

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
DECEMBER 14, 2016**

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

The closed session of December 14, 2016, of the Wildomar City Council was called to order by Mayor Moore at 5:33 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California.

City Council Roll Call showed the following Members in attendance: Council Members Benoit, Nigg, Swanson, Mayor Pro Tem Walker, Mayor Moore
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)(1) to confer with legal counsel with regard to City of Wildomar v. Rostai Investment Properties; RSC Case No. MCC 1300122
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.
3. 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.

The Council convened into closed session at 5:34 p.m. with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:38 p.m. the City Council reconvened into open session, with all Council Members present.

ANNOUNCEMENTS

City Attorney Jex stated there was no reportable action.

ADJOURN CLOSED SESSION

There being no further business, Mayor Moore adjourned the closed session at 6:39 p.m.

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

The regular meeting of December 14, 2016, of the Wildomar City Council was called to order by Mayor Moore at 6:39 p.m. at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California.

City Council Roll Call showed the following Members in attendance: Council Members Benoit, Nigg, Swanson, Mayor Pro Tem Walker, and Mayor Moore. Members absent: None.

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

The flag salute was led by Councilman Nigg.

PRESENTATIONS

1. Associate Cares/TIP Presentation – Made to the Ramirez Family
2. 5 Year Employee Service Pin – Kirk Schrader – Presentation made
3. 5 Year Employee Service Pin – Daniel Torres – Presentation made
4. Special Presentation to Police Chief Lennie Hollingsworth – Presentation made
5. David A. Brown Football & Volleyball Champions – Presentations made
6. Donald Graham Elementary School Choir sang some holiday songs
6. Fire Department Update – Chief Phillips
7. Other City Recognitions/Presentations – Presentations made to the Holiday Lights Contest

PUBLIC COMMENTS

Ms. Miller, resident, stated the City should not be supporting the holidays as it does cover all of the community.

Ken Mayes, resident, stated the Breakfast with Santa event monies do not appear to go in the Measure Z fund.

APPROVAL OF THE AGENDA AS PRESENTED

A **MOTION** was made by Councilman Benoit, seconded by Mayor Pro Tem Walker, to move item #3.1 to after the Consent Calendar and approve the remainder of the agenda as presented.

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

1.0 CONSENT CALENDAR

Gina Castanon, resident, speaking to item #1.5, stated her concerns regarding costs for claims.

A **MOTION** was made by Councilman Benoit, seconded by Mayor Pro Tem Walker, to approve the Consent Calendar as presented.

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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 11-03-2016 in the amount of \$113,321.92;
2. Warrant Register dated 11-10-2016 in the amount of \$13,534.48;
3. Warrant Register dated 11-10-2016 in the amount of \$7,884.65;
4. Warrant Register dated 11-15-2016 in the amount of \$254.90;
5. Warrant Register dated 11-17-2016 in the amount of \$1,869,187.60;
6. Warrant Register dated 11-23-2016 in the amount of \$1,038,577.81; &
7. Payroll Register dated 12-01-2016 in the amount of \$93,969.53.

1.3 Treasurer's Report

Approved the Treasurer's Report for October, 2016.

1.4 Financial Services Contract for Municipal Consulting Services LLC

Approved and authorize the City Manager to sign the First Amendment to the Agreement for Services between the City and James R. Riley.

1.5 Workers' Compensation Coverage for Volunteers

Adopted a Resolution entitled:

RESOLUTION NO. 2016 - 59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE CITY TO PROVIDE WORKERS
COMPENSATION COVERAGE FOR VOLUNTEER PERSONNEL

1.6 Second Amendment to Agreement for Employment of City Manager

Reviewed and approved the Second Amendment to the Agreement for Employment of City Manager which annualizes the employee's option to exercise distribution of up to 100 hours of leave time during the month of January.

1.7 Sunbelt Rentals/Younger Property Public Improvement Agreement and Lien Agreement

Authorized the City Manager to execute the Public Improvement Agreement and the Lien Agreement.

ITEM TAKEN OUT OF ORDER

3.1 Urgency Ordinance - Temporary Restrictions and Regulations on Non-medical Marijuana Facilities and Private Marijuana Cultivation

City Clerk Lee read the title.

