

# CITY OF WILDOMAR CITY COUNCIL AND WILDOMAR CEMETERY DISTRICT AGENDA

DECEMBER 15, 2021

5:00 P.M. – CLOSED SESSION

6:00 P.M. – ADJOURNED REGULAR MEETING

Council Chambers  
23873 Clinton Keith Road Ste 106  
Wildomar, CA 92595

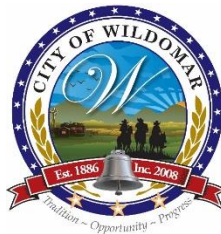
OR

Join Zoom Meeting:

<https://us02web.zoom.us/j/84801699357>

OR

Dial in: 1 (669) 900 6833 | Webinar ID: **848 0169 9357**



Dustin Nigg, Mayor/Chair, District 2

Ben J. Benoit, Mayor Pro Tem/Vice Chair, District 1

Bridgette Moore, Council Member/Trustee, District 4

Joseph Morabito, Council Member/Trustee, District 3

Marsha Swanson, Council Member/Trustee, District 5

Gary Nordquist  
City Manager/General Manager

Thomas D. Jex  
City Attorney/District Counsel

**The City of Wildomar encourages your participation in the meeting; however, to minimize the spread of the COVID-19 virus, this meeting is being conducted in person and via video and teleconferencing with the following options available for the public to participate:**

1. You may view the Regular Session meeting live on the City of Wildomar's website at <http://www.cityofwildomar.org> or on cable TV through Frontier Channel 36 or AT&T channel 99. To view from the website, select the live stream link on the top of the front page.

2. You may participate via the ZOOM Webinar Telephone and Videoconferencing.

3. You may participate in person; however, masks are recommended for all individuals, and seating may be limited as the City is still participating in the 6-foot social distancing seating procedure.

#### **Instructions for Electronic Participation**

**Please Note: During the meeting all participants videos will be turned off during the entire meeting and you will be placed on Mute by the host. You will not be able to mute or unmute your lines manually. The host will unmute your line when you are called to speak.**

1. Log in or call into ZOOM via desktop/laptop, smartphone or telephone. You must download the ZOOM app to access the link from an Apple smartphone or IPAD.

2. During Public Comment not on the agenda and after each Agenda Item, the Mayor will announce Public Comment. If you would like to speak, please raise your hand virtually to be placed in the queue.

3. When your name or the last 3 digits of your phone number are called, the host will unmute you. Public Comments will be limited

to 3 minutes or such other time as the Council may provide.

#### **Directions to virtually raise hand on a DESKTOP/LAPTOP:**

- At the bottom of the list, please click on the grey "Raise Hand" button.

#### **Directions to virtually raise hand on a SMARTPHONE:**

- Look for the "Raise Hand" button on the screen and click the button.

#### **Directions to virtually raise hand on a TELEPHONE line only:**

- Dial \*9 on your keypad to signal that you would like to comment. When the Host unmutes you, Dial \*6 to unmute.

#### **Instructions for In Person Participation**

During Public Comment not on the agenda and after each Agenda Item, the Chair will announce Public Comment. If you would like to speak on that item, please fill out a speaker slip and submit it in the inbox at the front of the room.

When the City Clerk announces your name, please come up to the podium. Public Comments are limited to 3 minutes or such other time as the Council may provide.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the City Clerk's Office at 951-677-7751 x210.

The City of Wildomar thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.

