CITY OF WILDOMAR CITY COUNCIL AND WILDOMAR CEMETERY DISTRICT AGENDA

5:30 P.M. – CLOSED SESSION 6:30 P.M. – REGULAR MEETING

DECEMBER 14, 2016
Council Chambers
23873 Clinton Keith Road, Suite 106, Wildomar CA



Bridgette Moore, Mayor/Chair, District 4
Timothy Walker, Mayor Pro Tem/Vice Chair, District 3
Ben Benoit, Council Member/Trustee, District 1
Dustin Nigg, Council Member/Trustee, District 2
Marsha Swanson, Council Member/Trustee, District 5

WILDOMAR CITY COUNCIL AND WILDOMAR **CEMETERY DISTRICT REGULAR MEETING AGENDA DECEMBER 14. 2016**

ORDER OF BUSINESS: Public sessions of all regular meetings of the City Council begin at 6:30 p.m. Closed Sessions begin at 5:30 p.m. or such other time as noted.

REPORTS: All agenda items and reports are available for review at Wildomar City Hall, 23873 Clinton Keith Road; Mission Trail Library, 34303 Mission Trail Blvd.; and on the City's website, www.cityofwildomar.org. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours.

PUBLIC COMMENTS: Prior to the business portion of the agenda, the City Council will receive public comments regarding any items or matters within the jurisdiction of the governing body. The Mayor will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Comment Card" available at the Chamber door. The completed form is to be submitted to the City Clerk prior to an individual being heard. Lengthy testimony should be presented to the Council in writing (15 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

ADDITIONS/DELETIONS: Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council.

CONSENT CALENDAR: Consent Calendar items will be acted on by one roll call vote unless Council members, staff, or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

PLEASE TURN ALL DEVICES TO VIBRATE/MUTE/OFF **DURATION** OF THE MEETING. FOR THE COOPERATION IS APPRECIATED.

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

ROLL CALL

PUBLIC COMMENTS

CLOSED SESSION

- 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.

RECONVENE INTO OPEN SESSION

ANNOUNCEMENTS

ADJOURN CLOSED SESSION

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

ROLL CALL

FLAG SALUTE

PRESENTATIONS

- 1. Associate Cares/TIP Presentation
- 2. 5 Year Employee Service Pin Kirk Schrader
- 3. 5 Year Employee Service Pin Daniel Torres
- 4. Special Presentation to Police Chief Lennie Hollingsworth
- 5. David A. Brown Football & Volleyball Champions
- 6. Fire Department Update
- 7. Other City Recognitions/Presentations

PUBLIC COMMENTS

This is the time when the Council receives general public comments regarding any items or matters within the jurisdiction that **do not** appear on the agenda.

State law allows the Council to only talk about items that are listed on the agenda. Speakers are allowed to raise issues not listed on the agenda; however, the law does not allow the City Council to discuss those issues during the meeting. After hearing the matter, the Mayor will turn the matter over to the City Manager who will put you in contact with the proper Staff person. Each speaker is asked to fill out a Public Comments Card available at the Chamber door and submit the card to the City Clerk. Lengthy testimony should be presented to the Council in writing (15 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

Prior to taking action on any item that is on the agenda, the public will be permitted to comment at the time it is considered by the City Council.

COUNCIL COMMUNICATIONS

- 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

The City Council to approve the agenda as it is herein presented, or, if it is the desire of the City Council, the agenda can be reordered, added to, or have items tabled at this time.

CONSENT CALENDAR 1.0

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Council, the Public, or Staff request to have specific items removed from the Consent Calendar for separate discussion and/or action.

1.1 Reading of Ordinances

RECOMMENDATION: Staff recommends that the City Council approve the reading by title only of all ordinances.

Warrant & Payroll Registers 1.2

RECOMMENDATION: Staff recommends that the City Council approve 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**
 - **RECOMMENDATION:** Staff recommends that the City Council approve the Treasurer's Report for October, 2016.
- 1.4 Financial Services Contract for Municipal Consulting Services LLC RECOMMENDATION: Staff recommends that the City Council approve 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** RECOMMENDATION: Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2016 -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 **RECOMMENDATION:** Review and Approve 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 **RECOMMENDATION:** Staff recommends that the City Council

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

2.0 **PUBLIC HEARINGS**

- 2.1 **Westpark Promenade Mixed-Use Project** STAFF RECOMMENDATION: The Planning Commission recommends the City Council:
 - 1. Adopt a Resolution entitled:

RESOLUTION NO. 2016 -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)

2. Adopt a Resolution entitled:

RESOLUTION NO. 2016 -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)

3. Introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. 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)

4. Adopt a Resolution entitled:

RESOLUTION NO. 2016 -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)

5. Adopt a Resolution entitled:

RESOLUTION NO. 2016 -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)

6. Adopt a Resolution entitled:

RESOLUTION NO. 2016 -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)

7. Adopt a Resolution entitled:

RESOLUTION NO. 2016 -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)

3.0 **GENERAL BUSINESS**

3.1 <u>Urgency Ordinance - Temporary Restrictions and Regulations on</u> Non-medical Marijuana Facilities and Private Marijuana Cultivation **RECOMMENDATION:** Staff recommends that the City Council adopt an Interim Urgency entitled:

ORDINANCE NO.