City Attorney Jex presented the staff report.

Veronica Langworthy, resident, stated she is in favor of the moratorium.

Ken Mayes, resident, stated his opposition to the moratorium.

Council discussion ensued regarding taking the time to fully study this and hear from the residents.

Ms. Miller, resident, stated she is against the moratorium.

A MOTION was made by Councilwoman Swanson, seconded by Councilman Benoit, to adopt an Interim Urgency Ordinance entitled:

ORDINANCE NO. 128
AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADOPTING A MORATORIUM PERTAINING
TO PRIVATE MARIJUANA CULTIVATION AND NON-MEDICAL
MARIJUANA FACILITIES

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

COUNCIL COMMUNICATIONS

The City Council Members spoke regarding the various committees, commissions, and boards that they serve on locally and regionally and community events, including:

1. Community events
2. Regional events
3. Chamber of Commerce
4. Riverside Conservation Authority (RCA)
5. Riverside Transit Agency (RTA)
6. Riverside County Transportation Commission (RCTC)
7. League of California Cities
8. Southern California Association of Governments (SCAG)
9. Riverside County Habitat Conservation Agency (RCHCA)
10. Western Riverside Council of Governments (WRCOG)

11. South Coast Air Quality Management District (SCAQMD)
12. Ad Hoc & Subcommittees.

2.0 PUBLIC HEARINGS

2.1 Westpark Promenade Mixed-Use Project

City Clerk Lee read the title.

Mayor Moore opened the public hearing.

Planning Director Bassi presented the staff report and stated Staff received a letter from John Burkett, Martha Bridges, and Gerard Ste. Marie and Albia Miller. The City Council and applicant did receive copies of both letters.

The Applicant and his Representatives were in attendance to answer questions.

SPEAKERS:

Albia Miller, resident, stated her opposition to the project.

Josh Bourgeois, Golden State Environmental Justice Alliance, stated his opposition to the project and submitted a letter.

Ken Mayes, resident, stated his opposition to the project.

The Applicant answered the speakers' issues.

Mayor Moore closed the public hearing.

City Council discussion ensued regarding the project.

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

RESOLUTION NO. 2016 - 60
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, CERTIFYING AN ENVIRONMENTAL
IMPACT REPORT (SCH# 2014021022), INCLUDING ADOPTION OF
FINDINGS OF FACT, STATEMENT OF OVERRIDING

CONSIDERATIONS AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WESTPARK PROMENADE MIXED-USE PROJECT (PLANNING APPLICATION NO. 13-0082) CONSISTING OF A GENERAL PLAN AMENDMENT, CHANGE OF ZONE, TENTATIVE PARCEL MAP NO. 36612, TENTATIVE TRACT MAP NO. 36781, TENTATIVE TRACT MAP NO. 36782, AND PLOT PLAN NO. 13-0082 LOCATED AT THE NORTHEAST CORNER OF THE 1-15 FREEWAY AND CATT ROAD (APN: 376-410-013, 376-410-023 & 376-410-025)

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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

RESOLUTION NO. 2016 - 61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 13-0082 TO CHANGE THE EXISTING LAND USE DESIGNATION FROM COMMERCIAL OFFICE (CO) TO COMMERCIAL RETAIL (CR) ON 14.2 ACRES AND TO VERY HIGH DENSITY RESIDENTIAL (VHDR) ON 13.48 ACRES LOCATED AT THE NORTHEAST CORNER OF THE 1-15 FREEWAY AND CATT ROAD (APN: 376-410-013, 376-410-023 & 376-410-025)

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

A MOTION was made by Councilman Benoit, seconded by Mayor Pro Tem Walker, to introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. 127

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

WILDOMAR, CALIFORNIA, APPROVING A CHANGE OF ZONE (PLANNING APPLICATION NO. 13-0082) TO CHANGE THE EXISTING ZONING DESIGNATION FROM C-P-S (SCENIC HIGHWAY COMMERCIAL) TO R-3 (GENERAL RESIDENTIAL) FOR A 13.48 ACRE PORTION OF THE PROJECT SITE LOCATED AT THE NORTHEAST CORNER OF THE 1-15 FREEWAY AND CATT ROAD (APN: 376-410-013, 376-410-023 & 376-410-025)

