

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
AUGUST 10, 2016**

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

The closed session of August 10, 2016, of the Wildomar City Council was called to order by Mayor Moore at 5:31 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California.

City Council Roll Call showed the following Members in attendance: Council Members Benoit, Cashman, Swanson, Mayor Pro Tem Walker, Mayor Moore. Members absent: None

Staff in attendance: Assistant City Manager York, City Attorney Jex, and City Clerk Lee.

PUBLIC COMMENTS

There were no speakers.

CLOSED SESSION

City Clerk Lee read the following:

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: CREED-21 v. City of Wildomar and Walmart Real Estate Business Trust; California Court of Appeal Case No. E066367.

The Council convened into closed session at 5:32 p.m. with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:33 p.m. the City Council reconvened into open session, with all Council Members present.

ANNOUNCEMENTS

City Attorney Jex stated the case has been appealed and the City Council voted unanimously to defend the appeal.

ADJOURN CLOSED SESSION

There being no further business, Mayor Moore adjourned the closed session at 6:34 p.m.

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

The regular meeting of August 10, 2016, of the Wildomar City Council was called to order by Mayor Moore at 6:34 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California.

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

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

The flag salute was led by Councilman Cashman.

PRESENTATIONS

Mayor Moore presented the 5 Year Employee Pin to Tina Roney. Senior Administrative Analyst.

Mayor Moore presented a Certificate of Appreciation to Ellie Garrison who has been volunteering in the City Clerk's Department.

Mayor Moore presented a Certificate of Achievement to the Garlich Family Child Care for their award from the State.

Mayor Moore presented a Proclamation for National Preparedness Month.

Dr. Doug Kimberly gave a School Bond Election Presentation.

Fire Chief Phillips presented the Fire Department update.

PUBLIC COMMENTS

Dustin Nigg, resident, introduced himself and stated he is a candidate for District 2.

Ms. Miller, resident, spoke regarding dirt sidewalks and the June election.

Ken Mayes, resident, stated his displeasure with public records requests and the City hiding things from the citizens.

Steven Gual, resident, spoke regarding having better City services.

COUNCIL COMMUNICATIONS

Councilman Cashman announced that he will not be seeking re-election. 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 Mayor Pro Tem Walker, seconded by Councilwoman Swanson, to approve the agenda as presented.

MOTION carried, 5-0, by the following 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 #1.9 and #1.10, stated his concerns.

Assistant City Manager York stated the maintenance Church agreement is very similar to the CFD, so it is substantially the same.

Ms. Miller, resident, spoke on item #1.13 stating her opposition.

1.7 Revised Personnel Rules

Councilman Cashman advised he would like to pull item #1.7 and #1.12. Regarding the Personnel Rules, the retroactive pay increase does not specify how much money is going to be spent. Also the money to pay for equipment for the Employees, how much money is this.

Assistant City Manager York advised all the monies are budgeted in the budget adopted by the City Council.

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

RESOLUTION NO. 2016 - 48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE CITY OF WILDOMAR PERSONNEL RULES AND REGULATIONS

MOTION carried, 4-0-1, by the following vote:

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

NAY: Cashman

ABSTAIN: None

ABSENT: None

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

MOTION carried, 5-0, by the following 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 Minutes – March 9, 2016 Regular Meeting

Approved the Minutes as submitted.

1.3 Minutes – April 13, 2016 Regular Meeting

Approved the Minutes as submitted.

1.4 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 07-07-2016 in the amount of \$105,538.28;
2. Warrant Register dated 07-07-2016 in the amount of \$146,198.92;

3. Warrant Register dated 07-14-2016 in the amount of \$164,951.57;
4. Warrant Register dated 07-14-2016 in the amount of \$9,481.73;
5. Warrant Register dated 07-21-2016 in the amount of \$66,021.14;
6. Warrant Register dated 07-21-2016 in the amount of \$23,421.42;
7. Warrant Register dated 07-28-2016 in the amount of \$343,473.69;
8. Warrant Register dated 07-28-2016 in the amount of \$88,070.00; &
9. Payroll Register dated 08-01-2016 in the amount of \$102,439.31.

1.5 Treasurer's Report

Approved the Treasurer's Report for June, 2016.

1.6 Fraud Policy

Adopted the proposed Fraud Policy for the City of Wildomar.

1.8 City Trails Map Name Changes

Adopted a Resolution entitled:

RESOLUTION NO. 2016 - 49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING THE TRAIL NAME CHANGES TO THE EXISTING CITY OF WILDOMAR MULTI-USE TRAILS PLAN MAP

1.9 Freeway Maintenance Agreement

Authorized the City Manager to execute the Freeway Maintenance Agreement.

