

## **ACTION MINUTES**

### **TEMECULA CITY COUNCIL REGULAR MEETING COUNCIL CHAMBERS 41000 MAIN STREET TEMECULA, CALIFORNIA MAY 14, 2019 - 7:00 PM**

#### **CLOSED SESSION - 5:30 P.M.**

The City Council convened in Closed Session pursuant to Government Code Section 54957 to evaluate the performance of the City Manager and establish goals and performance objectives as required by the City Manager's Employment Agreement, and pursuant to Government Code Section 54957.6 to meet with its designated representatives, Mayor Mike Naggar and City Attorney Peter Thorson, to provide direction to the designated representatives concerning the negotiation of changes, if any, to salary, compensation and/or benefits for the unrepresented employee position of City Manager. Any such changes would be approved by the City Council as an agenda item in open session at a regular City Council meeting.

**CALL TO ORDER at 7:00 PM: Mayor Mike Naggar**

**Prelude Music: Voices of the Valley Choir**

**Invocation: Aaron Adams**

**Flag Salute: Council Member Matt Rahn**

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

#### **PRESENTATIONS/PROCLAMATIONS**

Presentation of Proclamation for May is Mental Health Month  
Presentation of Proclamation for Voices for Children CASA Volunteer Day  
Presentation of Proclamation for Bike Month  
Presentation of Proclamation for California Tourism Month  
Presentation of Proclamation for National Public Works Week

#### **PUBLIC COMMENTS**

The following individuals addressed the City Council on a non-agendized item:

- Patrice Lynes
- Dr George Rombach
- Rick Reiss
- Louie Reyes
- Raul Rodriguez
- Robin Hvidson
- William (Liam) O'Mara IV
- Arvid A. Anderson
- Ira Robinson
- Christine Massa
- James Horn
- Nam-Yong Horn
- C. Kent Leefer
- Douglas Gibbs
- Jeremy Oliver
- Donald Parsley

- David Burrus
- Bob Kowell
- Ken Dillberg
- Bonnie Parsley
- John Willis
- Larry Devilbiss
- Tom Stobba
- Karen Ansorge

The following individual addressed the City Council on a public hearing item:

- Michael Farraher (16)

The following individual addressed the City Council on a business item:

- Tom Stobba (17)

## **CITY COUNCIL REPORTS**

### **CONSENT CALENDAR**

Unless otherwise indicated below, the following pertains to all items on the Consent Calendar.

Approved the Staff Recommendation (5-0): Motion by Edwards, Second by Schwank. The electronic vote reflected unanimous approval.

#### **1. Waive Reading of Standard Ordinances and Resolutions**

Recommendation: 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 April 23, 2019**

Recommendation: That the City Council approve the action minutes of April 23, 2019.

#### **3. Approve the List of Demands**

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 19-27

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

Approved the Staff Recommendation (4-0, Naggar abstained): Motion by Edwards, Second by Schwank. The electronic vote reflected unanimous approval with Naggar abstaining.

#### **4. Adopt Ordinance 19-04 to Approve Update to Existing Uptown Temecula Specific Plan New Streets In Lieu Fee (Second Reading)**

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 19-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING SECTION 15.20.020 OF THE TEMECULA MUNICIPAL CODE BY ADDING THE DEFINITIONS OF COMMERCIAL USES, INDUSTRIAL USES, MINI-STORAGE USES AND PARKING LOT/STRUCTURE AND DELETING THE DEFINITION OF RETAIL USES, AND BY AMENDING SECTION 15.20.030 BY APPLYING THE UPTOWN TEMECULA IN-LIEU FEE AND CREDITS TO THOSE AMENDED USES, AND FINDING THAT THIS ORDINANCE DOES NOT CONSTITUTE A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15378(B)(4)

5. Adopt Ordinance 19-05 to Approve Uptown Temecula Specific Plan Amendments and Streetscape and Sidewalk Improvement Standards (Second Reading)

