



City of Lake Elsinore

City Council Meeting

Minutes – Draft

Meeting Date:

February 13, 2024

Closed Session: 5:00 PM

Public Session: 7:00 PM

Steve Manos, Mayor

Brian Tisdale, Mayor Pro Tem

Timothy J. Sheridan, Council Member

Natasha Johnson, Council Member

Robert E. Magee, Council Member

Jason Simpson, City Manager

Cultural Center

183 N. Main Street

Lake Elsinore, CA 92530

CALL TO ORDER – 5:00 P.M.

The Regular Meeting of the City Council was called to order at 5:00 p.m.

ROLL CALL

Present: 5 - Council Members Johnson, Magee, and Sheridan; Mayor Pro Tem Tisdale; and Mayor Manos

Absent: 0 - None

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS

There were no speakers.

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Gov't Code Section 54956.9: 4 Potential Cases

B. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

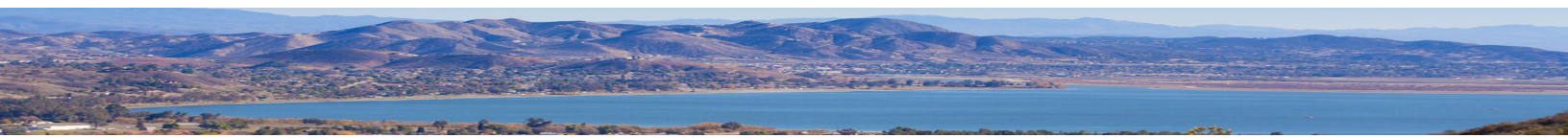
(Paragraph (1) of Subdivision (d) of Gov't Code Section 54956.9): Kokozyan v. City of Lake Elsinore; Case No. 5:23-CV-02651-MCS-SHK

C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Gov't Code Section 54956.9: 1 Potential Case

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

Mayor Manos led the Pledge of Allegiance.

ROLL CALL

Present: 5 - Council/Agency Members Johnson, Magee, and Sheridan; Mayor Pro Tem/Vice Chair Tisdale; and Mayor/Chair Manos

Absent: 0 - None

CLOSED SESSION REPORT

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

PRESENTATIONS/CEREMONIALS

1) **Calfire 2023 Fourth Quarter Statistical Update**

Chief Olson presented the update.

PUBLIC COMMENTS - NON-AGENDIZED ITEMS - 1 MINUTE

Chris Shoults was called to speak.

CITY COUNCIL CONSENT CALENDAR

A motion was made by Council Member Johnson, seconded by Mayor Pro Tem Tisdale to approve the City Council Consent Calendar with Item Nos. 5 and 11 being removed for discussion. The motion carried by the following vote:

Aye: 5 Council Members Johnson, Magee, and Sheridan; Mayor Pro Tem Tisdale; and Mayor Manos

Nay: 0 None

2) **Minutes of the Regular City Council Meeting of January 23, 2024 and Special City Council Meeting of January 30, 2024**

Approve the Minutes.

This item was approved on the City Council Consent Calendar.

3) **CC Warrant Report Dated December 29, 2023 to January 11, 2024**

Receive and File.

This item was approved on the City Council Consent Calendar.

4) **Fiscal Year 2023-2024 Mid-year Operating Budget Status Report**

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING THE FY 2023-2024 ANNUAL OPERATING BUDGET FOR MID-YEAR ADJUSTMENTS; and
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, REVISING THE SCHEDULE OF AUTHORIZED POSITIONS.

This item was approved on the City Council Consent Calendar.

5) **Appointment to the Measure Z Citizens Committee**

Appoint Timarie Wooley (District 4) to serve on the Lake Elsinore Measure Z Citizens Committee for a term expiring December 31, 2025.

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

6) **Professional Services Agreement with STK Architecture Services, Inc. for the Conceptual Design Plan for the New Library**

Approve and authorize the City Manager to execute an agreement with STK Architecture, Inc. for the purchase of a Conceptual Design Plan in an amount not to exceed \$66,500.00 and in such final form as approved by the City Attorney and authorize the City Manager to execute change orders not to exceed a 10% contingency amount of \$6,650.00 for uncertainties and adjustments.

This item was approved on the City Council Consent Calendar.

