

**CITY OF WILDOMAR
CITY COUNCIL ADJOURNED REGULAR MEETING MINUTES
JUNE 18, 2014**

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

The closed session of June 18, 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 Moore, Walker, Mayor Pro Tem Benoit, Mayor Swanson. Members absent: Councilman Cashman.

Staff in attendance: City Manager Nordquist, City Attorney Jex, and Administrative Analyst Morales.

PUBLIC COMMENTS

Roberta Goulart, resident, spoke regarding legal issues regarding their wall.

CLOSED SESSION

Analyst Morales 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)(1) to confer with legal counsel with regard to the following matter of pending litigation:
 - A. City of Wildomar v. Goulart – RSC Case Number 1400301
3. 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 Councilman Cashman absent.

RECONVENE INTO OPEN SESSION

At 6:29 p.m. the City Council reconvened into open session with Councilman Cashman absent.

ANNOUNCEMENT

City Attorney Jex stated there is no reportable action on any of the items.

ADJOURN CLOSED SESSION

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

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

The adjourned regular meeting of June 18, 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 Moore, Walker, Mayor Pro Tem Benoit, and Mayor Swanson. Members absent: Councilman Cashman.

Staff in attendance: City Manager Nordquist, City Attorney Jex, Public Works Director York, Planning Director Bassi, Police Chief Hollingsworth, Fire Chief Beach, and Administrative Analyst Morales.

The flag salute was led by Councilwoman Moore.

PRESENTATIONS

Mayor Swanson presented Proclamations to Eagle Scouts Riley Thomas Olson and Michael David Ames.

Mayor Swanson and Police Chief Hollingsworth presented certificates to Police Officers Kari Cranfill, Sean Liebrand, Mark Titus, and Michael Yarbrough.

Employee 5 Year Service Award – Debbie Lee – Postponed to July 9 meeting.

Fire Chief Beach presented the Fire Department.

PUBLIC COMMENTS

Ken Mayes, resident, stated his disappointment in cityhood.

Craig Phillips, Blue Pearl Project, introduced the Board of Directors and talked about their organization.

Sheila Urlaub, resident, spoke regarding the lighting at the center on Bundy Canyon and I15.

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 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

1.0 CONSENT CALENDAR

Analyst Morales stated on item #1.5 the additional attachment is on the dais. Also there are speakers for item #1.13 and #1.15.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to approve the agenda, with the exception of items #1.13 and #1.15, as presented.

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None
ABSENT: Cashman

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 05-08-14 in the amount of \$69,098.14;
2. Warrant Register dated 05-15-14 in the amount of \$210,060.22;
3. Warrant Register dated 05-22-14 in the amount of \$938,824.88;
4. Warrant Register dated 05-29-14 in the amount of \$41,972.38;
5. Warrant Register dated 06-05-14 in the amount of \$659,264.57;&
6. Payroll Register dated 05-07-14 in the amount of \$73,397.70.

1.3 Treasurers Report

Approved the Treasurers Report for April and May, 2014.

1.4 Participation in the Community Development Block Grant (CDBG) Program

Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 23
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR
AUTHORIZING PARTICIPATION IN THE COUNTY OF RIVERSIDE'S
URBAN COUNTY PROGRAM FOR FISCAL YEARS
2015-2016, 2016-2017, 2017-2018

1.5 Contract Award for Auditing Services

Entered into a contract with Lance, Soll, and Lunghard, LLP to provide for audit services and preparation of required reports for fiscal years 2013-14, 2014-15, and 2015-16.

1.6 Consultant Service Agreement for Lateral C-1 Storm Drain Project

Authorized the City Manager to execute a Consultant Services Agreement with Albert A. Webb Associates for Engineering Design Services for the Lateral C-1 Storm Drain Project.

1.7 Accept Storm Drain and Access Easements Related to Tract 31736-1 and Quitclaim Easements to Riverside County Flood Control District

1. Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CERTIFICATES OF ACCEPTANCE FOR ONE STORM DRAIN EASEMENT AND ONE ACCESS EASEMENT RELATED TO TRACT 31736-1

2. Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR ONE STORM DRAIN EASEMENT AND ONE ACCESS EASEMENT RELATED TO TRACT 31736-1

1.8 Riverside County Transportation Commission Federal Funding Cooperative Agreement – RCTC 2013 Multi-funding Call for Project Grand Avenue Bike Lane Phase I and Phase II

Authorized the City Manager to execute the Cooperative Agreements.

