

**ACTION MINUTES**

**TEMECULA CITY COUNCIL  
REGULAR MEETING  
CITY COUNCIL CHAMBERS  
41000 MAIN STREET  
TEMECULA, CALIFORNIA  
MAY 9, 2017 – 7:00 PM**

The City Council meeting convened at 7:02 PM.

**CALL TO ORDER:** Mayor Maryann Edwards

Prelude Music: Leah Arban

Invocation: Lead Pastor Demetric Felton Sr. of Beyond the Walls Church

Flag Salute: Mayor Pro Tem Matt Rahn

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

**PRESENTATIONS/PROCLAMATIONS**

Presentation to Alice Sullivan Riverside County 3rd District Woman of the Year

Presentation of National Public Works Week Proclamation

Presentation of May is Bike Month Proclamation

Presentation of Certificate of Recognition to Rick Wessels, Owner of The Bike Shop

**PUBLIC COMMENTS**

The following individual addressed the City Council:

- Mark Katan

**CITY COUNCIL REPORTS**

**CONSENT CALENDAR**

- 1 **Waive Reading of Standard Ordinances and Resolutions - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

RECOMMENDATION:

- 1.1 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 April 25, 2017 - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

RECOMMENDATION:

- 2.1 That the City Council approve the action minutes of April 25, 2017.

- 3 **Approve the List of Demands - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

RECOMMENDATION:

- 3.1 That the City Council adopt a resolution entitled:

**RESOLUTION NO. 17-25**

**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 March 31, 2017 - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

RECOMMENDATION:

- 4.1 That the City Council approve and file the City Treasurer's Report as of March 31, 2017.

- 5 **Approve the Purchase of Getac T800 Mini Rugged Tablets with Golden Star Technology, Inc. for the Temecula Police Department - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.**

RECOMMENDATION:

- 5.1 That the City Council approve the purchase of Getac T800 Mini Rugged Tablets with Golden Star Technology, Inc., in the amount of \$68,764.76, for the Temecula Police Department.

- 6 Approve the Sponsorship and Economic Development Funding Agreement with the Temecula Valley Balloon and Wine Festival Association for the 2017 Temecula Valley Balloon and Wine Festival (At the Request of Economic Development Committee Members Comerchero and Edwards) - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 6.1 That the City Council approve the Sponsorship and Economic Development Funding Agreement with the Temecula Valley Balloon and Wine Festival Association for \$27,000 cash, in-kind promotional services and the use of the conference center for two volunteer training days valued at \$3,865, and the use of traffic control devices valued at \$3,200 for the 2017 Temecula Valley Balloon & Wine Festival being held June 2 – 4, 2017.

- 7 Approve the First Amendment to the Agreement for Contractor Services with St. Francis Electric, LLC for On-Call Traffic Signal Maintenance Services - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 7.1 That the City Council approve the First Amendment to the Agreement for Contractor Services with St. Francis Electric, LLC, in the amount of \$50,000, for On-Call Traffic Signal Maintenance Services.

- 8 Approve the Amendments to Annual Agreements for Fiscal Year 2017-18 for Routine Maintenance and Emergency Services for Various Operational Needs by the Department of Public Works, Maintenance Division - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 8.1 That the City Council approve the following Amendments to the Annual Agreements for Fiscal Year 2017-18, in the amounts stated below, for Routine Maintenance and Emergency Services for Various Operational Needs by the Department of Public Works, Maintenance Division, including repairs to the HVAC system, general contracting, elevators, roofing, plumbing, painting, fencing, tree trimming, street signs, and janitorial services:

ABM Building Services, LLC	Sixth Amendment	\$200,000
All American Asphalt	Third Amendment	\$50,000
Craftsmen Plumbing Heating & Cooling, Inc.	Fourth Amendment	\$300,000
Main Street Signs	Third Amendment	\$75,000

