

ACTION MINUTES

TEMECULA CITY COUNCIL REGULAR MEETING COUNCIL CHAMBERS 41000 MAIN STREET TEMECULA, CALIFORNIA AUGUST 27, 2019 - 7:00 PM

CLOSED SESSION - 6:00 P.M.

Conference with Legal Counsel - Pending Litigation. The City Council convened in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(1) with respect to one matter of pending litigation: City of Temecula v. Nature Works, Inc., et al., Riverside County Superior Court Case No. MCC 1700830.

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

PRELUDE MUSIC: Ally Negulescu

INVOCATION: Aaron Adams

FLAG SALUTE: Council Member Matt Rahn

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

PRESENTATIONS/PROCLAMATIONS

Presentation Regarding City Workforce Programs

PUBLIC COMMENTS

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

- Bill Veale
- Dr. Helen Horvath

The following individuals addressed the City Council on agendized items:

- Robert Visconti (5)
- Pam Nelson (5)
- Scott Smith (5)
- Rebecca Farnbach (17)
- Margaret Meyncke (5)

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 Stewart, 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 August 13, 2019

Recommendation: That the City Council approve the action and joint action minutes of August 13, 2019.

3. Approve the List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 19-53

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 June 30, 2019

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

5. Adopt a Resolution Supporting Balanced Energy and Maintaining Local Control of Energy Solutions

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 19-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEMECULA SUPPORTING BALANCED ENERGY
SOLUTIONS AND MAINTAINING LOCAL CONTROL OF
ENERGY SOLUTIONS

Approved the Staff Recommendation (3-0, with Naggar and Rahn abstaining): Motion by Edwards, Second by Schwank. The electronic vote reflected unanimous approval with Naggar and Rahn abstaining. City Attorney announced that Council Member Rahn will not participate in this matter due to the fact that he is an officer of a non-profit group, Californians for Balanced Energy, that is participating in the statewide discussion of these issues.

6. Approve the Sponsorship Agreement with Michelle's Place for the Walk of Hope Event (At the Request of Subcommittee Members Mayor Pro Tempore Stewart and Council Member Edwards)

Recommendation: That the City Council approve the sponsorship agreement with Michelle's Place for in-kind support valued at \$600 for City support and \$11,415 for promotional services.

7. Approve a Consultant Services Agreement with SoftResources, LLC, for Citywide Financial System Upgrade Consulting Services

Recommendation: That the City Council:

1. Approve a Consultant Services Agreement for SoftResources, LLC in an amount not to exceed \$283,920 for citywide financial system upgrade consulting services;
2. Authorize the City Manager to approve contract change orders up to 10% of the contract amount or \$28,392.

8. Approve the First Amendment to Lease Agreement Between the City of Temecula and Mt. San Jacinto College (At the Request of Subcommittee Members Mayor Naggar and Council Member Rahn)

Recommendation: That the City Council approve the First Amendment to the Lease Agreement Between the City of Temecula and Mt. San Jacinto College.

9. Approve the Contingency Increase for Overland Drive Extension, PW16-06

Recommendation: That the City Council:

1. Approve an increase to the project contingency in the amount of \$57,657.23 for the Overland Drive Extension, PW16-06;
2. Increase the City Manager change orders approval authority in the amount of \$57,657.23.

10. Approve the Water Quality Management Plan Alternative Compliance Agreement for Truax Hotel

Recommendation: That the City Council:

1. Approve entering into the proposed Water Quality Management Plan Alternative Compliance Agreement, in substantially the form presented, and authorize the City Manager to execute said agreement.
2. Establish Fund 105 - "NPDES In Lieu Fees" and appropriate \$310,764.57 in revenue for Fiscal Year 2019-20.

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

Naggar abstaining. The electronic vote reflected unanimous approval with Naggar abstaining. Mayor Naggar abstained from this item. There was a potential conflict of interest for him with respect to the principal of the Applicant, Mr. Truax, although it turned out not to be a conflict. In the abundance of caution, Mayor Naggar elected not to participate in order to avoid the appearance of impropriety. Since the item is on the Consent Calendar, Mayor Naggar did not need to leave the dais unless the item was removed from the Consent Calendar which it was not and his abstention is reflected in the vote.

