

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
AUGUST 24, 2021 - 7:00 PM**

CLOSED SESSION - 6:00 P.M.

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: In re National Prescription Opioid Litigation, MDL No. 2804 (Federal District Court N.D. Ohio).

CALL TO ORDER at 7:00 PM: Mayor Maryann Edwards

INVOCATION: Aaron Adams, City Manager

FLAG SALUTE: Mayor Maryann Edwards

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

PRESENTATIONS

Presentation by Visit Temecula Valley

BOARD / COMMISSION REPORTS

Planning Commission and Race, Equity, Diversity and Inclusion Commission

PUBLIC SAFETY REPORT

Riverside County Sheriff's Department

PUBLIC COMMENTS

The following individual(s) addressed the City Council on non-agendized item(s):

- | | |
|----------------------|--------------------|
| • René Lazare | • Gia Rueda |
| • Greg Allan | • Christine O'Neil |
| • Sonia Perez | • Christine Massa |
| • Rick Reiss | • Anthony Lum |
| • Dr. George Rombach | • Jack Murphy |

The following individual(s) submitted an electronic comment non-agendized item(s):

- | | |
|-----------------------------------|-------------------------|
| • Cheergirl | • InlandHR |
| • Gillian Larson | • Jeff Pack |
| • Temecula Resident for the facts | • Allison Donahoe-Beggs |
| • Tami Sims | |

The following individual(s) submitted an electronic comment agendized item(s):

- Martha Angelica Howard (Item #15)
- Ira Robinson (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 (5-0): Motion Rahn, 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 10, 2021

Recommendation: That the City Council approve the action minutes of August 10, 2021.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2021-46

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

4. Approve Nominees Darell and Rebecca Farnbach for Placement on the City of Temecula Wall of Honor (At the Request of Subcommittee Members Mayor Edwards and Council Member Alexander)

Recommendation: That the City Council approve the selection of nominees Darell and Rebecca Farnbach for placement on the City of Temecula Wall of Honor.

5. Approve a Three-Year Sponsorship and Economic Development Funding Agreement with the Temecula Valley Convention and Visitors Bureau through Fiscal Years 2021-2024 (At the Request of Subcommittee Members Mayor Edwards and Council Member Stewart)

Recommendation: That the City Council approve a three-year Sponsorship and Economic Development Funding Agreement with the Temecula Valley Convention and Visitors Bureau in the amount of \$40,000 per fiscal year through Fiscal Years 2021 -2024, for a total amount of \$120,000, for the regional publication and distribution of the Temecula Valley Tourism rack

brochure/map, creation and purchase of banner ads, and the addition of content to travel resource websites.

6. Approve Purchase of Two BMW Police Motorcycles for the Temecula Police Department from BMW Motorcycles of Riverside

Recommendation: That the City Council approve the purchase of two BMW Police Motorcycles from BMW Motorcycles of Riverside for a total amount of \$63,178.34.

7. Approve Agreement for Consulting Services with Blanca Yanes for Landscape Plan Check and Inspection Services for Fiscal Years 2021-22 through 2024-25

Recommendation: That the City Council approve an agreement for consulting services with Blanca Yanes to perform landscape plan check and inspection services, in the amount of \$150,000 annually, for a total of \$600,000 for fiscal years 2021-22 through 2024-25.

8. Approve Sixth Amendment to Agreement for Consultant Services with T.Y. Lin International for French Valley Parkway/I-15 Improvements - Phase II, PW16-01

Recommendation: That the City Council:

1. Approve the sixth amendment to the agreement for consultant services with T.Y. Lin International for the French Valley Parkway/I-15 Improvements - Phase II, PW16-01, increasing the contingency amount by \$350,000; and
2. Increase the City Manager's authority to approve extra work authorizations by \$350,000.

