

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
JANUARY 13, 2016**

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

The closed session of January 13, 2016, of the Wildomar City Council was called to order by Mayor Moore at 5:30 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California.

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

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

PUBLIC COMMENTS

There were no speakers.

CLOSED SESSION

City Clerk Lee read the following:

1. The City Council will meet in closed session pursuant to the provisions of Government Code section 54957(b) regarding Public Employee Performance Evaluation; Title: City Manager.
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 matters of pending litigation:
 - A. City of Eastvale v. County of Riverside et al; California Court of Appeal Case No.: E064953.
 - B. Luwisa Seely v. City of Wildomar; RSC Case number MCC1500316.
3. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9(d)(2) to confer with legal counsel with regard to one matter of potential exposure to litigation.

The Council convened into closed session at 5:31 p.m. with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:41 p.m. the City Council reconvened into open session, with all Council Members present.

ANNOUNCEMENTS

City Attorney Jex stated, the City Council took up item #3 and #2.B in closed session. In regard to #2.B the City Council unanimously voted to defend the litigation. With respect to item #3, the City Council directed the City Manager and City Attorney to hire a demographer and take all steps to assist the Council in preparation of an Ordinance pursuant to Government Code Section 34886 requiring Members of the City Council to be elected By-District, and to submit that Ordinance to the Council for consideration and adoption in sufficient time to use Districts for the November, 2016 election. The Council's actions are based on a number of reasons including the Council's desire to undertake actions to expand voter participation in local elections. Receipt of a letter alleging the existing at-large system violates the California Voting Rights Act, and the Council's desire to avoid spending taxpayers' dollars in defense of a meritless, but potentially expensive, lawsuit. This process will entail a presentation to the City Council at its next meeting or possibly sooner at a special meeting, as well as at least three public hearings on the proposed districts. The remaining items, #1 and #2.A will be continued after the end of the City Council and the Cemetery District meetings where the City Council will reconvene into closed session.

ADJOURN CLOSED SESSION

There being no further business, Mayor Moore adjourned the closed session at 6:42 p.m.

SPECIAL ORDER OF BUSINESS

Councilman Benoit, 2015 Mayor, passed the Mayor's gavel to 2016 Mayor Moore.

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

The regular meeting of January 13, 2016, of the Wildomar City Council was called to order by Mayor Moore at 6:42 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California.

City Council Roll Call showed the following Members in attendance: Council Members Benoit, Cashman, Swanson, Mayor Pro Tem Walker, and Mayor

Moore. Members absent: None.

Staff in attendance: City Manager Nordquist, City Attorney Jex, Assistant City Manager York, Planning Director Bassi, Finance Director Riley, Police Chief Hollingsworth, Administrative Analyst Morales and City Clerk Lee.

The flag salute was led by Boy Scout Troop 2011.

PRESENTATIONS

Mayor Moore presented the 2015 Mayor plaque to Ben Benoit.

Mayor Moore presented Eagle Scout Proclamations to Travis Pipoly, and Ashton Christensen.

Melina Velazquez, Branch Manager, presented the Library update.

The Fire Department update was given.

PUBLIC COMMENTS

Glenn Copple, Original Christmas Tree Lane, reported on the success of the program.

Ken Mayes, resident, spoke regarding the Measure Z audit.

COUNCIL COMMUNICATIONS

The City Council Members spoke regarding the various committees, commissions, and boards that they serve on locally and regionally.

APPROVAL OF THE AGENDA AS PRESENTED

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

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore
NAY: None
ABSTAIN: None
ABSENT: None

1.0 CONSENT CALENDAR

Ken Mayes, resident, spoke regarding the vacancies on the Measure Z Oversight Committee.

A MOTION was made by Councilman Benoit, seconded by Councilwoman Swanson, to approve the Consent Calendar as presented.

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore
NAY: None
ABSTAIN: None
ABSENT: None

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – December 9, 2015 Regular Meeting

Approved the Minutes as submitted.

