

CITY OF WILDOMAR CITY COUNCIL  
AND WILDOMAR CEMETERY DISTRICT AGENDA

5:30 P.M. – CLOSED SESSION  
6:30 P.M. – REGULAR MEETING

MARCH 12, 2014  
Council Chambers  
23873 Clinton Keith Road



Marsha Swanson, Mayor/Chairman  
Ben Benoit, Mayor Pro Tem/Vice-Chairman  
Bob Cashman, Council Member/Trustee  
Bridgette Moore, Council Member/Trustee  
Timothy Walker, Council Member/Trustee

Gary Nordquist  
City Manager/General Manager

Thomas D. Jex  
City Attorney/District Counsel

## **WILDOMAR CITY COUNCIL AND WILDOMAR CEMETERY DISTRICT REGULAR MEETING AGENDA MARCH 12, 2014**

**ORDER OF BUSINESS:** Public sessions of all regular meetings of the City Council begin at 6:30 p.m. Closed Sessions begin at 5:30 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](http://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 (15 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 DEVICES TO VIBRATE/MUTE/OFF  
FOR THE DURATION OF THE MEETING. YOUR  
COOPERATION IS APPRECIATED.**

**CALL TO ORDER – CITY COUNCIL CLOSED SESSION–5:30 P.M.**

**ROLL CALL**

**PUBLIC COMMENTS**

**CLOSED SESSION**

1. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9(d)(4) to confer with legal counsel with regard to one matter of potential initiation of litigation.
2. 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 two matters of potential exposure to litigation.
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: Citizens for Quality Development v. City of Wildomar and Sunbelt Communities - Case No. MCC 1300818.

**RECONVENE INTO OPEN SESSION**

**ANNOUNCEMENT**

**ADJOURN CLOSED SESSION**

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

### **ROLL CALL**

### **FLAG SALUTE**

### **PRESENTATIONS**

Recognition of Police Chief Shelley Kennedy-Smith

Presentation by Bradley D. Neet, CEO, Southwest Healthcare System, Inland Valley/Rancho Springs

Fire Department Update

### **PUBLIC COMMENTS**

This is the time when the City Council receives general public comments regarding any items or matters within the jurisdiction of the City Council that do not appear on the agenda. Each speaker is asked to fill out a “Public Comments Card” available at the Chamber door and submit the card to the City Clerk. Lengthy testimony should be presented to the Council in writing (15 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker. Prior to taking action on any open session agenda item, the public will be permitted to comment at the time it is considered by the City Council.

### **COUNCIL COMMUNICATIONS**

### **APPROVAL OF THE AGENDA AS PRESENTED**

The City Council to approve the agenda as it is herein presented, or, if it the desire of the City Council, the agenda can be reordered at this time.

## **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 that specific items are removed from the Consent Calendar for separate discussion and/or action.

### **1.1 Reading of Ordinances**

**RECOMMENDATION:** Staff recommends that the City Council approve the reading by title only of all ordinances.

### **1.2 Minutes – January 22, 2014 Adjourned Regular Meeting**

**RECOMMENDATION:** Staff recommends that the City Council approve the Minutes as presented.

### **1.3 Minutes – February 12, 2014 Regular Meeting**

**RECOMMENDATION:** Staff recommends that the City Council approve the Minutes as presented

### **1.4 Warrant & Payroll Registers**

**RECOMMENDATION:** Staff recommends that the City Council approve the following:

1. Warrant Register dated 02-06-14 in the amount of \$45,092.84;
2. Warrant Register dated 02-13-14 in the amount of \$86,998.28;
3. Warrant Register dated 02-20-14 in the amount of \$162,776.35;
4. Warrant Register dated 02-27-14 in the amount of \$652,640.02;
5. Warrant Register dated 03-06-14 in the amount of \$415,732.10; and
6. Payroll Register dated 03-06-14 in the amount of \$47,801.20.