1.9 Calling a General Municipal Election on November 4, 2014

Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

1.10 Ticket Distribution Policy

Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A POLICY FOR THE DISTRIBUTION OF TICKETS TO CONFORM TO SECTION 18944.1 OF TITLE 2 OF THE CALIFORNIA CODE OF REGULATIONS

1.11 Accept a storm drain easement related to Sedco MDP Line F, Stage 2 and quitclaim it to Riverside County Flood Control District

Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 28
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A CERTIFICATE OF ACCEPTANCE FOR ONE STORM DRAIN EASEMENT RELATED TO SEDCO MDP LINE F, STAGE 2

2. Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 29
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR ONE STORM DRAIN EASEMENT RELATED TO SEDCO MDP LINE F, STAGE 2

1.12 Proposed Release and Hold Harmless Agreement RE: Stop Notice Claims

Approved the Release and Hold Harmless Agreement re: Stop Notice Claims ("Release") with Allegheny Casualty Company and authorize the City Manager to sign the Release.

1.14 Second Reading - Ordinance No. 95 - TUMF Program and an Amendment to Exempt New Specially Adapted Homes for Severely Disabled Veterans

Adopted 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

1.16 Authorization to Participate in the Riverside County EDA Mortgage Credit Certificate (MCC) Program

Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 31
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, PARTICIPATING WITH THE COUNTY OF RIVERSIDE
MORTGAGE CREDIT CERTIFICATE (MCC) PROGRAM

ITEMS PULLED FROM THE CONSENT CALENDAR

1.13 Adopt the City of Wildomar's Local Hazard Mitigation Plan (LHMP) Annex

Ken Mayes, resident, spoke in opposition to this item.

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

RESOLUTION NO. 2014 - 30
A RESOLUTION ADOPTING THE CITY OF WILDOMAR LOCAL HAZARD MITIGATION PLAN ANNEX FROM THE RIVERSIDE COUNTY OPERATIONAL AREA MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN AS REQUIRED BY THE FEDERAL DISASTER MITIGATION AND COST REDUCTION ACT OF 2000

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

1.15 Third Amendment to the Franchise Agreement between the City and Waste Management

It was determined the speaker had the wrong item.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, approve the third amendment to the Franchise Agreement between the City and Waste Management and authorize the City Manager to sign it.

MOTION carried 4-0-1, as follows:

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

NAY: None
ABSTAIN: None
ABSENT: Cashman

2.0 PUBLIC HEARINGS

2.1 Amendment of Solid Waste Ordinance

Analyst Morales read the title.

Mayor Swanson opened the public hearing.

City Manager Nordquist presented the staff report.

Analyst Morales stated the City has received 13 letters of protest. The threshold of majority would be 4,452.

SPEAKERS:

Robert Purmort, Temecula resident, spoke against delinquent charges of a tenant be placed on the property.

Mary Butler, resident, complained about the service from the company.

Thomas & Kathy Wessels, residents, spoke against delinquent charges of tenants put on the property tax bill.

Randy Olguin, resident, stated his opposition.

Analyst Morales stated the total number of protests is 16, therefore a majority of protests does not exist.

Alex Bracovich, CR&R, stated they are willing to sit down with those landlords and work it out. He then spoke of how the process works of mandatory trash collection.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to approve second reading and adopt Ordinance No. 94 entitled:

**ORDINANCE NO. 94
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**

WILDOMAR, CALIFORNIA, REPEALING AND READOPTING CHAPTER
8.104 (SOLID WASTE COLLECTION AND DISPOSAL) OF THE
MUNICIPAL CODE AND REPEALING CHAPTER 8.108
(COMPREHENSIVE SOLID WASTE COLLECTION AND DISPOSAL FOR
CERTAIN AREAS) OF THE MUNICIPAL CODE.

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

Mayor Swanson closed the public hearing.

2.2 Authorization of Annual Rate Adjustment for CR&R

Mayor Swanson opened the public hearing.

Analyst Morales read the title.

City Manager Nordquist presented the staff report.

Analyst Morales stated the City has received 13 protest letters and the threshold of which there would be a majority is 4,452.

Mayor Swanson called for speakers. There being none the Mayor asked for the final tally of protests.

Analyst Morales stated there are 13 protests and does not meet the threshold so there is no majority of protests.

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

RESOLUTION NO. 2014 - 32
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE ANNUAL CPI RATE ADJUSTMENT
FOR A FIVE YEAR PERIOD COMMENCING JULY 1, 2014 AND
CONCLUDING JUNE 30, 2019 RELATED TO CR&R COLLECTION
SERVICES

MOTION carried 4-0-1, as follows:

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

2.3 Authorization of Annual Rate Adjustment for Waste Management

Mayor Swanson opened the public hearing.

Analyst Morales read the title.

City Manager Nordquist gave the staff report.

Analyst Morales stated the City has received 13 protest letters and the threshold of which there would be a majority is 4,452.

SPEAKERS:

Cliff Vasburg, resident, spoke against the increase.

Analyst Morales stated there are 14 protests and does not meet the threshold so there is no majority of protests.

Mayor Swanson closed the public hearing.

