

**CITY OF MURRIETA
Council Chambers
1 Town Square
Murrieta 92562**



**Tuesday, July 2, 2024
4:30 PM CLOSED SESSION
6:00 PM REGULAR MEETING
MINUTES**

The City of Murrieta intends to comply with the Americans with Disabilities Act (ADA). Persons with special needs should call the City Clerk Department at (951) 461-6031 or email at CityClerk@murrietaca.gov at least 72 hours in advance. Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at City Hall located at 1 Town Square, Murrieta, CA during normal business hours.

Any presentation requiring the use of the City of Murrieta's equipment must be submitted to the City Clerk's department 72 hours prior to the scheduled City Council meeting at City Hall located at 1 Town Square, Murrieta, CA; via email at CityClerk@MurrietaCA.gov or call (951) 461-6031. Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at City Hall located at 1 Town Square, Murrieta, CA during normal business hours.

**Lori Stone
Mayor**

**Cindy Warren
Mayor Pro Tem**

**Lisa DeForest
Council Member**

**Jon Levell
Council Member**

**Ron Holliday
Council Member**

**Kim Summers, City Manager
Tiffany Israel, City Attorney
Cristal McDonald, City Clerk**

**MURRIETA CITY COUNCIL (CC)
MURRIETA COMMUNITY SERVICES DISTRICT (CSD)
MURRIETA FIRE DISTRICT (FD)
MURRIETA LIBRARY BOARD (LB)
MURRIETA REDEVELOPMENT SUCCESSOR AGENCY (RSA)
MURRIETA HOUSING AUTHORITY (HA)
MURRIETA FINANCING AUTHORITY (FA)**

**YOU MAY VIEW THE MEETING LIVESTREAMED VIA THE CITY'S WEBSITE AT
<https://murrieta.legistar.com/Calendar.aspx>**

4:30 PM CLOSED SESSION

CALL TO ORDER 4:34 p.m.

ROLL CALL

Present: Council Member Lisa DeForest
Council Member Jon Levell
Council Member Ron Holliday
Mayor Pro Tem Cindy Warren
Mayor Lori Stone

PUBLIC COMMENTS - CLOSED SESSION ITEMS ONLY None**ANNOUNCEMENT OF CLOSED SESSION ITEMS**

City Clerk Cristal McDonald announced the following Closed Session items:

CLOSED SESSION**CS1.** Conference with Legal Counsel - Existing Litigation

The City Council will conduct a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with legal counsel regarding in re: National Prescription Opiate Litigation, Case No. 1:17-md-2804 in the United States District Court, Northern District of Ohio, Eastern Division.

CS2. Conference with Legal Counsel - Existing Litigation

The City Council will conduct a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with legal counsel regarding litigation to which the City is a party. The title of such litigations is as follows: Public Employment Relations Board Case No. LA-CE-1689-M

CS3. Conference with Legal Counsel - Anticipated Litigation

The City Council will conduct a closed session, pursuant to Government Code sections 54956.9(d)(2), because there is a significant exposure to litigation in one case.

CS4. Conference with Labor Negotiators

The City Council will conduct a closed session, pursuant to Government Code Section 54957.6, with the City Manager, the City Attorney, and the City's negotiators, regarding labor negotiations with (1) the Murrieta General Employees' Association; and (2) the Murrieta Supervisors' Association.

CS5. Public Employee Performance Evaluation and Compensation

The City Council will conduct a closed session, pursuant to Government Code section 54957(b), to consider filling the position of City Manager.

RECESS TO CLOSED SESSION 4:36 p.m.

6:00 PM REGULAR MEETING

CALL TO ORDER 6:08 p.m.

ANNOUNCEMENT OF CLOSED SESSION ACTION

Assistant City Attorney Paul Early: No reportable action on Closed Session Item Nos. CS1-CS5.

