

ACTION MINUTES

TEMECULA CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
JUNE 13, 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:

Conference with Legal Counsel – Pending Litigation. The City Council will meet in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(1) with respect to one matter of pending litigation: *Los Ranchitos Homeowners Association v. City of Temecula*, Riverside County Superior Court No. RIC1512880.

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 7:02 PM.

CALL TO ORDER: Mayor Maryann Edwards

Prelude Music: City of Temecula's Youth Musical Theater Group

Invocation: Pastor Frank Correa of Southwest Christian Church

Flag Salute: Council Member Jeff Comerchero

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

PRESENTATIONS/PROCLAMATIONS

Presentation by Temecula Valley Woman's Club

PUBLIC COMMENTS

The following individuals addressed the City Council:

- Ann Schryer
- Iris Zietlow
- Nicole Ochoa

CITY COUNCIL REPORTS

CONSENT CALENDAR

- 1 Waive Reading of Standard Ordinances and Resolutions – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart 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 May 23, 2017 and May 31, 2017 Special Joint Meeting/Budget Workshop – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 2.1 Approve the action minutes of May 23, 2017;
 - 2.2 Approve the action minutes of the Special Joint Meeting/Budget Workshop of May 31, 2017.
- 3 Approve the List of Demands – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 3.1 That the City Council adopt a resolution entitled:

RESOLUTION NO. 17-31

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 April 30, 2017 – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 4.1 That the City Council approve and file the City Treasurer's Report as of April 30, 2017.

- 5 Approve Financial Statements for the 3rd Quarter Ended March 31, 2017 – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 5.1 That the City Council receive and file the Financial Statements for the 3rd Quarter Ended March 31, 2017.

- 6 Approve the First Amendment to the Agreement with Bio Tox Laboratories for DUI Drug and Alcohol Screening Services for Fiscal Year 2017-18 – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 6.1 That the City Council approve the First Amendment to the Agreement with Bio Tox Laboratories, in the amount of \$22,110 for Fiscal Year 2017-18, for a total five year term agreement amount of \$222,110, for DUI Drug and Alcohol Screening Services.

- 7 Adopt Ordinance 17-02 to Approve an Amendment to the Temecula Municipal Code Prohibiting All Commercial Marijuana Activity in the City and Amending Regulations Pertaining to Marijuana Cultivation Implementing Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (Second Reading) – Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.

RECOMMENDATION:

- 7.1 That the City Council adopt an ordinance entitled:

ORDINANCE NO. 17-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING CHAPTER 8.52 OF TITLE 8, HEALTH AND SAFETY, OF THE TEMECULA MUNICIPAL CODE TO PROHIBIT COMMERCIAL MARIJUANA ACTIVITY IN THE CITY AND TO AMEND REGULATIONS PERTAINING TO MARIJUANA CULTIVATION, AND AMENDING TITLE 17, ZONING, TO PROHIBIT COMMERCIAL MARIJUANA ACTIVITY IN ALL ZONES AND TO AMEND REGULATIONS PERTAINING TO MARIJUANA CULTIVATION, AND FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES, SECTION 15061(B)(3)

- 8 Approve the Seventh Amendment to the Cooperation Agreement with the Friends of the Temecula Children's Museum for the Support of the Temecula Children's Museum and Operation of the Children's Museum Concessions – Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.

RECOMMENDATION:

- 8.1 That the City Council approve the Seventh Amendment to the Cooperation Agreement with the Friends of the Temecula Children's Museum for the support of the Temecula Children's Museum and operation of the Children's Museum concessions.

- 9 Approve the Purchase and Installation Agreements with Miracle Recreation Equipment Company for the Renovation of Vail Ranch and Nicolas Parks (At the Request of Subcommittee Council Members Comerchero and Stewart) – Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.