9. Accept Improvements and File the Notice of Completion for Pavement Rehabilitation Program Citywide - Ynez Road, Equity Drive, County Center Drive and Winchester Road, PW18-01

Recommendation: That the City Council:

1. Approve an increase to the project contingency in the amount of \$17,659.04 for the Pavement Rehabilitation Program Citywide - Ynez Road, Equity Drive, County Center Drive and Winchester Road, PW 18-01; and
2. Increase the City Manager change orders approval authority in the amount of \$17,659.04; and
3. Accept the improvements for the Pavement Rehabilitation Program Citywide - Ynez Road, Equity Drive, County Center Drive and Winchester Road, PW18-01, as complete; and
4. Direct the City Clerk to file and record the Notice of Completion,

release the Performance Bond, and accept a one-year Maintenance Bond in the amount of 10% of the final contract amount; and

5. Release the Labor and Materials Bond seven months after filing the Notice of Completion, if no liens have been filed.

10. Receive and File Temporary Street Closures for 2021 Fall Event

Recommendation: That the City Council receive and file the following proposed action by the City Manager to temporarily close certain streets for the following 2021 Fall Event:

NATIONAL PREPAREDNESS MONTH KICK-OFF

RECESS:

At 9:05 PM, the City Council recessed and convened as the Temecula Community Services District Meeting. At 9:34 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

14. Adopt Resolution for Necessity for Acquisition of 325 Square Foot Permanent Easement on the Vacant Real Property Located South of Nicolas Road and West of Butterfield Stage Road in the City of Temecula, and Identified as Riverside County Tax Assessor's Parcel Numbers 957-130-003 and 957-130-013 in Connection with Santa Gertrudis Creek Channel Improvements

Recommendation: That the City Council take the following actions:

1. Consider the following resolution, which is a Resolution of Necessity of the City of Temecula, declaring certain real property interests necessary for public purposes and authorizing the acquisition thereof in connection with the proposed improvements along Santa Gertrudis Creek:

RESOLUTION NO. 2021-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF FOR DRAINAGE, FLOOD CONTROL, AND FLOOD CHANNEL IMPROVEMENT PURPOSES, AND ALL USES NECESSARY OR CONVENIENT THERETO ALONG THE SANTA GERTRUDIS CREEK (325 SQUARE FOOT PERMANENT EASEMENT ON APNS 957-130-003 AND 957-130-013)

2. Open and conduct a hearing on the adoption of the proposed Resolution of Necessity, receive from City staff the evidence stated and referred to in this Agenda Report (“Report”), take testimony from any person wishing to be heard on issues A, B, C, and D below, and consider all evidence to determine whether to adopt the proposed Resolution of Necessity.

3. If the City Council finds, based on the evidence contained and referred to in this Report, the testimony and comments submitted to the City Council, that the evidence warrants the necessary findings with respect to the proposed Resolution of Necessity, then City Staff recommends that the City Council, in the exercise of its discretion, adopt proposed Resolution of Necessity (which requires a 4/5ths vote of the entire City Council) authorizing the acquisition by eminent domain of the approximate 325 square foot permanent easement described below (referred to below as “Subject Easement”):

The Subject Easement is an approximate 325 square foot permanent easement on the real property located south of Nicolas Road and west of Butterfield Stage Road in the City of Temecula, and identified as Riverside County Tax Assessor’s Parcel Numbers 957-130-003 and 957-130-013 for public use, namely drainage, flood control, and flood channel improvement purposes, and all uses necessary or convenient thereto along the Santa Gertrudis Creek.

The Subject Easement is described more particularly on Exhibit “A” and depicted on Exhibit “B” to the Resolution of Necessity. The vacant real property identified as APNs 957-130-003 and 957-130-013 is owned by 3270 West Lincoln LLC, a California limited liability company, is referred to below as the “3270 West Lincoln Property”).

4. If the City Council adopts the proposed Resolution of Necessity, authorize the City Attorney’s Office to file and prosecute an eminent domain proceeding for the acquisition of the Subject Easement by eminent domain.

5. Authorize the City Manager to execute all necessary documents.

6. Authorize the City Clerk to certify the adoption of the Resolution of Necessity.

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

15. Conduct a Public Hearing for the Purposes of Redistricting in the City of Temecula

Recommendation: That the City Council conduct the first of four public hearings for the

purposes of redistricting in the City of Temecula.

Note: This agenda item will be heard first at the City Council meeting pursuant to Elections Code Section 21607.1.

Conducted public hearing, no action.

DEPARTMENTAL REPORTS – Receive and File

16. Fire Department Monthly Report
17. Community Development Department Monthly Report
18. Public Works Department Monthly Report
19. Police Department Monthly Report

CITY MANAGER REPORT

CITY ATTORNEY REPORT

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

ADJOURNMENT

At 9:44 PM, the City Council meeting was formally adjourned to Tuesday, September 14, 2021, at 5:30 PM for Closed Session, with regular session commencing at 7:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

Maryann Edwards, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]