

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
MARCH 26, 2024 - 6:00 PM**

CLOSED SESSION - 5:00 PM

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION. The City Council convened in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(4) with respect to one matters of potential litigation. A point has been reached where, in the opinion of the City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation involving the City and the City Council will decide whether to initiate litigation.

CALL TO ORDER at 6:00 PM: Mayor James Stewart

INVOCATION: Antonio Madrigal of The Eschatologist

FLAG SALUTE: Mayor James Stewart

ROLL CALL: Alexander, Kalfus, Schwank, Stewart

PRESENTATIONS

Presentation of Proclamation for DMV/Donate Life Month
Presentation of Proclamation for National Child Abuse Prevention Month
Presentation Regarding City Workforce Development Programs and Efforts

ANNUAL JOINT MEETING - CITY COUNCIL, RACE, EQUITY, DIVERSITY AND INCLUSION COMMISSION AND TRAFFIC SAFETY COMMISSION

BOARD / COMMISSION REPORTS

Planning Commission and Race, Equity, Diversity and Inclusion Commission

PUBLIC SAFETY REPORT

County of Riverside, Fire Department (CAL FIRE)

PUBLIC COMMENTS - NON-AGENDA ITEMS

The following individual(s) addressed the City Council:

- Mark A. Swearngin
- Laurel LaMont
- Melissa Bourbonnais
- Lori Trask
- Holly Ostroke
- Hanon Rickard

PUBLIC COMMENTS - AGENDA ITEMS

The following individual(s) addressed the City Council:

- David Burrus (Item #13)
- Bob Quaid (Item #14)
- Laurel LaMont (Item #14)
- Melissa Bourbonnais (Item #14)
- Lori Trask
- Bob Kowell
- Felipe Monroig

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 (4-0): Motion by Alexander, 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 March 12, 2024

Recommendation: That the City Council approve the action minutes of March 12, 2024.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2024-22

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

4. Adopt Ordinance No. 2024-01 Adding Chapter 9.90 Unlawful Possession of a Catalytic Converter to the Temecula Municipal Code (Second Reading)

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADDING CHAPTER 9.90, UNLAWFUL POSSESSION OF A CATALYTIC CONVERTER, TO THE TEMECULA MUNICIPAL CODE

5. Receive and File the General Plan and Housing Element Annual Progress Report for the Period of January 1, 2023 to December 31, 2023

Recommendation: That the City Council receive and file the General Plan and Housing Element Annual Progress Report for the period of January 1, 2023 to December 31, 2023.

6. Award Construction Contract to Land Forms Landscape Construction, Inc. for the Dog Park Renovation at Michael “Mike” Naggar Community Park Project, PW21-14

Recommendation: That the City Council:

1. Award a construction contract to Land Forms Landscape Construction, Inc. in the amount of \$608,420 for the Dog Park Renovation at Michael “Mike” Naggar Community Park Project, PW21-14; and
2. Authorize the City Manager to approve construction contract change orders up to 10% of the contract amount, \$60,842; and
3. Make a finding that the Dog Park Renovation at Michael “Mike” Naggar Community Park Project, PW21-14, project is exempt from Multiple Species Habitat Conservation Plan fees.

7. Approve Sixth Amendment to the Agreement with David Evans and Associates, Inc. for the Diaz Road Expansion Project, PW17-25

Recommendation: That the City Council:

1. Approve the Sixth Amendment to the agreement with David Evans and Associates, Inc., to increase the contingency by \$75,000 and extend the term of the agreement to June 30, 2026 in support of the professional design and environmental services of the Diaz Road Expansion Project, PW17-25; and
2. Increase the City Manager’s authority to approve extra work authorizations by \$75,000.

8. Accept Improvements and File the Notice of Completion for the Mary Phillips Senior Center Enhancement and Renovation, PW20-13

Recommendation: That the City Council:

1. Accept the construction of the Mary Phillips Senior Center Enhancement and Renovation, PW20-13, 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.

9. Accept Improvements and File the Notice of Completion for Recycled Water Accelerated Retrofit Program, PW21-04

Recommendation: That the City Council:

1. Accept the improvements for the Recycled Water Accelerated Retrofit Program, PW21-04, 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.

RECESS:

At 7:39 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and Temecula Public Financing Authority Meeting. At 7:56 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

13. Introduce Ordinance Amending Sections 10.24.040 and 12.04.050 of the Temecula Municipal Code Regarding Use of E-bikes on Sidewalks and within Public Parks

Recommendation: That the City Council introduce an ordinance entitled:

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING SECTION 10.24.040 OF TITLE 10 AND SECTION 12.04.050 OF TITLE 12 OF THE TEMECULA MUNICIPAL CODE TO ESTABLISH RULES AND REGULATIONS FOR THE OPERATION OF E-BIKES ON SIDEWALKS AND WITHIN PUBLIC PARKS, AND FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

BUSINESS

14. Consider the Creation of an Ad Hoc Subcommittee to Discuss Matters Related to the Previously Adopted User Fee Schedule (At the Request of Council Member Alexander)

Recommendation: That the City Council:

1. Consider the creation of an ad hoc subcommittee to discuss matters related to the previously adopted user fee schedule superseded by the current adoption of Resolution No. 2024-16.
2. If the subcommittee is created, appoint two Council Members to the subcommittee.
3. If the subcommittee is created, authorize City staff to provide the necessary document production and research necessary for the subcommittee's consideration of the matter.

Motion for the creation of an ad hoc subcommittee. (2-2): Motion by Alexander, Second by Kalfus. Motion failed with Schwank and Stewart opposing.

Motion to send to the existing Strategic Fiscal Planning Subcommittee, the creation of a Council policy regarding conducting a user fee study every 3-5 years, with a public workshop component, to obtain greater cost recovery for services provided. (4-0): Motion by Alexander, Second by Stewart. The vote reflected unanimous approval.

DEPARTMENTAL REPORTS (RECEIVE AND FILE)

15. City Council Travel/Conference Report
16. Community Development Department Monthly Report
17. Fire Department Monthly Report
18. Police Department Monthly Report
19. Public Works Department Monthly Report

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

The City Council approved the placement of the following topic on a future agenda:

1. Review Request of Information and Staff Time and Council-Manager Form of Government Policies in the City Council Protocol Manual

(4-0): Motion by Alexander, Second by Schwank. The vote reflected unanimous approval.

CITY MANAGER REPORT

CITY ATTORNEY REPORT

The City Attorney stated there was no reportable actions from closed session.

ADJOURNMENT

At 9:20 PM, the City Council meeting was formally adjourned to Tuesday, April 9, 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]