

CITY OF WILDOMAR CITY COUNCIL  
AND WILDOMAR CEMETERY DISTRICT AGENDA

5:30 P.M. – CLOSED SESSION  
6:30 P.M. – REGULAR MEETING

SEPTEMBER 10, 2014  
Council Chambers  
23873 Clinton Keith Road



Marsha Swanson, Mayor/Chairman  
Ben Benoit, Mayor Pro Tem/Vice-Chairman  
Bob Cashman, Council Member/Trustee  
Bridgette Moore, Council Member/Trustee  
Timothy Walker, Council Member/Trustee

Gary Nordquist  
City Manager/General Manager

Thomas D. Jex  
City Attorney/District Counsel

## **WILDOMAR CITY COUNCIL AND WILDOMAR CEMETERY DISTRICT REGULAR MEETING AGENDA SEPTEMBER 10, 2014**

**ORDER OF BUSINESS:** Public sessions of all regular meetings of the City Council begin at 6:30 p.m. Closed Sessions begin at 5:30 p.m. or such other time as noted.

**REPORTS:** All agenda items and reports are available for review at: Wildomar City Hall, 23873 Clinton Keith Road; Mission Trail Library, 34303 Mission Trail Blvd.; and on the City's website, [www.cityofwildomar.org](http://www.cityofwildomar.org). Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours.

**PUBLIC COMMENTS:** Prior to the business portion of the agenda, the City Council will receive public comments regarding any items or matters within the jurisdiction of the governing body. The Mayor will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Comment Card" available at the Chamber door. The completed form is to be submitted to the City Clerk prior to an individual being heard. Lengthy testimony should be presented to the Council in writing (15 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

**ADDITIONS/DELETIONS:** Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council.

**CONSENT CALENDAR:** Consent Calendar items will be acted on by one roll call vote unless Council members, staff, or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

**PLEASE TURN ALL DEVICES TO VIBRATE/MUTE/OFF  
FOR THE DURATION OF THE MEETING. YOUR  
COOPERATION IS APPRECIATED.**  
**CALL TO ORDER – CITY COUNCIL CLOSED SESSION–5:30 P.M.**

**ROLL CALL**

**PUBLIC COMMENTS**

**CLOSED SESSION**

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 matters of pending litigation:
  - A. Citizens for Quality Development v. City of Wildomar and Sunbelt Communities Case No. MCC 1300818
  - B. City of Wildomar v. Goulart – RSC Case Number 1400301
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.

**RECONVENE INTO OPEN SESSION**

**ANNOUNCEMENT**

**ADJOURN CLOSED SESSION**

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

### **ROLL CALL**

### **FLAG SALUTE**

### **PRESENTATIONS**

Proclamation – Adult Literacy Awareness Month – September, 2014

Fire Department Update

### **PUBLIC COMMENTS**

This is the time when the City Council receives general public comments regarding any items or matters within the jurisdiction of the City Council that **do not** appear on the agenda.

State law only allows the City Council to talk about items that are listed on the agenda. Speakers are allowed to raise issues not listed on the agenda however, the law does not allow the City Council to discuss those issues during the meeting. After hearing the matter, the Mayor will turn the matter over to the City Manager who will put you in contact with the proper Staff person.

Each speaker is asked to fill out a “Public Comments Card” available at the Chamber door and submit the card to the City Clerk. **Lengthy testimony should be presented to the Council in writing (15 copies) and only pertinent points presented orally.** The time limit established for public comments is three minutes per speaker.

Prior to taking action on any item that is on the agenda, the public will be permitted to comment at the time it is considered by the City Council.

### **COUNCIL COMMUNICATIONS**

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

The City Council to approve the agenda as it is herein presented, or, if it is the desire of the City Council, the agenda can be reordered at this time.

### **1.0 CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Council, the Public, or Staff request that specific items are removed from the Consent Calendar for separate discussion and/or action.

#### **1.1 Reading of Ordinances**

**RECOMMENDATION:** Staff recommends that the City Council approve the reading by title only of all ordinances.

#### **1.2 Warrant & Payroll Registers**

**RECOMMENDATION:** Staff recommends that the City Council approve the following:

1. Warrant Register dated 08-07-14 in the amount of \$119,837.66;
2. Warrant Register dated 08-13-14 in the amount of \$150.00;
3. Warrant Register dated 08-14-14 in the amount of \$168,535.07;
4. Warrant Register dated 08-21-14 in the amount of \$326,908.85;
5. Warrant Register dated 08-28-14 in the amount of \$602,499.86 &
6. Payroll Register dated 9-02-2014 in the amount of \$59,704.09.