ROLL CALL

Present: Council Member Lisa DeForest
Council Member Jon Levell
Council Member Ron Holliday
Mayor Pro Tem Cindy Warren
Mayor Lori Stone

PLEDGE OF ALLEGIANCE Administrative Services Director Diego Chavez

INVOCATION Pastor Larry Hanson, Calvary Chapel

PRESENTATIONS

Sally Myers - Certificate of Recognition

APPROVAL OF AGENDA

Action: It was moved by Mayor Pro Tem Warren, seconded by Council Member DeForest to approve the Agenda for July 2, 2024.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone
Noes: None

CITY MANAGER - ADMINISTRATIVE UPDATE

City Manager Administrative Updates is the opportunity for the City Manager to provide community updates, as well as Department or Commission announcements on current or upcoming projects.

- City Clerk Department: Connected by Engagement: City Council and Commission Interest Session, Cristal McDonald, City Clerk
- Community Update: Cristina Davies, Public Information Officer

GOVERNING BODY COMMISSION/COMMITTEE/BOARD (CCB) REPORTS

Council Member DeForest: Provided attendance/reported the following:

- Code Enforcement Ad-Hoc Committee

Council Member Levell: Provided attendance/reported the following:

- Southwest Community Finance Authority (SCFA)

Council Member Holliday: Provided attendance/reported the following:

- Code Enforcement Ad-Hoc Committee
- Western Riverside Council of Governments (WRCOG)
- Riverside County Habitat Conservation Agency (RCHCA)

Mayor Pro Tem Warren: Provided attendance/reported the following:

- Western Riverside Council of Governments (WRCOG)
- Riverside County Transportation Commission (RCTC)
- Southwest Riverside County Elected Leaders Collaborative
- Riverside Transit Agency (RTA)
- Riverside County Transportation Commission Board (RCTC)

Mayor Stone: Provided attendance/reported the following:

- Code Enforcement Policy Ad-Hoc Committee
- Southwest Riverside County Elected Leaders Collaborative

PUBLIC COMMENTS (NON-AGENDA)

Andy Morris: Spoke on Elsinore Valley Municipal Water District addressing water seepage concerns. Made an open invitation to the Student of the Month breakfast.

Francisco Urbina: Spoke on park restroom concerns and a citizens advisory commission to address police misconduct matters.

CONSENT CALENDAR - APPROVAL OF ITEMS 1 – 17

Action: It was moved by Council Member DeForest, seconded by Council Member Jon Levell to approve Consent Calendar Item Nos.1-17.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone
Noes: None

1. Waive Reading of All Ordinance Adoptions on the Agenda and Read by Title Only

Recommended Action:

Waive reading, by title only, of all Ordinances and Resolutions. Said Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.

2. Minutes

Recommended Action:

Approve the minutes of the June 18, 2024 City Council Regular Meeting.

3. Check Register May 2024

Recommended Action:

Adopt a Resolution 24-4766 entitled: *A Resolution of the City Council of the City of Murrieta, California, Ratifying the Check Register for the Month of May 2024 in the amount of \$5,415,411.63 (Check Numbers 159599-160088).*

4. Approving Part-Time Employee Sick Leave

Recommended Action:

Adopt Resolution No. 24-4767 entitled: *A Resolution of the City Council of the City of Murrieta, California, Approving Part-Time Employee Sick Leave.*

5. Consideration of Approval of Comprehensive Salary Schedule Fiscal Year 2024/25

Recommended Action:

Adopt Resolution No. 24-4768, entitled: *A Resolution of the City Council of the City of Murrieta, California, Approving the Fiscal Year 2024/25 Comprehensive Salary Schedule.*

6. Duo Security Software Renewal

Recommended Action:

Authorize the use of Cooperative Agreement #2018011-02 to purchase the Cisco Duo Security Software for multifactor authorization, and authorize SHI International Group (SHI) to administer the agreement;

Approve the agreement in the amount not to exceed \$12,660 for Fiscal Year 2024/25; and

Authorize the City Manager to execute the necessary documents.

7. NetMotion Software Renewal

Recommended Action:

Authorize the use of Cooperative Agreement #2018011 to purchase NetMotion Software for virtual private network connections and authorize CDW Government, LLC. to administer the agreement;

Approve the software renewal in the amount of \$15,298.98 for Fiscal Year 2024/25; and

Authorize the City Manager to execute the necessary documents.

