

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



**Tuesday, October 15, 2024
4:30 PM CLOSED SESSION
6:00 PM REGULAR SESSION
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 4:30 p.m.

ROLL CALL

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

Absent: Council Member Lisa DeForest

PUBLIC COMMENTS - CLOSED SESSION ITEMS ONLY

Gary Thomasian: Requested that Closed Session Item Nos. CS1 and CS2 be discussed publicly to obtain public input as the properties were originally purchased for public use.

ANNOUNCEMENT OF CLOSED SESSION ITEMS

City Clerk Cristal McDonald announced the following Closed Session items:

CLOSED SESSION**CS1.** Conference with Real Property Negotiator

The City Council will conduct a closed session, pursuant to Government Code section 54956.8, to enable the City Council to consider negotiations and to give direction to its negotiators regarding that certain real property, at the intersection of Kalmia and Jefferson, APN 906-080-041, 906-080-042, and 906-080-033 with Bold Communities and Fidelis Advisors. The City's real property negotiators, the City Manager, Assistant City Managers, Development Services Director, Economic Development Director, and City Attorney, will seek direction from the City Council regarding the price and terms for this property.

CS2. Conference with Real Property Negotiator

Recommended Action: The City Council will conduct a closed session, pursuant to Government Code section 54956.8, to enable the City Council to consider negotiations and to give direction to its negotiators regarding that certain real property, Town Square Park Amphitheater - 11 Town Square Park, Murrieta. The City's real property negotiators, the City Manager, Assistant City Manager, Director of Economic Development, and City Attorney, will seek direction from the City Council regarding the price and terms for this property.

CS3. 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): Vargas v. City of Murrieta (WCAB Case No. ADJ14881305, ADJ14881317, ADJ15744575).

CS4. Conference with Legal Counsel-Anticipated Litigation
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:
One potential case.

CS5. 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 4:36 p.m.

6:00 PM REGULAR MEETING

CALL TO ORDER 6:05 p.m.

ANNOUNCEMENT OF CLOSED SESSION ACTION

CS1 & CS2: No reportable action.
City Attorney Tiffany Israel: clarified that the properties discussed, per the public comment made, are already owned by the City, and the information discussed was in reference to the disposition and a possible sale price of the property.

CS3: No reportable action.

CS4: No reportable action.

CS5: No reportable action.

ROLL CALL

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

Absent: None

PLEDGE OF ALLEGIANCE Isaac Bravo, Management Analyst

INVOCATION Bishop Brian Connors, Church of Jesus Christ of Latter-Day Saints

PRESENTATIONS

Proclamation: Family Court Awareness Month

APPROVAL OF AGENDA

Action: It was moved by Mayor Pro Tem Warren, seconded by Council Member Holliday to approve the Agenda for October 15, 2024.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone

Noes: None

Absent: 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.

- Engineering Update: Bob Moehling, Public Works Director
- Government Finance Officers Association Award Presentation: Javier Carcamo, Finance Director
- Presentation of City Ambassadors: Isaac Bravo, Management Analyst
- Community Update: Cristina Davies, Public Information Officer

GOVERNING BODY COMMISSION/COMMITTEE/BOARD (CCB) REPORTS

Council Member Levell: Provided attendance/reported the following:
• Animal Control Joint Powers Authority

Council Member Holliday: Provided attendance/reported the following:
• Murrieta Santa Stops
• Code Enforcement Policy Ad-Hoc Subcommittee
• Regional Conservation Authority (RCA)
• Western Regional Council of Governments (WRCOG)

Mayor Pro Tem Warren: Provided attendance/reported the following:
• Riverside County Transportation Commission (RCTC)

Mayor Stone: Provided verbal attendance/reported the following:
• Code Enforcement Policy Ad-Hoc Subcommittee
• Southwest Riverside County Elected Leaders Collaborative

PUBLIC COMMENTS (NON-AGENDA)

Rodney Rhodan: Spoke on concerns over Murrieta Valley Sports coach's practices, development impacts, and neighbor concerns.

Connie McConnell: Provided updates on Murrieta Market Nights and the Murrieta Museum Veteran's honoring.

Jim Niederecker: Representing the United Sovereign Americans group provided a handout and requested consideration of a proposed resolution.
(with donated time from Tom Dicus)

Greg Langworthy: Representing the United Sovereign Americans group requested consideration of a proposed resolution.

Carole Butcher: Representing the United Sovereign Americans group requested consideration of a proposed resolution.

Tim Smith: Representing the United Sovereign Americans group requested consideration of a proposed resolution.

CONSENT CALENDAR - APPROVAL OF ITEMS 1 – 10

Action: It was moved by Council Member Levell, seconded by Mayor Pro Tem Warren to approve the Consent Calendar Item Nos 1-10.

Council Member DeForest recused herself from Item No. 7 only due to owning property within 1000 feet of the Project.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone

Noes: None

Absent: 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 October 1, 2024 Regular City Council Meeting.

