



# City of Lake Elsinore

183 North Main Street  
Lake Elsinore, CA 92530

## Regular Agenda City Council / Successor Agency

*Natasha Johnson, Mayor*  
*Steve Manos, Mayor Pro-Tem*  
*Daryl Hickman, Council Member*  
*Robert E. "Bob" Magee, Council Member*  
*Brian Tisdale, Council Member*

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Tuesday, July 10, 2018

7:00 PM

Cultural Center

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### **CLOSED SESSION at 5:00 PM**

### **PUBLIC SESSION at 7:00 PM**

The City of Lake Elsinore appreciates your attendance. Citizens' interest provides the Council and Agency with valuable information regarding issues of the community.

Meetings are held on the 2nd and 4th Tuesday of every month. In addition, meetings are televised live on Spectrum Cable Station Channel 29 and Frontier subscribers can view the meetings on Channel 31.

If you are attending this meeting, please park in the parking lot across the street from the Cultural Center. This will assist us in limiting the impact of meetings on the Downtown Business District. Thank you for your cooperation.

The agenda is posted 72 hours prior to each meeting outside of City Hall and is available at each meeting. The agenda and related reports are also available at City Hall on the Friday prior to the meeting and are available on the City's website at [www.Lake-Elsinore.org](http://www.Lake-Elsinore.org). Any writings distributed within 72 hours of the meeting will be made available to the public at the time it is distributed to the City Council.

In compliance with the Americans with Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk's Department at (951) 674-3124 Ext. 269, at least 48 hours before the meeting to make reasonable arrangements to ensure accessibility.

### **CITY VISION STATEMENT**

The City of Lake Elsinore will be the ultimate lake destination where all can live, work and play, build futures and fulfill dreams.

**CALL TO ORDER 5:00 P.M.****ROLL CALL****PUBLIC COMMENTS****CITY COUNCIL CLOSED SESSION**

## 1) CONFERENCE WITH REAL PROPERTY NEGOTIATOR

(Government Code Section 54956.8)

Property: APN 374-174-010

Agency Negotiator: City Manager Yates

Negotiating Parties: Ricardo Solano (Guadalajara Restaurant)

Under Negotiation: Price and terms of payment or lease

## 2) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Gov't Code Section 54956.9: 1 potential case

**SUCCESSOR AGENCY CLOSED SESSION**

## CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 potential case

**RECESS - The meeting will recess to Closed Session****RECONVENE - 7:00 P.M.****PLEDGE OF ALLEGIANCE****INVOCATION – MOMENT OF SILENCE****ROLL CALL****CLOSED SESSION REPORT****PUBLIC COMMENTS – NON-AGENDIZED ITEMS – 1 MINUTE**

*(Please read & complete a Request to Address the City Council/Successor Agency form prior to the start of the meeting and turn it in to the City Clerk/Clerk. The Mayor/Chair or City Clerk/Clerk will call on you to speak.)*

**CITY COUNCIL CONSENT CALENDAR**

*(All matters on the Consent Calendar are approved in one motion, unless a Council Member or any member of the public requests separate action on a specific item.)*

1) **CC Warrant List Dated June 28, 2018**

**Recommendation:** Receive and file.

**Attachments:**      [Warrant - SR](#)  
[Warrant - Exhibit A - Summary](#)  
[Warrant - Exhibit B - List](#)

2)                    **Minutes of the Regular Meetings of June 12 and 26th, and the Joint Meeting with the Successor Agency of June 26, 2018**

**Recommendation:** Approve the minutes.

**Attachments:**      [6-12-18 CC](#)  
[6-26-18 CC](#)  
[6-26-18 CC and SA](#)

3)                    **Amendment No. 4 - Extension of Agreement for Contract Services with Production Video**

**Recommendation:** Authorize the City Manager to execute Amendment No. 4 for a one year renewal term in an amount not to exceed \$16,000.00, in such final form as approved by the City Attorney.

