

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



**Tuesday, May 7, 2024  
3:00 PM CLOSED SESSION  
5:00 PM WORKSHOP  
6:00 PM REGULAR MEETING**

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](mailto: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 24 hours prior to the scheduled City Council meeting at City Hall located at 1 Town Square, Murrieta, CA; via email at [CityClerk@MurrietaCA.gov](mailto: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>**

**3:00 PM CLOSED SESSION****CALL TO ORDER****ROLL CALL****PUBLIC COMMENTS - CLOSED SESSION ITEMS ONLY****ANNOUNCEMENT OF CLOSED SESSION ITEMS****CLOSED SESSION****CS1.** Conference with Legal Counsel - Existing Litigation

The City Council will conduct a closed session, pursuant to Government Code sections 54956.9(d)(1), related to the matter of Veldhuizen v. City of Murrieta.

**CS2.** 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.

**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 two cases.

**CS4.** Public Employee Performance Evaluation and Compensation

The City Council will conduct a closed session pursuant to Government Code Section 54957 and 54957.6(a)

Title of Position: City Manager

**RECESS TO CLOSED SESSION**

**5:00 PM WORKSHOP****CALL TO ORDER****ROLL CALL****WORKSHOP****WS1. CIP Budget Workshop - Proposed Capital Improvement Plan  
FY 2024/25 to FY 2028/29**Recommended Action:

Discuss and provide direction to staff regarding the proposed Fiscal Year 2024/25 Capital Improvement Budget and the proposed Fiscal Years 2024/25 to 2028/29 Capital Improvement Plan; and

Receive and file the report.

**6:00 PM REGULAR MEETING****CALL TO ORDER****ANNOUNCEMENT OF CLOSED SESSION ACTION****ROLL CALL****PLEDGE OF ALLEGIANCE****INVOCATION****PRESENTATIONS**

Proclamation - Public Works Week

**APPROVAL OF AGENDA****DEPARTMENT/COMMISSION ANNOUNCEMENTS****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.

- Public Information Officer: Community Report, Public Information Officer Cristina Davies

**GOVERNING BODY COMMISSION/COMMITTEE/BOARD (CCB) REPORTS**

Governing Body CCB Reports is the opportunity for the City Council to provide a brief report on conferences, seminars, and Commission, Committees, and/or Boards meeting attendance. Reports shall not exceed three minutes. The City Clerk will use the computerized timer.

**PUBLIC COMMENTS (NON-AGENDA)**

At this time any person may address the governing bodies on any subject pertaining to City business, which does not relate to any item listed on the printed agenda. Normally no action may be considered or taken by the governing bodies on any matter not listed on the agenda. Each speaker will be limited to three minutes.

**CONSENT CALENDAR - APPROVAL OF ITEMS 1 – 17**

All matters listed on the Consent Calendar are to be considered routine by the governing bodies, and will be enacted by one motion in the form listed. There will be no discussion of these items unless, before the governing body votes on the motion to adopt, specific items are removed from the Consent Calendar for separate motions.

**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 April 16, 2024 City Council Regular Meeting.

**3. Check Register March 2024****Recommended Action:**

Adopt Resolution 24-4735 entitled: *A Resolution of the City Council of the City of Murrieta, California, Ratifying the Check Register for the Month of March 2024* in the Amount of \$3,924,633.53 (Check Numbers 158721-159153).

**4. Monthly Investment Transaction Report for March 2024****Recommended Action:**

Receive and file the Monthly Investment Transaction Report for March 2024.

**5. Treasurer's Report - Quarter 3 of Fiscal Year 2023/24****Recommended Action:**

Receive the Fiscal Year 2023/24 Treasurer's Reports for Quarter 3 (January - March 2023).

**6. Agreement Renewal with SHI International Corp. for SeeClickFix Services****Recommended Action:**

Approve an agreement renewal with SHI International Corp. to purchase SeeClickFix services and ratify payment in the amount of \$25,337.58; and

Authorize using the City of Mesa, Arizona Cooperative Contract #2018011-02 to procure the services from SHI International Corp.

7. Award a Contract to Pramira, Inc. for the Replacement of Emergency Generators at the City of Murrieta City Hall and Fire Station 1

Recommended Action:

Award a construction contract for the installation of Emergency Generators at the City of Murrieta City Hall & Fire Station 1 Project, CIP 10044, to Pramira, Inc. in the amount of \$524,522, with a 20% contingency; and

Authorize the City Manager to execute the agreement with Pramira, Inc.

8. On-Call Consulting Services for Vertical Construction

Recommended Action:

Approve Agreements for On-Call Vertical Construction/Project Management Consulting Services between the City of Murrieta and RWBID Construction Management LLC, Griffin Structures, and Transtech Engineer; and

Authorize the City Manager to execute all agreements.