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

3.2 Consideration of a Billing and Performance Audit of Waste Management

RECOMMENDATION: Staff recommends that the City Council direct Staff to hire a consultant to conduct a billing and performance audit of the services performed by one of the City's franchise waster haulers, Waste Management, who is seeking an increase in rates to support an increase in recycling services.

- 3.3 Faith Bible General Plan Amendment Initiation Proposal (GPIP) -Planning Application No. 16-0023 Staff recommends the City Council: RECOMMENDATION:
 - 1. Receive public testimony from the Applicant and general public;
 - 2. Discuss the proposed GPA with consideration of Planning Commission comments: and
 - 3. Provide direction/feedback to the Applicant.

3.4 2016 California Building Codes Adoption RECOMMENDATION: Staff recommends that the City Council:

1. Approve the first reading and Introduce an Ordinance entitled:

ORDINANCE NO. 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.**

- 2. Set the public hearing for January 11, 2017, at 6:30 p.m., or as soon thereafter, to hear testimony in this matter.
- 3.5 Re-Allocation of \$10,360 Community Development Block Grant (CDBG) Funds for Fiscal Year 2017-2018 Program Year **RECOMMENDATION:** Staff recommends that the City Council rescind an award of \$10,360.00 to Cops for Kids and allocate \$10,360 to Code Enforcement Program or Malaga Park project or Sidewalk Project – Phase 2 or the non profit Assistance League of Temecula Valley.
- 3.6 **Planning Commission Appointments**

RECOMMENDATION: Staff recommends that Mayor Moore and Councilman Nigg nominate a citizen to serve as a Commissioner on the Planning Commission, subject to ratification by a majority vote of the City Council.

3.7 Committees, Commissions, **Boards** and Subcommittees Appointments for 2017

RECOMMENDATION: Staff recommends that the City Council review the list of committees, commissions, and board appointments and make appointments, and/or delete Subcommittees as appropriate.

3.8 **Appointment of Mayor and Mayor Pro Tem for 2017** Staff recommends that the City Council appoint RECOMMENDATION: a Mayor and Mayor Pro Tem for 2017.

CITY MANAGER REPORT Community Calendar Update

FUTURE AGENDA ITEMS

ADJOURN THE CITY COUNCIL

In accordance with Government Code Section 54952.3, I, Debbie A. Lee, City of Wildomar City Clerk, do hereby declare that the Board of Trustees will receive no compensation or stipend for the convening of the following regular meeting of the Wildomar Cemetery District.

CALL TO ORDER THE WILDOMAR CEMETERY DISTRICT

ROLL CALL

PUBLIC COMMENTS

BOARD COMMUNICATIONS

APPROVAL OF THE AGENDA AS PRESENTED

The Board of Trustees to approve the agenda as it is herein presented, or if it is the desire of the Board, the agenda can be reordered at this time.

4.0 CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Board, the Public, or Staff request that specific items are removed from the Consent Calendar for separate discussion and/or action.

4.1 Warrant Register

RECOMMENDATION: Staff recommends that the Board of Trustees approve the following:

- 1. Warrant Register dated 11-03-2016, in the amount of \$1,927.33;
- 2. Warrant Register dated 11-10-2016, in the amount of \$2,150.38:
- 3. Warrant Register dated 11-17-2016, in the amount of \$2,426.40; &
- 4. Warrant Register dated 11-23-2016, in the amount of \$465.91.

4.2 Treasurer's Report

RECOMMENDATION: Staff recommends that the Board of Trustees approve the Treasurer's Report for October, 2016.

5.0 PUBLIC HEARINGS

There are no items scheduled.

6.0 GENERAL BUSINESS

There are no items scheduled.

GENERAL MANAGER REPORT

FUTURE AGENDA ITEMS

ADJOURN WILDOMAR CEMETERY DISTRICT

City Council/Wildomar Cemetery District Regular Meeting Schedule

January 11	May 10	September 13
February 8	June 14	October 11
March 8	July 12	November 8
April 12	August 9	

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any person that requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting, may request such modification, accommodation, aid or service by contacting the City Clerk either in person or by phone at 951/677-7751, no later than 10:00 a.m. on the day preceding the scheduled meeting.

I, Debbie A. Lee, Wildomar City Clerk, do certify that on December 9, 2016, by 5:00 p.m., a true and correct copy of this agenda was posted at the three designated posting locations:

Wildomar City Hall, 23873 Clinton Keith Road; U.S. Post Office, 21392 Palomar Street; Wildomar Library, 34303 Mission Trail Blvd.

Debbie A. Lee, CMC

City Clerk/Human Resources Manager