

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
MAY 13, 2015**

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

The closed session of May 13, 2015, of the Wildomar City Council was called to order by Mayor Benoit 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 Swanson, Walker, Mayor Pro Tem Moore, Mayor Benoit. Members absent: Councilman Cashman.

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 54957(b) regarding Public Employee Performance Evaluation. Title: City Manager.
2. 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. Alliance for Intelligent Planning v. City of Wildomar; RSC Case No. RIC1400012
 - B. Alliance for Intelligent Planning v. City of Wildomar and CV Communities, LLC: RSC Lead Case No. MCC1400009 consolidated with RSC Case Numbers MCC1400546, RIC1400419 and MCC1400557; California Court of Appeal Case number: E062394
 - C. CREED-21 v. City of Wildomar and Walmart Real Estate Business Trust; RSC Case No. RIC1504199

D. Martha Bridges and John Burkett v. City of Wildomar; RSC Case No. MCC 1300055

The Council convened into closed session at 5:32 p.m. with Councilman Cashman absent.

RECONVENE INTO OPEN SESSION

At 6:34 p.m. the City Council reconvened into open session, with Councilman Cashman absent.

ANNOUNCEMENT

City Attorney Jex stated with respect to item #2.C, the City Council voted unanimously, with Councilman Cashman absent, to defend the action. There was no other reportable action.

ADJOURN CLOSED SESSION

There being no further business, Mayor Benoit adjourned the closed session at 6:35 p.m.

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

The regular meeting of May 13, 2015, of the Wildomar City Council was called to order by Mayor Benoit at 6:35 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, Swanson, Walker, Mayor Pro Tem Moore, and Mayor Benoit. Members absent: None.

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

The flag salute was led by City Clerk Lee.

Mayor Benoit stated that there are two individuals to keep in everyone's thoughts. The first is Eric Seaman who is one of the Marine's that went down in

the helicopter in Nepal. They are still missing. The second is Joe Semon who is the City's traffic engineer. He was on vacation and collapsed from a brain aneurism. He is currently on life support.

PRESENTATIONS

Mayor Benoit presented a Proclamation on behalf of Mental Health Month, May, 2015.

Melina Velazquez, Branch Manager of Wildomar Library, presented the Library update.

Fire Chief Vela presented the Fire Department update.

PUBLIC COMMENTS

Darrell Ruff, resident, spoke regarding a bad experience he had with the Animal Friends of the Valleys.

Ms. Miller, resident, urged the City to quit building houses.

Ron Borgeson, resident, spoke regarding a speeding problem on Canyon Ranch Road.

Ken Mayes, resident, spoke regarding his displeasure with the City.

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 Moore, seconded by Councilman Wheeler, to move item #3.1 to after the Consent Calendar, and approve the remainder of the agenda as presented.

MOTION carried 4-0-1, as follows:

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

1.0 CONSENT CALENDAR

City Clerk Lee advised there are two speakers who wish to speak to items #1.6, #1.9, #1.10, #1.11, #1.12, #1.13 and #1.16.

Ms. Miller, resident, spoke against the building being approved in the City.

Ken Mayes, resident, spoke regarding missing items and his general displeasure with the City.

A MOTION was made by Mayor Pro Tem Moore, seconded by Councilwoman Swanson, to approve the Consent Calendar as presented.

MOTION carried 4-0-1, as follows:

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

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances.

1.2 Minutes – January 14, 2015 Regular Meeting

Approved the Minutes as submitted.

1.3 Warrant & Payroll Registers

Approved the following:

1. Warrant Register dated 03-30-2015 in the amount of \$110,164.61;
2. Warrant Register dated 04-02-2015 in the amount of \$51,814.15;
3. Warrant Register dated 04-02-2015 in the amount of \$6,097.62;
4. Warrant Register dated 04-09-2015 in the amount of \$34,899.69;
5. Warrant Register dated 04-09-2015 in the amount of \$951.79;
6. Warrant Register dated 04-16-2015 in the amount of \$126,327.09;
7. Warrant Register dated 04-23-2015 in the amount of \$502,371.42;
8. Warrant Register dated 04-30-2015 in the amount of \$290,612.83;
9. Payroll Register dated 05-01-2015 in the amount of \$70,850.38.

- 1.4 **Treasurer's Report**
Approved the Treasurer's Report for March, 2015.
- 1.5 **Contract Award for Financial Advisory Services**
Authorized the City Manager to enter into a Professional Services Agreement with Fieldman, Rolapp & Associates, to provide financial advisory services for the City of Wildomar.
- 1.6 **Wildomar Little League License Agreement**
Authorized the City Manager to sign the Agreement.
- 1.7 **Asset Locator Engagement Agreement**
Authorized the City Manager to sign the Agreement.
- 1.8 **Support Letter for AB 857, Clean Trucking Act**
Authorized the Mayor to sign a letter of support for AB 857, Clean Trucking Act.
- 1.9 **Conservation Camp Program - Memorandum of Understanding (MOU)**
Approved the Memorandum of Understanding (MOU) between the City of Wildomar and the State of California Department of Forestry and Fire Protection (CAL Fire) for the use of their Conservation Camp Program and authorize the City Manager to sign it.
- 1.10 **Notice of Intent to Establish Service Area Charges for FY 2015-16**
Adopted a Resolution entitled:
RESOLUTION NO. 2015 - 21
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, SETTING THE PUBLIC HEARING TO ESTABLISH SERVICE AREA CHARGES WITHIN THE CITY FOR FISCAL YEAR 2015-16
- 1.11 **Subordination Agreement for Final Tract Map 31479 - (City Project 11-0254)**
Authorized the City Manager to execute a Subordination Agreement with the developer of Tract 31479, Wildomar Springs, LLC a Delaware limited liability company and the developer's lender, Silvergate Bank, a California Corporation.
- 1.12 **Tentative Tract Map No. 36388 Minor Change (PA 14-0052) - Oak Creek Canyon Project**
Received and filed the report.

