

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  
JANUARY 24, 2023 - 6:00 PM**

**CALL TO ORDER: Mayor Zak Schwank**

**INVOCATION: Jim Willis of Center for Spiritual Living Temecula Valley**

**FLAG SALUTE: Mayor Zak Schwank**

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

### **PRESENTATIONS**

Presentation of National Mentoring Month Proclamation to Boys and Girls Club of Southwest County  
Presentation of 2022 MISAC Excellence in Information Technology Award  
Presentation of Service Pin to Mayor Zak Schwank for 10 Years of Service

### **BOARD / COMMISSION REPORTS**

Race, Equity, Diversity and Inclusion Commission

### **PUBLIC SAFETY REPORT**

California Department of Forestry and Fire Protection

### **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 read aloud into the record at the meeting. 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 and then, if time remains, email comments will be read. 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 read aloud into the record at the meeting. 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 and then, if time remains, email comments will be read. 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 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.

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

**2. Approve Action Minutes of January 10, 2023**

**Recommendation:** That the City Council approve the action minutes of January 10, 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. Adopt Resolution Making Certain Additional Findings Supporting Amendments to the 2022 California Fire Code**

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE CALIFORNIA FIRE CODE, 2022 EDITION, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL AND/OR TOPOGRAPHICAL CONDITIONS

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

5. Adopt Resolution Making Certain Additional Findings Supporting Amendments to the 2022 California Building Codes

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE 2022 CALIFORNIA BUILDING CODE; CALIFORNIA MECHANICAL CODE; CALIFORNIA PLUMBING CODE; CALIFORNIA ELECTRICAL CODE; AND CALIFORNIA RESIDENTIAL CODE, AS ADOPTED BY THE CITY OF TEMECULA, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL AND/OR TOPOGRAPHICAL CONDITIONS

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

6. Approve Fourth Amendment to Agreement with David Evans and Associates, Inc. for the Diaz Road Expansion Project, PW17-25

Recommendation: That the City Council:

1. Approve the fourth amendment to the agreement with David Evans and Associates, Inc., in the amount of \$120,000, for additional contingency in support of the professional design and environmental services of the Diaz Road Expansion Project, PW17-25; and

2. Increase the City Manager’s authority to approve extra work authorizations by \$120,000.

**Attachments:**      [Agenda Report](#)  
[Amendment](#)  
[Project Description](#)

7. Approve Increase to Construction Contingency Authorization for the Citywide Concrete Repairs - Fiscal Year 2021-22, PW22-01

Recommendation:      That the City Council:

1. Approve an increase to the contingency for construction of the Citywide Concrete Repairs - Fiscal Year 2021-22, PW22-01 by \$40,000; and
2. Increase the City Manager's authority to approve construction contract change orders by \$40,000.

**Attachments:**      [Agenda Report](#)  
[Additional Work Locations Map](#)

8. Approve Increase to Construction Contingency Authorization for the Pavement Rehabilitation Program - Citywide, Ynez Road, Solana Way, Nicolas Road and Winchester Road Project, PW21-10

Recommendation:      That the City Council:

1. Approve an increase to the contingency for construction of the Pavement Rehabilitation Program - Citywide, Ynez Road, Solana Way, Nicolas Road and Winchester Road, PW21-10 by \$913,400; and
2. Increase the City Manager's authority to approve construction contract change orders by \$913,400.

**Attachments:**      [Agenda Report](#)  
[Project Description](#)  
[Project Locations - Original Scope](#)  
[Project Location - Additional Nicolas Road Segment](#)

9. Approve Increase to Contingency for Extra Work for Additional Landscape Maintenance Services with Nieves Landscape, Inc.

Recommendation:      That the City Council approve an increase to contingency for extra work for additional Landscape Maintenance Services with Nieves Landscape, Inc., in the amount of \$150,000 for Fiscal Year 2022-2023.

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

10. Approve Water Quality Management Plan Alternative Compliance Agreement and Authorize the City Manager to Execute 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 AND AUTHORIZING THE CITY MANAGER TO EXECUTE WATER QUALITY MANAGEMENT PLAN ALTERNATIVE COMPLIANCE AGREEMENTS ON BEHALF OF THE CITY

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

11. Accept Easements Dedicated to Public in Connection with Long Valley Wash Channel and Authorize Quitclaim of Easements to Riverside County Flood Control and Water Conservation District

