

ACTION MINUTES

TEMECULA CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
JANUARY 12, 2016 – 7:00 PM

6:00 PM - The City Council convened in Closed Session in the Canyons Conference Room on the third floor of the Temecula City Hall concerning the following matters:

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION. The City Council will meet in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(2) with respect to three matters of pending litigation: (1) *Hanson v. City of Temecula*, Riverside County Superior Court No. RIC1411591; (2) *Los Ranchitos Homeowners Association v. City of Temecula*, Riverside County Superior Court No. RIC1512880; and (3) *Scharpen Foundation v. Kamala Harris et al*; Riverside County Superior Court No. RIC1514022.

At 6:00 PM Mayor Pro Tem Edwards called the City Council meeting to order and recessed to Closed Session to consider the matters described on the Closed Session agenda.

The City Council meeting convened at 7:00 PM

CALL TO ORDER: Mayor Pro Tem Maryann Edwards

Prelude Music: Noah Stevens

Invocation: Lead Pastor Kai Foster of Temecula Valley Church of Christ

Flag Salute: Council Member Jeff Comerchero

ROLL CALL: Comerchero, Edwards, McCracken, Rahn, Naggar (absent)

PRESENTATIONS/PROCLAMATIONS

Presentation of 25-Year Service Pin to Ron Guerriero

PUBLIC COMMENTS

The following individuals addressed the City Council:

- Steve Falk/Randy Taylor
- Ed Dool

CITY COUNCIL REPORTS

CONSENT CALENDAR

- 1 **Waive Reading of Standard Ordinances and Resolutions – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.**

RECOMMENDATION:

- 1.1 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 the Action Minutes of December 8, 2015 – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.**

RECOMMENDATION:

- 2.1 That the City Council approve the action minutes of December 8, 2015.

- 3 **Approve the List of Demands – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.**

RECOMMENDATION:

- 3.1 That the City Council adopt a resolution entitled:

RESOLUTION NO. 16-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ALLOWING CERTAIN CLAIMS AND DEMANDS AS SET FORTH IN EXHIBIT A

- 4 **Approve the City Treasurer's Report as of November 30, 2015 – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.**

RECOMMENDATION:

- 4.1 That the City Council approve and file the City Treasurer's Report as of November 30, 2015.

- 5 Approve Annual Citywide Records Retention Schedule and Records Destruction and Adopt Electronic Document Management System Policy – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

- 5.1 Adopt a resolution entitled:

RESOLUTION NO. 16-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING REVISIONS TO THE ESTABLISHED CITYWIDE RECORDS RETENTION SCHEDULE, THEREBY AMENDING AND RESTATING THE RECORDS RETENTION POLICY, AND APPROVING THE DESTRUCTION OF CERTAIN RECORDS

- 5.2 Adopt a resolution entitled:

RESOLUTION NO. 16-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE CITY'S ELECTRONIC DOCUMENT MANAGEMENT SYSTEM (EDMS) POLICY

- 6 Approve Annual Legislative Platform and Related Program Policy and Procedures for Calendar Year 2016 – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

- 6.1 That the City Council approve the annual Legislative Platform and related program policy and procedures for calendar year 2016.

- 7 Approve Annual Boards and Commissions Handbook and Related Policy and Procedures for Calendar Year 2016 – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

- 7.1 That the City Council approve the annual Boards and Commissions Handbook and related policy and procedures for calendar year 2016.

- 8 Adopt Updated Complimentary Ticket Policy – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

8.1 That the City Council adopt the updated complimentary ticket policy.

- 9 Adopt Ordinance 15-14 for Uptown Temecula Specific Plan New Streets In-Lieu Fee (Second Reading) – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

9.1 That the City Council adopt an ordinance entitled:

ORDINANCE NO. 15-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING CHAPTER 15.20, UPTOWN TEMECULA SPECIFIC PLAN NEW STREETS IN-LIEU FEE AND MAKING FINDINGS THAT NO FURTHER CEQA REVIEW IS REQUIRED

- 10 Approve a Five-year Master Lease Purchase Agreement with HP Financial Services for the Lease of Technology Infrastructure – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

10.1 Approve a Five-Year Master Lease Purchase Agreement with HP Financial Services for the lease of Technology Infrastructure for an annual amount of \$150,303.88 and for a total contract amount of \$751,519.40, including tax;

10.2 Approve the contingency amount \$75,151.94 which is equal to 10% of the contract amount, for a total contract amount of \$826,671.34.