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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

RESOLUTION NO. 2016 - 62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 36612 (PLANNING APPLICATION NO. 13-0082) TO SUBDIVIDE APPROXIMATELY 27.68± ACRE SITE INTO THREE (3) PARCELS FOR FINANCING PURPOSES SUBJECT TO CONDITIONS LOCATED AT THE NORTHEAST CORNER OF THE 1-15 FREEWAY AND CATT ROAD (APN: 376-410-013, 376-410-023 & 376-410-025)

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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

RESOLUTION NO. 2016 - 63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 36781 (PLANNING APPLICATION NO. 13-0082) TO SUBDIVIDE PARCEL 2 OF PM 36612 (9.15 ACRES) INTO ONE (1) LOT FOR CONDOMINIUM PURPOSES TO DEVELOP 124 SINGLE FAMILY

ATTACHED DWELLING UNITS SUBJECT TO CONDITIONS
LOCATED AT THE NORTHEAST CORNER OF THE 1-15 FREEWAY
AND CATT ROAD (APN: 376-410-013, 376-410-023 & 376-410-025)

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

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

RESOLUTION NO. 2016 - 64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING TENTATIVE TRACT MAP
NO. 36782 (PLANNING APPLICATION NO. 13-0082) TO SUBDIVIDE
PARCEL 2 OF PM 36612 (9.15 ACRES) INTO ONE (1) LOT FOR
CONDOMINIUM PURPOSES TO DEVELOP 124 SINGLE FAMILY
ATTACHED DWELLING UNITS SUBJECT TO CONDITIONS
LOCATED AT THE NORTHEAST CORNER OF THE 1-15 FREEWAY
AND CATT ROAD (APN: 376-410-013, 376-410-023 & 376-410-025)

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

A MOTION was made by Councilman Nigg, seconded by Mayor Pro Tem Walker, to adopt an amended Resolution entitled:

RESOLUTION NO. 2016 - 65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING PLOT PLAN NO. 13-0082
TO DEVELOP THE WESTPARK PROMENADE MIXED-USE
PROJECT CONSISTING OF A 118,354 SQUARE-FOOT
COMMERCIAL RETAIL CENTER (PARCEL 1 OF PM 36612), AND 191
SINGLE FAMILY ATTACHED DWELLING UNITS (PARCEL 2 AND 3
OF PM 36612) WITH RELATED ON-SITE AND OFF-SITE PUBLIC
IMPROVEMENTS AND OPEN SPACE/RECREATION AMENITIES

LOCATED AT THE NORTHEAST CORNER OF THE 1-15 FREEWAY
AND CATT ROAD (APN: 376-410-013, 376-410-023 & 376-410-025)

MOTION carried, 5-0, by the following vote:

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

3.0 GENERAL BUSINESS

3.2 Consideration of a Billing and Performance Audit of Waste Management

City Clerk Lee read the title.

City Manager Nordquist presented that staff report.

Ken Mayes, resident, stated he is in favor of the item.

Julie Reyes, Waste Management, stated they are in favor of the audit.

Martha Bridges, resident, stated there should be an opportunity to have a smaller can.

Council advised there is that option with both haulers.

A MOTION was made by Councilman Benoit, seconded by Councilwoman Swanson, to direct Staff to hire a consultant to conduct a billing and performance audit of the services performed by one of the City's franchise waste haulers, Waste Management, who is seeking an increase in rates to support an increase in recycling services.

MOTION carried, 5-0, by the following vote:

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

3.3 Faith Bible General Plan Amendment Initiation Proposal (GPIP) - Planning Application No. 16-0023

City Clerk Lee read the title.

Planning Director Bassi presented that staff report.

The Applicant explained their proposal.

Council discussion ensued regarding traffic, circulation, amending the land use, and freeway frontage.

