES	2270792 2270793		PUBLIC HEARING NOTICES PUBLIC HEARING NOTICE Total :	123.84 112.04 235.88
200050	10/14/2010	000005 PARSAC	11-156		ADD'L PREMIUM Total :	10,332.00 10,332.00
200051	10/14/2010	000138 SOUTHWEST FIRE PROTECTION	3176		CODE ENF ASSISTANCE 21426 AUC Total :	200.00 200.00
200052	10/14/2010	000023 UNUM LIFE INS CO OF AMERICA	0142710-001		LIFE INSURANCE SEPT-NOV 2010 Total :	3,760.38 3,760.38
200053	10/14/2010	000020 VERIZON	10-1-10A 10-1-10B		TELEPHONE CHARGES OCT 2010 VERIZON Total :	35.06 581.50 616.56
200054	10/14/2010	000139 WILDOMAR CHAMBER OF COMMERCE	719		BUSINESS NETWORKING BRKFAS Total :	60.00 60.00

Bank code : wf

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
200054	10/14/2010	000139	000139 WILDOMAR CHAMBER OF COMMEF (Continued)			60.00

19 Vouchers for bank code : wf

19 Vouchers in this report

Total :

Bank total : 95,821.85

Total vouchers : 95,821.85

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #1.5
CONSENT CALENDAR
Meeting Date: October 27, 2010

TO: Mayor and City Council
FROM: Gary Nordquist, Assistant City Manager
SUBJECT: Treasurer's Report, September 2010

STAFF REPORT

RECOMMENDATION:

Staff recommends that the City Council approve the Treasurer's Report for September, 2010.

BACKGROUND/DISCUSSION:

Attached is the Treasurer's Report for Cash and Investments for the month of September 2010.

FISCAL IMPACTS:

None at this time.

ALTERNATIVES:

1. Take no action
2. Provide staff with further direction.

Submitted by:

Approved by:

Gary Nordquist
Assistant City Manager

Frank Oviedo
City Manager

ATTACHMENTS: Treasurer's Report

CITY OF WILDOMAR
 TREASURER'S REPORT FOR
 CASH AND INVESTMENT PORTFOLIO
September 2010

CITY CASH

<u>FUND</u>	<u>ACCOUNT</u>	<u>INSTITUTION</u>	<u>BALANCE</u>	<u>RATE</u>
All	All	WELLS FARGO	\$ 3,069,412.26	0.00%
		TOTAL	\$ 3,069,412.26	

<u>FUND</u>	<u>ACCOUNT</u>	<u>INSTITUTION</u>	<u>BEGINNING BALANCE</u>	<u>+ DEPOSITS</u>	<u>(-) WITHDRAWALS</u>	<u>ENDING BALANCE</u>	<u>RATE</u>
All	All	WELLS FARGO	\$ 3,860,502.78	\$ 269,794.17	\$ (1,060,884.69)	\$ 3,069,412.26	0.000%
		TOTAL	\$ 3,860,502.78	\$ 269,794.17	\$ (1,060,884.69)	\$ 3,069,412.26	

CITY INVESTMENT

<u>FUND</u>	<u>ISSUER</u>	<u>BOOK VALUE</u>	<u>FACE VALUE</u>	<u>MARKET VALUE</u>	<u>PERCENT OF PORTFOLIO</u>	<u>DAYS TO MAT.</u>	<u>STATED RATE</u>
All	LOCAL AGENCY INVESTMENT FUND	\$ 1,524,338.27	\$ 1,524,338.27	\$ 1,524,338.27	100.00%	0	0.500%
	TOTAL	\$ 1,524,338.27	\$ 1,524,338.27	\$ 1,524,338.27	100.00%		

