

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
MAY 9, 2023 - 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 matter 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 Zak Schwank

INVOCATION: Pastor Brenton Stanley of Atmosphere Church

FLAG SALUTE: Student of Temecula Valley High School Cyber Team

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

PRESENTATIONS

Presentation of Proclamation for Bike Month

Presentation of Proclamation for Water Safety Month

Presentation for Temecula Valley High School Cyber Team - Inland Empire/California Mayors Cup

Presentation by CR&R Incorporated Regarding the Delivery of Solid Waste and Recycling Services

BOARD / COMMISSION REPORTS

Community Services Commission, Planning Commission, and Public/Traffic Safety 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:

- Mick Sobczak

PUBLIC COMMENTS - AGENDA ITEMS

The following individual(s) addressed the City Council:

- Pam Nelson (Item #8)

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 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 April 25, 2023

Recommendation: That the City Council approve the action minutes of April 25, 2023.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-37

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 November 30, 2022 and December 31, 2022

Recommendation: That the City Council approve and file the City Treasurer's Report as of November 30, 2022 and December 31, 2022.

5. Approve Second Amendment to the Agreement with Inland Empire Property Services for Weed Abatement Services

Recommendation: That the City Council approve the second amendment to the agreement with Inland Empire Property Services to perform weed abatement services, and increase the agreement amount by \$75,000, for a total agreement amount of \$300,000.

6. Approve Form of Public Improvement Construction Agreements and Authorize the City Manager to Execute Said Agreements on Behalf of the City

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

TEMECULA APPROVING THE FORM OF PUBLIC
IMPROVEMENT CONSTRUCTION AGREEMENTS AND
AUTHORIZING THE CITY MANAGER TO EXECUTE SAID
AGREEMENTS ON BEHALF OF THE CITY

7. Approve Recycled Water Agreement with Rancho California Water District for Recycled Water Service for the Ynez Road and Date Street Landscaped Medians

Recommendation: That the City Council approve the recycled water agreement with Rancho California Water District for recycled water service for the Ynez Road and Date Street landscaped medians.

8. Approve Right of Entry Agreement with Brookfield SoCal Land Constructors, LLC to Conduct Physical and Biological Surveys on City-Owned Properties in Connection with the Altair Development

Recommendation: That the City Council approve the right of entry agreement with the Brookfield SoCal Land Constructors, LLC to conduct physical and biological surveys on city-owned properties in connection with the Altair Development, identified by Assessor Parcel Numbers 922-210-057, 922-210-060, 922-210-063, and 922-210-059.

9. Award Construction Contract to Aster Construction Services for the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08

Recommendation: That the City Council:

1. Award a construction contract to Aster Construction Services, in the amount of \$550,822, for the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08; and
2. Authorize the City Manager to approve contract change orders up to 10% of the contract amount, \$55,082; and
3. Approve an appropriation of \$200,000 from Measure S to the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08; and
4. Make a finding that the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08 is exempt from Multiple Species Habitat Conservation Plan fees.

10. Adopt Resolution Finding that Emergency Repairs Authorized by Resolution 2023-17 Pursuant to Public Contract Code Sections 20168 and 22050 Have Been Completed and There is No Longer a Need for the Emergency Authorization

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, DETERMINING THAT THE ACTIONS AUTHORIZED BY RESOLUTION NO. 2023-17 DECLARING AN EMERGENCY CONDITION AND DECLARING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRES CERTAIN WORK TO BE PERFORMED WITHOUT COMPETITIVE BIDDING PURSUANT TO PUBLIC CONTRACT CODE SECTIONS 20168 AND 22050, AND BY RESOLUTION NOS. 2023-17, 2023-20, 2023-26, 2023-29, AND 2023-34 HAVE BEEN COMPLETED AND THERE IS NO LONGER A NEED FOR THE EMERGENCY AUTHORIZATION

11. Set Public Hearing to Approve Solid Waste and Recycling Rates for Commercial Customers for Fiscal Year 2023-24

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA SETTING A TIME AND PLACE FOR A PUBLIC HEARING IN CONNECTION WITH THE SOLID WASTE AND RECYCLING RATES FOR COMMERCIAL CUSTOMERS FOR FISCAL YEAR 2023-24

RECESS:

At 7:01 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and Temecula Public Financing Authority Meeting. At 7:05 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

CITY MANAGER REPORT

CITY ATTORNEY REPORT

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

ADJOURNMENT

At 7:07 PM, the City Council meeting was formally adjourned to Tuesday, May 23, 2023, at 4:30 PM for Closed Session, with regular session commencing at 6:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

Zak Schwank, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]