ACTION MINUTES

TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
OCTOBER 28, 2025 - 3:00 PM

AMENDED

CLOSED SESSION - 2:00 PM

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)(2) with respect to one matter of potential litigation. A point has been reached where, in the opinion of the City Attorney, based on existing facts and circumstances, there is significant exposure to litigation involving the Starlight Ridge Homeowners Association and based on a letter from attorney Peter Racobs dated September 18, 2025. The letter is available for public inspection from the Office of the City Clerk.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION. The City Council convened in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(1) with respect to the following matter of pending litigation: City of Temecula v. Wagner, et al. (Riverside County Superior Court Case No. CVSW2404208).

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. The City Council convened in closed session pursuant to Government Code Section 54956.8 regarding the acquisition of certain property interests, including permanent easements and temporary construction easements on two properties described below in connection with the off-site public street, utility, drainage and related improvements for Vincent Moraga Drive and Rancho California Road required for the Altair Specific Plan Community ("Project"). The negotiators for the City are Ron Moreno and Anissa Sharp. 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 28481 Rancho California Road in the City of Temecula (APN 921-281-011). Specifically, the City seeks to acquire an approximate 5,572 square foot permanent easement, an approximate 75 square foot permanent easement for water utility purposes, and an approximate 3,757 square foot temporary construction easement with a term of eighteen (18) months. The negotiating parties are the City of Temecula and the property owner GGG Partnership, LP. Under negotiations are price and terms of the acquisition of these property interests.

The acquisition of certain property interests from the real property located in the City of Temecula (No Situs Address) (APN 921-280-002). Specifically, the City seeks to acquire an approximate 1,016 square foot permanent easement and an approximate 427 square foot temporary construction easement with a term of twelve (12) months. The negotiating parties are the City of Temecula and the property owner An Bang Luo (formerly SPX Investment, LLC). Under negotiations are price and terms of the acquisition of these property interests.

CALL TO ORDER 3:00 PM: Mayor Brenden Kalfus

INVOCATION: Brett Larson of The Church of Jesus Christ of Latter-Day Saints

FLAG SALUTE: Mayor Brenden Kalfus

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

PRESENTATIONS

Certificate of Recognition to Leah Di Bernardo of Cultivating Good Inc. for Recognition as a Top 100 Business by U.S. Chamber of Commerce

2025 Community Opinion Survey Presented by True North

BOARD / COMMISSION REPORTS

Planning Commission

PUBLIC SAFETY REPORT

County of Riverside, Fire Department (CAL FIRE)

PUBLIC COMMENTS - NON-AGENDA ITEMS

The following individual(s) addressed the City Council:

- Kevin and Lisa Locklin
- Ross Jackson

PUBLIC COMMENTS - AGENDA ITEMS

The following individual(s) addressed the City Council:

- Neil Cleveland (Item #22)

CITY COUNCIL REPORTS

CONSENT CALENDAR

The City Attorney noted for the record that Council Member Rahn will abstain on the following items on today's Consent Calendar:

1. Consent Calendar Item 13, 30-day street closure of First Street from Old Town Front Street to Pujol Street; and

2. Consent Calendar Item 14, temporary street closures for Old Town 2025 Winterfest Events.

In addition, Council Member Rahn will not participate in the Council discussion and action on Business Item 22, Frogparking Inc., Old Town Phase II.

Council Member Rahn has established Inferno Distillery, LLC, and will enter into a lease with EATS Marketplace to establish a craft distillery, tasting room and cocktail service located at 28410 Old Town Front Street, #112.

Council Member Rahn may remain at the Council dais for the two Consent Calendar Items unless a Council Member requested one or both be taken off the Consent Calendar for discussion or questions. He will leave the Council Chamber for the Council discussion and action on Frogparking Phase 2.

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 vote reflected unanimous approval.

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.

2. Approve Action Minutes of October 14, 2025

Recommendation: That the City Council approve the action minutes of October 14, 2025.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2025-69

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

4. Approve City Treasurer's Report for the Period of August 1, 2025 through August 31, 2025

Recommendation: That the City Council approve and file the City Treasurer's report for the period of August 1, 2025 through August 31, 2025.

