

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
APRIL 13, 2021 - 7:00 PM**

IMPORTANT NOTICE REGARDING THIS MEETING

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20, dated March 17, 2020, regarding the COVID-19 pandemic. In accordance with the order, the public may not view the meeting in-person in the Council Chamber. The live stream of the meeting may be viewed on television and/or online. Details can be found at temeculaca.gov/tv.

Submission of Public Comments: For those wishing to make public comments at the meeting, please submit your comments by email to be read aloud into the record at the meeting by the City Clerk. Email comments must be submitted to randi.johl@temeculaca.gov. Email comments on matters not on the agenda must be received prior to the time the item for Public Comments is called. Email comments on agenda items must be received prior to the time Public Comments for the agenda item is called. Email comments on public hearing items must be received prior to the time the public hearing is opened to hear public comments. All email comments shall be subject to the same rules as would otherwise govern public comments at an in-person meeting. Public Comments for this meeting may only be submitted via email. Comments via text and social media will not be accepted.

Reading of Public Comments: The City Clerk shall read all email comments, provided that the reading shall not exceed three (3) minutes, or such other time as the Council may provide, consistent with the time limit for speakers at an in-person Council meeting. The email comments shall become part of the meeting record.

CLOSED SESSION - 6:30 P.M.

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 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. Based on existing facts and circumstances, the City Council will decide whether to initiate litigation.

CALL TO ORDER at 7:03 PM: Mayor Maryann Edwards

INVOCATION: Associate Pastor Wesley Sabio of Reliance Church

FLAG SALUTE: Mayor Maryann Edwards

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

PRESENTATIONS/PROCLAMATIONS

Presentation of Proclamation for DMV/Donate Life Month

BOARD AND COMMISSION REPORTS

Community Services Commission, Public/Traffic Safety Commission, and Race, Equity, Diversity and Inclusion Commission

PUBLIC SAFETY REPORT

California Department of Forestry and Fire Protection (CAL FIRE)

PUBLIC COMMENTS

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

- Bob Kowell
- Rick Reiss
- PJ in Temecula

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

- Joy Wilson (Item #16)
- Geraldine Alicia Dearie (Item #16)
- Adam Rickets (Item #16)
- Dawnielle Selden (Item #16)
- Tish B (Item #16)
- Melinda Shaw (Item #16)
- Anonymous (Item #16)
- Tania Reuben (Item #16)
- Sharon C. Mayberry (Item #16)
- Jane Lauhon (Item #16)
- Jessica Alexander (Item #16)
- Tim Thompson (Item #16)
- John Andrews (Item #16)
- Krystyn Tello (Item #16)
- Breanna Owens (Item #16)
- Richard Owens (Item #16)
- Jennifer Chilton (Item #16)
- Holly McKinley (Item #16)
- Al Crossland (Item #16)
- Nicky Thompson (Item #16)
- Jonathan Wigal (Item #16)
- Danica Walker (Item #16)
- Nina Hardwick (Item #16)
- Carol Haley (Item #16)
- Sue Reichel (Item #16)
- Fabiola Vazquez (Item #16)
- Alissa Nazar (Item #16)
- Bob Kowell (Item #16)
- Christine Fontes (Item #16)
- DeeDee Moreda (Item #16)
- David and Dara Davis (Item #16)
- Ken Thurm (Item #16)
- Shannon Perkins (Item #16)
- Andy Saenz (Item #16)
- Diana Gray (Item #16)
- Darlene McClintock (Item #16)
- Cindy Cuniffe (Item #16)
- Les Jenkins (Item #16)
- Kimberly Mungarro (Item #16)
- Mark Lane (Item #16)
- R K (Item #16)

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 Schwank, Second by Rahn. 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 March 23, 2021

Recommendation: That the City Council approve the action minutes of March 23, 2021.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2021-15

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 February 28, 2021

Recommendation: That the City Council approve and file the City Treasurer's Report as of February 28, 2021.

5. Adopt Resolution Reaffirming and Proclaiming the Existence of a Local Emergency Related to the COVID-19 Virus Pandemic

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2021-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA REAFFIRMING AND PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY RELATING TO THE COVID-19 VIRUS PANDEMIC AND ISSUING CERTAIN ORDERS FOR THE CONDUCT OF CITY AFFAIRS DURING THE LOCAL EMERGENCY

Approved the Staff Recommendation (4-1): Motion by Stewart, Second by Rahn. The vote reflected unanimous approval with Alexander opposing.

6. Approve Renaming Roripaugh Ranch Community Sports Park to the Sports Ranch at Sommers Bend (At the Request of Council Member Zak Schwank)

Recommendation: That the City Council approve the renaming of Roripaugh Ranch Community Sports Park to the Sports Ranch at Sommers Bend.

