

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
MAY 14, 2014**

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

The closed session of May 14, 2014, of the Wildomar City Council was called to order by Mayor Swanson at 5:32 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:

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 one matter 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 matters of pending litigation:
 - A. Alliance for Intelligent Planning v. City of Wildomar and CV Communities – Case Number MCC 1400546
 - B. Martha Bridges and John Burkett v. City of Wildomar and CV Communities – Case Number MCC 1400557
4. The City Council will meet in closed session pursuant to the provisions of Government Code Section 54956.8 to confer with legal counsel and conference with real property negotiators as follows:

Property: APN 368-093-035-7
Agency negotiators: Gary Nordquist and Dan York
Negotiating parties: Riverside County Tax Collector
Under negotiation: Instruction regarding price and terms of payment.

At 5:34 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 the City Council directed Staff to immediately cease enforcement of the City's sex offender ordinances and their direction to repeal them at the June meeting.

ADJOURN CLOSED SESSION

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

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

The regular meeting of May 14, 2014, of the Wildomar City Council was called to order by Mayor Swanson 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: 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, Police Chief Hollingsworth, Fire Chief Beach, Administrative Analyst Morales, and City Clerk Lee.

MOMENT OF SILENCE

In memory of Edy Roadarme and DJ Kisner.

The Flag Salute was led by Hallelujah Temesgen, one of the 2013 Wildomar Queens.

PRESENTATIONS

Anne Bowman presented the 2014 Miss City of Wildomar Queens and the Mayor presented certificates to the 2013 Court.

City Manager Nordquist presented the Budget Award the City received.

Mayor Swanson presented an award from the City Clerks Association of California to City Clerk Lee

Chief Beach presented the Fire Department update.

PUBLIC COMMENTS

Emily Barry, Sunpro Solar, spoke regarding the Solar Energy Workshop – HERO Program.

William Barrett, resident, spoke regarding the stop sign at Harvest Way East and Cornstalk.

Dean Piraino, resident, spoke regarding the stop sign at Harvest Way East and Cornstalk.

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 Councilman Walker, to approve the agenda as presented.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

1.0 CONSENT CALENDAR

Requests were made to pull items #1.5, #1.6, #1.8, #1.9, and #1.11.

A **MOTION** was made by Councilman Cashman, seconded by Councilwoman Moore, to approve the agenda as presented, with the exception of items #1.5, #1.6, #1.8, #1.9, and #1.11.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – April 9, 2014 Regular Meeting

Approved the Minutes as presented.

1.3 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 04-03-14 in the amount of \$676,503.96;
2. Warrant Register dated 04-10-14 in the amount of \$3,299.30;
3. Warrant Register dated 04-17-14 in the amount of \$111,467.73;
4. Warrant Register dated 04-24-14 in the amount of \$149,037.53;
5. Warrant Register dated 05-01-14 in the amount of \$96,363.63;
6. Warrant Register dated 05-08-14 in the amount of \$38,322.54; &
7. Payroll Register dated 05-07-14 in the amount of \$73,397.70.

1.4 Treasurers Report

Approved the Treasurers Report for March, 2014.

1.7 Wildland Fire Protection Agreement

Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, APPROVING THE AGREEMENT WITH THE
DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE)
FOR WILDLAND FIRE PROTECTION SERVICES FROM JULY 1, 2014
TO JUNE 30, 2015

1.9 Grading Agreement with Lennar Homes of California, Inc. - Storm Drain Easement: Offer of Dedication - Top Banana Produce, Inc. - City Project 13-0058: Tentative Tract Map 32535

Authorized the City Engineer to execute the Grading Agreement with Lennar Homes of California, Inc. and accept the Storm Drain easement offered by Top Banana Produce, Inc.

1.10 Deeds for the Clinton Keith Road/I-15 Interchange Project

Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE DEEDS FOR THE CLINTON KEITH ROAD/I-15 INTERCHANGE PROJECT

1.12 Landscaping and Lighting Maintenance District No. 89-1-Consolidated and Street Lighting Zones

1. Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING THE ENGINEER'S REPORT REGARDING THE PROPOSED ASSESSMENTS TO BE LEVIED AND COLLECTED FOR FISCAL YEAR 2014-15 WITHIN ZONES 3 (LOCATIONS 7, 23, 24, 25, 29, 35, 42, 43, 45, 47, 49, AND 53), 29 (LOCATION 2), 30 (LOCATIONS 1 AND 2), 42, 51, 52, 59, 62, 67, 71, 90, AND 181, STREET LIGHTING ZONES 18, 26, 27, 35, 50, 70, 71, 73, AND 88 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

2. Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN ZONES 3 (LOCATIONS 7, 23, 24, 25, 29, 35, 42, 43, 45, 47, 49, AND 53), 29 (LOCATION 2), 30 (LOCATIONS 1 AND 2), 42, 51, 52, 59, 62, 67, 71, 90, AND 181, STREET LIGHTING ZONES 18, 26, 27, 35, 50, 70, 71, 73, AND 88 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED FOR FISCAL YEAR 2014-15 SETTING THE TIME AND PLACE OF THE

PUBLIC HEARING ON THE ANNUAL ASSESSMENT AND
ORDERING NOTICE OF THE PUBLIC HEARING TO BE GIVEN
CONSISTENT WITH THE LANDSCAPING AND LIGHTING ACT
OF 1972

1.13 Notice of Intent to Establish Service Area Charges for FY 2014-15
Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 21
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ESTABLISHING SERVICE AREA CHARGES WITHIN THE
CITY FOR FISCAL YEAR 2014-15

1.14 Grading and Public Improvement Agreements - Plaza de Bundy Canyon City Project 13-0109 (Plot Plan 10-0222) - 21940 Bundy Canyon Road

1. Authorized the City Engineer to execute the Grading Agreement and faithful performance bond; and
2. Authorized the City Manager to execute the Public Improvement Agreement once the City Engineer receives and validates the form of security.