8. Approve the Purchase and Delivery of the Final Installment of Office Furniture for City Hall

Recommended Action:

Approve an Agreement with Corporate Modular Services for the purchase and installation of office furniture at City Hall in an amount not to exceed \$39,129 with a 15% contingency; and

Authorize the City Manager to execute the Agreement.

9. Construction Contract Tot Lot Improvement Project Phase 1

Recommended Action:

Award the construction contract for the Tot Lot Improvement Project Phase 1, CIPs 22026, 22035, 22036, and 22038, to the lowest responsible bidder, Millsten Enterprises, Inc., in the amount of \$1,344,667.35, plus a 15% contingency;

Authorize the Mayor to execute the agreement; and

Amend the Fiscal Year 2024/25 Capital Improvement Plan Budget to provide additional budget appropriation for CIPs 22026 and 22038.

10. Second Reading of Ordinance No. 604-24 Adopting the Fiscal Year 2024/25 Town Square Park and Amphitheater User Fees

Recommended Action:

Conduct the second reading and adopt Ordinance No. 604-24 entitled: *An Ordinance of the City Council of the City of Murrieta, California, Adopting the Town Square Park, and Amphitheater User Fees*; and

Find that said actions are exempt from the California Environmental Quality Act (CEQA), as this Ordinance is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment whereas here, it can be seen with certainty that there is no possibility that the activity in question would have a significant effect on the environment, the activity is not subject to CEQA.

11. Approve an Agreement with RICK to Undertake Revisions to the City's General Plan

Recommended Action:

Approve an Agreement with RICK, not-to-exceed \$412,961, to prepare revisions to the General Plan;

Authorize the City Manager to execute the agreement with an optional one-year extension;

Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15378 for the reasons specified in this report;

Amend the Fiscal Year 2024/25 Operating Budget, as noted in the Fiscal Impact Section of this report; and

Appropriate \$21,180.80 from the General Fund Assigned Fund Balance.

12. Approval of a Third Amendment to an Agreement with Tyler Technologies, Inc., and Amendment of the Fiscal Year 2024/25 Operating Budget

Recommended Action:

Approve a third Amendment to the Agreement with Tyler Technologies, Inc. for \$106,224 for eight (8) additional software licenses and enhanced customer support services for Energov Permitting and Licensing;

Authorize the City Manager to approve a future amendment for additional software licenses not to exceed \$13,776; and

Approve an appropriation of \$120,000 in the Fiscal Year 2024/25 Operating Budget for additional services from Energov Permitting and Licensing.

13. National Opioid Settlements

Recommended Action:

Adopt Resolution No. 24-4769 entitled: *A Resolution of the City Council of the City of Murrieta, California, Authorizing the City's participation in the National Opioid Litigation Settlement Agreements with Kroger Co. and any other future National Opioid Settlements*; and

Authorize the City Manager to take all actions necessary to implement the settlement Agreements.

14. EMS Physician Level Consultant - ZF Signature, Inc.

Recommended Action:

Approve a three-year Agreement with Dr. Zeke W. Foster dba ZF Signature, Inc. for the management of Murrieta Fire & Rescue's citywide emergency medical services program;

Authorize the exemption from bidding requirements; and

Authorize the City Manager to execute the agreement for a total not to exceed \$42,142.

15. Fiscal Year 2023 Emergency Management Performance Grant Program Award

Recommended Action:

Authorize the City Manager to accept the Fiscal Year 2023 (FY23) Emergency Management Performance Grant Program Award;

Authorize the City Manager to amend the Fiscal Year 2023/24 Operating Budget to allocate and appropriate the grant funds for \$24,680; and

Authorize the City Manager to carry over any unused budget related to this grant from Fiscal Year 2023/24 to Fiscal Year 2024/25.

16. Fiscal Year 2023 State Homeland Security Program Grant Award

Recommended Action:

Authorize the City Manager to accept the Fiscal Year 2023 State Homeland Security Program Grant (SHSP) award;

Authorize the City Manager to amend the Fiscal Year 2023/24 Operating Budget to allocate and appropriate the grant funds for \$15,978; and

Authorize the City Manager to carry over any unused budget related to this grant from Fiscal Year 2023/24 to Fiscal Year 2024/25.

