

2) **Minutes of the Regular City Council Meeting of October 22, 2024**

Approve the Minutes.



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Jason Simpson, City Manager

**Prepared by:** Candice Alvarez, MMC, City Clerk

**Date:** November 12, 2024

**Subject:** Minutes of the Regular City Council Meeting of October 22, 2024

### **Recommendation**

Approve the Minutes.

### **Attachments**

Attachment 1- Draft Minutes



**City of Lake Elsinore**

City Council Meeting

Minutes – Draft

**Meeting Date:**

October 22, 2024

**Closed Session: 5:30 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**

The Regular Meeting of the City Council was called to order at 5:30 p.m.

**ROLL CALL**

**Present:** 4 - Council Members Sheridan, Johnson, and Magee; and Mayor Pro Tem Tisdale

**Absent:** 1 - Mayor Manos

**PUBLIC COMMENTS FOR CLOSED SESSION ITEMS**

There were no speakers.

**CLOSED SESSION - 5:30 P.M.**

**A. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: City of Lake Elsinore v. Tolmasoff, et al.; U.S. District Court, Case No. 5:24-cv-00472-SSS-SHK

**B. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Pechanga Band of Indians, et al v. City of Lake Elsinore; Riverside Superior Court Case No. CVR12405402

**C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Gov't Code Section 54956.9: 1 potential case



**RECONVENE/CALL TO ORDER**

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 Pro Tem Tisdale led the Pledge of Allegiance.

**ROLL CALL**

**Present:** 4 - Council/Agency Members Sheridan, Johnson, and Magee; and Mayor Pro Tem/Vice Chair Tisdale

**Absent:** 1 - Mayor/Chair Manos

**CLOSED SESSION REPORT**

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

**PRESENTATIONS/CEREMONIALS**

1) **CalFire 2024 Third Quarter Statistical Update**

Battalion Chief Wright presented the update.

**PUBLIC COMMENTS - NON-AGENDIZED ITEMS - 1 MINUTE**

Harvey Ryan was called to speak.

Tracy Avery was called to speak.

Jim Judziewicz was called to speak.

**CITY COUNCIL CONSENT CALENDAR**

**A motion was made by Council Member Johnson, seconded by Council Member Sheridan to approve the City Council Consent Calendar. The motion carried by the following vote:**

**Aye:** 4 Mayor Pro Tem Tisdale, Council Member Sheridan, Council Member Magee, Council Member Johnson

**Nay:** 0 None

**Absent:** 1 Mayor Manos

2) **Minutes of the Regular City Council Meeting of October 8, 2024**

Approve the Minutes.

**This item was approved on the City Council Consent Calendar.**

3) **Amendment No. 1 to the Engagement and Fee Agreement with Murphy & Evertz, LLP**

Approve and authorize the City Manager to execute Amendment No. 1 to the Engagement and Fee Agreement with Murphy & Evertz, LLP, to provide special counsel services to the City in such final form as approved by the City Attorney.

**This item was approved on the City Council Consent Calendar.**

4) **Annexation No. 22 Into Community Facilities District No. 2015-2 (Maintenance Services) for TPM 37710 (Blazed Utopia)**

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. 22) AND AUTHORIZING THE LEVY OF SPECIAL TAXES THEREIN.

**This item was approved on the City Council Consent Calendar.**

5) **Change Order No. 1 to the Public Works Construction Agreement with SAS Construction, Inc. for Concrete Footings and Foundation, Bid Set 'A,' on the New City Hall Project (CIP Project #Z20006)**

Approve and authorize the City Manager to execute Change Order No.1 for the not to exceed amount of \$1,024,850.00 to SAS Construction, Inc. Concrete Footings and Foundation, Bid Set 'A,' on the New City Hall Project (CIP Project #Z20006) in such final form as approved by the City Attorney.

