

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
OCTOBER 24, 2023 - 6:00 PM**

CLOSED SESSION - 5:30 PM

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION. The City Council convened in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(1) with respect to one matter of pending litigation: Cole Gretler v. City of Temecula, et al. (Riverside Superior Court Case No. CVSW2110343)

CALL TO ORDER at 6:00 PM: Mayor Zak Schwank

INVOCATION: Rabbi Yonasan Abrams of Chabad of Temecula

FLAG SALUTE: Mayor Pro Tem James Stewart

ROLL CALL: Alexander, Brown, Kalfus, Schwank, Stewart

PRESENTATIONS

Presentation by Eastern Municipal Water District Regarding Diaz Road Sewer Project

BOARD / COMMISSION REPORTS

Planning Commission and Race, Equity, Diversity and Inclusion Commission

PUBLIC SAFETY REPORT

County of Riverside, Riverside County Sheriff's Department

PUBLIC COMMENTS - NON-AGENDA ITEMS

The following individual(s) addressed the City Council:

- Janice Richardson
- Jeff Wittek
- Tammy Marine
- Laurel Lamont
- Melissa Bourbonnais

PUBLIC COMMENTS - AGENDA ITEMS

The following individual(s) addressed the City Council:

- Bob Rainer (Item #16)
- Maureen Dresch (Item #16)
- Edward Hubler (Item #16)
- Deanna Elliano (Item #16)
- Gillian Larson (Item #17)

All electronic comments received were made a part of the record of the meeting.

CITY COUNCIL REPORTS

CONSENT CALENDAR

Unless otherwise indicated below, the following pertains to all items on the Consent Calendar.

Approved the Staff Recommendation (5-0): Motion by Stewart, Second by Kalfus. The vote reflected unanimous approval.

1. Waive Reading of Title and Text of All Ordinances and Resolutions Included in the Agenda

Recommendation: That the City Council waive the reading of the title and text of all ordinances and resolutions included in the agenda.

2. Approve Action Minutes of October 10, 2023

Recommendation: That the City Council approve the action minutes of October 10, 2023.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ALLOWING CERTAIN CLAIMS AND DEMANDS AS SET FORTH IN EXHIBIT A

4. Approve City Treasurer's Report as of June 30, 2023

Recommendation: That the City Council approve and file the City Treasurer's Report as of June 30, 2023.

5. Adopt Ordinance No. 2023-08 Amending Section 2.04.050 of the Temecula Municipal Code Revising the Salary for Council Members To Nineteen Hundred Dollars Per Month Pursuant to Government Code Section 36516 (Second Reading)

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING SECTION 2.04.050 OF THE TEMECULA MUNICIPAL CODE REVISING THE SALARY FOR COUNCIL MEMBERS TO NINETEEN HUNDRED DOLLARS PER MONTH AS PROVIDED IN GOVERNMENT CODE SECTION 36516 AND PROVIDING FOR REIMBURSEMENT OF NECESSARY EXPENSES

Approved the Staff Recommendation (3-2): Motion by Stewart, Second by Kalfus. The vote reflected unanimous approval with Alexander and Stewart opposing.

6. Approve Easement Agreement Granting Eastern Municipal Water District an Approximate 480 Square Foot Non-Exclusive Public Service Easement Located within Parcel “A” and Parcel “B” of Parcel Map 23561-2 (APNs 910-262-060 and 910-262-061)

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THAT CERTAIN EASEMENT AGREEMENT THAT GRANTS A PUBLIC-SERVICE EASEMENT IN FAVOR OF EASTERN MUNICIPAL WATER DISTRICT ON THE CITY-OWNED PROPERTY IDENTIFIED AS PORTIONS OF PARCEL “A” AND PARCEL “B” OF PARCEL MAP 23561-2 (APNS 910-262-060 AND 910-262-061)

7. Award Construction Contract to Loamic Builders, Inc. for the Citywide Concrete Repairs - PW23-17

Recommendation: That the City Council:

1. Award construction contract to Loamic Builders, Inc. in the amount of \$318,244.27 for the Citywide Concrete Repairs - PW23-17; and
2. Authorize the City Manager to approve construction contract change orders not to exceed the contingency amount of \$31,824.43, which is equal to 10% of the contract amount; and
3. Make a finding that the Citywide Concrete Repairs - PW23-17 is exempt from Multiple Species Habitat Conservation Plan fees.