1.3 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 12-03-2015 in the amount of \$162,614.06;
2. Warrant Register dated 12-10-2015 in the amount of \$260,678.15;
3. Warrant Register dated 12-17-2015 in the amount of \$298,381.50;
4. Warrant Register dated 12-21-2015 in the amount of \$5,116.00;
5. Warrant Register dated 12-23-2015 in the amount of \$73,848.73;
6. Warrant Register dated 12-30-2015 in the amount of \$372,196.63 &
7. Payroll Register dated 01-01-2016 in the amount of \$64,333.38.

1.4 Treasurer's Report

Approved the Treasurer's Report for November, 2015.

1.5 Tentative Parcel Map 36080 (Wildomar Square) - Final Parcel Map Approval, Subdivision Improvement Agreement, Stormwater Management/BMP Facilities Agreement

1. Adopted a Resolution entitled:

RESOLUTION NO. 2016 - 01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING THE FINAL MAP FOR TENTATIVE PARCEL MAP 36080 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT

2. Authorized the City Manger to execute the Stormwater Management/BMP Facilities Agreement for the development's Water Quality Management Plan (WQMP).

1.6 Declare Three Vacancies on the Measure Z Oversight Advisory Committee

1. Declared three vacancies on the Measure Z Oversight Advisory Committee, for seats currently held by Scott Bradstreet, Kathleen Bundy, and Jamie Johnson; and
2. Directed the City Clerk to advertise the vacancies.

2.0 PUBLIC HEARINGS

2.1 Consideration of Territory to be Annexed to Community Facilities District No. 2013-1 (Services), Calling an Election, Ordering the Levy and Collection of Special Taxes, and Declaring the Election Results for CFD 2013-1 (Services), Annexation No. 6

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

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

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

RESOLUTION NO. 2016 - 02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

WILDOMAR, CALIFORNIA, CALLING AN ELECTION FOR THE
PURPOSE OF SUBMITTING THE QUESTION OF THE LEVY OF
THE PROPOSED SPECIAL TAX TO THE QUALIFIED ELECTORS
WITHIN THE AREA PROPOSED TO BE ANNEXED TO COMMUNITY
FACILITIES DISTRICT NO. 2013-1 (SERVICES)

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore

NAY: None

ABSTAIN: None

ABSENT: None

City Clerk Lee opened the ballots which were marked "yes".

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

RESOLUTION NO. 2016 - 03
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, DECLARING ELECTION RESULTS
WITHIN THE AREA PROPOSED TO BE ANNEXED TO COMMUNITY
FACILITIES DISTRICT NO. 2013-1 (SERVICES)

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore

NAY: None

ABSTAIN: None

ABSENT: None

2.2 Consideration of Territory to be Annexed to Community Facilities District No. 2013-1 (Services), Calling an Election, Ordering the Levy and Collection of Special Taxes, and Declaring the Election Results for CFD 2013-1 (Services), Annexation No. 7

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

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

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

Councilwoman Swanson, to adopt a Resolution entitled:

RESOLUTION NO. 2016 - 04
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, CALLING AN ELECTION FOR THE
PURPOSE OF SUBMITTING THE QUESTION OF THE LEVY OF
THE PROPOSED SPECIAL TAX TO THE QUALIFIED ELECTORS
WITHIN THE AREA PROPOSED TO BE ANNEXED TO COMMUNITY
FACILITIES DISTRICT NO. 2013-1 (SERVICES)

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore

NAY: None

ABSTAIN: None

ABSENT: None

City Clerk Lee opened the ballot which was marked "yes".

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

RESOLUTION NO. 2016 - 05
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, DECLARING ELECTION RESULTS
WITHIN THE AREA PROPOSED TO BE ANNEXED TO COMMUNITY
FACILITIES DISTRICT NO. 2013-1 (SERVICES)

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore

NAY: None

ABSTAIN: None

ABSENT: None

2.3 Consideration of Territory to be Annexed to Community Facilities District No. 2013-1 (Services), Calling an Election, Ordering the Levy and Collection of Special Taxes, and Declaring the Election Results for CFD 2013-1 (Services), Annexation No. 8

Mayor Pro Tem Walker stated he lives within 500' of this project, so he is recusing himself from the dais.