#### **1.3 Treasurer's Report**

**RECOMMENDATION:** Staff recommends that the City Council approve the Treasurer's Report for July, 2014.

#### **1.4 Resolution in Support of the Release of Marine Sergeant Andrew Tahmooressi**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, IN SUPPORT OF ASSEMBLYWOMAN MELISSA MELENDEZ'S LETTER URGING THE PRESIDENT OF THE UNITED STATES TO ACTIVELY PURSUE THE TIMELY RELEASE OF MARINE SERGEANT ANDREW TAHMOORESSI; AND AUTHORIZE THE MAYOR TO SIGN THE LETTER ADDRESSED TO THE PRESIDENT

**1.5 Tri-Party Consultant Service Agreement for the Grove Park Development Project Environmental Impact Report (Planning Application No. 14-0069)**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Authorize the City Manager to execute a Tri-Party Consultant Services Agreement (Attachment A) between the City of Wildomar, Strata Keith, LLC, and LSA Associates, Inc. for the preparation of an Environmental Impact Report (EIR) for the Grove Park Development project; and
2. Authorize the City Manager to execute a Consultant Services Agreement/Contract between the City of Wildomar and LSA Associates, Inc., for the preparation of an Environmental Impact Report (EIR) for the Grove Park Development project.

**1.6 Tri-Party Consultant Service Agreement for the Baxter Village Mixed-Use Project Environmental Impact Report (PA No. 14-0002)**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Authorize the City Manager to execute a Tri-Party Consultant Services Agreement (Attachment A) between the City of Wildomar, Strata Baxter, LLC, and LSA Associates, Inc. for the preparation of an Environmental Impact Report (EIR) for the Baxter Village Mixed-Use project; and
2. Authorize the City Manager to execute a Consultant Services Agreement/Contract between the City of Wildomar and LSA Associates, Inc., for the preparation of an Environmental Impact Report (EIR) for the Baxter Village Mixed-Use project.

**1.7 Tri-Party Consultant Service Agreement for the Spring Meadow Ranch Specific Plan Environmental Impact Report (Planning Application No. 13-0107)**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Authorize the City Manager to execute a Tri-Party Consultant Services Agreement (Attachment A) between the City of Wildomar, Spring Meadow Ranch, LLC, and Bonterra-Psomas, Inc. for the preparation of an Environmental Impact Report (EIR) for the Spring Meadow Ranch Specific Plan project; and
2. Authorize the City Manager to execute a Consultant Services Agreement/Contract between the City of Wildomar and Bonterra-Psomas, for the preparation of an Environmental Impact Report (EIR) for the Spring Meadow Ranch Specific Plan project.

**1.8 Conflict of Interest Code Amendment**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE CITY'S CONFLICT OF INTEREST CODE AND REPEALING RESOLUTION NO. 08-61

**1.9 Grading Agreement with MSL Orange, LLC - City Project 14-0021: Tentative Tract Map 36519**

**RECOMMENDATION:** Staff recommends that the City Council authorize the City Engineer to:

1. Execute the Grading Agreement for TTM 36519 with MSL Orange, LLC.; and
2. Execute the Grading Agreement for TTM 36519 with the new owner once verification of new ownership is provided to the City.

**1.10 Public Improvement Agreement - McGinness Medical Building, Plot Plan 13-0007, 32299 Wildomar Road**

**RECOMMENDATION:** Staff recommends that the City Council authorize the City Manager to execute the Public Improvement Agreement.

**1.11 Ordinance No. 99 Second Reading - Zoning Ordinance Amendment No. 14-02 R-4 Code Amendment**

**RECOMMENDATION:** The Planning Commission recommends that the City Council adopt an Ordinance entitled:

ORDINANCE NO. 99

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA ADOPTING AN ADDENDUM TO THE HOUSING ELEMENT CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH# 2013051001) IN ACCORDANCE WITH SECTION 15164 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, AND APPROVAL ZONING ORDINANCE AMENDMENT NO. 14-02 TO AMEND SECTION 17.60.030 REVISING THE MINIMUM LOT SIZE REQUIREMENTS FROM NINE (9) ACRES TO FOUR(4) ACRES FOR PROJECTS LOCATED IN THE R-4 ZONE

**1.12 Second Reading Ordinance No. 86 - Change of Zone No. 13-02**

**RECOMMENDATION:** The Planning Commission recommends the City Council adopt an Ordinance entitled:

ORDINANCE NO. 86

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING CHANGE OF ZONE NO. 13-02 TO CHANGE THE EXISTING ZONING DESIGNATION FROM R-R (RURAL RESIDENTIAL ZONE) TO R-4 (PLANNED RESIDENTIAL ZONE) FOR FOUR PARCELS IDENTIFIED AS APN'S: 380-220-002 (SITE #22 LOCATED ABOUT 500' WEST OF JEFFERSON AVENUE & GATEWAY DRIVE); 370-400-009 (SITE #23 LOCATED ON THE SOUTH SIDE OF CORYDON STREET ABOUT 330' EAST OF UNION STREET); 380-270-013 (SITE #24 LOCATED AT THE NORTHEAST CORNER OF JEFFERSON AVENUE AND THE WILDOMAR/MURRIETA BORDER) AND 380-250-003-THE SOUTHERLY 10-ACRE PORTION OF SAID PARCEL (SITE #25 LOCATED AT THE SOUTHWEST CORNER OF YAMAS DRIVE & CLINTON KEITH ROAD)