3. Monthly Investment Transaction Report for August 2024

Recommended Action:

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

4. Second Reading of Ordinance No. 611-24 Amending City Council Compensation
Recommended Action:
Conduct the second reading and adopt Ordinance No. 611-24 entitled: *An Ordinance of the City Council of the City of Murrieta, California, Amending the Compensation of the City Council.*

5. Second Reading: Repealing Surplus Language in Chapter 2 (City Manager) of the Murrieta Municipal Code
Recommended Action:
Conduct the second reading and adopt Ordinance No. 612-24 entitled: *An Ordinance of the City Council of the City of Murrieta, California, to Repeal Murrieta Municipal Code Sections 2.08.090-2.08.130 and 2.08.150-2.08.170 which Set Forth Regulations for the City's Relationship with the City Manager.*

6. Holiday Lights and Décor - City Hall and Town Square Park Amphitheater
Recommended Action:
Approve the agreements with Polar Bear Lighting not-to-exceed the amount of \$38,680.50 and an agreement with CLIPA, LLC in the amount of \$70,112.57 for the expansion of holiday lighting and décor at City Hall, Town Square Park Amphitheater, and Historic Downtown Murrieta; and

Authorize the City Manager to execute the agreements.

7. Notice of Completion - Tot Lot Phase 2 Improvements
Recommended Action:
Accept the public improvements for the Tot Lot Phase 2 Improvements Project, Capital Improvement Project Nos. 22029, 22030, 22031, 22032, 22040, as complete; and

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

Council Member DeForest recused herself due to owning property within 1000 feet of the Project.

8. Adoption of an Ordinance of the City Council of the City of Murrieta, California, Amending Chapters 16.18, 16.22, 16.30, 16.34, 16.38, 16.44, 16.46, 16.90, 16.98, and 16.110, and Amending Titles 1, 8, and 10 of the Murrieta Municipal Code to Revise Chapters 1.26, 8.28, and 10.44
Recommended Action:
Conduct the Second Reading and adopt Ordinance No. 610-24 entitled: *An Ordinance of the City Council of the City of Murrieta, California, Amending Title 16 of the Murrieta Development Code to Revise Chapters 16.18, 16.22, 16.30, 16.34, 16.38, 16.44, 16.46, 16.90, 16.98, and 16.110, and Amending Titles 1, 8, and 10 of the Murrieta Municipal Code to Revise Chapters 1.26, 8.28, and 10.44.*

9. Annual Renewal with Tyler Technologies, Inc. for the EnerGov Land Management System Software

Recommended Action:

Approve the Annual Renewal with Tyler Technologies for the EnerGov Land Management System Software for the period January 1, 2025, to December 31, 2025; and

Adopt Resolution No. 24-4789, entitled: *A Resolution of the City Council of the City of Murrieta, California, Authorizing the Expenditure of Funds Related to Annual Renewal Costs of the Agreement for Land Management System Software with Tyler Technologies, Inc.*

10. Cooperative Agreement 08-1789 with Caltrans for the Interstate 215/Keller Road Interchange

Recommended Action:

Adopt Resolution No. 24-4790, entitled: *A Resolution of the City Council of the City of Murrieta Approving a Cooperative Agreement with the State of California, Acting by and Through its Department of Transportation (Caltrans), for the Plans, Specifications, and Estimates and Right of Way Work Necessary to Construct a New Full Interchange and Auxiliary Lanes at Interstate 215 and Keller Road (District Agreement No. 08-1789).*

PULLED CONSENT CALENDAR ITEMS None

DISCUSSION

11. Construction Contract Amphitheater Parking Lot & Entryway Monument Project

Staff report and PowerPoint presentation provided by Senior Program Manager Brian Crawford.

Brian Crawford addressed the questions from Council Member Holliday and the Mayor on the location of the monument image, obstruction of traffic, and illumination for the monument.

Action: After discussion it was moved by Mayor Pro Tem Warren, seconded by Council Member Levell to award the construction contract for the Town Square Park Amphitheater Parking Lot and Entryway Monument Project, Capital Improvement Project 10041, to the lowest responsible bidder, DeArk E&C, Inc., in the amount of \$2,345,755.00, plus a 15% contingency;

Amend the Fiscal Year 2024/25 Operating Budget and Capital Improvement Plan Budget to provide an additional budget appropriation for Capital Improvement Project 10041; and

Authorize the Mayor to execute the agreement.

The motion carried by the following vote:

Ayes: DeForest, Levell, Holliday, Warren, Stone

Noes: None

Absent: None

12. Rules of Procedures

Staff report and PowerPoint presentation provided by City Clerk Cristal McDonald.

Action: After discussion, it was moved by Council Member Levell, seconded by Council Member Holliday to adopt Resolution No. 24-4791 entitled: *A Resolution of the City Council of the City of Murrieta, California, Amending Rules of Procedure for City Council Meetings and Related Functions and Activities* with the following amendments:

- Clarification of the verbiage in the resolution to remove the possible misinterpretation of the City Manager’s ability to deny an item to be listed on the agenda;
- Removal of Mayor Pro Tem experience under qualifications for Presiding Officer; and
- Addition of language specific to public hearing timing guidelines regarding Hearing Motion for Reconsideration protocol.

The motion carried by the following vote:

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

GOVERNING BODY ANNOUNCEMENTS

Council Member Levell provided a verbal announcement; Council Member DeForest, 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 OR WITHDRAW ITEMS TO FUTURE AGENDAS

None

ADJOURNMENT 7:55 p.m.

Cristal McDonald, City Clerk