17. Three-Year Agreement with Performa Labs

Recommended Action:

Authorize the City Manager to execute Amendment No. 1 to the agreement with Performa Labs for sworn personnel mandatory training application in the amount of \$156,400;

Authorize the City Manager to execute amendments, if needed, to the agreement up to an additional \$15,640; and

Authorize the exemption from bidding requirements.

PULLED CONSENT CALENDAR ITEMS None**PUBLIC HEARINGS**

18. Continued Hearing - Appeal of Planning Commission decision adopting a Mitigated Negative Declaration for Development Plan Permit 2022-2605/2023-00006 (DP-2022-2605/2023-00006) Murrieta Hot Springs at Jefferson Apartments

Staff report provided by Development Services Director David Chantarangsu.

The public hearing was opened at 6:49 p.m.

Public Testimony:

None

The public hearing was closed at 6:49 p.m.

Action: It was moved by Council Member Holliday, seconded by Mayor Pro Tem Warren to:

Continue the item to an August 20, 2024 hearing date based on productive conversations with the developer and the need for additional time to reach an agreement.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone

Noes: None

19. Consider the Levy of 2023 Delinquent Refuse Service Charges on the Fiscal Year 2024/25 Property Tax Roll

Staff report provided by Management Analyst Isaac Bravo.

The public hearing was opened at 6:51 p.m.

Public Testimony:

None

The public hearing was closed at 6:51 p.m.

Action: It was moved by Council Member DeForest, seconded by Council Member Holliday to:

Adopt Resolution No. 24-4770 entitled: *A Resolution of the City Council of the City of Murrieta, California, Affirming the Report of Delinquent Refuse Charges and Directing their Collection on the Fiscal Year 2024/25 Property Tax Roll.*

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone

Noes: None

20. Murrieta Community Services District Levy of Annual Assessments

Mayor Pro Tem Warren recused herself from Item No. 20 Zone “N” only due to owning property in the zone.

Council Member Holliday recused himself from Item No. 20 Zone “G” only due to owning property in the zone.

Council Member DeForest recused herself from Item No. 20 Zone “G” only due to owning property in the zone.

Council Member Levell recused himself from Item No. 20 Zones “F” & “G” only due to owning property in the zones.

Mayor Stone recused herself from Item No. 20 Zones “A” & “G” only due to owning property in the zones.

Staff report provided by Parks and Recreation Manager Lea Kolek. Willdan Financial Representative was available to answer questions from the City Council.

The public hearing was opened at 6:58 p.m.

Public Testimony:

None

The public hearing was closed at 6:59 p.m.

Action: A straw vote was held due to multiple recusals for Zone G, and it was moved by Mayor Pro Tem Warren, seconded by Council Member Holliday to;

Adopt Resolution No. CSD 24-281 (**Zone “G” only**) entitled: *A Resolution of the Board of Directors of the Community Services District of the City of Murrieta, California, (1) Amending and/or Approving the Engineer’s Annual Levy Report for the Levy and Collection of Rates and Charges within the Murrieta Community Services District for Fiscal Year 2024/25, and (2) Ordering the Levy and Collection of Rates and Charges within the Murrieta Community Services District for Fiscal Year 2024/25; and*

Direct the Board Secretary to file the levy with the County Auditor upon adoption.

The motion carried by the following vote:

Ayes: DeForest, Holliday, Warren

Noes: None

Abstain: None

Recusal: Levell, Stone

Action: It was moved by Council Member DeForest, seconded by Council Member Holliday to:

Adopt Resolution No. CSD 24-281 (**All Zones except Zone “G”**) entitled: *A Resolution of the Board of Directors of the Community Services District of the City of Murrieta, California, (1) Amending and/or Approving the Engineer’s Annual Levy Report for the Levy and Collection of Rates and Charges within the Murrieta Community Services District for Fiscal Year 2024/25, and (2) Ordering the Levy and Collection of Rates and Charges within the Murrieta Community Services District for Fiscal Year 2024/25; and*

Direct the Board Secretary to file the levy with the County Auditor upon adoption.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone

Noes: None

Recusals: Levell (Zone F and G only), Warren (Zone N only), Holliday (Zone G only), DeForest (Zone G only), Stone (Zone A and G only)

21. Consolidate Landscape and Lighting District Levy of Annual Assessments

Council Member Holliday recused himself from Item No. 21 LLD 16 due to owning property in the District.