CITY - TOTAL CASH AND INVESTMENT \$ 4,593,750.53

CITY INVESTMENT

<u>FUND</u>	<u>ISSUER</u>	<u>BEGINNING BALANCE</u>	<u>+ DEPOSITS/ PURCHASES</u>	<u>(-) WITHDRAWALS/ SALES/ MATURITIES</u>	<u>ENDING BALANCE</u>	<u>STATED RATE</u>
All	LOCAL AGENCY INVESTMENT FUNDS	\$ 1,524,338.27	\$ 0.00	\$ 0.00	\$ 1,524,338.27	0.500%
	TOTAL	\$ 1,524,338.27	\$ 0.00	\$ 0.00	\$ 1,524,338.27	

In compliance with the California Code Section 53646, as the Director of Finance/ City Treasurer of the City of Wildomar, I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the City's expenditure requirements for the next six months and that all investments are in compliance to the City's Statement of Investment Policy.
 I also certify that this report reflects all Government Agency pooled investments and all City's bank balances.

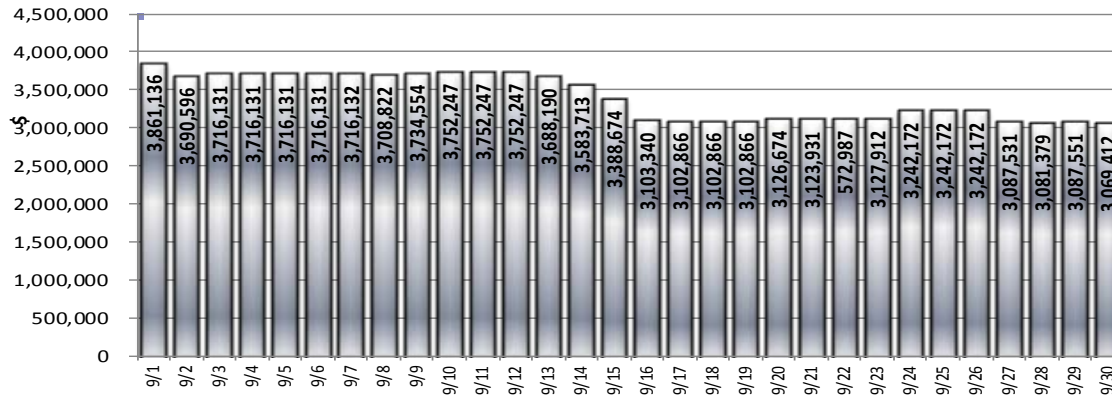
 Gary Nordquist
 ACM Finance & Administration /
 City Treasurer

 Date



September 2010

Daily Cash Balance All Funds Checking Only Pool Report Balance



2008-2009	Ending Balance	Monthly Net Activity
July	\$ 20,855	\$ 20,855
August	2,297,920	2,277,065
September	2,402,083	104,163
October	2,340,436	(61,647)
November	2,203,169	(137,267)
December	747,664	(1,455,505)
January	826,502	78,838
February	733,251	(93,251)
March	571,857	(161,394)
April	644,285	72,428
May	687,746	43,461
June	1,266,750	579,004
July	2,027,072	760,322
August	4,745,827	2,718,755
September	4,201,825	(544,002)
October	3,674,234	(527,592)
November	3,098,110	(576,124)
December	2,963,884	(710,350)
January	2,801,810	(296,300)
February	2,919,794	117,984
March	2,397,718	(522,076)
April	3,239,669	841,951
May	3,200,801	(38,868)
June	3,159,501	(41,300)
July	3,008,802	(150,699)
August	3,860,503	851,700
September	3,069,412	(791,091)

September 2010		
Date	Ending Balance In Whole \$	Net Change from Prior Day
9/1	3,861,136	-
9/2	3,690,596	(170,540)
9/3	3,716,131	25,535
9/4	3,716,131	-
9/5	3,716,131	-
9/6	3,716,131	-
9/7	3,716,132	1
9/8	3,708,822	(7,310)
9/9	3,734,554	25,732
9/10	3,752,247	17,693
9/11	3,752,247	-
9/12	3,752,247	-
9/13	3,688,190	(64,057)
9/14	3,583,713	(104,476)
9/15	3,388,674	(195,039)
9/16	3,103,340	(285,334)
9/17	3,102,866	(474)
9/18	3,102,866	-
9/19	3,102,866	-
9/20	3,126,674	23,807
9/21	3,123,931	(2,742)
9/22	3,123,602	(329)
9/23	3,127,912	4,310
9/24	3,242,172	114,259
9/25	3,242,172	-
9/26	3,242,172	-
9/27	3,087,531	(154,640)
9/28	3,081,379	(6,152)
9/29	3,087,551	6,172
9/30	3,069,412	(18,139)