**Attachments:**      [Video Services 2018 - SR](#)  
[Video Services 2018 - Exhibit A - Amendment No. 4](#)  
[Video Services 2018 - Exhibit B - Original Agreement](#)

4)                    **Award Contract to Horizons Construction Company for Concrete Curbs, Gutters, Drains and Asphalt Roads at the Campground**

**Recommendation:** Authorize the City Manager to execute the agreement in an amount not to exceed \$907,870.00, in such final form as approved by the City Attorney; and, authorize the City Manager to execute Change Orders not to exceed a 10 percent contingency amount of \$90,787.00 for underground uncertainties and adjustments.

**Attachments:**      [Roads Curbs Etc - SR](#)  
[Roads Curbs Etc - Exhibit A - Agreement](#)

5)                    **Amendment No. 4 to the Professional Services Agreement with Albert A. Webb Associates**

**Recommendation:** Authorize the City Manager to execute the amendment in the amount of \$193,440.00, in such final form as approved by the City Attorney.

**Attachments:**      [Albert Webb Amendment No. 4 - SR](#)  
[Albert Webb Amendment No. 4 - Exhibit A](#)  
[Albert Webb Amendment No. 4 - Exhibit B](#)

6)                    **Active Transportation Plan**

**Recommendation:** Authorize the City Manager to execute the Professional Services Agreement with Chen Ryan and Associates to prepare an Active Transportation Plan / Regional Commuter Based Access Plan.

**Attachments:**      [Active Transportation Plan - SR](#)  
[Active Transportation Plan - Exhibit A - Agreement](#)  
[Active Transportation Plan - Exhibit B - Proposal](#)

**7) Temescal Canyon Road Bridge Replacement Project**

**Recommendation:** adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE TEMESCAL CANYON ROAD BRIDGE REPLACEMENT PROJECT (ER 2018-00001); and,

adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FINDING THAT THE TEMESCAL CANYON ROAD BRIDGE REPLACEMENT PROJECT IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN; and, Direct staff to advertise for bids.

**Attachments:** [Temescal Cyn Rd Bridge Replacement - SR](#)  
[Temescal Cyn Rd Bridge Replacement - Exhibit A - CEQA Resolution](#)  
[Temescal Cyn Rd Bridge Replacement - CEQA Resolution - MMRP](#)  
[Temescal Cyn Rd Bridge Replacement - Exhibit B - MSHCP Resolution](#)  
[Temescal Cyn Rd Bridge Replacement - Exhibit C - Regional Location](#)  
[Temescal Cyn Rd Bridge Replacement - Exhibit D - Project Vicinity](#)  
[Temescal Cyn Rd Bridge Replacement - Exhibit E - Initial Study-MND](#)  
[Temescal Cyn Rd Bridge Replacement - Exhibit F - Comment Letters](#)  
[Temescal Cyn Rd Bridge Replacement - Exhibit G - E-mails in Support](#)

**8) Purchase Agreement with Miracle Playground Sales for the Purchase of a Vortex Watermark Model-S5 for the Campground Rehabilitation Project (CIP PROJECT #Z40007)**

**Recommendation:** Authorize the City Manager to execute a Purchase Order in the amount of \$126,965.00.

**Attachments:** [Watermark Feature - SR](#)  
[Watermark Feature - Exhibit A - Quote](#)

**9) Resolutions Confirming Fiscal Year 2018-19 Special Taxes for Community Facilities Districts and Assessment Districts**

**Recommendation:** adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF SPECIAL TAXES WITHIN EACH COMMUNITY FACILITIES DISTRICT LISTED BELOW FOR FISCAL YEAR 2018-19; and,

adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN ASSESSMENT DISTRICT NO. 93-1 (COTTONWOOD HILLS) FOR FISCAL YEAR 2018-19

**Attachments:** [CFD-AD Levy - SR](#)  
[CFD-AD Levy - Exhibit A - Resolution for CFD's](#)  
[CFD-AD Levy - Exhibit B - Resolution for AD93-1](#)

**10) Amendment No. 4 to Contract Services Agreement with West Coast Arborists, Inc. for Annual Citywide Tree Maintenance Services**

**Recommendation:** Approve and authorize the City Manager to execute Amendment No. 4 in the additional contract amount of \$56,000.00, bringing the total contract amount \$206,000.00, and extend the term of the contract for an additional 12-months, in such final form as approved by the City Attorney.

