

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  
MAY 9, 2023 - 6:00 PM**

### **CLOSED SESSION - 5:00 PM**

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION. The City Council will meet in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(4) 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 a significant exposure to litigation involving the City and the City Council will decide whether to initiate litigation.

**CALL TO ORDER: Mayor Zak Schwank**

**INVOCATION: Pastor Brenton Stanley of Atmosphere Church**

**FLAG SALUTE: Mayor Zak Schwank**

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

### **PRESENTATIONS**

Presentation of Proclamation for Bike Month

Presentation of Proclamation for Water Safety Month

Presentation for Temecula Valley High School Cyber Team - Inland Empire/California Mayors Cup

Presentation by CR&R Incorporated Regarding the Delivery of Solid Waste and Recycling Services

### **BOARD / COMMISSION REPORTS**

Community Services Commission, Planning Commission, and Public/Traffic Safety Commission

### **PUBLIC SAFETY REPORT**

County of Riverside, Riverside County Sheriff's Department

### **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 or by submitting an email to be included into

the record. Email comments must be submitted to CouncilComments@temeculaca.gov. Speaker cards for in-person comments will be called in the order received by the City Clerk. Email comments on all matters must be received prior to the time the item is called for public comments. All public participation is governed by the 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 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 or by submitting an email to be included into the record. Email comments must be submitted to CouncilComments@temeculaca.gov. Speaker cards for in-person comments will be called in the order received by the City Clerk. Email comments on all matters must be received prior to the time the item is called for public comments. All public participation is governed by the 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 April 25, 2023

Recommendation: That the City Council approve the action minutes of April 25, 2023.

Attachments: [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 City Treasurer's Report as of November 30, 2022 and December 31, 2022
- Recommendation: That the City Council approve and file the City Treasurer's Report as of November 30, 2022 and December 31, 2022.
- Attachments: [Agenda Report](#)  
[November Treasurer's Report](#)  
[December Treasurer's Report](#)
5. Approve Second Amendment to the Agreement with Inland Empire Property Services for Weed Abatement Services
- Recommendation: That the City Council approve the second amendment to the agreement with Inland Empire Property Services to perform weed abatement services, and increase the agreement amount by \$75,000, for a total agreement amount of \$300,000.
- Attachments: [Agenda Report](#)  
[Second Amendment](#)
6. Approve Form of Public Improvement Construction Agreements and Authorize the City Manager to Execute Said Agreements on Behalf of the City
- Recommendation: That the City Council adopt a resolution entitled:
- RESOLUTION NO.
- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE FORM OF PUBLIC IMPROVEMENT CONSTRUCTION AGREEMENTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENTS ON BEHALF OF THE CITY
- Attachments: [Agenda Report](#)  
[Resolution](#)  
[Agreement](#)
7. Approve Recycled Water Agreement with Rancho California Water District for Recycled Water Service for the Ynez Road and Date Street Landscaped Medians
- Recommendation: That the City Council approve the recycled water agreement with Rancho California Water District for recycled water service for the Ynez Road and Date Street landscaped medians.
- Attachments: [Agenda Report](#)  
[Agreement](#)
8. Approve Right of Entry Agreement with Brookfield SoCal Land Constructors, LLC to Conduct

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Physical and Biological Surveys on City-Owned Properties in Connection with the Altair Development

Recommendation: That the City Council approve the right of entry agreement with the Brookfield SoCal Land Constructors, LLC to conduct physical and biological surveys on city-owned properties in connection with the Altair Development, identified by Assessor Parcel Numbers 922-210-057, 922-210-060, 922-210-063, and 922-210-059.

Attachments: [Agenda Report](#)  
[Right of Entry Agreement](#)

9. Award Construction Contract to Aster Construction Services for the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08

Recommendation: That the City Council:

1. Award a construction contract to Aster Construction Services, in the amount of \$550,822, for the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08; and
2. Authorize the City Manager to approve contract change orders up to 10% of the contract amount, \$55,082; and
3. Approve an appropriation of \$200,000 from Measure S to the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08; and
4. Make a finding that the Mary Phillips Senior Center Outdoor Recreational Area, PW22-08 is exempt from Multiple Species Habitat Conservation Plan fees.

