

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
SEPTEMBER 8, 2021**

CALL TO ORDER – CLOSED SESSION - 5:00 P.M.

The Closed Session of September 8, 2021 of the Wildomar City Council was conducted in-person at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California, and electronically pursuant to the provisions of Governor's Executive Orders N-08-21 and was called to order by Mayor Nigg at 5:00 p.m.

City Council Roll Call showed the following:

Members in attendance: Council Member Moore, Morabito, Swanson, Mayor Pro Tem Benoit, Mayor Nigg

Members absent: None.

Staff in attendance: City Attorney Jex, City Clerk Morales, Assistant City Manager York and Associate Engineer Luna.

PUBLIC COMMENTS

There were no public comments.

CLOSED SESSION

City Clerk Morales 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:

In re: National Prescription Opiate Litigation (U.S.D.C. Case No. 1:17-CV-2804)

The City Council convened into closed session at 4:01 p.m.

RECONVENE INTO OPEN SESSION

The City Council reconvened into open session with all members present at 6:00 p.m.

ANNOUNCEMENTS

City Attorney Jex stated that the City Council met in Closed Session and there is no reportable action.

ADJOURN CLOSED SESSION

There being no further business, Mayor Nigg adjourned the closed session at 6:00 p.m.

CALL TO ORDER – REGULAR SESSION - 6:00 P.M.

The Regular Meeting of September 8, 2021 of the Wildomar City Council was conducted in-person at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California, and electronically pursuant to the provisions of Governor's Executive Orders N-08-21 and was called to order by Mayor Nigg at 6:00 p.m.

City Council Roll Call showed the following:

Members in attendance: Council Member Moore, Morabito, Swanson, Mayor Pro Tem Benoit, Mayor Nigg

Members absent: None

Staff in attendance: Assistant City Manager York, City Attorney Jex, City Clerk Morales, Planning Director Bassi, Administrative Services Director Howell, Project Consultant Riley, Economic Development Director Davidson, Associate Engineer Luna, Associate Engineer Farag, Parks, Community Services and Cemetery District Manager Torres and Land Development Manager Stadnik.

The flag salute was led by Mayor Pro Tem Benoit

2.0 PUBLIC HEARINGS

2.1 Public Hearing to Receive Input from the Community Regarding the Redrawing of Election District Boundaries

Mayor Nigg read the title.

Mayor Nigg opened the Public Hearing.

City Clerk Morales and Todd Tatum from the National Demographics Corporation presented the staff report.

Resident Gina Castanon provided public comment.

There being no further testimony, Mayor Nigg closed the public hearing.

It was the consensus of the City Council to receive and file the report.

PRESENTATIONS

1. Councilmember Moore recognized the "Keep It Clean" Volunteers.
2. Mayor Nigg presented the Proclamation for Constitution Week: September 17-23
3. Code Enforcement Supervisor Berroteran recognized new City Employee Yvette Magdaleno, Code Enforcement Administrative Analyst.

DEPARTMENT REPORTS

No reports scheduled.

PUBLIC COMMENTS

The following residents provided public comment on items not on the agenda: Don Saunders, Kenny Mayes, George Taylor with 3 minutes donated from resident Gail Taylor, Gina Castanon with 3 minutes donated from Ruben Castanon, Kathleen Kovich, Ms. Miller.

The following Elsinore Valley Municipal Water District Representatives provided public comment on items not on the agenda: Andy Morris and Chance Edmondson.

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 Transit Agency (RTA)
5. Riverside Conservation Authority (RCA)
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. Southwest Community Financing Authority (Animal Shelter)
13. Western Community Energy (WCE)
14. Ad Hoc & Subcommittees

APPROVAL OF THE AGENDA AS PRESENTED

There were no changes to the agenda as presented.

1.0 CONSENT CALENDAR

Resident Kenny Mayes provided public comment on agenda item #1.9 and 1.12.

Resident Gina Castanon, with 3 minutes donated from resident Ruben Castanon, provided public comment on agenda item #1.6-1.11.

Ms. Miller provided public comment on agenda item #1.7 and 1.9.

A MOTION was made by Mayor Pro Tem Benoit seconded by Councilmember Moore to approve the Consent Calendar with the following changes to the Resolutions for Agenda Item #1.7 and #1.14: change to Section 7 replacing the time of the Public Hearing from 5:00 P.M. to 6:00 P.M.

