

ACTION MINUTES

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

CLOSED SESSION - 5:30 PM

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION. The City Council convened in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(1) with respect to one matter of pending litigation: John Gordon Bates, III v. City of Temecula, et al. (Riverside Superior Court Case No. CVSW2207919).

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

INVOCATION: Chaplain Michael Gregory of the Temecula Camp of Gideon's International

FLAG SALUTE: Mayor James Stewart

ROLL CALL: Alexander, Kalfus, Schwank, Stewart

PRESENTATIONS

Presentation of Proclamation for Arbor Day
Presentation of Proclamation for Innovation Month
Presentation Regarding the City's Homeless Outreach and Prevention Efforts
Presentation of Certificate of Recognition to Dante Marzett 2024 Southern California Edison
Scholarship Recipient

BOARD / COMMISSION REPORTS

Community Services Commission and 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:

- Mark Swearngin
- Neil Sholander
- Allison Willits
- Jim & Janice Richardson
- Beth Soltysiak and Mo Middleton
- Desaré Ferraro
- Laurel LaMont
- Melissa Bourbonnais
- Hanon Rickard

PUBLIC COMMENTS - AGENDA ITEMS

The following individual(s) addressed the City Council:

- Melissa Bourbonnais (Item #11)
- Laurel LaMont (Item #11)

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 March 26, 2024

Recommendation: That the City Council approve the action minutes of March 26, 2024.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2024-23

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. 2024-02 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 (Second Reading)

Recommendation: That the City Council adopt 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

5. Approve Second Amendment to the Agreement with the State of California, Department of General Services for Office of Administrative Hearings Services

Recommendation: That the City Council approve a second amendment with the State of California, Department of General Services for Office of Administrative Hearings Services, in the amount of \$100,000 for a total agreement amount of \$200,000.

6. Approve Second Amendment to the Agreement with Gillis + Panichapan Architects, Inc. for On-Call Architectural Services

Recommendation: That the City Council approve the second amendment to the agreement with Gillis + Panichapan, Inc. for on-call architectural services, to extend the term of the agreement to June 30, 2026, and increase the payment in the amount of \$500,000 for a total agreement amount of \$1,500,000.

7. Approve the Contract Documents and Authorize the Solicitation of Construction Bids for the Pavement Rehabilitation Program - Citywide, PW23-19

Recommendation: That the City Council:

1. Approve the Contract Documents and authorize the Department of Public Works to solicit construction bids for the Pavement Rehabilitation Program - Citywide, PW23-19; and
2. Make a finding that this project is exempt from California Environmental Quality Act (CEQA) per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

RECESS:

At 7:17 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and Temecula Public Financing Authority Meeting. At 7:23 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

BUSINESS

11. Consider City Council Protocol Manual Policies Related to the Council-Manager Form of Government and the Use of Staff Time (At the Request of Council Members Alexander and Schwank)

Recommendation: That the City Council consider City Council Protocol Manual policies related to the council-manager form of government and the use of staff time and provide direction regarding the same.

Motion to revise the existing City Council Protocol Manual policy related to requests for

information and use of staff time to include the following: (1) non-routine requests from Council Members must be received by the City Manager in writing via email, (2) the time for non-routine requests is revised from 4 hours or ½ day to 8 hours or one full day, and (3) for future agenda items, no staff time shall be spent on the first step when a member initially presents an idea, up to 8 hours or one full day may be spent on step two when a majority of council has placed the item on the agenda, and an unlimited amount of time may be spent on related work thereafter including in subcommittees (4-0): Motion by Alexander, Second by Stewart. The vote reflected unanimous approval.

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

CITY MANAGER REPORT

CITY ATTORNEY REPORT

The City Attorney reported that the Council considered *Bates v. City of Temecula* in closed session and by a vote of 4-0, the Council directed the City Attorney’s Office to participate in settlement negotiations.

ADJOURNMENT

At 8:42 PM, the City Council meeting was formally adjourned to Tuesday, April 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]