**NOTICE: City Council meetings may be live-streamed, photographed and/or videotaped. Participation at the meeting constitutes consent by members of the public to the City's and any third party's use in any media, without compensation or further notice, of audio, video, and/or pictures of meeting attendees.**

**CALL TO ORDER – CLOSED SESSION - 5:00 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 54957(b) regarding Public Employee Appointment.  
Title: City Manager.
2. 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: Dustin Nigg  
Unrepresented employee: City Manager
3. 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. National Prescription Opiate Litigation (U.S.D.C. Case No. 1:17-CV-2804)
  - B. City of Wildomar v. Lisa Marie Davis and Daniel Celaya; Case No. MCC2001484

**RECONVENE INTO OPEN SESSION**

**ANNOUNCEMENTS**

**ADJOURN CLOSED SESSION**

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

### **ROLL CALL**

### **FLAG SALUTE**

### **PRESENTATIONS**

1. 2021 Holiday Lights Contest Winners
2. 10 Year Service Acknowledgement – Tina Roney
3. Animal Friends of the Valleys Update
4. Other City Recognitions/ Presentations

### **DEPARTMENT REPORTS**

### **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.

### **COUNCIL COMMUNICATIONS**

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**

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.

### **1.0 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 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 on this agenda.

#### **1.2 Minutes- October 13, 2021 Regular Meeting**

**RECOMMENDATION:** Staff recommends that the City Council approve the minutes as presented.

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

**RECOMMENDATION:** Staff recommends that the City Council approve the following:

1. Warrant Register dated 11-04-2021 in the amount of \$98,908.94.
2. Warrant Register dated 11-11-2021 in the amount of \$288,365.90.
3. Warrant Register dated 11-18-2021 in the amount of \$72,935.56.
4. Warrant Register dated 11-24-2021 in the amount of \$75,691.23.
5. Wire Transfer Register dated 11-30-2021 in the amount of \$211,280.48.
6. Payroll Register dated 12-01-2021 in the amount of \$174,914.04.

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

**RECOMMENDATION:** Staff recommends that the City Council approve the Treasurer's Report for October 2021.

#### **1.5 2nd Reading of Ordinance No. 207 – Culture Cannabis Club Development Agreement 20-0078(R1)**

**RECOMMENDATION:** The Planning Commission recommends that the City Council adopt an Ordinance entitled:

ORDINANCE NO. 207  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
WILDOMAR, CALIFORNIA, ADOPTION OF A CATEGORICAL

EXEMPTION IN ACCORDANCE WITH SECTION 15301 (CLASS 1) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AND APPROVAL OF AMENDMENT #1 TO DEVELOPMENT AGREEMENT NO. 20-0078(R1) TO EXPAND AN APPROVED 1,440 SQUARE-FOOT RETAIL CANNABIS BUSINESS INTO AN 835 SQUARE-FOOT ADJACENT SUITE NOW TOTALING 2,275 SQUARE FEET LOCATED IN THE C-1/C-P (GENERAL COMMERCIAL) ZONE AT 33980 MISSION TRAIL, SUITE #A & B (APN: 366-160-070)

**1.6 2nd Reading of Ordinance No. 208 – Adding Chapter 2.44 (Campaign Contribution Limits for Elective City Offices) to the Wildomar Municipal Code**

**RECOMMENDATION:** Staff recommends the City Council adopt an Ordinance entitled:

ORDINANCE NO. 208  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADDING CHAPTER 2.44 (CAMPAIGN CONTRIBUTION LIMITS FOR ELECTIVE CITY OFFICES) TO THE WILDOMAR MUNICIPAL CODE

**1.7 Minimum Hourly Wage Updates to the Position Classification, General Salary Schedules, and Senior Engineer FLSA Classification**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2021 - \_\_\_\_\_  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, UPDATING THE POSITION CLASSIFICATION SCHEDULE, THE GENERAL SALARY SCHEDULE RESULTING FROM THE INCREASE TO MINIMUM HOURLY WAGE RATE, AND REVISING THE FLSA CLASSIFICATION OF THE SENIOR ENGINEER POSITION FROM NON-EXEMPT TO EXEMPT

**1.8 Tract Map No. 32035 - McVicar Residential Project Final Map Approval, Subdivision Improvement Agreement, and Lien Agreement**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Adopt a Resolution entitled:

RESOLUTION NO. 2021 - 65  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING THE FINAL MAP FOR TENTATIVE TRACT

MAP 32035 MCVICAR RESIDENTIAL PROJECT AND AUTHORIZING  
THE CITY MANAGER TO EXECUTE THE SUBDIVISION  
IMPROVEMENT AGREEMENT AND LIEN AGREEMENT