CITY OF WILDOMAR – COUNCIL
Agenda Item #3.1
GENERAL BUSINESS
Meeting Date: October 27, 2010

TO: Mayor and City Council
FROM: Frank Oviedo, City Manager
SUBJECT: Save Our Parks Update

STAFF REPORT

RECOMMENDATION:
Receive and file the report.

DISCUSSION:

At the October 13, 2010 meeting, the City Council provided City Staff with direction to proceed with the Save Our Parks Strategy which included the establishment of a Blue Ribbon Committee. Since that meeting, City Staff has asked members of the community to participate on the Blue Ribbon Committee and held its first meeting on Tuesday October 19, 2010. The Blue Ribbon Committee currently consists of the following members:

<i>Represented Group</i>	<i>First Name</i>	<i>Last Name</i>	<i>Position</i>
Baseball	Tim	Underdown	President for Little League and Girls Softball
Butterfield Trails	George	Taylor	Committee Member/Sr./Farm
Chamber of Commerce	Henry	Silvestre	Board Member
Civic Group	Mike	Shehean	VFW Commander/Sr.
Football	Juan	Coria	President of League
PTA	Irene	Gallegos	PTA Member
Resident	Susan	Lane	Former County Parks Committee Member
Seniors	Tracy	Lobo	President of Wildomar Seniors
Soccer	Adam	Wilson	Board Member
WCC	John	Lloyd	Former County Parks Committee Chair
Youth	Mekenna	Olsen	Active EHS Student
Farm	To Be Determined		
Hospital/Medical	To Be Determined		
HOA	To Be Determined		
Schools	To Be Determined		

The initial committee meeting was held with eight of the members and focused on the committee organization and structure, overview of the parks funding issues, and discussion of various funding options for the parks. The committee has agreed to meet

once every week to prepare the necessary information for a park funding recommendation to the City Council by November 10, 2010. The next scheduled meetings are at 7:00 p.m. on October 26, 2010 and November 3, 2010 at City Hall.

Fund Raising Efforts:

Since, the last SOP Report to City Council the following events have occurred:

- Spaghetti Dinner and Art Show, Friday October 15, 2010 at the Fire House. This well attended event provided dinners for 292 residents (\$1,460.00 gross) and the Art works provided by Sycamore Academy School and other donations raised \$832.00.
- Awareness Race held October 9, 2010, sponsored by the Elsinore High School Football Boosters, and donated \$300.00 to the SOP program.
- Wildomar's Chamber of Commerce Mixer held October 21, 2010, collected \$311.00 in donations to the SOP program.
- Bracelets inscribed with "Save Our Parks" are available at City Hall for a donation of \$3.00 for one bracelet or 4 bracelets for \$10.00.

Additional updates, not ready at the time of printing the agenda, will be presented by Staff at the City Council meeting.

Submitted and Approved by:

Frank Oviedo
City Manager

ATTACHMENTS:

A - Blue Ribbon Committee Meeting Agenda

Attachment "A"

Blue Ribbon Committee Meeting October 19, 2010 Agenda

City of Wildomar
Save Our Parks

Blue Ribbon Committee

Meeting No. 1

October 19, 2010

Agenda

- 1. Why a Blue Ribbon Committee and Why am I here?**
 - a. Committee Organization**
- 2. The Issues:**
 - a. What Happened?**
 - b. Saving the Parks**
 - i. Now**
 - ii. Forever**
- 3. What is the Plan?**
 - a. Meetings, Dates, Events**
- 4. What are the types of Long Term Funding**
 - a. 50.1% Vote...Special Benefit**
 - b. 66.6% Vote...General Benefit**
- 5. Next Meeting?**

