



City of Lake Elsinore

183 N. Main Street
Lake Elsinore, CA 92530

Meeting Minutes - Draft City Council / Successor Agency

Brian Tisdale, Mayor
Robert E. Magee, Mayor Pro Tem
Timothy J. Sheridan, Council Member
Steve Manos, Council Member
Natasha Johnson, Council Member
Grant Yates, City Manager

Tuesday, July 14, 2020

7:00 PM

Cultural Center

CALL TO ORDER 6:00 P.M.

The Regular Meeting of the City Council was called to order at 6:00 p.m.

ROLL CALL

Present: 5 - Mayor/Chair Brian Tisdale, Mayor Pro Tem/Vice-Chair Robert E. Magee, Council Member/Agency Member Timothy J. Sheridan, Council Member/Agency Member Natasha Johnson and Council Member/Agency Member Steve Manos

PUBLIC COMMENTS

There were no public comments.

CITY COUNCIL CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Gov't Code Section 54956.8)
Property: APN 373-151-023
Agency negotiator: City Manager Yates
Negotiating parties: City of Lake Elsinore and Estate of Fred Dominquez
Under negotiation: Price and terms of payment
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:)
2 potential cases

RECESS

The City Council recessed into Closed Session at 6:02 p.m.

RECONVENE / CALL TO ORDER - 7:00 P.M.

The Regular Meeting of the City Council reconvened and the Regular Meeting of the Successor Agency was called to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Council Member Sheridan led the Pledge of Allegiance.

INVOCATION – MOMENT OF SILENCE**ROLL CALL**

Present: 5 - Mayor/Chair Brian Tisdale, Mayor Pro Tem/Vice-Chair Robert E. Magee, Council Member/Agency Member Timothy J. Sheridan, Council Member/Agency Member Natasha Johnson and Council Member/Agency Member Steve Manos

PRESENTATIONS / CEREMONIALS**1) Park and Recreation Month**

Proclaim the month of July 2020 as Park and Recreation Month.

Mayor Tisdale presented the Proclamation.

CLOSED SESSION REPORT

City Attorney Leibold reported that both items were discussed; however, no final action was taken.

PUBLIC COMMENTS – NON-AGENDIZED ITEMS – 1 MINUTE

Reggie Smith was called to speak.

CITY COUNCIL CONSENT CALENDAR**Approval of the City Council Consent Calendar**

Motion by Council Member Johnson, seconded by Mayor Pro Tem Magee, to approve the City Council Consent Calendar with Council Member Manos voting in opposition to Agenda Item No. 6 and Mayor Pro Tem voting in opposition to Agenda Item No. 14. The motion carried by the following vote:

Aye: 5 - Mayor/Chair Tisdale, Mayor Pro Tem/Vice-Chair Magee, Council Member/Agency Member Sheridan, Council Member/Agency Member Johnson and Council Member/Agency Member Manos

2) Minutes of the Regular City Council Meeting of June 23, 2020

Approve the Minutes.

This item was approved on the City Council Consent Calendar.

3) Second Reading of Ordinance Regarding Annexation No. 9 to CFD 2015-2 (Maintenance Services)

Adopt by title only and waive further reading of AN ORDINANCE AMENDING ORDINANCE NO. 2016-1359 OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2015-2 OF THE CITY OF LAKE ELSINORE (MAINTENANCE SERVICES) AUTHORIZING THE LEVY OF SPECIAL TAXES.

This item was approved on the City Council Consent Calendar.

4) **Second Reading of Ordinance Regarding Change Proceedings for CFD 2006-4 (Rosetta Hills)**

Adopt by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2006-4 (ROSETTA HILLS) AUTHORIZING THE LEVY OF SPECIAL TAXES.

This item was approved on the City Council Consent Calendar.

5) **Second Reading of Ordinance Regarding Development Agreement No. 2019-06 (Vista Prime Management, LLC)**

Adopt by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT NO. 2019-06 FOR A 5,369 SF CANNABIS FACILITY AT 31875 CORYDON SUITE 140 (APN:370-051-010).

This item was approved on the City Council Consent Calendar.

6) **Second Reading of Ordinance Regarding Development Agreement No. 2019-03 (Rahman and Associates, LLC)**

Adopt by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT NO. 2019-03 TO ESTABLISH A 17,037 SF CANNABIS FACILITY LOCATED AT 18990 SPRING ST. (APN:377-220-024).

This item was approved on the City Council Consent Calendar.