7) **County Service Area 152 and Setting the Benefit Assessment Unit Rate for Fiscal Year 2024-25 for the City of Lake Elsinore to Fund the City's National Pollutant Discharge Elimination System (NPDES) Permit Compliance Activities**

Adopt 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 2024-25 FOR THE CITY OF LAKE ELSINORE TO FUND THE CITY'S NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM.

This item was approved on the City Council Consent Calendar.

8) **Resolution in Support of Expanded Higher Education and Funding for Tenant Improvements to Create an Expanded Presence for California State University San Marcos at the Mt. San Jacinto College Campus in Temecula Valley**

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, SUPPORTING THE NEED FOR EXPANDED PUBLIC HIGHER EDUCATION INSTITUTIONS WITHIN SOUTHWESTERN RIVERSIDE COUNTY AND FUNDING FOR THE COST OF TENANT IMPROVEMENTS TO CREATE AN EXPANDED PRESENCE FOR CALIFORNIA STATE UNIVERSITY SAN MARCOS AT THE MT. SAN JACINTO COLLEGE CAMPUS IN TEMECULA VALLEY.

This item was approved on the City Council Consent Calendar.

9) **Professional Services Agreement With TC Sports for Operational Services of Rosetta Canyon Sports Park**

Approve and authorize the City Manager to execute a Professional Services Agreement with TC Sports, Inc. in an amount not to exceed \$250,000.00 per year for management services, \$62,500 for field maintenance, plus reimbursables for Rosetta Canyon Sports Park, in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

10) **July 4th Fireworks Celebration on the Lake**

Approve and authorize the City Manager to execute a Production Agreement with Pyro Spectaculars, Inc. in an amount not to exceed \$48,000 for the 4th of July Annual Fireworks Spectacular in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

11) **Notice of Decision – Planning Commission Approval of Planning Application No. 2020-89 (Elsinore Market) for a Commercial Design Review to develop a 7,500 Sq. Ft. Grocery Market with Take-out Restaurant and Related Site Improvements on an approximately 0.48-acre Site Located on Main Street between Franklin Street and Heald Avenue**

Receive and File the Notice of Decision for Planning Application No. 2020-89 approved by the Planning Commission on January 16, 2024.

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

12) **Notice of Decision – Planning Commission Approval of Planning Application No. 2023-15 (Starbucks - Collier Ave) for a Conditional Use Permit to Establish a New Starbucks Coffee Shop with a Drive-through and Outdoor Dining Area and a Design Review for Minor Modifications to the Existing Building, Site Circulation, Parking Layout, Landscaping, and Related on Site Improvements Located at 18295 Collier Avenue**

Receive and File the Notice of Decision for Planning Application No. 2023-15 approved by the Planning Commission on January 16, 2024.

This item was approved on the City Council Consent Calendar.

13) **Agreement for On-Call Services with Commercial Transportation Services, Inc. for Driver Training**

Approve and authorize the City Manager to execute the Professional Services Agreement with Commercial Transportation Services, Inc., for On-Call Services for Driver Training in an amount not to exceed \$24,985.44 per Fiscal Year for a term of three (3) years in such final form as approved by the City Attorney and authorize the City Manager to execute change orders not to exceed a 10% contingency of \$2,498.00 for unanticipated costs.

This item was approved on the City Council Consent Calendar.

14) **Change Order No. 2 to the Public Works Construction Agreement with NPG, Inc. for the Asphalt Repairs, Slurry Seal, and Striping for 11 Park Parking Lots**

Approve and authorize the City Manager to execute Change Order No. 2 to the Public Works Construction Agreement with NPG, Inc. in an amount not to exceed \$116,767.00 for the Asphalt Repairs, Slurry Seal, and Striping of 11 Park Parking Lots, Project No. Z40023 in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

15) **Notice of Completion on Swick & Matich Park Concession Stand Renovation (CIP Project #Z20005)**

Accept the improvements to the Swick & Matich Park Concession Stand Renovation Project (#Z20005) completed by Servpro of Chino/Chino Hills and authorize the City Clerk to record the Notice of Completion.

This item was approved on the City Council Consent Calendar.

16) **Notice of Completion on Swick & Matich Park Remodel (CIP Project #Z40023)**

Accept the improvements to the Swick & Matich Park Remodel Project (#Z40023) completed by Unique Builders of California (UBCA) and authorize the City Clerk to record the Notice of Completion.

This item was approved on the City Council Consent Calendar.