8. Award Construction Contract to Loamic Builders, Inc. for the Sidewalks - Old Town Improvements - Additional Streetlights on Moreno Road and Mercedes Street (East of Old Town Front Street), PW22-17

Recommendation: That the City Council:

1. Award a construction contract to Loamic Builders, Inc. in the amount of \$148,440 for the Sidewalks - Old Town Improvements - Additional Streetlights on Moreno Road and Mercedes Street (East of Old Town Front Street), PW22-17; and
2. Authorize the City Manager to approve construction contract change orders not to exceed the contingency amount of \$14,844.00, which is equal to 10% of the contract amount; and
3. Make a finding that the Sidewalks - Old Town Improvements -

Additional Streetlights on Moreno Road and Mercedes Street (East of Old Town Front Street), PW22-17 is exempt from Multiple Species Habitat Conservation Plan fees.

9. Approve Amendment No. 1 to the Transportation Uniform Mitigation Fee (TUMF) Agreement to Reimburse TUMF Funds with Western Riverside Council of Governments for the French Valley Parkway Phase III (Jefferson Ave to Ynez Rd) - Right-of-Way Phase, Project No. PW19-03

Recommendation: That the City Council:

1. Approve Amendment No. 1 to the Transportation Uniform Mitigation Fee (TUMF) Agreement to Reimburse TUMF Funds with Western Riverside Council of Governments (WRCOG) for the French Valley Parkway Phase III (Jefferson Ave to Ynez Rd) - Right-of-Way Phase, Project No. PW19-03, and authorize the City Manager to execute the agreement; and
2. Appropriate \$1,500,000 in WRCOG TUMF funding to the French Valley Parkway/I-15 Improvements, Phase III, Project No. PW19-03.

10. Approve Stop Controls and Pedestrian Analysis for Mercedes Street Between 6th Street and 3rd Street

Recommendation: That the City Council:

1. Adopt a resolution entitled:

RESOLUTION NO. 2023-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, ESTABLISHING AN ALL-WAY STOP CONTROL AT THE INTERSECTIONS OF MERCEDES STREET AND 5TH STREET AND MERCEDES STREET AND 4TH STREET AND FINDING THAT THE ACTION IS EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15301(C) OF THE CEQA GUIDELINES

2. Recommend staff implement striped pedestrian crosswalks at intersections of Mercedes Street/6th Street, Mercedes/5th Street, Mercedes/4th Street, and Mercedes/3rd Street along with adoption of Multi-Way Stop Controls.

11. Approve Tract Map 38043 (Located on the South Side of Rancho California Road, Approximately 150 Feet West of Cosmic Drive)

Recommendation: That the City Council:

1. Approve Tract Map 38043 in conformance with the Conditions of Approval; and
2. Approve the Subdivision Monument Agreement with the Developer; and
3. Authorize the City Manager to execute the agreements on behalf of the City.

12. Receive and File Temporary Street Closures for 2023 Winterfest Events

Recommendation: That the City Council receive and file the temporary closure of certain streets for the following 2023 Winterfest Events:

HOLIDAY DECORATION INSTALLATION
 SANTA’S ELECTRIC LIGHT PARADE
 TEMECULA ON ICE
 NEW YEAR’S EVE GRAPE DROP

RECESS:

At 7:30 PM, the City Council recessed and convened as the Temecula Community Services District Meeting. At 7:32 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

15. Receive and File Assembly Bill 1600 Financial Reports - Fiscal Year 2022-23 Development Impact Fee Expenditures

Recommendation: That the City Council conduct a public hearing and receive and file Assembly Bill 1600 Financial Reports - Fiscal Year 2022-23 Development Impact Fee Expenditures.

Approved the Staff Recommendation (5-0): Motion by Alexander, Second by Kalfus. The vote reflected unanimous approval.