MOTION carried 5-0, by the following vote:

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

1.1 Reading of Ordinances

Approved the reading by title only of all ordinances on this agenda.

1.2 Minutes- June 9, 2021 Regular Meeting

Approved the minutes as presented.

1.3 Minutes- June 30, 2021 Special Meeting

Approved the minutes as presented.

1.4 Warrant and Payroll Registers

Approved the following:

For Fiscal Year 2020-2021

1. Warrant Register dated 08-04-2021 in the amount of \$328,302.25;
2. Warrant Register dated 08-12-2021 in the amount of \$20,733.16;
3. Warrant Register dated 08-19-2021 in the amount of \$25,966.18;
4. Warrant Register dated 08-26-2021 in the amount of \$29,380.46;

For Fiscal Year 2021-2022

5. Warrant Register dated 08-04-2021 in the amount of \$80,039.55;
6. Warrant Register dated 08-12-2021 in the amount of \$89,028.71;
7. Warrant Register dated 08-12-2021 in the amount of \$8,415.00;
8. Warrant Register dated 08-19-2021 in the amount of \$42,076.98;
9. Warrant Register dated 08-26-2021 in the amount of \$125,682.76;
10. Payroll Register dated 09-01-2021 in the amount of \$205,636.13.

1.5 Treasurer's Report

Approved the Treasurer's Report for July 2021.

1.6 2nd Reading of Ordinance No. 201 and 202 – Oak Springs Ranch Specific Plan Amendment Project

Adopted the following Ordinances entitled:

ORDINANCE NO. 201

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING SPECIFIC PLAN AMENDMENT NO. 20-0044 FOR THE OAK SPRINGS RANCH SPECIFIC PLAN NO. 340 LOCATED ON THE WEST SIDE OF INLAND VALLEY DRIVE APPROXIMATELY 550 FEET SOUTH OFF CLINTON KEITH ROAD (APN: 380-250-038)

ORDINANCE NO. 202

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING ZONING ORDINANCE AMENDMENT NO. 2021-05 (PA 20-0044) DELETING IN ITS ENTIRETY CHAPTER 17.110 (SP ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 340) OF THE WILDOMAR MUNICIPAL CODE

1.7 Annexation No. 22 into Community Facilities District No. 2013-1 (Services) for Beazer (TR 31667)

Adopted a Resolution entitled:

RESOLUTION NO. 2021 - 45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES), OF THE CITY OF WILDOMAR, ADOPTING A MAP OF THE AREA PROPOSED TO BE ANNEXED (ANNEXATION NO. 22) AND AUTHORIZING THE LEVY OF SPECIAL TAXES THEREIN

1.8 Cooperative Agreement with Riverside County Flood Control and Water Conservation District and Beazer Homes Holdings, LLC a Delaware Limited Liability Company - Project No.14-0093, Tract Map No. 31667

1. Authorized the City Manager to execute the Cooperative Agreement with Riverside County Flood Control and Water Conservation District (RCFC) and Beazer Homes Holdings, LLC a Delaware Limited Liability Company (Developer).

2. Authorized the City Manager to make minor changes to the Cooperative Agreement if deemed necessary.

1.9 Tract Map 31667 – Boulder Creek Final Map Approval, Subdivision Improvement Agreement, Offsite Public Improvement Agreements, and Stormwater Management/BMP Agreements

1. Adopted a Resolution entitled:

RESOLUTION NO. 2021 - 46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING THE FINAL MAP FOR TENTATIVE TRACT MAP 31667 BEAZER HOMES AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT

2. Authorized the City Manager to execute the Final Map, Subdivision Improvement Agreement, Offsite Public Improvement Agreements, and the Stormwater Management/BMP Agreements with Beazer Homes Holdings, LLC for the Tract No. 31667 – Boulder Creek.

3. Authorized the developer to defer recordation of the CC&Rs to prior to first Certificate of Occupancy.

1.10 Update Participation in the TUMF Program: Resolution Adopting a TUMF Schedule

Adopted a resolution entitled:

RESOLUTION NO. 2021 - 47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR
REPEALING RESOLUTION 2020-16 AND ADOPTING APPLICABLE
TRANSPORTATION UNIFORM MITIGATION FEES (TUMF)
APPLICABLE TO ALL DEVELOPMENTS IN THE CITY OF WILDOMAR

1.11 Memorandum of Understanding with the City of Canyon Lake for Building Staff Services

Authorized the City Manager to execute the Memorandum of Understanding.