5. Approve the Purchase of Four (4) Police BMW RT-P Motorcycles from Long Beach BMW

Recommendation: That the City Council approve the purchase of four (4) Police BMW RT-P motorcycles from Long Beach BMW for a total cost of $163,130.80.

6. Adopt Resolution Acknowledging Receipt of the Annual Inspection Report Pursuant to SB 1205

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2025-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE MARSHAL OF THE CITY OF TEMECULA FIRE DEPARTMENT REGARDING THE SB 1205 STATE MANDATED ANNUAL INSPECTION OF CERTAIN OCCUPANCIES PURSUANT TO SECTIONS 13145, 13146 AND 17921 OF THE CALIFORNIA HEALTH AND SAFETY CODE

7. Approve Three-Year Microsoft Enterprise Renewal Agreement with CDW-G for Microsoft Software Licenses

Recommendation: That the City Council:

1. Approve a three-year Microsoft Enterprise Renewal Agreement with CDW-G, in the amount of $826,475.22 subject to the true-up cost as described in recommendation 2; and

2. Approve 20% of the total contract, in the amount of $165,295, for true-up cost for the term of the three-year agreement.

8. Approve Recommendation for Community Service Funding Grant Program for Fiscal Year 2025-26 (At the Request of Subcommittee Members Kalfus and Schwank)

Recommendation: That the City Council approve recommendation to allocate a total of $77,500 to fund grant applications received from nonprofit organizations for the Community Service Funding Grant Program Fiscal Year 2025-26.

Approved the Staff Recommendation with the addition of a $5,000 allocation to MilVet (5-0): Motion by Alexander, Second by Schwank. The vote reflected unanimous approval.

9. Approve Street Light Public Improvement Deferral Agreement Between the City of Temecula and Diaz RE Holdings 2, LLC for Public Improvements Related to the Tesla Service Center Project

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2025-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A STREET LIGHT PUBLIC IMPROVEMENT DEFERRAL AGREEMENT BETWEEN THE CITY OF TEMECULA AND DIAZ RE HOLDINGS 2, LLC FOR PUBLIC IMPROVEMENTS RELATED TO THE TESLA SERVICE CENTER PROJECT

10. Approve Increase in Construction Contingency for Contract with Asad Holdings LLC DBA OrangeBlue General Contractors for Murrieta Creek Trail Solar Lights, PW21-13

Recommendation: That the City Council:

1. Increase the authorized construction contingency for the Murrieta Creek Trail Solar Lights Project, PW21-13 by $27,237.25; and

2. Increase the City Manager's authority to issue contract change orders by $27,237.25.

11. Approve Amendment No. 2 to Transportation Uniform Mitigation Fee (TUMF) Program Agreement to Reimburse TUMF Funds with the Western Riverside Council of Governments for the Diaz Road Expansion, PW17-25

Recommendation: That the City Council:

1. Approve Amendment No. 2 to Transportation Uniform Mitigation Fee (TUMF) Program Agreement to Reimburse TUMF Funds with Western Riverside Council of Governments for the Diaz Road Expansion (Western Bypass - Rancho California Road to Cherry Street), Project No. PW17-25; and
2. Authorize the City Manager to execute the amendment.

12. Approve Specifications and Authorize the Solicitation of Construction Bids for the Americans with Disabilities Act (ADA) Transition Plan Implementation - ADA Curb Ramp Replacement Phase I, PW24-07

Recommendation: That the City Council:

1. Approve the specifications for the Americans with Disabilities Act (ADA) Transition Plan Implementation - ADA Curb Ramp Replacement Phase I, PW24-07; and

2. Authorize the Department of Public Works to solicit construction bids for the Americans with Disabilities Act (ADA) Transition Plan Implementation - ADA Curb Ramp Replacement Phase I, PW24-07; and

3. 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.

13. Approve Temporary Street Closure for Portion of First Street in Connection with SB Altair LLC Project

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2025-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, AUTHORIZING A TEMPORARY

STREET CLOSURE FOR A PORTION OF FIRST STREET FOR A DURATION OF UP TO 30 DAYS OF CONSTRUCTION TO ALLOW FOR WET UTILITY AND STORM DRAIN CONSTRUCTION AND RELOCATION AS REQUIRED BY CONDITIONS OF APPROVAL FOR TRACT MAP NO. 36959-1

Approved the Staff Recommendation (3-1, Kalfus opposed and Rahn abstained): Motion by Stewart, Second by Schwank. The vote reflected approval with Kalfus opposing and Rahn abstaining.