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

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

Councilman Cashman stated he is not in favor of these types of assessments and would like that these items not come forward any more.

A MOTION was made by Councilman Benoit, seconded by Councilwoman Swanson, to adopt a Resolution entitled:

RESOLUTION NO. 2016 - 06
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, CALLING AN ELECTION FOR THE
PURPOSE OF SUBMITTING THE QUESTION OF THE LEVY OF
THE PROPOSED SPECIAL TAX TO THE QUALIFIED ELECTORS
WITHIN THE AREA PROPOSED TO BE ANNEXED TO COMMUNITY
FACILITIES DISTRICT NO. 2013-1 (SERVICES)

MOTION carried, 4-0-1, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Moore

NAY: None

ABSTAIN: Mayor Pro Tem Walker

ABSENT: None

City Clerk Lee opened the ballot which was marked "yes".

A MOTION was made by Councilman Benoit, seconded by Councilwoman Swanson, to adopt a Resolution entitled:

RESOLUTION NO. 2016 - 07
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, DECLARING ELECTION RESULTS
WITHIN THE AREA PROPOSED TO BE ANNEXED TO COMMUNITY
FACILITIES DISTRICT NO. 2013-1 (SERVICES)

MOTION carried, 4-0-1, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Moore

NAY: None

ABSTAIN: Mayor Pro Tem Walker

ABSENT: None

3.0 GENERAL BUSINESS

3.1 Ordinance Levying Special Taxes Within Community Facilities District No. 2013-1 (Services)

Mayor Pro Tem Walker returned to the dais.

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

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

ORDINANCE NO. 115
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN
COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES)

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore

NAY: None

ABSTAIN: None

ABSENT: None

3.2 Wildomar Little League Proposal for Ball Field Modifications at Marna O'Brien Park

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

Discussion ensued regarding the light usage.

Ken Mayes, resident, asked if during the off hours if the field would be available to the public.

City Manager Nordquist answered no, however, it will be designed for the

Little League play.

A MOTION was made by Councilman Benoit, seconded by Councilwoman Swanson, to approve the proposed modifications at Marna O'Brien Park.

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore

NAY: None

ABSTAIN: None

ABSENT: None

3.3 2016 Special Events and Recreation Program Dates

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

Ken Mayes, resident, spoke regarding the lack of programs for seniors.

Mayor Moore went over the events proposed including the astronomy nights, which dates were just received.

A MOTION was made by Councilwoman Swanson, seconded by Councilman Benoit, to approve the special events and recreation programs calendar through December, 2016, as amended.

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore

NAY: None

ABSTAIN: None

ABSENT: None

CITY MANAGER REPORT

There was no report.

CITY ATTORNEY REPORT

City Attorney Jex advised regarding pending California Supreme Court case on Public Records Act (City of San Jose v. Superior Court).

FUTURE AGENDA ITEMS

There were no items.

ADJOURN THE CITY COUNCIL

There being no further business, Mayor Moore declared the meeting adjourned at 7:36 p.m., until after the Cemetery District meeting.

CLOSED SESSION

At 7:38 p.m. the City Council reconvened into closed session, with Councilwoman Swanson absent.

1. The City Council will meet in closed session pursuant to the provisions of Government Code section 54957(b) regarding Public Employee Performance Evaluation; Title: City Manager.
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 matters of pending litigation:
 - A. City of Eastvale v. County of Riverside et al; California Court of Appeal Case No.: E064953.

The City Council reconvened into closed session at 8:10 p.m., with Councilwoman Swanson absent.

City Attorney Jex advised there was no reportable action.

There being no further business, Mayor Moore declared the meeting adjourned at 8:11 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Bridgette Moore
Mayor