**This item was approved on the City Council Consent Calendar.**

6) **Purchase of York Air Conditioning System at Wholesale Cost from Amber Air Conditioning Inc.**

Authorize the City Manager to purchase the York air conditioning system with heat pumps for the City Hall Building Project (CIP Project Z20006) at wholesale cost from Amber Air Conditioning, Inc.

**This item was approved on the City Council Consent Calendar.**

7) **Award of a Public Works Agreement to Best Contracting Services Inc. for the roofing, Bid Set 'G,' on the New City Hall Project (CIP Project #Z20006)**

Approve and authorize the City Manager to execute a public works agreement to Best Contracting Services Inc. in an amount not to exceed \$297,249.00 for the roofing, bid set 'G,' on the new City Hall Project (CIP Project #Z20006) in such final form as approved by the City Attorney, authorize the City Manager to execute change orders not to exceed a 10% contingency amount of \$29,725.00 for construction uncertainties and adjustments, and authorize the City Clerk to file the notice of completion once the entire scope of work is complete and return withheld retention to the contractor.

**This item was approved on the City Council Consent Calendar.**

8) **Professional Services Agreement with Environmental Science Associates (ESA) for Historic Resources Inventory Update**

Approve and authorize the City Manager to execute an agreement with Environmental Science Associates in an amount not to exceed \$116,066 to conduct a citywide historic resources survey in such final form as approved by the City Attorney.

**This item was approved on the City Council Consent Calendar.**

9) **Agreement with Storyland Studios for Digital Storytelling and Tourism Development**

Approve and authorize the City Manager to execute an agreement/contract with Storyland Studios in an amount not to exceed \$164,500 for a plan for the 10-acre site next to the campground, digital storytelling, including website development, and visitor guide to fit various mediums such as desktops, tablets, and mobile phones in such final form as approved by the City Attorney.

**This item was approved on the City Council Consent Calendar.**

10) **Proposition 36: Resolution Supporting the Homelessness, Drug Addiction, and Theft Reduction Act**

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, IN SUPPORT OF PROPOSITION 36, THE HOMELESSNESS, DRUG ADDICTION, AND THEFT REDUCTION ACT.

**This item was approved on the City Council Consent Calendar.**

11) **Termination of the Proclamation of Local Emergency Due to the Airport Fire**

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, TERMINATING THE PROCLAMATION OF A LOCAL EMERGENCY DUE TO THE AIRPORT FIRE.

**This item was approved on the City Council Consent Calendar.**

12) **Grant of Easement to Southern California Edison Near McVicker Park**

Approve and authorize the City Manager to process the easement documents and instruct staff to forward the documents to Southern California Edison for recordation.

**This item was approved on the City Council Consent Calendar.**

13) **Professional Services Agreement with STC Traffic, Inc. for Traffic Signal Operations On-call Services**

Approve and authorize the City Manager to execute a Professional Services Agreement with STC Traffic, Inc. to provide on-call traffic signal operations service 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.**



14) **Construction Contract Award for All American Asphalt for the SB-1 Mountain Street Tract Pavement Rehabilitation Project CIP Z10088**

Approve and authorize the City Manager to execute a Public Works Construction Agreement with All American Asphalt in the amount of \$3,074,001.75 for the SB-1 Mountain Street Tracts Pavement Rehabilitation Project, CIP No. Z10088 in such final form approved by the City Attorney, authorize the City Manager to execute change orders not to exceed a 10% contingency amount of \$307,400.18, and authorize the City Engineer 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.**

15) **Professional Services Agreement with Wilson-Mikami Corporation for On-Call Engineering Services**

Approve and authorize the City Manager to execute an agreement with Wilson Mikami Corporation in an amount not to exceed \$100,000 annually for On-Call Engineering Services in such final form as approved by the City Attorney.

**This item was approved on the City Council Consent Calendar.**

16) **Agreements of Purchase and Sale Between Skydive Elsinore, LLC and City of Lake Elsinore for Acquiring Properties Related to the Murrieta Creek Multi-Use Trail Project**

Approve and authorize the City Manager to execute two (2) purchase and sale agreements with Skydive Elsinore LLC, a California Limited Liability Company, in amounts of \$36,975 and \$24,600 for right of way acquisition in such final form as approved by the City Attorney for the Murrieta Creek Multi-Use Trail Project.