1.12 Pre-Qualification for Municipal Financial Advisory Services and Bond, Disclosure and On-Going Disclosure Counsel Services

1. Approved the following vendors for pre-qualification to provide Municipal Financial Advisory Services:

- a. CSG Advisors, Inc.
- b. Urban Futures, Inc; and

2. Approved the following vendors for pre-qualification to provide Bond, Disclosure and On-Going Disclosure Counsel Services:

- a. Stradling Yocca Carlson & Rauth
- b. Nixon Peabody LLP
- c. Norton Rose Fulbright US LLP

1.13 Adopt a Resolution to declare a public nuisance and abate all weeds growing upon private property in the City

Adopted a Resolution Entitled:

RESOLUTION NO. 2021 - 48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA DECLARING WEEDS, RUBBISH, REFUSE AND DIRT
UPON PRIVATE PROPERTY AND ADJACENT PUBLIC RIGHTS OF
WAY A PUBLIC NUISANCE AND INITIATING ABATEMENT
PROCEEDINGS

1.14 Annexation No. 21 into Community Facilities District No. 2013-1 (Services) for Omni/McVicar (TR 32035)

Adopted a Resolution entitled:

RESOLUTION NO. 2021 - 49
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY
TO COMMUNITY FACILITIES DISTRICT NO. 2013-1 (SERVICES), OF
THE CITY OF WILDOMAR, ADOPTING A MAP OF THE AREA
PROPOSED TO BE ANNEXED (ANNEXATION NO. 21) AND
AUTHORIZING THE LEVY OF SPECIAL TAXES THEREIN

2.0 PUBLIC HEARINGS

2.2 Wildomar Trail Town Center Mixed-Use Project (PA 20-0039) – City Council review of the Wildomar Trail Town Center Mixed-Use project located at the southwest corner of Wildomar Trail and the I-15 Freeway

Mayor Nigg read the title.

Councilmember Morabito recused himself due to a conflict of interest.

Planning Director Bassi presented the staff report.

The following residents provided public comment in opposition of the item: Kenny Mayes, Becky Frederick, Ms. Miller, Gina Castanon with 3 minutes donated by Ruben Castanon, Christina Bachinski, Gianni Perone, David Cordero, Monty Goddard with 3 minutes donated by Mary Goddard and Joseph Morabito with 3 minutes donated by Ben Benoit.

A MOTION was made by Councilmember Swanson seconded by Councilmember Moore to Adopt a Resolution entitled:

RESOLUTION NO. 2021 - 50
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, CERTIFYING AN ENVIRONMENTAL IMPACT REPORT
(SCH# 2020090408), INCLUDING ADOPTION OF FINDINGS OF FACT,
STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION
MONITORING AND REPORTING PROGRAM (MMRP) FOR THE
PROPOSED WILDOMAR TRAIL TOWN CENTER MIXED-USE
PROJECT, LOCATED AT THE SOUTHWEST CORNER OF WILDOMAR
TRAIL AND THE I-15 FREEWAY (APN: 376-180-006 AND 376-190-002)

MOTION carried 4-0, by the following vote:

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

A MOTION was made by Councilmember Moore seconded by Councilmember Swanson to Adopt a Resolution entitled:

RESOLUTION NO. 2021 - 51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 2021-02 (PA 20-0039) TO CHANGE THE EXISTING LAND USE DESIGNATION FROM BUSINESS PARK (BP) TO HIGHEST DENSITY RESIDENTIAL (HHDR) FOR THE NORTHERLY 10-ACRES OF THE PROPERTY LOCATED AT APN 380-250-019 TO COMPLY WITH SB 166 "NO NET LOSS" STATE LAW PROVISIONS LOCATED ON THE NORTHEAST CORNER OF PRIELIPP ROAD AND YAMAS DRIVE

MOTION carried 4-0, by the following vote:

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

A MOTION was made by Councilmember Moore seconded by Councilmember Swanson to Introduce first reading of an Ordinance entitled:

