

## ACTION MINUTES

**TEMECULA CITY COUNCIL  
REGULAR MEETING  
CITY COUNCIL CHAMBERS  
41000 MAIN STREET  
TEMECULA, CALIFORNIA  
FEBRUARY 28, 2017 – 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:

1. Conference with Real Property Negotiators. The City Council will meet in closed session pursuant to Government Code Section 54956.8 regarding the potential purchase of real property owned by Lance K. Peto Trust, consisting of approximately 7,400 square feet located at 42061 Main Street in the City of Temecula (APN 922-036-039 and APN 922-036-040). The parties to the negotiations for the potential purchase of the property by the City are: Lance K. Peto Trust and the City of Temecula. Negotiators for the City of Temecula are: Aaron Adams, Peter Thorson, Greg Butler, and Luke Watson. Under negotiation are price and terms for the City's purchase of the property.
2. Conference with Legal Counsel – Potential 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 one matter of potential litigation. A point has been reached where, in the opinion of the City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation involving the City.
3. Labor Negotiations. The City Council will meet in closed session with its designated representatives to discuss labor negotiations pursuant to Government Code Section 54957.6. The City's designated representatives are: City Manager Aaron Adams, City Attorney Peter Thorson, Assistant City Manager Greg Butler, Director of Finance Jennifer Hennessy, Human Resources Manager Isaac Garibay and Economic Development Analyst Charles Walker. The labor negotiations concern the California Teamsters Public, Professional and Medical Employees Union Local 911 and the unrepresented group of management and confidential staff.

At 6:00 PM Mayor 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 7:07 PM

**CALL TO ORDER:** Mayor Maryann Edwards

Prelude Music: Chaparral High School Drama

Invocation: Chaplain J. Jon Neil, LT, USN, CHC

Flag Salute: Council Member Mike Naggar

**ROLL CALL:** Comerchero, Naggar, Rahn, Stewart, Edwards

**PRESENTATIONS/PROCLAMATIONS**

Presentation by Temecula Valley Woman’s Club

**PUBLIC COMMENTS**

The following individuals addressed the City Council:

- Mark Katan
- David Salinas
- Steve Schwartz

**CITY COUNCIL REPORTS**

**CONSENT CALENDAR**

- 1 **Waive Reading of Standard Ordinances and Resolutions - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

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 February 14, 2017 - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

RECOMMENDATION:

- 2.1 That the City Council approve the City Council and Joint Meeting of the City Council and Public/Traffic Safety Commission action minutes of February 14, 2017.

- 3 **Approve the List of Demands - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

RECOMMENDATION:

- 3.1 That the City Council adopt a resolution entitled:

**RESOLUTION NO. 17-11**

**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 Sponsorship Agreement with Reality Rally Inc. for the 2017 Reality Rally, a Fundraiser Event for Michelle's Place (At the Request of the Economic Development Committee Mayor Edwards and Council Member Comerchero) - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 4.1 That the City Council approve the Sponsorship Agreement with Reality Rally Inc. for city-support costs, in the amount of \$8,000 and in-kind promotional services of \$11,415, for the 2017 Reality Rally.

- 5 Approve the Sponsorship Agreement with Temecula Education Foundation for the 2017 Taste of Temecula Valley (At the Request of the Economic Development Committee Mayor Edwards and Council Member Comerchero) - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 5.1 That the City Council approve the Sponsorship Agreement with Temecula Education Foundation for city-support costs, in the amount of \$7,980 and in-kind promotional services of \$11,415, for the 2017 Taste of Temecula Valley.

- 6 Adopt Resolution in Support of Riverside County's Broadband Fiber to the Premise Master Plan - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 6.1 That the City Council adopt a resolution entitled:

**RESOLUTION NO. 17-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA IN SUPPORT FOR RIVERSIDE COUNTY'S BROADBAND FIBER TO THE PREMISE MASTER PLAN**

- 7 Approve an Agreement for Consultant Services with Owen Group, Inc. to Consolidate and Update Evaluation of Disabled Access to City Facilities, Programs and Public Right of Way, PW16-03 - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Nagggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 7.1 Approve the Agreement for Consultant Services with Owen Group, Inc., in the amount of \$327,570, to Consolidate and Update Evaluation of Disabled Access to City Facilities, Programs and Public Right of Way, PW16-03;
- 7.2 Authorize the City Manager to approve Extra Work Authorizations not to exceed the contingency amount of \$32,757, which is equal to 10% of the Agreement amount.

- 8 Approve the Sixth Amendment to the Agreement with Miko Mountain Lion, Inc. for Maintenance Services - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Nagggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 8.1 That the City Council approve the Sixth Amendment to the Agreement for Maintenance Services with Miko Mountain Lion, Inc., to increase the maximum payment in the amount of \$100,000.

- 9 Approve the Plans and Specifications, and Authorize Solicitation of Construction Bids for the Pavement Rehabilitation Program – Residential Slurry Seal, PW17-03 - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Nagggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 9.1 Approve the Plans and Specifications, and authorize the Department of Public Works to solicit construction bids for the Pavement Rehabilitation Program – Residential Slurry Seal, PW17-03;
- 9.2 Make a finding that this project is exempt from CEQA pursuant to Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

**RECESS**

At 7:45 PM, the City Council recessed and convened as the Temecula Community Services District Meeting. At 7:46 PM, the City Council resumed with the Joint City Council/Community Services District Meeting and the remainder of the City Council Agenda.

