

## **ACTION MINUTES**

### **TEMECULA CITY COUNCIL REGULAR MEETING COUNCIL CHAMBERS 41000 MAIN STREET TEMECULA, CALIFORNIA OCTOBER 22, 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 acquisition of real property owned by Mark McMillin LLC, a California Limited Liability Company for the Overland Drive Extension (Commerce Center Drive to West of Enterprise Circle), PW 16-06, commonly known as 27511 Commerce Center Drive, City of Temecula, Riverside County Assessor's Parcel Number 921-480-032. The negotiating parties are the City of Temecula and Mark McMillin LLC, a California Limited Liability Company. Negotiators for the City of Temecula are: Greg Butler, Pat Thomas and Amer Attar. Under negotiation are price and terms of the purchase of this property.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. The City Council, as the Housing Successor Agency to the Former Temecula Redevelopment Agency, convened in closed session pursuant to Government Code Section 54956.8 regarding the sale of certain real property interests in the Front Street Plaza Building, located at the corner of Third Street and Front Street, Riverside County Assessor Parcel Number 922-046-029. The negotiating parties are the City of Temecula as the Housing Successor Agency to the Former Temecula Redevelopment Agency and Front Street Plaza Partners, LLC, a California Limited Liability Company. Negotiators for the City of Temecula are: Greg Butler, Luke Watson and Peter Thorson. Under negotiation are price and terms of the sale of certain real property interests in the property.

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

**PRELUDE MUSIC: Bonnie Martland**

**INVOCATION: Pastor Antonio Dupre of Grace AME Church Temecula Valley**

**FLAG SALUTE: Council Member Matt Rahn**

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

#### **PRESENTATIONS/PROCLAMATIONS**

Presentation by Jeremy Goldman of SCE Regarding Wildfire Mitigation

Presentation by Shelley Turner of Rady Children's Hospital

#### **PUBLIC COMMENTS**

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

- Ellen Diederich
- Ruth Grey
- Kissmayoo Mohamed

## **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 October 8, 2019**

Recommendation: That the City Council approve the action minutes of October 8, 2019.

**3. Approve the List of Demands**

Recommendation: That the City Council adopt a resolution entitled:  
RESOLUTION NO. 19-63  
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 August 31, 2019**

Recommendation: That the City Council approve and file the City Treasurer's Report as of August 31, 2019.

**5. Approve Financial Statements for the 4th Quarter Ended June 30, 2019**

Recommendation: That the City Council:

1. Receive and file the financial statements for the 4th quarter ended June 30, 2019;
2. Approve the following FY2018-19 Appropriations:
  - A. Increase Revenue and Transfer Out accounts by \$69,730 in Fund 160 - Supplemental Law Enforcement Services (SLESF) to reflect higher than anticipated revenue.
  - B. Increase the Transfer In account in the General Fund by \$69,730 from Fund 160.
3. Approve the following FY2019-20 Appropriations:
  - A. Transfer \$2,000,000 of year-end General Fund Operating Budget surplus to Fund 701 - Section 125 Pension Trust, in accordance with Budget Policy XII.B.2.
  - B. Appropriate \$1,000,000 of year-end Measure S Operating Budget

surplus to Capital Improvement Project PW18-17 Playground  
Equipment Enhancement and Safety Surfacing.

6. Adopt Ordinance 19-11 Amending Section 10.28.010(D) of the Temecula Municipal Code Regarding Prima Facie Speed Limits on Certain Streets (Second Reading)

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 19-11

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, Rahn abstain): Motion by Edwards, Second by Schwank. The electronic vote reflect unanimous approval with Rahn abstaining.

7. Adopt Ordinance 19-12 Amending the Municipal Code Relating to Board and Commission Appointments and Adopt a Resolution Setting Forth the Appointment Process (Second Reading)

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 19-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
TEMECULA AMENDING CHAPTER 2.40.050 OF THE MUNICIPAL  
CODE REGARDING BOARD AND COMMISSION MEMBER  
APPOINTMENTS

8. Approve a Sponsorship Agreement with the Temecula Valley Genealogical Society in Support of Facility Use

Recommendation: That the City Council approve the sponsorship agreement with the Temecula Valley Genealogical Society in support of facility use.