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

A MOTION was made by Councilman Benoit, seconded by Councilman Nigg, to allow the Applicant to initiate the process of the GPIP, if the Applicant so chooses, however the Applicant should be aware of the concerns of the City Council expressed at this meeting.

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

3.4 2016 California Building Codes Adoption

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

A MOTION was made by Councilman Benoit, seconded by Councilwoman Swanson, to approve the first reading and introduce an Ordinance entitled:

ORDINANCE NO. 129

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING CHAPTERS 8.28, 15.12, 15.16, 15.18, 15.20, 15.22, 15.24, 15.28, 15.32, 15.38, AND 15.52 OF THE WILDOMAR MUNICIPAL CODE BY ADOPTING THE 2016 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 2 THROUGH 12, INCLUSIVE) WITH APPENDICES AND

AMENDMENTS THERETO; AND AMENDING CHAPTER 15.40 AND
DELETING CHAPTER 15.44.

and set the public hearing for January 11, 2017, at 6:30 p.m., or as soon thereafter, to hear testimony in this matter.

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

3.5 Re-Allocation of \$10,360 Community Development Block Grant (CDBG) Funds for Fiscal Year 2017-2018 Program Year

City Clerk Lee read the title.

City Manager Nordquist presented the staff report.

Ken Mayes, resident, stated the monies should be reallocated to the fire hydrant project.

A MOTION was made by Councilman Benoit, seconded by Councilwoman Swanson, to rescind an award of \$10,360.00 to Cops for Kids and allocate \$10,360 to the Malaga Park project.

MOTION carried, 5-0, by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: None

3.6 Planning Commission Appointments

City Clerk Lee read the title and presented the staff report.

A MOTION was made by Mayor Moore, seconded by Councilman Benoit, to reappoint Planning Commissioner John Lloyd to another term.

MOTION carried, 5-0, by the following vote:

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

Councilman Nigg stated she would like to appoint Michele Thomas and asked her to come forward.

Michele Thomas stated she loves Wildomar and looks forward to serving the City.

A MOTION was made by Councilman Nigg, seconded by Councilman Benoit, to appoint Michele Thomas to the Planning Commission.

MOTION carried, 5-0, by the following vote:

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

3.7 Committees, Commissions, Boards and Subcommittees Appointments for 2017

City Clerk Lee read the title and presented the staff report.

The following changes were made:

Finance Subcommittee – Moore, Nigg
LEUSD Subcommittee – Moore, Nigg
Trails Subcommittee – Swanson, Walker
RCA – Walker, Nigg – Alternate
RCHCA – Nigg, Walker – Alternate
SCFA (Animal Shelter) – Moore, Swanson – Alternate
WRCOG – Benoit, Nigg - Alternate

A MOTION was made by Councilman Benoit, seconded by Mayor Pro Tem Walker, to make the changes noted.

MOTION carried, 5-0, by the following vote:

YEA: Benoit, Nigg, Swanson, Mayor Pro Tem Walker, Mayor Moore
NAY: None

ABSTAIN: None
ABSENT: None

3.8 Appointment of Mayor and Mayor Pro Tem for 2017

City Clerk Lee read the title and presented the staff report.

City Clerk Lee opened the floor to nominations for Mayor.

Councilman Benoit nominated Mayor Pro Tem Walker.

There being no further nominations, City Clerk Lee closed the nominations.

City Clerk Lee called for the vote. The vote was as follows:

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

City Clerk Lee opened the floor to nominations for Mayor Pro Tem for 2017.

Mayor Pro Tem Walker nominated Councilman Benoit.

There being no further nominations, City Clerk Lee closed the nominations.

City Clerk Lee called for the vote. The vote was as follows:

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

CITY MANAGER REPORT

City Manager Nordquist presented the report.

FUTURE AGENDA ITEMS

There were no items.

ADJOURN THE CITY COUNCIL

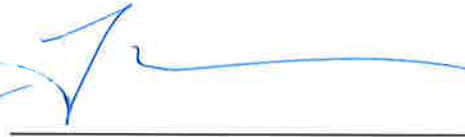
There being no further business, Mayor Moore declared the meeting adjourned at 9:33 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Timothy Walker
Mayor