ORDINANCE NO. 203

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING CHANGE OF ZONE NO. 20-0039 TO: 1) REMOVE THE MIXED-USE OVERLAY ZONE DESIGNATION FOR THE ENTIRE WILDOMAR TRAIL TOWN CENTER PROJECT SITE, AND CHANGE THE EXISTING ZONING DESIGNATION FOR THE 6.07-ACRE RESIDENTIAL PORTION OF PROJECT SITE FROM C-P-S (SCENIC HIGHWAY COMMERCIAL) TO R-3 (GENERAL RESIDENTIAL) LOCATED AT THE SOUTHWEST CORNER OF WILDOMAR TRAIL AND THE I-15 FREEWAY (APN: 376-180-006 AND 376-190-002); AND 2) CHANGE THE EXISTING ZONING DESIGNATION FOR THE NORTHERLY 10-ACRES OF THE JAMES CARTER PROPERTY FROM I-P (INDUSTRIAL PARK) TO R-3 (GENERAL RESIDENTIAL) LOCATED AT THE NORTHEAST CORNER OF YAMAS

DRIVE AND PRIELIPP ROAD (APN: 380-250-019) TO COMPLY WITH
THE PROVISIONS OF SB 166

MOTION carried 4-0, by the following vote:

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

A MOTION was made by Councilmember Moore seconded by Mayor Pro Tem Benoit to Adopt a Resolution entitled:

RESOLUTION NO. 2021 - 52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 37494, SUBJECT TO CONDITIONS, TO SUBDIVIDE A 25.8 ACRE PROJECT SITE INTO NINE (9) LOTS TO DEVELOP THE WILDOMAR TRAIL TOWN CENTER MIXED-USE PROJECT LOCATED AT THE SOUTHWEST CORNER OF WILDOMAR TRAIL AND THE I-15 FREEWAY (APN: 376-180-006 AND 376-190-002)

MOTION carried 4-0, by the following vote:

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

A MOTION was made by Councilmember Moore seconded by Councilmember Swanson to Adopt a Resolution entitled:

RESOLUTION NO. 2021 - 53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 20-0039, SUBJECT TO CONDITIONS TO ESTABLISH A GAS STATION/MINI-MART WITH CONCURRENT BEER AND WINE SALES IN ACCORDANCE WITH SECTION 17.248 OF THE WILDOMAR MUNICIPAL CODE, AND APPROVAL OF PLOT PLAN / FINAL SITE PLAN OF DEVELOPMENT NO. 20-0039, SUBJECT TO CONDITIONS, TO DEVELOP THE WILDOMAR TRAIL TOWN CENTER MIXED-USE PROJECT CONSISTING OF 41,609 SQUARE FEET OF COMMERCIAL/RETAIL USES, 72,000 SQUARE FEET OF

PROFESSIONAL OFFICE SPACE AND A 109-UNIT FOR-SALE
TOWNHOME COMMUNITY LOCATED AT THE SOUTHWEST CORNER
OF WILDOMAR TRAIL AND THE I-15 FREEWAY (APN: 376-180-006
AND 376-190-002)

MOTION carried 4-0, by the following vote:

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

3.0 GENERAL BUSINESS

3.1 Allocation of Non-Profit Replacement Funding for Fiscal Year 2021/2022

Mayor Nigg read the title.

Planning Director Bassi presented the report.

Electra Dimos from the Assistance League of Temecula Valley provided public comment.

Matthew Dobler from the Dream Center provided public comment.

A MOTION was made by Councilmember Swanson seconded by Councilmember Moore to Split the budgeted allocation of \$17,500 between Assistance League of Temecula Valley (ALTV) and Helping Our People of Elsinore, Inc. (HOPE); and to adopt a Resolution entitled:

RESOLUTION NO. 2021 - 54
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE BUDGETED ALLOCATION OF
\$17,500 FOR NON-PROFIT/CDBG REPLACEMENT FUNDING FOR
FISCAL YEAR 2021/2022

MOTION carried 5-0, by the following vote:

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

ABSTAIN: None
ABSENT: None

3.2 COVID-19 Update

Mayor Nigg read the title.

Assistant City Manager York presented the report.

It was the consensus of the City Council to receive and file the COVID-19 update.

CITY MANAGER REPORT

Assistant City Manager York presented the report.

FUTURE AGENDA ITEMS

No future agenda items added.

ADJOURN THE CITY COUNCIL MEETING

There being no further business, Mayor Nigg declared the meeting adjourned at 9:21 p.m.

Submitted by:

Approved by:


Janet Morales, CMC
City Clerk

 
Dustin Nigg Ben J. Benoit
Mayor Mayor Pro Tem