

**MINUTES OF A REGULAR MEETING
OF THE TEMECULA CITY COUNCIL
OCTOBER 14, 2008**

The City Council convened in Closed Session at 6:00 p.m. and its regular meeting commenced at 7:00 p.m. on Tuesday, October 14, 2008, in the City Council Chambers of Temecula City Hall, 43200 Business Park Drive, Temecula, California.

Present: Council Members: Comerchero, Edwards, Washington, Naggar

Absent: Council Members: Roberts

PRELUDE MUSIC

The prelude music was provided Helen Miller and Gabby Utley

INVOCATION

The invocation was provided by Reverent Jonathan Maxey of Grace Chapel of Temecula Valley

PLEDGE OF ALLEGIANCE

The pledge of allegiance was presented by Council Member Washington

PRESENTATIONS/PROCLAMATIONS

Abbott Vascular Presentation

Divisional Vice President Ken Carlisle provided a brief update with respect to Abbott Vascular, relaying the following information:

- That Abbott Vascular is one of the fastest growing divisions of Abbott Laboratories
- That Abbott Vascular is the leading provider for medical devices treating vascular disease
- That Abbott Vascular employees 10,000 employees world-wide, advising that 4,000 of the employees work at the City of Temecula facility
- That Abbott Vascular products help individuals with cardiac and/or vascular disease
- That in July 2008, Abbott Vascular received FDA approval to distribute its drug approved stent which, thus far, has captured 30% of the market
- That the Abbott Vascular facility encompasses approximately 1 million square feet
- That Abbott Vascular utilizes environmental friendly materials

The City Council thanked Mr. Carlisle for being a great corporate partner.

Operation School Bell Month Proclamation

On behalf of the City Council, Mayor Naggar proclaimed October, 2008 to be *Operation School Bell Month*.

Thanking the City Council for the proclamation, President of Assistance League Plummer and Operation School Bell Chairperson Torrez, happily accepted the proclamation.

Certificate of Achievement to Michael Alhadeff

For his accomplishment in raising a record \$19,000 for *Race for Autism* with funds going to the National Foundation for Autism Research, Mayor Naggar presented Michael Alhadeff with a *Certificate of Achievement*.

Michael thanked the City Council for the recognition.

Also thanking the City Council for the recognition of his son, Michael, Mr. Sam Alhadeff invited the public to attend a fundraising event at Wilson Creek Winery on Friday, October 17, advising that the monies of the event will go toward the Nicolas Foundation to eradicate Autism.

PUBLIC COMMENT

A. By way of overheads, Mr. Jason Eggebean, representing Boy Scout Troop 384, invited the public to attend the Reduce, Reuse, Recycle Fundraiser at Rancho Community Church on October 17-18, 2008, from 10:00 a.m. to 3:00 p.m., advising more information could be found by calling (951) 970-1034.

B. Although speaking highly of the City of Temecula, Mr. Ron Muir, Temecula, relayed his concern with motorcycle riders feeling as though they cannot ride into town without being harassed and/or ticketed.

In response to Mr. Muir's concern, Mayor Naggar advised that he is aware of this misunderstanding and suggested that he contact the City Manager in order to meet with him and the Chief of Police to discuss his concern.

C. By way of overheads, Ms. Laura Hurst-Brown, representing Vintage Hills HOA, addressed the amount of congestion along Meadows Parkway.

For Ms. Hurst-Brown, Mayor Naggar noted that the City Manager will contact her to discuss her concerns.

D. Referencing the Development Code, Mr. Michael McKernon, Temecula, requested that the Development Code be amended to allow him to install a wind-powered turbin on his property.

Relaying that the City is currently in the process of working on green programs to add to the City's Development Plan, Mayor Naggar suggested that he contact Assistant City Manager Johnson to address his request.

E. Also expressing concern with motorcycle riders being heavily targeted and ticketed by Temecula police, Mr. Doc Laine, Temecula, stated that the lack of riders patronizing businesses in Old Town, businesses have suffered and queried why the City Council would direct this type of harassment.

