ACTION MINUTES

TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
JULY 9, 2019 - 7:00 PM

CALL TO ORDER at 7:01 PM: Mayor Mike Naggar

PRELUDE MUSIC: Tinh Family

INVOCATION: Sylvester Scott of Temecula Baha'i Community

FLAG SALUTE: Council Member Schwank

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

PRESENTATIONS/PROCLAMATIONS - None

PUBLIC COMMENTS

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

- Taylor Pagel
- Craig Puma
- Jim Dedrick
- Jan Geller

The following individuals addressed the City Council on agendized items:

- Dennis Hollingsworth (15)
- Terry Cutter (15)
- Deanna Elliano (15)

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 June 25, 2019

   Recommendation: That the City Council approve the action minutes of June 25, 2019.

3. Approve the List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 19-43

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 19-10 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) (Second Reading)

Recommendation: That the City Council adopt 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

5. Approve the Five-Year Agreement for Phlebotomy Services with American Forensic Nurses, Inc. DBA: AFN for the Temecula Police Department

Recommendation: That the City Council approve a five-year agreement with American Forensic Nurses, Inc., dba: AFN, in the amount of $60,000 for Fiscal Year 2019-20, to provide phlebotomy services for the Temecula Police Department, for a total five-year contract amount of $300,000.

6. Approve a Cooperative Agreement With Nonprofit Our Nicholas Foundation in Support of Various Human Services Programs and Activities (At the Request of Mayor Naggar)

Recommendation: That the City Council approve a cooperative agreement with nonprofit Our Nicholas Foundation for in-kind City support valued at $754 and $8,300 in promotional services of various Human Services programs and activities.

7. Approve an Agreement with Musson Theatrical, Inc., for the Replacement of the Old Town Temecula Community Theater Projection System Equipment

Recommendation: That the City Council approve an agreement with Musson Theatrical, Inc. in the amount of $61,918.74 for the replacement of the projection system equipment at the Old Town Temecula Community Theater.

8. Adopt a Resolution to Authorize Application for, and Receipt of, SB 2 Planning Grants Program Funds (Long Range Planning Project No. LR19-0274)

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 19-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS

9. Approve the Amendments to Annual Agreements for Fiscal Year 2019-20 for Routine Maintenance, On-Call and Emergency Services for Various Operational Needs for the Department of Public Works, Maintenance Division

Recommendation: That the City Council approve the amendments to the annual agreements for Fiscal Year 2019-20, in the amounts stated below, for routine maintenance, on-call and emergency services for various operational needs of the Department of Public Works.

- Aztec Landscaping, Inc. d/b/a Aztec Janitorial, Inc., Third Amendment, $115,000
- Countywide Mechanical Systems, Inc., Second Amendment, $100,000
- Craftsmen Plumbing Heating & Cooling, Inc., Sixth Amendment, $300,000
- Diversified Waterscapes, Inc., Third Amendment, $165,000
- Excel Landscape, Inc., First Amendment, $2,598,658
- Hardy & Harper, Inc., Second Amendment, $500,000
- Merchants Building Maintenance, LLC, Third Amendment, $281,245.32
- Miko Mountain Lion, Inc., Second Amendment, $300,000
- Moore Fence Company, Inc., Fourth Amendment, $100,000
- Rene's Commercial Management - Weed Abatement Maintenance Services, Second Amendment, $200,000
- Rene's Commercial Management - Homeless Encampment Cleanup Services, Second Amendment, $100,000
- US National Corp., First Amendment, $200,000
- VN Enterprises, Inc., Fifth Amendment, $100,000
- West Coast Arborists, Inc., Third Amendment, $500,000

10. Award a Construction Contract to All American Asphalt for the Pavement Rehabilitation Program - Citywide, Rancho Vista Road (Paseo Goleta to Butterfield Stage Road), PW19-01

Recommendation: That the City Council:

1. Award a construction contract to All American Asphalt in the amount of $855,333.00, for the Pavement Rehabilitation Program - Citywide, Rancho Vista Road (Paseo Goleta to Butterfield Stage Road), PW19-01;

2. Authorize the City Manager to approve change orders not to exceed the contingency amount of $128,299.95, which is equal to 15% of the contract amount;

3. Make a finding that the Pavement Rehabilitation Program - Citywide, Rancho Vista Road (Paseo Goleta to Butterfield Stage Road), PW19-01 is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

11. Accept Improvements and File the Notice of Completion for French Valley Parkway Interchange - Environmental Mitigation, PW02-11EM

Recommendation: That the City Council:

1. Accept the improvements for the French Valley Parkway Interchange - Environmental Mitigation, PW02-11EM;

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.

12. Accept Improvements and File the Notice of Completion for Sidewalks - Old Town Improvement Project (Mercedes Street from Fourth Street to Sam Hicks Monument Park), PW17-04

Recommendation: That the City Council:

1. Approve a budget transfer in the amount of $175,000.00 from Sidewalks - Citywide to Sidewalks - Old Town Improvement Project (Mercedes Street from Fourth Street to Sam Hicks Monument Park);

2. Approve an increase to the project contingency in the amount of $59,062.83 for the Sidewalks - Old Town Improvement Project (Mercedes Street from Fourth Street to Sam Hicks Monument Park), PW 17-04;

3. Increase the City Manager change orders approval authority in the amount of $59,062.83;

4. Accept the improvements for the Sidewalks - Old Town Improvement Project (Mercedes Street from Fourth Street to Sam Hicks Monument Park), PW 17-04, as complete;

5. 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;

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

RECESS:

At 7:26 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and Successor Agency of the Temecula Redevelopment Agency Meeting. At 7:29 PM, the City Council resumed with the remainder of the City Council Agenda

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

15. Conduct the Linfield School Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing Approving of Tax Exempt Obligations for Construction and Renovation of Facilities at Linfield Christian School and Join California Enterprise Development Authority

Recommendation: That the City Council:

1. Conduct a public hearing for the financing of the Linfield Christian School proposed facilities project located at 31950 Pauba Road, Temecula, California 92592;

2. Adopt a resolution entitled:

RESOLUTION NO. 19-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF TEMECULA IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY AND THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF THE CITY IN THE AUTHORITY

3. Adopt a resolution entitled:

RESOLUTION NO. 19-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE ISSUANCE BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OF ITS REVENUE OBLIGATIONS FOR THE BENEFIT OF LINFIELD CHRISTIAN SCHOOL AND/OR A RELATED ENTITY IN AN AGGREGATE AMOUNT NOT TO EXCEED $25,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE COST OF ACQUISITION, DEVELOPMENT, CONSTRUCTION, INSTALLATION, EQUIPPING AND FURNISHING OF CERTAIN FACILITIES, AND OTHER MATTERS RELATING THERETO

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

DEPARTMENTAL REPORTS

16. City Council Travel/Conference Report

COMMISSION REPORTS

PUBLIC SAFETY REPORT

CITY MANAGER REPORT

CITY ATTORNEY REPORT

ADJOURNMENT

At 7:40 PM, the City Council meeting was formally adjourned to Tuesday, July 23, 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]