

ACTION MINUTES

TEMECULA CITY COUNCIL REGULAR MEETING COUNCIL CHAMBERS 41000 MAIN STREET TEMECULA, CALIFORNIA JUNE 25, 2019 - 7:00 PM

CLOSED SESSION - 6:00 P.M.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. The City Council convened in closed session pursuant to Government Code Section 54956.8 regarding the potential conveyance of approximate 1.41 acre and 1.57 acre City owned property identified as APN 953 050 001 (located on La Serena Way, southwest of Rancho Elementary School at 31530 La Serena Way) and APN 919 273 008 (located between Del Rey Road and La Serena Way, frontage on Del Rey Road, between 31195 and 31245 Del Rey Road), respectively, in exchange for an approximate 4.75 acre portion of the Temecula Elementary School pool and ball fields identified as APN 921 310 002. The parties to the negotiations for the potential sale and purchase of these property interests are Temecula Valley Unified School District and the City of Temecula. Negotiators for the City of Temecula are: Aaron Adams, Peter Thorson, Greg Butler, Pat Thomas, and Kevin Hawkins. Under negotiation are price and terms of the potential conveyance and purchase of these property interests.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. The City Council convened in closed session pursuant to Government Code Section 54956.8 regarding the potential sale of approximately 2.27 acres of real property owned by the City located on the east side of Pujol Street approximately 130 feet north of Main Street (APNs: 922 053 021, 047 and 048). The parties to the negotiations for the potential sale of the property are: Temecula Pacific Associates and the City of Temecula. Negotiators for the City of Temecula are: Aaron Adams, Greg Butler, Luke Watson and Peter Thorson. Under negotiation are price and terms of the potential sale of the properties.

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

Prelude Music: Susan Miyamoto

Invocation: Chaplain Rich Insalaco of the Temecula Police Department

Flag Salute: Council Member Edwards

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

PRESENTATIONS/PROCLAMATIONS

Introduction of New Veterans of Foreign Wars (VFW) Post 4089 Commander Amy Alvarez

Presentation of Certificate of Recognition to Temecula Valley Woman's Club

PUBLIC COMMENTS

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

- Miriam Wolheim
- Ditchi Manley
- Kelly Ortiz
- Bob Kowell
- Ira Robinson

CITY COUNCIL REPORTS

CONSENT CALENDAR

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

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

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 June 11, 2019**

Recommendation: That the City Council approve the action minutes of June 11, 2019.

3. **Approve the List of Demands**

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 19-40

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

4. **Adopt Ordinance 19-09 Public Safety Alarm Systems (Second Reading)**

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 19-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADDING CHAPTER 9.60 TO THE TEMECULA MUNICIPAL CODE ESTABLISHING REGULATIONS FOR THE OPERATIONS OF PUBLIC SAFETY ALARM SYSTEMS

5. **Approve City Treasurer's Report as of April 30, 2019**

Recommendation: That the City Council approve and file the City Treasurer's Report as of April 30, 2019.

6. Approve Financial Statements for the 3rd Quarter Ended March 31, 2019

Recommendation: That the City Council receive and file the financial statements for the 3rd quarter ended March 31, 2019.

7. Approve the Cumulative Purchase of Miscellaneous Materials, Services, and Supplies Anticipated To Exceed \$60,000 Per Vendor for Fiscal Year 2018-19

Recommendation: That the City Council approve the purchase of miscellaneous materials, services and supplies as described from the following vendors in the amounts indicated for Fiscal Year 2018 19:

1. Downs Fueling, \$115,000, City Fleet Fuel
2. Hanks Hardware, \$100,000, Miscellaneous Hardware Supplies
3. Waxie Sanitary Supply, \$60,000, Miscellaneous Janitorial Supplies

8. Approve an Agreement with David Turch and Associates for Federal Legislative Consultant Services and Authorize the Reissuance of a Request for Proposals for State Legislative Consultant Services (At the Request of Subcommittee Members Mayor Pro Tempore Stewart and Council Member Rahn)

Recommendation: That the City Council approve an agreement with David Turch and Associates for federal legislative consultant services and authorize the reissuance of a request for proposals for state legislative consultant services.

9. Approve the Sponsorship Agreement with Motor Maids, Inc. for the 2019 Motor Maids Motorcycle Parade (At the Request of Subcommittee Members Mayor Pro Tempore Stewart and Council Member Edwards)

Recommendation: That the City Council approve the sponsorship agreement with Motor Maids, Inc. for in-kind City support valued at \$1,200 for the 2019 Motor Maids Motorcycle Parade.

10. Approve an Agreement with Environmental Science Associates (ESA) for the Preparation of a Supplemental Environmental Impact Report for the Harveston General Plan and Specific Plan Amendment

Recommendation: That the City Council approve an agreement with Environmental Science Associates (ESA), for \$232,175, plus a 10% contingency of \$23,217.50, for a total agreement of \$255,392.50, for the preparation of a Supplemental Environmental Impact Report for the Harveston General Plan and Specific Plan Amendment.