Moore Fence Company, Inc.	Second Amendment	\$50,000
Pacific Hydroblasting, Inc.	Second Amendment	\$100,000
ThyssenKrupp Elevator Corporation	Third Amendment	\$45,000
VN Enterprises, Inc.	Third Amendment	\$100,000
West Coast Arborists, Inc.	First Amendment	\$400,000
Aztec Landscaping, Inc. dba Aztec Janitorial, Inc.	First Amendment	\$105,000

- 9 Accept Improvements and File the Notice of Completion for the Pavement Rehabilitation Program – Overland Drive (Jefferson Avenue to Commerce Center Drive), PW12-15 - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 9.1 Accept the Improvements of the Pavement Rehabilitation Program – Overland Drive (Jefferson Avenue to Commerce Center Drive), PW12-15, as complete;
- 9.2 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 Contract amount;
- 9.3 Release the Labor and Materials Bond seven months after filing the Notice of Completion, if no liens have been filed.

- 10 Approve Plans and Specifications, and Authorize the Solicitation of Construction Bids for the Temecula Children’s Museum – Roof Rehabilitation, PW16-02 - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Stewart; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

RECOMMENDATION:

- 10.1 Approve the Plans and Specifications, and Authorize the Department of Public Works to Solicit Construction Bids for the Temecula Children’s Museum – Roof Rehabilitation, PW16-02;
- 10.2 Make a finding that this project is exempt from CEQA per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

**RECESS**

At 7:37 PM, the City Council recessed and convened as the Temecula Community Services District Meeting. At 7:39 PM, the City Council resumed with the remainder of the City Council Agenda.

## RECONVENE TEMECULA CITY COUNCIL

### PUBLIC HEARING

The following individuals addressed the City Council on Item 13:

- Peter Ingersoll
- Ricki Ingersoll
- Skylar Tempel
- Judy Joseph
- Debbie Arce
- Greg Jelden
- Lorilyn Teasdale
- Lori Brown
- Leanne Hardesty

The following individuals addressed the City Council on Item 14:

- Patrice Lynes
- Skylar Tempel
- Ira Robnson

- 13 Approve an Amendment to the Temecula Municipal Code Prohibiting All Commercial Marijuana Activity in the City and Amending Regulations Pertaining to Marijuana Cultivation Implementing Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act – 13.1a Approved Staff Recommendation (4-0-1, Council Member Nagggar in opposition) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Rahn, Stewart and Edwards with Council Member Nagggar in opposition. 13.1b Approved Staff Recommendation (4-0-1, Council Member Nagggar in opposition) Council Member Rahn made the motion; it was seconded by Council Member Comerchero; and electronic vote reflected approval by Council Members Comerchero, Rahn, Stewart and Edwards with Council Member Nagggar in opposition.

#### RECOMMENDATION:

13.1a That the City Council amend section 8.52.040(D) to read as follows:

“Except for deliveries to primary caregivers or qualified patients, as defined in this chapter, all deliveries of marijuana or marijuana products to or from any location in the city are expressly prohibited. Except for deliveries to primary caregivers or qualified patients, as defined in this chapter, no person shall conduct or perform any delivery of any marijuana or marijuana products, which delivery either originates or terminates within the city. This subsection shall not prohibit any person from transporting marijuana or marijuana products on public roads by a person licensed under either Chapter 3.5 of Division 8 or Division 10 of the California Business and Professions Code.”

13.1b And introduce and read by title only an ordinance entitled:

**ORDINANCE NO. 17-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING CHAPTER 8.52 OF TITLE 8, HEALTH AND SAFETY, OF THE TEMECULA MUNICIPAL CODE TO PROHIBIT COMMERCIAL MARIJUANA ACTIVITY IN THE CITY AND TO AMEND REGULATIONS PERTAINING TO MARIJUANA CULTIVATION, AND AMENDING TITLE 17, ZONING, TO PROHIBIT COMMERCIAL MARIJUANA ACTIVITY IN ALL ZONES AND TO AMEND REGULATIONS PERTAINING TO MARIJUANA CULTIVATION, AND FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES, SECTION 15061(B)(3)**

City Attorney Thorson introduced and read by title only Ordinance No. 17-02.