Aye: 4 - Mayor/Chair Tisdale, Mayor Pro Tem/Vice-Chair Magee, Council Member/Agency Member Sheridan and Council Member/Agency Member Johnson

Nay: 1 - Council Member/Agency Member Manos

7) **CC Warrant List for June 2020**

Receive and file.

This item was approved on the City Council Consent Calendar.

8) **CC Investment Report for May 2020**

Receive and file.

This item was approved on the City Council Consent Calendar.

9) **Amendment No. 4 to the Professional Services Agreement with Hartzog & Crabill, Inc.**

Approve Amendment No. 4 to the Agreement for Professional Services with Hartzog and Crabill, Inc. for On-call Traffic Operations Services and authorize the City Manager to execute the Agreement in an amount not to exceed of \$3,596 in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

10) **Award of Contract with STC Traffic, Inc. for Traffic Signal Operations On-Call Services**

Authorize the City Manager to execute a Professional Services Agreement with STC Traffic, Inc. to provide on-call traffic signal operations services in an amount not to exceed \$30,000 per year and in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

11) **Award of Contract with Weka, Inc. for the Larson Road Storm Drain, Water, and Road Improvement Project No. Z10061**

Authorize the City Manager to execute an Agreement with Weka, Inc. for the Larson Road Storm Drain, Water, and Road Improvement Project No. Z10061 in an amount of \$623,725.00, authorize the City Manager to execute change orders not to exceed 10% contingency amount of \$ 62,372.50, and authorize City Clerk 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.

This item was approved on the City Council Consent Calendar.

12) **Award of Professional Services Agreement with GeoMat Testing Laboratories, Inc. for the Larson Road Storm Drain, Water, and Road Improvement Project No. Z10061**

Award a Professional Services Agreement with GeoMat Testing Laboratories, Inc. for the Larson Road Storm Drain, Water, and Road Improvement Project No. Z10061 in the amount of \$34,460 and in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

13) **Award of Contract with DDL Traffic, Inc. for Central Avenue Emergency Vehicle Preemption Equipment and Installation**

Authorize the City Manager to execute an Agreement with DDL Traffic, Inc. for GPS and Infrared Emergency Vehicle Preemption Equipment and Installation in an amount not to exceed \$55,818.33 in such final form as approved by City Attorney.

This item was approved on the City Council Consent Calendar.

14) Award of Professional Services Agreement with PlainJoe Studios for Website Content

Authorize the City Manager to execute a Professional Services Agreement with PlainJoe Studios for website maintenance and monthly updates for content, photos, and technical support in the amount of \$27,000 and in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

Aye: 4 - Mayor/Chair Tisdale, Council Member/Agency Member Sheridan, Council Member/Agency Member Johnson and Council Member/Agency Member Manos

Nay: 1 - Mayor Pro Tem/Vice-Chair Magee

15) Amendment No. 4 to the Professional Services Agreement with Dost Engineering for Project Management and Civil Engineering Services

Authorize the City Manager to execute Amendment No. 4 to the Agreement for Professional Services with Dost Engineering for Project Management and Civil Engineering Services in the amount of \$3,700 in such final form as approved by City Attorney.

This item was approved on the City Council Consent Calendar.

16) Award of Construction Agreement with Maples and Associates, Inc. for the Public Works Office Building Project (CIP Project No. Z20023)

1. Award a Construction Agreement to Maples and Associates, Inc. for the Public Works Office Building Project (CIP Project No. Z20023);
2. Approve, appropriate, and authorize the City Manager to execute the Agreement with Maples and Associates, Inc. in an amount not to exceed \$687,691.00 in the form attached and in such final form as approved by the City Attorney; and
3. Authorize the City Manager to execute change orders not to exceed a 10% contingency amount of \$68,769.00 for underground uncertainties and adjustments.

This item was approved on the City Council Consent Calendar.

17) Amendment No. 2 to the Agreement with Hemet Fence Corporation to Extend the Agreement for Park Upgrades for Fiscal Year 2020-21

Approve Amendment No. 2 to the Agreement with Hemet Fence Corporation to extend the Agreement for park upgrades for Fiscal Year 2020-21 in an amount not to exceed \$30,000 and authorize the City Manager to execute the agreement in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

18) Amendment No. 2 to the Professional Services Agreement with The Lew Edwards Group for Continued Engagement and Communication Services

Authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with The Lew Edwards Group to provide continued engagement and communication services in an amount not to exceed \$28,750 in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

19) Award of Agreement to Above All Names Construction Services, Inc., for Contractor Services for the Annual Curb, Gutter, and Sidewalk Repair Program CGS20 - CIP No. Z10001

