



**City of Lake Elsinore  
Meeting Minutes  
City Council  
Tuesday, March 28, 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 5:00 p.m. by Mayor Magee, with all Members present, the meeting recessed at 5:01 p.m. to Closed Session.

**Public Comments**

There was no response to the Mayor's invitation for public comment.

**City Council Closed Session**

1) PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Gov't Code Section 54957(B)): City Attorney

2) CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
(Gov't Code Section 54956.8)  
Property: 19.46 acres of unimproved land on Mission Trail, including APN 365-030-041, 365-030-004 thru 007; 365-030-016 thru 023; 365-030-027 thru 037  
Agency negotiator: City Manager Yates  
Negotiating parties: City of Lake Elsinore and CP Mission, LLC  
Under negotiation: Price and terms of payment

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)  
Smith v. City of Lake Elsinore, et al.  
Superior Court Case No. RIC 1609814

**Reconvene**

The meeting reconvened at 7:02 p.m.

**Pledge of Allegiance**

The Pledge of Allegiance was led by Eagle Scout, Kaden Quintana.

## **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

## **Presentations / Ceremonials**

- 1) Recognition of Eagle Scout Kaden Quintana - Mayor Magee presented a Certificate of Recognition for receiving Eagle Scout status, to Kaden Quintana.
- 2) Recognition of Basketball City Champs - Lakeside High School Girls Team and Temescal Canyon High School Boys Team – Council Member Hickman presented the trophies for Basketball City Champs to Lakeside High School Girls Team and Temescal Canyon High School Boys Team.

## **Closed Session Report**

City Attorney Leibold listed the items discussed by Council and stated there was no reportable action.

## **Public Comments – Non-Agendized Items**

Appearing to comment were: Ace Vallejos, Ms. Miller and Karie Reuther.

## **Consent Calendar**

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

- 1) Warrant List Dated March 16, 2017 – received and filed.
- 2) Investment Report for February 2017 – received and filed.
- 3) Purchase and Delivery of Two Pacific Yurts (24' and 30' Yurt) from Pacific Yurts Inc. for the RV Resort Rehabilitation Project (CIP Project #Z40007) – authorized the City Manager to execute a Purchase Order in the amount of \$32,441.00.
- 4) On-Call and Minor Construction Contractor Services Agreement with Endresen Development, LLC – approved the agreement in the amount of \$250,000.00; and, authorized the City Manager to execute change orders not to exceed the 10% contingency amount of \$25,000.00.
- 5) Cooperative Paving Funding Agreement with EVMWD for Pottery Street and Country Club Heights - - authorized the City Manager to execute the agreement in the amount of \$177,661.93.
- 6) Grant of Easement to Elsinore Valley Municipal Water District – authorized the City Manager to process the easement documents and instructed staff to forward the document to the Elsinore Valley Municipal Water District (EVMWD) for recordation.
- 7) Amendment No. 2 to the Agreement with Evergreen Cleaning Solution for Citywide Janitorial Services – authorized the City Manager to execute the Amendment modifying the Scope of Services, and increasing the contract amount by \$21,425.00 bringing the new contract total to \$94,619.00.

- 8) Planning Application No. 2017-008 (Summerly, DR Horton): Building Design and Construction of 95 Single Family Residential Units Ranging in Size From 1,387 Square Feet to 1897 Square Feet – adopted the Resolutions.

Resolution No. 2017-039

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING FINDINGS THAT PLANNING APPLICATION 2017-008 IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

Resolution No. 2017-040

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION 2017-008 PROVIDING BUILDING DESIGNS FOR 95 SINGLE FAMILY RESIDENTIAL UNITS RANGING IN SIZE FROM 1,387 SQUARE FEET (SF) TO 1,897 SQUARE FEET LOCATED WITHIN TRACT 31920-24 OF THE SUMMERLY DEVELOPMENT OF THE EAST LAKE SPECIFIC PLAN (APN: 371-270-022, 044, AND 054).

