

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
FEBRUARY 8, 2017**

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

The closed session of February 8, 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: Assistant City Manager York, 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. City of Wildomar v. Rostai Investment Properties; RSC Case No. MCC 300122
  - B. Golden State Environmental Justice Alliance v. City of Wildomar and Golden Eagle Multifamily Properties, LLC; RSC Case No. RIC 1700529
  - C. Michaelene Pryslak v. City of Wildomar; RSC Case No. RIC 1700697
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: Mayor Pro Tem Benoit, Councilman Nigg  
Unrepresented employee: City Manager

The Council convened into closed session at 5:32 p.m. with all Council Members present.

### **RECONVENE INTO OPEN SESSION**

At 6:34 p.m. the City Council reconvened into open session, with all Council Members present.

### **ANNOUNCEMENTS**

City Attorney Jex stated in regards to items 1.A and 1.C, the City Council voted unanimously to defend both of those matters. There is no reportable action on the remaining items.

### **ADJOURN CLOSED SESSION**

There being no further business, Mayor Walker adjourned the closed session at 6:34 p.m.

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

The regular meeting of February 8, 2017, of the Wildomar City Council was called to order by Mayor Walker at 6:34 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: Assistant City Manager York, City Attorney Jex, 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. City Clerk Lee gave the Oath of Office to Police Chief Dan Anne.
2. A presentation was made by Wildomar Elementary School.

3. Mayor Walker presented Certificates to Wildomar Soccer Wildomar U12 for their championship win.
4. Mayor Walker presented a Proclamation for Safe Surrender Month, February, 2017.
5. Chief Phillips presented the Fire Department update.
6. Mayor Walker presented Certificates to the Elsinore High School First Place win in the Academic Decathlon.

## **PUBLIC COMMENTS**

George Perez, resident, spoke regarding the condition of his road (Beecher Street) and he would like some help. This is a private dirt road.

Joanne Pann-Kydd, American Cancer Society, spoke about the Relay for Life of Lake Elsinore/Wildomar event.

Ken Mayes, resident, stated the Form 806 has not been updated. He also talked about the homeless count.

Ms. Miller, resident, spoke regarding no more building in the City.

Andy Morris, Wildomar Rotary Club, talked about the activities they have done.

Stephanie Maldonado, resident, spoke about the homeless that live in the vacant field behind them. They are now finding needles in their backyard and would like some help with the homeless situation.

## **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 Moore, 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**

Ms. Miller, resident, spoke her opposition regarding item #1.6 and #1.7.

A **MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilwoman Swanson, 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 Minutes – January 11, 2017 Regular Meeting**

Approved the Minutes as submitted.

### **1.3 Warrant & Payroll Registers**

Approved the following:

1. Warrant Register dated 01-05-2017 in the amount of \$300,011.15;
2. Warrant Register dated 01-05-2017 in the amount of \$4,877.03;

3. Warrant Register dated 01-12-2017 in the amount of \$309,718.63;
4. Warrant Register dated 01-19-2017 in the amount of \$333,474.21;
5. Warrant Register dated 01-26-2017 in the amount of \$329,593.00; &
6. Payroll Register dated 02-01-2017 in the amount of \$87,401.37.

**1.4 Treasurer's Report**

Approved the Treasurer's Report for December, 2016.

**1.5 Initiative Petition Filing Fee**

Adopted a Resolution entitled:

RESOLUTION NO. 2017 - 09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ESTABLISHING A FEE FOR THE PROCESSING OF AN INITIATIVE PETITION FOR ANY MUNICIPAL MEASURE

**1.6 Tentative Tract Map No. 31667 (Beazer Homes) Grading Agreement**

Authorized the Assistant City Manager to execute the Grading Agreement for Tentative Tract Map No. 31667 with Beazer Homes Holdings Corp., a Delaware Corporation.

**1.7 Ordinance No. 131 Second Reading – McVicar Residential Project**

Adopted an Ordinance entitled:

ORDINANCE NO. 131

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING A CHANGE OF ZONE (PLANNING APPLICATION NO. 09-0380) TO CHANGE THE EXISTING ZONING DESIGNATION ON A 19.2+ ACRE SITE FROM R-R (RURAL RESIDENTIAL) TO R-1 (ONE FAMILY DWELLING) AND W-1 (WATERCOURSE, WATERSHED AND CONSERVATION AREA) LOCATED ON THE NORTH SIDE OF MCVICAR STREET APPROXIMATELY 510 FEET WEST OF PALOMAR STREET (APN: 380-040-005, 007 AND 029)

**2.0 PUBLIC HEARINGS**

**2.1 Nova Homes Residential Project (Continued from 01-11-17)**

City Clerk Lee read the title.

Mayor Walker advised that the Public Hearing is still open.

Planning Director Bassi presented the staff report. He informed that a

letter was received earlier in the afternoon of which the City Council has been provided copies.

Tom Mungari, representing Nova Homes, spoke regarding thee project.

Charity Schiller, attorney representing Nova Homes, spoke regarding the letters received.

