

ACTION MINUTES

TEMECULA CITY COUNCIL REGULAR MEETING COUNCIL CHAMBERS 41000 MAIN STREET TEMECULA, CALIFORNIA MAY 24, 2022 - 6:00 PM

CLOSED SESSION - 5:00 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: Capone v. City of Temecula, Riverside County Superior Court Case No. CVSW 2000825.

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 6:00 PM: Mayor Matt Rahn

INVOCATION: Deacon John Gabriele of St. Catherine of Alexandria Church

FLAG SALUTE: Council Member James Stewart

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

PRESENTATIONS

Proclamation for Water Safety Month

BOARD / COMMISSION REPORTS

Community Services Commission, Planning Commission and Race, Equity, Diversity and Inclusion Commission

PUBLIC SAFETY REPORT

California Department of Forestry and Fire Protection (CAL FIRE)

PUBLIC COMMENTS - NON-AGENDA ITEMS

The following individual(s) addressed the City Council:

- Randon Lane

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 May 10, 2022

Recommendation: That the City Council approve the action minutes of May 10, 2022.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-37

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 November 30, 2021

Recommendation: That the City Council approve and file the City Treasurer's Report as of November 30, 2021.

5. Approve Cooperative Agreement with Non-profit Seniors' Golden Years of Temecula Valley in Support of Various Senior Services Activities

Recommendation: That the City Council approve a cooperative agreement with non-profit Seniors' Golden Years of Temecula Valley in support of various senior services activities.

6. Approve Agreement with Temecula Valley Unified School District for Interim Use of Temecula Valley High School Pool Facilities

Recommendation: That the City Council approve an agreement with Temecula Valley Unified School District for interim use of Temecula Valley High School pool facilities.

7. Adopt List of Projects to be Funded by Senate Bill One (SB 1) for Fiscal Year 2022-23

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2022-23 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

8. Approve the Initial Study and Adopt a Mitigated Negative Declaration for the Diaz Road Expansion Project, PW17-25

Recommendation: That the City Council:

1. Approve the Initial Study (IS) and adopt a Mitigated Negative Declaration (MND) for the Diaz Road Expansion Project, PW17-25; and
2. Direct the Public Works Director to file the Notice of Determination (NOD).

9. Approve Purchase and Sale Agreement for Acquisition of Certain Property Interests on Assessor's Parcel Number 910-100-018 in Connection with I-15/French Valley Parkway Improvements - Phase II, PW16-01

Recommendation: That the City Council:

1. Adopt a resolution entitled:

RESOLUTION NO. 2022-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THAT CERTAIN PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS BETWEEN CITY OF TEMECULA AND LINDA D. HUDDLESTON, TRUSTEE, ROXANNA M. HODGES, TRUSTEE, SUSAN D. RENNO, TRUSTEE, FOURSQUARE FINANCIAL SOLUTIONS, INC., AND STEVEN WILLIAMS AND BRENDA JORDAN, SUCCESSOR CO-TRUSTEES IN CONNECTION WITH THE I-15/FRENCH VALLEY PARKWAY IMPROVEMENTS - PHASE II (PORTIONS OF APN 910-100-018)

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 11,516 square foot partial fee acquisition, the approximate 6,741 square foot temporary construction easement, and the approximate 6,901 square foot temporary construction easement on the real property located at the northwest corner of Elm Street and Jackson Avenue in Murrieta, California and identified as Assessor's Parcel Number 910-100-018.

10. Approve Agreement for Consultant Services with Dudek for the Citywide Drainage Master Plan, PW19-16

Recommendation: That the City Council:

1. Approve the agreement for consultant services with Dudek in the amount of \$535,740.50, for professional engineering services on the Citywide Drainage Master Plan, PW19-16; and
2. Authorize the City Manager to approve extra work authorizations not to exceed the contingency amount of \$53,574.00, which is approximately 10% of the agreement amount.

11. Approve First Amendments to Annual Professional Services Agreements for Geotechnical and Materials Testing Services for the Department of Public Works/Capital Improvement Program (CIP) Division for Fiscal Years 2020-2024

Recommendation: That the City Council approve the first amendments to annual professional services agreements for geotechnical and materials testing services for the Department of Public Works/Capital Improvement Program (CIP) Division for Fiscal Years 2020-2024, as follows:

- Geocon West, Inc., \$1,000,000 total term
- Leighton Consulting, Inc., \$1,000,000 total term
- MTGL, Inc., First Amendment, \$1,000,000 total term

12. Approve First Amendments to Annual Professional Services Agreements for Property Acquisition Services for the Department of Public Works/Capital Improvement Program (CIP) Division for Fiscal Years 2020-2024

Recommendation: That the City Council approve the first amendments to annual professional services agreements for property acquisition services for the Department of Public Works/Capital Improvement Program (CIP) Division for Fiscal Years 2020-2024, as follows:

- Overland, Pacific & Cutler, LLC, \$300,000 total term
- Paragon Partners Consultants, Inc., \$300,000 total term

13. Approve Second Amendment to the Minor Maintenance Agreement for Landscape Maintenance Services with Nieves Landscape, Inc.

Recommendation: That the City Council approve the second amendment to the minor maintenance agreement for landscape maintenance services with Nieves Landscape, Inc., in the amount of \$2,748,693.48 for Fiscal Year 2022-23, and approve contingency for extra work in the amount of \$549,737, which is approximately 20% of the Fiscal Year 2022-23 amount.

