

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
JULY 25, 2023 - 6:00 PM**

CLOSED SESSION - 5:00 PM

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. The City Council will meet in closed session pursuant to Government Code Section 54956.8 regarding the acquisition of an approximate 594 square foot permanent easement for public utility and reclaimed water line purposes, and all uses necessary or convenient thereto (Subject Easement) and an approximate 722 square foot temporary construction easement with a term of six months (TCE) on the real property located at 40365 Margarita Road, Temecula, California, and identified as APN 920-080-020 ("Property") in connection with the Santa Gertrudis Creek Phase II Bike Trail Margarita Road Undercrossing Project, PW19-04. The Subject Easement is a small strip located within an existing easement in favor of Rancho California Water District (RCWD), except for a small portion located in a landscaped area on the Property directly adjacent to the RCWD easement. The approximate 722 square foot TCE is located directly adjacent to the Subject Easement and is needed for six months to facilitate the construction of the Project. The Property is owned by Longs Drugs Stores, Inc., a California corporation, and improved with a CVS Drug Store. The negotiating parties are the property owner Longs Drugs Stores, Inc., and the City of Temecula. Property Negotiators for the City are Patrick Thomas, William Becerra, and Melissa Mann, RWA of Epic Land Solutions, Inc. Under negotiations are price and terms of the acquisition of the Subject Easement and TCE.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. The City Council will meet in closed session pursuant to Government Code Section 54956.8 regarding 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. This acquisition is 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"). 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. Negotiators for the City are Patrick Thomas and Ron Moreno. Under negotiations are price and terms of the acquisition of these property interests.

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 four 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 and the City Council will decide whether to initiate litigation.

CALL TO ORDER: Mayor Zak Schwank

INVOCATION: Dr. Brenda Harper of AACTS International Ministries

FLAG SALUTE: Mayor Zak Schwank

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

BOARD / COMMISSION REPORTS

Planning 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. 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
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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 July 11, 2023

Recommendation: That the City Council approve the action minutes of July 11, 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 April 30, 2023

Recommendation: That the City Council approve and file the City Treasurer’s Report as of April 30, 2023.

Attachments: [Agenda Report](#)
[April Treasurer's Report](#)

5. Adopt Resolution to Establish the Amount of the Voter-Approved Measure C Annual Special Tax Levy 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 ESTABLISHING THE AMOUNT OF THE SPECIAL TAX LEVY FOR FISCAL YEAR 2023-24 TO PROVIDE FOR RECREATION AND HUMAN SERVICES PROGRAMS AND THE OPERATION, MAINTENANCE AND SERVICING OF PUBLIC PARKS AND RECREATIONAL FACILITIES, MEDIAN LANDSCAPING, AND ARTERIAL STREET LIGHTS AND TRAFFIC SIGNALS

Attachments: [Agenda Report Resolution](#)

6. Approve First Amendment to the Agreement with Bio Tox Laboratories, Inc. for Toxicology and Lab Services

Recommendation: That the City Council approve the First Amendment to the Agreement with Bio Tox Laboratories, Inc., to increase the payment in the amount of \$195,000 for a total agreement amount of \$445,000 and to extend the term to June 30, 2025.

Attachments: [Agenda Report Amendment](#)

7. Approve Agreement with Ultra Shine, Inc., for Janitorial Services for City Facilities for Fiscal Year 2023-24

Recommendation: That the City Council:

1. Approve an Agreement with Ultra Shine, Inc., in the amount of \$353,427, to provide Janitorial Services for City Facilities for Fiscal Year 2023-24; and
2. Approve contingency for extra work in the amount of \$35,343, which is approximately 10% of the Agreement amount.

Attachments: [Agenda Report Agreement](#)

8. Award Construction Contract to Select Electric, Inc., for Traffic Signal - System Upgrade (Protected/Permissive Signal Heads), PW19-09

Recommendation: That the City Council:

1. Award a construction contract to Select Electric, Inc., in the amount of \$497,500 for the Traffic Signal- System Upgrade (Protected/Permissive Signal Heads) Project, PW19-09; and
2. Authorize the City Manager to approve change orders not to exceed the contingency amount of \$49,750, which is equal to 10% of the contract amount; and
3. Approve a transfer of Measure S Funds from the Traffic Signal Equipment Enhancement Program-Citywide Project; to the Traffic Signal - System Upgrade (Protected/Permissive Signal Heads) Project, PW19-09, in the amount of \$130,000; and

4. Make a finding that the Traffic Signal - System Upgrade (Protected/Permissive Signal Heads) Project, PW19-09, is exempt from Multiple Species Habitat Conservation Plan fees.