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

10. Adopt Resolution Finding that Emergency Repairs Authorized by Resolution 2023-17 Pursuant to Public Contract Code Sections 20168 and 22050 Have Been Completed and There is No Longer a Need for the Emergency Authorization

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, DETERMINING THAT THE ACTIONS AUTHORIZED BY RESOLUTION NO. 2023-17 DECLARING AN EMERGENCY CONDITION AND DECLARING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRES CERTAIN WORK TO BE

PERFORMED WITHOUT COMPETITIVE BIDDING PURSUANT TO PUBLIC CONTRACT CODE SECTIONS 20168 AND 22050, AND BY RESOLUTION NOS. 2023-17, 2023-20, 2023-26, 2023-29, AND 2023-34 HAVE BEEN COMPLETED AND THERE IS NO LONGER A NEED FOR THE EMERGENCY AUTHORIZATION

**Attachments:**      [Agenda Report](#)  
[Resolution](#)

11.    Set Public Hearing to Approve Solid Waste and Recycling Rates for Commercial Customers for Fiscal Year 2023-24

Recommendation:    That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA SETTING A TIME AND PLACE FOR A PUBLIC HEARING IN CONNECTION WITH THE SOLID WASTE AND RECYCLING RATES FOR COMMERCIAL CUSTOMERS FOR FISCAL YEAR 2023-24

**Attachments:**      [Agenda Report](#)  
[Resolution](#)  
[Rate Schedule FY 2023-24](#)

**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 or by submitting an email to be included into the record. Email comments must be submitted to [CouncilComments@temeculaca.gov](mailto:CouncilComments@temeculaca.gov). Speaker cards for in-person comments will be called in the order received by the City Clerk. Email comments on all matters must be received prior to the time the item is called for public comments. All public participation is governed by the 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 or by submitting an email to be included into the record. Email comments must be submitted to [CouncilComments@temeculaca.gov](mailto:CouncilComments@temeculaca.gov). Speaker cards for in-person comments will be called in the order received by the City Clerk. Email comments on all matters must be received prior to the time the item is called for public comments. All public participation is governed by the Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

**12. Approve Action Minutes of April 25, 2023**

**Recommendation:** That the Board of Directors approve the action minutes of April 25, 2023.

**Attachments:** [Action Minutes](#)

**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, May 23, 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.

**SUCCESSOR AGENCY TO THE TEMECULA REDEVELOPMENT AGENCY - NO MEETING****TEMECULA HOUSING AUTHORITY - NO MEETING****TEMECULA PUBLIC FINANCING AUTHORITY**

**CALL TO ORDER: Chair Zak Schwank**

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

**TPFA PUBLIC COMMENT**

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 or by submitting an email to be included into the record. Email comments must be submitted to [CouncilComments@temeculaca.gov](mailto:CouncilComments@temeculaca.gov). Speaker cards for in-person comments will be called in the order received by the City Clerk. Email comments on all matters must be received prior to the time the item is called for public comments. All public participation is governed by the Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

**TPFA 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 Temecula Public Financing Authority 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 or by submitting an email to be included into the record. Email comments must be submitted to [CouncilComments@temeculaca.gov](mailto:CouncilComments@temeculaca.gov). Speaker cards for in-person comments will be called in the order received by the City Clerk. Email comments on all matters must be received prior to the time the item is called for public comments. All public participation is governed by the Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

**13. Approve Action Minutes of April 25, 2023**

**Recommendation:** That the Board of Directors approve the action minutes of April 25, 2023.

**Attachments:** [Action Minutes](#)

**TPFA EXECUTIVE DIRECTOR REPORT****TPFA BOARD OF DIRECTOR REPORTS****TPFA ADJOURNMENT**

The next regular meeting of the Temecula Public Financing Authority will be held on Tuesday, May 23,

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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****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, May 23, 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](http://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.