### **1.5 Treasurers Report**

**RECOMMENDATION:** Staff recommends that the City Council approve the Treasurers Report for January, 2014.

## **2.0 PUBLIC HEARINGS**

### **2.1 Establishment of Community Facilities District No. 2013-1 (Services)**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Open the public hearing;
2. Take testimony;
3. Close the public hearing;
4. Adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES);, CALLING AN ELECTION FOR THE PURPOSE OF SUBMITTING THE QUESTION OF THE LEVY OF THE PROPOSED SPECIAL TAX TO THE QUALIFIED ELECTORS OF THE COMMUNITY FACILITIES DISTRICT;; AUTHORIZING THE LEVY OF SPECIAL TAXES; AND ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT

5. Hold the election;
6. Canvass the election; and
7. Adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DECLARING ELECTION RESULTS FOR COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES)

### **2.2 Appeal of Minor Changes to Tentative Tract Map 25122 – CV Communities (Application No. 13-0120)**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF MINOR CHANGES TO TENTATIVE TRACT MAP NO. 25122 (PLANNING APPLICATION NO. 13-0120) LOCATED AT THE SOUTHWEST CORNER OF PALOMAR STREET AND MCVICAR STREET (APN: 380-080-004; 380-080-012; 380-080-013; 380-080-014; & 380-140-015) AND DETERMINING THAT NO FURTHER CEQA REVIEW IS REQUIRED FOR THE PROJECT UNDER CEQA GUIDELINES SECTION 15162

**2.3 Appeal of Minor Changes to Tentative Tract Map 32078 – CV Communities (Application No. 13-0121)**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF MINOR CHANGES TO TENTATIVE TRACT MAP NO. 32078 (PLANNING APPLICATION NO. 13-0121) LOCATED ON THE WEST SIDE OF PALOMAR STREET APPROXIMATELY 1,500 FEET SOUTH OF MCVICAR STREET (APN'S: 380-080-008; 380-080-009; 380-140-001) AND DETERMINING THAT NO FURTHER CEQA REVIEW IS REQUIRED FOR THE PROJECT UNDER CEQA GUIDELINES SECTION 15162

**3.0 GENERAL BUSINESS**

**3.1 EVMWD Lift Station Upgrades on Mission Trail**

**RECOMMENDATION:** Staff recommends that the City Council receive and file the report.

**3.2 Construction Contract Award for Safe Sidewalks to Schools Improvement Project – Bundy Canyon, Prielipp Road, Canyon Drive, and Grand Avenue Improvements (CIP 0016 and CIP 0018)**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Waive the lack of listing the Surety on the Bid Proposal Form by Southwest Construction Co. Inc. (Southwest Construction), and deem resulting irregularities as immaterial, given that the Bidder's Bond was attached to their bid package and met the Bidder's Bond requirements;
2. Approve the revised bid schedule provided by Southwest Construction to correct their total price arithmetic calculation for Bid Item #44 (Sawcut and Remove Existing Asphalt Curb & Walk, and Concrete Spandrel) and their Total Bid Price of \$300,598;
3. Consider and deny the bid question/verbal protest raised by the second lowest bidder, Crownline Engineering on the basis that any irregularities identified in the Southwest Construction bid are not material; and

4. Authorize the City Manager to execute a construction contract with Southwest Construction in the amount of \$300,598.00 for the Sidewalks to Schools Improvement Project, Bundy Canyon Road, Prielipp Road, Canyon Drive, and Grand Avenue Improvements (CIP 0016 and CIP 0018). Staff further recommends the City Council authorize the City Engineer to approve change orders not to exceed 20% of the contract amount.

**3.3 Additions to Classification and Compensation Plan**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE CLASSIFICATION/COMPENSATION PLAN AND AUTHORIZING THE ADDITION OF TWO POSITION DESCRIPTIONS IN ACCORDANCE WITH ORDINANCE NO. 53, AND AUTHORIZING THE AMENDMENT OF TWO POSITION CLASSIFICATION DESCRIPTIONS

**3.4 Wildomar Rotary BBQ Request for City Participation**

**RECOMMENDATION:** Staff recommends that the City Council approve the City's participation in the Wildomar Rotary BBQ on Saturday, May 24, 2014.