**JOINT CITY COUNCIL/COMMUNITY SERVICES DISTRICT MEETING**

11 Approve Fiscal Year 2016-17 Mid-Year Budget Adjustments

**CC Resolution 17-13 - Approved Staff Recommendation (5-0) Council Member Edwards made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

**CC Resolution 17-14 - Approved Staff Recommendation (5-0) Council Member Edwards made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Stewart and Edwards with Council Member Rahn abstaining on the Main Street Bridge Project. The City Attorney stated that Council Member Rahn would abstain from the vote on that portion of the CIP Amendment relating to the Main Street Bridge over Murrieta Creek Replacement (PW03-05) ("Project") and would not participate on the consideration of this portion of the CIP Amendment. Council Member Rahn's business served as a consultant for the City on certain biological studies for this Project. His firm's work was completed prior to his taking office as a Council Member. This budget adjustment has no financial impact on his business as the work undertaken by his business has long been completed and all payments made.**

**CSD Resolution 17-01 - Approved Staff Recommendation (5-0) Council Member Edwards made the motion; it was seconded by Council Member Naggar; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

**RECOMMENDATION:**

- 11.1 That the City Council/TCSB Board of Directors adopt the following resolutions entitled:

**RESOLUTION NO. 17-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, AMENDING THE FISCAL YEAR 2016-17 ANNUAL OPERATING BUDGET, AND BUDGET AND FISCAL POLICIES**

**RESOLUTION NO. 17-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING THE CAPITAL IMPROVEMENT PROGRAM FISCAL YEARS 2017-21 AND AMENDING THE CAPITAL IMPROVEMENT BUDGET FOR FY 2016-17 FOR MAIN STREET BRIDGE PROJECT OVER MURRIETA CREEK REPLACEMENT, PAVEMENT REHABILITATION PROGRAM CITYWIDE, CITYWIDE CONCRETE REPAIRS, RONALD H. ROBERTS TEMECULA PUBLIC LIBRARY ENHANCEMENT PROJECT, PATRICIA H. BIRDSALL SPORTS PARK SYNTHETIC TURF ENHANCEMENT,**

**PLAYGROUND EQUIPMENT ENHANCEMENT AND SAFETY SURFACING, PUBLIC RESTROOMS RENOVATIONS AND SAM HICKS MONUMENT PARK PLAYGROUND ENHANCEMENT**

**RESOLUTION NO. CSD 17-01**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA COMMUNITY SERVICES DISTRICT OF THE CITY OF TEMECULA AMENDING THE FISCAL YEAR 2016-17 ANNUAL OPERATING BUDGETS**

- Michael McCracken, Skylar Tempel and Taylor Shilts addressed the City Council on this item.

**RECONVENE TEMECULA CITY COUNCIL**

**CITY COUNCIL BUSINESS**

- 12 Approve Proposed Measure S Logo - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 12.1 That the City Council approve the proposed Measure S Logo as recommended by City staff.

- 13 Approve the Purchase and Sale Agreement and No-Fee Light Pole License Agreement for the Acquisition of Southern California Edison (SCE) Streetlights within the City Boundary - Approved Staff Recommendation (5-0) Council Member Naggar made the motion; it was seconded by Council Member Comerchero; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 13.1 Adopt a resolution entitled:

**RESOLUTION NO. 17-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A PURCHASE AND SALE AGREEMENT FOR STREET LIGHTS AND A POLE LICENSE AGREEMENT BETWEEN THE CITY AND SOUTHERN CALIFORNIA EDISON COMPANY AND FINDING THE ACTION EXEMPT FROM CEQA**

- 13.2 If the Agreements are approved, direct staff to review and provide recommendations to City Council (1) on financing options to secure the Purchase and Sale Agreement for the acquisition of streetlights, (2) review and determine the most cost effective and practicable options for the Operation and Maintenance (O&M) of streetlights, and (3) review and determine the most cost effective and energy efficient options for the LED retrofit lighting conversion.

- 14 Request for Procedural Direction Regarding the Adult Use of Marijuana Act (Proposition 64) (At the Request of Subcommittee Members Mayor Pro Tem Rahn and Council Member Naggar) - Approved Staff Recommendation (5-0) Council Member Naggar made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 14.1 That the City Council provide procedural direction to preserve all flexibility associated with the adoption of an ordinance related to the Adult Use of Marijuana Act (Proposition 64) while taking time to study and research the various legal, legislative, land use, financial and other factors associated with the Act.

**DEPARTMENTAL REPORTS**

- 15 Community Development Department Monthly Report  
16 Fire Department Monthly Report  
17 Public Works Department Monthly Report

**BOARD/COMMISSION REPORTS**


**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

City Attorney Thorson stated there were no reportable actions in regards to the Closed Session items.

**ADJOURNMENT**

At 9:05 PM, the City Council meeting was formally adjourned to Tuesday, March 14, 2017, at 5:30 PM, for a Closed Session, with regular session commencing at 7:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

  
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Maryann Edwards, Mayor

ATTEST:

  
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Randi Johl, City Clerk

[SEAL]