

**ACTION MINUTES**

**TEMECULA CITY COUNCIL  
REGULAR ADJOURNED MEETING  
COUNCIL CHAMBERS  
41000 MAIN STREET  
TEMECULA, CALIFORNIA  
NOVEMBER 29, 2022 - 6:00 PM**

**CLOSED SESSION - 4:30 PM**

CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS. The City Council convened in closed session pursuant to Government Code Section 54956.8 regarding the acquisition of certain property interests, including certain permanent maintenance and access easements, temporary construction easements with a term of twelve months, covenants for construction of certain permanent improvements, and a conservation easement on four properties described below in connection with the proposed extension of Nicolas Road from its current termination at Calle Girasol easterly to Butterfield Stage Road, Project Number LD20-1114 (“Project”). Negotiators for the City are Patrick Thomas and Ron Moreno. The negotiators for the respective real property interests are set forth below.

(i) The acquisition of certain property interests from the real property located at 31249 Indian Summer Drive in the City of Temecula (APN 957-090-022). Specifically, the City seeks to acquire an approximate 83,324 square foot temporary construction easement with a term of 12 months, covenant authorizing the construction of certain permanent improvements in portions of that 83,324 square foot area, and an approximate 51,003 square foot conservation easement. The negotiating parties are the City of Temecula and the property owners Lam Ngo and Huyen Lam Tran. Under negotiations are price and terms of the acquisition of these property interests.

(ii) The acquisition of certain property interests from the real property located at 39622 Leifer Road in the City of Temecula (APN 957-090-023). Specifically, the City seeks to acquire an approximate 31,168 square foot temporary construction easement with a term of 12 months, covenant authorizing the construction of certain permanent improvements in portions of that 31,168 square foot area. The negotiating parties are the City of Temecula and the property owners Isaac G. Navejar and Isabel L. Navejar, as Co-Trustees of the Navejar Living Trust, U/A dated July 18, 2019. Under negotiations are price and terms of the acquisition of these property interests.

(iii) The acquisition of certain property interests from the real property located at 31270 Tommy Lane in the City of Temecula (APN 957-150-005). Specifically, the City seeks to acquire an approximate 31,520 square foot temporary construction easement with a term of 12 months and an approximate 26,957 square foot permanent maintenance and access easement. The negotiating parties are the City of Temecula and the property owners Jose Leonardo Garcia and Mayerling Alida Monteros-Garcia. Under negotiations are price and terms of the acquisition of these property interests.

(iv) The acquisition of certain property interests from the real property located at 39280 Deputy Road in the City of Temecula (APN 957-090-019). Specifically, the City seeks to acquire an approximate 29,630 square foot temporary construction easement with a term of 12 months, covenant authorizing the construction of certain permanent improvements in portions of that 29,630 square foot area, an approximate 16,956 square foot permanent maintenance and access easement, and an approximate

648.59 SF public utility easement in favor of SCE. The negotiating parties are the City of Temecula and the property owners Sohan Singh and Kuldip Kaur Singh. Under negotiations are price and terms of the acquisition of these property interests.

**CITY MANAGER ANNUAL PERFORMANCE EVALUATION.** The City Council convened in closed session pursuant to Government Code Sections 54957 and 54957.6 to evaluate the performance of the City Manager and establish goals and performance objectives for the next year as required by the City Manager’s Employment Agreement. Pursuant to Government Code Section 94957.6 the Council will also meet with its designated representatives, Mayor Matt Rahn, Mayor Pro Tem Schwank and City Attorney Peter Thorson, to provide direction to the designated representatives concerning the negotiation of salary, compensation and/or benefits for the unrepresented employee position of City Manager. Any changes to the City Manager’s Employment Agreement would only be taken at a regularly scheduled open and public meeting of the City Council.

**CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION.** The City Council convened in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(4) with respect to three matters of potential litigation. A point has been reached where, in the opinion of the City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation involving the City. Based on existing facts and circumstances, the City Council will decide whether to initiate litigation.

**CALL TO ORDER at 6:00 PM: Mayor Matt Rahn**

**INVOCATION: Chaplain Themba M. Mzizi of Riverside County Sheriff's Department**

**FLAG SALUTE: Council Member Maryann Edwards**

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

**PRESENTATIONS**

Certificate of Recognition for Bryon Lively of Temecula Valley Veterans of Foreign Wars  
Proclamation for Kimberly Adams, Former Executive Director of Visit Temecula Valley

**BOARD / COMMISSION REPORTS**

Community Services Commission, Planning Commission and Race, Equity, Diversity and Inclusion Commission

**PUBLIC SAFETY REPORT**

Riverside County Sheriff's Department

**PUBLIC COMMENTS - NON-AGENDA ITEMS**

The following individual(s) addressed the City Council:

- Gillian Larson
- Bryant Rumbaugh

**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 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 Action Minutes of November 15, 2022

Recommendation: That the City Council approve the action minutes of November 15, 2022.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-88

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

4. Approve Financial Statements for the 4th Quarter Ended June 30, 2022

Recommendation: That the City Council:

1. Receive and file the financial statements for the 4th quarter ended June 30, 2022; and

2. Approve the following Fiscal Year 2021-22 appropriations:

a. City Manager Salaries & Wages (001.110.999.5100) \$80,000

b. City Attorney Legal Services (001.130.999.5246) \$80,000

c. Operating Transfer Into General Fund (001.199.4090) \$84,681

d. Operating Transfer Out from SLESF Fund (160.199.999.5901) \$84,681

e. Insurance Fund Claims (300.199.999.5207) \$93,000

f. Facilities Fund Utilities (340.199.706.5240) \$83,000

3. Appropriate \$2,000,000 of the year-end General Fund surplus to the Pension Trust (PARS), in accordance with Budget Policy XII in Fiscal Year 2022-23.

