

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
FEBRUARY 12, 2014**

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

The closed session of February 12, 2014, of the Wildomar City Council was called to order by Mayor Swanson at 5:32 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 Cashman, Moore, Walker, Mayor Pro Tem Benoit, Mayor Swanson. 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 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)(4) to confer with legal counsel with regard to two matters 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)(2) to confer with legal counsel with regard to two matters of potential exposure to litigation.
3. 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. Alliance for Intelligent Planning v. City of Wildomar and CV Communities - Case No. MCC1400009
  - C. Martha Bridges and John Burkett v. City of Wildomar and CV Communities - Case No. RIC 1400419

At 5:33 p.m. the City Council convened into closed session, with all Council Members present.

### **RECONVENE INTO OPEN SESSION**

At 6:44 p.m. the City Council reconvened into open session with all Council Members present.

### **ANNOUNCEMENT**

City Attorney Jex stated there was no reportable action.

### **ADJOURN CLOSED SESSION**

There being no further business Mayor Swanson declared the closed session adjourned at 6:44 p.m.

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

The regular meeting of February 12, 2014, of the Wildomar City Council was called to order by Mayor Swanson at 6:44 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 Cashman, Moore, Walker, Mayor Pro Tem Benoit, and Mayor Swanson. 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, Fire Chief Beach, Administrative Analyst Morales, and City Clerk Lee.

The Flag Salute was led by Councilman Walker.

A Moment of Silence was observed for Petty Officer First Class Ricky Losey.

### **PRESENTATIONS**

Mayor Swanson made a presentation to Supervisor Kevin Jeffries for all that he has done for the City.

The Elsinore High School FFA made a presentation regarding their program.

Fire Chief Beach presented the Fire Department update.

### **PUBLIC COMMENTS**

Michael Maples, Maples & Associates, representing Manny Fernandez, spoke regarding code enforcement issues.

Dena Piraino, resident, spoke regarding stop signs at the Farm.

Sycamore Academy students spoke regarding their studies at the school.

Anne Bowman, Southwest California Pageants, spoke regarding the upcoming pageant.

April Vitale, resident, spoke regarding the need for lights at the crosswalk at David A. Brown Middle School.

Gayl Taylor, resident, spoke regarding the stop signs at the Farm.

### **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 Mayor Pro Tem Benoit, to approve the agenda as presented.

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

## **1.0 CONSENT CALENDAR**

City Clerk Lee advised there is a speaker for item #1.8 and #1.9.

**A MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to approve the Consent Calendar as presented, with the exception of item #1.8 and #1.9.

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

### **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 01-02-14 in the amount of \$102,078.51;
2. Warrant Register dated 01-02-14 in the amount of \$7,825.79;
3. Warrant Register dated 01-02-14 in the amount of \$10,500.00;
4. Warrant Register dated 01-09-14 in the amount of \$222,342.58;
5. Warrant Register dated 01-16-14 in the amount of \$684,875.66;
6. Warrant Register dated 01-16-14 in the amount of \$23,025.93;
7. Warrant Register dated 01-23-14 in the amount of \$260,641.97;
8. Warrant Register dated 01-30-14 in the amount of \$266,792.06;
9. Warrant Register dated 01-30-14 in the amount of \$8,635.63; and
10. Payroll Register dated 02-04-14 in the amount of \$43,341.81.

### **1.3 Tentative Tract Map No. 25122 – Planning Commission’s Approval**

Received and filed the report.

### **1.4 Tentative Tract Map No. 32078 – Planning Commission’s Approval**

Received and filed the report.

### **1.5 Bundy Canyon Plaza Temporary Detention Basins Maintenance Agreement**

Executed the Temporary Detention Basins Facilities Maintenance Agreement.

- 1.6 **FY12-13 Comprehensive Annual Financial Report (CAFR)**  
Received and filed the 2012-13 CAFR.
- 1.7 **FY2012-13 California Supplemental Law Enforcement Services Fund (SLESF) Grant Program**  
Adopted a Resolution entitled:

RESOLUTION NO. 2014 - 03  
A RESOLUTION OF THE COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, RECOMMENDING THE USE OF \$100,000 FROM THE  
2013-14 STATE BUDGET TO PROVIDE FUNDING ADDITIONAL  
PUBLIC SAFETY PERSONNEL

### **ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 1.8 **Delegation of Authority to Execute Right of Way Certifications**

George Taylor, resident, spoke regarding right of way within the City and not just with Caltrans.