16. Consider a Planned Development Overlay Amendment (Planning Application No. PA23-0260)

Recommendation: That the City Council conduct a public hearing and introduce an ordinance amending the Planned Development Overlay (PDO-7) (Planning Application No. PA23-0260) entitled:

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A PLANNED DEVELOPMENT OVERLAY AMENDMENT TO THE LINFIELD CHRISTIAN

SCHOOL PLANNED DEVELOPMENT OVERLAY (PDO-7) GENERALLY LOCATED NORTH OF PAUBA RD., SOUTH OF RANCHO VISTA RD., EAST OF TEMECULA VALLEY HIGH SCHOOL, AND WEST OF GREEN TREE RD., AND MAKE A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (APN: 955-020-012, 017, 018, AND 019) (PA23-0260)

Approved the Staff Recommendation (4-0, Kalfus abstained): Motion by Stewart, Second by Alexander. The vote reflected unanimous approval with Kalfus abstaining.

At this public hearing Council Member Kalfus and Deputy City Manager Luke Watson will not be participating due to conflicts of interest and will leave the Council Chamber. Council Member Kalfus' wife is a teacher at Linfield School which is where this PDO will be amended and Deputy City Manager Watson has children attending the school. They will need to leave the Council Chamber.

Council Member Kalfus and Deputy City Manager Watson did leave the Council Chamber while this item was being considered and did not participate in the consideration of the item.

BUSINESS

17. Appoint Members to the Community Services, Planning, Race, Equity, Diversity and Inclusion and Traffic Safety Commissions

Recommendation: That the City Council appoint members to the Community Services, Planning, Race, Equity, Diversity and Inclusion and Traffic Safety Commissions.

Motion to appoint Kathryn Sizemore to the Community Services Commission; Lanae Turley-Trejo to the Planning Commission; Robert Carter and David Matics to the Traffic Safety Commission; Lyman Legters and Denyse Wilson to the Race, Equity, Diversity and Inclusion Commission (5-0): Motion by Stewart, Second by Alexander. The vote reflected unanimous approval.

18. Introduce Ordinance Amending Temecula Municipal Code Section 2.40.100 Relating to Compensation for City Board and Commission Members

Recommendation: That the City Council introduce an ordinance entitled:

ORDINANCE NO. 2023-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING SECTION 2.40.100 OF THE TEMECULA MUNICIPAL CODE RELATING TO COMPENSATION FOR CITY BOARD AND COMMISSION MEMBERS

Approved the Staff Recommendation (4-1): Motion by Stewart, Second by Kalfus. The vote reflected unanimous approval with Alexander opposing.

19. Approve Five City Council Protocol Manual Policies and Provide General Direction Regarding Code of Ethics (At the Request of Subcommittee Members Alexander and Kalfus)

Recommendation: That the City Council provide general direction regarding a code of ethics and adopt a resolution entitled:

RESOLUTION NO. 2023-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING FIVE CITY COUNCIL POLICIES GOVERNING THE OPERATIONS OF THE CITY COUNCIL FOR INCLUSION IN THE CITY COUNCIL PROTOCOL MANUAL

Approved the Staff Recommendation (5-0): Motion by Kalfus, Second by Schwank. The vote reflected unanimous approval. General direction received on Code of Ethics policy.

DEPARTMENTAL REPORTS (RECEIVE AND FILE)

- 20. City Council Travel/Conference Report
- 21. Community Development Department Monthly Report
- 22. Fire Department Monthly Report
- 23. Police Department Monthly Report
- 24. Public Works Department Monthly Report

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

CITY MANAGER REPORT

CITY ATTORNEY REPORT

City Attorney reported that there was a closed session tonight and in that closed session, the Council by a vote of 5 to 0 authorized the settlement of the Gretler v. City of Temecula case in the amount of \$350,000 that will be paid through the City's insurance carrier.

ADJOURNMENT

At 8:32 PM, the City Council meeting was formally adjourned to Tuesday, November 14, 2023, at 4:30 PM for Closed Session, with regular session commencing at 6:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

Adjourned in Memory of
Retired Fire Deputy Chief Mike Ritchey

Zak Schwank, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]