

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
JUNE 11, 2024 - 6:00 PM**

CALL TO ORDER: Mayor James Stewart

INVOCATION: Chaplain Randy Mah, Riverside County Sheriff's Department

FLAG SALUTE: Mayor James Stewart

ROLL CALL: Alexander, Kalfus, Schwank, Stewart

PRESENTATIONS

Presentation of Certificate of Recognition to Facilities Supervisor Mario Munoz for Retirement
Presentation of Certificate of Recognition for Great Oak High School Unified Relay State Champions

BOARD / COMMISSION REPORTS

Community Services Commission and Traffic Safety Commission

PUBLIC SAFETY REPORT

County of Riverside, Sheriff's Department

PUBLIC COMMENTS - NON-AGENDA ITEMS

The following individual(s) addressed the City Council:

- Laurel LaMont
- Melissa Bourbonnais

CITY COUNCIL REPORTS

CONSENT CALENDAR

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

Approved the Staff Recommendation (4-0): Motion by Schwank, Second by Alexander. 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 May 28, 2024

Recommendation: That the City Council approve the action minutes of May 28, 2024.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2024-36

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

4. Adopt Resolutions Regarding the November 5, 2024 General Municipal Election

Recommendation: That the City Council adopt the following resolutions regarding the November 5, 2024 General Municipal Election:

RESOLUTION NO. 2024-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

RESOLUTION NO. 2024-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

RESOLUTION NO. 2024-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024

RESOLUTION NO. 2024-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

TEMECULA PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT ANY MUNICIPAL ELECTION

RESOLUTION NO. 2024-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING SETTING PRIORITIES FOR FILING WRITTEN ARGUMENT(S) AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS FOR ANY MEASURE(S) THAT MAY QUALIFY TO BE PLACED ON THE BALLOT FOR THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION

5. Adopt Resolution for Passport Services and Fees

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2024-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING PASSPORT SERVICES AND FEES

6. Approve Annual Renewal of City Insurance Policies

Recommendation: That the City Council approve the following insurance policies and renewal premiums:

1. Excess Liability (\$10M Limit) insurance with Alliant National Municipal Liability (ANML) Program, in the amount of \$919,095.73, for the period of July 1, 2024 to July 1, 2025; and
2. Excess Liability (\$5M xs \$10M Limit) insurance with Starstone Specialty Insurance Company, in the amount of \$254,854.60, for the period of July 1, 2024 to July 1, 2025; and
3. Excess Workers' Compensation insurance with Safety National Casualty Insurance, in the amount of \$150,846, for the period of July 1, 2024 to July 1, 2025; and
4. Property & Equipment Breakdown insurance with Hanover Insurance Company, in the amount of \$189,245, for the period of July 1, 2024 to July 1, 2025; and
5. Difference in Conditions (Earth Movement and Flood) insurance with Steadfast Insurance Company and QBE Specialty Insurance Company in the amount of \$365,456, for the period of July 1, 2024 to July 1, 2025; and

6. Auto Physical Damage insurance with Hanover Insurance Company, in the amount of \$28,179, for the period of July 1, 2024 to July 1, 2025; and
7. Cyber Liability insurance with APIP Core, Boost & BBR, in the amount of \$39,763.51, for the period of July 1, 2024 to July 1, 2025; and
8. Crime insurance with Alliant Crime Insurance Program (ACIP), in the amount of \$2,422, for the period of July 1, 2024 to July 1, 2025; and
9. Pollution/Environmental Legal Liability insurance with Indian Harbor Insurance Company, in the amount of \$11,783.16, for the period of July 1, 2024 to July 1, 2025; and
10. Volunteer Accident insurance with Volunteer Insurance Program (VIP), in the amount of \$660, for the period of July 1, 2024 to July 1, 2025; and
11. Deadly Weapons insurance with Alliant Deadly Weapons Response Program (ADWRP), in the amount of \$5,555.21, for the period of July 1, 2024 to July 1, 2025; and
12. Unmanned Aircraft (Drone) Coverage with California Aircraft Municipal Program (CAMP), in the amount of \$1,224.26, for the period of July 1, 2024 to July 1, 2025.

7. Adopt Amended Alert and Warning Program as Support Plan to Emergency Operations Plan

Recommendation: That the City Council adopt and promulgate the amended alert and warning program as a support plan to the City of Temecula Emergency Operations Plan.