14. Approve Third Amendment to Agreement with David Evans and Associates, Inc. for the Diaz Road Expansion Project, PW17-25

Recommendation: That the City Council approve the third amendment to the agreement with David Evans and Associates, Inc., in the amount of \$59,279.80, for additional contingency in support of the professional design and environmental services of the Diaz Road Expansion Project, PW17-25 and increase the City Manager's authority to approve extra work authorizations by the same amount.

15. Approve the Plans and Specifications and Authorize Solicitation of Construction Bids for the Sidewalks - Citywide - Ynez Road Between Rancho Highland and Tierra Vista Drive, PW17-28

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Sidewalks - Citywide - Ynez Road between Rancho Highland and Tierra Vista Road, PW17-28; and
2. Make a finding that this project is exempt from CEQA per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

16. Approve the Plans and Specifications and Authorize Solicitation of Construction Bids for the Fire Station 84 Renovation, PW19-14

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Fire Station 84 Renovation, PW19-14; and
2. Make a finding that this project is exempt from CEQA per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

17. Approve the Plans and Specifications and Authorize Solicitation of Construction Bids for the Traffic Signal Installation - Citywide, Rancho California Road and Tee Drive, PW19-19

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Traffic Signal Installation - Citywide, Rancho California Road and Tee Drive, PW19-19; and

2. Make a finding that this project is exempt from the California Environmental Quality Act (CEQA) per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

18. Approve the Plans and Specifications and Authorize Solicitation of Construction Bids for the Citywide Concrete Repairs Fiscal Year 2021-22 Project, PW22-01

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Citywide Concrete Repairs Fiscal Year 2021-22 Project, PW22-01; and
2. Make a finding that this project is exempt from CEQA per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

19. Approve the Specifications and Authorize Solicitation of Construction Bids for the Pavement Rehabilitation Program - Meadowview/Paloma Del Sol Project, PW21-06

Recommendation: That the City Council:

1. Approve the specifications and authorize the Department of Public Works to solicit construction bids for the Pavement Rehabilitation Program - Meadowview/Paloma Del Sol Project, PW21-06; and
2. Make a finding that this project is exempt from the CEQA requirements pursuant to Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

20. Set Public Hearing to Approve Solid Waste and Recycling and SB1383 Compliance Fee on Commercial Collection Rates for Commercial Customers for Fiscal Year 2022-23

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA SETTING A TIME AND PLACE FOR A PUBLIC HEARING IN CONNECTION WITH THE SOLID WASTE AND RECYCLING AND SB1383 COMPLIANCE FEE ON COMMERCIAL COLLECTION RATES FOR COMMERCIAL CUSTOMERS FOR FISCAL YEAR 2022-23

RECESS:

At 6:44 PM, the City Council recessed and convened as the Temecula Community Services District Meeting. At 6:58 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

23. Adopt an Ordinance Repealing and Replacing Title 6 of the Temecula Municipal Code and Make Modifications to Title 17 of the Temecula Municipal Code Regarding the Keeping, Maintenance, and Possession of Dogs, Cats, Fowl and Other Animals (Long Range Project Number LR21-0130)

Recommendation: That the City Council introduce and read by title only an ordinance entitled:

ORDINANCE NO. 2022-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA REPEALING AND REPLACING TITLE 6 OF THE TEMECULA MUNICIPAL CODE REGARDING THE KEEPING, MAINTENANCE, AND POSSESSION OF DOGS, CATS, FOWL, AND OTHER ANIMALS AND PROVIDING FOR THE CONTROL, LICENSING, AND WELFARE THEREOF, MODIFYING TITLE 17 OF THE TEMECULA MUNICIPAL CODE REGARDING ANIMAL KEEPING AND MAKING A FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061 (B)(3) (LONG RANGE PLANNING PROJECT NO. LR21-0130)

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

BUSINESS

24. Consider Update Regarding Proposed Memorial and Monument Policy (At the Request of Subcommittee Members Alexander and Stewart)

Recommendation: That the City Council consider an update for the proposed memorial and monument policy and provide general direction regarding the same.

Provided general recommendations regarding the same, no action.

25. Consider Development of an Aquatics Center (At the Request of Council Member Stewart)

Recommendation: That the City Council consider opportunities for the development of an aquatics center and provide general direction regarding the same.

Approved the Staff Recommendation and referred the item to the Parks and Recreation Subcommittee (5-0): Motion by Edwards, Second by Stewart. The vote reflected unanimous approval.

DEPARTMENTAL REPORTS (Receive and File)

- 26. City Council Travel/Conference Report
- 27. Community Development Department Monthly Report
- 28. Fire Department Monthly Report
- 29. Public Works Department Monthly Report

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

CITY MANAGER REPORT

CITY ATTORNEY REPORT

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

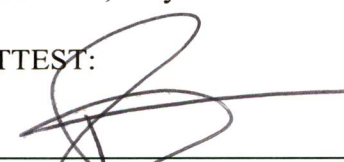
ADJOURNMENT

At 8:09 PM, the City Council meeting was formally adjourned to Tuesday, June 14, 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 the victims in Buffalo, New York and Uvalde, Texas



Matt Rahn, Mayor

ATTEST:


Randi Johl, City Clerk

[SEAL]