F. Mr. Otto Baron, Temecula, relayed his dismay with the City spending \$75,000 on a Quality of Life study when the current City Council is not truly interested in improving the quality of life for its Old Town Merchants.

G. Mr. Jimmy Moore, Temecula referenced an article in Downbeat Magazine's November 2008 issue glorifying *Temecula Jazz Festival*.

H. Presenting the City Council with a commemorative platter and *Certificate of Appreciation*, Mr. Jon Laskin, Temecula, thanked the City Council for having the vision and foresight to make Temecula a Jazz destination.

I. Commenting on the outstanding achievements made in the City by its City Council, Ms. Kathleen Hamilton, Temecula, noted that it would be her opinion that the City of Temecula does not need rescuing but rather, it would be the envy of many cities.

J. Relaying her dismay with the *Rescue Temecula Group*, Ms. Barbara Wilder, Temecula referenced an article in the Californian regarding the group, and stated that the residents of Temecula are proud of the successes that have been made to the City by its City Council.

K. Mr. Fred Bartz, Temecula, also expressed his dismay with the *Rescue Temecula Group* and its negative influence on the City Council election and queried why individuals who do not reside in Temecula feel it is their duty to rescue Temecula.

CITY COUNCIL REPORTS

A. By way of overheads, Mayor Pro Tem Edwards advised of a Benefit Concert for the Temecula/Murrieta Community Pantry and Musicians Workshop on Sunday, November 3, 2008, at Grace Presbyterian Church on Nicolas Road, noting that more information could be found at (951) 678-2517.

B. Thankful that the City is not enduring fires, Council Member Comerchero relayed that several of Temecula's firefighters are up north battling fires.

C. Mayor Naggar advised of Huell Howser's show *California's Communities*, noting that Old Town Temecula will be featured in the program on Friday, November 24th on KCET at 7:30 p.m.

CONSENT CALENDAR

1 Standard Ordinance and Resolution Adoption Procedure

RECOMMENDATION:

- 1.1 Motion to waive the reading of the text of all ordinances and resolutions included in the agenda.

2 Minutes

RECOMMENDATION:

- 2.1 Approve the minutes of September 9, 2008.

3 List of Demands

RECOMMENDATION:

3.1 Adopt a resolution entitled:

RESOLUTION NO. 08-90

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

4 City Treasurer's Report as of August 31, 2008

RECOMMENDATION:

4.1 Approve and file the City Treasurer's Report as of August 31, 2008.

Consent Calendar Item No. 5 will be addressed on page 6.

5 Participate in the Cities for Climate Protection Campaign to Develop a Green House Gas (GHG) Emissions Inventory and Climate Action Plan

RECOMMENDATION:

5.1 Adopt a resolution entitled:

RESOLUTION NO. 08-92

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA TO
PARTICIPATE IN THE CITIES FOR CLIMATE PROTECTION CAMPAIGN TO
DEVELOP A GREEN HOUSE GAS EMISSIONS INVENTORY AND CLIMATE
ACTION PLAN FOR THE CITY OF TEMECULA**

6 Grant of Easement to Southern California Edison Company associated with the Rule 20 Underground Utility District and the Old Town Civic Center, Project No. PW06-07

RECOMMENDATION:

6.1 Approve a Grant of Easement to Edison to allow Edison to maintain their facilities within the Rule 20 Underground Utility District and the Old Town Civic Center, Project No. PW06-07, and authorize the Mayor to execute the aforementioned document.

7 Traffic Signal and Safety Lighting Maintenance Agreement between the City of Temecula and the Pechanga Band of Luiseno Mission Indians

RECOMMENDATION:

7.1 Approve the Agreement for Maintenance of Traffic Signal on Tribal Land between the City of Temecula and the Pechanga Band of Luiseño Mission Indians;

7.2 Authorize the Mayor to execute the agreement.

8 Chaparral Village Parcel Map No. 26232-2, Agreement for Utility Undergrounding

RECOMMENDATION:

- 8.1 Approve the Agreement for Utility Undergrounding of existing power poles and utility lines;
- 8.2 Authorize the Mayor to execute the agreement.