8. Adopt Resolution Declaring an Emergency Condition for the Repair and Replacement of Storm Drain Along Ynez Road, and Declaring that Public Interest and Necessity Requires Work to be Performed Without Competitive Bidding Pursuant to Public Contract Code Sections 1102, 20168 and 22050

Recommendation: That the City Council adopt by four votes a resolution entitled:

RESOLUTION NO. 2024-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, DECLARING AN EMERGENCY CONDITION FOR THE REPAIR AND REPLACEMENT OF STORM DRAIN ALONG YNEZ ROAD AND DECLARING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRES CERTAIN WORK TO BE PERFORMED WITHOUT COMPETITIVE BIDDING PURSUANT TO PUBLIC CONTRACT CODE SECTIONS 1102, 20168 AND 22050

9. Adopt Resolution to Approve Funds Transfer Agreement with California Department of Transportation (Caltrans) for Allocation of Priority Legislative Budget Project Funds

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2024-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA TO APPROVE THE FUNDS TRANSFER AGREEMENT (FTA) BETWEEN THE CITY OF TEMECULA AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR ALLOCATION OF PRIORITY LEGISLATIVE BUDGET PROJECT (PLBP) FUNDS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ALL PERTINENT SUPPLEMENTAL AGREEMENTS, AMENDMENTS, OR DOCUMENTS FOR STATE-FUNDED PROJECTS

10. Approve Agreement with Esgil, LLC for Plan Review Services for Fiscal Years 2025-2027

Recommendation: That the City Council approve the agreement with Esgil, LLC for plan review services for fiscal years 2025-2027, for a total agreement amount not to exceed \$2,000,000.

11. Award Construction Contract to Onyx Paving Company, Inc. for the Pavement Rehabilitation Program - Citywide, Pechanga Parkway, Butterfield Stage Road, and Patricia H. Birdsall Sports Park Parking Lot Project, PW23-19

Recommendation: That the City Council:

1. Award a Construction Contract to Onyx Paving Company, Inc., in the amount of \$3,773,000 for the Pavement Rehabilitation Program - Citywide, Pechanga Parkway, Butterfield Stage Road, and Patricia H. Birdsall Sports Park Parking Lot Project, PW23-19; and
2. Authorize the City Manager to approve construction change orders up to \$377,300, which is equal to 10% of the Contract amount; and
3. Make a finding that the Pavement Rehabilitation Program - Citywide, Pechanga Parkway, Butterfield Stage Road, and Patricia H. Birdsall Sports Park Parking Lot Project, PW23-19 is exempt from Multiple Species Habitat Conservation Plan fees.

12. Approve Minor Maintenance Agreement with Interstate Striping, Inc., for Citywide Repainting of Traffic Striping for Fiscal Years 2024-2029

Recommendation: That the City Council approve a minor maintenance agreement with Interstate Striping, Inc., for citywide repainting of traffic striping for fiscal years 2024-2029, in the amount of \$2,750,000.

13. Approve Minor Maintenance Agreement with Pattie Patrick dba Joncowest for Janitorial Services for Park Restrooms for Fiscal Years 2024-2029

Recommendation: That the City Council approve the minor maintenance agreement with Pattie Patrick dba Joncowest for janitorial services for park restrooms for fiscal years 2024-2029, in the amount of \$850,000.

14. Approve Third Amendment to the Minor Maintenance Agreement with Mariposa Tree Management, Inc., for Citywide Tree Trimming Maintenance Services for Fiscal Year 2024-2025

Recommendation: That the City Council approve the third amendment to the minor maintenance agreement with Mariposa Tree Management, Inc. for citywide tree trimming maintenance services for fiscal year 2024-2025, in the amount of \$700,000.