7. Approve an Agreement for Consultant Services with Bureau Veritas Technical Assessments LLC, for Facility Condition Assessment

Recommendation: That the City Council approve an agreement for consultant services with Bureau Veritas Technical Assessments LLC, in the amount of \$93,026.00, to provide a Facility Condition Assessment at various locations on City property.

8. Approve Purchase and Sale Agreement for the Purchase of 840 Square Foot Permanent Easement on 27511 Commerce Center Drive, Temecula (APN 921-480-032) in Connection with Overland Drive Extension Project (PW16-06)

Recommendation: That the City Council:

1. Adopt a resolution entitled:

RESOLUTION NO. 2021-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THAT CERTAIN PURCHASE AND SALE AGREEMENT, SETTLEMENT AGREEMENT, GENERAL RELEASE, AND JOINT ESCROW INSTRUCTIONS BETWEEN THE CITY OF TEMECULA AND MARK MCMILLIN, LLC IN CONNECTION WITH THE OVERLAND DRIVE EXTENSION PROJECT, PW16-06

2. Authorize the City Manager to approve and execute all necessary documents, including those in substantially the form attached to the agenda report, and take all necessary actions to effectuate the purchase of the approximate 840 square foot Permanent Easement on the real property located at 27511 Commerce Center Drive, Temecula (Assessor's Parcel Number 921-480-032).

9. Approve the Plans and Specifications, and Authorize the Solicitation of Construction Bids for the Ronald Reagan Sports Park Restroom Expansion and Renovation Project, PW18-03

Recommendation: That the City Council:

1. Approve the Plans and Specifications for the Ronald Reagan Sports Park Restroom Expansion and Renovation Project, PW18-03; and

2. Authorize the Department of Public Works to solicit construction bids; and

3. Make a finding that this project is exempt from the California Environmental Quality Act (CEQA) per Article 19, Categorical Exemption, Section 15302, Replacement or Reconstruction, of the CEQA Guidelines.

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

10. Approve Parcel Map 37615 (Located on the West Side of Cantrell Road North of Calle Chapos)

Recommendation: That the City Council approve Parcel Map 37615, located on the west side of Cantrell Road north of Calle Chapos, for subdivision purposes.

11. Accept Improvements and File the Notice of Completion for the Mini Pump Track at Ronald Reagan Sports Park, PW20-09

Recommendation: That the City Council:

1. Accept the improvements for the Mini Pump Track at Ronald Reagan Sports Park, PW20-09, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond, and accept a one-year Maintenance Bond not less than 10% of the final contract amount; and
3. Release the Labor and Materials Bond seven months after filing the Notice of Completion, if no liens have been filed.

RECESS:

At 8:02 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and the Temecula Public Financing Authority. At 8:29 PM, the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

15. Approve Proposed Ordinance to Update the Local Development Mitigation Fee for Funding the Preservation of Natural Ecosystems in Accordance with the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP") and Local Development Mitigation Fee Resolution (Long Range Project No. LR21-0392)

Recommendation: That the City Council:

1. Introduce and read by title only an ordinance entitled:

ORDINANCE NO. 2021-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING CHAPTER 15.10, MULTIPLE SPECIES HABITAT CONSERVATION MITIGATION FEE, OF THE TEMECULA MUNICIPAL CODE PERTAINING TO THE LOCAL DEVELOPMENT MITIGATION FEE FOR FUNDING THE PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN

2. Adopt a resolution entitled:

RESOLUTION NO. 2021-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ESTABLISHING THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN LOCAL DEVELOPMENT MITIGATION FEE PURSUANT TO CHAPTER 15.10 OF THE TEMECULA MUNICIPAL CODE

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

BUSINESS

16. **Adopt Resolution Formalizing Previous Direction Regarding the Conduct of In-Person Public Meetings and Provide Additional Direction As Needed**

Recommendation: That the City Council adopt the following resolution formalizing its direction regarding the conduct of in-person public meetings and provide additional direction as needed:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA SETTING FORTH THE PROTOCOL FOR THE CONDUCT OF IN PERSON PUBLIC MEETINGS DURING THE EXISTENCE OF A STATE DECLARED EMERGENCY FOR THE COVID-19 PANDEMIC

Approved the Staff Recommendation (4-1): Motion by Rahn, Second by Schwank. The vote reflected unanimous approval with Alexander opposing. Motion to revisit the matter at the June 22, 2021 City Council meeting.

DEPARTMENTAL REPORTS


CITY MANAGER REPORT

CITY ATTORNEY REPORT

ADJOURNMENT


At 10:05 PM, the City Council meeting was formally adjourned to Tuesday, April 27, 2021, at 5:30 PM for Closed Session, with regular session commencing at 7:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

Adjourned in Memory of
John Degange



Maryann Edwards, Mayor

ATTEST:



Randi Johl, City Clerk

[SEAL]