



**City of Lake Elsinore
Meeting Minutes
City Council
Tuesday, February 14, 2017**

Call to Order

A Regular meeting of the City 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 5:01 p.m. by Mayor Magee, with all Members present. There being no members of the Public appearing to speak, the meeting recessed at 5:01 p.m. to Closed Session.

Closed Session

1) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Gov't Code Section 54957(B)): City Clerk

2) CONFERENCE WITH REAL PROPERTY NEGOTIATOR

(Gov't Code Section 54956.8)

Property: APN 373-023-026

Agency negotiator: City Manager Yates

Negotiating parties: City of Lake Elsinore and Estate of Mamie Miller Hunt

Under negotiation: Price and terms of payment

3) CONFERENCE WITH REAL PROPERTY NEGOTIATOR

(Gov't Code Section 54956.8)

Property: APN 377-231-028

Agency negotiator: City Manager Yates

Negotiating parties: City of Lake Elsinore and Fortunata Cruz

Under negotiation: Price and terms of payment

4) 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

5) 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

Reconvene

The Mayor reconvened the meeting at 7:00 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Chance Edmondson, Chairman of the Board for the Lake Elsinore Valley Chamber of Commerce.

Invocation

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

Closed Session Report

City Attorney Leibold listed the items discussed by Council and stated there was nothing to report out.

Public Comments – Non-Agendized Items

Appearing to comment were: Ace Vallejos and Paulie Tehrani.

Consent Calendar

It was moved by Mayor Pro Tem Johnson, seconded by Council Member Hickman, and unanimously carried, to approve the Consent Calendar.

Item Nos. 4, 6 and 7 were removed and are listed below.

- 1) Warrant List dated December 15 and 29, 2016, and January 12 and 26, 2017 – received and filed.
- 2) Minutes of the Regular Meetings of January 10th and 24th; and the Adjourned Meeting of January 23, 2017 – approved.
- 3) Final Map 31920-11, CalAtlantic Homes – approved Final Map No. 31920-11 subject to the City Engineer's acceptance as being true and correct; and, authorized the City Clerk to sign the map and arrange for the recordation of Final Map No. 31920-11.
- 5) Final Maps 28214-6, 7, and 8, KB Homes – approved the Final Maps subject to the City Engineer's acceptance as being true and correct; and, authorized the City Clerk to sign the map and arrange for the recordation of the Final Maps.
- 8) Three-Year Agreement with Environmental Systems Research Institute (ESRI) for Geographic Information System (GIS) to an Enterprise Software License Agreement – authorized the City Manager to execute the agreement in an annual amount of \$50,500.00, totaling \$151,500.00.
- 9) Agreement with Spicer Consulting Group, LLC (SCG) for Geographic Information System (GIS) for Consulting and Support Services – authorized the City Manager to execute the agreement in the amount of \$62,900.00.
- 10) Agreement with Albert A. Webb (Webb) for Engineering and Design Services on the Downtown Parking Lot Project – authorized the City Manager to execute the agreement in the amount of \$72,556.00.
- 11) First Amendment to the Professional Services Agreement (PSA) with Engineering Resources of Southern California Inc. for the Civil Engineering Services at La Laguna RV Resort Rehabilitation Project – authorized the City Manager to execute the amendment to the PSA dated May 31, 2016, in the amount of \$42,340.00.

- 12) County Service Area 152, Setting the Benefit Assessment Unit Rate for Fiscal Year 2017-18 for the City of Lake Elsinore to Fund the City's National Pollutant Discharge Elimination System (NPDES) Permit Compliance Activities – adopted the Resolution.

Resolution No. 2017-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, MAINTAINING COUNTY SERVICE AREA 152 AND AUTHORIZING THE BENEFIT ASSESSMENT UNIT RATE FOR FISCAL YEAR 2017-18 FOR THE CITY OF LAKE ELSINORE TO FUND THE CITY'S NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM

Items Removed from the Consent Calendar

- 4) Naming of a City Park, Christensen Community Park

Appearing to speak was: Ruth Atkinson.

It was moved by Council Member Manos, seconded by Mayor Pro Tem Johnson, and unanimously carried, to approve the naming for the 5.74 acre park site located in the Canyon Hills Specific Plan to Christensen Community Park.

Item Nos. 6 and 7 were discussed at the same time and passed by one motion.

- 6) Planning Application No. 2016-107 (Cottage Lane) - A Request by Frontier Communities for the Approval of Building Design and Construction of 41 Single-Family Residential Units

Principal Planner Kirk responded to comments from Council Member Tisdale and indicated the Conditions of Approval will be modified to reflect that adequate sidewalk space is provided for pedestrian access where streetlight poles and mailboxes are located; and, will make it a standard condition for future residential design reviews.