Recommendation: That the City Council adopt the following resolutions entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, ACCEPTING CERTAIN EASEMENTS DEDICATED TO THE PUBLIC PURSUANT TO DECLARATIONS OF DEDICATION RECORDED ON JULY 26, 1989 AS INSTRUMENT NUMBERS 249221, 249222, AND 249223 IN CONNECTION WITH THE LONG VALLEY WASH CHANNEL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, APPROVING THREE QUITCLAIM DEEDS CONVEYING TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT CERTAIN EASEMENTS DEDICATED TO THE PUBLIC PURSUANT TO DECLARATIONS OF DEDICATION RECORDED ON JULY 26, 1989 AS INSTRUMENT NUMBERS 249221, 249222, AND 249223 IN CONNECTION WITH THE LONG VALLEY WASH CHANNEL

Attachments: [Agenda Report](#)  
[Resolution - Accepting Easements](#)  
[Cooperative Agreement](#)  
[Resolution - Approving Quitclaim Deeds](#)  
[Quitclaim Deed for Tract Map 22716-1](#)  
[Quitclaim Deed for Parcel Map 26766](#)  
[Quitclaim Deed for Parcel Maps 22513 and 38110](#)

12. Accept Improvements and File the Notice of Completion for the Butterfield Stage Road Extension - Phase III, PW15-11

Recommendation: That the City Council:

1. Accept the construction of the Butterfield Stage Road Extension - Phase III, PW15-11, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion and 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](#)
- [Project Description](#)
- [Project Location](#)
- [Contractor's Affidavit & 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 or by submitting an email to be read aloud into the record at the meeting. 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 and then, if time remains, email comments will be read. 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 read aloud into the record at the meeting. 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 and then, if time remains, email comments will be read. 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 January 10, 2023**

**Recommendation:** That the Board of Directors approve the action minutes of January 10, 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

read aloud into the record at the meeting. 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.

**14. Approve Ratification of Election Results for Tract Map Numbers 37341-1 through 37341-10, within Sommers Bend, to Service Level B (Residential Street Lights) Rates and Charges (Located on East Side 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, February 14, 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 - NO MEETING****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 read aloud into the record at the meeting. Email comments must be submitted to [CouncilComments@temeculaca.gov](mailto: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.

15. Conduct Public Hearing to Consider Extension of Interim Urgency Ordinance Enacted Pursuant to Government Code Section 65858 Establishing Emergency Regulations Related to Urban Lot Splits and Housing Units Built in Accordance with Senate Bill 9, Declaring the Urgency Thereof and Making Determination of Exemption Pursuant to Government Code Section 65852.21(j) and California Environmental Quality Act Guidelines Section 15061(b)(3)

Recommendation: That the City Council adopt an ordinance, by a 4/5 vote, extending Interim Urgency Ordinance No. 2022-03 entitled:

ORDINANCE NO.

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, EXTENDING INTERIM URGENCY ORDINANCE NO. 2022-03, ESTABLISHING EMERGENCY REGULATIONS PURSUANT TO GOVERNMENT

CODE SECTION 65858 ON URBAN LOT SPLITS AND HOUSING UNITS BUILT IN ACCORDANCE WITH SENATE BILL 9, AND MAKING A DETERMINATION OF EXEMPTION PURSUANT TO GOVERNMENT CODE SECTION 65852.21(J) AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15061(B)(3)

**Attachments:**

[Agenda Report](#)

[Ordinance - Extension](#)

[Ordinance No. 2022-03](#)

[February 22, 2022 Agenda Report to City Council](#)

[January 10, 2023 Alleviation Agenda Report to City Council](#)

[Senate Bill 9](#)

**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 or by submitting an email to be read aloud into the record at the meeting. 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 and then, if time remains, email comments will be read. 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.

**16. Introduce Ordinance Amending Section 10.28.010(D) of the Temecula Municipal Code Regarding Prima Facie Speed Limits on Certain Streets**

Recommendation: That the City Council introduce and read by title only an ordinance entitled:

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA, AMENDING SECTION 10.28.010(D) OF THE TEMECULA MUNICIPAL CODE REGARDING PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS

**Attachments:**

[Agenda Report](#)

[Ordinance](#)

[Summary of Recommended Speed Limits](#)

**DEPARTMENTAL REPORTS**17. Community Development Department Monthly Report

**Attachments:**        [Agenda Report](#)  
                                  [Planning Activity Report](#)

18. Fire Department Monthly Report

**Attachments:**        [Agenda Report](#)  
                                  [Fire Department Report](#)

19. 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 unless extended by a majority vote of the City Council. No substantive discussion on the subject of the motion may occur. General discussion amongst the City Council on items listed under this section of the agenda shall be limited to 15 minutes. 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.

1. Consider Creation of Ad Hoc Subcommittee to Discuss Temecula Police Department (At the Request of Mayor Pro Tempore Stewart)
2. Consider Creation of Ad Hoc Subcommittee to Discuss Temecula Fire Department (At the Request of Council Member Kalfus)
3. Consider Establishment of Term Limits for City Council Members (At the Request of Council Member Kalfus)

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

**ADJOURNMENT**

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**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.