17) **Notice of Completion on Annual Traffic Striping Maintenance Program (CIP Project #Z10004)**

Accept the improvements to the Annual Traffic Striping Maintenance Program Project (#Z10004) completed by Superior Pavement Markings Inc. and authorize the City Clerk to record the Notice of Completion.

This item was approved on the City Council Consent Calendar.

18) **Amendment No. 1 to Agreement with Advanced Heating & Air Conditioning for Citywide Facilities Repairs & Services**

Approve and authorize the City Manager to execute Amendment No. 1 to the On-Call Contractor Services Agreement with Advanced Heating & Air Conditioning for Citywide Facilities Repairs & Services in an amount not to exceed \$40,000.00 per Fiscal Year in such final form as approved by the City Attorney.

This item was approved on the City Council Consent Calendar.

ITEMS REMOVED FROM THE CITY COUNCIL CONSENT CALENDAR FOR DISCUSSION**5) Appointment to the Measure Z Citizens Committee**

Appoint Timarie Wooley (District 4) to serve on the Lake Elsinore Measure Z Citizens Committee for a term expiring December 31, 2025.

A motion was made by Council Member Johnson, seconded by Mayor Manos to approve staff's recommendation. The motion carried by the following vote:

Aye: 5 Council Members Johnson, Magee, and Sheridan; Mayor Pro Tem Tisdale; and Mayor Manos

Nay: 0 None

11) Notice of Decision – Planning Commission Approval of Planning Application No. 2020-89 (Elsinore Market) for a Commercial Design Review to develop a 7,500 Sq. Ft. Grocery Market with Take-out Restaurant and Related Site Improvements on an approximately 0.48-acre Site Located on Main Street between Franklin Street and Heald Avenue

Receive and File the Notice of Decision for Planning Application No. 2020-89 approved by the Planning Commission on January 16, 2024.

Assistant Community Development Director Abraham presented the staff report.

A motion was made by Council Member Johnson, seconded by Council Member Magee to receive and file the Notice of Decision. The motion carried by the following vote:

Aye: 5 Council Members Johnson, Magee, and Sheridan; Mayor Pro Tem Tisdale; and Mayor Manos

Nay: 0 None

SUCCESSOR AGENCY CONSENT CALENDAR

A motion was made by Agency Member Johnson, seconded by Vice Chair Tisdale to approve the Successor Agency Consent Calendar. The motion carried by the following vote:

Aye: 5 Agency Members Johnson, Magee, and Sheridan; Vice Chair Tisdale; and Chair Manos

Nay: 0 None

19) Minutes of the Regular Successor Agency Meeting of January 23, 2024

Approve the Minutes.

This item was approved on the Successor Agency Consent Calendar.

20) SA Warrant Report Dated December 29, 2023 to January 11, 2024

Receive and File.

This item was approved on the Successor Agency Consent Calendar.

21) **Amendment No. 1 to On-call and Construction Contractor Services Agreements in Support of Successor Agency of the Redevelopment Agency of the Agency of Lake Elsinore Minor Construction and Maintenance Operations**

Approve and authorize the Executive Director to execute Amendment No. 1 to the On-Call Minor Construction Contractor Services Agreements with Endresen Development, Inc. in the amount of \$150,000, Cotter Construction in the amount of \$250,000, and Unique Builders of California, Inc. in the amount of \$285,000 in the forms attached and in such final form as approved by Agency Counsel.

This item was approved on the Successor Agency Consent Calendar.

BUSINESS ITEM

22) **City Treasurer Vacancy**

1. Adopt AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING LAKE ELSINORE MUNICIPAL CODE SECTION 2.42.070 REGARDING FAILURE TO FILL A VACANCY OF THE CITY TREASURER SEAT;
2. Introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING LAKE ELSINORE MUNICIPAL CODE SECTION 2.42.070 REGARDING FAILURE TO FILL A VACANCY OF THE CITY TREASURER SEAT; and
3. Pursuant to Government Code section 36512, take one of the following actions:
 - A. Nominate and appoint a qualified individual to fill the vacancy for the City Treasurer seat;
 - B. Accept applications until March 1, 2024, consider submitted applications, and appoint a qualified individual to fill the vacancy for the City Treasurer seat at the March 12, 2024 City Council meeting; or
 - C. Call a Special Election and adopt the following Resolutions:
 - a. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, CALLING FOR THE HOLDING OF AN ALL-MAIL BALLOT SPECIAL MUNICIPAL ELECTION ON TUESDAY, AUGUST 6, 2024, FOR THE ELECTION TO FILL A VACANCY OF THE CITY TREASURER AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES;
 - b. 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 ALL-MAIL BALLOT SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY AUGUST 6, 2024; and

- c. 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 RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF AN ALL-MAIL BALLOT SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, AUGUST 6, 2024 TO FILL A VACANCY OF THE CITY TREASURER.