11. Approve the Transportation Uniform Mitigation Fee (TUMF) Funds Reimbursement Agreement with Western Riverside Council of Governments (WRCOG) for the Diaz Road Expansion (Western Bypass - Rancho California Road to Cherry Street) Project - Planning and Engineering Phases, Project No. PW17-25

Recommendation: That the City Council approve the Transportation Uniform Mitigation Fee (TUMF) Funds Reimbursement Agreement with Western Riverside Council of Governments (WRCOG) for the Diaz Road Expansion (Western Bypass – Rancho California Road to Cherry Street) Project - Planning and Engineering Phases, Project No. PW17-25, and authorize the City Manager to execute the agreement.

12. Approve the Agreements with Rancho California Water District (RCWD) for Recycled Water Service for the Expanded Recycled Water Conversion Project, Project No. PW17-29

Recommendation: That the City Council approve the agreements with Rancho California Water District (RCWD) for recycled water service for the Expanded Recycled Water Conversion Project, Project No. PW17-29.

13. Accept Improvements and File Notice of Completion for Traffic Signal Installation - Redhawk Parkway/Vail Ranch Parkway at El Chimisal Road/Tehachapi Pass Project No. PW15-09

Recommendation: That the City Council:

1. Approve an increase to the project contingency in the amount of \$7,160.53 for Traffic Signal Installation - Redhawk Parkway/Vail Ranch Parkway at El Chimisal Road/Tehachapi Pass Project No. PW15-09;
2. Increase the City Manager's Change Order Approval Authority in the amount of \$7,160.53;
3. Accept the improvements for Traffic Signal Installation – Redhawk Parkway/Vail Ranch Parkway at El Chimisal Road/Tehachapi Pass Project No. PW15-09, as complete;

4. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond, and accept a one (1) year Maintenance Bond in the amount of 10% of the amount of the contract amount;

5. Release the Labor and Materials Bond seven (7) months after filing the Notice of Completion, if no liens have been filed.

RECESS:

At 7:47 PM, the City Council recessed and convened as the Temecula Community Services District Meeting, and Successor Agency to the Temecula Redevelopment Agency Meeting. At 7:49 PM, the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

BUSINESS

16. Approve the Traffic Calming Measures Identified in the Redhawk Parkway/Vail Ranch Parkway Traffic Calming Analysis

Recommendation: That the City Council approve the recommended traffic calming measures identified in the Redhawk Parkway/Vail Ranch Parkway Traffic Calming Analysis prepared by Willdan Engineering.

Approved the Staff Recommendation (4-0, with Rahn abstaining): Motion by Edwards, Second by Schwank. The electronic vote reflected unanimous approval with Rahn abstaining and leaving the dais during the consideration of this item due to the proximity of his primary residence to the subject location.

17. Approve a Resolution Adopting the Mills Act Program (At the Request of Mayor Pro Tempore Stewart)

Recommendation: That the City Council

1. Adopt a resolution entitled:

RESOLUTION NO. 19-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ESTABLISHING A MILLS ACT PROGRAM INCLUDING DEVELOPMENT OF AN APPLICATION PROCESS, AND REQUIRED CONTRACT PROVISIONS FOR IMPLEMENTATION OF THE ACT AND MAKING THE DETERMINATION THAT THE PROPOSED PROJECT IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LONG RANGE PLANNING PROJECT NO. LR16-1483)

2. Direct staff to draft an agreement, for future Council consideration, with the Temecula Valley Historic Society to act in an advisory capacity for the Mills Act Program;
3. Direct staff to conduct a fee study of the Mills Act Program for consideration at a future date.

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

18. Consider Methodology of Appointments to the City's Boards and Commissions and Provide Direction (At the Request of Council Members Rahn and Stewart)

Recommendation: That the City Council consider the methodology of appointment to the City's boards and commissions and provide general direction regarding the same.

No Motion, Direction Only

DEPARTMENTAL REPORTS

19. Community Development Department Monthly Report
20. Fire Department Monthly Report
21. 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 10:30 PM, the City Council meeting was formally adjourned to Tuesday, September 10, 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]