

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



**Tuesday, August 20, 2024
4:45 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>**

4:45 PM CLOSED SESSION

CALL TO ORDER 4:47 p.m.

ROLL CALL

Present: Council Member DeForest
Council Member Levell
Council Member Holliday
Mayor Pro Tem Warren
Mayor Stone

Absent: None

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 - 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 three cases.

- CS2.** Conference with Legal Counsel - Existing Litigation
The City Council will conduct a closed session with the City Manager, Assistant City Managers, the Administrative Services Director, and the City Attorney, pursuant to Government Code section 54956.95(b), to consider the following worker's compensation claim(s): Schmader v. City of Murrieta (WCAB Case No. ADJ14691465, ADJ14937668).

- CS3.** 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; (2) the Murrieta Supervisors' Association; and (3) Management and Confidential.

- CS4.** Public Employee Appointment
The City Council will conduct a closed session, pursuant to Government Code section 54957(b), to continue the process for the future appointment of an employee to the position of City Manager.

RECESS TO CLOSED SESSION 4:49 p.m.

6:00 PM REGULAR MEETING

CALL TO ORDER 6:06 p.m.

ANNOUNCEMENT OF CLOSED SESSION ACTION

City Attorney Tiffany Israel: No reportable action on Closed Session Item Nos. CS1-CS4.

ROLL CALL

Present: Council Member DeForest
Council Member Levell
Council Member Holliday
Mayor Pro Tem Warren
Mayor Stone

Absent: None

PLEDGE OF ALLEGIANCE Mayor Pro Tem Warren

INVOCATION Pastor Roger Bowman, Gateway Church of Nazarene

APPROVAL OF AGENDA

Action: It was moved by Council Member DeForest, seconded by Council Member Holliday to approve the Agenda for August 20, 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.

- Police and Fire Department: Updates, Police Chief Tony Conrad and Fire Chief Bernie Molloy

GOVERNING BODY COMMISSION/COMMITTEE/BOARD (CCB) REPORTS

Council Member DeForest: Provided attendance/reported the following:

- Special City Council Meetings

Council Member Holliday: Provided attendance/reported the following:

- Code Enforcement Ad-Hoc Committee
- Special City Council Meetings
- Santa Stops
- Western Riverside Council of Governments (WRCOG)

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

- Special City Council Meetings
- Riverside County Transportation Commission (RCTC)

Council Member Levell: Provided attendance/reported the following:

- Special City Council Meetings

PUBLIC COMMENTS (NON-AGENDA)

Rodney Rhodan: Spoke on concern with a neighbor and the City’s handling of the issue.

Dr. Steven James: Spoke on concerns over the Police Department's case protocol based on an incident.

Ruthie James: Spoke on concerns over the Police Department's case protocol based on an incident.

Alex Kowalski: Thanked the City Council for their participation at the Family Fun Fest.

CONSENT CALENDAR - APPROVAL OF ITEMS 1 – 29

Public Comments:

Daryl Terrell: Spoke in favor of the Catalytic Converter Ordinance Item No. 26.

Action: It was moved by Council Member Holliday, seconded by Council Member DeForest to approve the Consent Calendar Item Nos 1-29 with *exception of items pulled (Item Nos. 11 and 25) and noting that participation costs for Item No. 14 are paid via grant funds and not general fund money.*

City Clerk Cristal McDonald reported administrative errors on Item Nos. 16, 17, and 25. Item Nos. 16 and 17 had visibility issues with the redlined documents which has been resolved and provided to the City Council and the public. Item No. 25 read “Amendment No.2,” and it should have read “Amendment No.1.”

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 July 2, 2024 City Council Regular Meeting.

3. Check Register June 2024

Recommended Action:

Adopt Resolution 24-4773 entitled: *A Resolution of the City Council of the City of Murrieta, California, Ratifying the Check Register for the Month of June 2024* in the amount of \$3,874,813.80 (Check Numbers 160089-160468).

4. Monthly Investment Transaction Report for May 2024

Recommended Action:

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

5. Monthly Investment Transaction Report for June 2024

Recommended Action:

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

6. Treasurer’s Report - Quarter 4 of Fiscal Year 2023/24

Recommended Action:

Receive the Fiscal Year 2023/24 Treasurer’s Reports for Quarter 4 (April - June 2024).

7. Agreement with NEOGOV

Recommended Action:

Approve a three-year agreement with GovernmentJobs.com, Inc. dba NEOGOV for Human Resources Management System Subscriptions in the amount not to exceed \$179,313.70;

Authorize the exemption from bidding requirements; and

Authorize the City Manager to execute the necessary documents.