11. Approve an Agreement for Consultant Services with De Novo Planning Group for the Preparation of the 2021-2029 Housing Element Update

Recommendation: That the City Council approve an agreement for consultant services with

De Novo Planning Group for \$73,070, with a 10% contingency of \$7,307, for a total agreement of \$80,377, for the preparation of the 2021-2029 Housing Element Update.

12. Award a Construction Contract to Greer's Contracting & Concrete, Inc. for the Sidewalks - Old Town Boardwalk Enhancement, PW17-16

Recommendation: That the City Council:

1. Approve an additional appropriation of \$150,000 from the Measure S Fund Balance to the Sidewalks - Old Town Boardwalk Enhancement, PW17-16;
2. Award a construction contract to Greer's Contracting & Concrete, Inc., in the amount of \$457,426.00, for the Sidewalks - Old Town Boardwalk Enhancement, PW17-16;
3. Authorize the City Manager to approve change orders not to exceed the contingency amount of \$91,485.20, which is equal to 20% of the contract amount;
4. Make a finding that the Sidewalks - Old Town Boardwalk Enhancement, PW17-16 is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

13. Accept Improvements and File the Notice of Completion for Sidewalks - Sixth Street Improvements, PW17-05

Recommendation: That the City Council:

1. Approve an increase to the project contingency in the amount of \$6,697.07 for the Sidewalks - Sixth Street Improvements, PW17-05;
2. Increase the City Manager change orders approval authority in the amount of \$6,697.07;
3. Accept the improvements for the Sidewalks - Sixth Street Improvements, PW17-05, as complete;
4. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond, and accept a one-year Maintenance Bond in the amount of 10% of the contract amount;
5. Release the Labor and Materials Bond seven months after filing the Notice of Completion, if no liens have been filed.

RECESS:

At 7:32 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and Successor Agency of the Temecula Redevelopment Agency Meeting. At 7:34 PM, the City Council resumed with the remainder of the City Council Agenda

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

18. Approve an Amendment to Chapter 5.22 of the Temecula Municipal Code, Massage and Massage Establishments (At the Request of Subcommittee Members Council Members Edwards and Rahn)

Recommendation: That the City Council:

1. Introduce and read by title only an ordinance entitled:

ORDINANCE NO. 19-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING CHAPTER 5.22, MASSAGE AND MASSAGE ESTABLISHMENTS, OF THE TEMECULA MUNICIPAL CODE AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

2. Adopt a resolution entitled:

RESOLUTION NO. 19-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ESTABLISHING THE SCHEDULE OF ADMINISTRATIVE CITATION FINES PURSUANT TO TEMECULA MUNICIPAL CODE SECTION 1.21.060 FOR VIOLATIONS OF CHAPTER 5.22 PERTAINING TO MASSAGE ESTABLISHMENTS

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

19. Approve the Disposition and Development Agreement for Vine Creek Apartments Affordable Housing Development Between the City of Temecula, as Housing Successor to the Former Temecula Redevelopment Agency, and Temecula Pacific Associates, Located Approximately 130 Feet North of the Main Street and Pujol Street Intersection, on the East Side of Pujol Street (APNs 922-053-021, 922-053-048, 922-053-047) (At the Request of Subcommittee Members Mayor Naggar and Council Member Rahn)

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 19-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, ACTING IN ITS CAPACITY AS THE HOUSING SUCCESSOR (AND, WITH RESPECT TO A DENSITY BONUS AGREEMENT AND CITY FEE AND PERMANENT LOANS, ALSO IN ITS CAPACITY AS THE CITY) APPROVING A DISPOSITION

AND DEVELOPMENT AGREEMENT THAT INCLUDES SUCH DENSITY BONUS AGREEMENT AND SUCH CITY LOANS, WITH TEMECULA PACIFIC ASSOCIATES, FOR THE “VINE CREEK” 60 UNIT APARTMENT PROJECT, AND THE TAKING OF RELATED ACTIONS, AND FIND THAT A MITIGATED NEGATIVE DECLARATION HAS BEEN APPROVED FOR THE PROJECT AND NO FURTHER CEQA REVIEW IS REQUIRED

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

DEPARTMENTAL REPORTS

- 20. City Council Travel/Conference Report
- 21. Community Development Department Monthly Report
- 22. Fire Department Monthly Report
- 23. Police Department Monthly Report
- 24. Public Works Department Monthly Report

COMMISSION REPORTS

PUBLIC SAFETY REPORT

CITY MANAGER REPORT

CITY ATTORNEY REPORT

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

ADJOURNMENT

At 8:14 PM, the City Council meeting was formally adjourned to Tuesday, July 9, 2019, at 5:30 PM for 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]