RECOMMENDATION:

- 9.1 Approve the Purchase and Installation Agreement with Miracle Recreation Equipment Company, in the amount of \$342,301.62, for the Renovation of Vail Ranch Park;
- 9.2 Approve the Purchase and Installation Agreement with Miracle Recreation Equipment Company, in the amount of \$247,035.18, for the Renovation of Nicolas Park.

- 10 Approve the Purchase and Installation Agreement with PlayCore Wisconsin, Inc. dba GameTime for the Renovation of Butterfield Stage Park (At the Request of Subcommittee Council Members Comerchero and Stewart) – Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.

RECOMMENDATION:

- 10.1 That the City Council approve the Purchase and Installation Agreement with PlayCore Wisconsin, Inc. dba GameTime, in the amount of \$277,632.45, for the Renovation of Butterfield Stage Park.

- 11 Approve the First Amendment to the Agreement with Bibliotheca, LLC and the Purchase of Additional Library Self-Service Checkout Equipment – Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.

RECOMMENDATION:

- 11.1 Approve the First Amendment to the Agreement with Bibliotheca, LLC increasing the total amount of the agreement to \$46,919.22;
- 11.2 Approve the Purchase of Additional Library Self-Checkout Equipment for an amount not to exceed \$27,268.11.

- 12 Approve a Purchase and Installation Agreement with Western Audio Visual for the Replacement of an Audiovisual System at the Ronald H. Roberts Temecula Public Library – Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.

RECOMMENDATION:

- 12.1 That the City Council approve a Purchase and Installation Agreement with Western Audio Visual, in an amount not to exceed \$82,512.68, for Audiovisual Equipment at the Ronald H. Roberts Temecula Public Library.

- 13 Approve Fiscal Year 2017-18 CR&R Schedule of Solid Waste and Recycling Rates Pursuant to Franchise Agreement with CR&R, Inc. – Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.

RECOMMENDATION:

- 13.1 That the City Council adopt an resolution entitled:

RESOLUTION NO. 17-32

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEMECULA APPROVING SOLID WASTE AND RECYCLING
RATES FOR FISCAL YEAR 2017-18**

- 14 Approve an Agreement for Consultant Services with Spurlock Landscape Architects for the Uptown Temecula Specific Plan Sidewalk Improvement Guidelines – Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.

RECOMMENDATION:

- 14.1 That the City Council approve an Agreement for Consultant Services with Spurlock Landscape Architects, in the amount of \$65,970, with a 10% contingency of \$6,597, for a total agreement amount of \$72,567, for the Uptown Temecula Specific Plan Sidewalk Improvement Guidelines.

- 15 Approve the First Amendment to the Agreement for Consultant Services with Larry Walker Associates, Inc. for Environmental Compliance Services – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 15.1 That the City Council approve the First Amendment to the Agreement for Consultant Services with Larry Walker Associates, Inc., in the amount of \$30,000, for additional Environmental Compliance Services.

- 16 Approve the Second Amendment to the Annual Agreement for Consultant Services with Leighton Consulting, Inc. for Geotechnical and Material Testing Services – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 16.1 That the City Council approve the Second Amendment to the Annual Agreement for Consultant Services with Leighton Consulting, Inc., in the amount of \$25,000, for Geotechnical and Material Testing Services.

- 17 Approve Amendment No. 1 to the Purchase and Sale Agreement between Southern California Edison (SCE) and the City of Temecula – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 17.1 That the City Council approve Amendment No. 1 to the Purchase and Sale Agreement with Southern California Edison (SCE) for the acquisition of certain street light facilities within the City and authorize the City Manager to execute Amendment No. 1.

- 18 Approve the Agreement for Consultant Services with IMS Infrastructure Management Services, LLC for the Pavement Management Program Update, PW17-02 – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 18.1 Approve the Agreement for Consultant Services with IMS Infrastructure Management Services, LLC, in the amount of \$179,975, to provide professional engineering design services for the Pavement Management Program Update, PW17-02;
- 18.2 Authorize the City Manager to approve Extra Work Authorizations not to exceed the contingency amount of \$17,997.50, which is equal to 10% of the Agreement amount.