8. Resolution Approving a Tentative Agreement between the City of Murrieta and the Murrieta Firefighters Association regarding Participation in the International Association of Fire Fighters Medical Expense Reimbursement Plan

Recommended Action:

Adopt Resolution No. 24-4774, entitled: *A Resolution of the City Council of the City of Murrieta, California, Approving a Tentative Agreement between the City of Murrieta and the Murrieta Firefighters Association, regarding Participation in the IAFF Medical Expense Reimbursement Plan.*

9. Murrieta Police Officers Association Successor Memorandum of Understanding

Recommended Action:

Adopt Resolution No. 24-4775 entitled: *A Resolution of the City Council of the City of Murrieta, California, Approving, Adopting and Implementing a Successor Memorandum of Understanding between the City of Murrieta and the Murrieta Police Officers Association for the Period July 1, 2023 through June 30, 2026.*

10. Renewal Approval with Carahsoft (DocuSign) - Digital Signature Software

Recommended Action:

Authorize the City Manager to approve the current renewal, in a form acceptable to the City Attorney, with Carahsoft - DocuSign for digital signature software, for a total not to exceed the amount of \$27,450, and authorize the City Manager to issue a change order up to 10%, if needed;

Amend the Fiscal Year 2024/25 Operating Budget in the General Ledger Account 1102400-60920 by \$4,550; and

Ratify a prior renewal with Carahsoft that exceeded the City Manager's contract authority by \$4,377.60.

- 12. Amendment to an Agreement with GRC Associates, Inc. for As-Needed Administrative Services for the Community Development Block Grant Program

Recommended Action:

Approve the first amendment to an agreement with GRC Associates, Inc. for as-needed Community Development Block Grant consultation services to extend the agreement by one year and increase the total not-to-exceed amount by \$30,000; and

Authorize the City Manager to execute the agreement.

- 13. Environmental Program Funding for Fiscal Year 2024/25

Recommended Action:

Approve the allocation of grant funding and amend the Fiscal Year 2024/25 Budget to include the revenue and projected expenditure of State grant funding awarded to the City.

- 14. First Amendment to an Agreement with Western Riverside Council of Governments for Regional Food Recovery and Local Assistance Program

Mayor Pro Tem Warren noted that participation costs for Item No. 14 are paid via grant money and not the general fund.

Recommended Action:

Approve the First Amendment to the Agreement with Western Riverside Council of Governments in the amount of \$56,438 for services related to edible food recovery and local assistance for local commercial food generators implementing SB 1383 requirements and extending the agreement by one year; and

Authorize the City Manager to execute the agreement.

- 15. Acceptance of Donations from the Friends of the Murrieta Library

Recommended Action:

Accept donations from the Friends of the Murrieta Library in the amount of \$58,000; and

Authorize the City Manager to amend the Fiscal Year 2024/25 Operating Budget.

- 16. Field Use and Allocation Policy Update

Recommended Action:

Approve the language modifications to the 2014 Field Use and Allocation Policy as proposed by staff and the Parks and Recreation Commission.

17. Updated Park and Recreation Facilities Naming Policy

Recommended Action:

Adopt Resolution CSD 24-282, entitled: *A Resolution of the Board of the Murrieta Community Services District, Rescinding the Policy for Naming Park and Recreation Facilities Ratified on April 5, 1994, and Adopting an Updated Policy for Naming Parks and Recreation Facilities.*

18. Second Amendment to the Transient Occupancy Tax Revenue Sharing Agreement

Recommended Action:

Authorize the City Manager to execute the Second Amendment to the Transient Occupancy Tax Revenue Sharing Agreement with Olympus Real Estate Holdings, LTD., a Texas limited partnership, dba The Murrieta Hot Springs Resort & Spa.

19. First Amendment and Restatement of the Dispatch Service Agreement Between the City of Murrieta and the City of Menifee

Recommended Action:

Adopt Resolution No. 24-4776 entitled: *A Resolution of the City Council of the City of Murrieta, California, Authorizing the First Amendment, and Restatement of the Dispatch Service Agreement Between the City of Murrieta and the City of Menifee; and Rescind Resolution No. 23-4666 Previously Authorized the First Amendment and Restatement.*

20. First Amendment with Rogers, Anderson, Malody & Scott, LLP

Recommended Action:

Approve the First Amendment to the Agreement for Financial Auditing Services between the City of Murrieta and Rogers, Anderson, Malody & Scott, LLP (RAMS); and Amend the Operating Budget for Fiscal Year 2024/25.

