



**City of Lake Elsinore
Meeting Minutes
City Council
Tuesday, January 10, 2017**

Call to Order

A Regular meeting of the Council of the City of Lake Elsinore was held in the Cultural Center, 183 North Main Street, on the above date. The meeting was called to order at 5:03 p.m. by Mayor Magee, with all Members present. There being no members of the public appearing to speak, the meeting recessed at 5:04 p.m. to Closed Session.

Closed Session

1) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Gov't Code § 54956.9)
Pacific Clay Products, Inc. v. City of Lake Elsinore
Superior Court Case No. RIC 1608797

2) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Gov't Code § 54956.9)
Pacific Clay Products, Inc. v. City of Lake Elsinore
Superior Court Case No. RIC 1611695

3) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Gov't Code § 54956.9)
Castle & Cooke Alberhill Homebuilding, Inc. v. City of Lake Elsinore
Superior Court Case No. RIC 1610778

4) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Gov't Code § 54956.9)
(REQUEST FOR AMICUS)
Earthjustice v. City of Moreno Valley
Superior Court Case No. RIC 1602094

5) CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Gov't Code Section 54956.8)
Property: APNs 374-174-013, 374-174-016
Agency negotiator: City Manager Yates
Negotiating parties: City of Lake Elsinore and Thomas Anthony Martin DBA The Wreck
Under negotiation: Price and terms of payment

6) CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Gov't Code Section 54956.8)
Property: APN 379-050-024-4
Agency negotiator: City Manager Yates
Negotiating parties: City of Lake Elsinore and Cottage Lane
Under negotiation: Price and terms of payment

Reconvene

The meeting reconvened the meeting at 7:01 p.m.

Pledge of Allegiance

The Pledge of Allegiance to the Flag was led by Mayor Magee.

Invocation – Moment of Silence

Mayor Magee requested a moment of silence.

Roll Call

Present: Council Members Hickman, Manos and Tisdale; Mayor Pro Tem Johnson and Mayor Magee

Absent: None

Presentations / Ceremonials

- 1) Recognition of Mayoral Year - Mayor Magee presented a gavel plaque to Council Member Tisdale commemorating his year as Mayor.

Closed Session Report

City Attorney Leibold listed the items discussed by Council and reported that the meeting would recess back to Closed Session for Item Nos. 1 and 2.

Public Comments – Non-Agendized Items

Appearing to speak were: Monty Jordan, Ace Vallejos, Pam Ayres and Paulie Tehrani

CONSENT CALENDAR

It was moved by Council Member Tisdale, seconded by Council Member Manos, and unanimously carried, to approve the Consent Calendar.

Item No. 7 was continued to the January 24, 2017, meeting.

- 1) Minutes of the Regular meeting of December 13th and the Cancelled meeting of December 27, 2016 – approved.
- 2) Waive further reading and adopt by title only AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2016-2 (CANYON HILLS) AUTHORIZING THE LEVY OF SPECIAL TAXES – adopted Ordinance No. 2017-1366.
- 3) Waive further reading and adopt by title only AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2007-4 (MAKENNACOURT) AUTHORIZING THE LEVY OF A SPECIALTAX WITHIN SUCH DISTRICT – adopted Ordinance No. 2017-1367.