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

9. Adopt Resolution Approving Purchase and Sale Agreement for the Purchase of Certain Real Property Interests on Real Property Located at 31249 Indian Summer Road in the City of Temecula (APN 957-090-022) in Connection with the Construction of Off-Site Improvements for the Proposed Extension of Nicolas Road from Butterfield Stage Road to the Calle Girasol/Nicolas Road Connection

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THAT CERTAIN PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS BETWEEN LAM NGO & HUYEN LAM TRAN AND THE CITY OF TEMECULA IN CONNECTION WITH THE CALLE GIRASOL/NICOLAS ROAD CONNECTION STREET AND DRAINAGE IMPROVEMENTS (PORTIONS OF APN 957-090-022) 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

- Attachments:** [Agenda Report](#)
 [Resolution](#)
 [Purchase and Sale Agreement](#)
 [Exhibit 1](#)
 [Exhibit 2](#)

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.

10. Approve Action Minutes of July 11, 2023

Recommendation: That the Board of Directors approve the action minutes of July 11, 2023.

Attachments: [Action 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.

11. Approve Temecula Community Services District Proposed Rates and Charges for Fiscal Year 2023-24

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 ADOPTING RATES AND CHARGES FOR SERVICE LEVEL B - RESIDENTIAL STREET LIGHTING, SERVICE LEVEL C - PERIMETER LANDSCAPING, SERVICE LEVEL D - RECYCLING AND REFUSE COLLECTION, AND SERVICE LEVEL R - EMERGENCY UNPAVED ROAD MAINTENANCE SERVICES FOR FISCAL YEAR 2023-24

Attachments: [Resolution](#)
[Engineer's Report](#)

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, August 8, 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. 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.

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. 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. Authorize Fiscal Year 2023-24 Special Tax Levies for the Community Facilities Districts

Recommendation: That the Board of Directors adopt the following resolutions entitled:

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 01-02 (HARVESTON)

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 03-06 (HARVESTON II)

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 03-01 (CROWNE HILL)

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 03-03 (WOLF CREEK)

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 03-02 (RORIPAUGH RANCH)

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 16-01 (RORIPAUGH RANCH PHASE 2)

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 19-01 (MUNICIPAL SERVICES)

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE

TEMECULA PUBLIC FINANCING AUTHORITY AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 20-01 (HEIRLOOM FARMS - MUNICIPAL SERVICES)

Attachments:

[Agenda Report](#)
[Resolution CFD 01-02 \(Harveston\)](#)
[CFD 01-02 Budget Report - Special Tax A & B \(Harveston\)](#)
[Resolution CFD 03-06 \(Harveston II\)](#)
[CFD 03-06 Budget Report \(Harveston II\)](#)
[Resolution CFD 03-01 \(Crowne Hill\)](#)
[CFD 03-01 Budget Report \(Crowne Hill\)](#)
[Resolution CFD 03-03 \(Wolf Creek\)](#)
[CFD 03-03 Budget Report \(Wolf Creek\)](#)
[Resolution CFD 03-02 \(Roripaugh Ranch\)](#)
[CFD 03-02 Budget Report \(Roripaugh Ranch\)](#)
[Resolution CFD 16-01 \(Roripaugh Ranch Phase 2\)](#)
[CFD 16-01 Exhibit A \(Roripaugh Ranch Phase 2\)](#)
[CFD 16-01 Budget Report \(Roripaugh Ranch Phase 2\)](#)
[Resolution CFD 19-01 \(Municipal Services\)](#)
[CFD 19-01 Exhibit A \(Municipal Services\)](#)
[CFD 19-01 Budget Report \(Municipal Services\)](#)
[Resolution CFD 20-01 \(Heirloom Farms - Municipal Services\)](#)
[CFD 20-01 Exhibit A \(Heirloom Farms – Municipal Services\)](#)
[CFD 20-01 Budget Report \(Heirloom Farms\)](#)