21. Medical Expense Reimbursement Plan and Amendment to the Retirement Health Savings (RHS) Plan and the Deferred Compensation 401(a) Plan

Recommended Action:

Adopt Resolution No. 24-4777 entitled: *A Resolution of the City Council of the City of Murrieta, California, Adopting a Medical Expense Reimbursement Plan of the Washington State Council of Fire Fighters Employee Benefit Trust, Approving an Amendment of the Retirement Health Savings (RHS) Plan with Mission Square and Approving an Amendment of the 401a Deferred Compensation Plan with Nationwide; and*

Authorize the City Manager to execute all related documents.

22. Transaction and Use Tax Citizens Oversight Committee Bi-Annual Report

Recommended Action:
Receive and file.

23. SB 1205 Compliance Report for 2023 State-Mandated Annual Fire Inspections

Recommended Action:
Adopt Resolution No. 24-4778 entitled: *A Resolution of the City Council of the City of Murrieta, California, Acknowledging Receipt of a Report Made by the Fire Chief of the Murrieta Fire Department Regarding the Inspection of Certain Occupancies Required to Perform Annual Inspections in Such Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code.*

24. Trauma Intervention Program Agreement

Recommended Action:
Approve a three-year agreement with Trauma Intervention Programs, Inc., for trauma intervention counseling services retroactively effective July 1, 2024;

Authorize the exemption from bidding requirements; and

Authorize the City Manager to execute the agreement for a total not to exceed \$29,400.

26. Catalytic Converter Possession Municipal Codes

Recommended Action:
Introduce and conduct the first reading of Ordinance No. 606-24 entitled: *An Ordinance of the City Council of the City of Murrieta, California, Amending Title 9 of the Murrieta Municipal Code to Establish a New Chapter 9.35 to Set Forth Regulations Defining and Prohibiting the Unlawful Possession of Detached Catalytic Converters in the City of Murrieta and Adoption of Exemption from CEQA Guidelines.*

27. Acceptance of Public Improvements in Tract Map 31497

Recommended Action:
Accept the Public Improvements in Tract Map 31497, located at the southeast corner of Lemon Street and Washington Avenue; and

Direct the Public Works Department to perform continued maintenance on the aforementioned public improvements in conformity with the City of Murrieta's maintenance standards.

28. Approval of a Joint Use Agreement with Southern California Edison related to Nutmeg Apartments Development Project

Recommended Action:

Approve a Joint Use Agreement with Southern California Edison associated with the Nutmeg Apartments development project; and

Authorize the Mayor to execute the Joint Use Agreement.

29. Adoption of an Ordinance Amending Chapters 1.04, 1.32, and 8.20 of the Murrieta Municipal Code Providing the City with the Authority and Flexibility to Recover Costs Incurred in Abating Nuisances

Recommended Action:

Introduce and conduct the first reading on Ordinance No. 608-24 entitled: *An Ordinance of the City Council of the City of Murrieta, California, Amending Sections 1.04.010, 1.32.050, 8.20.020, 8.20.090, 8.20.100, and 8.20.130 of the Murrieta Municipal Code to Define "Responsible Party," Clarify Nuisance Abatement Options for the City, Update Provisions Relating to the Costs of Abatement Including Attorney's Fees and Costs, and Establish Lien and Special Assessment Procedures for the Recovery of Nuisance Abatement Costs.*

PULLED CONSENT CALENDAR ITEMS:

11. Amendment to ACP Publications and Marketing Agreement

Item No. 11 was pulled for discussion by Council Member DeForest.

Staff report provided by Management Analyst Isaac Bravo who addressed Council Member DeForest' questions regarding components, costs, and utilization of the Murrieta Magazine.

Public Comments:

None

Action: After discussion it was moved by Council Member Holliday, seconded by Mayor Pro Tem Warren to:

Approve the First Amendment to the ACP Publications and Marketing Agreement for printing and distribution of the Murrieta Magazine in an amount not to exceed \$285,000; and

Authorize the City Manager to execute the Agreement.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone

Noes: None

- 25. Amendment #2 to Agreement with Flock Group, Inc. - Automated License Plate Reader Cameras (ALPR)

Item No. 25 was pulled for discussion by Mayor Stone.

Staff report provided by Police Chief Anthony Conrad who also addressed Mayor Stone's questions regarding the function of the license plate reader.

Public Comments:

None

Action: After discussion it was moved by Council Member DeForest, seconded by Mayor Pro Tem Warren to:

Approve the second amendment to the agreement with Flock Group, Inc. to add the Enhanced License Plate Reader package;

Appropriate an additional \$15,000 in the Fiscal Year 2024/25 Operating Budget in the Supplemental Law Enforcement Fund (Fund 411);

Authorize the exemption from bidding requirements; and

Authorize the City Manager to execute the agreement and all related documents.