**2.0 PUBLIC HEARINGS**

**2.1 Lennar Residential Project (Planning Application No. 12-0364)**

**RECOMMENDATION:** The Planning Commission recommends that the City Council:

1. Adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATION MONITORING & REPORTING PROGRAM (MMRP) FOR A CHANGE OF ZONE (PA 12-0364) FROM R-R (RURAL RESIDENTIAL) TO R-4 (PLANNED RESIDENTIAL ZONE), TENTATIVE TRACT MAP NO. 36497 (PA 12-0364) FOR THE SUBDIVISION OF 24 ACRES INTO 67 PARCELS (INCLUDING APPROVAL OF MINOR VARIATIONS IN ACCORDANCE WITH THE COUNTYWIDE DESIGN STANDARDS AND GUIDELINES) AND PLOT PLAN NO. 12-0364 (INCLUDING A FINAL SITE PLAN OF DEVELOPMENT) FOR THE DEVELOPMENT OF 67 SINGLE FAMILY RESIDENTIAL DWELLING UNITS LOCATED AT THE SOUTHWEST CORNER OF ELIZABETH LANE AND PRIELIPP ROAD (APN: 380-280-004, 380-280-009, 380-280-010, 380-280-011 & 380-280-012)

2. Introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. \_\_\_\_\_  
AN ORDINANCE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, APPROVING A CHANGE OF ZONE (PLANNING  
APPLICATION NO. 12-0364) FROM R-R (RURAL RESIDENTIAL) TO  
R-4 (PLANNED RESIDENTIAL ZONE) FOR A 24 ACRE SITE  
LOCATED AT THE SOUTHWEST CORNER OF ELIZABETH LANE  
AND PRIELIPP ROAD (APN: 380-280-004, 380-280-009, 380-280-  
010, 380-280-011 & 380-280-012)

3. Adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, APPROVING TENTATIVE TRACT MAP  
NO. 36497 (PA 12-0364) FOR THE SUBDIVISION OF  
APPROXIMATELY 24 ACRES INTO 67 PARCELS (INCLUDING  
APPROVAL OF MINOR VARIATIONS IN ACCORDANCE WITH THE  
COUNTYWIDE DESIGN STANDARDS AND GUIDELINES),  
SUBJECT TO CONDITIONS LOCATED AT THE SOUTHWEST  
CORNER OF ELIZABETH LANE AND PRIELIPP ROAD (APN: 380-  
280-004, 380-280-009, 380-280-010, 380-280-011 & 380-280-012)

4. Adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, APPROVING PLOT PLAN NO. 12-0364  
(INCLUDING A FINAL SITE PLAN OF DEVELOPMENT) FOR THE  
DEVELOPMENT OF 67 SINGLE FAMILY RESIDENTIAL DWELLING  
UNITS, SUBJECT TO CONDITIONS LOCATED AT THE  
SOUTHWEST CORNER OF ELIZABETH LANE AND PRIELIPP  
ROAD (APN: 380-280-004, 380-280-009, 380-280-010, 380-280-011 &  
380-280-012)

**2.2 General Rule Exemption and approval of Zoning Ordinance  
Amendment No. 14-04 to amend Chapter 17.252 (Sign Regulations) of  
the Zoning Ordinance relating to Freestanding Freeway Signs**

**RECOMMENDATION:** The Planning Commission recommends that  
the City Council introduce and approve first reading of an Ordinance  
entitled:

ORDINANCE NO. \_\_\_\_\_  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, ADOPTING A GENERAL RULE EXEMPTION  
PER SECTION 15061.B.3 OF THE CALIFORNIA ENVIRONMENTAL  
QUALITY ACT (CEQA) GUIDELINES, AND APPROVING ZONING  
ORDINANCE AMENDMENT NO. 14-04 TO AMEND CHAPTER 17.252  
(SIGN REGULATIONS) OF THE WILDOMAR ZONING ORDINANCE  
RELATING TO FREESTANDING SIGNS

### **3.0 GENERAL BUSINESS**

#### **3.1 Freedom Swing**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Appropriate Funding for play area improvements;
2. Approve the addition of an event for September 27, 2014; and
3. Re-appropriate Park Event Funding.