**Public Hearings**

- 9) Formation of Improvement Areas JJ and KK within City of Lake Elsinore Community Facilities District No. 2006-1 (Summerly) and Authorization of Special Taxes and Bonded Indebtedness for Improvement Areas JJ and KK

The Public Hearing was opened at 7:21 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.

Bond Counsel Bryan Forbath, of Stradling Yocca Carson & Rauth provided the staff report.

Appearing to speak were: none.

City Clerk Domen affirmed that she had not received any written protests from any registered voters or landowners of more than 50 percent of the acreage located within Improvement Area JJ or Improvement Area KK of Community Facilities District (CFD) No. 2006-1.

The Public Hearing was closed at 7:25 p.m.

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

Resolution No. 2017-041

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2006-01 (SUMMERLY), ESTABLISHING IMPROVEMENT AREAS JJ AND KK OF CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SUMMERLY), AUTHORIZING THE LEVY OF SPECIAL TAXES, AND CALLING ELECTIONS THEREIN

Resolution No. 2017-042

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SUMMERLY) DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS WITHIN IMPROVEMENT AREAS JJ AND KK OF CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SUMMERLY) AND CALLING ELECTIONS THEREIN

City Clerk Domen announced that all ballots were cast for the election within for each, Improvement Area JJ and Improvement Area KK, of CFD No. 2006-1, declared the election closed and that each of the ballot propositions had been approved by more than two-thirds of the votes cast in each of the elections, for Improvement Area JJ and Improvement Area KK, of CCFD No. 2006-1.

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

Resolution No. 2017-043

A RESOLUTION 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. 2006-1 (SUMMERLY) CERTIFYING THE RESULTS OF THE MARCH 28, 2017, SPECIAL TAX AND BOND ELECTIONS

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

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. 2006-1 (SUMMERLY) AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN EACH OF IMPROVEMENT AREAS JJ AND KK OF SUCH DISTRICT

10) Planning Application No. 2016-109 (Mckenna Court): Technical Amendment of the General Plan to Correct a Mapping Error by Reverting the General Plan Land Use Designation from Low Density Residential to Low-Medium Density Residential and a Zone Change to Revert the Zoning from Residential Estate to R1-Single Family Residential

The Public Hearing was opened at 7:28 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.

Appearing to comment was: Ms. Miller.

Applicant Daniel Boyd responded to public comments.

The Public Hearing was closed at 7:38 p.m.

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

Resolution No. 2017-044

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 2017-001, A TECHNICAL AMENDMENT TO CORRECT A MAPPING ERROR BY REVERTING THE GENERAL PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO LOW-MEDIUM DENSITY RESIDENTIAL FOR ASSESSOR PARCEL NUMBERS: 379-150-001, 002, 041 thru 044

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING ZONE CHANGE NO. 2017-01 REVERTING THE ZONING DESIGNATION OF LOW RESIDENTIAL ESTATE TO R-1 SINGLE FAMILY RESIDENTIAL FOR ASSESSOR PARCEL NUMBERS: 379-150-001, 002, 041 thru 044

**11) Planning Application 2016-01 (Central Plaza): A Proposed 65,803 Square Foot Commercial Center on an Approximately 7.25 Acre Site**

The Public Hearing was opened at 7:40 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.

Applicant Representative Greg Lukosky recommended approval of the project.

Appearing to speak were: Ms. Miller, Kim Cousins and Paul Gravell

Council Member Manos and Mayor Pro Tem Johnson spoke in response to Public Comments.

There being no further response to the Mayor's invitation to speak, the Public Hearing was closed at 7:57 p.m.

