

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 10, 2013**

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

The closed session of April 10, 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 which came up after the posting of the agenda and there is a need for Council to provide direction to Staff prior to the next Council meeting. The City received and Cure and Correct letter from a resident.

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

MOTION carried, 5-0.

City Attorney Jex announced that 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 significant exposure to litigation. The facts and circumstance surrounding this is a Brown Act Cure and Correct letter the City received on April 8, 2013.

City Clerk Lee announced the following:

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: City of Wildomar v. Rostai Investment Properties; Case No. MCC 1300122

2. 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 two matters of potential initiation of litigation.

At 5:32 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 stated there is no announcement from closed session regarding the first two matters listed. In regards to the added item, the City Council gave direction to Staff and there will be additional discussion regarding this matter when item #3.1 is heard on the agenda.

ADJOURN CLOSED SESSION

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

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

The regular meeting of April 10, 2013, of the Wildomar City Council was called to order by Mayor Walker at 6:33 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 D'Zmura, Planning Director Bassi, Police Sergeant Chavez, Fire Chief Beach and City Clerk Lee.

The Flag Salute was led by Mayor Walker.

PRESENTATIONS

The Clinton Keith interchange construction project update was given.

Mayor Walker presented certificates to the Elsinore High School Academic Decathlon Team.

Mayor Walker presented a Proclamation for Mental Health Month, May 2013.

Mayor Walker presented a Proclamation for Child Abuse Prevention Month, April 2013.

Fire Chief Beach presented the Fire Department update.

Public Works Director D'Zmura presented the code enforcement update.

PUBLIC COMMENTS

Monty Goddard, resident, with donated minutes from Mary Goddard, read the letter he submitted regarding the need for adequate law enforcement especially with the parks about to reopen.

Dionna Fitch, Sycamore Academy, spoke about activities at the school.

COUNCIL COMMUNICATIONS

The Mayor and Council Members presented updates on the various committees, commissions, boards, subcommittees, and community events they have attended.

APPROVAL OF THE AGENDA AS PRESENTED

A MOTION was made by Mayor Pro Tem Swanson, seconded by Councilman Benoit, to move item #3.5 to the beginning of General Business, and approve the remainder of the agenda as presented.

MOTION carried, 5-0.

1.0 CONSENT CALENDAR

A **MOTION** was made by Councilwoman Moore, seconded by Councilman Benoit, 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 - February 13, 2013 Regular Meeting

Approved the Minutes as submitted.

1.3 Minutes - February 21, 2013 Special Meeting

Approved the Minutes as submitted.

1.4 Minutes - March 6, 2013 Special Meeting

Approved the Minutes as submitted.

1.5 Minutes - March 13, 2013 Regular Meeting

Approved the Minutes as submitted.

1.6 Minutes - March 27, 2013 Special Meeting

Approved the Minutes as submitted.

1.7 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 03-07-13 in the amount of \$34,715.05;
2. Warrant Register dated 03-11-13 in the amount of \$1,094.26;
3. Warrant Register dated 03-14-13 in the amount of \$149,497.73;
4. Warrant Register dated 03-21-13 in the amount of \$11,321.26;
5. Warrant Register dated 03-28-13 in the amount of \$1,574,000.75; and
6. Payroll Register dated 04-01-13 in the amount of \$49,424.67.

1.8 Treasurer's Report

Approved the Treasurer's Report for February, 2013.

1.9 Ordinance No. 63 Second Reading – Change of Zone No. 10-0222 for the Subway Retail Project

Adopted an Ordinance entitled:

ORDINANCE NO. 63

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING CHANGE OF ZONE NO. 10-0222 TO CHANGE THE ZONING FROM R-R (RURAL RESIDENTIAL) TO C-1/C-P (GENERAL COMMERCIAL) ON A 1.27 ACRE SITE LOCATED AT 21940 BUNDY CANYON ROAD (APN: 366-390-026 and 366-390-027)

1.10 Ordinance No. 74 Second Reading – Change of Zone No. 12-0386; 33891 Mission Trail; APN 370-060-045

Adopted an Ordinance entitled:

ORDINANCE NO. 74

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING CHANGE OF ZONE NO. 12-0386 FROM R-R (RURAL RESIDENTIAL) TO M-SC (MANUFACTURING SERVICE COMMERCIAL) TO BE CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION OF LIGHT INDUSTRIAL (LI) FOR A 2.5 ACRE SITE LOCATED AT 33891 MISSION TRAIL IN THE CITY OF WILDOMAR (APN: 370-060-045)

