

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
JULY 9, 2024 - 6:00 PM**

CLOSED SESSION - 5:00 PM

LABOR NEGOTIATIONS - The City Council convened in closed session with its designated representatives to discuss labor negotiations pursuant to Government Code Section 54957.6. The City's designated representatives are City Manager Aaron Adams, City Attorney Peter Thorson, Assistant City Manager Kevin Hawkins, Director of Finance Jennifer Hennessy, Director of Human Resources and Risk Management Isaac Garibay, Deputy City Manager Luke Watson and Senior Human Resources Analyst Becky Obmann. The employee organization is the California Teamsters Public, Professional and Medical Employees Union Local 911.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION. The City Council convened in closed session with the City Attorney's Office pursuant to Government Code Section 54956.9(d)(1) with respect to two matters of pending litigation: (1) City of Temecula v. Sohan Singh, et al. (Riverside Superior Court Case No. CVSW2303952) and (2) City of Temecula v. Jose Leonardo Garcia, et al. (Riverside County Superior Court Case No. CVSW2303954).

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

INVOCATION: Sylvester Scott of Baha'is of Temecula

FLAG SALUTE: Mayor James Stewart

ROLL CALL: Alexander, Kalfus, Schwank, Stewart

PRESENTATIONS

Presentation of Certificate of Recognition to Building Official Brian Clements Upon Retirement

BOARD / COMMISSION REPORTS

Planning Commission and Traffic Safety Commission

PUBLIC SAFETY REPORT

County of Riverside, Fire Department (CAL FIRE)

PUBLIC COMMENTS - NON-AGENDA ITEMS

The following individual(s) addressed the City Council:

- Laurel LaMont
- Adriana Moreno
- Melissa Bourbonnais

PUBLIC COMMENTS - AGENDA ITEMS

The following individual(s) addressed the City Council:

- Lori Trask (Item #15)

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 Schwank. 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 June 11, 2024

Recommendation: That the City Council approve the action minutes of June 11, 2024.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2024-51

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

4. Approve Second Amendment to Agreement with Habitat for Humanity for the Temecula Home Repair Program

Recommendation: That the City Council approve the second amendment to the agreement with Habitat for Humanity for the Temecula Home Repair Program.

5. Accept Dedication of Easements for Drainage Purposes Pursuant to Parcel Map 19677 and Approve Related Quitclaim Deed for Transfer to Riverside County Flood Control and Water Conservation District

Recommendation: That the City Council adopt resolutions entitled:

RESOLUTION NO. 2024-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ACCEPTING DEDICATION OF CERTAIN EASEMENTS FOR DRAINAGE PURPOSES OFFERED ON PARCEL

MAP 19677 RECORDED AS INSTRUMENT NO. 107843 ON MAY 9, 1986 IN THE OFFICIAL RECORDS OF THE COUNTY OF RIVERSIDE

RESOLUTION NO. 2024-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A QUITCLAIM DEED FOR THE TRANSFER TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF THE CITY OF TEMECULA'S INTEREST IN AND TO CERTAIN EASEMENTS FOR DRAINAGE PURPOSES DEDICATED TO THE PUBLIC PURSUANT TO PARCEL MAP 19677 IN CONNECTION WITH THE PRADO DEVELOPMENT IMPROVEMENTS

6. Approve On-Call Agreements for Various Consulting Services for the Department of Public Works for Fiscal Years 2025-29

Recommendation: That the City Council approve the following on-call agreements for various consulting services for the Department of Public Works for Fiscal Years 2025-29:

Architectural Services:

Dahlin Group, Inc. - \$1,000,000
Ferguson Pape Baldwin Architects - \$1,000,000
Delawie - \$1,000,000

Construction Management Services:

Falcon Engineering Services, Inc. - \$1,000,000
Ardurra Group, Inc. - \$1,000,000
Dudek - \$1,000,000
Anser Advisory - \$1,000,000

Engineering & Environmental Services:

Mark Thomas & Company, Inc. - \$1,000,000
IMEG - \$1,000,000
Dokken Engineering - \$1,000,000
MNS Engineering, Inc. - \$1,000,000
NV5, Inc. - \$1,000,000

Mapping & Survey Services:

CL Surveying and Mapping, Inc. - \$300,000
Michael Baker International, Inc. - \$300,000
David Evans and Associates, Inc. - \$300,000

Geotechnical and Material Testing Services:

Verdantas Inc. - \$1,000,000
Twining, Inc. - \$1,000,000
Geocon West, Inc. - \$1,000,000
Aragon Geotechnical, Inc. - \$1,000,000

Property Acquisition Services:

Monument - \$1,000,000

Bender Rosenthal Incorporated - \$1,000,000

Traffic Engineering Services:

STC Traffic, Inc. - \$1,000,000

Willdan Engineering - \$1,000,000

Advantec Consulting Engineers, Inc. - \$1,000,000

7. Approve Design-Build Agreement and General Conditions with De La Secura Builders, Inc. for the Ronald Reagan Sports Park Hockey Rink, Project No. PW22-06

Recommendation: That the City Council:

1. Appropriate \$500,000 in Developer Contributions from the Extraordinary Benefit Payment received from the Rendezvous Apartments project to the Ronald Reagan Sports Park Hockey Rink, Project No. PW22-06; and

2. Approve the Design-Build Agreement and General Conditions with De La Secura Builders, Inc. with a Guaranteed Maximum Price amount of \$2,957,062, for the Ronald Reagan Sports Park Hockey Rink, Project No. PW22-06; and

3. Authorize the City Manager to approve construction contract change orders up to 10% of the agreement amount, \$295,706.20.

