

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
JULY 13, 2016**

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

The regular meeting of July 13, 2016, of the Wildomar City Council was called to order by Mayor Moore at 6:31 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California and Via La Estancia Lobby, Camino Viejo a San Jose Cabo San Lucas KM 0.5, Col. El Medano, Cabo San Lucas, BCS Mexico 23450.

City Council Roll Call showed the following Members in attendance: Council Members Benoit (via Skype in Mexico), Cashman, Swanson, Mayor Pro Tem Walker, and Mayor Moore. Members absent: None.

Staff in attendance: City Manager Nordquist, City Attorney Jex, Assistant City Manager York, Planning Director Bassi, Finance Director Riley, Police Chief Hollingsworth, Senior Administrative Analyst Morales and City Clerk Lee.

The flag salute was led by Councilman Cashman.

PRESENTATIONS

There was no Fire Department update.

PUBLIC COMMENTS

Ken Mayes, resident, stated various items he was disappointed in.

Ms. Miller, resident, spoke about the environment and gun violence.

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

Councilman Cashman requested that item #3.1 be moved to before Public Hearings.

A MOTION was made by Mayor Pro Tem Walker, seconded by Councilwoman Swanson, to move item #3.1 to before Public Hearing and approve the agenda.

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

1.0 CONSENT CALENDAR

City Clerk Lee advised there are speakers on the Consent Calendar.

Ken Mayes, resident, speaking on item #1.6 and #1.8, stated his concerns.

Joseph Morabito, resident, speaking on item #1.8, stated his concerns.

Mayor Pro Tem Walker addressed the Grand Jury report and the comments made. The Malaga property is an entrance park not meant for sports, etc.

Councilwoman Swanson agreed with Mayor Pro Tem Walker regarding the Malaga property. She urged the citizens to come to the City and discuss the issues and not run immediately to the Grand Jury.

Mayor Moore stated the City does post and goes above and beyond.

A MOTION was made by Councilman Benoit, seconded by Mayor Pro Tem Walker, to approve the Consent Calendar as presented.

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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 06-02-2016 in the amount of \$15,707.26;
2. Warrant Register dated 06-07-2016 in the amount of \$3,005.18;
3. Warrant Register dated 06-09-2016 in the amount of \$425,524.62;
4. Warrant Register dated 06-16-2016 in the amount of \$378,038.38;
5. Warrant Register dated 06-23-2016 in the amount of \$161,025.09
6. Warrant Register dated 06-30-2016 in the amount of \$238,330.30; &
7. Payroll Register dated 07-01-2016 in the amount of \$109,456.77.

1.3 Treasurer's Report

Approved the Treasurer's Report for May, 2016.

1.4 Contract Award for Website Re-Design and Maintenance

Authorized the City Manager to enter into a Professional Services Agreement with Reliance Communications, LLC o/a CivicLive.

1.5 National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: Santa Margarita River Watershed Management Area Implementation Agreement

Authorized the Mayor to execute the Implementation Agreement.

1.6 Malaga Road Quitclaim Deed Acceptance for Mini Park Improvements

Adopted a Resolution entitled:

RESOLUTION NO. 2016 - 38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ACCEPTING A QUITCLAIM DEED FROM THE COUNTY OF RIVERSIDE FOR MALAGA ROAD, ENCOMPASSING COUNTY ASSESSOR'S PARCELS 365-051-001, 026

1.7 Annual Housing Element Progress Report

Received and filed the report.

1.8 Grand Jury Report Regarding Posting Notice of Unscheduled Vacancies

Received and filed this report.

1.9 Changes to Classification and Compensation Plan

Adopted a Resolution entitled:

RESOLUTION NO. 2016 - 39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, UPDATING THE CLASSIFICATION/COMPENSATION

PLAN FOR THE BUILDING OFFICIAL POSITION AND THE
DEPARTMENT HEAD LEVEL POSITIONS CATEGORY IN
ACCORDANCE WITH ORDINANCE NO. 96.