**Attachments:** [West Coast Arborist - SR](#)  
[West Coast Arborist - Exhibit A - Amendment No. 4](#)  
[West Coast Arborist - Exhibit A1 - Schedule of Compensation](#)  
[West Coast Arborist - Exhibit B - Amendment 3](#)  
[West Coast Arborist - Exhibit C - Amendment No. 2](#)  
[West Coast Arborist - Exhibit D - Amendment and Original Agreement](#)

**11) Professional Services Agreement with Development Management Group, Inc. (DMG Economics) Economic Consulting Services**

**Recommendation:** Authorize the City Manager to execute the agreement with for the period of Fiscal Years 2018/2019 through 2020/2021, in a final form approved by the City Attorney.

**Attachments:** [DMG - SR](#)  
[DMG - Exhibit A - Agreement](#)  
[DMG - Exhibit B - Corporate Profile](#)

**12) Periodic Review - First Amended and Restated Development Agreement (Summerly)**

**Recommendation:** That the City Council find McMillin Summerly LLC in good faith compliance with the terms of the First Amended and Restated Development Agreement.

**Attachments:** [Summerly DA Periodic Review - SR](#)  
[Summerly DA Periodic Review - Exhibit A Report](#)

**13) Approval of Parcel Map 37477**

**Recommendation:** Approve Parcel Map 37477, subject to the City Engineer's acceptance as being true and correct and authorize staff to record the map with the County Recorder's office.

**Attachments:** [Parcel Map 37477 - SR](#)  
[Parcel Map 37477 - Exhibit A - Construction Agreement](#)  
[Parcel Map 37477 - Exhibit B - Vicinity Map](#)  
[Parcel Map 37477 - Exhibit C - Parcel Map](#)

**SUCCESSOR AGENCY CONSENT CALENDAR**

**1) SA Warrant List Dated June 28, 2018**

**Recommendation:** Receive and file.

**Attachments:** [Warrant - SR](#)  
[Warrant - Exhibit A - Summary](#)  
[Warrant - Exhibit B - List](#)

**2) SA Minutes of the Regular Meeting of June 12th and 26th, and the Joint**

**Meetings with the City Council and the Public Financing Authority of  
June 26th, 2018**

**Recommendation:** Approve the minutes.

**Attachments:** [6-12-18 SA](#)  
[6-26-18 SA](#)  
[6-26-18 CC and SA](#)  
[6-26-18 PFA & SA](#)

**3) Resolutions Confirming Fiscal Year 2018-19 Special Taxes for Community  
Facilities District No. 90-2 (Tuscany Hills Public Improvements)**

**Recommendation:** adopt A RESOLUTION OF THE CITY COUNCIL AS THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF LAKE ELSINORE, CALIFORNIA, REQUESTING THE TAX COLLECTOR OF THE COUNTY OF RIVERSIDE TO PLACE SPECIAL TAXES ON PROPERTIES WITHIN COMMUNITY FACILITIES NO. 90-2

**Attachments:** [CFD 90-2 SA LEVY - SR](#)  
[CFD 90-2 SA LEVY - Exhibit A - Resolution](#)

**BUSINESS ITEM(S)**

**14) Special Tax Bonds for Community Facilities District No. 2016-2 (Canyon  
Hills)**

**Recommendation:** adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF THE CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2016-2 (CANYON HILLS) AUTHORIZING THE ISSUANCE OF ITS SPECIAL TAX BONDS, SERIES 2018 IN A PRINCIPAL AMOUNT NOT TO EXCEED \$23,000,000.00 AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