- 4) Amendment No. 3 to Increase Award Amount for Endresen Development a General Contractor Service Agreement – authorized the City Manager to execute the amendment increasing the amount by \$30,000, for a total not to exceed amount of \$120,000.
- 5) Meeting Dates 2017 – approved the calendar for Council and Successor Agency Regular meetings and the cancellation of December 26, 2017, meetings.
- 6) Public Works Construction Contract Award for CDBG/SB821 Sidewalk Improvements CIP Project No. Z10010 & Z10041 - awarded the agreement to Black Rock Construction; authorized the City Manager to execute the Agreement in the amount of \$324,725; authorized the City Manager to execute change orders not to exceed the 15% contingency amount of \$48,708.75; and, authorized the City Engineer to record the Notice of Completion once it is determined the work is complete and the improvements are accepted into the City maintained roadway network.
- 7) State Relinquishment of Route 74 between Interstate 15 and Mauricio Avenue – continued to January 24, 2017.
- 8) Approve Change Order Nos. 1, 2 and 3 to the Agreement for Emergency Repairs at the Lake Elsinore Senior Activity Center with Maples and Associates for On-Call Services – authorized the City Manager to execute Change Order No. 1 in the amount of \$23,700; Change Order No. 2 in the amount of \$88,878; Change Order No. 3 in the amount of \$43,000; and, appropriated an additional \$120,000 for the Senior Center Capital Improvement Project to the \$250,000 currently budgeted which also includes an amount for administration and project management.
- 9) Annual Continuing Disclosure Reports – received and filed.
- 10) Annual Bond Accountability Report for Fiscal Year 2015-16 – received and filed.
- 11) Housing Successor Annual Report for Fiscal Year 2015-16 – received and filed.
- 12) Settlement and Release Agreement (WRCOG) - authorized the Mayor to execute the agreement.
- 13) Agreement and Escrow Instructions for Purchase and Sale of Real Property (APN 374-174-016) – approved the agreement and escrow instructions; authorized the Mayor to execute the agreement; and, directed the City Manager to execute the certificate of acceptance.

Business Item(s)

14) Community Opinion Survey Summary Report

City Manager Yates provided an overview of the item and introduced Dr. Tim McLarney from True North Research, who presented a Power Point presentation and discussed the results of the survey.

Dr. McLarney responded to questions from Council.

It was moved by Mayor Pro Tem Johnson, seconded by Council Member Manos, and unanimously carried, to receive and file the report.

15) Railroad Canyon Interchange Project Update

City Engineer Fagrell presented a Power Point presentation and announced that a Public Meeting on the project will be held February 1st.

Engineer Fagrell and City Manager Yates responded to comments from Council.

It was moved by Mayor Pro Tem Johnson, seconded by Council Member Manos, and unanimously carried, to receive and file.

16) Mayoral Recommended Appointment List

Mayor Magee discussed the three changes to the assignments on the committees and introduced the two new committees: Red Tape and International Mayor.

It was moved by Council Member Hickman, seconded by Mayor Pro Tem Johnson, and unanimously carried, to approve the appointments to various Committees, Subcommittees and Ad Hoc Committees.

Recess / Reconvene

The meeting recessed to the Successor Agency meeting at 7:58 p.m. and reconvened at 7:59 p.m. with all Members present.

City Council Comments

Council Member Hickman wished everyone a happy New Year; reported 202 gifts were given out to Head Start children at Rail Road Canyon, Lakeland Village, and Machado elementary schools; and thanked the people who donated money for the Lady Lancer mural at Lakeside High School.

Public Comments – Non Agendized Items

Appearing to speak were: Chris Hyland and Bentley Brown.

City Council Comments

Council Member Hickman thanked the Mayor and Council for his appointment as International Mayor; and, congratulated Sr. Analyst Dailey on her newborn baby.

Council Member Manos wished everyone a happy New Year; listed items on Consent Calendar that did not have discussion; stated he loved the community survey; and, noted he looks forward to working with colleagues and the community.

Mayor Pro Tem Johnson congratulated Sr. Analyst Dailey and her family; reported she attended the Economic Development Subcommittee meeting with retailers for the outlet; stated she is excited about the community survey; and, thanked the Mayor for the appointments to subcommittees.

Mayor Magee announced the Healthy LE Park Tour Challenge and the Spartan Race; stated the Fishing report will be on the website and asked Staff to work with businesses to improve access and opening of more fishing areas; announced there will be a photo contest with a winner every month and the winning photos will be used to create a calendar, the time capsule items are available for viewing starting January 24th, and planning is underway for the Lake Elsinore Grand Prix; commented on the homeless encampments around the lake and requested Staff to request a game warden/park ranger from the State and Federal agencies to patrol the lake; and, requested the City Attorney to review applicable Ordinances to update for stronger enforcement.

Recess / Reconvene

The meeting recessed to Closed Session at 8:27 p.m. and reconvened at 9:12 p.m. with all Members present.

Adjournment

The meeting adjourned at 9:12 p.m. to Monday, January 23, 2017, at 6:00 p.m. in the Cultural Center located at 183 N. Main Street, in memory of John J. Benoit, Riverside County Supervisor.

Robert E. Magee
Mayor

Susan M. Domen, MMC
Clerk