

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
JUNE 12, 2013**

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

The closed session of June 12, 2013, of the Wildomar City Council was called to order by Mayor Walker 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: 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 Staff would like to add an item to the agenda. The City was served with a lawsuit today and Staff needs direction from the Council regarding this prior to the Council's next regular meeting.

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

**MOTION** carried, 5-0.

City Attorney Jex read:

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, Inc.; Case number: MCC 300818.

City Clerk Lee read:

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: Martha Bridges and John Burkett v. City of Wildomar; Case number: MCC 1300555.

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

At 5:33 p.m. the City Council convened into closed session, with all Council Members present.

### **RECONVENE INTO OPEN SESSION**

At 6:31 p.m. the City Council reconvened into open session, with all Council Members present.

### **ANNOUNCEMENT**

City Attorney Jex announced the City Council unanimously gave direction to defend the matter of Citizens for Quality Development v. City of Wildomar and Sunbelt Communities, Inc.; Case number: MCC 300818. There is no further reportable action.

### **ADJOURN CLOSED SESSION**

There being no further business, Mayor Walker declared the closed session adjourned at 6:32 p.m.

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

The regular session of June 12, 2013, of the Wildomar City Council was called to order by Mayor Walker at 6:32 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: 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, City Engineer York, Controller Cheng, and City Clerk Lee.

The flag salute was led by Mayor Walker.

## **PRESENTATIONS**

The Clinton Keith interchange construction project update was given.

Chief Beach presented the Fire Department update.

Chief Kennedy-Smith presented the Police quarterly report.

## **PUBLIC COMMENTS**

Ms. Miller spoke regarding the Council action regarding the Oak Creek Canyon project.

Bev Michalik, resident, spoke regarding 40 acres that are being cleared without permits.

Merilou Jenkins, resident, spoke regarding the 40 acres that are being cleared without permits.

Ramon Orozco, resident, spoke regarding the construction at the end of Winding Way.

Silvia Reynoso, resident, spoke regarding the 40 acres.

Dan Broz, resident, spoke regarding the 40 acres.

Phillip Romero, resident, spoke regarding the 40 acres.

Karen Chamberlain, resident, spoke regarding Canyon Ranch Road and the 40 acre development.

## **COUNCIL COMMUNICATIONS**

The City Council gave updates on the various committees, commissions, and boards that they serve on.

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

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

**MOTION** carried, 5-0.

### **1.0 CONSENT CALENDAR**

A **MOTION** was made by Councilman Benoit, seconded by Councilwoman Moore, 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 – May 8, 2013 Regular Meeting**

Approved the Minutes as submitted.

#### **1.3 Minutes – May 22, 2013 Adjourned Regular Meeting**

Approved the Minutes as submitted.

#### **1.4 Minutes – June 5, 2013 Adjourned Regular Meeting**

Approved the Minutes as submitted

#### **1.5 Warrant & Payroll Registers**

Approved the following:

1. Warrant Register dated 05-02-13 in the amount of \$36,166.09;
2. Warrant Register dated 05-09-13 in the amount of \$534,862.58;
3. Warrant Register dated 05-16-13 in the amount of \$761,797.43
4. Warrant Register dated 05-23-13 in the amount of \$708,594.63;
5. Warrant Register dated 05-23-13 in the amount of \$161.22; and
6. Payroll Register dated 06-05-13 in the amount of \$45,255.97.

#### **1.6 Treasurer's Report**

Approved the Treasurer's Report for April, 2013.

#### **1.7 Purchasing Ordinance Amendment - Contracts for Services**

Adopted an Ordinance entitled:

ORDINANCE NO. 78

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, AMENDING CHAPTER 3.28 OF THE  
WILDOMAR MUNICIPAL CODE PERTAINING TO CONTRACTING FOR  
SERVICES

**2.0 PUBLIC HEARINGS**

There are no items scheduled.

**3.0 GENERAL BUSINESS**

**3.1 City of Wildomar Draft Housing Element Update (2013-2021)**

City Clerk Lee read the title.

The Staff Report was given.

Ms. Miller spoke regarding the Housing Element.

Council discussion ensued.

**A MOTION** was made by Mayor Pro Tem Swanson, seconded by Councilwoman Moore, to authorize Staff to submit the document to the California Department of Housing and Community Development (HCD) for their 60-day review.

**MOTION** carried, 5-0.

**3.2 Notice of Intent to Establish Service Area Charges for FY 2013-14**

City Clerk Lee read the title.

City Engineer York presented the staff report.

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

RESOLUTION NO. 2013 - 21  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, ESTABLISHING SERVICE AREA CHARGES WITHIN THE  
CITY FOR FISCAL YEAR 2013/2014

**MOTION** carried, 5-0.

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

City Clerk Lee read the title.

City Engineer York presented the staff report.

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

RESOLUTION NO. 2013 - 22  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ORDERING PREPARATION OF THE ENGINEER'S REPORT REGARDING THE PROPOSED ASSESSMENTS TO BE LEVIED AND COLLECTED FOR FISCAL YEAR 2013-14 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, AND 90, AND STREET LIGHTING ZONES 18, 26, 27, 35, 50, 70, 71, 73, AND 88 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

**MOTION** carried, 5-0.

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

RESOLUTION NO. 2013 - 23  
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, AND 90, AND 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 2013-14 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

**MOTION** carried, 5-0.

**3.4 Landscaping and Lighting Maintenance District No. 89-1-Consolidated and Street Lighting Zones; Annexation Zone 181**

City Clerk Lee read the title.

City Engineer York presented the staff report.

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

**RESOLUTION NO. 2013 - 24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX PROPERTY TO LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-C (ANNEXATION ZONE 181) AND TO LEVY ASSESSMENTS ON SUCH PROPERTY FOR FISCAL YEAR 2013-14 AND SETTING THE TIME AND PLACE OF A HEARING ON THE PROPOSED ANNEXATION AND ASSESSMENTS**

**MOTION** carried, 5-0.

**CITY MANAGER REPORT**

City Manager Nordquist presented the City Manager's report.

City Clerk/Risk Manager Lee presented an update of the PARSAC training and Board meeting.

**CITY ATTORNEY REPORT**

City Attorney Jex presented the City Attorney's report.

**COUNCIL COMMUNICATIONS**

The City Council gave updates on the various committees, commissions, and boards that they serve on.

**FUTURE AGENDA ITEMS**

\*Agricultural business plan

**ADJOURN THE CITY COUNCIL**

There being no further business, Mayor Walker declared the meeting adjourned at 8:05 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC  
City Clerk



Timothy Walker  
Mayor