8. Approve Non-Exclusive Commodity Agreement with Main Street Signs for the Purchase of Street Name and Traffic Control Signs for Fiscal Years 2025-2029

Recommendation: That the City Council approve the Non-Exclusive Commodity agreement with Main Street Signs for the purchase of street name and traffic control signs for Fiscal Years 2024-2029, in the amount of \$500,000.

9. Award Construction Contract to Leonida Builders, Inc., for the Murrieta Creek Improvements - Southside Parking Lot Reconfiguration, Now Dedicated and Known As the Roger Epperson Parking Lot, PW15-07

Recommendation: That the City Council:

1. Award a construction contract to Leonida Builders, Inc. in the amount of \$1,242,399 for the Murrieta Creek Improvements - Southside Parking Lot Reconfiguration, PW15-07; and

2. Authorize the City Manager to approve construction contract change orders up to \$124,239.90, which is equal to 10% of the Contract amount; and

3. Make a finding that the Murrieta Creek Improvements, PW15-07 is exempt from Multiple Species Habitat Conservation Plan fees.

10. Award Construction Contract to Martin Marietta San Diego Aggregates LLC dba ATP General Engineering Contractors, for the Rainbow Canyon Road Pavement Rehabilitation Project, PW22-15

Recommendation: That the City Council:

1. Award a construction contract to Martin Marietta San Diego Aggregates LLC dba ATP General Engineering Contractors, in the amount of \$1,923,009.35, for Rainbow Canyon Road Pavement Rehabilitation Project, PW22-15; and

2. Authorize the City Manager to approve construction contract change orders up to \$252,300.94, which is 13% of the contract amount; and

3. Make a finding that Rainbow Canyon Road Pavement Rehabilitation Project, PW22-15, is exempt from Multiple Species Habitat Conservation Plan fees.

RECESS:

At 6:44 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and the Temecula Public Financing Authority Meeting. At 7:04 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

15. Introduce Ordinance Amending Titles 9 and 17 of the Temecula Municipal Code to Add and Implement a Class IV Entertainment License and Adopt Related Resolutions

Recommendation: That the City Council:

1. Introduce and read by title only an ordinance entitled:

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING TITLES 9 AND 17 OF THE TEMECULA MUNICIPAL CODE TO 1) IMPLEMENT AND DEFINE A CLASS IV ENTERTAINMENT LICENSE, 2) AMEND TABLE 17.08.030 (SCHEDULE OF PERMITTED USES COMMERCIAL / OFFICE / INDUSTRIAL DISTRICTS) TO INCLUDE CLASS IV ENTERTAINMENT ESTABLISHMENT AS A NON PERMITTED USE IN ALL ZONES BUT ALLOWED IN THE OLD TOWN SPECIFIC PLAN AND ADDING A NOTE REFERENCING

CHAPTER 17.09 (ALCOHOL), 3) CREATE A NEW CHAPTER 17.09 (ALCOHOL) AND RELOCATE ALL ALCOHOL REQUIREMENTS FROM CHAPTER 17.10 (SUPPLEMENTAL DEVELOPMENT STANDARDS) TO CHAPTER 17.09 (ALCOHOL), 4) CREATE STANDARDS FOR ENTERTAINMENT ESTABLISHMENTS, AND 5) MAKING A FINDING OF EXEMPTION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15061(B)(3)

2. Adopt the following resolutions entitled:

RESOLUTION NO. 2024-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING SPECIFIC PLAN AMENDMENT NO. 11 TO THE OLD TOWN SPECIFIC PLAN TO 1) ADD CLASS IV ENTERTAINMENT ESTABLISHMENT AS A PERMITTED USE IN THE DOWNTOWN CORE DISTRICT, 2) IMPLEMENT A ONE YEAR OUTDOOR LIVE ENTERTAINMENT PILOT PROGRAM, AND 3) MAKING A FINDING OF EXEMPTION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15061(B)(3)

RESOLUTION NO. 2024-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ESTABLISHING A CLASS IV ENTERTAINMENT LICENSE FEE

Approved the Staff Recommendation with the following notations on the ordinance (1) only one Type 90 establishment will be permitted citywide, (2) Council Member Alexander does not support the creation of a Type 90 establishment, and (3) Mayor Pro Tem Kalfus does not support a midnight closing time for new alcohol serving establishments in the future. (4-0): Motion by Schwank, Second by Alexander. The vote reflected unanimous approval.

16. Introduce Ordinance Amending Chapter 8.48, Heritage Tree Ordinance, of the Temecula Municipal Code in its Entirety to Establish the City of Temecula Protected Tree Ordinance

Recommendation: That the City Council introduce an ordinance entitled:

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING CHAPTER 8.48, HERITAGE TREE ORDINANCE, OF THE TEMECULA MUNICIPAL CODE IN ITS ENTIRETY SO AS TO ESTABLISH THE CITY OF TEMECULA PROTECTED TREE ORDINANCE AND FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA

ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA
GUIDELINES SECTION 15378 (B)(5) AND 15061 (B)(3)

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

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

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

1. Consider Adoption of Resolution Supporting Proposition 36

(4-0): Motion by Stewart, Second by Kalfus. 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 8:05 PM, the City Council meeting was formally adjourned to Tuesday, July 23, 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]