

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
SEPTEMBER 13, 2022 - 6:00 PM**

CLOSED SESSION - 5:00 PM

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION. The City Council convened in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(4) with respect to two 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. Based on existing facts and circumstances, the City Council will decide whether to initiate litigation.

CALL TO ORDER at 6:00 PM: Mayor Matt Rahn

INVOCATION: Marti Treckman of Grace Presbyterian Church

FLAG SALUTE: Mayor Pro Tem Zak Schwank

ROLL CALL: Alexander, Edwards, Rahn, Schwank, Stewart

PRESENTATIONS

Proclamation for Fire Prevention Week
Proclamation for National Preparedness Month
Proclamation for National Hispanic Heritage Month

BOARD / COMMISSION REPORTS

Community Services Commission and Public/Traffic Safety Commission

PUBLIC SAFETY REPORT

California Department of Forestry and Fire Protection

PUBLIC COMMENTS - NON-AGENDA ITEMS

The following individual(s) addressed the City Council:

- Debbie Aiton
- Maribel Sebastian
- Liana Weskamp
- Tim Thompson
- Rudy Gonzalez
- Janette Chun

The following individual(s) submitted an electronic comment:

- Payam Daneshvar

PUBLIC COMMENTS - AGENDA ITEMS

The following individual(s) addressed the City Council:

- Alex Madrid (Item #17)

The following individual(s) submitted an electronic comment:

- Jason Cohen, Esq. (Item #17)

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 Edwards, Second by Stewart. The vote reflected unanimous approval.

1. Waive Reading of Standard Ordinances and Resolutions

Recommendation: That the City Council waive the reading of the text of all standard ordinances and resolutions included in the agenda except as specifically required by the Government Code.

2. Approve Action Minutes of August 23, 2022

Recommendation: That the City Council approve the action minutes of August 23, 2022.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-69

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

4. Accept the Notice of Draft Amendments for the 2022 Conflict of Interest Code

Recommendation: That the City Council accept the notice of draft amendments to the Conflict of Interest Code for the 2022 calendar year pursuant to Government Code 87306.5 and direct the City Clerk to publish the Notice of Intent.

5. Approve Service Agreement with the County of Riverside for Murrieta Hot Springs Road Slurry Seal Improvements

Recommendation: That the City Council approve a service agreement with the County of Riverside for Murrieta Hot Springs Road Slurry Seal Improvements and authorize the City Manager to sign the agreement.

6. Approve Cooperative Agreement Between Riverside County Transportation Commission and City of Temecula Regarding French Valley Parkway Project Incorporation of I-15 Smart Freeway Project Elements

Recommendation: That the City Council approve a cooperative agreement between the Riverside County Transportation Commission (RCTC) and City of Temecula regarding incorporation of I-15 Smart Freeway Project elements into the City's I-15/French Valley Parkway, Phase II Project; and funding for the projects.

7. Approve First Amendment to the Agreement with Moore Fence Company, Inc., for Fencing Maintenance Services

Recommendation: That the City Council approve the first amendment to the minor maintenance agreement with Moore Fence Company, Inc., in the amount of \$320,000, and extend the term through June 30, 2025, for a total agreement amount of \$500,000.

8. Award Construction Contract to LC Paving & Sealing, Inc. for the Citywide Concrete Repairs - Fiscal Year 2021-22, PW22-01

Recommendation: That the City Council:

1. Award construction contract to LC Paving & Sealing, Inc. in the amount of \$272,369.97 for the Citywide Concrete Repairs - Fiscal Year 2021-22, PW22-01; and
2. Authorize the City Manager to approve construction contract change orders not to exceed the contingency amount of \$27,237, which is equal to 10% of the Contract amount; and
3. Make a finding that the Citywide Concrete Repairs - Fiscal Year 2021-22, PW22-01 is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

9. Award Construction Contract to International Line Builders, Inc. for the Traffic Signal - Promenade Mall Ring Road, PW21-15

Recommendation: That the City Council:

1. Award construction contract to International Line Builders, Inc. in the amount of \$412,206, for the Traffic Signal - Promenade Mall Ring Road, PW21-15; and
2. Approve construction contract change orders not to exceed the contingency amount of \$41,220.60, which is equal to 10% of the Contract amount; and

3. Make a finding that the Traffic Signal - Promenade Mall Ring Road, PW21-15 is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

10. Increase the Design-Build Contingency Authorization for the Margarita Recreation Center, Project No. PW17-21

Recommendation: That the City Council:

1. Approve an increase to the contingency for design-build of the Margarita Recreation Center Project, PW17-21 by \$895,000; and
2. Increase the City Manager Authority to approve change orders to the design-build contract by \$895,000.

