

**CITY OF WILDOMAR  
CITY COUNCIL REGULAR MEETING MINUTES  
MARCH 9, 2022**

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

The regular session of March 9, 2022, of the City of Wildomar City Council was conducted pursuant to Assembly Bill 361 with in-person attendance at the Wildomar Council Chambers, 23873 Clinton Keith Road, Suite 106, Wildomar, California, and via videoconferencing, and was called to order by Mayor Benoit at 6:00pm.

**Members in attendance:** Councilmember Moore, Councilmember Nigg, Councilmember Swanson, Mayor Pro Tem Morabito, Mayor Benoit

**Members absent:** none

**PRESENTATIONS**

Mayor Benoit recognized the Elsinore High School – Academic Decathlon Champions

**DEPARTMENT REPORTS**

- 1 Economic Development Director Davidson presented the Economic Development Report
- 2 Senior Engineer Farag presented the Bundy Canyon Road Project update

**PUBLIC COMMENTS**

The following individuals provided public comments on items not listed on the agenda

1. Melanie Shatzer
2. James Mc Ilrath
3. Adam Eventor (Southern California Gas Company)
4. Miss Miller

**COUNCIL COMMUNICATIONS**

The City Council Members spoke regarding the various committees, commissions, and the 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**

**A MOTION** was made by Councilmember Nigg and seconded by Councilmember Moore to approve the consent calendar with Councilmember Morabito abstaining from Agenda Item #1.10.

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

YEA: Moore, Nigg, Swanson, Mayor Pro Tem Morabito, Mayor Benoit  
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- January 12, 2022 Regular Meeting**

Approved the minutes as presented.

#### **1.3 Warrant and Payroll Registers**

Approved the following:

1. Warrant Register dated 02-03-2022 in the amount of \$212,853.19.
2. Warrant Register dated 02-10-2022 in the amount of \$243,566.20.
3. Warrant Register dated 02-17-2022 in the amount of \$115,379.60.
4. Warrant Register dated 02-24-2022 in the amount of \$1,051,329.92.
5. Wire Transfer Register dated 02-28-2022 in the amount of \$62,844.24.
6. Payroll Register dated 03-01-2022 in the amount of \$247,170.24.

#### **1.4 Treasurer's Report**

Approved the Treasurer's Report for January 2022.

#### **1.5 Consideration of a Resolution authorizing the continuing need for a teleconferencing option for City Council, Commission and Committee meetings pursuant to Assembly Bill No. 361**

Adopted a Resolution entitled:

RESOLUTION NO. 2022 – 05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA AUTHORIZING THE CONTINUING NEED FOR TELECONFERENCING OPTION FOR CITY COUNCIL, COMMISSION AND COMMITTEE MEETINGS PURSUANT TO ASSEMBLY BILL 361 AND MAKING FINDINGS AND DETERMINATIONS REGARDING THE SAME

**1.6 2nd Reading of Ordinance No. 213 for Adjusting and Redefining the Boundaries of all City Council Electoral Districts**

Adopted an Ordinance entitled:

ORDINANCE NO. 213

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA ADJUSTING THE BOUNDARIES OF CITY COUNCIL ELECTORAL DISTRICTS AND REDEFINING THE BOUNDARIES OF ALL CITY COUNCIL ELECTORAL DISTRICTS OF THE CITY OF WILDOMAR

**1.7 Housing Element Annual HCD Progress Report for 2021: A report on the City's progress in meeting its share of the Housing Element's Regional Housing Needs Assessment (RHNA) for calendar year 2021**

Received and filed the 2021 Housing Element Annual Progress Report and direct the Planning Director to submit to the State Department of Housing and Community Development (HCD) by April 1, 2022.

**1.8 Resolutions Approving the Filing of Applications for Grant Funds from the Recreational Trails Program (RTP)**

Adopted Resolutions entitled:

RESOLUTION NO. 2022- 06

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE WILDOMAR TRAIL 27-ACRE PARK FROM THE RECREATIONAL TRAILS PROGRAM

RESOLUTION NO. 2022- 07

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE BUNDY CANYON ROAD ACTIVE TRANSPORTATION CORRIDOR FROM THE RECREATIONAL TRAILS PROGRAM

**1.9 Horizons by Lennar Homes, Tentative Tract Map 36672 Onsite Public Improvement Agreement and Offsite Public Improvement Agreement**

Authorized the City Manager to execute the Onsite Public Improvement Agreement and Offsite Public Improvement Agreement with Lennar Homes of California, Inc.