1.11 Ordinance No. 75 Second Reading – Light Pollution

Adopted an Ordinance entitled:

ORDINANCE NO. 75

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3) OF CEQA AND APPROVING AN AMENDMENT TO THE WILDOMAR MUNICIPAL CODE SECTION 8.64 (LIGHT POLLUTION) TO MINIMIZE NEGATIVE IMPACTS OF OUTDOOR LIGHT FIXTURES AND TO ALLOW FOR THE USE OF NEW LIGHTING TECHNOLOGY

1.12 Ordinance No. 76 Second Reading – LED Signs

Adopted an Ordinance entitled:

ORDINANCE NO. 76

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3) OF CEQA AND APPROVING ZONING ORDINANCE AMENDMENT NO. 13-01 AMENDING CHAPTER 17.252 (SIGN REGULATIONS) RELATED TO ELECTRONIC MESSAGE SIGNS FOR INDIVIDUAL BUSINESSES,

PRIVATE SCHOOLS AND NON-PROFIT SERVICE CLUB
ORGANIZATIONS

1.13 Professional Services Agreement with Riverside County Transportation and Land Management Agency (TLMA) for Planning Related Services

Adopted a Resolution entitled:

RESOLUTION NO. 2013 - 14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING AN AGREEMENT BETWEEN THE CITY OF WILDOMAR AND WITH THE COUNTY OF RIVERSIDE (TRANSPORTATION AND LAND MANAGEMENT AGENCY) FOR CERTAIN PLANNING DEPARTMENT AND ENVIRONMENTAL PROGRAMS DIVISION SERVICES ON AN AS NEEDED BASIS

1.14 Subdivision Improvement Agreement for Tract Map 31837, Andalusia II (12-0401)

Adopted a Resolution entitled:

RESOLUTION NO. 2013 - 15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT MAP 31837

1.15 Acceptance and Granting of Quitclaims Related to the Settlement of City of Wildomar v. Kim, et al

Adopted a Resolution entitled:

RESOLUTION NO. 2013 - 16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AND RECORD CERTIFICATES OF ACCEPTANCE FOR QUITCLAIM DEEDS FOR PUBLIC AND NON-PUBLIC ROAD SYSTEM PARCELS RELATED TO THE I-15/CLINTON KEITH ROAD INTERCHANGE PROJECT, AND TO EXECUTE AND RECORD AN EASEMENT OVER CERTAIN REAL PROPERTY

1.16 Consultant Service Agreement for Measure Z Special Tax Services and Assessment Engineering Services

Authorized the City Manager to execute a Consultant Services Agreement with Albert A. Webb Associates for Measure Z Special Tax Services for formation of City-wide Maintenance Community Facility District Services and Assessment Engineering Services.

2.0 PUBLIC HEARINGS

2.1 FY 2012-13 Third Quarter Budget Report

City Clerk Lee read the title.

Controller Cheng presented the staff report.

Mayor Walker opened the public hearing.

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

A MOTION was made by Councilwoman Moore, seconded by Councilman Benoit, to approve the budget adjustments and recommendations as listed in the Fiscal Year 2012-13 Third Quarter Report; and Adopt a Resolution entitled:

RESOLUTION NO. 2013 - 17
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AUTHORIZING AMENDMENTS TO THE
FY 2012-13 BUDGETED REVENUES AND EXPENSES AND
SCHEDULE OF AUTHORIZED POSITIONS

MOTION carried, 5-0.

3.0 GENERAL BUSINESS

3.5 Neighborhood Traffic Management Policy

City Clerk Lee read the title.

Public Works Director D'Zmura presented the staff report.

Fire Chief Beach commented on the policy regarding emergency response.

Ron Borgeson, resident, spoke in favor of the policy.

Kathy Bundy, resident, spoke regarding her concern of traffic.

The City Council Members discussed the proposed policy.

A MOTION was made by Councilwoman Moore, seconded by Councilman Benoit, to approve the Neighborhood Traffic Management Policy.

MOTION carried, 4-1, with Mayor Pro Tem Swanson dissenting.

3.1 **Great Day of Service – June 1, 2013**

City Clerk Lee read the title.