11. Increase the Professional Services Contingency Authorization for the Margarita Recreation Center, Project No. 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 \$80,000; and
2. Increase the City Manager Authority to approve change orders to the project services contract by \$80,000.

12. Reject All Bids for Mary Phillips Senior Center Enhancement and Renovation, PW20-13, and Authorize the Project to be Rebid

Recommendation: That the City Council:

1. Reject all Construction Bids for Mary Phillips Senior Center Enhancement and Renovation, PW20-13; and
2. Authorize the Department of Public Works to re-advertise Mary Phillips Senior Center Enhancement and Renovation, PW20-13 for Construction Bids.

RECESS:

At 6:59 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. Approve Fiscal Year 2021-22 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER)

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE 2021-22 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) WITH THE ADDITION OF PUBLIC COMMENTS, AND AUTHORIZING STAFF TO SUBMIT THE REPORT TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

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

16. Approve the Community Development Block Grant (CDBG) Substantial Amendment to the 2020-21 CDBG Annual Action Plan

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE SUBSTANTIAL AMENDMENT TO THE 2020-21 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN

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

17. Consider a Negative Declaration, General Plan Amendment, Planned Development Overlay Amendment, Development Plan, and Tentative Tract Map (Planning Application Nos. PA20-1323, PA20-1324, PA20-1325, and PA20-1326) (Continued from August 23, 2022)

Recommendation: That the City Council conduct a public hearing and approve the project including a General Plan Amendment, Planned Development Overlay Amendment, Development Plan, and Tentative Tract Map (Planning Application Nos. PA20-1323, PA20-1324, PA20-1325, and PA20-1326) and adopt related resolutions and introduce ordinance:

RESOLUTION NO. 2022-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

TEMECULA ADOPTING THE FINAL NEGATIVE DECLARATION FOR THE RENDEZVOUS PHASE II PROJECT CONSISTING OF A 134 UNIT APARTMENT COMMUNITY GENERALLY LOCATED ON THE SOUTH SIDE OF RANCHO CALIFORNIA ROAD, APPROXIMATELY 150 FEET WEST OF COSMIC DRIVE (APN: 944-370-001, 005, 006, 007, 010, 012, 013)

RESOLUTION NO. 2022-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A GENERAL PLAN AMENDMENT APPLICATION TO REVISE THE GENERAL PLAN LAND USE DESIGNATION FOR THE PARCELS OF THE RENDEZVOUS PHASE II PROJECT FROM PROFESSIONAL OFFICE TO A MEDIUM DENSITY RESIDENTIAL LAND USE (APN: 944-370-001, 005, 006, 007, 010, 012, 013) (PA20-1323)

ORDINANCE NO. 2022-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A PLANNED DEVELOPMENT OVERLAY AMENDMENT TO THE TEMECULA VILLAGE PLANNED DEVELOPMENT OVERLAY (PDO-5) GENERALLY LOCATED ON THE SOUTH SIDE OF RANCHO CALIFORNIA ROAD, APPROXIMATELY 150 FEET WEST OF COSMIC DRIVE (APN: 944-370-001, 005, 006, 007, 008, 010, 012, 013) (PA20-1324)

RESOLUTION NO. 2022-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A DEVELOPMENT PLAN FOR A 134 UNIT APARTMENT COMMUNITY GENERALLY LOCATED ON THE SOUTH SIDE OF RANCHO CALIFORNIA ROAD, APPROXIMATELY 150 FEET WEST OF COSMIC DRIVE (APN: 944-370-001, 005, 006, 007, 010, 012, 013) (PA20-1325)

RESOLUTION NO. 2022-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING TENTATIVE TRACT MAP 38043 TO COMBINE EIGHT (8) EXISTING CONTIGUOUS PARCELS INTO A SINGLE PARCEL ON THE SOUTH SIDE OF RANCHO CALIFORNIA ROAD, APPROXIMATELY 150 FEET WEST OF COSMIC DRIVE (APN: 944-370-001, 005, 006, 007, 008, 010, 012, 013) (PA20-1326)

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

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 7:46 PM, the City Council meeting was formally adjourned to Tuesday, September 27, 2022, 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
Ed Morel

Matt Rahn, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]