1.10 Ordinance 120 Second Reading – Municipal Code Amendments
Adopted an Ordinance entitled:

ORDINANCE NO. 120
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, AMENDING SECTION 1.01.040.C
CHANGING WHEN THE MUNICIPAL CODE IS UPDATED; AMENDING
SECTION 2.24.060 CHANGING THE APPOINTMENT OF CHAIR AND
VICE CHAIR AND WHEN MEETINGS ARE HELD FOR THE PLANNING
COMMISSION; AMENDING SECTION 3.44.360.F ACCOUNTING AND
ADMINISTRATION FOR THE LAND MANAGEMENT SYSTEM FEE
SURCHARGE; AND AMENDING CHAPTER 10.20 OF THE WILDOMAR
MUNICIPAL CODE BY REPEALING SECTION 10.20.160.A.3

ITEMS TAKEN OUT OF ORDER

3.1 Planning Commissioner Appointment (Councilman Cashman Appointment)

City Clerk Lee read the title and presented the staff report.

Councilman Cashman stated he would like to appoint Sydney York to the Planning Commission.

Mr. York introduced himself to everyone.

Ken Mayes, resident, stated the special vacancy was posted.

A MOTION was made by Councilman Benoit, seconded by Mayor Pro Tem Walker, to appoint Sydney York to serve as a Commissioner on the Planning Commission for an unexpired term of December, 2016.

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

2.0 PUBLIC HEARINGS

2.1 Trash Collection Services Liens

City Clerk Lee read the title.

Finance Director Riley presented the staff report.

Mayor Moore opened the public hearing.

Councilman Cashman inquired if any of the residents wrote or contacted the waste haulers regarding this.

Waste Management and CR&R stated no.

Discussion ensued regarding the number of properties and recurrence of the same properties.

There being no speakers Mayor Moore closed the public hearing.

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

RESOLUTION NO. 2016 - 40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CONFIRMING THE REPORT OF DELINQUENT TRASH ACCOUNTS AND REQUESTING THE DELINQUENCIES BE PLACED ON THE PROPERTY TAX ROLL

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

2.2 Levy and Collection of Special Taxes within Community Facilities District No. 2013-1 (Services) for Fiscal Year 2016-17

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

Mayor Moore opened the public hearing.

Ms. Miller, resident, inquired if this has been built yet.

Assistant City Manager York stated this District has some that is built and some that isn't.

There being no further speakers Mayor Moore closed the public hearing.

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

RESOLUTION NO. 2016 - 41
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF SPECIAL
TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2013-1
(SERVICES) FOR FISCAL YEAR 2016-17

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

Mayor Moore opened the public hearing.

There being no speakers Mayor Moore closed the public hearing.

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

RESOLUTION NO. 2016 - 42
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR
ALL ZONES, OF LANDSCAPING AND LIGHTING MAINTENANCE

DISTRICT NO. 89-1-CONSOLIDATED OF THE CITY OF WILDOMAR
AND LEVYING ASSESSMENTS ON ALL LOTS AND PARCELS OF
LAND THEREIN FOR FISCAL YEAR 2016-17; AND AUTHORIZE THE
COUNTY OF RIVERSIDE TO ADMINISTER THE LANDSCAPING AND
LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
BUDGET FOR FISCAL YEAR 2016-17

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

2.4 Community Service Area Charges for FY 2016-17

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

Mayor Moore opened the public hearing.

There being no speakers Mayor Moore closed the public hearing.

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

RESOLUTION NO. 2016 - 43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING COMMUNITY SERVICE AREA CHARGES
WITHIN THE CITY FOR FISCAL YEAR 2016-2017

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

2.5 Baxter Village Mixed Use Project

City Clerk Lee read the title.

Planning Director Bassi presented the staff report.

Mayor Moore opened the public hearing.

Eric Flodine, applicant, presented the project.

City Clerk Lee stated there was an email received from Robert Powers; a letter from Blum Collins, LLP with an attachment; and a letter from Best, Best & Krieger answering the letter from Blum Collins, LLP. The City Council has been provided with all of these.

SPEAKERS:

Ms. Miller, resident, stated her opposition to the project.

Ken Mayes, resident, stated his opposition to the project and to tear down the Brown House.