City Attorney Jex advised the City received a letter from a citizen alleging that the City violated the Brown Act in connection with a meeting of the Parks Subcommittee. The City Attorney's office has reviewed the allegations and feels that no violation has occurred. However some negative perception may cause this to be viewed incorrectly. Therefore, he is recommending that to cure this, the City Council should deny the Staff's recommendation regarding this item and start the process over again.

City Manager Nordquist presented the staff report.

Gil Rassmussen, resident, spoke against the Council and Staff.

The City Council discussed the item.

Tom Pilkington, United Methodist group, spoke regarding the change of date and the project.

A MOTION was made by Councilman Cashman, seconded by Councilman Benoit, to deny the recommendation to direct Staff to be available to assist the volunteer community members coordinating and participating in the Great Day of Service program which will rehabilitate many features of the Wildomar parks on June 1, 2013.

MOTION carried, 5-0.

A MOTION was made by Councilman Cashman, seconded by Councilman Benoit, to deny the recommendation to appropriate \$15,000 from General Fund Balance to be used for non-recurring park repairs.

MOTION carried, 5-0.

A MOTION was made by Councilman Cashman, seconded by Councilman Benoit, to approve in concept the City's participation in the

Great Day of Service.

MOTION carried, 5-0.

A MOTION was made by Councilman Cashman, seconded by Councilman Benoit, to approve in concept to maintain any landscaping improvements which may be installed as part of the Great Day of Service.

MOTION carried, 5-0.

A MOTION was made by Councilman Cashman, seconded by Councilman Benoit, to direct the Parks Subcommittee to start over and to reconsider and bring back a more detailed recommendation on the Great Day of Service which revises the date of the event and provides more details on the City's commitment to maintain the landscaping.

MOTION carried, 5-0.

3.2 Wildomar Old Town Vision

City Clerk Lee read the title

Planning Director Bassi presented the staff report.

RBF, consultant, gave the report on the Old Town Vision Plan.

Ms. Miller, spoke in opposition to the project.

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

RESOLUTION NO. 2013 - 18
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING AN EXEMPTION FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15061(B)(3)
OF CEQA, AND APPROVING THE WILDOMAR OLD TOWN VISION
PLAN

MOTION carried, 5-0.

3.3 Support Letter for AB 1257

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

Ms. Miller, spoke in opposition to the item.

A MOTION was made by Councilman Benoit, seconded by Mayor Pro Tem Swanson, to direct staff to provide a letter of support as requested by Southern California Gas Company.

MOTION carried, 4-1, with Councilman Cashman dissenting.

3.4 Support of Senate Bill 604 (Senator Anderson)

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

Glen Peterson, resident, spoke in opposition to the item.

Ms. Miller, spoke in opposition to the item.

Maggie Sleeper, Senator Anderson's office, spoke regarding the bill.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Swanson, to adopt a Resolution entitled:

RESOLUTION NO. 2013 - 19
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, IN SUPPORT OF TRAFFIC SAFETY BY SUPPORTING
SENATE BILL 604 WHICH WOULD AMEND SECTION 22520.5 OF THE
VEHICLE CODE BY PROHIBITING ROADSIDE VENDING AND
SOLICITING WITHIN AN INTERSECTION CONTROLLED BY A
TRAFFIC CONTROL SIGNAL

MOTION carried, 4-1, with Councilman Cashman dissenting.

3.6 Development Impact Fees (DIF) Study

City Clerk Lee read the title.

The Public Works Department presented the staff report.

George Taylor, resident, spoke regarding the fees.

A MOTION was made by Councilman Benoit, seconded by Councilwoman Moore, to approve Option F.

MOTION carried, 4-1, with Mayor Pro Tem Swanson dissenting.

CITY MANAGER REPORT

City Manager Nordquist presented the report.

CITY ATTORNEY REPORT

City Attorney Jex presented the report.

COUNCIL COMMUNICATIONS

The Mayor and Council Members presented updates on the various committees, commissions, boards, subcommittees, and community events they have attended.

FUTURE AGENDA ITEMS

- **Canyon Ranch Road addressed – traffic issues
- **CEQA issues regarding micro breweries in commercial area

ADJOURN THE CITY COUNCIL

There being no further business Mayor Walker declared the meeting adjourned at 9:09 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Timothy Walker
Mayor