Authorize the City Manager to execute an Agreement with Above All Names Construction Services, Inc. for Contractor Services for the Annual Curb, Gutter, and Sidewalk Repair Program CGS20 - CIP No. Z10001, in an amount not to exceed \$300,000 per Fiscal Year, in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

SUCCESSOR AGENCY CONSENT CALENDAR

Approval of the Successor Agency Consent Calendar

Motion by Vice-Chair Magee, seconded by Agency Member Manos, to approve the Successor Agency Consent Calendar. The motion carried by the following vote:

Aye: 5 - Mayor/Chair Tisdale, Mayor Pro Tem/Vice-Chair Magee, Council Member/Agency Member Sheridan, Council Member/Agency Member Johnson and Council Member/Agency Member Manos

20) Minutes of the Regular Successor Agency Meeting of June 23, 2020

Approve the Minutes.

This item was approved on the Successor Agency Consent Calendar.

21) SA Warrant List for June 2020

Receive and file.

This item was approved on the Successor Agency Consent Calendar.

22) SA Investment Report for May 2020

Receive and file.

This item was approved on the Successor Agency Consent Calendar.

SUCCESSOR AGENCY BUSINESS ITEM**23) Issuance and Sale of Third Lien Tax Allocation Bonds and Approving the Form of a First Supplemental Indenture of Trust, Bond Purchase Contract, Continuing Disclosure Certificate and Related Documents and Authorizing Certain Other Actions in Connection Therewith**

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AUTHORIZING THE ISSUANCE AND SALE OF THIRD LIEN TAX ALLOCATION BONDS AND APPROVING THE FORM OF A FIRST SUPPLEMENTAL INDENTURE OF TRUST, BOND PURCHASE AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE AND RELATED DOCUMENTS AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

A motion was made by Vice-Chair Magee, seconded by Agency Member Sheridan, to adopt the Resolution.

Aye: 5 - Mayor/Chair Tisdale, Mayor Pro Tem/Vice-Chair Magee, Council Member/Agency Member Sheridan, Council Member/Agency Member Johnson and Council Member/Agency Member Manos

PUBLIC HEARINGS**24) Public Hearing to Approve Placing Delinquent Refuse Bills on the Fiscal Year 2020-21 Tax Roll**

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FOR DELINQUENT RESIDENTIAL REFUSE FEES AND DIRECT STAFF TO PLACE SPECIAL ASSESSMENTS AGAINST THE PROPERTIES LISTED IN THE ITEMIZED REPORT ON FILE WITH THE CITY CLERK'S OFFICE.

The Public Hearing was opened at 7:16 p.m.

City Engineer Habib provided a presentation.

There were no public comments.

The Public Hearing was closed at 7:19 p.m.

A motion was made by Mayor Pro Tem Magee, seconded by Council Member Johnson, to adopt the Resolution. The motion carried by the following vote:

Aye: 5 - Mayor/Chair Tisdale, Mayor Pro Tem/Vice-Chair Magee, Council Member/Agency Member Sheridan, Council Member/Agency Member Johnson and Council Member/Agency Member Manos

25) Public Hearing on the Citywide Landscaping and Street Lighting District and the Landscaping and Street Lighting Maintenance District No. 1 for Fiscal Year 2020-21

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, CONFIRMING A DIAGRAM AND ASSESSMENT AND PROVIDING FOR ANNUAL ASSESSMENT LEVY AFTER FORMATION OF A DISTRICT FOR FISCAL YEAR 2020-21 FOR THE CITYWIDE LLMD; and
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, CONFIRMING A DIAGRAM AND ASSESSMENT AND PROVIDING FOR ANNUAL ASSESSMENT LEVY AFTER FORMATION OF A DISTRICT FOR FISCAL YEAR 2020-21 FOR THE LLMD NO.1.

The Public Hearing was opened at 7:20 p.m.

Assistant City Manager Simpson provided a presentation.

There were no public comments.

The Public Hearing was closed at 7:23 p.m.