9. Change Order for Gametime Tot Lot Equipment Purchase

Recommended Action:

Authorize the City Manager to approve a change order for \$12,948.91 to Gametime Purchase Order No. P03649.

10. Construction Contract Tot Lot Improvement Project Phase 2

Recommended Action:

Award the construction contract for the Tot Lot Improvement Project Phase 2, CIPs 22029, 22030, 22031, 22032, and 22040, to the lowest responsible bidder, R.E. Schultz Construction, Inc., in the amount of \$451,850.00, plus a 15% contingency;

Authorize the Mayor to execute the agreement; and

Amend the Fiscal Year 2023/24 Capital Improvement Plan Budget for additional budget appropriation to CIPs 22029, 22030, 22031, 22032, and 22040.

11. Declaring Intent to Initiate the Levy of Annual Assessments for Murrieta Community Services District

Recommended Action:

Adopt Resolution No. CSD24-279 entitled: *A Resolution of the Board of Directors of the Murrieta Community Services District, (1) Declaring its Intention to Levy the Annual Rates and Charges for Services Within the Murrieta Community Services District, Fiscal Year 2024/25, (2) Preliminarily Approving the Engineer's Annual Levy Report for Community Service District for Fiscal Year 2024/25, and (3) Designating the Time and Place for the Public Hearing on These Matters; and*

Amend the Fiscal Year 2024/25 Operating Budget to include an operating transfer of \$71,969 to cover the budgetary shortfall for Zone H.

**12. Levy of Annual Assessments for Consolidated Landscaping and Lighting District**Recommended Action:

Adopt Resolution No. 24-4737 entitled: *A Resolution of the City Council of the City of Murrieta, California, Ordering the Preparation of the Engineer's Annual Levy Report for the Consolidated Landscaping and Lighting District;*

Adopt Resolution No. 24-4738 entitled: *A Resolution of the City Council of the City of Murrieta, California, Approving the Engineer's Report for and Declaring the City's Intention to Levy and Collect Assessments for Fiscal Year 2024/25 in the Murrieta Consolidated Landscaping and Lighting District and Setting A Public Hearing for July 2, 2024;* and

Amend the Fiscal Year 2024/25 Operating Budgets for Landscaping and Lighting Districts 5, 10, and 11 as outlined in the Fiscal Impact section of the report.

**13. Lifeguard and Swim Lesson Services Agreement Award**Recommended Action:

Approve and authorize the City Manager to execute the Agreement for Lifeguard and Swim Lesson Services with The Swimming Swan LLC, in the amount of \$337,064 for the initial five-year service period.

**14. Notice of Completion Sykes Ranch Park Improvements, CIP 22010**Recommended Action:

Accept the public improvements for the Sykes Ranch Park Improvements Project, CIP 22010, as complete; and

Authorize the City Clerk to record a Notice of Completion and release bonds in accordance with State law and City ordinances.

**15. Purchase of MX908 Chemical Detection Device**Recommended Action:

Authorize the City Manager to approve the purchase of the MX908 handheld chemical detection device for \$70,828.08 plus tax \$6197.46, totaling \$77,025.54.

**16. Installation of Parking Restriction Signs on Summer Creek Lane and Dove Creek Court**Recommended Action:

Adopt Resolution No. 24-4736 entitled: *A Resolution of the City Council of the City of Murrieta, California Approving the Installation of Parking Restriction Signs on Summer Creek Lane and Dove Creek Court.*

17. Acceptance of Funding from the Rancho California Water District for the Clinton Keith Road and Date Street Pavement Rehabilitation Project (CIP No. 8043)

Recommended Action:

Accept funding in the amount of \$21,890 from Rancho California Water District for adjusting facilities as part of the Clinton Keith Road and Date Street Pavement Rehabilitation Project, Capital Improvement Plan (CIP) No. 8043; and

Amend the Fiscal Year 2023/24 CIP Budget and establish an additional appropriation in CIP No. 8043 for \$21,890.

## **PULLED CONSENT CALENDAR ITEMS**

## **PUBLIC HEARINGS**

18. Public Hearing for Fiscal Year 2024/25 Citywide User Fee Update and First Reading for the Ordinance Adopting the Updated User Fees

Recommended Action:

Conduct a Public Hearing, waive full reading, and introduce Ordinance No. 603-24 entitled: *An Ordinance of the City Council of the City of Murrieta, California, Adopting the Fiscal Year 2024/2025 Fee Schedule*; 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.