ITEMS PULLED FROM THE CONSENT CALENDAR

1.5 Library Development Impact Fee (DIF) Expenditure Memorandum of Understanding (MOU)

George Taylor, resident, spoke regarding the DIF.

A MOTION was made by Councilman Cashman, seconded by Mayor Pro Tem Benoit, to enter into an MOU with Riverside County for the expenditure of Library DIF at the Mission Trail Library.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

1.6 Animal Control Services Agreement

Councilman Cashman spoke regarding the inequities of the members of the Financing Authority.

A MOTION was made by Councilman Cashman, seconded by Mayor Pro Tem Benoit, to approve the Animal Field Services and Sheltering Services Agreement between the City of Wildomar and Animal Friends of the Valleys, in the amount of not to exceed \$67,200 per year (\$5,600 per month) and the contractor will retain license and citation fees.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

1.8 Grading Agreement with CV Communities - City Project 13-0030: Tentative Tract Map 25122

Councilman Cashman voiced his opposition to this in light of the litigation.

A MOTION was made by Councilman Walker, seconded by Mayor Pro Tem Benoit, to authorize the City Engineer to execute the Grading Agreement with CV Communities, LLC a Delaware Limited Liability Company.

MOTION carried 4-1, as follows:

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

NAY: Cashman

ABSTAIN: None

ABSENT: None

1.11 Sycamore Academy CMFA JPA Agreement

Councilman Cashman spoke regarding the liability to the City.

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

RESOLUTION NO. 2014 -18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING THE ISSUANCE OF THE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY (CMFA) FOR THE BENEFIT OF SYCAMORE ACADEMY CHARTER SCHOOL TO PROVIDE FOR THE FINANCING OF THE NEW SCHOOL PROJECT SOLELY FOR THE PURPOSES OF SATISFYING THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 6500 (AND FOLLOWING), AND AUTHORIZING THE MAYOR OR CITY MANAGER TO EXECUTE THE JOINT EXERCISE OF POWERS AGREEMENT (JPA) WITH THE CMFA FOR SAID SCHOOL

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

2.0 PUBLIC HEARINGS

2.1 FY 2013-14 Third Quarter Budget Report

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

City Manager Nordquist presented the staff report.

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

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to

1. Approve the budget adjustments and recommendations as listed in the Fiscal Year 2013-14 Third Quarter Budget Report; and
2. Adopt a Resolution entitled:

RESOLUTION NO. 2014 - 22
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE FY 2013-14 BUDGETED REVENUES, AND EXPENSES

MOTION carried 5-0, as follows:

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

3.0 GENERAL BUSINESS

3.1 Rancon/Bundy Canyon GPA Initiation Request for an approximate 36 acre site - Planning Application No. 14-0014

City Clerk Lee read the title.

Planning Director Bassi presented the staff report.

Dennis Stafford, Rancon Group, presented the request.

Sheila Urlaub, resident, stated her concerns with proposal.

Council discussion ensued regarding the proposal.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilman Walker, to allow the initiation of a GPA from LDR to HDR for Planning Application No. 14-0014, in accordance with the procedural requirements of Section 65300 of the Government Code and Chapter 17.08 of the Wildomar Municipal Code.

MOTION carried 4-0-1, as follows:

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

3.2 Cooperative Agreement with Riverside County Flood Control - Wildomar Master Drainage Plan Lateral C-1 (aka Billie Ann Storm Drain)

City Clerk Lee read the title.

Public Works Director York presented the staff report. He also handed out

an errata sheet for the item.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to authorize the City Manager to execute the Cooperative Agreement with the Riverside County Flood Control District, as in the errata sheet.

3.3 Update Participation in the TUMF Program and an Amendment to Exempt New Specially Adapted Homes for Severely Disabled Veterans

City Clerk Lee read the title.

Public Works Director York presented the staff report.

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. 95
AN ORDINANCE OF THE CITY OF COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AMENDING SECTIONS 3.40.030 AND
3.40.040 OF THE WILDOMAR MUNICIPAL CODE TO INCLUDE NEW
EXEMPTIONS FOR NEWLY CONSTRUCTED SPECIALLY ADAPTED
HOMES FOR SEVERELY DISABLED VETERANS UNDER THE
WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM
MITIGATION FEE (TUMF) PROGRAM

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

3.4 Animal Shelter Credits and Marketing Program

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

Discussion ensued regarding the credits.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to express the interest of the City, but would like more information on the cost of the marketing component.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

3.5 City Hall Facility Lease

City Clerk Lee read the title.

City Manager Nordquist presented the staff report and he handed out an errata sheet for the revised amendment.

A MOTION was made by Councilman Walker, seconded by Councilwoman Moore, to approve the revised proposed amendments to the City Hall Facility Lease.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

3.6 Website Linking Policy

City Clerk Lee read the title.

City Attorney Jex presented the staff report.

A MOTION was made by Councilman Walker, seconded by Councilwoman Moore, to adopt the Website Linking Policy.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

CITY MANAGER REPORT

City Manager Nordquist presented his report.

FUTURE AGENDA ITEMS

- *Chamber Report at Council Meetings
- *Library Appointee
- *New Park – What to do with it
- *Brown House Discussion
- *Parks Truck

ADJOURN THE CITY COUNCIL

There being no further business Mayor Swanson adjourned the meeting, at 8:34 p.m., to an Adjourned Regular Meeting of June 18, 2014.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Marsha Swanson
Mayor