

CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
SEPTEMBER 11, 2013

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

The closed session of September 11, 2013, of the Wildomar City Council was called to order by Mayor Walker at 5:30 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 111, Wildomar, California.

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

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

PUBLIC COMMENTS

There were no speakers.

CLOSED SESSION

City Attorney Jex stated an item needs to be added to the closed session. This item came to the attention of Staff after the posting of the agenda and needs direction from the Council prior to the next meeting.

A MOTION was made by Councilman Benoit, seconded by Mayor Pro Tem Swanson, to add the item to the closed session agenda.

MOTION carried, 5-0.

City Attorney Jex stated the item is:

4. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9 (d)(1) to confer with legal counsel with regard to the following matter of pending litigation:
City of Wildomar v. Rossti Investment Properties; Case No. MCC 1300122.

City Clerk Lee announced:

1. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9 (d)(1) to confer with legal counsel with

regard to the following matter of pending litigation:

People of the State of California and City Wildomar v. Green Thumb Connoisseurs, Inc., et al; Case No. MCC 1300939.

2. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9 (d)(1) to confer with legal counsel with regard to the following matter of pending litigation:
Citizens for Quality Development v. City of Wildomar and Sunbelt Communities; Case No. MCC 1300818.
3. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9 (d)(1) to confer with legal counsel with regard to the following matter of pending litigation:
Martha Bridges & John Burkett v. City of Wildomar and Sunbelt Communities; Case No. MCC 1300893.

At 5:33 p.m. the City Council convened into closed session with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:32 p.m. the City Council reconvened into open session with all Council Members present.

ANNOUNCEMENT

City Attorney Jex announced the City Council met in closed session with respect for all of the items on the agenda. One item was added with respect to the City of Wildomar vs. Rostai Investments matter. As to all of those matters, except for #3 on the agenda, there is no reportable action. As to matter #3 on the closed session agenda item, the City Council discussed the terms of a proposed settlement. The settlement agreement is not yet final, but the Council gave direction on acceptable parameters for a settlement and authorized the City Manager to sign a settlement that conforms with those parameters. That concludes his report.

ADJOURN CLOSED SESSION

There being no further business Mayor Walker declared the closed session adjourned at 6:33 p.m.

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

The regular meeting of September 11, 2013, of the Wildomar City Council was called to order by Mayor Walker at 6:38 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 111, Wildomar, California.

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

Staff in attendance: City Manager Nordquist, City Attorney Jex, Public Works Director York, Planning Director Bassi, City Controller Cheng, Police Chief Kennedy-Smith, Lt. Hall, Lt. Knudson, Administrative Analyst Morales, and City Clerk Lee.

The Flag Salute was led by Police Chief Kennedy-Smith.

Mayor Walker called for a moment of silence in honor of the tragedy that occurred on 9-11-01.

PRESENTATIONS

Mayor Walker presented a Proclamation to Helen Wilson in honor of her 100th Birthday.

Mayor Walker presented Government Finance Officers Association (GFOA) Award to City Controller Cheng.

Police Chief Kennedy-Smith presented the Police Quarterly Report & Sheriff's Posse.

Fire Chief Beach was on a fire in the San Francisco bay area and unable to present the Fire Department update, however a paper report was given to the Council.

PUBLIC COMMENTS

Jeff Codega, David Evans & Associates, introduced himself and they are interested in doing work for the City.

Dionna Fitch, Sycamore Academy, presented an update on the school.

Joy Allen, resident, spoke regarding speeding on Catt Road.

COUNCIL COMMUNICATIONS

The City Council updated everyone on all the local and regional Committees, Commissions and Board that they serve on.

APPROVAL OF THE AGENDA AS PRESENTED

A **MOTION** was made by Councilwoman Moore, seconded by Councilman Benoit, to approve the agenda as presented.

MOTION carried, 5-0.

1.0 CONSENT CALENDAR

A **MOTION** was made by Councilman Benoit, seconded by Mayor Pro Tem Swanson, to approve the Consent Calendar as presented.

MOTION carried, 5-0.

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – August 14, 2013 Regular Meeting

Approved the Minutes as submitted.

1.3 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 08-01-13 in the amount of \$43,856.44;
2. Warrant Register dated 08-01-13 in the amount of \$532,789.35;
3. Warrant Register dated 08-07-13 in the amount of \$11,974.98;
4. Warrant Register dated 08-08-13 in the amount of \$204,602.15;
5. Warrant Register dated 08-08-13 in the amount of \$35,571.87;
6. Warrant Register dated 08-15-13 in the amount of \$92,151.95;
7. Warrant Register dated 08-22-13 in the amount of \$28,163.83;
8. Warrant Register dated 08-26-13 in the amount of \$5,769.09;
9. Warrant Register dated 08-29-13 in the amount of \$2,340.25;
10. Warrant Register dated 08-29-13 in the amount of \$24,415.89;

- 11. Warrant Register dated 08-29-13 in the amount of \$9,905.21; &
- 12. Payroll Register dated 08-30-13 in the amount of \$69,089.45.