Joseph Morabito, resident, stated his concerns of the Brown House and that it is unfair to encumber the applicant with it.

George Taylor, resident, stated perhaps the Brown House should just be fixed as a façade.

Gina Castanon, resident, read a statement by Kristen Lloyd of the Historical Society stating she would like the original conditions honored in keeping the Brown House. She then stated comments on the project and the inconsistencies in how long it will take to get the project built.

Josh Bourgeois, So Cal Environmental Justice Alliance, spoke opposing the project citing air quality.

Andy Morris, resident and business owner, spoke in favor of the project. The Brown House should not be encumbered on the developer.

Jeff Rosen, Cornerstone Community Church, stated they are in favor of the project.

Michael Smith, resident, stated his concerns regarding the traffic the project will create.

Sharon Heil, resident, stated she is in agreement with Ms. Castanon and Mr. Taylor regarding the Brown House.

Mayor Moore closed the public hearing.

City Council discussion ensued regarding the repairs to the Brown House; the condition regarding the Brown House; improvements regarding traffic signals.

Mayor Moore reopened the Public Hearing.

George Cambero, resident, stated they have been working with the applicant since 2012. He understands both sides of the Brown House issues.

There being no further speakers Mayor Moore closed the Public Hearing.

Further Council discussion ensued regarding drainage; road alignments; and an agreement regarding the Brown House.

Mayor Moore reopened the Public Hearing.

City Attorney Jex stated a new Condition of Approval #39 would state: "Prior to January 13, 2017 or recordation of TTM 36674, the Applicant shall enter into a Relocation Agreement with the Wildomar Historical Society to determine the best solution for relocation of the Brown House and Tower which are temporarily stored on the project site. A copy of this Agreement, or written proof of good faith efforts to reach such Agreement, shall be provided to the Planning Department prior to recordation of the tract map." This would be for the Plot Plan as well.

Mr. Flodine agreed to the change.

Mayor Moore closed the Public Hearing.

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

RESOLUTION NO. 2016 - 44
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, CERTIFYING AN ENVIRONMENTAL
IMPACT REPORT (SCH# 2014121047), INCLUDING ADOPTION OF
THE FINAL EIR, FINDINGS OF FACT, STATEMENT OF OVERRIDING
CONSIDERATIONS AND MITIGATION MONITORING AND
REPORTING PROGRAM FOR THE BAXTER VILLAGE MIXED-USE
PROJECT (PLANNING APPLICATION NO. 14-0002) CONSISTING

OF A GENERAL PLAN AMENDMENT, CHANGE OF ZONE,
TENTATIVE TRACT MAP (TTM 36674) AND PLOT PLAN ON
APPROXIMATELY 35.48 ACRES LOCATED AT THE NORTHWEST
CORNER OF BAXTER ROAD AND I-15 FREEWAY (APN: 367-180-
015 & 367-180-043)

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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

RESOLUTION NO. 2016 - 45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING A GENERAL PLAN
AMENDMENT (PLANNING APPLICATION NO. 14-0002) TO
CHANGE THE EXISTING LAND USE DESIGNATION ON
APPROXIMATELY 35.48 ACRES FROM MIXED USE PLANNING
AREA (MUPA) TO MEDIUM HIGH DENSITY RESIDENTIAL (MHDR),
VERY HIGH DENSITY RESIDENTIAL (VHDR) AND COMMERCIAL
RETAIL (CR) TO ACCOMMODATE BAXTER VILLAGE MIXED-USE
PROJECT (PLANNING APPLICATION NO. 14-0002) LOCATED AT
THE NORTHWEST CORNER OF BAXTER ROAD AND I-15
FREEWAY (APN: 367-180-015 & 367-180-043)

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

A MOTION was made by Councilwoman Swanson, seconded by Mayor
Pro Tem Walker, to introduce and approve first reading of an Ordinance
entitled:

ORDINANCE NO. 121

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING A CHANGE OF ZONE

(PLANNING APPLICATION NO. 14-0002) TO REMOVE THE MIXED-USE OVERLAY DISTRICT FROM THE ENTIRE SITE AND TO CHANGE THE EXISTING ZONING DESIGNATION ON A PORTION OF THE SITE FROM SCENIC HIGHWAY COMMERCIAL (C-P-S) TO R-3 (GENERAL RESIDENTIAL) AND TO R-4 (PLANNED RESIDENTIAL) TO ACCOMMODATE BAXTER VILLAGE MIXED-USE PROJECT (PLANNING APPLICATION NO. 14-0002) LOCATED AT THE NORTHWEST CORNER OF BAXTER ROAD AND I-15 FREEWAY (APN: 367-180-015 & 367-180-043)

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

City Clerk Lee read an amendment to Resolution No. 2016-46:

Prior to January 13, 2017 or recordation of TTM 36674, the Applicant shall enter into a Relocation Agreement with the Wildomar Historical Society to determine the best solution for relocation of the Brown House and Tower which are temporarily stored on the project site. A copy of this Agreement, or written proof of good faith efforts to reach such Agreement, shall be provided to the Planning Department prior to recordation of the tract map.

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

RESOLUTION NO. 2016 - 46
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 36674 (PLANNING APPLICATION NO. 14-0002) TO SUBDIVIDE APPROXIMATELY 35.48 ACRES INTO 85 LOTS TO ACCOMMODATE BAXTER VILLAGE MIXED-USE PROJECT (PLANNING APPLICATION NO. 14-0002) LOCATED AT THE NORTHWEST CORNER OF BAXTER ROAD AND I-15 FREEWAY (APN: 367-180-015 & 367-180-043)

MOTION carried, 5-0, by the following voice vote:

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

NAY: None
ABSTAIN: None
ABSENT: None

City Attorney Jex read an amendment to Resolution No. 2016-47:

Condition #48: Prior to the issuance of the first grading permit the applicant, or the Wildomar Historical Society, shall relocate the Brown House and Tower to the property described in, and per the terms defined in the relocation agreement, or submit written proof of good faith efforts to reach an agreement, as required by Planning Condition #27 of Tentative Tract Map No. 36674.

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

RESOLUTION NO. 2016 - 47
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING PLOT PLAN NO. 14-0002
TO DEVELOP THE BAXTER VILLAGE MIXED-USE PROJECT
CONSISTING OF THE DEVELOPMENT OF A 75,000 SQUARE-FOOT
COMMERCIAL RETAIL CENTER, 66 SINGLE FAMILY DWELLING
UNITS AND 204 MULTI-FAMILY APARTMENTS ON
APPROXIMATELY 35.48 ACRES LOCATED AT THE NORTHWEST
CORNER OF BAXTER ROAD AND I-15 FREEWAY (APN: 367-180-
015 & 367-180-043)

MOTION carried, 5-0, by the following voice vote:

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

3.0 GENERAL BUSINESS

3.2 Community Resource Summit

City Clerk Lee read the title.

Mayor Moore presented the item.

A MOTION was made by Mayor Pro Tem Walker, seconded by Councilwoman Swanson, to authorize hosting a Community Resource Summit.

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

3.3 League of California Cities Annual General Business Meeting Voting Delegate and Alternate(s)

City Clerk Lee read the title and presented the staff report.

A MOTION was made by Mayor Pro Tem Walker, seconded by Councilwoman Swanson, to appoint Mayor Pro Tem Walker as the Voting Delegate and Mayor Moore and Councilman Cashman as Alternates for the League of California Cities Annual General Business Meeting in Long Beach.

MOTION carried, 5-0, by the following voice vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

CITY MANAGER REPORT

City Clerk Lee reported on the upcoming Nomination Period for Districts 2 and 4 for the November General Municipal Election.

City Manager Nordquist presented the City Manager report.

FUTURE AGENDA ITEMS

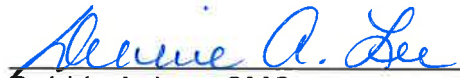
There were no items.

ADJOURN THE CITY COUNCIL

There being no further business, Mayor Moore declared the meeting adjourned at 9:04 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Bridgette Moore
Mayor