#### **3.2 Bundy Canyon Road Improvement Project Final Environmental Impact Report**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Adopt a Resolution entitled:

RESOLUTION NO. 2014 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, CERTIFYING THE FINAL  
ENVIRONMENTAL IMPACT REPORT (SCH# 2007051156) AND  
ADOPTING FINDINGS OF FACT AND STATEMENT OF  
OVERRIDING CONSIDERATIONS AND A MITIGATION  
MONITORING AND REPORTING PROGRAM FOR THE BUNDY  
CANYON/SCOTT ROAD IMPROVEMENT PROJECT;

2. Award a Professional Services Agreement with Parsons for Final Engineering, Plans, Specifications and Estimate and authorize the City Manager to execute the Agreement; and
3. Authorize the City Manager to execute a Memorandum of Understanding with the City of Menifee.

**3.3 Construction Contract Award - Residential Slurry Seal Project FY13/14**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Consider the bid of lowest bidder Pavement Coatings Co. to be non-responsive due to its failure to submit the required Bidder's Checklist (Section A) and the acknowledgments contained therein;
2. Accept the bid of the second lowest bidder, American Asphalt South, Inc. in the amount of \$481,598.05 as the lowest responsive and responsible bidder; and
3. Authorize City Manager to execute a construction contract with American Asphalt South, Inc. in the amount of \$481,598.05 for the Residential Slurry Seal Project FY 13/14. Staff further recommends the City Council authorize the City Engineer to approve change orders not to exceed 20% of the contract amount.

**3.4 Construction Contract Award - George Avenue Sidewalk Infill Improvement Project (CIP 0029)**

**RECOMMENDATION:** Staff recommends that the City Council authorize City Manager to execute a construction contract with DASH Construction Company, Inc. in the amount of \$86,262.50 for the George Avenue Sidewalk Infill Project (CIP 0029). Staff further recommends the City Council authorize the City Engineer to approve change orders not to exceed 10% of the contract amount.

**CITY MANAGER REPORT**

**FUTURE AGENDA ITEMS**

**ADJOURN THE CITY COUNCIL**

In accordance with Government Code Section 54952.3, I, Debbie A. Lee, City of Wildomar City Clerk, do hereby declare that the Board of Trustees will receive no compensation or stipend for the convening of the following regular meeting of the Wildomar Cemetery District.

## **CALL TO ORDER THE WILDOMAR CEMETERY DISTRICT**

### **ROLL CALL**

### **PUBLIC COMMENTS**

This is the time when the Board of Trustees receives general public comments regarding any items or matters within the jurisdiction of the Wildomar Cemetery District that do not appear on the agenda. Each speaker is asked to fill out a "Public Comments Card" available at the Chamber door and submit the card to the Clerk of the Board. Lengthy testimony should be presented to the Board in writing (15 copies) and only pertinent points presented orally. The time limit for public comments is three minutes per speaker. Prior to taking action on any item, the public may comment at the time it is considered by the Board.

### **BOARD COMMUNICATIONS**

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

The Board of Trustees to approve the agenda as it is herein presented, or if it is the desire of the Board, the agenda can be reordered at this time.

#### **4.0 CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Board, the Public, or Staff request that specific items are removed from the Consent Calendar for separate discussion and/or action.

##### **4.1 Warrant Register**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the following:

1. Warrant Register dated 07-10-2014, in the amount of \$997.07;
2. Warrant Register dated 07-17-2014, in the amount of \$263.91;
3. Warrant Register dated 07-24-2014, in the amount of \$78.14; &
4. Warrant Register dated 07-31-2014, in the amount of \$1,033.75.

##### **4.2 Treasurer's Report**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Treasurer's Report for June, 2014.

##### **4.3 Treasurer's Report**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Treasurer's Report for July, 2014.

#### **5.0 PUBLIC HEARINGS**

There are no items scheduled.

#### **6.0 GENERAL BUSINESS**

There are no items scheduled.

#### **GENERAL MANAGER REPORT**

#### **FUTURE AGENDA ITEMS**

#### **ADJOURN WILDOMAR CEMETERY DISTRICT**

**City Council/Wildomar Cemetery District Regular Meeting Schedule**

October 8	February 11	June 10
November 12	March 11	July 8
December 10	April 8	August 12
January 14	May 3	September 9

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any person that requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting, may request such modification, accommodation, aid or service by contacting the City Clerk either in person or by phone at 951/677-7751, no later than 10:00 a.m. on the day preceding the scheduled meeting.

I, Debbie A. Lee, Wildomar City Clerk, do certify that on September 5, 2014, by 5:00 p.m., a true and correct copy of this agenda was posted at the three designated posting locations:

Wildomar City Hall, 23873 Clinton Keith Road;  
U.S. Post Office, 21392 Palomar Street;  
Wildomar Library, 34303 Mission Trail Blvd.



Debbie A. Lee, CMC, City Clerk