

**CITY OF WILDOMAR
CITY COUNCIL ADJOURNED REGULAR MEETING MINUTES
JANUARY 22, 2014**

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

The closed session of January 22, 2014, of the Wildomar City Council was called to order by Mayor Swanson at 5:31 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: Council Members Cashman, Moore, Walker, Mayor Pro Tem Benoit, Mayor Swanson. 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 Clerk Lee read the following:

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. Citizens for Quality Development v. City of Wildomar and Sunbelt Communities - Case No. MCC 1300818
- B. Alliance for Intelligent Planning v. City of Wildomar - Case No. MCC 1400012
- C. Alliance for Intelligent Planning v. City of Wildomar and CV Communities - Case No. MCC1400009
- D. Martha Bridges and John Burkett v. City of Wildomar and CV Communities - Case No. RIC 1400419

At 5:32 p.m. the City Council convened into closed session, with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:30 p.m. the City Council reconvened into open session with all Council

Members present.

ANNOUNCEMENT

City Attorney Jex stated the Council met in closed session regarding all of the items listed on the agenda. There is no reportable action for item A. On items B, C, and D, the City Council voted unanimously to defend those actions.

ADJOURN CLOSED SESSION

There being no further business Mayor Swanson declared the closed session adjourned at 6:30 p.m.

2013 Mayor, Councilman Walker, passed the gavel to Mayor Swanson, 2014 Mayor.

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

The regular meeting of January 22, 2014, of the Wildomar City Council was called to order by Mayor Swanson at 6:30 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: Council Members Cashman, Moore, Walker, Mayor Pro Tem Benoit, and Mayor Swanson. 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, Administrative Analyst Morales, and City Clerk Lee.

The Flag Salute was led by Councilman Walker.

PRESENTATIONS

Mayor Swanson presented 2013 Mayor Timothy Walker with a plaque for his tenure as Mayor. His name was also added to the Mayors plaque in the Council Chambers.

Mayor Swanson presented former Chief Building Official Van Wilfinger with a plaque for his tenure with the City.

Mayor Swanson presented certificates to the Wildomar Boys Soccer Team.

The Elsinore High School FFA will make their presentation at the February meeting.

The Fire Department update was not given.

PUBLIC COMMENTS

Thayla Barrett, resident, spoke regarding installing speed bumps at the Farm.

Dena Piraino, resident, spoke regarding installing speed bumps at the Farm.

William Barrett, resident, spoke regarding installing speed bumps at the Farm and presented a petition.

Glenn Copple, Original Christmas Tree Lane, spoke regarding their event in December.

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 Moore, seconded by Mayor Pro Tem Benoit, to approve the agenda as presented.

MOTION carried 5-0, as follows:

Councilman Cashman – Yea
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

Planning Director Bassi announced that the appeal which was advertised to be heard tonight will not be heard as the appeal was withdrawn.

1.0 CONSENT CALENDAR

Councilman Cashman stated he would like to pull items #1.10 and #1.13 for further discussion.

City Clerk Lee advised that there is a speaker for items #1.9, #1.10, and #1.12.

Ms. Miller, representing Global Harmony, speaking to Item #1.9, spoke regarding the Golden Eagle project and the environment.

Ms. Miller, representing Global Harmony, speaking to Item #1.12, spoke regarding the environment.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to approve the Consent Calendar as presented, with the exception of items #1.10 and #1.13.

MOTION carried 5-0, as follows:

Councilman Cashman – Yea
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – December 11, 2013 Regular Meeting

Approved the Minutes as presented.

1.3 Minutes – January 8, 2014 Adjourned Regular Meeting

Approved the Minutes as presented.

1.4 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 12-05-13 in the amount of \$54,543.48;
2. Warrant Register dated 12-05-13 in the amount of \$6,211.01;
3. Warrant Register dated 12-12-13 in the amount of \$144,169.74;
4. Warrant Register dated 12-19-13 in the amount of \$377,601.56;
5. Warrant Register dated 12-19-13 in the amount of \$27,541.32; and
6. Payroll Register dated 01-22-14 in the amount of \$53,556.59.

- 1.5 Treasurer's Report**
Approved the Treasurer's Report for November, 2013.
- 1.6 Treasurer's Report**
Approved the Treasurer's Report for December, 2013.
- 1.7 Accept Resignation of Planning Commissioner Robert Devine (Councilman Cashman Appointment)**
1. Accepted the resignation of Planning Commissioner Robert Devine;
2. Declared a vacancy on the Planning Commission; and
3. Directed the City Clerk to advertise for the unexpired term.
- 1.8 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, John Lloyd, and Kristen West; and
2. Directed the City Clerk to advertise for the vacancies.
- 1.9 Westpark Promenade Project Environmental Impact Report Consultant Agreement (Planning Application No. 13-0082)**
1. Authorized the City Manager to execute a Tri-Party Consultant Services Agreement between the City of Wildomar, Golden Eagle Multi-Family Properties, LLC, and ESA Associates, Inc., for the preparation of an Environmental Impact Report (EIR) for the Westpark Promenade project; and
2. Authorized the City Manager to execute a Consultant Services Agreement between the City of Wildomar and ESA Associates, Inc., for the preparation of an EIR for the Westpark Promenade project.
- 1.11 Second Reading – Ordinance No. 90 - Change of Zone No. 13-007**
Adopted an Ordinance entitled:

ORDINANCE NO. 90
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADOPTING A CATEGORICAL
EXEMPTION PER SECTION 15301 (EXISTING FACILITIES) OF
THE CEQA GUIDELINES AND APPROVING A CONDITIONAL
CHANGE OF ZONE (PLANNING APPLICATION NO. 13-0007)
FROM R-R (RURAL RESIDENTIAL) TO C-1/C-P (GENERAL
COMMERCIAL) FOR PROPERTY LOCATED AT 32299
WILDOMAR ROAD (APN: 365-051-025)

1.12 Second Reading – Ordinance No. 91 - Development Agreement #13-0083 (The Rancon Group for Tentative Tract Map No. 31479)

Adopted an Ordinance entitled:

ORDINANCE NO. 91
A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING OF AN ORDINANCE APPROVING A
DEVELOPMENT AGREEMENT (PLANNING APPLICATION NO. 13-
0083) FOR TENTATIVE TRACT MAP NO. 31479 GENERALLY
LOCATED ON THE EAST SIDE OF GEORGE AVENUE
APPROXIMATELY 440 FEET SOUTH OF LA ESTRELLA ROAD (APN:
362-240-020, 023, 029, 031 & 032)

1.14 Tentative Tract Map No. 36519 – Receive and File Planning Commission’s Approval

Received and filed the report.

ITEMS REMOVED FROM THE CONSENT CALENDAR

1.10 Second Reading - Housing Element Ordinances

Councilman Cashman stated he does not believe the Housing Element is correct.

Ms. Miller, representing Global Harmony, spoke regarding the environment.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to adopt Ordinance No. 84.

MOTION carried 4-1, as follows:

Councilman Cashman – Nay
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

ORDINANCE NO. 84
AN ORDINANCE OF CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING ZONING ORDINANCE
AMENDMENT NO. 13-06 TO AMEND TITLE 17 OF THE ZONING

ORDINANCE TO ADOPT A MIXED USE OVERLAY ZONE TO
COMPLY WITH IMPLEMENTATION OF THE 2013-2021
HOUSING ELEMENT PROGRAMS

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to adopt Ordinance No. 85.

MOTION carried 4-1, as follows:

Councilman Cashman – Nay
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

ORDINANCE NO. 85

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING CHANGE OF ZONE NO. 13-02 FOR THE ADOPTION OF AN IMPLEMENTING MIXED USE (MU) OVERLAY ZONE DISTRICT FOR 20 PARCELS WITH THE EXISTING LAND USE DESIGNATION OF MIXED USE PLANNING AREA (MUPA) FOR APN'S: 376-190-001; 380-160-005; 380-160-009; 376-410-021; 380-160-006; 380-160-004; 376-410-017; 362-250-001; 376-190-002; 380-160-007; 376-180-006; 367-050-068; 380-160-003; 367-180-015; 367-180-043; 376-410-016; 362-250-029; 380-160-008; 367-050-064; 376-410-015

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to adopt Ordinance No. 87.

MOTION carried 5-0, as follows:

Councilman Cashman – Yea
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

ORDINANCE NO. 87

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT NO. 13-03 TO AMEND CHAPTER 17 OF THE WILDOMAR MUNICIPAL CODE TO IMPLEMENT THE 2013-2021

WILDOMAR HOUSING ELEMENT BY ADDING SINGLE ROOM
OCCUPANCIES, FARMWORKER HOUSING, TRANSITIONAL
HOUSING, SUPPORTIVE HOUSING, SECONDARY DWELLING
UNITS, AND STATE-LICENSED RESIDENTIAL CARE
FACILITIES TO THE LISTS OF PERMITTED USES IN CERTAIN
ZONES

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to adopt Ordinance No. 88.

MOTION carried 5-0, as follows:

Councilman Cashman – Yea
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

ORDINANCE NO. 88

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING ZONING ORDINANCE
AMENDMENT NO. 13-04 TO AMEND TITLE 17 OF THE ZONING
ORDINANCE TO ADOPT A DENSITY BONUS ORDINANCE TO
COMPLY WITH STATE LAW AND IMPLEMENT THE 2013-2021
HOUSING ELEMENT PROGRAMS

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to adopt Ordinance No. 89.

