

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

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

The closed session of March 12, 2014, of the Wildomar City Council was called to order by Mayor Swanson at 5:30 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

Arnold San Miguel, SCAG, spoke regarding events going on at SCAG.

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 one matter 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 matter of pending litigation: Citizens for Quality Development v. City of Wildomar and Sunbelt Communities - Case No. MCC 1300818.

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

RECONVENE INTO OPEN SESSION

At 6:36 p.m. the City Council reconvened into open session with all Council Members present.

ANNOUNCEMENT

City Attorney Jex stated item #2 was not discussed, but will be moved to after the regular Council meeting at the end. Items #1 and #3 were discussed and there is no reportable action.

ADJOURN CLOSED SESSION

There being no further business Mayor Swanson declared the closed session adjourned at 6:37 p.m.

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

The regular meeting of March 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 Stan Smith, Wildomar Citizen of the Year.

PRESENTATIONS

Bradley D. Neet, CEO, Southwest Healthcare System, Inland Valley/Rancho Springs gave an update on the hospital.

Fire Chief Beach presented the Fire Department update.

PUBLIC COMMENTS

Merilou Jenkins, resident, spoke regarding mud and debris on Winding Way and damage to Vista Del Agua.

John Cantacissi, resident, spoke regarding Lemon and Lost Road.

April Vitale, resident, spoke regarding a crosswalk issue at David A. Brown Middle School.

Joy Allen, resident, spoke regarding the speeding issue on Catt Road.

Alesse Joniaux, resident, thanked the Council for improving the overpass and all the construction that is going on in the City.

Michael Ames, resident, spoke regarding his Eagle Scout project.

Riley Olson, resident, spoke regarding his Eagle Scout project.

Ken Mayes, resident, spoke regarding the City Council.

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 Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to approve the agenda as presented.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

1.0 CONSENT CALENDAR

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to approve the agenda as presented.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None
ABSENT: None

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – January 22, 2014 Adjourned Regular Meeting

Approved the Minutes as presented.

1.3 Minutes – February 12, 2014 Regular Meeting

Approved the Minutes as presented

1.4 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 02-06-14 in the amount of \$45,092.84;
2. Warrant Register dated 02-13-14 in the amount of \$86,998.28;
3. Warrant Register dated 02-20-14 in the amount of \$162,776.35;
4. Warrant Register dated 02-27-14 in the amount of \$652,640.02;
5. Warrant Register dated 03-06-14 in the amount of \$415,732.10; and
6. Payroll Register dated 03-06-14 in the amount of \$47,801.20.

1.5 Treasurers Report

Approved the Treasurers Report for January, 2014.

PRESENTATIONS

Mayor Swanson recognized Police Chief Shelley Kennedy-Smith for her tenure as the City's Police Chief.

2.0 PUBLIC HEARINGS

2.1 Establishment of Community Facilities District No. 2013-1 (Services)

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Public Works Director York presented the staff report.

There being no speakers or written protests Mayor Swanson declared the public hearing closed.

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to adopt a Resolution entitled:

RESOLUTION NO. 2014 - 09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES); CALLING AN ELECTION FOR THE PURPOSE OF SUBMITTING THE QUESTION OF THE LEVY OF THE PROPOSED SPECIAL TAX TO THE QUALIFIED ELECTORS OF THE COMMUNITY FACILITIES DISTRICT; AUTHORIZING THE LEVY OF SPECIAL TAXES; AND ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

City Clerk Lee opened the ballots from the property owners. The results from the election were in favor.

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to adopt a Resolution entitled:

RESOLUTION NO. 2014 - 10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DECLARING ELECTION RESULTS FOR COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES)

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

2.2 Appeal of Minor Changes to Tentative Tract Map 25122 – CV Communities (Application No. 13-0120)

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Planning Director Bassi presented the staff report.

Ray Johnson, Appellant, presented his protest to the project.

Nicholas Shantar, CV Communities, presented the project.

Mr. Johnson presented his rebuttal.

Planning Director Bassi and Public Works Director York presented rebuttals.

SPEAKERS:

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

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

Council discussion ensued.

A MOTION was made by Councilwoman Moore, seconded by Councilman Walker, to adopt a Resolution entitled:

RESOLUTION NO. 2014 - 11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF MINOR CHANGES TO TENTATIVE TRACT MAP NO. 25122 (PLANNING APPLICATION NO. 13-0120) LOCATED AT THE SOUTHWEST CORNER OF PALOMAR STREET AND MCVICAR STREET (APN: 380-080-004; 380-080-012; 380-080-013; 380-080-014; & 380-140-015) AND DETERMINING THAT NO FURTHER CEQA REVIEW IS REQUIRED FOR THE PROJECT UNDER CEQA GUIDELINES SECTION 15162

MOTION carried 4-1, as follows:

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

NAY: Cashman

ABSTAIN: None

ABSENT: None

2.3 Appeal of Minor Changes to Tentative Tract Map 32078 – CV Communities (Application No. 13-0121)

City Clerk Lee read the title.

Mayor Swanson opened the public hearing.

Planning Director Bassi presented the staff report.