- 1.10 Kaiser Permanente Medical Office Building - Precise Grading Agreement**  
Authorized the City Manager to execute the Precise Grading Agreement with Kaiser Foundation Health Plan, Inc.
- 1.11 FY 2020-21 Measure Z Oversight Advisory Committee Annual Report**  
Received and filed the Measure Z Oversight Advisory Committee's FY 2020-21 Annual Report.
- 1.12 FY 2020-21 Measure AA Annual Report**  
Accepted and filed the FY 2020-21 Annual Report for Measure AA from the Citizen's Oversight Committee.
- 1.13 FY 2020-21 Annual Comprehensive Financial Report (ACFR) Report**  
Accepted and filed the FY 2020-21 ACFR.
- 1.14 Purchase of Riverpark Mitigation Bank Credits for the Palomar Street/Clinton Keith Rd. Sidewalk, Trail & Connectivity Project, CIP 059**  
Authorized the City Manager to execute a Mitigation Credit Purchase Agreements between the City of Wildomar and EIP III Credit Co., LLC (Riverpark Mitigation Bank) for the Palomar Street/Clinton Keith Rd. Sidewalk, Trail and Bike Lane Connectivity Project, CIP 059 (Project).

## **2.0 PUBLIC HEARINGS**

- 2.1 The Bakery Retail Cannabis Proposal (PA 20-0086) - A proposal to establish a 6,345 square-foot retail cannabis business located at 22812 Palomar Street (Suite #100 – 103)**

Mayor Benoit read the title.

Associated Planner Lachgar presented report.

Mayor Benoit opened the public hearing.

Terry L Graves provided public comment in opposition.

Gina Castanon provided public comment.

James McIlrath provided public comment in opposition.

Alex Evdokimoff provided public comment in opposition.

Kenny Mayes made public comments in support.

Since there was no further testimony, Mayor Benoit closed the public hearing.

**A MOTION** was made by Councilmember Nigg seconded by Mayor Pro Tem Morabito to adopt a Resolution entitled:

RESOLUTION NO. 2022-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION IN ACCORDANCE WITH SECTION 15301 (CLASS 1) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AND APPROVAL OF CONDITIONAL USE PERMIT NO. 20-0086, SUBJECT TO CONDITIONS, TO ESTABLISH A 6,345 SQUARE-FOOT RETAIL CANNABIS BUSINESS WITHIN AN EXISTING RETAIL LEASE SPACE IN THE C-1/C-P ZONE LOCATED AT 22812 PALOMAR STREET (SUITE #100 – 103)

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

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

NAY: None

ABSTAIN: None

ABSENT: None

**A MOTION** was made by Mayor Pro Tem Morabito seconded by Councilmember Nigg to: Introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. 214

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION IN ACCORDANCE WITH SECTION 15301 (CLASS 1) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AND APPROVING DEVELOPMENT AGREEMENT NO. 20-0086, SUBJECT TO CONDITIONS, TO ESTABLISH A 6,345 SQUARE-FOOT RETAIL CANNABIS BUSINESS WITHIN AN EXISTING RETAIL LEASE SPACE IN THE C-1/C-P ZONE LOCATED AT 22812 PALOMAR STREET (SUITE #100 – 103)

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

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

NAY: None

ABSTAIN: None

ABSENT: None

### **3.0 GENERAL BUSINESS**

#### **3.1 Purchase of Riverpark Mitigation Bank Credits and Increase in Project Contingency for the Bundy Canyon Rd. Improvement Project (Segment 1), CIP 026-1**

Mayor Benoit read the title.

Senior Engineer Farag presented the staff report.

Kenny Mayes provided public comment.