A motion was made by Council Member Manos, seconded by Council Member Johnson, to adopt the two Resolutions. The motion carried by the following vote:

Aye: 5 - Mayor/Chair Tisdale, Mayor Pro Tem/Vice-Chair Magee, Council Member/Agency Member Sheridan, Council Member/Agency Member Johnson and Council Member/Agency Member Manos

26) Public Hearing to Consider Planning Application No. 2016-112 (Kassab Travel Center) - A New 8,360 Sq. Ft. Convenience Store with 3 Quick-Serve Restaurants, Two Gas-Dispensing Areas, and a 2,543 Sq. Ft. Drive-Through Restaurant

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (ER 2018-02) (SCH NO. 2019029048) FOR MUNICIPAL CODE AMENDMENT NO. 2017-02, CONDITIONAL USE PERMIT NO. 2018-03, AND COMMERCIAL DESIGN REVIEW NO. 2016-17;
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING FINDINGS THAT MUNICIPAL CODE AMENDMENT NO. 2017-02, CONDITIONAL USE PERMIT NO. 2018-03, AND COMMERCIAL DESIGN REVIEW NO. 2016-17 ARE CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP);
3. Introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING MUNICIPAL CODE AMENDMENT NO. 2017-02 AMENDING CHAPTER 17.132 OF THE LAKE ELSINORE MUNICIPAL CODE REGARDING DRIVE-THROUGH ESTABLISHMENTS IN THE COMMERCIAL MANUFACTURING (C-M) DISTRICT;
4. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2018-03 TO ESTABLISH THE KASSAB TRAVEL CENTER LOCATED AT APNS: 378-030-007 AND 009; and

5. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2016-17 PROVIDING BUILDING DESIGN AND RELATED IMPROVEMENTS FOR THE KASSAB TRAVEL CENTER LOCATED AT APNS: 378-030-007 AND 009.

The Public Hearing was opened at 7:26 p.m.

Community Development Director Taylor provided a presentation.

Evelyn Heidelberg was called to speak.

The Public Hearing was closed at 7:41 p.m.

A motion was made by Mayor Pro Tem Magee, seconded by Council Member Johnson, to adopt the four Resolutions and introduce the Ordinance. The motion carried by the following vote:

Aye: 5 - Mayor/Chair Tisdale, Mayor Pro Tem/Vice-Chair Magee, Council Member/Agency Member Sheridan, Council Member/Agency Member Johnson and Council Member/Agency Member Manos

BUSINESS ITEMS

27) Status of the Lake Elsinore Advanced Pumping Station (LEAPS) Project

Receive a presentation from staff regarding the status of the Lake Elsinore Advanced Pumping Station (LEAPS) Project, provide comments, and give direction to staff.

Community Development Director Taylor provided a presentation.

Council Member Manos expressed his opposition to the Project.

Mayor Pro Tem Magee announced a Virtual Community Workshop on this matter to be held on July 30, 2020 at 6:00 p.m. via Zoom and informed that Congressman Calvert has expressed opposition to the Project.

Council Member Johnson clarified the purpose of the Workshop.

Council Member Sheridan expressed his opposition to the Project and urged the community to participate in the Workshop and submit comments.

Mayor Tisdale inquired and City Manager Yates advised that the City can submit a letter to Congressman Calvert and the Federal Energy Regulatory Commission expressing the City's displeasure in their cancelling the community meeting that they promised to hold in the City.

28) Status of the Southern California Edison (SCE) Valley Ivyglen Project and Undergrounding

Receive a presentation from staff regarding the status of the Southern California Edison (SCE) Valley Ivyglen Project and Undergrounding, provide comments, and give direction to staff.

Community Development Director Taylor provided a presentation.

No action was taken.

PUBLIC COMMENTS – NON-AGENDIZED ITEMS – 3 MINUTES

There were no comments.

CITY MANAGER COMMENTS

City Manager Yates provided an update on the property purchased by the United States Postal Service for a new post office and requested suggestions for naming the facility.

CITY ATTORNEY COMMENTS

City Attorney Leibold had no comments.

CITY COUNCIL COMMENTS

Council Member Manos urged the community to respond to the 2020 Census.

Council Member Sheridan recognized the City of Lake Elsinore Diamond Stadium for winning the Best of the Ballparks 2020 High-A Honors; expressed the importance of the 2020 Census; and announced a virtual regional town hall event at 6:00 p.m. on Tuesday, July 21, 2020.

Mayor Pro Tem Magee spoke on the City of Canyon Lake holding a Special Meeting to discuss the feasibility of forming their own Fire Department and urged one of the City's subcommittees to engage in the conversation; announced that Grocery Outlet will be hosting its 10th annual Independence from Hunter food drive and urged the community to donate to the cause; and explained strategies to reduce illegal fireworks in Riverside County and requested that City staff contribute.

Mayor Tisdale provided updates related to the COVID-19 pandemic.

ADJOURNMENT

The Lake Elsinore City Council adjourned at 8:21 p.m. to the next Regular meeting of Tuesday, July 28, 2020 in the Cultural Center located at 183 N. Main Street. Closed Session will commence at 5:00 p.m. or such later time as noticed on the Agenda, and the regular Open Session business meeting will commence at 7:00 p.m.