Ray Johnson, Appellant, presented his protest to the project.

SPEAKERS:

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

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

Council discussion ensued.

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

RESOLUTION NO. 2014 - 12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF MINOR CHANGES TO TENTATIVE TRACT MAP NO. 32078 (PLANNING APPLICATION NO. 13-0121) LOCATED ON THE WEST SIDE OF PALOMAR STREET APPROXIMATELY 1,500 FEET SOUTH OF MCVICAR STREET (APN'S: 380-080-008; 380-080-009; 380-140-001) AND DETERMINING THAT NO FURTHER CEQA REVIEW IS REQUIRED FOR THE PROJECT UNDER CEQA GUIDELINES SECTION 15162

MOTION carried 4-1, as follows:

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

NAY: Cashman

ABSTAIN: None

ABSENT: None

At 8:21 p.m. the City Council took a recess.

At 8:27 p.m. the City Council reconvened with all Council Members present.

3.0 GENERAL BUSINESS

3.1 EVMWD Lift Station Upgrades on Mission Trail

City Clerk Lee read the title.

EVMWD made a presentation regarding lift station upgrades on Mission Trails.

3.2 Construction Contract Award for Safe Sidewalks to Schools Improvement Project – Bundy Canyon, Prielipp Road, Canyon Drive, and Grand Avenue Improvements (CIP 0016 and CIP 0018)

City Clerk Lee read the title.

Public Works Director York made the staff presentation.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to:

1. Waive the lack of listing the Surety on the Bid Proposal Form by Southwest Construction Co. Inc. (Southwest Construction), and deem resulting irregularities as immaterial, given that the Bidder's Bond was attached to their bid package and met the Bidder's Bond requirements;
2. Approve the revised bid schedule provided by Southwest Construction to correct their total price arithmetic calculation for Bid Item #44 (Sawcut and Remove Existing Asphalt Curb & Walk, and Concrete Spandrel) and their Total Bid Price of \$300,598;
3. Consider and deny the bid question/verbal protest raised by the second lowest bidder, Crownline Engineering on the basis that any irregularities identified in the Southwest Construction bid are not material; and
4. Authorize the City Manager to execute a construction contract with Southwest Construction in the amount of \$300,598.00 for the Sidewalks to Schools Improvement Project, Bundy Canyon Road, Prielipp Road, Canyon Drive, and Grand Avenue Improvements (CIP 0016 and CIP 0018). Staff further recommends the City Council authorize the City Engineer to approve change orders not to exceed 20% of the contract amount.

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

3.3 Additions to Classification and Compensation Plan

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

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

RESOLUTION NO. 2014 - 13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE CLASSIFICATION/COMPENSATION PLAN AND AUTHORIZING THE ADDITION OF TWO POSITION DESCRIPTIONS IN ACCORDANCE WITH ORDINANCE NO. 53, AND AUTHORIZING THE AMENDMENT OF TWO POSITION CLASSIFICATION DESCRIPTIONS

MOTION carried 5-0, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: None

3.4 Wildomar Rotary BBQ Request for City Participation

City Clerk Lee read the title.

Mayor Pro Tem Benoit recused himself as he is the President of the Rotary.

A MOTION was made by Councilman Cashman, seconded by Councilman Walker, to approve the City's participation in the Wildomar Rotary BBQ on Saturday, May 24, 2014.

MOTION carried 4-0-1, as follows:

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

Mayor Pro Tem Benoit returned to the Dias.

3.5 Planning Commission Appointment (Councilman Cashman Appointment)

City Clerk Lee read the title.

Councilman Cashman nominated Dan Bidwell for his appointment on the Planning Commission.

A MOTION was made by Councilman Cashman, seconded by Mayor Pro Tem Benoit, to appoint Dan Bidwell to the Planning Commission vacancy.

MOTION carried 5-0, as follows:

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

3.6 Parks Funding Measure Citizen's Oversight Advisory Committee Appointments (3)

City Clerk Lee read the title.

A MOTION was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to appoint Scott Bradstreet and Jamie Johnson to the Parks Funding Measure Citizen's Oversight Advisory Committee; and Direct the City Clerk to advertise for the one vacant position remaining.

MOTION carried 5-0, as follows:

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

CITY MANAGER REPORT

City Manager Nordquist presented his report.

FUTURE AGENDA ITEMS

- *Speed study on Palomar
- *Historic buildings presentation and discussion

ADJOURN THE CITY COUNCIL

There being no further business at 8:50 p.m. Mayor Swanson declared the City Council adjourned to Closed Session immediately following the Wildomar Cemetery regular meeting.

RECONVENE THE CITY COUNCIL

Mayor Swanson reconvened the City Council at 8:57 p.m. with all Council Members present.

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 54957(b) regarding Public Employee Performance Evaluation. Title: City Manager.

RECONVENE INTO OPEN SESSION

At 10:02 p.m. the City Council reconvened into open session, with all Council Members present.

ANNOUNCEMENT


There was no announcement.

ADJOURNMENT


There being no further business Mayor Swanson declared the meeting adjourned at 10:02 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Marsha Swanson
Mayor