**A MOTION** was made by Council Member Nigg Seconded by Councilmember Moore to:

1. Authorize the City Manager to execute a Mitigation Credit Purchase Agreement between the City of Wildomar and EIP III Credit Co., LLC (Riverpark Mitigation Bank) for the Bundy Canyon Rd. Improvement Project (Segment 1), CIP 026-1 (Project); and

2. Increase the construction contract contingency by authorizing an additional 2.5% for approving Contract Change Orders (CCO's)

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

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

NAY: None

ABSTAIN: None

ABSENT: None

#### **3.2 National Opioid Settlement Fund Payments Riverside County Abatement Fund Use Agreement**

Mayor Benoit read the title.

City Manager York presented the staff report.

Monty Goddard with time donated by Jerry Orchard provided public comment for a total of 6 minutes.

**A MOTION** was made by Mayor Benoit seconded by Councilmember Nigg to authorize the City Manager to execute the Agreement between the County of Riverside and the City of Wildomar for the Use of the Local Allocation of California Opioid Settlement Funds.

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

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

NAY: None

ABSTAIN: None

ABSENT: None

### **3.3 American Rescue Plan Act (ARPA) Overview and Project Proposals**

Mayor Benoit read the title.

Project Consultant Riley presented the staff report.

Kenny Mayes provided public comment.

It was the consensus of the City Council to provide the following priorities regarding the allocation of the funds available to the City of Wildomar from the American Rescue Plan Act (ARPA):

A. Category 3, Item No. 23, City Hall

B. Other Category 3 Items, including:

1. Item No. 20, Clinton Keith Interchange Beautification Concept
2. Item No. 17, 27 Acre Park Phase 1 Features
3. Item No. 22, CIP Project- Grant Match Funds
4. Item No. 19, SEDCO Basin Park CFD Formation

It was also the consensus of the City Council to direct staff to bring back more information at the next Council Meeting regarding Category 1, Item No. 14, Palm Communities – Tres Lagos- Phase 1 Project Proposal.

### **3.4 Measure Z Oversight Advisory Committee Appointments**

Mayor Benoit read the title.

City Clerk Morales presented staff report.

**A MOTION** was made by Mayor Benoit seconded by Councilmember Moore to appoint Timothy Underdown and James Howey to the Measure Z Oversight

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

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

NAY: None

ABSTAIN: None

ABSENT: None

**3.5 Exempting Acquisition or Disposal of Certain Real Property Interests from Government Code 65402 Requirements**

Mayor Benoit read the title.

Senior Engineer Farag read staff report.

**A MOTION** was made by Councilmember Moore seconded by Mayor Pro Tem Morabito to adopt a Resolution entitled:

**RESOLUTION NO. 2022 – 09**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR EXEMPTING THE ACQUISITION OR DISPOSAL OF CERTAIN REAL PROPERTY INTERESTS FROM THE REQUIREMENTS OF GOVERNMENT CODE SECTION 65402

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

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

NAY: None

ABSTAIN: None

ABSENT: None

**3.6 Litter/Illegal Dumping Fees and Signage (Moore)**

Mayor Benoit read the title.

Community Services Director Torres presented the staff report.

The City Council reviewed the current procedures in place regarding illegal dumps and it was the consensus of the City Council to direct staff to place signage at the entrances of the city and other areas that have been experiencing a lot of illegal dumping.

**3.7 Flag Policy (Morabito)**

Mayor Benoit read the title,

Community Service Director Torres presented the staff report.

It was the consensus of the City Council to make no changes to the Wildomar Municipal Code and continue using section 17.172.130 Detached accessory buildings.



**3.8 Zip Code Unity Update (Benoit)**

Mayor Benoit read the title.

City Manager York presented the staff report.

It was the consensus of the City Council to Continue to support the City's Zip Code Unity program and authorized the Mayor to send a follow up letter to the US Postal Service regarding just the SEDCO area zip codes.

**CITY MANAGER REPORT**

City Manager York presented the report.

**FUTURE AGENDA ITEMS**

Street Signage - Benoit

**ADJOURN THE CITY COUNCIL MEETING**

There being no further business, Mayor Benoit adjourned the meeting at 9:13 p.m.

Submitted by:

Approved by:



Janet Morales, CMC  
City Clerk



Ben J. Benoit  
Mayor