**19. 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**

Recommended Action:

On March 27, 2024, the Planning Commission approved Development Plan Permit 2022-2605/2023-00006 to construct 387 multi-family apartment units, totaling 521,178 square feet on an 18-acre parcel (Project). The Planning Commission's approval consisted of two actions, which encompassed the approval of a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act and the approval of a Development Plan pursuant to Murrieta Municipal Code (MMC) Chapter 16.56 for the development of vacant property. On April 1, 2024, Council Member DeForest (Appellant) filed an appeal (Appeal) of the Planning Commission's approval of the MND and the Project with the City Clerk but only the CEQA appeal is before the City Council at this time. The Appeal was filed in a timely manner since it occurred within 10 days of the Commission's action. The Appeal filed with the City Clerk is included as Attachment 1. Appeal materials were subsequently received by the Development Services Director on April 19, 2024 which was 17 days prior to the appeal hearing.

The City Council's action is limited to the Appeal of the MND at this time. The City Council may take either of the following actions: 1) Uphold the Commission's decision, or 2) Set aside the Planning Commission's decision and approve the Appellant's request to appeal the Project's IS/MND. 2) Grant the CEQA appeal as to the MND and direct staff to prepare additional environmental analysis to address the environmental issues raised in the Appeal. Accordingly, the City Council should do the following:

1) Open the public hearing and receive testimony, and consider either of the following actions:

2) Adopt Resolution No. 24-4739 entitled: *A Resolution of the City Council of the City of Murrieta Denying the Appeal of the Planning Commission's Approval A Mitigated Negative Declaration for Development Plan Permit No. 2022-2605/2023-00006 (DP 2022-2605/2023-00006) for Construction of 387 Multi-Family Units and Associated Amenities and Improvements, Located Southeast of the Intersection of Murrieta Hot Springs Road and Jefferson Avenue (APN 910-410-011) and Adopting the Mitigated Negative Declaration and Upholding the MND for Development Plan Permit 2022-2605/2023-00006, Relating to the Proposal to Construct 387 Multi-Family Apartment Units, Totaling 521,178 square feet on an 18-Acre Parcel;*

OR

3) Adopt Resolution No. 24-4740 entitled: *A Resolution of The City Council of the City of Murrieta Approving the Appeal and Overturning the Planning Commission Decision Adopting A Mitigated Negative Declaration for Development Plan Permit No. 2022-2605/2023-00006 (DP 2022-2605/2023-00006) for Construction of 387 Multi-Family Units and Associated Amenities and Improvements, Located Southeast of the Intersection of Murrieta Hot Springs Road and Jefferson Avenue (APN 910-410-011) and finding that: (i) there is substantial evidence in the record that supports a fair argument that further environmental study concerning traffic safety and hazards, General Plan conflicts, and the Project's lack of compliance with City roadway standards which were not adequately analyzed or disclosed to the public in the MND for Development Plan Permit 2022-2605/2023-00006 pursuant to the requirements of CEQA, and (ii) that the Project requires the preparation of further analysis of Project environmental impacts pertaining to traffic safety hazards, General Plan conflicts, and compliance with City roadway standards as specified in the resolution, and (iii) the Development Services Director is directed*



*to consider any new information obtained concerning the Project's environmental impacts related to the Project as described above and proceed in a manner in compliance with CEQA to include the new information in the Project's Initial Study supporting the MND and to identify feasible mitigation measures to avoid or substantially lessen the potentially significant impacts identified by the additional environmental analysis or require the preparation of an Environmental Impact Report if the impacts identified are determined to be significant and can't be mitigated to less than significant.*

Based upon the additional information and issues raised in the appeal regarding the Initial Study's incomplete analysis of certain potential traffic safety impacts, staff recommends the City Council grant the Appeal on the basis of substantial evidence presented by the Appellant.

## DISCUSSION

### 20. Fiscal Year 2023/24 Third Quarter Financial Status Report and Proposed Budget Adjustments

#### Recommended Action:

Receive and discuss the staff report;

Amend the Fiscal Year 2023/24 Operating Budget as defined in the Fiscal Year 2023/24 Third Quarter Proposed Budget Amendments;

Amend the Fiscal Year 2023/24 Capital Budget as defined in the Fiscal Year 2023/24 Third Quarter Proposed Budget Amendments for project 21034; and

Approve the Updated Schedule of Authorized Positions List.

### 21. Purchase and Upfitting of Five 2023/24 Police Vehicles & Upfitting of Five Remaining 2022/23 Vehicles

#### Recommended Action:

Approve the purchase of five (5) police vehicles and the associated purchase and installation of emergency equipment using Fiscal Year 2023/24 Operating Budget; and

Approve the increased costs of upfitting for five (5) vehicles from FY 2022/23.

## GOVERNING BODY ANNOUNCEMENTS

Governing Body Announcements is the opportunity for the City Council to provide miscellaneous reports and announcements. Announcements shall not exceed two minutes. The City Clerk will use the computerized timer.

## COUNCIL MEMBER REQUESTS TO ADD OR WITHDRAW ITEMS TO FUTURE AGENDAS

## ADJOURNMENT