1.4 Treasurer's Report

Approved the Treasurer's Report for July, 2013.

1.5 Maintenance Agreements for Landscaping and Street Sweeping for Tract Map 31345, Canyon Village (11-0066)

Authorized the City Manager to execute the Maintenance Agreements.

1.6 City Hall Facility Lease Extensions

Received and file the report.

1.7 Vacation of Irrevocable Offer of Dedication of Riverside County Flood Control Storm Drain Easement for Tract Map 31837, Andalusia II (12-0401)

Adopted a Resolution entitled:

RESOLUTION NO. 2013 - 36
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, VACATING THE IRREVOCABLE OFFER OF
DEDICATION FOR STORM DRAIN PURPOSES FOR TRACT MAP
31837

1.8 National Pollution Discharge Elimination System (NPDES) Urban Runoff Discharge Permit Implementation Agreement First Amendment for the Santa Ana Region

Approved and authorized the Mayor to execute the First Amendment of the NPDES Implementation Agreement.

1.9 Parks Funding Measure Citizen's Oversight Advisory Committee Resolution

Adopted a Resolution entitled:

RESOLUTION NO. 2013 - 37
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, REPEALING RESOLUTION 2013-05 AND ESTABLISHING
THE ORGANIZATION, OBJECTIVES AND RESPONSIBILITIES OF A
WILDOMAR COMMUNITY PARKS FUNDING MEASURE CITIZEN'S
OVERSIGHT ADVISORY COMMITTEE AND COMMITTEE MEMBER
VOLUNTEERS DESCRIPTION

1.10 Ordinance No. 79 Second Reading and Adoption

Adopted an Ordinance entitled:

ORDINANCE NO. 79
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADOPTING An EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
GUIDELINES PER SECTION 15061(B)(3), AND APPROVING
ZONING ORDINANCE AMENDMENT NO. 13-02 TO AMEND
SECTION 17.172.205 (FENCES) TO ESTABLISH HEIGHT AND
LOCATION STANDARDS FOR FENCES AND WALLS IN
RESIDENTIAL ZONES AND RESTRICTIONS ON PROHIBITIVE
FENCING MATERIALS

2.0 PUBLIC HEARINGS

**2.1 Development Agreement No. 13-0033 – C.V. Communities for
Tentative Tract Map No. 32535**

City Clerk Lee read the title.

Mayor Walker opened the public hearing.

Planning Director Bassi presented the staff report.

Adam Smith, representative of the applicant, spoke regarding the project.

SPEAKERS:

Ken Mayes, resident, spoke against the CFD.

Bob Devine, resident, with donated minutes from Robin Devine and Sheryl Ade, spoke against the project.

There being no further speakers, Mayor Walker closed the public hearing.

Discussion ensued regarding the project.

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

ORDINANCE NO. 80

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT FOR TENTATIVE TRACT MAP NO. 32535 (PLANNING APPLICATION NO. 13-0033) GENERALLY ON THE WEST SIDE OF STABLE LANES ROAD, NORTH OF CLINTON KEITH ROAD AND SOUTH OF CATT ROAD (APN: 380-110-005, 380-110-006, 380-120-001, 380-120-002, 380-100-006, 380-100-005, 380-130-002, 380-130-018 AND 380-100-004)

MOTION carried, 5-0.

3.0 GENERAL BUSINESS

3.1 Change to Procedures for Processing Minor Changes to Tentative Maps

City Clerk Lee read the title.

Public Works Director York presented the staff report.

Bob Devine, resident, with donated minutes from Robin Devine and Sheryl Ade, spoke in opposition to the Ordinance.

Discussion ensued regarding the proposed Ordinance.

A MOTION was made by Councilman Benoit, seconded by Mayor Pro Tem Swanson, to table Ordinance 81 at this time.

MOTION carried, 5-0.

CITY MANAGER REPORT

City Manager Nordquist made a brief report.

COUNCIL COMMUNICATIONS

The City Council updated everyone on all the local and regional Committees, Commissions and Board that they serve on.

FUTURE AGENDA ITEMS

There were no items.

ADJOURN THE CITY COUNCIL

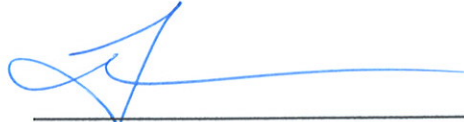
There being no further business, Mayor Walker declared the meeting adjourned at 8:23 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Timothy Walker
Mayor