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, August 8, 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**PUBLIC HEARING**

Any person may submit written comments to the City Council 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 Council. The Mayor 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 Mayor 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. Adopt Weed Abatement Lien Resolution 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 ORDERING CONFIRMATION OF THE SPECIAL ASSESSMENTS AGAINST PARCELS OF LAND WITHIN THE CITY OF TEMECULA FOR COSTS OF ABATEMENT AND REMOVAL OF HAZARDOUS VEGETATION FOR FISCAL YEAR 2023-24

Attachments: [Agenda Report](#)
[Resolution](#)
[Exhibit A](#)
[Notice of Public Hearing](#)

14. Recommended Adoption of Resolution of Necessity for Acquisition by Eminent Domain of Certain Real Property Interests for Public Purposes on Assessor's Parcel Number 957-090-023 in Connection with the Construction of Public Street, Drainage, and Related Improvements, and all Uses Necessary or Convenient Thereto for the Proposed Extension of Nicolas Road from Butterfield Stage Road to the Calle Girasol/Nicolas Road Connection

Recommendation:

That the City Council take the following actions:

1. Consider the following Resolution, which is Resolution of Necessity of the City of Temecula, declaring certain real property interests necessary for public purposes and authorizing the acquisition thereof for public use in connection with the construction of public street, drainage, and related improvements, and all uses necessary or convenient thereto for the proposed extension of Nicolas Road from Butterfield Stage Road to the Calle Girasol/Nicolas Road Connection:

RESOLUTION NO. 2023-_____

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 IN CONNECTION WITH THE PUBLIC STREET, DRAINAGE, AND RELATED IMPROVEMENTS FOR THE NICOLAS ROAD FROM BUTTERFIELD STAGE ROAD TO THE CALLE GIRASOL/NICOLAS ROAD CONNECTION (CERTAIN PROPERTY INTERESTS ON APN 957-090-023) 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 Resolution 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 Resolution of Necessity.

3. If the City Council finds, based on the evidence contained and referred to in this Report, the testimony and comments submitted to the City Council, that the evidence warrants the necessary findings with respect to the proposed Resolution of Necessity, then City Staff recommends that the City Council, in the exercise of its discretion, adopt proposed Resolution No. 2023-_____ (“Resolution of Necessity”), which requires a 4/5ths vote of the entire City Council, authorizing the acquisition by eminent domain of the Subject Property Interests summarized below and described more particularly in the Exhibits to the Resolution of Necessity

(i) Isaac G. Navejar and Isabel L. Navejar – 39622 Liefer Road, Temecula (APN 957-090-023 – Navejar Parcel)

- An approximate 31,168 square foot temporary construction easement with a term of twelve months on the Navejar Parcel described more particularly on EXHIBIT A and depicted on EXHIBIT B to Resolution No. 2023-_____ with a covenant authorizing the construction of certain permanent rip-rap and related drainage improvements in portions of said approximate 31,168 square foot temporary construction easement area shown roughly on EXHIBIT C to Resolution No. 2023-_____.

The approximate 31,168 square foot temporary construction easement the City seeks to acquire on the Navejar Parcel with the covenant authorizing the construction of permanent rip-rap and related drainage improvements in portions of said 31,168 square foot area are referred to below collectively as the “Subject Property Interests.” The Subject Property Interests are located on the portions of the Navejar Property within the Long Valley Wash, a natural flood control channel.

4. If the City Council adopts the proposed Resolution of Necessity, authorize the City Attorney’s Office to file and prosecute an eminent domain proceeding 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 Resolution of Necessity.

Attachments: [Agenda Report](#)
[Resolution](#)
[Exhibits A, B, C](#)

DEPARTMENTAL REPORTS (RECEIVE AND FILE)

15. Fire Department Monthly Report

Attachments: [Agenda Report](#)
[May & June 2023 Monthly Report](#)

16. Police Department Monthly Report

Attachments: [Agenda Report](#)

17. Public Works Department Monthly Report

Attachments: [Agenda Report](#)
[Project Status Report](#)

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, August 8, 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.