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

**Resolution No. 2017-045**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING OF MITIGATED NEGATIVE DECLARATION 2016-01 (SCH 2017021072) FOR PLANNING APPLICATION 2016-01 (COMMERCIAL DESIGN REVIEW NO. CDR 2016-01, CONDITIONAL USE PERMIT NO. CUP 2016-01, AND TENTATIVE TRACT MAP NO. 37284)

**Resolution No. 2017-046**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING FINDINGS THAT PLANNING APPLICATION 2016-01 (COMMERCIAL DESIGN REVIEW NO. CDR 2016-01, CONDITIONAL USE PERMIT NO. CUP 2016-01, AND TENTATIVE TRACT MAP NO. 37284) ARE CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

**Resolution No. 2017-047**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING OF TENTATIVE TRACT MAP NO. 37284 PROVIDING FOR THE SUBDIVISION OF FIVE LOTS INTO EIGHT LOTS AND THE RECONFIGURATION OF THE ADJACENT RIGHT OF WAY

**Resolution No. 2017-048**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2016-01 FOR THE ESTABLISHMENT OF AN APPROXIMATELY 4,500 SQUARE FOOT RESTAURANT WITH DRIVE THROUGH

**Resolution No. 2017-049**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2016-01 PROVIDING BUILDING DESIGNS FOR 65,803 SQUARE FEET OF DEVELOPMENT CONSISTING OF A MAIN BUILDING LOCATED ON THE SOUTHERN PORTION OF THE SITE AND FOUR PAD BUILDINGS WITH ASSOCIATED ON-SITE AND OFF-SITE IMPROVEMENTS

## 12) Extension of Time for Tentative Tract Map No. 32129 (Sauls/Simard)

The Public Hearing was opened at 7:58 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 in opposition.

Principal Planner Kirk presented a Power Point presentation

Applicant Ed Sauls objected to the modification of the street section and requested Council to consider keeping a 36' right of way section instead of 40'.

Appearing to comment were: none.

Principal Planner Kirk and Fire Marshall Bloom responded to questions from Council.

Council Member Hickman suggested no parking on one side of the street. Mr. Sauls agreed to consider the idea.

Mayor Magee requested that Mr. Sauls meet with neighbors to discuss plans for the area and Mr. Sauls agreed to.

The Public Hearing Closed at 8:21 p.m.

It was moved by Council Member Hickman, seconded by Mayor Pro Tem Johnson, and unanimously carried, to adopt the Resolution amending Condition No. 46 to remember 40' requirement and add no parking on one side of the street.

## **Recess**

The meeting recessed to the Successor Agency meeting at 8:22 p.m. and reconvened at 8:22 p.m.

## **Public Comments – Non–Agendized Items**

Appearing to comment were: Ms. Miller and Paul Gravell.

## **City Council Comments**

Council Member Hickman announced the Riverside Transit Agency 40<sup>th</sup> Anniversary and 25 cent rides; congratulated Lakeside High school on producing a play recently; reported he attended the Elks' scholarship program and approximately \$15,000.00 was awarded to local students.

Council Member Manos noted that Lake Elsinore is the fastest growing City in the region and United States, with beautiful weather, wonderful setting and place to live, can't restrict growth; announced the Time Capsule Reburial on May 12th and the deadline to submit content ideas is April 10th, the Clean Extreme event on April 22nd and Lake Opening Day on April 8th with a free one day Lake Use pass.

Council Member Tisdale announced that the Reality Rally will be held on April 8th and the City team members are Council Member Manos, Beau Davis, and himself.

Mayor Pro Tem Johnson reported she attended the Ribbon Cutting ceremony at the Diamond stadium earlier; congratulated Eagle Scout Kaden Quintana; announced the City Services Guide is available; thanked staff for their work; noted she does not like negotiations being conducted at the dais; and, thanked everyone for their hard work and flexibility.

## **CITY MANAGER COMMENTS**

City Manager Yates introduced City Engineer Fagrell who presented a Power Point presentation providing updates on transportation projects.

Mayor Magee showed a video, taken by a resident, of the flowers blooming in the hills in the area.

## **ADJOURNMENT**

The meeting adjourned at 8:57 p.m. to Tuesday, April 11, 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