Ayes: DeForest, Levell, Holliday, Warren, Stone

Noes: None

PUBLIC HEARINGS

- 30. 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 Deputy Development Services Director Jarrett Ramaiya who reported that a settlement agreement was reached with the applicant. No further action is needed.

31. Public Hearing on The Shops at the Triangle: Specific Plan Amendment 2023-00003, Tentative Tract Map 38622 (TTM-2022-2706) Development Plan 2022-2705 and consideration of an Addendum to the previously adopted Subsequent Environmental Impact Report

Staff report and PowerPoint presentation provided by Senior Planner Dennis Watts, Development Services Director David Chantarangsu, and Police Chief Anthony Conrad, were available to answer questions from the City Council.

The applicant Saul Jaffe addressed questions from the City Council regarding drive-thru concerns and police presence at the shops.

The public hearing opened at 7:44 p.m.

Public Testimony:

Patrick Ellis: Spoke in favor of the project and his support towards the applicant.

The public hearing was closed at 7:45 p.m.

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

Consider and Approve an Addendum to the Subsequent Environmental Impact Report pursuant to the California Environmental Quality Act Guidelines (Cal. Code Regs. Title 14) Section 15162 and 15164 by adopting Resolution No. 24-4779 entitled: *A Resolution of the City Council of the City of Murrieta Approving the Environmental Determination, Development Plan 2022-2705 and Tentative Tract Map 2022-2706 (TTM 38622) for The Shops at the Triangle, a 64.3-Acre Site to be developed with a 279,538 square foot regional shopping center on approximately 36.5 acres and to subdivide the 64.3-acre site into 23 parcels;*

Related Improvements for Circulation, Infrastructure, and Landscaping Located southerly of Murrieta Hot Springs Road, East of Interstate 15 and west of Interstate 215 (APN's 910-390-001 through 910-390-003, 910-390-008 through -018, 910-390-020 through 910-390-022, 910-400-001 through -018) within the Commercial (C) Zone of the Triangle Specific Plan Area; subject to the Conditions of Approval in Exhibit A and Exhibit B; and

Introduce and Conduct the First reading of Ordinance No. 607-24 entitled: *An Ordinance of the City Council of the City of Murrieta, California, Approving and Adopting the Triangle Specific Plan Amendment No. 2 (Specific Plan 276 Amendment No. 2 - Formerly named Murrieta Springs Mall) for property located on 64.3 acres southerly of Murrieta Hot Springs Road, East of Interstate 15 and west of Interstate 215 (APN's 910-390-001 through 910-390-003, 910-390-008 through -018, 910-390-020 through 910-390-022, 910-400-001 through -018) (Planning Case No. SP-2023-00003); subject to the Conditions of Approval in Exhibit A.*

The motion carried by the following vote:

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

DISCUSSION

32. Susan G. Komen - Race for the Cure, Request for City of Murrieta Team

This item was requested under Future Agenda Items on July 2, 2024.

Mayor Stone requested the creation of a City of Murrieta Team for the Susan G. Komen Foundation, MORE THAN PINK Walk.

Consensus was received.

33. Fiscal Year 2024/25 Proposed Budget Adjustments

Finance Director Javier Carcamo, Finance Manager Jennifer Terry, and acting Financial Analyst Tanner Benson provided a PowerPoint presentation. Finance Director Javier Carcamo was available to answer questions from the City Council.

Action: After discussion it was moved by Council Member Holliday, seconded by Mayor Pro Tem Warren to:

Receive and file the report;

Approve Amendment to the Fiscal Year 2024/25 Operating Budget as defined in this report; and

Approve the updated Schedule of Authorized Positions.

The motion carried by the following vote:

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

NOTIFICATIONS

Notice of Pending Approval of Final Tract Map – TR 38228

City Clerk Cristal McDonald informed the City Council that the Notice will be continued to a future meeting.

GOVERNING BODY ANNOUNCEMENTS

Council Member DeForest, Council Member Levell, Council Member Holliday, 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 ITEMS TO FUTURE AGENDAS None

ADJOURNMENT 8:38 p.m.

Mayor Stone adjourned the meeting quoting President Reagan in honor of Senior Citizen’s Day.

“For all they have achieved throughout life and for all they continue to accomplish, we owe older citizens our thanks and a heartfelt salute. We can best demonstrate our gratitude and esteem by making sure that our communities are good places in which to mature and grow older – places in which older people can participate to the fullest and can find the encouragement, acceptance, assistance, and services they need to continue to lead lives of independence and dignity.”

Cristal McDonald, City Clerk