



City of Lake Elsinore

183 N. Main Street
Lake Elsinore, CA 92530

Meeting Minutes - Final 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, May 12, 2020

7:00 PM

Cultural Center

CALL TO ORDER 5:00 P.M.

The Regular Meeting of the City Council was called to order at 5:13 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 374-172-009-3, -012-5, & -021-3
Agency negotiator: City Manager Yates
Negotiating parties: City of Lake Elsinore and Sunlight 2266, LLC
Under negotiation: Price and terms of payment
2. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Gov't Code § 54956.9) California Public Utilities Commission, In the Matter of the Application of Southern California Edison Company (U338E) for a Certificate of Public Convenience and Necessity for the Alberhill System Project, Application 09-09-022

RECESS

The City Council recessed into Closed Session at 5:14 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: 4 - Mayor/Chair Brian Tisdale, Mayor Pro Tem/Vice-Chair Robert E. Magee, Council Member/Agency Member Timothy J. Sheridan and Council Member/Agency Member Natasha Johnson

Absent: 1 - Council Member/Agency Member Steve Manos

PRESENTATIONS / CEREMONIALS**1) Public Works Week**

Proclaim the Week of May 17-23, 2020 as "Public Works Week" in the City of Lake Elsinore.

Mayor Tisdale presented the proclamation.

CLOSED SESSION REPORT

City Attorney Leibold reported that both items were discussed; however, there is no reportable action.

PUBLIC COMMENTS – NON-AGENDIZED ITEMS – 1 MINUTE

There were no public comments.

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

Motion by Mayor Pro Tem Magee, seconded by Council Member Johnson, to approve the City Council Consent Calendar noting Mayor Pro Tem Magee's opposition to Agenda Item No. 5 and removing Agenda Item No. 14 from the City Council Consent Calendar for public comment. The motion carried by the following vote:

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

Absent: 1 - Council Member/Agency Member Manos

2) Minutes of the Regular City Council Meeting of April 28, 2020

Approve the Minutes.

This item was approved on the City Council Consent Calendar.

3) Second Reading of Ordinance Approving Development Agreement No. 2019-07 (Tree Haus)

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. 2019-07 FOR A 4,892 SF CANNABIS FACILITY AT 18532 PASADENA STREET (APN: 377-430-023).

This item was approved on the City Council Consent Calendar.

4) **Second Reading of Ordinance Approving Development Agreement No. 2020-01 (Kind Delivery Co.)**

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. 2020-01 FOR A 3,754 SF CANNABIS FACILITY AT 571 CRANE UNIT H (APN:377-410-032).

This item was approved on the City Council Consent Calendar.

5) **Second Reading of Ordinance Approving Development Agreement No. 2019-04 (Alba Systems)**

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. 2019-04 FOR A 2,352 SF CANNABIS FACILITY AT 31879 CORYDON SUITE 150 (APN:370-051-025).

Motion by Mayor Pro Tem/Vice-Chair Magee, seconded by Council Member/Agency Member Johnson, to approve the Consent Calendar. The motion carried by the following vote:

Aye: 3 - Mayor/Chair Tisdale, Council Member/Agency Member Sheridan and Council Member/Agency Member Johnson

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

Absent: 1 - Council Member/Agency Member Manos

6) **Second Reading of Ordinance Regarding Electronic and Digital Signatures**

Adopt by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADDING CHAPTER 2.52 (ELECTRONIC SIGNATURES) TO TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE LAKE ELSINORE MUNICIPAL CODE RELATING TO ELECTRONIC AND DIGITAL SIGNATURES ON DOCUMENTS USED AND ACCEPTED BY THE CITY OF LAKE ELSINORE.

This item was approved on the City Council Consent Calendar.

7) **Calling a General Municipal Election to be held on November 3, 2020**

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES;
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020; and

3. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.

This item was approved on the City Council Consent Calendar.

8) Annexation No. 9 Into Community Facilities District (CFD) No. 2015-2 (Maintenance Services) for TR 32129 and 30698 (Rosetta Hills)

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO. 2015-2 (MAINTENANCE SERVICES) OF THE CITY OF LAKE ELSINORE, ADOPTING A MAP OF THE AREA TO BE PROPOSED (ANNEXATION NO. 9) AND AUTHORIZING THE LEVY OF SPECIAL TAXES THEREIN.

This item was approved on the City Council Consent Calendar.