- 11 Approve the First Amendment to the Agreement with Interwest Consulting Group for the Provision of Building Inspection Services – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

11.1 That the City Council approve the First Amendment to the Agreement with Interwest Consulting Group, in the amount of \$24,000, for the provision of building inspection services, for a total agreement amount of \$49,000.

- 12 Approve the Plans and Specifications, and Authorize Solicitation of Construction Bids for the Winchester Road at Roripaugh Ranch Road Traffic Signal Modification, PW15-03 – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

12.1 Approve the Plans and Specifications, and Authorize the Department of Public Works to Solicit Construction Bids for the Winchester Road at Roripaugh Ranch Road Traffic Signal Modification, PW15-03;

12.2 Make a finding that this project is exempt from CEQA pursuant to Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

- 13 Approve the Plans and Specifications, and Authorize Solicitation of Construction Bids for the Citywide Slurry Seal for Arterial Streets, PW15-10 – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

13.1 Approve the Plans and Specifications, and Authorize the Department of Public Works to Solicit Construction Bids for the Citywide Slurry Seal for Arterial Streets, PW15-10;

13.2 Make a finding that this project is exempt from CEQA pursuant to Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

- 14 Annul Contract, Reject All Bids, and Request Authorization to Solicit New Construction Bids for Old Town Front Street Pavement and Storm Drain Rehabilitation, PW12-14 – Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.

RECOMMENDATION:

- 14.1 Authorize the City Manager to sign a Mutual Contract Annulment Agreement between the City and Beador Construction Company, Inc.;
- 14.2 Reject all bids for the Old Town Front Street Pavement and Storm Drain Rehabilitation, PW12-14, and Authorize the Department of Public Works to Solicit New Construction Bids for the Project.

RECESS

At 7:21 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and the Successor Agency to the Temecula Redevelopment Agency Meeting. At 7:26 PM, the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

- 17 Introduce a Citywide Ordinance Prohibiting the Cultivation of Marijuana Within the City of Temecula – **Approved Staff Recommendation (4-0, Council Member Naggar absent) Council Member Comerchero made the motion with an exemption that permits limited growing for qualified patients as discussed and set forth in the County of Riverside’s ordinance; it was seconded by Council Member McCracken; and electronic vote reflected approval by Council Members Comerchero, Edwards, McCracken and Rahn with Council Member Naggar absent.**

RECOMMENDATION:

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

ORDINANCE NO. 16-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADDING CHAPTER 8.52, MARIJUANA CULTIVATION, TO THE TEMECULA MUNICIPAL CODE TO PROHIBIT THE CULTIVATION OF MARIJUANA IN THE CITY, AMENDING THE ZONING ORDINANCE TO PROHIBIT MARIJUANA CULTIVATION IN ALL ZONES, AMENDING THE DEFINITION OF ENFORCEMENT OFFICIAL AND FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES, SECTION 15061(B)(3)

The following individuals addressed the City Council on this item: Lanny Swerdlow, Brian Giadinell, Iva Robinson, LaVonne Victor, Martin Victor, John Araiza, Ken Lawrence, Laura Miller, Diana Serrano, Alex Boyle and Wayne Hall.

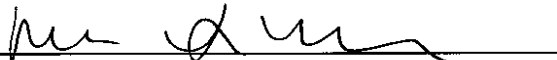
CITY MANAGER REPORT

CITY ATTORNEY REPORT


City Attorney Thorson reported in regards to Closed Session Item 1 the Council authorized a settlement in the amount of \$30,000. There is no reportable action in regards to Closed Session Items 2 and 3.

ADJOURNMENT

At 9:09 PM, the City Council meeting was formally adjourned to Tuesday, January 26, 2016, at 5:30 PM, for a Closed Session, with regular session commencing at 7:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.



Michael S. Naggar, Mayor

ATTEST:


Randi Johl, City Clerk

[SEAL]