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 19-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING THE UPTOWN TEMECULA SPECIFIC PLAN TO CLARIFY THE SETBACKS OF BUILDINGS AND PARKING SPACES, TO CLARIFY THE PLACEMENT AND/OR RELOCATION OF UTILITIES, TO CLARIFY LEGAL NON-CONFORMING USES, TO INCLUDE CERTAIN LAND USES AS REQUIRED BY STATE LAW, TO MAKE MINOR TYPOGRAPHICAL EDITS, ADOPT UPTOWN TEMECULA STREETScape AND SIDEWALK IMPROVEMENT STANDARDS FOR THE UPTOWN TEMECULA SPECIFIC PLAN, WHICH INCLUDE THE SPECIFICATIONS FOR CONCRETE MATERIALS, STREET LIGHTING, STREET TREES, AND UNDERSTORY PLANTS, AND FINDING THAT PURSUANT TO CEQA GUIDELINES SECTION 15162 AND BASED ON THE ADDENDUM TO THE ORIGINAL EIR, NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED (LONG RANGE PLANNING APPLICATION NO. LR16-0223 AND LR17-0724)

6. Approve the Third Amendment to the Agreement with American Forensic Nurses, Inc. DBA: AFN for Phlebotomy Services

Recommendation: That the City Council approve the Third Amendment to the Agreement with American Forensic Nurses, Inc., DBA: AFN, in the amount of \$13,194.27 to provide phlebotomy services for a total contract amount of \$213,194.27.

7. Approve the First Amendment to the Non-Exclusive Services Agreement Between City of Temecula and Visionaries Image Company for Fiscal Year 2018-2019

Recommendation: That the City Council approve the First Amendment to the Non-Exclusive Services Agreement between City of Temecula and Visionaries Image Company in the amount of \$9,900, for video vignettes and videography services for Fiscal Year 2018-2019.

8. Approve Equipment Purchase Agreement with California Electrical Supply for Wireless Lighting Control System Hardware

Recommendation: That the City Council:

1. Authorize the City Manager to approve an Equipment Purchase Agreement with California Electrical Supply in the amount of \$750,375.00 for wireless lighting control system hardware;
2. Authorize the City Manager to approve extra work not to exceed the contingency amount of \$75,037.50, which is equal to 10% of the agreement amount.

9. Approve an Agreement for Consultant Services with Labelle Marvin, Inc., for the Pavement Rehabilitation Program - Citywide, Meadowview Loop, PW18-10

Recommendation: That the City Council:

1. Approve an Agreement for Consultant Services with Labelle Marvin, Inc., in the amount of \$106,500.00, for materials testing services for the Pavement Rehabilitation Program - Citywide, Meadowview Loop, PW18-10;
2. Authorize the City Manager to approve extra work authorizations not to exceed \$10,650.00, which is equal to 10% of the agreement amount.

Approved the Staff Recommendation (4-0, Stewart abstained): Motion by Edwards, Second by Schwank. The electronic vote reflected unanimous approval with Stewart abstaining.

10. Award a Construction Contract to Hardy and Harper for the Pavement Rehabilitation Program - Citywide, Meadowview Loop, PW18-10

Recommendation: That the City Council:

1. Award a Construction Contract to Hardy and Harper, Inc. in the amount of \$1,338,769.00, for the Pavement Rehabilitation Program - Citywide, Meadowview Loop, PW18-10;
2. Authorize the City Manager to approve change orders not to exceed the contingency amount of \$267,753.80, which is equal to 20% of the contract amount;
3. Make a finding that the Pavement Rehabilitation Program - Citywide, Meadowview Loop, PW18-10 is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

Approved the Staff Recommendation (4-0, Stewart abstained): Motion by Edwards, Second by Schwank. The electronic vote reflected unanimous approval with Stewart abstaining.

**11. Approve the Third Amendment to Consultant Services Agreement No. 13-145 with Psomas for Pechanga Parkway Environmental Mitigation, Project No. PW11-01**

Recommendation: That the City Council approve the Third Amendment to Consultant Services Agreement No. 13-145 with Psomas for Pechanga Parkway Environmental Mitigation, Project No. PW11-01 for an amount of \$47,602.50.