14. Receive and File Temporary Street Closures for 2025 Winterfest Events

Recommendation: That the City Council receive and file the temporary closure of certain streets for the following 2025 Winterfest Events:

HOLIDAY DECORATION INSTALLATION
SANTA'S ELECTRIC LIGHT PARADE
NEW YEAR'S EVE GRAPE DROP

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

RECESS:

At 5:28 PM, the City Council recessed and convened as the Temecula Community Services District and the Temecula Public Financing Authority Meetings. At 5:30 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

19. Receive and File Assembly Bill 1600 Financial Reports- Fiscal Year 2024-25 Development Impact Fee Expenditures

Recommendation: That the City Council conduct a public hearing and receive and file Assembly Bill 1600 Financial Reports - Fiscal Year 2024-25 Development Impact Fee Expenditures.

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

20. Introduce Ordinance Amending Title 17 of Temecula Municipal Code to Make Technical Revisions and Updates to Water Efficient Landscape Ordinance (Long Range Project No. LR25-0099)

Recommendation: That the City Council introduce an ordinance entitled:

ORDINANCE NO. 2025-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING TITLE 17 OF THE TEMECULA MUNICIPAL CODE MAKING TECHNICAL REVISIONS AND UPDATES TO THE WATER EFFICIENT LANDSCAPE DESIGN ORDINANCE TO MAKE CONSISTENT WITH THE CITYWIDE DESIGN GUIDELINES AND MAKE A FINDING OF EXEMPTION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15061 (B)(3)

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

BUSINESS

21. Adopt Resolutions of Necessity for Acquisition by Eminent Domain of Certain Real Property Interests for Public Purposes on Assessor's Parcel Numbers 921-281-011 and 921-280-002 for Construction of Public Street and Related Improvements, and All Uses Necessary or Convenient Thereto in Connection with Vincent Moraga Improvements

Recommendation: That the City Council take the following actions:

1. Consider the following resolutions, which are Resolutions of Necessity of the City of Temecula, declaring certain real property interests necessary for public purposes and authorizing the acquisition thereof for the construction of public street and related improvements, and all uses necessary or convenient thereto in connection with the Vincent Moraga Improvements:

RESOLUTION NO. 2025-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF FOR THE CONSTRUCTION OF PUBLIC STREET AND RELATED IMPROVEMENTS, AND ALL USES NECESSARY OR CONVENIENT THERETO IN CONNECTION WITH THE VINCENT MORAGA IMPROVEMENTS (CERTAIN PROPERTY INTERESTS ON APN 921 281 011) AND MAKING FINDINGS THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO SECTION 15162 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES AND SECTION 21166 OF THE PUBLIC RESOURCES CODE

RESOLUTION NO. 2025-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA DECLARING CERTAIN REAL PROPERTY

INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF FOR THE CONSTRUCTION OF PUBLIC STREET AND RELATED IMPROVEMENTS, AND ALL USES NECESSARY OR CONVENIENT THERETO IN CONNECTION WITH THE VINCENT MORAGA IMPROVEMENTS (CERTAIN PROPERTY INTERESTS ON APN 921 280 002) AND MAKING FINDINGS THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO SECTION 15162 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES AND SECTION 21166 OF THE PUBLIC RESOURCES CODE

2. Open and conduct a hearing on the adoption of the proposed Resolutions of Necessity, receive from City Staff the evidence stated and referred to in this Agenda Report ("Report"), take testimony from any person wishing to be heard on issues A, B, C, and D below, and consider all evidence to determine whether to adopt the proposed Resolutions of Necessity, each of which requires the City Council's separate consideration and determination.
3. If the City Council finds, based on the evidence contained and referred to in this Report and the testimony and comments submitted to the City Council, that the evidence warrants the necessary findings with respect to the proposed Resolutions of Necessity, then City Staff recommends that the City Council, in the exercise of its discretion, adopt proposed Resolution No. 2025-XX and Resolution No. 2025-XX ("Resolutions of Necessity"), each of which requires a 4/5ths vote of the entire City Council, authorizing the acquisition by eminent domain of the real property interests (referred to below collectively as the "Subject Property Interests") summarized below and described more particularly in the Exhibits to each Resolution of Necessity:

(i) The GGG Partnership, LP, a California limited partnership − 28481 Rancho California Road, Temecula (APN 921-281-011 − GGG Parcel)
- An approximate 5,572 square foot permanent easement described more particularly on EXHIBIT A and depicted on EXHIBIT B to Resolution No. 2025-XX.
- An approximate 75 square foot permanent water easement described more particularly on EXHIBIT A-1 and depicted on EXHIBIT B-2 to Resolution No. 2025-XX.
- An approximate 3,757 square foot temporary construction easement with a term of eighteen months described more particularly on EXHIBIT A-2 and depicted on EXHIBIT B-2 to Resolution No. 2025-XX.

The approximate 5,572 square foot permanent easement, the approximate 75 square foot permanent water easement, and the approximate 3,757 square foot temporary construction easement the City seeks to acquire on the GGG Parcel are referred to below collectively as the "GGG Property Interests".

(ii) An Bang Luo − Vacant Parcel Located on the South Side of Rancho California Road, Second Parcel East of Vincent Moraga Road, in the City (APN 921-280-002 − Luo Parcel)
- An approximate 1,016 square foot permanent easement described more particularly on EXHIBIT A and depicted on EXHIBIT B to Resolution No. 2025-XX.
- An approximate 427 square foot temporary construction easement with a term of twelve months described more particularly on EXHIBIT A-1 and depicted on EXHIBIT B-1 to Resolution No. 2025-XX.

The approximate 1,016 square foot permanent easement and the approximate 427 square foot temporary construction easement the City seeks to acquire on the Luo Parcel are referred to below collectively as the "Luo Property Interests"

4. If the City Council adopts the proposed Resolutions of Necessity, authorize the City Attorney's Office to file and prosecute eminent domain proceedings for the acquisition of the Subject Property Interests by eminent domain.
5. Authorize the City Manager to execute all necessary documents.

6. Authorize the City Clerk to certify the adoption of the Resolutions of Necessity.

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

22. <u>Approve Phase II of Previously Authorized Purchase and Installation Agreement and Software as Service Agreement with Frogparking, Inc. for Parking Sensors Within Remaining Public Parking Spaces in Old Town</u>

<u>Recommendation</u>: That the City Council approve Phase II described in the updated Phase II proposal and the previously approved Purchase and Installation Agreement and Software as a Service (SaaS) Agreement with Frogparking, Inc. for the purchase and installation of parking sensors within the remaining public parking spaces in Old Town.

As noted at the beginning of the Consent Calendar, Council Member Rahn did not participate in the Council discussion and action on Business Item 22, Frogparking Inc., Old Town Phase II. Council Member Rahn established Inferno Distillery, LLC, and will enter into a lease with EATS Marketplace to establish a craft distillery, tasting room and cocktail service located at 28410 Old Town Front Street, #112. He left the Council Chamber for the Council discussion and action on Frogparking Phase 2.

Approved the Staff Recommendation (3-1, Kalfus opposed and Rahn abstained): Motion by Alexander, Second by Stewart. The vote reflected approval with Kalfus opposing and Rahn abstaining.

DEPARTMENTAL REPORTS (RECEIVE AND FILE)

23. City Council Travel/Conference Report

24. Community Development Department Monthly Report

25. Fire Department Monthly Report

26. Police Department Monthly Report

27. Public Works Department Monthly Report

PUBLIC COMMENTS - NON-AGENDA ITEMS

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

The City Council approved the placement of the following topics on a future agenda:

1. E-Bikes

(5-0): Motion by Alexander, Second by Rahn. The vote reflected unanimous approval.

CITY MANAGER REPORT

CITY ATTORNEY REPORT

The City reported that in closed session the City Council approved a settlement in the Wagner matter subject to the approval of the settling parties. No other actions to report from closed session under the Brown Act.

ADJOURNMENT

At 5:55 PM, the City Council meeting was formally adjourned to Tuesday, November 18, 2025, at 2:00 PM for Closed Session, with regular session commencing at 3:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

____

Brenden Kalfus, Mayor

ATTEST:

____

Randi Johl, City Clerk

[SEAL]