**3.5 Planning Commission Appointment (Councilman Cashman Appointment)**

**RECOMMENDATION:** Staff recommends that Councilman Cashman appoint a citizen to serve as a Commissioner on the Planning Commission for an expired term of December, 2016, subject to ratification by a majority vote of the City Council.

**3.6 Parks Funding Measure Citizen's Oversight Advisory Committee Appointments (3)**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Review the applications for committee membership and make appointments to the Parks Funding Measure Citizen's Oversight Advisory Committee; and
2. Direct the City Clerk to advertise for any vacant position remaining.

**CITY MANAGER REPORT**

**FUTURE AGENDA ITEMS**

**ADJOURN THE CITY COUNCIL**

The City Council will be adjourned to Closed Session immediately following the Wildomar Cemetery regular meeting.

In accordance with Government Code Section 54952.3, I, Debbie A. Lee, City of Wildomar City Clerk, do hereby declare that the Board of Trustees will receive no compensation or stipend for the convening of the following regular meeting of the Wildomar Cemetery District.

## **CALL TO ORDER THE WILDOMAR CEMETERY DISTRICT**

### **ROLL CALL**

### **PUBLIC COMMENTS**

This is the time when the Board of Trustees receives general public comments regarding any items or matters within the jurisdiction of the Wildomar Cemetery District that do not appear on the agenda. Each speaker is asked to fill out a "Public Comments Card" available at the Chamber door and submit the card to the Clerk of the Board. Lengthy testimony should be presented to the Board in writing (15 copies) and only pertinent points presented orally. The time limit for public comments is three minutes per speaker. Prior to taking action on any item, the public may comment at the time it is considered by the Board.

### **BOARD COMMUNICATIONS**

### **APPROVAL OF THE AGENDA AS PRESENTED**

The Board of Trustees to approve the agenda as it is herein presented, or if it the desire of the Board, the agenda can be reordered at this time.

#### **4.0 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 Board, the Public, or Staff request that specific items are removed from the Consent Calendar for separate discussion and/or action.

##### **4.1 Minutes – January 22, 2014 Adjourned Regular Meeting**

**RECOMMENDATION:** Staff recommends that the City Council approve the Minutes as presented.

##### **4.2 Minutes – February 12, 2014 Regular Meeting**

**RECOMMENDATION:** Staff recommends that the City Council approve the Minutes as presented

##### **4.3 Warrant Register**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the following:

1. Warrant Register dated 02-06-14, in the amount of \$151.36;
2. Warrant Register dated 02-20-14, in the amount of \$171.48;
3. Warrant Register dated 02-27-14, in the amount of \$292.88; and
4. Warrant Register dated 03-06-14, in the amount of \$148.85.

##### **4.4 Treasurers Report**

**RECOMMENDATION:** Staff recommends that the City Council approve the Treasurers Report for January, 2014.

#### **5.0 PUBLIC HEARINGS**

There are no items scheduled.

#### **6.0 GENERAL BUSINESS**

##### **6.1 Memorial Day Service Event 2014**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Special Event Application and allow Faith Baptist Church to conduct their Memorial Day Service at the Cemetery.

#### **GENERAL MANAGER REPORT**

#### **FUTURE AGENDA ITEMS**

#### **ADJOURN WILDOMAR CEMETERY DISTRICT**

**RECONVENE THE CITY COUNCIL**

**CLOSED SESSION**

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.

**RECONVENE INTO OPEN SESSION**

**ANNOUNCEMENT**

**ADJOURNMENT**

**City Council/Wildomar Cemetery District Regular Meeting Schedule**

April 9	August 13	January 14
May 14	September 10	February 11
June 11	November 12	March 11
July 9	December 10	April 8

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.

I, Debbie A. Lee, Wildomar City Clerk, do certify that on March 7, 2014, 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,  
Library, 34303 Mission Trail Blvd.

  
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Debbie A. Lee, CMC, City Clerk