1.10 World Harvest Church Maintenance Agreement

Authorized the City Manager to execute the Maintenance Agreement.

1.11 Annexation No. 10 into Community Facilities District No. 2013-1 (Services) for Wildomar Housing Partners, LLC (PM 32833)

Adopted a Resolution entitled:

RESOLUTION NO. 2016 - 50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES) OF THE CITY OF WILDOMAR, ADOPTING A MAP OF THE AREA PROPOSED TO BE ANNEXED (ANNEXATION NO. 10) AND AUTHORIZING THE LEVY OF SPECIAL TAXES THEREIN

1.12 Professional Photography and Videography Services

Councilman Cashman inquired if this will also cover video coverage of

Council meetings.

Assistant City Manager York stated this is not really covering City Council meetings.

Authorized the City Manager to enter into a Professional Services Agreement with Cherished Memories Photography.

1.13 Ordinance 121 Second Reading – Baxter Village Mixed Use Project

Adopted 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)

2.0 PUBLIC HEARINGS

2.1 Zoning Ordinance Amendment No. 16-03 – Micro-Breweries Amendment

City Clerk Lee read the title.

Planning Director Bassi presented the staff report. He stated that an email was received from Gerard Ste. Marie, Martha Bridges, and John Burkett. It was received at 6:41 p.m.

Mayor Moore opened the public hearing.

Gerard Ste. Marie, resident, read from the 404 page document sent to the City Clerk and Planning Director stating his opposition.

Gary Andre, resident, voiced the issues of when this came up before.

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

City Attorney Jex stated having gotten the letter suddenly, he would like to review the letter and attachments. He can then advise on the item.

A MOTION was made by Councilman Benoit, seconded by Councilman Cashman, to table the item.

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

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

NAY: None

ABSTAIN: None

ABSENT: None

ORDINANCE NO. 122

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 16-03 AMENDING CHAPTER 17.72 (C-1/C-P ZONE) AND CHAPTER 17.76 (C-P-S ZONE) OF THE WILDOMAR MUNICIPAL CODE RELATING TO MICRO-BREWERIES

2.2 Zoning Ordinance Amendment No. 16-04 – L.E.D Signs in Commercial Retail Shopping Centers

City Clerk Lee read the title.

Planning Director Bassi presented the staff report.

Mayor Moore opened the public hearing.

David Horenstein, applicant, presented his proposal.

SPEAKERS:

Stan Smith, resident, voiced his support for the proposal.

Joseph Morabito, resident, voiced his support for the proposal.

Ken Mayes, resident, voiced his opposition.

John Garrett, resident, voiced his support for the proposal.

Ms. Miller, resident, voiced her opposition to the proposal.

Andy Morris, resident, voiced his support for the proposal.

Gary Andre, resident, voiced his support for the proposal.

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

A MOTION was made by Councilman Benoit, seconded by Mayor Pro Tem Walker, to Introduce and approve first reading of an amended (amendments attached to, and made a part of these Minutes) Ordinance entitled:

ORDINANCE NO. 123

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) AND SECTION 15311(A) OF CEQA AND APPROVING ZONING ORDINANCE AMENDMENT NO. 16-04 AMENDING CHAPTER 17.252 (SIGN REGULATIONS) OF THE WILDOMAR MUNICIPAL CODE RELATED TO ELECTRONIC MESSAGE FREEWAY SIGNAGE FOR COMMERCIAL RETAIL SHOPPING CENTERS IN THE C/1-C-P AND C-P-S ZONES ADJACENT TO INTERSTATE 15 FREEWAY

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

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

NAY: None

ABSTAIN: None

ABSENT: None

3.0 GENERAL BUSINESS

3.1 City Council Call For Review

City Clerk Lee read the title.

City Attorney Jex presented the staff report.

A MOTION was made by Mayor Pro Tem Walker, seconded by

Councilman Benoit, to introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. 124

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING SECTIONS 16.12.160, 16.12.220 AND 16.12.240 OF THE WILDOMAR MUNICIPAL CODE TO MAKE THE APPEAL PERIOD FOR SUBDIVISION MAPS CONSISTENT WITH THE APPEAL PERIOD FOR ZONING APPROVALS, AND ADDING SECTION 2.04.050 TO THE WILDOMAR MUNICIPAL CODE TO ALLOW FOR CITY COUNCIL REVIEW OF SUBDIVISION AND ZONING MATTERS

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

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

NAY: None

ABSTAIN: None

ABSENT: None

CITY MANAGER REPORT

City Clerk Lee provided an election update.

Assistant City Manager York gave 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 8:42 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Bridgette Moore
Mayor