9) Citywide Landscaping and Street Lighting District and the Landscaping and Street Lighting District No. 1 for the Fiscal Year 2020-21 ordering the preparation and approval of Engineer's Reports and Resolutions of Intention.

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE CITYWIDE LANDSCAPING AND STREET LIGHTING DISTRICT (CITYWIDE LLMD);
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING THE ENGINEER'S REPORT FOR THE CITYWIDE LLMD;
3. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DECLARING THE CITY COUNCIL'S INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS IN THE CITYWIDE LLMD AND SETTING A PUBLIC HEARING FOR JUNE 23, 2020;
4. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR LANDSCAPING & STREET LIGHTING MAINTENANCE DISTRICT NO. 1 (LLMD NO. 1);
5. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING THE ENGINEER'S REPORT FOR LLMD NO.1; and
6. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DECLARING THE CITY COUNCIL'S INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS IN LLMD NO. 1 AND SETTING A PUBLIC HEARING FOR JUNE 23, 2020.

This item was approved on the City Council Consent Calendar.

10) Professional Services Agreement for Environmental Clearance and Final Design for the Auto Center Drive/Casino Drive Bridge Seismic Retrofit Project

Authorize the City Manager to execute an Agreement for Professional Engineering Services in the amount of \$1,374,266 to WKE, Inc., plus an additional 10% in contingency, in final form as approved by City Attorney.

This item was approved on the City Council Consent Calendar.

11) Amendment No. 2 to the Professional Services Agreement with STK Architecture Inc. for Architectural Services for Public Works Tenant Improvements to the Administrative Building located at 522 Poe Street

Authorize the City Manager to execute the Second Amendment to the Professional Services Agreement for Architectural Services for Public Works Tenant Improvements to the Building located at 522 Poe Street in the amount of \$4,290, subject to approval as to form by the City Attorney.

This item was approved on the City Council Consent Calendar.

12) HSIP Advanced Dilemma Zone Detection Supplemental Agreement No. F011 for Federal Aid Project HSIPL-5074(020) to the Administering Agency-State Master Agreement No. 08-5074F-15

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, AUTHORIZING EXECUTION OF THE FEDERAL AID PROGRAM SUPPLEMENT AGREEMENT NO. F011 TO THE ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 08-507F15 AND ALL SUBSEQUENT HSIPL-5074(020) ADVANCED DILEMMA ZONE DETECTION PROJECT SPECIFIC PROGRAM SUPPLEMENTS;
2. Authorize the City Manager to sign HSIPL-5074(019) Advanced Dilemma Zone Detection Program Supplement No. F009 to the Administering Agency-State Master Agreement No. 08-507F15 and all subsequent HSIPL-5074(019) Advanced Dilemma Zone Detection project specific Program Supplement Agreements; and
3. Authorize the City Clerk to return the signed agreement, in duplicate, to Caltrans Office of Local Programs for execution.

This item was approved on the City Council Consent Calendar.

13) Community Facilities District (CFD) No. 2015-1 (Safety Services) Declaring its Intention to Consider Annexing Territory to City of Lake Elsinore Community Facilities District (CFD) No. 2015-1 (Safety Services)

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. 2015-1 (SAFETY SERVICES) DECLARING ITS INTENTION TO CONSIDER ANNEXING TERRITORY TO CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2015-1 (SAFETY SERVICES)

This item was approved on the City Council Consent Calendar.

14) Community Facilities District (CFD) No. 2006-4 (Tracts 30698 & 32129), Declaring its Intention to Consider Amending the Rate and Method of Apportionment of Special Tax for the District, Amending the Boundary Map of the District and Approving Amendments to the Facilities Authorized to be Financed by the District

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. 2006-4 (TRACTS 30698 & 32129), DECLARING ITS INTENTION TO CONSIDER AMENDING THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR THE DISTRICT, AMENDING THE BOUNDARY MAP OF THE DISTRICT AND APPROVING AMENDMENTS TO THE FACILITIES AUTHORIZED TO BE FINANCED BY THE DISTRICT

This item was removed from the City Council Consent Calendar for public comment.