Mayor Pro Tem Warren recused herself from Item No. 21 LLD 11 due to owning property in the District.

Council Member Levell recused himself from Item No. 21 LLD 15 due to owning property in the District.

Staff report provided by Parks and Recreation Manager Lea Kolek. Willdan Financial Representative was available to answer questions from the City Council.

The public hearing was opened at 7:06 p.m.

Public Testimony:

None

The public hearing was closed at 7:07 p.m.

Action: It was moved by Mayor Pro Tem Warren, seconded by Council Member Levell to:

Adopt a Resolution 24-4771 entitled: *A Resolution of the City Council of the City of Murrieta, California, Confirming Assessments and Providing for Annual Assessment Levy for Fiscal Year 2024/25 in the Murrieta Consolidated Landscaping and Lighting District; and*

Direct the City Clerk to file the assessment roll with the County Auditor.

The motion carried by the following vote:

Ayes: DeForest, Holliday, Levell, Warren, Stone

Noes: None

Recusals: Levell (LLD 15 only), Warren (LLD 11 only), Holliday (LLD 16 only)

22. Fiscal Year 2024/25 Fire Suppression Assessment

Staff report provided by Fire Chief Bernand Molloy. Willdan Financial Representative was available to answer questions from the City Council.

The public hearing was opened at 7:10 p.m.

Public Testimony:

Francisco Urbina: Asked for clarification on whether the Fire Suppression Assessment Fee is applicable citywide or if it only applied to specific areas.

The public hearing was closed at 7:13 p.m.

Action: It was moved by Council Member DeForest, seconded by Mayor Pro Tem Warren to:

Adopt Resolution No. MFD 24-224, entitled: A Resolution of The Board of Directors of the Murrieta Fire District Levying the 2024/2025 Fire Suppression Assessment Fee and Standby or Availability Charge, and Authorizing the General Manager to Execute the Associated Proposition 218 Compliance Letter.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone
Noes: None

DISCUSSION

23. Updated Murrieta Management and Confidential Employees' Compensation Plan

Staff report provided by Assistant City Attorney Paul Early.

Public Comments:

None

Action: After discussion it was moved by Council Member Levell, seconded by Council Member Holliday to:

Adopt Resolution No. 24-4772 entitled: A Resolution of the City Council of the City of Murrieta, California, Approving An Updated Murrieta Management and Confidential Employees' Compensation Plan.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone
Noes: None

PUBLIC COMMENTS (NON-AGENDA)

City Clerk Cristal McDonald informed the Mayor about an overlooked public comment.

Jason Race: Spoke to concerns on groundwater on his property.

DISCUSSION

24. Pickleball Courts Construction Strategy

Staff report and PowerPoint presentation provided by Community Services Director Brian Ambrose and Senior Program Manager Brian Crawford.

Public Comments:

Greg Ross: Spoke in favor of pickleball courts.

Tyler Corse: Spoke in opposition of removing tennis courts in Murrieta.

Paul Martin: Spoke in opposition of removing tennis courts in Murrieta.

Action: City Council received the update and instructed staff to keep a balance between Pickleball and Tennis.

GOVERNING BODY ANNOUNCEMENTS

Council Member Levell provided a verbal update, Council Member Holliday, Council Member DeForest, Mayor Pro Tem Warren, and Mayor Stone provided their Governing Body Announcements to be made part of the City's record.

COUNCIL MEMBER REQUESTS TO ADD OR WITHDRAW ITEMS TO FUTURE AGENDAS

Mayor Stone: Requested to bring back a discussion on a Murrieta Team for the Susan G. Komen Foundation "Race for the Cure".

Consensus received.

Withdrew her request from the June 18, 2024 meeting to bring back a workshop on the Taxpayer Protection and Government Accountability Act due to the State Supreme Court ruling.

ADJOURNMENT 7:53 p.m.

Cristal McDonald, City Clerk