5. Approve Agreement for Minor Maintenance Services with Lawnscape Systems, Inc., for Weed Abatement Maintenance Services for Fiscal Years 2023-2027

Recommendation: That the City Council approve an agreement for minor maintenance services with Lawnscape Systems, Inc., for weed abatement maintenance services for Fiscal Years 2023-2027, in the amount of \$1,250,000.

6. Award Construction Contract to Makelele Systems Landscape & Maintenance Inc. for the Recycled Water Accelerated Retrofit Program, Project No. PW21-04

Recommendation: That the City Council:

1. Award a construction contract to Makelele Systems Landscape & Maintenance Inc., in the amount of \$89,120 for the Recycled Water Accelerated Retrofit Program, Project No. PW21-04; and
2. Authorize the City Manager to approve construction change orders up to \$8,912, which is equal to 10% of the Contract amount; and
3. Make a finding that the Recycled Water Accelerated Retrofit Program, Project No. PW21-04 is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

7. Approve License Agreement for Use of Real Property Right of Entry and Access Agreement for City Owned Land Located at Assessor's Parcel No. 910-262-061 Between Greystar, LP and City of Temecula

Recommendation: That the City Council approve and execute the license agreement for use of real property right of entry and access agreement for the land located at Assessor's Parcel No. 910-262-061 between Greystar, LP and City of Temecula.

8. Approve Third Amendment to Agreement with Mark Thomas & Company, Inc. for I-15 Congestion Relief Project, PW19-02

Recommendation: That the City Council:

1. Approve the third amendment to the agreement with Mark Thomas & Company, Inc., in the amount of \$100,000, for additional contingency in support of the professional design and environmental services for the I-15 Congestion Relief Project, PW19-02; and
2. Increase the City Manager's authority to approve extra work authorizations by the same amount.

9. Approve Second Amendment to Disposition and Development Agreement with Alitra, LLC for Disposition of Property Located on Corner of Rancho California Road and Diaz Road (APN: 951-021-089) and Portion of Diaz Road

Recommendation: That the City Council approve the second amendment to the disposition and development agreement with Alitra, LLC, for the disposition and

hotel development of the property located on the corner of Rancho California Road and Diaz Road (APN: 951-021-089) and a portion of Diaz Road.

**RECESS:**

At 9:40 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and Successor Agency to the Temecula Redevelopment Agency. At 9:43 PM the City Council resumed with the remainder of the City Council Agenda.

**TEMECULA HOUSING AUTHORITY - NO MEETING**

**TEMECULA PUBLIC FINANCING AUTHORITY - NO MEETING**

**RECONVENE TEMECULA CITY COUNCIL**

**PUBLIC HEARING**

14. Approve Amendment to the Old Town Specific Plan to Revise Certain Development Standards and Land Use Standards

Recommendation: That the City Council adopt resolutions entitled:

RESOLUTION NO. 2022-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING ADDENDUM NO. 2 TO THE OLD TOWN SPECIFIC PLAN PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH NO. 2009071049)

RESOLUTION NO. 2022-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING AMENDMENT NO. 10 TO THE OLD TOWN SPECIFIC PLAN (SP-5) (LONG RANGE PROJECT NO. LR21-0279)

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

15. Approve Third Amendment to the Disposition and Development Agreement for Vine Creek Apartments Affordable Housing Development Between the City of Temecula, as Housing Successor to the Former Temecula Redevelopment Agency, and Temecula Pacific Associates

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

TEMECULA, ACTING IN ITS CAPACITY AS THE HOUSING SUCCESSOR AND IN ITS CAPACITY AS THE CITY APPROVING A THIRD AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH TEMECULA PACIFIC ASSOCIATES, FOR THE “VINE CREEK” 60 UNIT APARTMENT PROJECT

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

**BUSINESS**

16. Appoint Members to the Community Services, Planning, Public/Traffic Safety and Race, Equity, Diversity and Inclusion Commissions

Recommendation: That the City Council appoint members to the Community Services, Planning, Public/Traffic Safety and Race, Equity, Diversity and Inclusion Commissions.

Approved the Staff Recommendation (5-0): Motion by Schwank, Second by Edwards to appoint Ernest Castro and Jeff Kingsberg to the Community Services Commission; Gary Watts and Fernando Solis to the Planning Commission; James “J.R.” Richardson and Bradley Sullivan to the Public/Traffic Safety Commission; Stacia Deutsch, Crystal Pastorian and Jackie Steed to the Race, Equity, Diversity and Inclusion Commission. The vote reflected unanimous approval.

17. Receive Presentation on the City’s Fiscal Strategy Update (At the Request of Subcommittee Members Mayor Rahn and Council Member Edwards)

Recommendation: That the City Council receive the presentation on the City’s Fiscal Strategy Update and discuss the conceptual strategy related to the paydown of the City’s debt and unfunded liabilities.

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

**DEPARTMENTAL REPORTS (RECEIVE AND FILE)**

18. Community Development Department Monthly Report
19. Fire Department Monthly Report
20. Public Works Department Monthly Report

**ITEMS FOR FUTURE CITY COUNCIL AGENDAS**

**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

The City Attorney stated there was no reportable actions from closed session.

**ADJOURNMENT**

At 10:46 PM, the City Council meeting was formally adjourned to Tuesday, December 13, 2022, at 4:30 PM for Closed Session, with regular session commencing at 6:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

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Matt Rahn, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]