9. Adopt a Resolution Acknowledging Receipt of the Annual Inspection Report Pursuant to SB 1205

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 19-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TEMECULA ACKNOWLEDGING RECEIPT OF A REPORT FROM  
THE FIRE MARSHAL REGARDING THE INSPECTION OF  
CERTAIN OCCUPANCIES PURSUANT TO SECTIONS 13145,  
13146 AND 17921 OF THE CALIFORNIA HEALTH AND SAFETY  
CODE

**10. Establish a Fee for the Use of Electric Vehicle Charging Stations on City Property**

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 19-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TEMECULA ESTABLISHING AN ELECTRIC VEHICLE  
CHARGING STATION FEE

**11. Approve the Agreement for Consultant Services with David Evans and Associates, Inc. for the Diaz Road Expansion Project, PW17-25**

Recommendation: That the City Council:

1. Approve the acceleration of \$495,923.00 of TUMF (WRCOG) from FY2021-22 to the current FY2019-20;
2. Approve the agreement for consultant services with David Evans and Associates, Inc., in the amount of \$733,312.00, to provide professional design and environmental services for the Diaz Road Expansion Project;
3. Authorize the City Manager to approve extra work authorizations not to exceed the contingency amount of \$73,331.20, which is equal to 10% of the agreement amount.

**12. Approve the Plans and Specifications and Authorize Solicitation of Construction Bids for the Expanded Recycled Water Conversion Project, PW17-29**

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Expanded Recycled Water Conversion Project, PW17-29;
2. Make a finding that this project is exempt from CEQA per Article 19, Categorical Exemption, Section 15301, Class 1(b), Existing Facilities, of the CEQA Guidelines.

**13. Accept Improvements and File the Notice of Completion for Citywide Concrete Repairs, PW18-07**

Recommendation: That the City Council:

1. Accept the improvements for the Citywide Concrete Repairs Fiscal Years 2017-18 Project, PW18-07, as complete;
2. 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 final contract amount;

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

**RECESS:**

At 7:49 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and the Successor Agency to the Temecula Redevelopment Agency Meeting. At 7:53 PM, the City Council resumed with the remainder of the City Council Agenda.

**RECONVENE TEMECULA CITY COUNCIL**

**BUSINESS**

**17. Adopt the 2019 California Fire Code**

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

ORDINANCE NO. 19-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA FIRE CODE BASED ON THE 2018 INTERNATIONAL FIRE CODE, IN ITS ENTIRETY, REGULATING AND GOVERNING THE SAFEGUARD OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF TEMECULA, INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS, AND PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES

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

**18. Adopt the 2019 California Building Codes**

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

ORDINANCE NO. 19-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING BY REFERENCE THE 2019 EDITIONS OF THE CALIFORNIA BUILDING CODE; CALIFORNIA MECHANICAL CODE; CALIFORNIA PLUMBING CODE; CALIFORNIA ELECTRICAL CODE; CALIFORNIA

ADMINISTRATIVE CODE; CALIFORNIA ENERGY CODE;  
CALIFORNIA GREEN BUILDING STANDARDS CODE;  
CALIFORNIA HISTORICAL BUILDING CODE; CALIFORNIA  
EXISTING BUILDING CODE; CALIFORNIA RESIDENTIAL CODE;  
AND CALIFORNIA REFERENCED STANDARDS CODE;  
TOGETHER WITH CERTAIN AMENDMENTS AND DELETIONS,  
AND AMENDING TITLE 15 OF THE TEMECULA MUNICIPAL  
CODE

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

**19. Introduce Ordinance Amending City Park Hours and Adopt Resolution Regarding Designated Parking Hours in City Parking Lots**

Recommendation: That the City Council:

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

ORDINANCE NO. 19-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
TEMECULA AMENDING SECTION 12.04.190 OF THE TEMECULA  
MUNICIPAL CODE REGARDING CITY PARK HOURS

2. Adopt a resolution entitled:

RESOLUTION NO. 19-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TEMECULA REVISING THE DESIGNATED PARKING HOURS IN  
CITY PARKING LOTS

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

**DEPARTMENTAL REPORTS**

**20. Community Development Department Monthly Report**

**21. Fire Department Monthly Report**

**22. Police Department Monthly Report**

**23. Public Works Department Monthly Report**

**COMMISSION REPORTS**

**PUBLIC SAFETY REPORT**

**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

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

**ADJOURNMENT**

At 8:10 PM, the City Council meeting was formally adjourned to Tuesday, November 12, 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]