MOTION carried 4-1, as follows:

Councilman Cashman – Nay
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

ORDINANCE NO. 89

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING ZONING ORDINANCE
AMENDMENT NO. 13-05 TO AMEND TITLE 17 OF THE ZONING
ORDINANCE TO ADOPT A REASONABLE ACCOMMODATIONS
ORDINANCE TO IMPLEMENT THE 2013-2021 HOUSING

ELEMENT PROGRAMS

1.13 Statement of Investment Policy FY13-14

Councilman Cashman voiced his concern with the ability to delegate the authority to buy stocks and bonds out of the hands of the City Manager.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to adopt Resolution No. 2014 - 01.

MOTION carried 4-1, as follows:

Councilman Cashman – Nay
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

RESOLUTION NO. 2014 - 01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING STATEMENT OF INVESTMENT POLICY

2.0 PUBLIC HEARINGS

2.1 Five-Year Capital Improvement Program (Fiscal Years 2013/14 to 2017/18)

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Public Works Director York gave the staff presentation.

Speakers:

Roy Powell, resident, spoke regarding issues with Lost Road.

John Willard, resident, spoke regarding issues with Lost Road.

Sheila Urlaub, resident, spoke regarding issues with Lost Road.

Ms. Miller, representing Global Harmony, spoke regarding dusty roads.

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to continue the Public Hearing to February 12, 2014 at 6:30 p.m.

MOTION carried 5-0, as follows:

Councilman Cashman – Yea
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

2.2 Development Impact Fee Study

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Chris Vogt, Interwest Consulting Group, Joe Colgan, consultant, and Public Works Director York presented the staff report.

Speakers:

John Lloyd, resident, spoke regarding the Park Plan.

Monty Goddard, resident, spoke regarding parks.

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

Discussion ensued with the City Council and the Consultants.

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

ORDINANCE NO. 93
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AMENDING AND RESTATING ARTICLE I
(DEVELOPMENT IMPACT FEES) OF CHAPTER 3.44 (FEES) OF THE
WILDOMAR MUNICIPAL CODE AND AMENDING SECTION 16.20.02
(PARK AND RECREATION FEES AND DEDICATIONS) OF THE

WILDOMAR MUNICIPAL CODE

MOTION carried 5-0, as follows:

Councilman Cashman – Yea
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

A MOTION was made by Mayor Pro Tem Benoit, to adopt the new Exhibit B, which would lower the DIF by 50% until the end of 2014.

Motion died due to a lack of a second.

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to adopt a Resolution entitled:

RESOLUTION NO. 2014 - 02
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADOPTING THE "CITY OF
WILDOMAR IMPACT FEE STUDY", ESTABLISHING NEW
DEVELOPMENT IMPACT FEES APPLICABLE TO ALL
DEVELOPMENT IN THE CITY OF WILDOMAR, AND
DETERMINING THE FAIR MARKET VALUE OF LAND FOR THE
PURPOSES OF CALCULATING FEES IN LIEU OF PARK LAND
DEDICATION UNDER SECTION 16.20.020 OF THE WILDOMAR
MUNICIPAL CODE

as presented in the agenda packet.

MOTION carried 4-1, as follows:

Councilman Cashman – Yea
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Nay
Mayor Swanson - Yea

3.0 GENERAL BUSINESS

3.1 General Plan Amendment (GPA) - Planning Application No. 13-0039 (Northwest corner of Elizabeth Ln. & Prielipp Rd.- APN: 380-250-023)

City Clerk Lee read the title.

Planning Director Bassi presented the staff report.

Strata Equity, applicant, presented their proposal.

SPEAKERS:

Ms. Miller, represented Global Harmony, spoke against the proposal.

Discussion ensued with the City Council.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to support the initiation of a General Plan Amendment for the Strata/Prielipp Project (Planning Application No. 13-0039) to change the land use designation from Business Park (BP) to High Density Residential (HDR), taking into consideration the concerns voiced at the meeting.

MOTION carried 4-1, as follows:

Councilman Cashman – Nay
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

3.2 Planning Commission Appointment (Mayor Swanson Appointment)

City Clerk Lee read the title.

Mayor Swanson stated she would like to appoint Gary Brown to the vacancy.

A MOTION was made by Mayor Swanson, seconded by Councilman Cashman, to the Planning Commission for an unexpired term of December, 2014.

MOTION carried 5-0, as follows:

Councilman Cashman – Yea
Councilwoman Moore – Yea
Councilman Walker – Yea
Mayor Pro Tem Benoit – Yea
Mayor Swanson - Yea

CITY MANAGER REPORT

City Manager Nordquist presented the City Manager's report.

FUTURE AGENDA ITEMS

- *Artificial grass at the parks
- *Speed radar lights at David A. Brown
- *CIP item – Lost Road
- *Bundy Canyon improvements
- *Palomar trails crossing

ADJOURN THE CITY COUNCIL

There being no further business Mayor Swanson declared the meeting adjourned at 9:03 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Marsha Swanson
Mayor