15. Approve Deed Restriction for Prop 68 Grant Funding, Dog Park Renovation at Michael “Mike” Naggar Community, Project No. PW21-14

Recommendation: That the City Council:

1. Approve a Deed Restriction for the Dog Park Renovations at Michael “Mike” Naggar Community Park, PW21-14; and
2. Authorize the City Manager to execute and record the deed restriction for the Dog Park Renovations at Michael “Mike” Naggar Community Park, PW21-14

16. Accept Dedications of Certain Streets for Public Use and Accept Certain Portions into the City-Maintained Street System

Recommendation: That the City Council adopt the following resolutions entitled:

RESOLUTION NO. 2024-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ACCEPTING DEDICATIONS OF PORTIONS OF CALLE MEDUSA FROM NICOLAS ROAD TO ENFIELD LANE FOR PUBLIC USE AND ACCEPTING SAID PORTIONS INTO THE CITY-MAINTAINED STREET SYSTEM

RESOLUTION NO. 2024-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ACCEPTING DEDICATIONS OF PORTIONS OF GREEN TREE ROAD FROM PAUBA ROAD TO DEODAR LANE FOR PUBLIC USE AND ACCEPTING SAID PORTIONS INTO THE CITY-MAINTAINED STREET SYSTEM

RESOLUTION NO. 2024-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ACCEPTING DEDICATIONS OF PORTIONS OF ORMSBY ROAD FROM SANTIAGO ROAD TO ESTERO ROAD FOR PUBLIC USE AND ACCEPTING SAID PORTIONS INTO THE CITY-MAINTAINED STREET SYSTEM

RESOLUTION NO. 2024-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ACCEPTING DEDICATION OF PORTIONS OF VIA EL DELORA FROM ORMSBY ROAD TO END OF THE VIA EL DELORA CUL-DE-SAC FOR PUBLIC USE AND ACCEPTING SAID PORTIONS INTO THE CITY-MAINTAINED STREET SYSTEM

Approved the Staff Recommendation (3-1): Motion by Kalfus, Second by Alexander. The vote reflected unanimous approval with Schwank opposing.

17. Accept Improvements and File the Notice of Completion for the Margarita Recreation Center, PW17-21

Recommendation: That the City Council:

1. Accept the construction of the Margarita Recreation Center, PW17-21, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond; and
3. Release the Labor and Materials Bond seven months after filing the Notice of Completion if no liens have been filed.

18. Accept Improvements and File the Notice of Completion for the Citywide Concrete Repairs for Fiscal Year 2022-23, PW23-17

Recommendation: That the City Council:

1. Accept the construction of the citywide concrete repairs for fiscal year 2022-23, PW23-17, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond, and accept a one-year Maintenance Bond in the amount of 10% of the final contract amount; and
3. Release the Labor and Materials Bond seven months after filing the Notice of Completion if no liens have been filed.

19. Accept Improvements and File the Notice of Completion for the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08

Recommendation: That the City Council:

1. Accept the construction of the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond, and accept a one-year Maintenance Bond in the amount of 10% of the final contract amount; and
3. Release the Labor and Materials Bond seven months after filing the Notice of Completion, if no liens have been filed.

20. Receive and File Temporary Street Closures for 2024 Summerfest Events

Recommendation: That the City Council receive and file the temporary closure of certain streets for the following 2024 Summerfest Events:

TEMECULA SUNSET MARKET / SUMMER CONCERT SERIES /
4TH OF JULY PARADE / 4TH OF JULY FIREWORKS SHOW /
NATIONAL NIGHT OUT

RECESS:

At 6:45 PM, the City Council recessed and convened as the Temecula Community Services District Meeting. At 7:02 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

24. Adopt Resolution to Approve the Solid Waste and Recycling Rates for Commercial Customers for Fiscal Year 2024-25

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2024-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEMECULA TO APPROVE THE SOLID WASTE AND RECYCLING
RATES FOR COMMERCIAL CUSTOMERS FOR FISCAL YEAR
2024-25

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

25. Adopt Resolution Reconfirming Automatic Annual Fee Adjustment in the Western Riverside County Multiple Species Habitat Conservation Plan Local Development Mitigation Fee

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2024-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA RECONFIRMING THE AUTOMATIC ANNUAL FEE ADJUSTMENT IN THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN LOCAL DEVELOPMENT MITIGATION FEE APPLICABLE TO ALL DEVELOPMENTS IN THE PLAN AREA PURSUANT TO TEMECULA MUNICIPAL CODE SECTION 15.10.050.D AND MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS (LR24-0185)

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

DEPARTMENTAL REPORTS (RECEIVE AND FILE)

26. City Council Travel/Conference Report

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

CITY MANAGER REPORT

CITY ATTORNEY REPORT

ADJOURNMENT

At 7:10 PM, the City Council meeting was formally adjourned to Tuesday, June 25, 2024, at 5:00 PM for Closed Session, with regular session commencing at 6:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

James Stewart, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]