**12. Approve Parcel Map 37485 (Located at the Southwest Corner of Enterprise Circle North and Winchester Road)**

Recommendation: That the City Council approve Parcel Map 37485 in conformance with the conditions of approval.

**13. Receive and File Temporary Street Closures for 2019 Summerfest Events**

Recommendation: That the City Council receive and file the proposed action by the City Manager to temporarily close certain streets for the following 2019 Summerfest Events: Temecula Art & Street Painting Festival, 4th of July Parade, and the 4th of July Fireworks Show.

This item was receive and file only.

**RECESS:**

At 8:59 PM, the City Council recessed and convened as the Temecula Community Services District Meeting. At 9:00 PM, the City Council resumed with the remainder of the City Council Agenda.

**RECONVENE TEMECULA CITY COUNCIL**

**PUBLIC HEARING**

**16. Approve Issuance of Report in Compliance with Government Code Section 65858(d), Adopt Interim Urgency Ordinance Extending Term of Ordinance No. 19-03 Pertaining to Small Wireless Facilities Within the Public Right-Of-Way, and Adopt Resolution Establishing a Design Policy for Small Wireless Facilities**

Recommendation: That the City Council:

1. Issue this report in compliance with Government Code Section 65858(d).

Approved the Staff Recommendation (5-0): Motion by Edwards, Second by Stewart. The electronic vote reflected unanimous approval.

2. Adopt by a 4/5th vote an ordinance entitled:

ORDINANCE NO. 19-06

AN INTERIM URGENCY ORDINANCE EXTENDING THE TERM OF ORDINANCE NO. 19-03, AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING CHAPTER 17.40 OF THE CITY OF TEMECULA DEVELOPMENT CODE (TELECOMMUNICATIONS FACILITY AND ANTENNA ORDINANCE) TO ADD A NEW SECTION 17.40.260, SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY, ENACTED PURSUANT TO GOVERNMENT CODE SECTION 36934, 36937, AND 65858 DECLARING THE URGENCY THEREOF, AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Approved the Staff Recommendation (5-0): Motion by Edwards, Second by Schwank. The electronic vote reflected unanimous approval.

3. Adopt a resolution entitled:

RESOLUTION NO. 19-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING A POLICY IMPLEMENTING DESIGN REQUIREMENTS FOR SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY

Approved the Staff Recommendation (5-0): Motion by Edwards, Second by Rahn. The electronic vote reflected unanimous approval.

**BUSINESS**

17. Introduce Ordinance Amending Section 10.28.010(D) of the Temecula Municipal Code Regarding Prima Facie Speed Limits on Certain Streets

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

ORDINANCE NO. 19-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA, AMENDING SECTION 10.28.010(D) OF THE TEMECULA MUNICIPAL CODE REGARDING PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS

Approved the Staff Recommendation (4-0, Stewart abstained): Motion by Edwards, Second by Schwank. The electronic vote reflected unanimous approval with Stewart abstaining.

18. Approve Updated Adopt-A-Park (Community Beautification) Program (At the Request of Council Member Rahn)

Recommendation: That the City Council approve the updated Adopt-A-Park (Community Beautification) Program.

Approved the Staff Recommendation (5-0): Motion by Schwank, Second by Edwards. The electronic vote reflected unanimous approval.

## **DEPARTMENTAL REPORTS**

19. Police Department Monthly Report

## **COMMISSION REPORTS**

## **PUBLIC SAFETY REPORT**

## **CITY MANAGER REPORT**

## **CITY ATTORNEY REPORT**

The City Attorney stated there was no reportable action for closed session.

## **ADJOURNMENT**

At 9:42 PM, the City Council meeting was formally adjourned to Tuesday, May 28, 2019, at 5:30 PM for Closed Session, with regular session commencing at 7:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

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Michael S. Naggar, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]