**This item was approved on the City Council Consent Calendar.**

17) **Agreement with SD Flags Banner and Signs for Graphics and Signs Citywide**

Approve and authorize the City Manager to execute the Contractor Services Agreement with SD Flags Banner and Signs in an amount not to exceed \$30,000.00 for Graphics and Signs Citywide in such final form as approved by the City Attorney and authorize the City Manager to execute change orders not exceeding a 10% contingency of \$3,000.00 for unanticipated costs.

**This item was approved on the City Council Consent Calendar.**

**SUCCESSOR AGENCY CONSENT CALENDAR**

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

Aye: 4 Mayor Pro Tem Tisdale, Council Member Sheridan, Council Member Magee, Council Member Johnson  
Nay: 0 None  
Absent: 1 Mayor Manos

18) **Minutes of the Regular Successor Agency Meeting of October 8, 2024**

Approve the Minutes.

**This item was approved on the Successor Agency Consent Calendar.**

19) **Professional Services Agreement with Urban Futures, Inc. for Continuing Disclosures, CDIAAC, and Arbitrage Services**

Approve and authorize the Executive Director to execute the Professional Services Agreement with Urban Futures, Inc. in an amount not to exceed \$36,500 per fiscal year for ongoing continuing disclosure services, arbitrage reporting, and related financial services in connection with Successor Agency bonds in such final form as approved by the Agency Counsel.

**This item was approved on the Successor Agency Consent Calendar.**

20) **Legal Services Agreement with Leibold McClendon & Mann PC for Legal Services to the Successor Agency**

Approve and authorize the Executive Director to execute the Legal Services Agreement with Leibold McClendon & Mann PC for ongoing legal services to the Successor Agency in such final form as approved by the Executive Director.

**This item was approved on the Successor Agency Consent Calendar.**

**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 thanked Mr. Ryan and Ms. Avery for their comments; addressed the odor being experienced in the Summerly community; and expressed that the City is committed to working with the Elsinore Valley Municipal Water District to find a solution.

**CITY COUNCIL COMMENTS/REPORTS ON MEETINGS ATTENDED**

Council Member Magee noted that he is committed to finding a resolution to the odor being experienced in the Summerly community; encouraged residents to attend a public meeting regarding the Interstate 15 Express Lanes Project Southern Extension on Wednesday, October 23, 2024 at 6:00 p.m. in the Cultural Center; invited the community to attend or participate in the San Diego SCCA Autocross races on November 2-3, 2024 at Diamond Stadium; and announced that catfish were stocked in the Lake on October 17, 2024.

Council Member Johnson shared her attendance at the Blue Ribbon Breakfast on October 17, 2024 honoring the 2024 Inland Empire officers and deputies of the year; and announced the Cops for Kids Toy Drive accepting donations through November 22, 2024.



Council Member Sheridan noted that he would attend the Riverside Transit Agency Board of Directors meeting on October 24, 2024 and shared photos from the Agency's 2024 Roadeo; shared the result of the Thunder Cares Golf Tournament, which was held on Monday, October 14, 2024; and shared a photo from the Tuscany Hills Trunk or Treat event that was held on October 19, 2024.

Mayor Pro Tem Tisdale reported on his attendance at the Western Riverside Council of Governments Executive Committee meeting on October 7, 2024; reminded the audience that there are only two City Council meetings remaining for the year – November 12 and December 10, 2024; shared Vote Centers and Ballot Drop-off locations in the City and the dates they are open; and reminded the community that the Veteran's Day Memorial will be held on November 11, 2024 at Diamond Stadium.

### **ADJOURNMENT**

The Lake Elsinore City Council adjourned at 7:36 p.m. to the next Regular meeting of Tuesday, November 12, 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.