

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  
FEBRUARY 28, 2023 - 6:00 PM**

**CALL TO ORDER: Mayor Zak Schwank**

**INVOCATION: Sylvester Scott of Baha'is of Temecula**

**FLAG SALUTE: Mayor Zak Schwank**

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

### **PRESENTATIONS**

David Showalter of Eide Bailly Regarding City's Annual Comprehensive Financial Report

### **ANNUAL JOINT MEETING - CITY COUNCIL AND PLANNING COMMISSION**

### **BOARD / COMMISSION REPORTS**

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

### **PUBLIC SAFETY REPORT**

County of Riverside, Fire Department (CAL FIRE)

### **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 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 February 14, 2023

Recommendation: That the City Council approve the action minutes of February 14, 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 First Amendment to Agreement with Proactive Fire Design & Consulting, Inc., for Fire Department Plan Review Service for Fiscal Year 2022-23

Recommendation: That the City Council approve the first amendment to the annual agreement with Proactive Fire Design & Consulting, Inc., for Fire Department Plan Review Service for Fiscal Year 2022-23, in the amount

of \$25,000, for a total agreement amount of \$505,000.

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

5.      Approve Consultant Agreement with Community Works Design Group for the Ronald Reagan Sports Park Skate Park, PW22-07

Recommendation:

That the City Council:

1. Approve a consultant agreement with Community Works Design Group in the amount of \$213,823, for the Ronald Reagan Sports Park Skate Park, PW22-07; and
2. Authorize the City Manager to approve extra work authorizations not to exceed the contingency amount of \$21,382.30, which is equal to 10% of the agreement amount.

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

6.      Approve Agreements for On-Call Excavation, Backfill, and Grading Maintenance Services for Fiscal Years 2023-2028

Recommendation:

That the City Council approve agreements for on-call excavation, backfill, and grading maintenance services for Fiscal Years 2023-2028 with Miko Mountain Lion, Inc., and NPG, Inc., in the amount of \$1,000,000 each for the total term of the agreement.

**Attachments:**      [Agenda Report](#)  
                                 [Agreement - Miko Mountain Lion, Inc.](#)  
                                 [Agreement - NPG, Inc.](#)

7.      Approve Increase to the Professional Services Contingency Authorization for the Margarita Recreation Center Project, PW17-21

Recommendation:

That the City Council:

1. Approve an increase to the contingency for professional services for the Margarita Recreation Center Project, PW17-21 by \$150,000; and
2. Increase the City Manager’s authorized contingency by \$150,000.

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

8. Approve Plans and Specifications and Authorize Solicitation of Construction Bids for the Mary Phillips Senior Center Outdoor Recreational Area Project, PW22-08

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Mary Phillips Senior Center Outdoor Recreational Area Project, PW22-08; and
2. Make a finding that this project is exempt from NEPA per CFR 24, Section 58.34(a)(12), Categorical Exclusions; and
3. Make a finding that this project is exempt from CEQA per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

Attachments: [Agenda Report](#)  
[Project Description](#)  
[Project Location](#)

9. Accept Improvements and File Notice of Completion for Santa Gertrudis Pedestrian/Bicycle Trail Extension and Interconnect Project, PW08-04

Recommendation: That the City Council:

1. Accept the construction of the Santa Gertrudis Pedestrian/Bicycle Trail Extension and Interconnect Project, PW08-04; and
2. Direct the City Clerk to file and record the Notice of Completion, release Performance Bond, and accept a one-year maintenance bond in the amount of 10% of the final contract amount; and
3. Release Labor and Materials Bond seven months after filing the Notice of Completion if no liens have been filed.

Attachments: [Agenda Report](#)  
[Notice of Completion](#)  
[Contractor's Affidavit and Final Release](#)  
[Maintenance Bond](#)

**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.

**10. Approve Action Minutes of February 14, 2023**

**Recommendation:** That the Board of Directors approve the action minutes of February 14, 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, March 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**

**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 read aloud into the record at the meeting. 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 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.

**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 read aloud into the record at the meeting. 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 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.

**11. Approve Action Minutes of February 14, 2023**

**Recommendation:** That the Board of Directors approve the action minutes of February 14, 2023.

**Attachments:** [Joint 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, March 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.



**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. 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.

12. Adopt Ordinance Amending Title 5 and 17 of the Temecula Municipal Code Pertaining to Massage Establishment, Accessory Dwelling Unit, Car Wash, Flag Pole Height Limits, Conditional Use Permits, Parking Garage Standards, Open Space Zoning Designation, Live Entertainment, Alcoholic Beverage Manufacturer, and Active and Passive Recreation and Find that this Ordinance is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061 (b)(3)

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING TITLE 5 AND 17 OF THE TEMECULA MUNICIPAL CODE, MAKING MINOR REVISIONS TO MASSAGE ESTABLISHMENTS, ACCESSORY DWELLING UNIT (ADU), CAR WASH, FLAG POLE HEIGHT LIMITS, AND CONDITIONAL USE PERMITS (CUP'S), ESTABLISHES PARKING GARAGE STANDARDS, CLARIFIES PERMITTED USES IN THE OPEN SPACE ZONING DESIGNATION, IMPLEMENTS THE PROVISIONS OF THE LIVE ENTERTAINMENT ORDINANCE (ORDINANCE NO. 2022-06) FOR PLANNED DEVELOPMENT OVERLAY ZONES 4 AND 10, MODIFY THE DEFINITION OF ALCOHOLIC BEVERAGE

MANUFACTURER, AND ADD DEFINITIONS FOR ACTIVE AND PASSIVE RECREATION, AND FIND THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061 (B)(3)

**Attachments:**     [Agenda Report](#)  
                               [Ordinance](#)  
                               [PC Resolution No. 2022-34](#)  
                               [Notice of Public Hearing](#)  
                               [Notice of Exemption](#)

## **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.

### **13.     Review Fiscal Year 2023-24 Budget Policies and Priorities**

**Recommendation:**     That the City Council review the Fiscal Year 2023-24 Budget Policies and Priorities and provide feedback on Fiscal Policy Metrics.

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

### **14.     Adopt Resolution Submitting to the Voters a Ballot Measure that Proposes to Establish Term Limits for City Council Members**

**Recommendation:**     That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA SUBMITTING TO THE VOTERS AT THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION A MEASURE THAT PROPOSES ADOPTION OF AN ORDINANCE TO ESTABLISH TERM LIMITS, REQUESTING THAT SUCH ELECTION BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION HELD ON THAT DATE, AND TAKING CERTAIN OTHER ACTIONS

**Attachments:**         [Agenda Report](#)  
                               [Resolution](#)  
                               [Exhibit A - Proposed Ordinance](#)

**DEPARTMENTAL REPORTS (RECEIVE AND FILE)**15. City Council Travel/Conference Report

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

16. Community Development Department Monthly Report

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

17. Fire Department Monthly Report

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

18. 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 Rent Control Ordinance for Affordable Housing (At the Request of Council Member Stewart)
  4. Consider the Process for Placement of Future Agenda Items (At the Request of Mayor Schwank)
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**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

**ADJOURNMENT**

The next regular meeting of the City Council will be held on Tuesday, March 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.

**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.