**Attachments:** [CFD 2016-2 \(Canyon Hills\) - SR](#)  
[CFD 2016-2 \(Canyon Hills\) - Exhibit A - Resolution](#)  
[CFD 2016-2 \(Canyon Hills\) - Exhibit B - Preliminary Official Statement](#)  
[CFD 2016-2 \(Canyon Hills\) - Exhibit C - Bond Indenture](#)  
[CFD 2016-2 \(Canyon Hills\) - Exhibit D - Continuing Disclosure Certificate](#)  
[CFD 2016-2 \(Canyon Hills\) - Exhibit E - Bond Purchase Agreement](#)  
[CFD 2016-2 \(Canyon Hills\) - Exhibit F - Project Map](#)  
[CFD 2016-2 \(Canyon Hills\) - Exhibit G - Appraisal](#)

**15) Joint Powers Agreement with Western Community Energy**

**Recommendation:** adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING MEMBERSHIP IN THE WESTERN COMMUNITY ENERGY JOINT POWERS AUTHORITY; and,

introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM

**Attachments:** [Western Community Energy - SR](#)  
[Western Community Energy - Exhibit A - Reso.](#)  
[Western Community Energy - Exhibit B - Agreement](#)  
[Western Community Energy - Exhibit C - Ord.](#)  
[Western Community Energy - Exhibit D - Bylaws](#)

**16) Amend Sections 19.12.140, 19.12.150, and 19.12.160 of the Lake Elsinore Municipal Code (LEMC) Regarding Certain Development Agreement Procedures**

**Recommendation:** Introduce by title only and waive further reading AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING LAKE ELSINORE MUNICIPAL CODE (LEMC) SECTIONS 19.12.140, 19.12.150, AND 19.12.160 CONCERNING PERIODIC REVIEW OF AND MODIFICATION OR TERMINATION OF DEVELOPMENT AGREEMENTS

**Attachments:** [Development Agreement Ordinance - SR](#)  
[Development Agreement Ordinance - Exhibit A](#)

**17) Security Alarm Systems Municipal Code and False Alarm Enforcement**

**Recommendation:** Review and discuss the active enforcement of existing LEMC Chapter 9.30 regarding Security Alarm Systems; and, direct the Public Safety Advisory Commission and City Attorney to review for proposed amendments for consideration by the City Council.

**Attachments:** [Security Alarm Systems Enforcement - SR](#)  
[Security Alarm Systems Enforcement - Exhibit A Municipal Code](#)

**18) User Fees and Cost Allocation Plan**

**Recommendation:** adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING THE USER FEES AND COST ALLOCATION PLAN

**Attachments:** [User Fee - SR](#)  
[User Fee - Exhibit A-1 - Resolution](#)  
[User Fee - Exhibit A-2 - Proposed User Fees](#)  
[User Fee - Exhibit B - User Fee Study Report](#)  
[User Fee - Exhibit C - Cost Allocation Plan Report](#)  
[Supplemental Info Item No. 18 - Rod Oshita Letter](#)  
[Supplemental Info Item No. 18 - BIA](#)

**PUBLIC COMMENTS – NON-AGENDIZED ITEMS – 3 MINUTES**

*(Please read & complete a Request to Address the City Council/Successor Agency form prior to the start of the meeting and turn it in to the City Clerk/Clerk. The Mayor/Chair or City Clerk/Clerk will call on you to speak.)*

**CITY MANAGER COMMENTS**

**CITY ATTORNEY COMMENTS**

**CITY COUNCIL COMMENTS**

**ADJOURNMENT**

The Lake Elsinore City Council will adjourn to the Regular meeting of Tuesday, July 24, 2018, at 7:00 p.m. in the Cultural Center located at 183 N. Main Street, Lake Elsinore.

**AFFIDAVIT OF POSTING**

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, do hereby affirm that a copy of the foregoing agenda was posted at City Hall at \_\_\_\_\_ p.m. on July 5, 2018.

\_\_\_\_\_  
Susan M. Domen, MMC  
City Clerk