- 14 Conduct Public Hearing No. 1 Regarding the Transition from At-Large to By-District Elections and Adopt the Related Resolution of Intent and Resolution Establishing Criteria for Single Member Voting Districts - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Nagggar, Rahn, Stewart and Edwards.

**RECOMMENDATION:**

- 14.1 That the City Council conduct the first of four public hearings to receive public comments regarding the transition from at-large to by-district elections for members of the City Council and adopt the following resolutions:

**RESOLUTION NO. 17-26**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, DECLARING ITS INTENT TO TRANSITION FROM AT-LARGE TO BY-DISTRICT ELECTIONS FOR MEMBERS OF CITY COUNCIL, OUTLINING SPECIFIC STEPS TO BE UNDERTAKEN TO FACILITATE THE TRANSITION AND ESTIMATING A TIME FRAME FOR ACTION PURSUANT TO ELECTIONS CODE SECTION 10010**

- 14.2 Adopt a resolution entitled:

**RESOLUTION NO. 17-27**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, ESTABLISHING CRITERIA FOR SINGLE-MEMBER VOTING DISTRICTS FOR THE ELECTION OF COUNCIL MEMBERS**

## CITY COUNCIL BUSINESS

- 15 Approve a Memorandum of Understanding (MOU) with Teamsters Local 911 Succeeding the MOU that Expires June 30, 2017; Approve Compensation Plans for the Unrepresented Employees; Approve the City Council Health and Retirement Benefits; and Approve the Second Amendment to the City Manager's Employment Agreement - Approved Staff Recommendation (5-0) Council Member Comerchero made the motion; it was seconded by Council Member Rahn; and electronic vote reflected approval by Council Members Comerchero, Naggar, Rahn, Stewart and Edwards.

### RECOMMENDATION:

- 15.1 Approve the Memorandum of Understanding between the City of Temecula and the General Employees of the City of Temecula represented by the California Teamster Public, Professional, and Medical Employee Union Local 911 effective July 1, 2017 through June 30, 2021;
- 15.2 Approve the Amended and Restated Management Compensation Plan;
- 15.3 Approve the Amended Salary Schedule to be effective July 1, 2017;
- 15.4 Approve the City Council Compensation, Health and Retirement Benefits;
- 15.5 Approve the Second Amendment to City Manager Employment Agreement;
- 15.6 Adopt a resolution entitled:

### **RESOLUTION NO. 17-28**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING AN AGREEMENT BETWEEN THE CITY OF TEMECULA AND MANAGEMENT AND CONFIDENTIAL EMPLOYEES FOR CALPERS EMPLOYER CONTRIBUTION COST SHARING**

## BOARD/COMMISSION REPORTS

### CITY MANAGER REPORT

### CITY ATTORNEY REPORT (None)

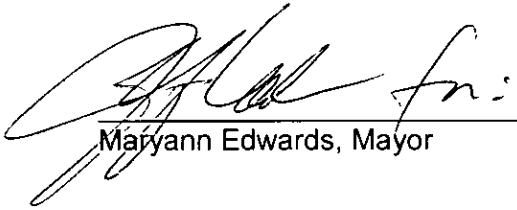
**ADJOURNMENT**

At 10:21 PM, the City Council meeting was formally adjourned Tuesday, May 23, 2017, at 5:30 PM, for a Closed Session, with regular session commencing at 7:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

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Adjourned in Memory  
of  
Deputy Kent Hindergardt

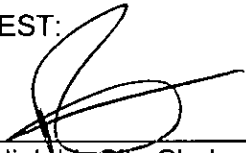
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Maryann Edwards, Mayor

ATTEST:



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Randi Juhl, City Clerk

[SEAL]