

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 12, 2017**

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

The closed session of April 12, 2017, of the Wildomar City Council was called to order by Mayor Walker at 5:30 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 Moore, Nigg, Swanson, Mayor Pro Tem Benoit, Mayor Walker
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 the following matters of pending litigation:

- A. Martha Bridges and John Burkett v. City of Wildomar; California Court of Appeal Case number: E063986
- B. Martha Bridges and John Burkett v. City of Wildomar and Nova Homes, Inc.; RSC Case No. RIC 1704357
- C. Luwisa Seely v. City of Wildomar; RSC Case number MCC1500316

2. 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

3. The City Council will meet in closed session to hold a conference with its Labor Negotiator regarding Unrepresented Employee pursuant to Government Code 54957.6.

Agency representative: Tim Walker
Unrepresented employee: City Manager

The Council convened into closed session at 5:30 p.m. with all Council Members present.

RECONVENE INTO OPEN SESSION

At 6:32 p.m. the City Council reconvened into open session, with all Council Members present.

ANNOUNCEMENTS

City Attorney Jex stated in regards to item #1.B the City Council voted unanimously to defend the litigation. In regards to all the other items there is no action to report.

ADJOURN CLOSED SESSION

There being no further business, Mayor Walker adjourned the closed session at 6:33 p.m.

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

The regular meeting of April 12, 2017, of the Wildomar City Council was called to order by Mayor Walker at 6:33 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 Moore, Nigg, Swanson, Mayor Pro Tem Benoit, and Mayor Walker. Members absent: None.

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

The flag salute was led by Mayor Walker.

PRESENTATIONS

1. Mayor Walker presented certificates to the 2016 Miss City of Wildomar Queens and the 2017 Court were introduced.

2. The Cops for Kids update was given by Dave Fontneau.
3. Mayor Walker presented a Proclamation for DMV/Donate Life California Month.
4. There was no Fire Department update.
5. Other City Recognitions/Presentations – Mayor Walker presented certificates to the two LEUSD bus drivers who were named Bus Driver of the Year.

PUBLIC COMMENTS

Ken Mayes, resident, spoke regarding the CSAs in the City and lack of information.

Joseph Morabito, resident, spoke regarding items needed now that the VLF was returned.

Ms. Miller, resident, spoke regarding the environment and Earth Day.

Tim Huizenga, Murrieta resident, spoke in opposition regarding the proposed Camelia Townhouse project.

Pete Kee, Murrieta resident, spoke in opposition regarding the proposed Camelia Townhouse project.

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

APPROVAL OF THE AGENDA AS PRESENTED

A **MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilwoman Swanson, to approve the agenda as presented.

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

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

NAY: None

ABSTAIN: None

ABSENT: None

1.0 CONSENT CALENDAR

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

Ken Mayes, resident, spoke regarding why CDBG funds are on the chopping block.

A **MOTION** was made by Councilwoman Swanson, seconded by Councilman Nigg, to approve the Consent Calendar as presented.

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

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

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 03-02-2017 in the amount of \$286,633.57;
2. Warrant Register dated 03-09-2017 in the amount of \$157,254.17;
3. Warrant Register dated 03-09-2017 in the amount of \$10,135.41;
4. Warrant Register dated 03-16-2017 in the amount of \$44,990.29;
5. Warrant Register dated 03-23-2017 in the amount of \$293,637.79;
6. Warrant Register dated 03-30-2017 in the amount of \$589,870.26;
7. Warrant Register dated 03-30-2017 in the amount of \$23,033.00; &

8. Payroll Register dated 04-01-2017 in the amount of \$78,794.93.

1.3 Treasurer's Report

Approved the Treasurer's Report for February, 2017.

1.4 Statement of Investment Policy FY16-17

Adopted a Resolution entitled:

RESOLUTION NO. 2017 - 11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING STATEMENT OF INVESTMENT POLICY

1.5 Custodian of Records for Live-Scan services

Designated the City Manager or his designee as the Custodian of Records for Live-Scan services for the City of Wildomar.

1.6 Housing Element Annual HCD Progress Report

Received and filed the report.

1.7 Vision Statement

Adopted a Resolution entitled:

RESOLUTION NO. 2017 - 12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE ADOPTION OF A VISION
STATEMENT

1.8 Professional Service Agreement for Wildomar/Sedco Sidewalk Improvement Project – 1.WD.12-15 CIP 044

Authorized the City Manager to execute a Professional Services Agreement with TKE Engineering, Inc.

1.9 Street Light Purchase and Sales Agreement

Adopted a Resolution entitled:

RESOLUTION NO. 2017 - 13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, APPROVING A PURCHASE AND SALE AGREEMENT
AND A LIGHT POLE LICENSE AGREEMENT WITH SOUTHERN
CALIFORNIA EDISON AND FINDING THE AGREEMENTS EXEMPT
FROM CEQA

1.10 RIVCOconnect County-Wide Broadband Network

Adopted a Resolution entitled:

RESOLUTION NO. 2017 - 14
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, SETTING FORTH SUPPORT FOR RIVERSIDE
COUNTY'S BROADBAND FIBER TO THE PREMISE MASTER PLAN

2.0 PUBLIC HEARINGS

2.1 Bundy Canyon Resort Apartment Project (PA No. 16-0006)

City Clerk Lee read the title.

Mayor Pro Tem Benoit stated he will be recusing himself out of an abundance of caution due to his employment. He then left the dias.

Mayor Walker opened the public hearing.

Planning Director Bassi presented the staff report.

Larry Markham, representing the applicant, commented on the project.

Discussion ensued regarding the public safety gate; traffic on Bundy Canyon and ingress and egress from the property; installing a signal now and not later.