It was moved by Council Member Tisdale, seconded by Mayor Pro Tem Johnson, and unanimously carried, to adopt the Resolutions; and to add a standard condition that would require future residential design reviews to provide adequate sidewalk space for pedestrian access where streetlight poles and mailboxes are located.

Resolution No. 2017-022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FINDING THAT PLANNING APPLICATION NO. 2016-107 (RESIDENTIAL DESIGN REVIEW NO. 2016-25) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

Resolution No. 2017-023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2016-107 (RESIDENTIAL DESIGN REVIEW NO. 2016-25) PROVIDING BUILDING DESIGNS FOR 41 SINGLE-FAMILY DWELLING UNITS AND RELATED IMPROVEMENTS, FOR TRACT MAP NO. 32996, LOCATED WITHIN THE COTTAGE LANE SPECIFIC PLAN

- 7) Planning Application No. 2016-93: A Request by CalAtlantic Homes for the Approval of Building Design and Construction of 59 Single-Family Residential Units Ranging in Size from 2,300 Square Feet (SF) to 3,200 SF

It was moved by Council Member Tisdale, seconded by Mayor Pro Tem Johnson, and unanimously carried, to adopt the Resolutions; and to add a standard condition that would require future residential design reviews to provide adequate sidewalk space for pedestrian access where streetlight poles and mailboxes are located.

Resolution No. 2017-024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FINDING THAT PLANNING APPLICATION NO. 2016-93 IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

Resolution No. 2017-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2016-93 PROVIDING BUILDING DESIGNS FOR 59 SINGLE-FAMILY RESIDENTIAL UNITS RANGING IN SIZE FROM 2,300 SF to 3,200 SF LOCATED WITHIN TRACT 31920-11 OF THE SUMMERLY DEVELOPMENT OF THE EAST LAKE SPECIFIC PLAN (APN: 371-040-013)

Public Hearings

13) Planning Application 2016-109 (MaKenna Court): Extension of Time for Tentative Parcel Map No. 33486

The Public Hearing was opened at 7:11 p.m. There were no Conflict of Interest disclosures. City Clerk Domen affirmed receipt of Proof of Publication and noted that zero pieces of correspondence had been received.

Principal Planner Kirk presented a Power Point presentation noting this is the last extension of time for this map.

There were no members of the Public appearing to speak.

The Public Hearing was closed at 7:15 p.m.

Principal Planner Kirk responded to comments from Council.

It was moved by Mayor Pro Tem Johnson, seconded by Council Member Manos, and unanimously carried, to adopt the Resolution.

Resolution No. 2017-027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING A THREE-YEAR EXTENSION OF TIME TO FEBRUARY 28, 2020 FOR TENTATIVE PARCEL MAP NO. 33486

14) Planning Application 2016-04 (Diamond Sports Complex): A Proposed Development Agreement for an Approximately 520,000 Square Foot Indoor Commercial Sports Facility on 23.12 Acres of Disturbed Vacant Land

The Public Hearing was opened at 7:15 p.m. There were no Conflict of Interest disclosures. City Clerk Domen affirmed receipt of Proof of Publication and noted that zero pieces of correspondence had been received.

Principal Planner Kirk presented a Power Point presentation noting language modifications to Attachment 2 - Title Report Exhibit Land Ownership, the Recital Section E and the Definition Section of the Development Agreement.

Applicant Attorney, Edward Kotkin, announced that they anticipate breaking ground in April and finish with construction by the end of 2018; noted the City is going to vacate a portion of land located at Pete Lehr Drive and Diamond Drive; and, thanked Staff, Legal Counsel and the City Council.

There were no members of the Public appearing to speak.

The Public Hearing was closed at 7:24 p.m.

It was moved by Council Member Manos, seconded by Council Member Hickman, and unanimously carried, to introduce the Ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT 2016-01 FOR AN APPROXIMATELY 520,000 SQUARE FOOT INDOOR COMMERCIAL SPORTS FACILITY ON 23.12 ACRES OF DISTURBED VACANT LAND

15) Amended and Restated Alberhill Villages Specific Plan (SP No. 2010-02), Development Agreement (DA 2016-02), and Addendum to Final Environmental Impact Report (SCH # 2012061046)

The Public Hearing was opened at 7:25 p.m. There were no Conflict of Interest disclosures. City Clerk Domen affirmed receipt of Proof of Publication and noted that one piece of correspondence had been received.

City Attorney Leibold and Michael Bracken, Economic Consultant, presented a Power Point Presentation reviewing the changes made to the Plan and their fiscal impacts.