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

RESOLUTION NO. 2014 - 33
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE ANNUAL CPI RATE ADJUSTMENT
FOR A FIVE YEAR PERIOD COMMENCING JULY 1, 2014 AND
CONCLUDING JUNE 30, 2019 RELATED TO WASTE MANAGEMENT
COLLECTION SERVICES

MOTION carried 4-0-1, as follows:

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

2.4 Notice of Intent to hold a Public Hearing for Placing Liens on Parcels with Unpaid Charges on Trash Collection Services

Mayor Swanson opened the public hearing.

Analyst Morales read the title.

City Manager Nordquist presented the staff report.

Analyst Morales stated the City has received 16 protest letters.

Mayor Swanson called for speakers. There being none the Mayor asked for the final tally of protests.

Analyst Morales stated there are 16 protests and does not meet the threshold so there is no majority of protests.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to provide a Notice of Intent to hold a Public Hearing on July 9, 2014, for placing liens on parcels with unpaid charges on trash collection services.

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

2.5 FY 2013-14 Fourth Quarter Budget Report

Mayor Swanson opened the public hearing.

Analyst Morales read the title.

City Manager Nordquist presented the staff report.

There being no speakers Mayor Swanson closed the public hearing.

Council discussion ensued regarding the budget.

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

RESOLUTION NO. 2014 - 34
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 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

2.6 FY2014/15 Budget Amendments

Mayor Swanson opened the public hearing.

Analyst Morales read the title.

City Manager Nordquist presented the staff report.

SPEAKERS:

Monty Goddard, resident, spoke regarding law enforcement.

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

Discussion ensued regarding the budget adjustments; the annual City's birthday celebration; and not spend \$10,000 this year on the birthday celebration, but spend \$500.

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to change #3 to Movie in the Park for \$500 and adopt a Resolution entitled:

RESOLUTION NO.2014 - 35
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE FY 2014/15
BUDGETED REVENUES AND EXPENSES

MOTION carried 4-0-1, as follows:

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

NAY: None
ABSTAIN: None
ABSENT: Cashman

3.0 GENERAL BUSINESS

3.1 Revisions to Chapter 2.36 of the Wildomar Municipal Code

Analyst Morales read the title.

City Manager Nordquist 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. 96
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AMENDING CHAPTER 2.36 (PERSONNEL
SYSTEM) OF THE WILDOMAR MUNICIPAL CODE; AND

MOTION carried 4-0-1, as follows:

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

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

RESOLUTION NO.2014 - 36
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING THE CITY OF WILDOMAR PERSONNEL
RULES AND REGULATIONS

MOTION carried 4-0-1, as follows:

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

3.2 Appropriations Limit for FY 2014-15

Analyst Morales read the title.

City Manager Nordquist presented the staff report.

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

RESOLUTION NO. 2014 - 37
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, APPROVING THE APPROPRIATIONS LIMIT FOR FISCAL
YEAR 2014-15

MOTION carried 4-0-1, as follows:

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

3.3 Ordinance No. 66

Analyst Morales presented the staff report.

City Attorney Jex presented the staff report.

A MOTION was made by Councilman Walker, seconded by Councilwoman Moore, to adopt an Urgency Ordinance entitled:

ORDINANCE NO. 97
AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, REPEALING WILDOMAR ORDINANCE NO.
66

MOTION carried 4-0-1, as follows:

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

3.4 Ordinance No. 29

Analyst Morales read the title.

City Attorney Jex presented the staff report.

A MOTION was made by Councilman Walker, seconded by Councilwoman Moore, to adopt an Urgency Ordinance entitled:

ORDINANCE NO. 98
AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, REPEALING WILDOMAR ORDINANCE NO.
29

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

3.5 Letter of Support to Change the name of Mission Trail Community Library

Analyst Morales read the title and presented the staff report.

Ken Mayes, resident, stated the name of the library was decided years ago and should remain the same.

Sheila Urlab, resident, questioned the "no cost" part of the report.

Council discussion ensued regarding the cost to change the monument sign.

A MOTION was made by Mayor Pro Benoit, seconded by Councilwoman Moore, for support to change the name of the Mission Trail Community Library to Wildomar Library.

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None
ABSENT: Cashman

3.6 League of California Cities Annual General Business Meeting Voting Delegate and Alternate

Analyst Morales read the title.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to appoint Mayor Pro Tem Benoit as the Voting Delegate and Councilwoman Moore as the Alternate Voting Delegate.

MOTION carried 4-0-1, as follows:

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

CITY MANAGER REPORT

City Manager Nordquist presented a staff report.

CITY ATTORNEY REPORT

City Attorney Jex spoke regarding the new Conflict of Interest Rules from the FPPC.

FUTURE AGENDA ITEMS

*City Application
*RTA

ADJOURN THE CITY COUNCIL

There being no further business Mayor Swanson declared the meeting adjourned at 8:37 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Marsha Swanson
Mayor