

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
NOVEMBER 13, 2013**

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

The closed session of November 13, 2013, of the Wildomar City Council was called to order by Mayor Walker at 5:33 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 (arrived at 5:35 p.m.), and Moore (arrived at 5:36 p.m.). 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 an item needs to be added to the closed session. This item came to the attention of Staff after the posting of the agenda and needs direction from the Council prior to the next meeting. The City received two letters on the development agreement for Planning Application 12-0395 which is on the agenda tonight.

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

MOTION carried, 3-0, with Council Members Cashman and Moore absent.

City Attorney Jex stated the added item will be to #2. Instead of two matters of potential exposure to litigation, it will be three.

City Clerk Lee read the following:

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. Martha Bridges and John Burkett v. City of Wildomar
Case No. RIC 1216373
 - B. Citizens for Quality Development v. City of Wildomar and Sunbelt Communities
Case No. MCC 1300818
 - C. Martha Bridges and John Burkett v. City of Wildomar and Sunbelt Communities
Case No. MCC 1300893
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 three matters of potential exposure to litigation.
 3. The City Council will meet in closed session pursuant to the provisions of Government Code section 54957(b) regarding Public Employee Performance Evaluation.
Title: City Attorney

RECONVENE INTO OPEN SESSION

At 6:37 p.m. the City Council reconvened into open session with all Council Members present.

ANNOUNCEMENT

City Attorney Jex announced in regards to item 1.A, the Plaintiff's have filed an appeal. The City Council unanimously voted to defend the appeal. In regards to item 1.C, the City Council unanimously approved a final settlement agreement and authorized the City Manager to sign it. As for all other items, there is no reportable action.

ADJOURN CLOSED SESSION

There being no further business Mayor Walker declared the closed session adjourned at 6:38 p.m.

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

The regular meeting of November 13, 2013, of the Wildomar City Council was called to order by Mayor Walker at 6:38 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 York, Planning Director Bassi, City Controller Cheng, Police Chief Kennedy-Smith, Lt. Knudson, Administrative Analyst Morales, and City Clerk Lee.

The Flag Salute was led by Mayor Walker.

PRESENTATIONS

The Sycamore Academy First Graders presented a song done in sign language.

Chief Beach presented the Fire Department update.

Mayor Walker and City Manager Nordquist presented plaques regarding the efforts on the Great Day of Service.

PUBLIC COMMENTS

Eliza Echevarria, Riverside County Transportation Commission, gave an update on the I-15 corridor project.

Ms. Miller spoke regarding conservation.

Glenn Cople, Original Christmas Tree Lane, spoke regarding the annual event.

COUNCIL COMMUNICATIONS

The City Council updated everyone on all the local and regional Committees, Commissions and Board 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 Councilwoman Moore, seconded by Councilman Benoit, 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 – September 11, 2013 Regular Meeting

Approved the Minutes as presented.

1.3 Minutes – October 9, 2013 Regular Meeting

Approved the Minutes as presented.

1.4 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 10-03-13 in the amount of \$143,504.46;
2. Warrant Register dated 10-07-13 in the amount of \$3,238.51;
3. Warrant Register dated 10-10-13 in the amount of \$245,911.75;
4. Warrant Register dated 10-17-13 in the amount of \$69,092.68;
5. Warrant Register dated 10-17-13 in the amount of \$2,088.38;
6. Warrant Register dated 10-24-13 in the amount of \$49,927.40;
7. Warrant Register dated 10-24-13 in the amount of \$196.18;
8. Warrant Register dated 10-31-13 in the amount of \$40,085.72;
9. Warrant Register dated 10-31-13 in the amount of \$50.00;
10. Warrant Register dated 11-07-13 in the amount of \$4,287.65;
11. Warrant Register dated 11-07-13 in the amount of \$292,125.15; &
12. Payroll Register dated 11-06-13 in the amount of \$74,469.56.

1.5 Treasurer's Report

Approved the Treasurer's Report for September, 2013.

1.6 Traffic Signal Maintenance Agreement with County of Riverside

Executed the Traffic Signal Maintenance Agreement with the County of

Riverside.

- 1.7 Accept Resignation of Planning Commissioner Mike Kazmier**
Accepted the resignation of Mike Kazmier; Declare a vacancy on the Planning Commission; and Direct the City Clerk to advertise the vacancy and accept applications for the unexpired term of office (December, 2014).
- 1.8 Acceptance of Temporary Construction and Right of Way Easements for Safe Sidewalks to Schools Project.**
1. Authorized the City Manager to execute the Agreement for Acquisition of Public Right of Way and Temporary Construction Easement with Milton and Marie Secord.
 2. Accepted the Temporary Construction Easement and Grant of Public Right of Way offered to the City by Milton and Marie Secord, and authorize the City Manager to execute Certificates of Acceptance.
 3. Directed the City Clerk to record the Grant of Public Right of Way and Temporary Construction Easements, with their Certificates of Acceptance attached.

2.0 PUBLIC HEARINGS

2.1 Allocation of Community Development Block Grant Funds

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Councilwoman Moore, to continue the Public Hearing to December 11, 2013 at 6:30 p.m.

MOTION carried, 5-0.