CITY OF WILDOMAR – COUNCIL
Agenda Item #3.2
GENERAL BUSINESS
Meeting Date: October 27, 2010

TO: Mayor and City Council
FROM: Frank Oviedo, City Manager
SUBJECT: Robles Auto Repair Shop Advisory Report

STAFF REPORT

RECOMMENDATION:

Staff is recommending the City Council consider having this item be heard directly by the City Council at the regular meeting of November 10, 2010.

BACKGROUND:

On January 28, 2009, six months after incorporation, staff agendaized a development report to be heard as a “receive and file.” The report was brought forward by the City of Wildomar Planning Department regarding the development of an auto repair shop on the property directly behind Crivello’s Restaurant just north of the intersection of Palomar and Clinton Keith.

The applicant of the project, Kenny Robles, previously had been processed by the Riverside County Planning Department. This particular project was one of a handful of applications staff referred to as “pipeline” projects. In other words, they were processed almost entirely under the County. After incorporation the applications that were in this “project pipeline” were handed to the City to be finalized.

In this case the project had been approved by the County’s Planning Commission. Procedurally, the code required the project to then be sent to the approving body for a final receive and file vote. This would have been the County Board of Supervisors. However, it was at this stage of the process that it was handed over to the new City of Wildomar. At that time, there were concerns by the City Council regarding potential problems related to the physical layout and design of the building due to its large bay doors opening toward the adjacent Silver Oaks neighborhood. As a result, several concerns were brought up regarding the following mitigation requirements:

- Noise
- Odor
- Handling of hazardous materials
- Access for the adjoining property

Consequently, the City Council made a motion to send the item to the City Planning Commission. The project applicant made a decision, due to lack of time and financing, to stop processing the project through the City. The applicant's project has been on hold for well over a year and half.

Recently, the applicant came to the City and has asked that his project be heard once again. Staff has worked with Mr. Robles to agree on a payment plan to finalize his project. Staff has also made our best efforts to provide the applicant with the most cost effective and efficient way to get his project before the City Council for a final vote.

One solution that was proposed to save the applicant some time and money was to request that the City Council hear this item directly rather than it go to the Planning Commission as the original direction from the City Council. By doing this the City Council will be the hearing body to address its original concerns regarding the project rather than the Planning Commission. This will allow the process to be heard by one body rather than two. Thus saving processing time in an attempt to be more business friendly both from a time and cost standpoint.

In suggesting this idea staff has been cautious as to not set precedent. This case is a bit unique given this will be the second time the applicant will be in front of the Planning Commission even after he received approvals at the County level. Only this time it would be a new jurisdiction. Since he has already received Planning Commission approval from the County technically he has fulfilled his obligation under the code. The idea is to streamline the process by having the final decision making body handle the remainder of his case.

This in no way guarantees approval but rather allows the City Council to directly review whether the applicant has addressed their concerns from the January 2009 meeting. Whether the City Council determines that the applicant has or has not appropriately addressed the Council's concerns he will at minimum receive an approval or denial vote on his project the same night it is heard by the City Council. Notwithstanding council's decision under this scenario this will save the applicant time and money. It will also bring a conclusion to the project.

If it is the desire of the City Council, staff is asking that this item be considered directly by the Council at its regularly scheduled meeting on November 10, 2007. If the Council chooses not to hear this item directly staff will process the project back through the Planning Commission as the original direction was articulated at the January 28, 2009 meeting.

FISCAL IMPACT:

There is minimal fiscal impact to the City by this action. Regardless of the direction of the City Council the cost to finalize the project processing will be an obligation of the applicant with the exception of the time spent by the City Clerk and the City Manager reviewing the final documentation.

Submitted and Approved by:

Frank Oviedo
City Manager