Applicant Representative, Mark Jones, spoke on the amendments to the specific plan and thanked staff for their cooperation.

Appearing to comment were: Paulie Tehrani, Ric Greenwood, Ace Vallejos, Karen Holder, Karie Reuther, Charles P. Keith and Kim Cousins.

City Attorney Leibold responded to concerns raised by members of the Public and Council.

Mr. Mark Jones responded to concerns raised by the members of the Public, noting that it was time that Castle and Cooke and the City work in a cooperative fashion, and confirmed that Castle and Cooke would ask voters to vote in opposition of the initiative. He stated that the revised Plan and Development Agreement is better. He also noted that a \$100,000.00 fee for the cost of the Special election was negotiated in the Development Agreement and payment will be made immediately upon execution.

The Public Hearing was closed at 8:21 p.m.

It was moved by Council Member Manos, seconded by Council Member Hickman, and unanimously carried, to adopt the Resolution.

Resolution No. 2017-028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING THE ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE AMENDED AND RESTATED ALBERHILL VILLAGES SPECIFIC PLAN (SCH NO. 2012061046) AND RELATED DEVELOPMENT AGREEMENT

It was moved by Council Member Manos, seconded by Council Member Tisdale, and unanimously

carried, to introduce the Ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING THE AMENDED AND RESTATED ALBERHILL VILLAGES SPECIFIC PLAN NO. 2010-02

It was moved by Council Member Manos, seconded by Council Member Tisdale, and unanimously carried, to introduce the Ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FINDING GENERAL PLAN CONSISTANCY AND APPROVING A DEVELOPMENT AGREEMENT FOR THE AMENDED AND RESTATED ALBERHILL VILLAGES SPECIFIC PLAN

Business Item

16) Smoking in Certain Public Areas Ordinance

Administrative Analyst Young presented a Power Point presentation.

There were no members of the public appearing to speak.

Administrative Analyst Young responded to comments from Council.

It was moved by Council Member Tisdale, seconded by Council Member Hickman, and unanimously carried, to introduce the Ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADDING MUNICIPAL CODE CHAPTER 8, SECTION 14, SMOKING IN CERTAIN PUBLIC AREAS

Recess / Reconvene

The meeting recessed to the Successor Agency meeting at 8:31 p.m. and reconvened at 8:31 p.m., with all Members present.

Public Comments – Non-Agendized Items

There were no members of the public appearing to speak.

City Council Comments

Council Member Tisdale announced that the Northwest Mosquito Vector Control District provides rodent and mosquito inspection control services that are already paid for and reminded everyone to make sure there is no standing water left after the rain.

Council Member Hickman announced High Schools held a Winter Formal for the special needs students, the boys basketball team at Temescal Canyon High School are the City Champs and will be in the California Interscholastic Federation (CIF) Playoffs; and, the girls basketball team at Lakeside High School are the City Champs; congratulated the Chamber of Commerce on their installation dinner; and, thanked Staff for putting informational packages together for visitors from Mongolia.

Council Member Manos announced 'The Best of Lake Elsinore Photo Contest 2017' and the Healthy LE Biking and Birding tour with Julie Szabo on February 25th; requested that a review of insurance requirements for vendors and business partners, and, stipends for Commissions and Council be on a future agenda; and, thanked the Chamber of Commerce for the opportunity to share the Citizen of the

Year award with Mayor Pro Tem Johnson.

Mayor Magee provided direction to City Manager Yates to address the requests made by Council Member Manos.

Mayor Pro Tem Johnson announced that sandbags are available at the City yard and to bring your own shovel; requested a review of Ordinances for shopping carts, panhandling and loitering to include more enforcement; wished City Manager Yates a happy birthday; announced the Woman's Club Casino Night on March 11th; thanked Staff, Colleagues and the community for their comments; stated she is looking forward to working on the better plan with Castle and Cooke; and, noted that receiving the Citizen of the Year Award at the Chamber of Commerce installation dinner was incredible.

Mayor Magee provided direction to send the Shopping Cart Ordinance to the Public Safety Advisory Commission for refinement; commented on the panhandling issue in the City, announced the exhibition game Padres vs. Storm on March 31st at the Diamond Stadium, and the Lucas Oil Nationals on March 24th and 25th.

City Manager Comments

City Manager Yates complimented Council and Castle and Cooke and reminded everyone that the upcoming storm will be significant and not to drive down closed roads.

Adjournment

The meeting adjourned at 8:46 p.m. to Tuesday, February 28, 2017, at 7:00 p.m. in the Cultural Center located at 183 N. Main Street, Lake Elsinore.

Robert E. Magee
Robert E. Magee
Mayor

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