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

RESOLUTION NO. 2014 - 04  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, DELEGATING AUTHORITY TO THE CITY MANAGER TO  
EXECUTE RIGHT OF WAY CERTIFICATIONS

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

- 1.9 **Ordinance No. 93 Second Reading – Development Impact Fees**

George Taylor, resident, spoke fees for libraries.

**A MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to adopt an Ordinance entitled:

ORDINANCE NO. 93  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, AMENDING AND RESTATING ARTICLE I  
(DEVELOPMENT IMPACT FEES) OF CHAPTER 3.44 (FEES) OF THE  
WILDOMAR MUNICIPAL CODE AND AMENDING SECTION 16.20.02  
(PARK AND RECREATION FEES AND DEDICATIONS) OF THE  
WILDOMAR MUNICIPAL CODE

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

## **2.0 PUBLIC HEARINGS**

### **2.1 Appeal of Minor Changes to Tentative Tract Map 25122 Appeal of Minor Changes - Planning Application No. 13-0120**

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Nicholas Shantar, CV Communities, applicant, stated they are in concurrence with the recommendation.

**A MOTION** was made by Councilwoman Moore, seconded by Councilman Walker, to continue this agenda item to the March 12, 2014 City Council meeting.

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

**2.2 Appeal of Minor Changes to Tentative Tract Map 32078 Appeal of Minor Changes - Planning Application No. 13-0121**

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

**A MOTION** was made by Councilwoman Moore, seconded by Councilman Walker, to continue this agenda item to the March 12, 2014 City Council meeting.

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

**2.3 Five-Year Capital Improvement Program (Fiscal Years 2013/14 to 2017/18) and Amend the Budget for Fiscal Year 2013/14**

City Clerk read the title.

Mayor Swanson opened the public hearing.

Public Works Director York presented the staff report.

George Taylor, resident, thanked the Council.

There being no speakers Mayor Swanson closed the public hearing.

Discussion ensued with the City Council.

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

RESOLUTION NO. 2014 - 05  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT  
PROGRAM FOR FISCAL YEARS 2013/14 TO 2017/18 AND AMENDING  
THE BUDGET FOR FISCAL YEAR 2013/14

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

**2.4 FY 2013-14 Mid-Year Budget Report**

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

City Manager Nordquist presented the staff report.

There being no speakers Mayor Swanson closed the public hearing.

Discussion ensued with the City Council.

**A MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to approve the budget adjustments and recommendations as listed in the Fiscal Year 2013-14 Mid Year Budget Report; and Adopt a Resolution entitled:

RESOLUTION NO. 2014 - 06  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, AUTHORIZING AN AMENDMENT TO  
THE FY 2013-14 BUDGETED REVENUES, EXPENSES AND  
AUTHORIZED POSITIONS

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

**2.5 Second Reading – Ordinance No. 92 2013 Building Codes Adoption**

City Clerk Lee read the title.



Mayor Swanson opened the public hearing.

Public Works Director York presented the staff report.

There being no speakers Mayor Swanson closed the public hearing.

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

ORDINANCE NO. 92  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING CHAPTERS 8.28, 15.12, 15.16, 15.20, 15.24, 15.28, 15.32, AND 15.52 OF THE WILDOMAR MUNICIPAL CODE, AND ADDING CHAPTERS 15.18, 15.22 AND 15.38 TO THE WILDOMAR MUNICIPAL CODE, BY ADOPTING THE 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 2 THROUGH 12, INCLUSIVE) WITH APPENDICES AND AMENDMENTS THERETO

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

### **3.0 GENERAL BUSINESS**

#### **3.1 Establishment of Community Facilities District No. 2013-1 (Services)**

City Clerk Lee read the title.

Public Works Director York presented the staff report.

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

RESOLUTION NO. 2014 - 07  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DECLARING ITS INTENTION TO ESTABLISH

COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES) AND  
AUTHORIZING THE LEVY OF SPECIAL TAXES THEREIN

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

**3.2 General Plan Amendment (GPA) Initiation Request (PA No. 13-0041)**

City Clerk Lee read the title.

Planning Director Bassi presented the staff report.

