

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the office of the City Clerk (951) 694-6444. Notification 48 hours prior to a meeting will enable the City to make reasonable arrangements to ensure accessibility to that meeting [28 CFR 35.102.35.104 ADA Title II].

AGENDA

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
OCTOBER 10, 2023 - 6:00 PM**

CALL TO ORDER: Mayor Zak Schwank

INVOCATION: Apostle Terrence Hundley of The Place City of Miracles

FLAG SALUTE: Mayor Zak Schwank

ROLL CALL: Alexander, Brown, Kalfus, Schwank, Stewart

PRESENTATIONS

Presentation of Proclamation for National Manufacturing Month
Presentation of Proclamation for Domestic Violence Awareness Month

BOARD / COMMISSION REPORTS

Community Services Commission and Traffic Safety Commission

PUBLIC SAFETY REPORT

County of Riverside, Fire Department (CAL FIRE)

PUBLIC COMMENTS - NON-AGENDA ITEMS

A total of 30 minutes is provided for members of the public to address the City Council on matters not listed on the agenda. Each speaker is limited to 3 minutes. Public comments may be made in person at the meeting by submitting a speaker card to the City Clerk. Speaker cards will be called in the order received. Still images may be displayed on the projector. All other audio and visual use is prohibited. Public comments may also be submitted by email for inclusion into the record. Email comments must be received prior to the time the item is called for public comments and submitted to CouncilComments@temeculaca.gov. All public participation is governed by Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

CITY COUNCIL REPORTS

Reports by the members of the City Council on matters not on the agenda will be made at this time. A total, not to exceed, ten minutes will be devoted to these reports.

CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no discussion of these items unless members of the City Council request specific items be removed from the Consent Calendar for separate action. A total of 30 minutes is provided for members of the public to address the City Council on matters on the Consent Calendar. Each speaker is limited to 3 minutes. Public comments may be made in person at the meeting by submitting a speaker card to the City Clerk. Speaker cards will be called in the order received. Still images may be displayed on the projector. All other audio and visual use is prohibited. Public comments may also be submitted by email for inclusion into the record. Email comments must be received prior to the time the item is called for public comments and submitted to CouncilComments@temeculaca.gov. All public participation is governed by Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

1. Waive Reading of Title and Text of All Ordinances and Resolutions Included in the Agenda

Recommendation: That the City Council waive the reading of the title and text of all ordinances and resolutions included in the agenda.

Attachments: [Agenda Report](#)

2. Approve Action Minutes of September 26 and September 28, 2023

Recommendation: That the City Council approve the action minutes of September 26 and September 28, 2023.

Attachments: [09/26/2023 Action Minutes](#)
[09/28/2023 Action Minutes](#)

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO.

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

Attachments: [Agenda Report](#)
[Resolution](#)
[List of Demands](#)

4. Approve Agreement with Department of California Highway Patrol for Construction Zone Enhanced Enforcement Program Services for the I-15/French Valley Parkway Improvements - Phase II, PW16-01

Recommendation: That the City Council:

1. Approve agreement with Department of California Highway Patrol Number 22R685003, in the amount of \$150,000, for Construction Zone Enhanced Enforcement Program services for the I-15/French Valley Parkway Improvements - Phase II, Project Number PW16-01; and
2. Authorize the City Manager to execute the agreement.

Attachments: [Agenda Report](#)
 [Agreement](#)
 [CIP Project Budget Sheet](#)

5. Approve Grant Deeds for Transfer of Certain Real Property Interests and Relinquishment of Access Rights to the State of California Department of Transportation for the I-15/SR-79S Ultimate Interchange, PW04-08

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A GRANT DEED TO TRANSFER CERTAIN REAL PROPERTY INTERESTS FOR FREEWAY IMPROVEMENTS AND A GRANT DEED TO RELINQUISH ACCESS RIGHTS TO THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE INTERSTATE-15 / STATE ROUTE 79 SOUTH ULTIMATE INTERCHANGE PROJECT, PW04-08

Attachments: [Agenda Report](#)
 [Resolution](#)
 [Grant Deed to Transfer Right of Way](#)
 [Grant Deed to Relinquish Access Rights](#)
 [Right of Way Appraisal Index Maps](#)

6. Approve Agreement for Consultant Services with Mark Thomas & Company, Inc. for the I-15 Congestion Relief, PW19-02

Recommendation: That the City Council approve an agreement for consultant services with Mark Thomas & Company, Inc. in the amount of \$100,000 to provide engineering and construction support during construction of the I-15 Congestion Relief, PW19-02.