15) Amendment No. 1 to Nossaman Legal Services Agreement - Special Counsel (State and Federal Environmental Permitting B3 Program)

Authorize the City Manager to execute Amendment No. 1 to the Legal Services Agreement with Nossaman, LLP in substantially the form attached and in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

ITEM REMOVED FROM THE CITY COUNCIL CONSENT CALENDAR FOR DISCUSSION

14) Community Facilities District (CFD) No. 2006-4 (Tracts 30698 & 32129), Declaring its Intention to Consider Amending the Rate and Method of Apportionment of Special Tax for the District, Amending the Boundary Map of the District and Approving Amendments to the Facilities Authorized to be Financed by the District

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. 2006-4 (TRACTS 30698 & 32129), DECLARING ITS INTENTION TO CONSIDER AMENDING THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR THE DISTRICT, AMENDING THE BOUNDARY MAP OF THE DISTRICT AND APPROVING AMENDMENTS TO THE FACILITIES AUTHORIZED TO BE FINANCED BY THE DISTRICT

Motion by Council Member Johnson, seconded by Mayor Pro Tem Magee, to approve the item. The motion carried by the following vote:

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

Absent: 1 - Council Member/Agency Member Manos

Council Member Manos joined the meeting at 7:09 p.m.

SUCCESSOR AGENCY CONSENT CALENDAR**Approval of the Successor Agency Consent Calendar**

Motion by Vice-Chair Magee, seconded by Agency Member Johnson 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

16) Minutes of the Regular Successor Agency Meeting of April 28, 2020

Approve the Minutes.

This item was approved on the Successor Agency Consent Calendar.

PUBLIC HEARING**17) Participation in the Transportation Uniform Mitigation Fee (TUMF) Program; and adopting a TUMF Schedule**

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING A TRANSPORTATION UNIFORM MITIGATION FEE SCHEDULE.

The Public Hearing was opened at 7:10 p.m.

Assistant City Manager Simpson provided a presentation.

There were no public comments.

The Public Hearing was closed at 7:13 p.m.

A motion was made by Council Member/Agency Member Johnson, seconded by Mayor Pro Tem/Vice-Chair Magee, that this Council Public Hearing be Adopted.

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 COMMENTS – NON-AGENDIZED ITEMS – 3 MINUTES

There were no public comments.

CITY MANAGER COMMENTS

City Manager Yates recognized the Public Works Department for their continued hard work and dedication to the City of Lake Elsinore.

CITY ATTORNEY COMMENTS

City Attorney Leibold had no comments.

CITY COUNCIL COMMENTS

Council Member Manos reassured the public that City Council continues to work hard to provide information to the public; and thanked the Riverside County Board of Supervisors for its thoughtful and well-deliberated decision to rescind county orders related to COVID-19 and its continued efforts to work with the State.

Council Member Johnson expressed gratitude to the City's Public Works team during emergencies, including the pandemic; provided an update from the Economic Subcommittee and provided information on the Cares Act; advised that information related to financial assistance will be posted on social media and announced webinars that will be made available; and recognized students graduating from high school, colleges, and universities this year.

Council Member Sheridan thanked the Public Works Department and noted their efforts to clean up the lot on Summerhill across from KFC; recognized Feeding America and the Lake Elsinore Storm for distributing food in the Diamond Stadium Parking lot; spoke on a car parade in Tuscany Hills for a 4-year old's birthday and expressed gratitude to the Fire and Sheriff's Departments; and congratulated his godson, Cory Poplawski, who graduated from Syracuse University College of Law.

Mayor Pro Tem Magee noted the appointment of the Economic Recovery Task Force and stated Kim Cousins of the Lake Elsinore Chamber of Commerce was appointed; spoke on the reopening plan; announced that the I-15/Railroad Canyon Road interchange project will begin this month; and reminded the community to respect others, protect their family, and stay safe.

Mayor Tisdale acknowledged Public Works for their continued dedication and effort; noted that Lake Elsinore testing facility has been the model facility and thanked staff for helping set it up; and expressed gratitude to the testing site's staff for continuing to work on weekends and holidays.

ADJOURNMENT

The Lake Elsinore City Council adjourned at 7:29 p.m. to the next Regular meeting of Tuesday, May 26, 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.

The meeting was adjourned in recognition of the 124 Lake Elsinore residents who have or are currently battling COVID-19 and in memory of Mirella Delgado (the sister of Ramiro Delgado who is an Equipment Operator in our Public Works Department), and the seven Lake Elsinore residents and the other 225 Riverside County residents who have lost their life due to this virus. Our thoughts and prayers are with all those who have lost a loved one and to those who are still fighting to recover.