2. Authorize the City Manager to execute the Final Map and Subdivision Improvement Agreement with David P. Wolske and Leslie S. Lanes, Louis E. Polakoff and Elaine Polakoff, Harry L. Keays, Ronald Auerbacher, Joan Maresca, Pensco Trust Company, Myra J. Ekrem, and Omni Financial, LLC, and Orbis Financial, LLC (Developers) for the Tract No. 32035 – McVicar Residential Project.
  3. Authorize the City Manager to execute the Lien Agreement with Omni Financial, LLC, and Orbis Financial, LLC (Developers) for the Tract No. 32035 – McVicar Residential Project.
  4. Authorize the City Engineer to accept the dedications related to Tract Map No. 32035 and direct the City Clerk to transmit to the County Recorder of the County.
- 1.9 Tract No. 31667 - Boulder Creek Joint Community Facilities Agreement**  
**RECOMMENDATION:** Staff recommends that the City Council Authorize the City Manager to execute the Joint Community Facilities Agreement (JCFA) between City of Wildomar, Community Facilities District No. 2017-2 (CFD No. 2017-2) of the Lake Elsinore Unified School District, and Beazer Homes Holdings, a Delaware limited liability company.
- 1.10 Western Riverside Council of Governments Updated Joint Powers Agreement**  
**RECOMMENDATION:** Staff recommends that the City Council Authorize the Mayor to sign the Amendment to the Joint Powers Agreement of the Western Riverside Council of Governments.
- 1.11 Financial Services Contract for Municipal Consulting Services LLC**  
**RECOMMENDATION:** Staff recommends that the City Council approve and authorize the City Manager to execute a contract with Municipal Consulting Services LLC to provide financial services to the City of Wildomar.
- 1.12 Service Agreement with County of Riverside for the Grand Ave. Microsurfacing Improvement Project**  
**RECOMMENDATION:** Staff recommends that the City Council take the following action:
1. Adopt a Categorical Exemption pursuant to Section 15301(c) of the

CEQA Guidelines.

2. Authorize the City Manager to execute a service agreement with the County of Riverside in the amount of \$14,877.40 for construction of the Grand Ave. Microsurfacing Improvements Project.

3. Authorize the City Engineer to approve change orders not to exceed 10% of the agreement amount (contingency).

**1.13 Revised Appropriations Limit for FY 2020-21**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2021 - \_\_\_\_\_  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, APPROVING THE REVISED APPROPRIATIONS LIMIT  
FOR FISCAL YEAR 2020-21

**1.14 Revised Appropriations Limit for FY 2021-22**

**RECOMMENDATION:** Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2021 - \_\_\_\_\_  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,  
CALIFORNIA, APPROVING THE APPROPRIATIONS LIMIT FOR FISCAL  
YEAR 2021-22

**1.15 Award Services Agreement for Annual Grant Writing Services**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Approve six firms to be on the city's Professional Services Pre-Qualified list for Grant Writing through December 31, 2024; and,
2. Authorize the City Manager to execute a Services Agreement between the City of Wildomar and California Consulting.

**1.16 Development Impact Fees – Annual Report as of June 30, 2021**

**RECOMMENDATION:** Staff recommends that the City Council receive and file the Annual report for the Development Impact Fees for the Fiscal Year Ending June 30, 2021.