City Clerk Alvarez presented the staff report.

There were no speakers.

A motion was made by Council Member Johnson, seconded by Mayor Pro Tem Tisdale to adopt the Urgency Ordinance in Recommendation No. 1. The motion carried by the following vote:

Aye: 5 Council Members Johnson, Magee, and Sheridan; Mayor Pro Tem Tisdale; and Mayor Manos
Nay: 0 None

A motion was made by Council Member Johnson, seconded by Mayor Pro Tem Tisdale to introduce by title only and waive further reading of the Ordinance in Recommendation No. 2. The motion carried by the following vote:

Aye: 5 Council Members Johnson, Magee, and Sheridan; Mayor Pro Tem Tisdale; and Mayor Manos
Nay: 0 None

A motion was made by Council Member Johnson, seconded by Council Member Sheridan to to approve Recommendation No. 3B and direct the budget subcommittee to review applications and make a recommendation to be presented to the City Council at its meeting on March 12, 2024. The motion carried by the following vote:

Aye: 5 Council Members Johnson, Magee, and Sheridan; Mayor Pro Tem Tisdale; and Mayor Manos
Nay: 0 None

PUBLIC COMMENTS - NON-AGENDIZED ITEMS - THREE MINUTES

There were no speakers.

CITY ATTORNEY COMMENTS

City Attorney Leibold had no comments.

CITY MANAGER'S COMMENTS

City Manager Simpson announced that the nanobubbler was activated in the lake.

CITY COUNCIL COMMENTS/REPORTS ON MEETINGS ATTENDED

Council Member Johnson reported on her attendance at the Western Riverside County Regional Conservation Authority meeting on February 5, 2024; congratulated Timarie Wooley on her appointment to the Measure Z Citizens Committee; provided updates from the Homeless Task Force; congratulated Lake Elsinore Valley Chamber of Commerce Installation nominees and shared that the Annual Installation & Awards Ceremony will be held on March 2, 2024; and congratulated the students of the month.

Council Member Magee advised of the Riverside County Transportation Commission meeting to be held on Wednesday, February 14, 2024; provided updates on the lake and its levels; invited the community to attend the SCCA Cal Autocross weekend February 17-18, 2024 at Diamond Stadium; and announced the Dream Extreme Fishing Derby on May 18, 2024 at 6:00 a.m. at Launch Pointe.

Council Member Sheridan reported on his attendance at the Riverside Transit Agency Budget and Finance Committee meeting on February 7, 2024 and announced the Agency's Free Ride Fridays through June 28, 2024; reported on his attendance at the League of California Cities 2024 Mayor and Council Members Academy; reported on his attendance at the Downtown Merchant Owners Association meeting on February 1, 2024; reported on his attendance at the Historical Society meeting on February 6, 2024; shared an update from the town hall meeting he hosted with Council Member Magee; shared photos from the Elsinore Valley Champions special needs baseball opening day; invited the community to attend the Live Under the Stars event on March 9, 2024 from 6:00 – 9:00 p.m. in Downtown featuring live music by Dani Rose; announced the Lake Elsinore Storm's opening day game on April 5, 2024 at 6:45 p.m. at Diamond Stadium; and shared information regarding the Storm Kidz Club.

Mayor Pro Tem Tisdale reminded residents to dump water that may have collected after the recent rain events; reported on his attendance at the CALCOG 2024 Regional Leadership Forum February 7-9, 2024; reminded residents to submit their ballot for the March 5, 2024 Primary Election; and thanked staff for their response throughout the recent storms.

Mayor Manos reported on his attendance at the Southern California Association of Governments Regional Council and Transportation Committee meetings on February 1, 2024, and the Riverside County Habitat Conservation Agency Committee meeting on February 8, 2024; shared photos of the new Animal Friends of the Valleys Spay and Neuter Clinic; congratulated Dutch Bros. Coffee on its grand opening; and announced the activation of the nanobubbler in the lake.

ADJOURNMENT

The Lake Elsinore City Council adjourned at 8:01 p.m. to the next Regular meeting of Tuesday, February 27, 2024 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.