

**ACTION MINUTES**

**TEMECULA CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS  
41000 MAIN STREET  
TEMECULA, CALIFORNIA  
DECEMBER 13, 2022 - 6:00 PM**

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

**INVOCATION: Minister Dale Willoughby of Abundant Life Apostolic Community Church**

**FLAG SALUTE: Mayor Matt Rahn**

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

**PRESENTATIONS - NONE**

**BOARD / COMMISSION REPORTS**

Community Services Commission and Planning Commission

**PUBLIC SAFETY REPORT**

California Department of Forestry and Fire Protection

**PUBLIC COMMENTS - NON-AGENDA ITEMS**

The following individual(s) addressed the City Council:

- Clara Asimakopoulos
- Ernest Bellenbaum
- Maria Arellano

**PUBLIC COMMENTS - AGENDA ITEMS**

The following individual(s) addressed the City Council:

- Mike Naggar (Item #14 and Item #19)
- Gillian Larson (Item #19)
- Stephen A. Bieri (Item #15)
- Mary Williams (Item #13)

The following individual(s) submitted an electronic comment:

- Shawn Nelson (Item #14)

**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 Stewart. 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 29, 2022

Recommendation: That the City Council approve the action minutes of November 29, 2022.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-92

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

4. Approve the Amended Salary Schedule to Include Minimum Wage Adjustments Effective January 1, 2023

Recommendation: That the City Council approve the Amended Salary Schedule to be effective January 1, 2023.

5. Adopt Amended and Restated City of Temecula Section 125 Cafeteria Plan and Adoption Agreement

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING THE AMENDED AND RESTATED CITY OF TEMECULA SECTION 125 CAFETERIA PLAN AND THE AMENDED AND RESTATED SECTION 125 CAFETERIA PLAN ADOPTION AGREEMENT

6. Adopt Resolution for Fire Mitigation Assistance Grant [Fairview Fire] Governing Body Designating Certain City Officials to Execute Applications and Documents for the Purposes of Obtaining Grant Funding Through the California Governor's Office of Emergency Services

Recommendation: That the City Council adopt resolution entitled:

RESOLUTION NO. 2022-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, DESIGNATING AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE APPLICATIONS AND DOCUMENTS FOR THE PURPOSES OF OBTAINING FEDERAL FINANCIAL ASSISTANCE FOR ANY EXISTING OR FUTURE

GRANT PROGRAM INCLUDE, BUT NOT LIMITED TO FEDERALLY DECLARED DISASTER (DR), FIRE MITIGATION ASSISTANCE GRANT (FMAG), CALIFORNIA STATE ONLY DISASTER (CDA), IMMEDIATE SERVICES PROGRAM (ISP), HAZARD MITIGATION GRANT PROGRAM (HMGP), BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC), FLOOD MITIGATION ASSISTANCE PROGRAM (FMA), AND NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM (NEHRP)

7. Adopt Resolution Approving the Funding Agreement for Removal of Debris Materials with Riverside County Flood Control and Water Conservation District

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE “FUNDING AGREEMENT - REMOVAL OF DEBRIS MATERIALS” BETWEEN THE CITY OF TEMECULA AND RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND DETERMINING THAT THE AGREEMENT IS EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15061 (B)(3) OF THE CEQA GUIDELINES

8. Approve Increase to the Construction Contingency Authorization for the Pavement Rehabilitation Program - Meadowview/Paloma Del Sol Project, PW21-06

Recommendation: That the City Council:

1. Approve an increase to the contingency for construction of the Pavement Rehabilitation Program - Meadowview/Paloma Del Sol Project, PW 21-06 by \$200,000; and
2. Increase the City Manager Authority to approve construction contract change orders by \$200,000.

9. Authorize the Purchase of Traffic Equipment for the Emergency Vehicle Pre-Emption Upgrade Program, Flashing Beacons & Speed Advisory Signs, and the Traffic Signal Equipment Enhancement Program for the Department of Public Works - Traffic Division

Recommendation: That the City Council authorize the purchase of traffic equipment for the Emergency Vehicle Pre-Emption Upgrade Program, Flashing Beacons & Speed Advisory Signs, and the Traffic Signal Equipment Enhancement Program for the Department of Public Works - Traffic Division, in the amount of \$600,000.

10. Approve Parcel Map 37510 (Located Approximately 130 Feet North of the Intersection of Main Street and Pujol Street on the East Side of Pujol Street)

Recommendation: That the City Council:

1. Approve Parcel Map 37510 in conformance with the Conditions of Approval; and
2. Approve the Subdivision Improvement Agreement with the developer; and
3. Approve the Subdivision Monumentation Agreement with the developer; and
4. Authorize the City Manager to execute the agreements on behalf of the City.

**RECESS:**

At 6:30 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and Successor Agency to the Temecula Redevelopment Agency. At 6:34 PM the City Council resumed with the remainder of the City Council Agenda.