## **2.0 PUBLIC HEARINGS**

### **2.1 Monte Vista Ranch II Townhome Project (PA No. 21-0045): City Council review of a Mitigated Negative Declaration, General Plan Amendment, Change of Zone, Tentative Tract Map (TTM 38155) and a Plot Plan to construct a 62-unit townhome (for-sale) community**

**RECOMMENDATION:** The Planning Department recommends the City Council take the following actions:

1. Adopt a Resolution entitled:

RESOLUTION NO. 2021 - \_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (SCH NO. 2021080301), AND MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR THE MONTE VISTA RANCH II TOWNHOME PROJECT CONSISTING OF GPA NO. 2021-04, CHANGE OF ZONE NO. 21-0045, TENTATIVE TRACT MAP NO. 38155 AND PLOT PLAN NO. 21-0045 FOR A 62-UNIT TOWNHOME COMMUNITY LOCATED ON NORTHEAST CORNER OF MONTE VISTA DRIVE AND SUMMER SAGE WAY (APN: 367-502-002, 367-502-003, 367-502-004)

2. Adopt a Resolution entitled:

RESOLUTION NO. 2021 - \_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 2021-04 (PA 21-0045) TO CHANGE THE EXISTING LAND USE DESIGNATION FROM BUSINESS PARK (BP) TO HIGH DENSITY RESIDENTIAL (HDR) FOR A 7.93-ACRE SITE LOCATED ON NORTHEAST CORNER OF MONTE VISTA DRIVE AND SUMMER SAGE WAY (APN: 367-502-002, 367-502-003, 367-502-004)

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

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING CHANGE OF ZONE NO. 21-0045 TO CHANGE THE EXISTING ZONING DESIGNATION FROM C-O (COMMERCIAL OFFICE) TO R-3 (GENERAL RESIDENTIAL) FOR A 7.93-ACRE SITE LOCATED ON NORTHEAST CORNER OF MONTE VISTA DRIVE AND SUMMER SAGE WAY (APN: 367-502-002, 367-502-003, 367-502-004)

4. Adopt a Resolution entitled:

RESOLUTION NO. 2021 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 38155 (PA NO. 18-0034) TO SUBDIVIDE A 7.93-ACRE SITE INTO ONE SIX (6) LOTS FOR CONDOMINIUM PURPOSES TO FACILITATE THE DEVELOPMENT OF A 62-UNIT TOWNHOME PROJECT LOCATED ON NORTHEAST CORNER OF MONTE VISTA DRIVE AND SUMMER SAGE WAY (APN: 367-502-002, 367-502-003, 367-502-004)

5. Adopt a Resolution entitled:

RESOLUTION NO. 2021 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING PLOT PLAN/FSPD NO. 21-0045 TO DEVELOP A 62-UNIT TOWNHOME COMMUNITY WITH RELATED ON-SITE/OFF-SITE IMPROVEMENTS, SUBJECT TO CONDITIONS, ON A 7.93-ACRE SITE LOCATED ON NORTHEAST CORNER OF MONTE VISTA DRIVE AND SUMMER SAGE WAY (APN: 367-502-002, 367-502-003, 367-502-004)

**2.2 Development Impact Fee Update Study (CIP 023)**

**RECOMMENDATION:** Staff recommends that the City Council:

1. Conduct a Public Hearing to receive testimony regarding the Development Impact Fee Study Update Report dated December 2, 2021 for the City of Wildomar; and

2. Adopt a Resolution entitled:

RESOLUTION NO. 2021 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING THE "CITY OF WILDOMAR IMPACT FEE STUDY" AND ESTABLISHING AND INCREASING DEVELOPMENT IMPACT FEES APPLICABLE TO ALL DEVELOPMENT IN THE CITY OF WILDOMAR