SPEAKERS:

Ms. Miller, resident, spoke in opposition to the project.

Joseph Morabito, resident, spoke regarding the project.

George Taylor, resident, spoke regarding an emergency exit.

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

Assistant City Manager York suggested that Condition Nos. 46 and 47 can be amended to address the concerns.

At 8:06 p.m. the City Council took a recess.

At 8:14 p.m. the City Council reconvened into open session, with Mayor Pro Tem Benoit absent.

Discussion ensued regarding issues at the Planning Commission and how

the project has changed.

Dick Darling, Developer, spoke regarding the proposed project.

Assistant City Manager York stated the following will amend Resolution No. 2017-16:

Public Works Condition #46: The last sentence will be stricken: "The developer shall include in the PIA described above the interim Road Connection and construct the conforming improvements to the ultimate Bundy Canyon Road." On the Timing/Implementation: "Prior to issuance of a Certificate of Occupancy."

Public Works Condition #47: The condition shall now read: "Interim Traffic Signal. The developer shall design and install the traffic signal to the satisfaction of the City Engineer. The maintenance costs of the Traffic Signal shall be included in the CFD Maintenance District." On the Timing/Implementation: "Prior to issuance of a Certificate of Occupancy."

The Developer agrees to the changes.

Council discussion ensued regarding the proposed project.

A MOTION was made by Councilman Nigg, seconded by Councilwoman Swanson, to adopt a Resolution entitled:

RESOLUTION NO. 2017 - 15
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, CERTIFYING AN ENVIRONMENTAL
IMPACT REPORT (SCH# 2016041067), INCLUDING ADOPTION OF
FINDINGS OF FACT, STATEMENT OF OVERRIDING
CONSIDERATIONS AND MITIGATION MONITORING AND REPORTING
PROGRAM FOR THE BUNDY CANYON RESORT APARTMENT
PROJECT (PLANNING APPLICATION NO. 16-0006) CONSISTING OF
A CHANGE OF ZONE FROM R-R TO R-3 AND PLOT PLAN TO
DEVELOP A 140-UNIT APARTMENT PROJECT ON 28.28 ACRES
WITH RELATED ON-SITE RECREATIONAL AND OPEN SPACE
AMENITIES LOCATED ON THE SOUTH SIDE OF BUNDY CANYON
ROAD APPROXIMATELY 800 FEET WEST OF OAK CANYON DRIVE
(APN: 367-250-008)

MOTION carried, 3-1-1, by the following vote:

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

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

ORDINANCE NO. 134

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING CHANGE OF ZONE NO. 16-0006 TO CHANGE THE EXISTING ZONING DESIGNATION ON A 28.28 ACRE SITE FROM R-R (RURAL RESIDENTIAL) TO R-3 (GENERAL RESIDENTIAL) FOR THE BUNDY CANYON RESORT APARTMENT PROJECT (PLANNING APPLICATION NO. 16-0006) LOCATED ON THE SOUTH SIDE OF BUNDY CANYON ROAD APPROXIMATELY 800 FEET WEST OF OAK CANYON DRIVE (APN: 367-250-008)

MOTION carried, 3-1-1, by the following vote:

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

A MOTION was made by Councilman Nigg, seconded by Councilwoman Swanson, to adopt a Resolution, as amended, entitled:

RESOLUTION NO. 2017 - 16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING A PLOT PLAN TO DEVELOP THE BUNDY CANYON RESORT APARTMENT PROJECT (PA 16-0006) CONSISTING OF A 140 APARTMENT UNITS ON 28.28 ACRES WITH RELATED ON-SITE RECREATIONAL AND OPEN SPACE AMENITIES LOCATED ON THE SOUTH SIDE OF BUNDY CANYON ROAD APPROXIMATELY 800 FEET WEST OF OAK CANYON DRIVE (APN: 367-250-008)

MOTION carried, 3-1-1, by the following vote:

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

Mayor Pro Tem Benoit returned to the dias.

2.2 Zoning Ordinance Amendment No. 17-01 - Chapter 17.252 (Sign Regulations) of the Wildomar Municipal Code

City Clerk Lee read the title.

Mayor Walker opened the public hearing.

Assistant Planner Garcia presented the staff report.

There being no speakers Mayor Walker closed the public hearing.

Mayor Pro Tem Benoit stated he received a call from the BIA and was wondering why they did not receive any notice on this.

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

ORDINANCE NO. 135

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15061(B)(3) AND SECTION 15311(A) OF THE CEQA GUIDELINES AND APPROVAL OF ZONING ORDINANCE AMENDMENT NO. 17-01 AMENDING THE WILDOMAR MUNICIPAL CODE TO REQUIRE ON-SITE CONSTRUCTION AND ON-SITE PUBLIC HEARING NOTIFICATION SIGNAGE FOR CERTAIN DEVELOPMENT PROJECTS

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

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

NAY: None

ABSTAIN: None

ABSENT: None

3.0 GENERAL BUSINESS

1.1 Third Amendment to Agreement for Employment of City Manager

City Clerk Lee read the title.

City Attorney Jex presented the staff report.

A MOTION was made by Councilwoman Swanson, seconded by Councilman Nigg, to approve the Third Amendment to Agreement for Employment of City Manager between the City of Wildomar and Gary Nordquist.

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

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

NAY: None

ABSTAIN: None

ABSENT: None

CITY MANAGER REPORT

City Manager Nordquist presented the City Manager report.

FUTURE AGENDA ITEMS

- *Bundy Canyon Road Monies
- *Parking at Development Projects
- *Apartment Buildout

ADJOURN THE CITY COUNCIL

There being no further business, Mayor Walker declared the meeting adjourned at 8:58 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC
City Clerk



Timothy Walker
Mayor