

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
FEBRUARY 28, 2023 - 6:00 PM**

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

INVOCATION: Sylvester Scott of Baha'is of Temecula

FLAG SALUTE: Boy Scouts of America Troop 148

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

PRESENTATIONS

David Showalter of Eide Bailly Regarding City's Annual Comprehensive Financial Report

**ANNUAL JOINT MEETING - CITY COUNCIL AND PLANNING COMMISSION -
RESCHEDULED**

BOARD / COMMISSION REPORTS

Community Services Commission, Planning Commission and Public/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:

- Kathy Sizemore
- Joseph Komrosky
- Jim McLaughlin
- Bob Kowell
- Dario Bianchi

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

PUBLIC COMMENTS - AGENDA ITEMS

The following individual(s) addressed the City Council:

- Bob Kowell (Item #12)
- Laurel Lamont (Future Item #3)
- Breanna Mason (Future Item #3)
- Brian Nash (Future Item #3)
- Daniel Kitt (Future Item #2)

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 Brown, Second by Stewart. 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 February 14, 2023

Recommendation: That the City Council approve the action minutes of February 14, 2023.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-16

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

4. Approve First Amendment to Agreement with Proactive Fire Design & Consulting, Inc., for Fire Department Plan Review Service for Fiscal Year 2022-23

Recommendation: That the City Council approve the first amendment to the annual agreement with Proactive Fire Design & Consulting, Inc., for Fire Department Plan Review Service for Fiscal Year 2022-23, in the amount of \$25,000, for a total agreement amount of \$505,000.

5. Approve Consultant Agreement with Community Works Design Group for the Ronald Reagan Sports Park Skate Park, PW22-07

Recommendation: That the City Council:

1. Approve a consultant agreement with Community Works Design Group in the amount of \$213,823, for the Ronald Reagan Sports Park Skate Park, PW22-07; and

2. Authorize the City Manager to approve extra work authorizations not to exceed the contingency amount of \$21,382.30, which is equal to 10% of the agreement amount.

6. Approve Agreements for On-Call Excavation, Backfill, and Grading Maintenance Services for Fiscal Years 2023-2028

Recommendation: That the City Council approve agreements for on-call excavation, backfill, and grading maintenance services for Fiscal Years 2023-2028 with Miko Mountain Lion, Inc., and NPG, Inc., in the amount of \$1,000,000 each for the total term of the agreement.

7. Approve Increase to the Professional Services Contingency Authorization for the Margarita Recreation Center Project, PW17-21

Recommendation: That the City Council:

1. Approve an increase to the contingency for professional services for the Margarita Recreation Center Project, PW17-21 by \$150,000; and
2. Increase the City Manager's authorized contingency by \$150,000.

8. Approve Plans and Specifications and Authorize Solicitation of Construction Bids for the Mary Phillips Senior Center Outdoor Recreational Area Project, PW22-08

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Mary Phillips Senior Center Outdoor Recreational Area Project, PW22-08; and
2. Make a finding that this project is exempt from NEPA per CFR 24, Section 58.34(a)(12), Categorical Exclusions; and
3. Make a finding that this project is exempt from CEQA per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

9. Accept Improvements and File Notice of Completion for Santa Gertrudis Pedestrian/Bicycle Trail Extension and Interconnect Project, PW08-04

Recommendation: That the City Council:

1. Accept the construction of the Santa Gertrudis Pedestrian/Bicycle Trail Extension and Interconnect Project, PW08-04; and
2. Direct the City Clerk to file and record the Notice of Completion, release Performance Bond, and accept a one-year maintenance bond in the amount of 10% of the final contract amount; and
3. Release Labor and Materials Bond seven months after filing the Notice of Completion if no liens have been filed.

EMERGENCY ITEM:

Motion to place item on the agenda (5-0): Motion by Kalfus, Second by Stewart. The vote

reflected unanimous approval.

Adopt a Resolution Declaring an Emergency Condition and Declaring that Public Interest and Necessity Requires Certain Work to be Performed Without Competitive Bidding Pursuant to Public Contract Code Sections 20168 And 22050

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, 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

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

RECESS:

At 6:49 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and Temecula Public Financing Authority Meeting. At 6:51 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

12. Adopt Ordinance Amending Title 5 and 17 of the Temecula Municipal Code Pertaining to Massage Establishment, Accessory Dwelling Unit, Car Wash, Flag Pole Height Limits, Conditional Use Permits, Parking Garage Standards, Open Space Zoning Designation, Live Entertainment, Alcoholic Beverage Manufacturer, and Active and Passive Recreation and Find that this Ordinance is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061 (b)(3)

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING TITLE 5 AND 17 OF THE TEMECULA MUNICIPAL CODE, MAKING MINOR REVISIONS TO MASSAGE ESTABLISHMENTS, ACCESSORY DWELLING UNIT (ADU), CAR WASH, FLAG POLE HEIGHT LIMITS, AND CONDITIONAL USE PERMITS (CUP'S), ESTABLISHES PARKING GARAGE STANDARDS, CLARIFIES PERMITTED USES IN THE OPEN

SPACE ZONING DESIGNATION, IMPLEMENTS THE PROVISIONS OF THE LIVE ENTERTAINMENT ORDINANCE (ORDINANCE NO. 2022-06) FOR PLANNED DEVELOPMENT OVERLAY ZONES 4 AND 10, MODIFY THE DEFINITION OF ALCOHOLIC BEVERAGE MANUFACTURER, AND ADD DEFINITIONS FOR ACTIVE AND PASSIVE RECREATION, AND FIND THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061 (B)(3)

Approved the Staff Recommendation (5-0), with Alexander abstaining from proposed change #9: Motion by Stewart, Second by Brown. The vote reflected unanimous approval with Alexander abstaining for proposed change #9.

BUSINESS

13. Review Fiscal Year 2023-24 Budget Policies and Priorities

Recommendation: That the City Council review the Fiscal Year 2023-24 Budget Policies and Priorities and provide feedback on Fiscal Policy Metrics.

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

14. Adopt Resolution Submitting to the Voters a Ballot Measure that Proposes to Establish Term Limits for City Council Members

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA SUBMITTING TO THE VOTERS AT THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION A MEASURE THAT PROPOSES ADOPTION OF AN ORDINANCE TO ESTABLISH TERM LIMITS, REQUESTING THAT SUCH ELECTION BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION HELD ON THAT DATE, AND TAKING CERTAIN OTHER ACTIONS

Approved the Staff Recommendation (5-0): Motion by Kalfus, Second by Alexander. 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. Public Works Department Monthly Report

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

1. Consider Creation of Ad Hoc Subcommittee to Discuss Temecula Police Department (At the Request of Mayor Pro Tempore Stewart) – Council approved with the modification to consider the creation of an ad hoc subcommittee to discuss a Temecula Sheriff’s Station and related funding mechanisms (5-0): Motion Stewart, Second by Schwank. The vote reflected unanimous approval.
2. Consider Creation of Ad Hoc Subcommittee to Discuss Temecula Fire Department (At the Request of Council Member Kalfus) – Item Pulled
3. Consider Rent Control Ordinance for Affordable Housing (At the Request of Council Member Stewart) – Item Pulled
4. Consider the Process for Placement of Future Agenda Items (At the Request of Mayor Schwank) - Council Approved (5-0): Motion Schwank, Second by Stewart. The vote reflected unanimous approval.

CITY MANAGER REPORT

CITY ATTORNEY REPORT

ADJOURNMENT

At 8:18 PM, the City Council meeting was formally adjourned to Tuesday, March 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
Ted Hoffman, Mayor Pro Tem of the City of Norco

Zak Schwank, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]