**JOINT MEETING - CITY COUNCIL / TEMECULA PUBLIC FINANCING AUTHORITY**

**CITY COUNCIL / TPFA BUSINESS**

14. Approve the Debt/Liability Paydown Strategy (At the Request of Subcommittee Members Mayor Rahn and Council Member Edwards)

Recommendation: That the City Council/Board of Directors:

1. Adopt the Amended Budget and Fiscal Policies to include the Debt/Liability Paydown Strategy Policy; and
2. Adopt a resolution entitled:

RESOLUTION NO. 2022-96

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA AUTHORIZING THE PREPAYMENT OF FINANCING LEASE AGREEMENTS ENTERED INTO BY THE CITY OF TEMECULA IN 2011 AND 2018 RELATING TO THE FINANCING AND REFINANCING OF CAPITAL PROJECTS FOR THE CITY AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO

3. Adopt a resolution entitled:

RESOLUTION TPFA NO. 2022-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY APPROVING THE PREPAYMENT OF FINANCING LEASE AGREEMENTS ENTERED INTO BY THE CITY OF TEMECULA IN 2011 AND 2018

RELATING TO THE FINANCING AND REFINANCING OF CAPITAL PROJECTS FOR THE CITY AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO

4. Adopt a resolution entitled:

RESOLUTION NO. 2022-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, AUTHORIZING THE TRANSFER OF \$5,000,000 FROM THE CITY'S PENSION RATE STABILIZATION TRUST TO MAKE AN ADDITIONAL DISCRETIONARY PAYMENT TO CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

5. Appropriate \$19,913,606 in Available General Fund Balance to pay off the Civic Center Loan (\$12,624,607), the Margarita Recreation Center Loan (\$5,038,999) and pay an Additional Discretionary Payment to CalPERS for the City's Unfunded Liability (\$2,250,000); and

6. Appropriate \$5,000,000 in Available Pension Trust Funds to pay an Additional Discretionary Payment to CalPERS for the City's Unfunded Liability.

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

**CITY COUNCIL / TPFA ADJOURNMENT**

**RECONVENE TEMECULA CITY COUNCIL**

**PUBLIC HEARING**

15. Approve Second Amendment to the Development Agreement By and Between the City of Temecula and Lennar Homes, Inc., a California Corporation and Winchester Hills I LLC, a California Limited Liability Company (Planning Application No. PA21-0128)

Recommendation: That the City Council conduct a public hearing and approve a second amendment to the development agreement by and between the City of Temecula and Lennar Homes, Inc., a California Corporation and Winchester Hills I LLC, a California Limited Liability Company (Planning Application No. PA21-0128) and introduce and read by title only an ordinance entitled:

ORDINANCE NO. 2022-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF TEMECULA AND LENNAR HOMES, INC., A CALIFORNIA CORPORATION AND WINCHESTER HILLS I LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND MAKING A

FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PLANNING APPLICATION NO. PA21-0128)

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

**16. Receive and File Assembly Bill (AB) 1600 Financial Reports - Fiscal Year 2021-22 Development Impact Fee Expenditures**

Recommendation: That the City Council conduct a public hearing and receive and file Assembly Bill (AB) 1600 Financial Reports - Fiscal Year 2021-22 Development Impact Fee Expenditures.

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

**BUSINESS**

**17. Receive Status Update and Provide Final Direction on the Public Recognitions Policy (At the Request of Subcommittee Members Alexander and Stewart)**

Recommendation: That the City Council receive a status update and provide final direction on the City's Public Recognition Policy.

Motion #1 – Motion to continue presenting inclusionary proclamations at City Council meetings and consider annual proclamation in January as a Consent Calendar item (4-1): Motion by Edwards, Second by Schwank. The vote reflected unanimous approval with Alexander opposing.

Motion #2 – Motion to not permit resolutions of principle (4-1): Motion by Edwards, Second by Stewart. The vote reflected unanimous approval with Alexander opposing.

**18. Approve Amendment No. 5 to City Manager Aaron Adams' Employment Agreement**

Recommendation: That the City Council approve Amendment No. 5 to City Manager Aaron Adams' Employment Agreement.

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

**19. Accept the November 8, 2022 General Municipal Election Declaration of Results and Conduct Swearing-In Ceremony**

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA RECITING THE FACT OF THE GENERAL

MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2022,  
DECLARING THE RESULTS AND SUCH OTHER MATTERS AS  
PROVIDED BY LAW

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

**20. Appoint the Mayor, Mayor Pro Tempore, President, Vice-President for Calendar Year 2023**

Recommendation: That the City Council/Board of Directors:

1. Appoint the Mayor and Mayor Pro Tempore, effective January 1, 2023, to serve in this capacity until December 31, 2023; and
2. Appoint the President and Vice-President, effective January 1, 2023 to serve in this capacity until December 31, 2023.

Motions were made and approved with new City Council members.

Approved to appoint Zak Schwank as Mayor (5-0): Motion by Stewart, Second by Alexander. The vote reflected unanimous approval.

Approved to appoint James Stewart as Mayor Pro Tempore (5-0): Motion by Schwank, Second by Brown. The vote reflected unanimous approval.

Approved to appoint James Stewart as TCSD President (5-0): Motion by Schwank, Second by Brown. The vote reflected unanimous approval.

Approved to appoint Jessica Alexander as TCSD Vice President (5-0): Motion by Kalfus, Second by Stewart. The vote reflected unanimous approval.

**ITEMS FOR FUTURE CITY COUNCIL AGENDAS**

**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

**ADJOURNMENT**

At 9:38 PM, the City Council meeting was formally adjourned to Tuesday, January 10, 2023, 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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Zak Schwank, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]