**A MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilman Walker, to support the initiation of a General Plan Amendment for the Strata/Clinton Keith Project (Planning Application No. 13-0041 to change the land use designation on the northerly 10 acres from Business Park (BP) to Commercial Retail (CR).

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

**3.3 Community Services Commission**

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

Council consensus for the following:

5 members at large  
4 year staggered terms; initial terms to be 2 & 4 years  
Chairman and Vice Chairman  
Advisory only

Quarterly Meetings  
Annual updates to the City Council

**3.4 Amendment of Solid Waste Ordinance and Repeal of County Resolution Establishing a Comprehensive Collection Area**

City Clerk Lee read the title.

City Attorney Jex presented the staff report.

**A MOTION** was made by Councilwoman Moore, seconded by Mayor Pro Tem Benoit, to introduce and approve first reading of an Ordinance 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 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

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

RESOLUTION NO. 2014 - 08  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, REPEALING COUNTY OF RIVERSIDE  
RESOLUTION NO. 2006-159 ESTABLISHING COMPREHENSIVE  
COLLECTION AND DISPOSAL OF SOLID WASTE WITHIN THE  
COMMUNITY OF WILDOMAR

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea

Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

**3.5 Consultant Service Agreement for Collier Elementary School Safe Routes to School Improvement Project**

City Clerk Lee read the title.

Public Works Director York presented the staff report.

**A MOTION** was made by Councilwoman Moore, seconded by Councilman Walker, to authorize the City Manager to execute a Consultant Services Agreement with RBF Consulting for Engineering Design Services for the Collier Elementary School Safe Routes to School Improvement Project.

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

**3.6 Parks Update and Reopening Plans**

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

**SPEAKERS:**

Jon Laskin, resident, presented a petition of 178 wanting the fence down of 180.

Monty Goddard, resident, with donated time from Mary Goddard and Joseph Morabito, spoke to keep the fence up.

Ken Mayes, resident, spoke regarding the drought and the City planting grass.

John Sakala, resident, spoke regarding keeping the fence up.

City Clerk Lee stated there are no further speakers, but the Council did receive various letters and emails of which they have copies.

Discussion ensued regarding the parks opening, hydro seeding, the fence at Windsong Park, cameras, motion lights, and security patrols.

Council consensus to leave the fence up until security is in place and then the fence should come down.

### **3.7 Water Conservation and Park Renovation**

City Clerk Lee read the title.

Public Works Director York presented the staff report.

Council consensus to hydro seed the lawn area for the sports fields at Marna O'Brien Park; Reduce lawn area(s) with drought tolerant plantings for the non-sports activity areas at Windsong Park, Regency Heritage Park and Marna O'Brien Park; and Reduce lawn areas in the Public Right of Way with more drought tolerant plantings.

## **CITY MANAGER REPORT**

There was nothing to report.

## **CITY ATTORNEY REPORT**

City Attorney Jex presented a report on AB 1090 which expands Fair Political Practice Commission's (FPPC) conflict of interest advice and enforcement authority.

## **FUTURE AGENDA ITEMS**

- \*Green waste trash cans at the Farm
- \*Curb painting
- \*Town Hall meeting

## **ADJOURN THE CITY COUNCIL**

There being no further business at this time, at 9:54 p.m. Mayor Swanson

declared the City Council meeting adjourned to item #6.1 on the Wildomar Cemetery District Agenda.

## **RECONVENE THE WILDOMAR CITY COUNCIL**

Mayor Swanson reconvened the City Council at 9:56 p.m.

### **6.1B First Amendment to Lease Agreement for Cemetery Property**

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

**A MOTION** was made by Councilwoman Moore, seconded by Councilman Walker, to authorize the City Manager to sign the First Amendment to the Lease Agreement, as the Lessee, with Wildomar Cemetery District to lease parcels 3 and 4 (APN's 376-060-001-3 and 376-060-016-7) for recreational purposes consistent with California Health and Safety Code § 9054(b).

**MOTION** carried 5-0, as follows:

Councilman Cashman – Yea  
Councilwoman Moore – Yea  
Councilman Walker – Yea  
Mayor Pro Tem Benoit – Yea  
Mayor Swanson - Yea

## **ADJOURN THE WILDOMAR CITY COUNCIL**

There being no further business Mayor Swanson declared the City Council meeting adjourned at 9:58 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC  
City Clerk



Marsha Swanson  
Mayor