Attachments: [Agenda Report](#)
 [Agreement](#)
 [CIP Project Budget Sheet](#)
 [Project Location Map](#)

7. Award Construction Contract to American Asphalt South, Inc. for Citywide Slurry Seal Program, PW23-16

Recommendation: That the City Council:

1. Award a construction contract to American Asphalt South, Inc., in the amount of \$2,236,747.11, for the Citywide Slurry Seal Program, PW23-16; and
2. Authorize the City Manager to approve construction contract change orders not to exceed the contingency amount of \$223,674.71, which is equal to 10% of the contract amount; and
3. Make a finding that the Citywide Slurry Seal Program, PW23-16 is exempt from Multiple Species Habitat Conservation Plan fees.

Attachments: [Agenda Report](#)
[Contract](#)
[Project Location Maps](#)
[Slurry Seal Street Name List](#)

8. Approve Eighth Amendment to the Agreement for Consultant Services with Esgil, LLC for Plan Review Services

Recommendation: That the City Council approve the eighth amendment to the agreement for consultant services with Esgil, LLC, in the amount of \$200,000, for a total agreement amount of \$1,910,000 for plan review services.

Attachments: [Agenda Report](#)
[Amendment](#)

9. Approve Plans and Specifications and Authorize Solicitation of Construction Bids for Sidewalks - Old Town Improvements - South Side of Sixth Street (Old Town Front Street to Mercedes Street), PW22-16

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for Sidewalks - Old Town Improvements - South Side of Sixth Street (Old Town Front Street to Mercedes Street), PW22-16; and
2. Make a finding that this project is exempt from California Environmental Quality Act (CEQA) per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

Attachments: [Agenda Report](#)
[Project Description](#)
[Project Location Map](#)

10. Approve Plans and Specifications and Authorize Solicitation of Construction Bids for the Santa Gertrudis Creek Trail Phase II - Margarita Road Under-Crossing Project, PW19-04

Recommendation: That the City Council approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Santa Gertrudis Creek Trail Phase II - Margarita Road Under-Crossing Project, PW19-04.

Attachments: [Agenda Report](#)
[Project Location](#)
[Project Description](#)

11. Accept Improvements and File the Notice of Completion for Fiber Optic Communication System Upgrade Project, PW18-05

Recommendation: That the City Council:

1. Accept the improvements for Fiber Optic Communication System Upgrade Project, PW18-05, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond; and
3. Release the Labor and Materials Bond seven months after filing the Notice of Completion if no liens have been filed.

Attachments: [Agenda Report](#)
[Notice of Completion](#)
[Maintenance Bond](#)
[Contractor's Affidavit and Final Release](#)

RECESS CITY COUNCIL MEETING TO SCHEDULED MEETINGS OF THE TEMECULA COMMUNITY SERVICES DISTRICT, THE SUCCESSOR AGENCY TO THE TEMECULA REDEVELOPMENT AGENCY, THE TEMECULA HOUSING AUTHORITY, AND/OR THE TEMECULA PUBLIC FINANCING AUTHORITY

TEMECULA COMMUNITY SERVICES DISTRICT MEETING**CALL TO ORDER: President James Stewart****ROLL CALL: Alexander, Brown, Kalfus, Schwank, Stewart****CSD PUBLIC COMMENTS - NON-AGENDA ITEMS**

A total of 30 minutes is provided for members of the public to address the Board of Directors on matters not listed on the agenda. Each speaker is limited to 3 minutes. Public comments may be made in person at the meeting by submitting a speaker card to the City Clerk. Speaker cards will be called in the order received. Still images may be displayed on the projector. All other audio and visual use is prohibited. Public comments may also be submitted by email for inclusion into the record. Email comments must be received prior to the time the item is called for public comments and submitted to CouncilComments@temeculaca.gov. All public participation is governed by Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

CSD CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no discussion of these items unless members of the Community Services District request specific items be removed from the Consent Calendar for separate action. A total of 30 minutes is provided for members of the public to address the Board of Directors on items that appear on the Consent Calendar. Each speaker is limited to 3 minutes. Public comments may be made in person at the meeting by submitting a speaker card to the City Clerk. Speaker cards will be called in the order received. Still images may be displayed on the projector. All other audio and visual use is prohibited. Public comments may also be submitted by email for inclusion into the record. Email comments must be received prior to the time the item is called for public comments and submitted to CouncilComments@temeculaca.gov. All public participation is governed by Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

12. Approve Action Minutes of September 26, 2023

Recommendation: That the Board of Directors approve the action minutes of September 26, 2023.