2.2 Development Impact Fee Study (Continued from 10-09-13)

City Clerk Lee read the title.

Mayor Walker opened the public hearing.

Public Works Director York presented the staff report.

SPEAKERS:

Dorothy Nader, resident, spoke regarding drainage and fees.

Nathan Miller, BIA, thanked the Council for the willingness to work together on the DIF.

A MOTION was made by Councilman Benoit, seconded by Councilwoman Moore, to table the Public Hearing.

MOTION carried, 5-0.

A MOTION was made by Councilwoman Moore, seconded by Councilman Benoit, to approve Amendment #2 to the agreement with Colgan Consulting Corporation in an amount not to exceed \$4,230.

MOTION carried, 5-0.

2.3 Development Agreement No. 12-0395 - C.V. Communities (Tentative Tract Maps Nos. 25122 and 32078)

City Clerk Lee read the title.

Planning Director Bassi and Public Works Director York presented the staff report.

SPEAKERS:

Ms. Miller spoke in opposition to the item.

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

Adam Smith, Applicant, spoke regarding the project.

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

ORDINANCE NO. 83
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING A DEVELOPMENT
AGREEMENT FOR TENTATIVE TRACT MAP NOS. 25122 AND 32078
(PLANNING APPLICATION NO. 12-0395) GENERALLY LOCATED AT
THE SOUTHWEST CORNER OF MCVICAR STREET AND PALOMAR
STREET (APN: 380-080-008, 380-080-009, 380-080-012, 380-080-013,

380-080-014, and 380-140-001)

which title was read.

MOTION carried, 5-0.

3.0 GENERAL BUSINESS

3.1 Landscaping and Lighting Maintenance District No. 89-1-Consolidated; Annexation Zone 181

City Clerk Lee read the title.

Public Works Director York presented the staff report.

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

RESOLUTION NO. 2013 - 40
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, LEVYING ASSESSMENTS OF
PROPERTY (ANNEXATION ZONE NO. 181) TO THE LANDSCAPE
MAINTENANCE DISTRICT NO. 89-1-C

MOTION carried, 5-0.

A MOTION was made by Councilwoman Moore, seconded by Mayor Pro Tem Swanson, to authorize staff to execute and record Landscape Maintenance Agreement.

MOTION carried, 5-0.

3.2 General Plan Amendment Initiation for Westpark Promenade Project (Golden Eagle Multi-Family Properties) - Planning Application No. 13-0082

City Clerk Lee read the title.

Planning Director Bassi presented the staff report.

The Applicant made their presentation.

SPEAKERS:

Ms. Miller spoke in opposition to the project.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Councilman Benoit, to support the Applicant's request to initiate a General Plan Amendment to change the land use designation from Commercial Office to Very High Density Residential (for a 21.26 acre portion of the project site) for the Westpark Promenade Project, but the Applicant should be fully aware of the concerns expressed.

MOTION carried, 5-0.

3.3 General Plan Amendment Initiation for Villa Sienna Apartment Project (Golden Eagle Multi-Family Properties) - Planning Application No. 13-0089

City Clerk Lee read the title.

Planning Director Bassi presented the staff report.

Ms. Miller spoke in opposition to the project.

The Applicant made their presentation.

A MOTION was made by Mayor Pro Tem Swanson, seconded by Councilwoman Moore, to support the Applicant's request to initiate a General Plan Amendment change from Medium High Density Residential to Very High Density Residential at the property site for the Villa Sienna Apartment Project, but the Applicant should be fully aware of the concerns expressed.

MOTION carried, 4-1, with Councilman Cashman dissenting.

3.4 County of Riverside Land Grant to the City of Wildomar, Adjacent to Reagan Elementary School

City Clerk Lee read the title.

Councilman Cashman advised he will leave the dais as he has a conflict of interest with this property due to the proximity to his property.

At 9:00 p.m. Councilman Cashman left the dais.

Public Works Director presented the staff report.

Ms. Miller spoke in opposition to the item.
Ken Mayes, resident, spoke in opposition to the item.

Maria Walker, resident, spoke in favor of the project.

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

RESOLUTION NO. 2013 - 41
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ACCEPTING A QUITCLAIM DEED FROM THE COUNTY
OF RIVERSIDE FOR A CITY PARK SITE, ENCOMPASSING COUNTY
ASSESSOR'S PARCELS 376-350-009 & 376-350-017 AND FINDING
THE ACCEPTANCE OF THE QUITCLAIM DEED EXEMPT FROM CEQA

MOTION carried, 4-0-1, with Councilman Cashman abstaining.

At 9:20 p.m. Councilman Cashman returned to the dais.

CITY MANAGER REPORT

City Manager Nordquist gave a brief report.

FUTURE AGENDA ITEMS

*Parks Commission formation

ADJOURN THE CITY COUNCIL

There being no further business, at 9:28 p.m. Mayor Walker adjourned the meeting in memory of Joyce A. Seguire - Mayor Pro Tem Swanson's Mother and John Nelson - Planning Commissioner Langworthy's Father.

Submitted by:



Debbie A. Lee, CMC
City Clerk

Approved by:



Timothy Walker
Mayor