**SPEAKERS:**

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

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

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

**RESOLUTION NO. 2017 - 01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (MND - SCH# 2016081009) AND MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR THE NOVA HOMES RESIDENTIAL PROJECT (PLANNING APPLICATION NO. 15-0129) CONSISTING OF A GENERAL PLAN AMENDMENT, CHANGE OF ZONE, TENTATIVE TRACT MAP (TTM 36952) AND PLOT PLAN ON APPROXIMATELY 11.25 ACRES LOCATED ON THE EAST SIDE OF GEORGE AVENUE ABOUT 660 FEET NORTH OF CLINTON KEITH ROAD (APN:362-250-001 & 362-250-026)**

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

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

**NAY:** None

**ABSTAIN:** None

**ABSENT:** None

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

**RESOLUTION NO. 2017 - 02**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 15-0129 TO CHANGE THE EXISTING LAND USE DESIGNATION ON**

APPROXIMATELY 11.25 ACRES FROM MIXED USE PLANNING AREA (MUPA) TO MEDIUM HIGH DENSITY RESIDENTIAL (MHDR), INCLUDING VACATION OF DEPASQUALE ROAD THROUGH THE PROJECT AREA LOCATED ON THE EAST SIDE OF GEORGE AVENUE ABOUT 660 FEET NORTH OF CLINTON KEITH ROAD (APN:362-250-001 & 362-250-026)

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

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

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

ORDINANCE NO. 130  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING A CHANGE OF ZONE NO. 15-0129 TO REMOVE THE EXISTING MIXED-USE OVERLAY DISTRICT DESIGNATION FROM A 5.85 ACRE PORTION OF THE SITE (APN 362-250-001) AND CHANGE THE EXISTING ZONING DESIGNATION ON THE ENTIRE SITE FROM R-R (RURAL RESIDENTIAL) TO R-4 (PLANNED RESIDENTIAL)

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

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

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

RESOLUTION NO. 2017 - 03  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 36952 (PLANNING APPLICATION NO. 15-0129) TO SUBDIVIDE APPROXIMATELY 11.25 ACRES INTO 1 (ONE) LOT FOR CONDOMINIUM PURPOSES TO ACCOMMODATE THE NOVA HOMES RESIDENTIAL PROJECT (PLANNING APPLICATION NO. 15-0129)

LOCATED ON THE EAST SIDE OF GEORGE AVENUE ABOUT 660 FEET NORTH OF CLINTON KEITH ROAD (APN:362-250-001 & 362-250-026)

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

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

NAY: None

ABSTAIN: None

ABSENT: None

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

**RESOLUTION NO. 2017 - 04**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING PLOT PLAN NO. 15-0129 TO DEVELOP THE NOVA HOMES RESIDENTIAL PROJECT CONSISTING OF THE DEVELOPMENT OF 77 SINGLE FAMILY DETACHED RESIDENTIAL DWELLING UNITS WITH RELATED ON-SITE RECREATION AND LANDSCAPE AMENITIES ON APPROXIMATELY 11.25 ACRES LOCATED ON THE EAST SIDE OF GEORGE AVENUE ABOUT 660 FEET NORTH OF CLINTON KEITH ROAD (APN:362-250-001 & 362-250-026)

**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**

#### **3.1 Public Nuisances and Code Enforcement Cost Recovery - Amending Chapter 1.16 of the Municipal Code**

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

**A MOTION** was made by Mayor Pro Tem Benoit, seconded by Councilwoman Moore, to introduce and approve first reading of an



Ordinance entitled:

ORDINANCE NO. 133  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, AMENDING CHAPTER 1.16 OF THE  
MUNICIPAL CODE REGARDING PUBLIC NUISANCES AND CODE  
ENFORCEMENT COST RECOVERY

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

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

NAY: None

ABSTAIN: None

ABSENT: None

**3.2 Faith Baptist Church Memorial Day Service Event 2017**

City Clerk Lee read the title.

Senior Administrative Analyst Morales presented the staff report.

Ken Mayes, resident, spoke in opposition to the item.

**3.3 Brown House Space at Baxter Village Mixed-Use Project**

City Clerk Lee read the title.

Assistant City Manager York presented the staff report.

Kristen Lloyd, Wildomar Historical Society, gave a presentation on where they are at with the Brown House.

Discussion ensued regarding what the WHS wants from the City.

George Cambero, Wildomar Historical Society, spoke regarding the different options contained in the staff report.

Ruth Atkins, Lake Elsinore Historical Society President, spoke regarding the history of the Society and their partnership with the City.

Ken Mayes, resident, spoke in opposition to the project.

Joseph Morabito, resident, spoke in opposition to spending City money and resources on this.

Kristen West, resident, spoke in favor of the project.

Ms. Miller, resident, spoke in opposition regarding this item as she would like to have to put back to the original spot.

Council discussion ensued regarding the options available.

**A MOTION** was made by Councilwoman Swanson, seconded by Councilwoman Moore, to have Staff research a Lease with the Wildomar Historical Society to store items on the City's property, and bring the item back to the City Council.

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

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

NAY: None

ABSTAIN: None

ABSENT: None

#### **3.4 City Council Rules of Decorum Subcommittee Appointments**

City Clerk Lee read the title and presented the item.

Ken Mayes, resident, spoke in favor of the item.

**A MOTION** was made by Councilwoman Swanson, seconded by Councilwoman Moore, to appoint two Mayor Pro Tem Benoit and Councilman Nigg to the Rules of Decorum Ad Hoc Subcommittee, with a sunset date of April 30, 2017.

**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**

Assistant City Manager York presented the report.

**CITY ATTORNEY REPORT**

City Attorney Jex stated the refresher on Conflict of Interest Rules and Form 700 that he was going to present will be postponed to the next meeting.

**FUTURE AGENDA ITEMS**


- \*Disseminate information officially regarding things like storm information
- \*Prop 64 issues workshop

**ADJOURN THE CITY COUNCIL**

There being no further business, Mayor Walker declared the meeting adjourned at 9:27 p.m.

Submitted by:

Approved by:



Debbie A. Lee, CMC  
City Clerk



Timothy Walker  
Mayor