- 19 Approve the Agreement for Consultant Services with LaBelle Marvin, Inc. for the Pavement Rehabilitation Program – Residential Slurry Seal, PW17-03 – **Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.**

RECOMMENDATION:

- 19.1 Approve the Agreement for Consultant Services with LaBelle Marvin, Inc., in the amount of \$132,970, for material testing services for the Pavement Rehabilitation Program – Residential Slurry Seal, PW17-03;
- 19.2 Authorize the City Manager to approve Extra Work Authorizations not to exceed the contingency amount of \$13,297, which is equal to 10% of the agreement amount.

RECESS:

At 7:29 PM, the City Council recessed and convened as the Temecula Community Services District Meeting, the Successor Agency to the Temecula Redevelopment Agency Meeting and the Joint Meeting of the City Council, Community Services District and Successor Agency to the Redevelopment Agency. At 7:33 PM, the City Council resumed with the remainder of the City Council Agenda.

JOINT MEETING OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

CALL TO ORDER: Mayor/Chairperson Maryann Edwards

ROLL CALL: **COUNCIL MEMBERS/DIRECTORS:**
Comerchero, Naggar (absent), Rahn, Stewart (absent), Edwards

PUBLIC COMMENTS (None)

PUBLIC HEARING

25 Approve Fiscal Years 2018-22 Capital Improvement Program (CIP) and Adopt Fiscal Year 2017-18 CIP and Annual Operating Budgets for the City of Temecula, the Temecula Community Services District (TCSD) and the Successor Agency to the Redevelopment Agency (SARDA) – Approved Staff Recommendation (3-0, Council Member Naggar and Council Member Stewart absent) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn and Edwards with Council Member Naggar and Council Member Stewart absent.

RECOMMENDATION:

That the City Council/Board of Directors:

25.1 Adopt a resolution entitled:

RESOLUTION NO. 17-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2018-22 AND ADOPTING THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2017-18

25.2 Adopt a resolution entitled:

RESOLUTION NO. CSD 17-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA COMMUNITY SERVICES DISTRICT OF THE CITY OF TEMECULA ADOPTING THE FISCAL YEAR 2017-18 PRELIMINARY ANNUAL OPERATING BUDGET AND ESTABLISHING CONTROLS ON CHANGES IN APPROPRIATIONS

25.3 Adopt a resolution entitled:

RESOLUTION NO. SARDA 17-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE TEMECULA REDEVELOPMENT AGENCY APPROVING THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2018-22, ADOPTING THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2017-18, ADOPTING THE FISCAL YEAR 2017-18 ANNUAL OPERATING BUDGET AND ESTABLISHING CONTROLS ON CHANGES IN APPROPRIATIONS

25.4 Adopt a resolution entitled:

RESOLUTION NO. 17-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING THE FISCAL YEAR 2017-18 ANNUAL OPERATING BUDGET AND ESTABLISHING CONTROLS ON CHANGES IN APPROPRIATIONS

25.5 Adopt a resolution entitled:

RESOLUTION NO. 17-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA REVISING THE SCHEDULE OF AUTHORIZED POSITIONS

25.6 Adopt a resolution entitled:

RESOLUTION NO. 17-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2017-18

JOINT MEETING ADJOURNMENT

RECONVENE TEMECULA CITY COUNCIL

DEPARTMENTAL REPORTS

26 City Council Travel/Conference Report

BOARD/COMMISSION REPORTS

CITY MANAGER REPORT

CITY ATTORNEY REPORT

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

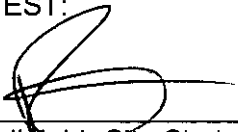
ADJOURNMENT

At 8:33 PM, the City Council meeting was formally adjourned to the Tuesday, June 27, 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.



Maryann Edwards, Mayor

ATTEST:



Randi Juhl, City Clerk

[SEAL]