Attachments: [Minutes](#)

CSD PUBLIC HEARING

Any person may submit written comments to the Board of Directors before a public hearing or may appear and be heard in support of or in opposition to the approval of a project at the time of the hearing. If you challenge a project in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence delivered to the City Clerk at or prior to the public hearing. For public hearings each speaker is limited to 5 minutes. Public comments may be made in person at the meeting by submitting a speaker card to the City Clerk or by submitting an email to be included into the record. Email comments must be submitted to CouncilComments@temeculaca.gov. Email comments on all matters, including those not on the agenda, must be received prior to the time

the item is called for public comments. At public hearings involving land use matters, the property owner and/or applicant has the burden of proof and, therefore, shall be allowed 15 minutes for an initial presentation, and an additional 10 minutes for rebuttal by its development team following other comments on the matter. An appellant, other than the property owner and/or applicant, and the spokesperson for an organized group of residents residing within the noticed area of the property, which is the subject of the public hearing, shall be allowed 15 minutes to present the appellant's position to the Board. The President may allow more time if required to provide due process for the property owner, applicant or appellant. All other members of the public may speak during the public hearing for a maximum period of 5 minutes each. Deferral of one speaker's time to another is not permitted. In the event of a large number of speakers, the President may reduce the maximum time limit for members of the public to speak. All public participation is governed by the Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

13. Approve Ratification of Election Results for Tract Map Numbers 37341 and 37341-17, within Sommers Bend, to Service Level B (Residential Street Lights) Rates and Charges (Located East of Butterfield Stage Road and North of Long Valley Wash)

Recommendation: That the Board of Directors adopt a resolution entitled:

RESOLUTION NO. CSD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA COMMUNITY SERVICES DISTRICT OF THE CITY OF TEMECULA, ORDERING THE ANNEXATION OF PROPERTY TO SERVICE LEVEL B - RESIDENTIAL STREET LIGHTING

Attachments: [Agenda Report](#)
[Resolution](#)
[Certificate of Election Results](#)
[Vicinity Map](#)

CSD DIRECTOR OF COMMUNITY SERVICES REPORT

CSD GENERAL MANAGER REPORT

CSD BOARD OF DIRECTOR REPORTS

CSD ADJOURNMENT

The next regular meeting of the Temecula Community Services District will be held on Tuesday, October 24, 2023, at 4:30 p.m., for a Closed Session, with regular session commencing at 6:00 p.m., at the Council Chambers located at 41000 Main Street, Temecula, California.

RECONVENE TEMECULA CITY COUNCIL**BUSINESS**

Any member of the public may address the City Council on items that appear on the Business portion of the agenda. Each speaker is limited to 5 minutes. Public comments may be made in person at the meeting by submitting a speaker card to the City Clerk. Speaker cards will be called in the order received. Still images may be displayed on the projector. All other audio and visual use is prohibited. Public comments may also be submitted by email for inclusion into the record. Email comments must be received prior to the time the item is called for public comments and submitted to CouncilComments@temeculaca.gov. All public participation is governed by Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

14. Receive and File Presentation on Community Land Trusts and Regional Housing Trusts (At the Request of Council Member Kalfus)

Recommendation: That the City Council receive and file a presentation on Community Land Trusts and Regional Housing Trusts and provide general direction regarding the same.

Attachments: [Agenda Report](#)
[About Us Irvine Community Land Trust](#)
[How We Do It Irvine Community Land Trust](#)
[Irvine Community Land Trust Quick Facts](#)
[WRCOG - Technical Advisory Committee Staff Report - 09/17/2020](#)

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

Any Council Member, including the Mayor, may request an item be placed on a future agenda. Any such request will be discussed under this section. In making the request, a Council Member may briefly describe the topic of the proposed agenda item and any timing associated with the placement of the item on the agenda. This description shall not exceed 3 minutes. No substantive discussion on the subject of the motion may occur. Items may only be placed on the agenda by Council Members pursuant to policy or by the City Manager based on administrative or operational needs of the City. Public comments on the placement of these agenda items shall be limited to a maximum of 30 minutes. Individual comments shall not exceed 3 minutes. All public participation is governed by the Council Policy regarding Public Participation at Meetings and Agenda Placements by Council Members adopted by Resolution No. 2021-54.

CITY MANAGER REPORT**CITY ATTORNEY REPORT****ADJOURNMENT**

The next regular meeting of the City Council will be held on Tuesday, October 24, 2023, at 4:30 p.m., for a Closed Session, with regular session commencing at 6:00 p.m., at the Council Chambers located at 41000 Main Street, Temecula, California.

NOTICE TO THE PUBLIC

The full agenda packet (including staff reports, public closed session information, and any supplemental material available after the original posting of the agenda), distributed to a majority of the City Council regarding any item on the agenda, will be available for public viewing in the main reception area of the Temecula Civic Center during normal business hours at least 72 hours prior to the meeting. The material will also be available on the City's website at TemeculaCa.gov and available for review at the respective meeting. If you have questions regarding any item on the agenda, please contact the City Clerk's Department at (951) 694-6444.