### **3.0 GENERAL BUSINESS**

- 3.1 COVID-19 Update**  
**RECOMMENDATION:** Staff recommends that the City Council receive and file the COVID-19 update and provide direction as desired.
- 3.2 Fifth Amendment to the Franchise Agreement between the City and CR&R**  
**RECOMMENDATION:** Staff recommends that the City Council approve the Fifth Amendment to the Franchise Agreement between the City and CR&R Incorporated and authorize the City Manager to sign it. This amendment would be effective January 1, 2022.
- 3.3 Fifth Amendment to the Franchise Agreement between the City and Waste Management**  
**RECOMMENDATION:** Staff recommends that the City Council approve the Fifth Amendment to the Franchise Agreement between the City and Waste Management and authorize the City Manager to sign it. This amendment would be effective January 1, 2022.
- 3.4 2022 Parks and Community Services Special Event Dates**  
**RECOMMENDATION:** Staff recommends that the City Council approve the Parks and Community Services special events calendar through 2022.
- 3.5 Agreement for the position of City Manager**  
**RECOMMENDATION:** Staff recommends that the City Council approve the attached Employment Agreement between the City of Wildomar and Dan York for the position of City Manager.
- 3.6 Appointment of Mayor and Mayor Pro Tem for 2022**  
**RECOMMENDATION:** Staff recommends that the City Council appoint a Mayor and Mayor Pro Tem for 2022.
- 3.7 Committees, Commissions, and Boards Appointment for 2022**  
**RECOMMENDATION:** Staff recommends that the City Council review the list of committees, commissions, and boards and approve/change appointments, and/or delete Subcommittees as appropriate.

### **CITY MANAGER REPORT**

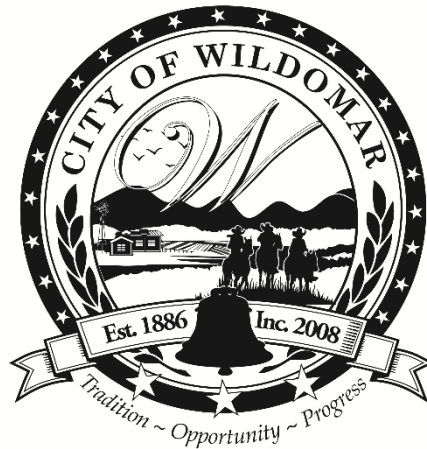
## **FUTURE AGENDA ITEMS**

*Title- Councilmember-Anticipated Date*

1. Salary and Benefits Survey- Benoit – Mar 2022
2. Litter/illegal Dumping Fees and related signage- Moore – ~~Dec 2021~~ Jan 2022
3. Update from MSJC College regarding 2014 Bond Funding – Morabito - TBD
4. Flag Policy – Morabito – Feb 2022
5. Letter from City to State Representatives re: changing law of 602 letters- Morabito

## **ADJOURN THE CITY COUNCIL MEETING**

***In accordance with Government Code Section 54952.3, I, Janet Morales, 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.***



Dustin Nigg, Chair  
Ben J. Benoit, Vice Chair  
Bridgette Moore, Trustee  
Joseph Morabito, Trustee  
Marsha Swanson, Trustee

Gary Nordquist  
General Manager

Thomas D. Jex  
District Counsel

## **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 Minutes – November 10, 2021 Regular Meeting**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Minutes as presented.

##### **4.2 Warrant Register**

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

1. Warrant Register dated 11-04-2021 in the amount of \$7,717.25.
2. Warrant Register dated 11-11-2021 in the amount of \$796.97.
3. Warrant Register dated 11-18-2021 in the amount of \$3,929.00.
4. Warrant Register dated 11-24-2021 in the amount of \$262.01.

##### **4.3 Treasurer's Report**

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Treasurer's Report for October 2021.

## **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 THE WILDOMAR CEMETERY DISTRICT MEETING**

**REPORTS:** All agenda items and reports are available for review at City Hall, 23873 Clinton Keith Road and on the City's website at the following address: [http://www.cityofwildomar.org/government/agendas\\_\\_\\_minutes](http://www.cityofwildomar.org/government/agendas___minutes). 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 by appointment for public inspection at City Hall during regular business hours.

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, Janet Morales, Wildomar City Clerk, do certify that at least 72 hours prior to the meeting, a true and correct copy of this agenda was posted at Wildomar City Hall, 23873 Clinton Keith Road; U.S. Post Office, 21392 Palomar Street; Wildomar Library, 34303 Mission Trail Blvd; and on the City's website at [www.cityofwildomar.org](http://www.cityofwildomar.org).



Janet Morales, CMC  
City Clerk

Dated: December 10, 2021