1.13 Parks Funding Measure Citizen's Oversight Advisory Committee Appointments

Reviewed the applications for committee membership and make appointments to the Parks Funding Measure Citizen's Oversight Advisory Committee.

1.14 Delegation of Authority to Administer and Manage Claims and Actions Against the City

Adopted a Resolution entitled:

RESOLUTION NO. 2015 - 22

A RESOLUTION OF THE CITY COUNCIL OF CITY OF WILDOMAR, CALIFORNIA, DELEGATING TO THE CITY MANAGER AUTHORITY TO ADMINISTER AND MANAGE CLAIMS AND ACTIONS AGAINST THE CITY OF WILDOMAR OR ITS OFFICERS OR EMPLOYEES AND CLAIMS AND ACTIONS OF THE CITY OF WILDOMAR

1.15 Certificate of Acceptance - Regency Heritage Park and Adjacent Easements

Authorized the City Manager to sign the Certificate of Acceptance.

1.16 Video Surveillance Administrative Policy

Approved the Video Surveillance Administrative Policy.

1.17 Levy and Collection of Special Taxes within Community Facilities District No. 2013-1 (Services) for Fiscal Year 2015-16

Adopted a Resolution entitled:

RESOLUTION NO. 2015 - 23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES) FOR FISCAL YEAR 2015-16

1.18 Stormwater Management/BMP Facilities Agreement for Plot Plan 10-0222 – Plaza de Bundy Canyon (City Project 13-0109)

Authorized the City Manger to execute a Maintenance Agreement with the developer of Plot Plan 10-0222, Plaza de Bundy Canyon, LLC, for the project's Water Quality Management Plan (WQMP).

ITEMS REORDERED

3.1 Governor's Executive Order B-29-15 – Water Conservation

City Clerk Lee read the title.

EVMWD presented the report.

Ken Mayes, resident, spoke regarding his concerns with the water district.

Ms. Miller, resident, spoke regarding the amount of water used in development.

2.0 PUBLIC HEARINGS

2.1 2015 Development Impact Fee Update

City Clerk Lee read the title.

Mayor Benoit opened the public hearing.

Assistant City Manager York presented the staff report. He stated that on the Resolution, page 6, there is an error, it states it will become effective January 1, it should say to become effective upon adoption.

Joe Colgan, Colgan & Company, presented the update.

Council discussion ensued regarding the fees.

SPEAKERS:

Ken Mayes, resident, stated the City should look into other taxes.

Bill Blakenship, Building Industry Association, stated in this economic climate it would not be prudent to raise fees.

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

Council discussion ensued regarding continuing the item so that Councilman Cashman can also be part of the discussion and vote.

Mayor Benoit reopened the public hearing.

A MOTION was made by Mayor Pro Tem Moore, seconded by Councilman Walker, to continue Resolution No. 2015 – 24 to the meeting of June 10, 2015.

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

A MOTION was made by Mayor Pro Tem Moore, seconded by Councilman Walker, to continue Ordinance No. 106 to the meeting of June 10, 2015.

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

2.2 Landscaping and Lighting Maintenance District No. 89-1-Consolidated & Street Lighting Zones

City Clerk Lee read the title.

Mayor Benoit opened the public hearing.

Assistant City Manager York presented the staff report.

There being no speakers Mayor Benoit closed the public hearing.

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

RESOLUTION NO. 2015 - 25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ALL ZONES, OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE CITY OF WILDOMAR AND LEVYING ASSESSMENTS ON ALL LOTS AND PARCELS OF LAND THEREIN FOR FISCAL YEAR 2015-16; AND AUTHORIZE THE

COUNTY OF RIVERSIDE TO ADMINISTER THE LANDSCAPING AND
LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
BUDGET FOR FISCAL YEAR 2015-16

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

2.3 Wireless Communications Facilities Amendment (ZOA No. 15-01)

City Clerk Lee read the title.

Mayor Benoit opened the public hearing.

Planning Director Bassi presented the staff report.

There being no speakers Mayor Benoit closed the public hearing.

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

ORDINANCE NO. 107
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADOPTING AN EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) IN
ACCORDANCE WITH SECTION 15061(B)(3) OF CEQA, AND ADDING
CHAPTER 17.310 TO THE WILDOMAR MUNICIPAL CODE (TITLE 17)
REGULATING WIRELESS COMMUNICATION FACILITIES IN THE CITY
OF WILDOMAR

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

3.0 GENERAL BUSINESS

3.2 2015 Special Events

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

A MOTION was made by Mayor Pro Tem Moore, seconded by Councilwoman Swanson, to approve the special event calendar through December 2015.

MOTION carried 4-0-1, as follows:

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

NAY: None

ABSTAIN: None

ABSENT: Cashman

3.3 Street Name Consistency

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

Council discussion ensued regarding the timing of the changes and the costs.

3.4 FY 2014-15 Third Quarter Budget Report

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

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

RESOLUTION NO. 2015 - 26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THIRD QUARTER AMENDMENTS TO
THE FY 2014-15 BUDGETED REVENUES AND EXPENSES

MOTION carried 4-0-1, as follows:

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

CITY MANAGER REPORT

City Manager Nordquist presented his report.

FUTURE AGENDA ITEMS

*Chambers rental policy

ADJOURN THE CITY COUNCIL

There being no further business Mayor Benoit declared the meeting adjourned at 8:47 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Ben Benoit
Mayor