9 Parcel Map No. 34387 (located at the Southwest side of the knuckle of Nicole Lane & Overland Drive)

RECOMMENDATION:

- 9.1 Approve Parcel Map No. 34387 in conformance with Conditions of Approval.

10 Parcel Map No. 35481 (located at the southwest corner of Rancho California Road and Moraga Road)

RECOMMENDATION:

- 10.1 Approve Parcel Map No. 35481 in conformance with Conditions of Approval;
- 10.2 Approve the Subdivision Improvement Agreement and accept the Faithful Performance, Labor and Materials, and Monument Bonds as security for the agreement.

11 Purchase and Sale Agreement and Joint Escrow Instructions for the Purchase of Certain Property Rights Identified as Portion of Assessor's Parcel Number 920-090-002

RECOMMENDATION:

- 11.1 Approve in substantially the form attached hereto the Purchase and Sale Agreement and Joint Escrow Instructions between the City of Temecula and Rancho California Water District (RCWD), for the purchase of 1.62 Acre (70,654 Square Foot) portion of Assessor's Parcel Number 920-090-002 for the construction of the Pedestrian/Bicycle Bridge over Santa Gertrudis Creek, City Project Number PW05-11, at a purchase price of \$3,293 plus escrow fees;
- 11.2 Authorize the City Manager to execute the Purchase and Sale Agreement in the amount of \$3,293 to cover the cost of the property plus the associated escrow fees, approve and execute any necessary documents, and to take all necessary actions to complete this acquisition, including without limitation, all escrow instructions.

12 Second Amendment to a Geotechnical and Material Testing Professional Service Agreement for the Old Town Infrastructure Projects PW06-07 (C & E)

RECOMMENDATION:

- 12.1 Approve the Second Amendment to the Agreement with Leighton Consulting, Inc., for professional geotechnical & material testing services, in the amount of \$40,000 for the Old Town Infrastructure Projects PW06-07 (C & E) and authorize the City Manager to execute the Amendment.

MOTION: Mayor Pro Tem Edwards moved to approve the Consent Calendar with the exception of Item No. 5 that will be discussed under separate discussion; see below. Council Member Comerchero seconded the motion and electronic vote reflected approval with the exception of Council Member Roberts who was absent.

CONSENT CALENDAR ITEM CONSIDERED UNDER SEPARATE DISCUSSION

5 Participate in the Cities for Climate Protection Campaign to Develop a Green House Gas (GHG) Emissions Inventory and Climate Action Plan

RECOMMENDATION:

- 5.2 Adopt a resolution entitled:

RESOLUTION NO. 08-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA TO PARTICIPATE IN THE CITIES FOR CLIMATE PROTECTION CAMPAIGN TO DEVELOP A GREEN HOUSE GAS EMISSIONS INVENTORY AND CLIMATE ACTION PLAN FOR THE CITY OF TEMECULA

Director of Planning Ubnoske provided a brief staff report (of record).

Although in favor of Item No. 5, Mr. Hall, Temecula, relayed his concern with some of the language of the resolution interfering with the quality of his life.

MOTION: Council Member Washington moved to approve Item No. 5. Mayor Pro Tem Edwards seconded the motion and electronic vote reflected approval with the exception of Council Member Roberts who was absent.

CITY MANAGER REPORT

No report at this time.

CITY ATTORNEY REPORT

With respect to Closed Session, City Attorney Thorson advised that there was no formal action to report.

ADJOURNMENT

At 8:05 p.m. the City Council meeting was formally adjourned to Tuesday, October 28, 2008, at 5:30 p.m. for a Closed Session, with regular session commencing at 7:00 p.m. City Council Chambers, 43200 Business Park Drive, Temecula, California.

Michael S. Naggar, Mayor

ATTEST:

Susan Jones, MMC
City Clerk

[SEAL]