

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 14, 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 certain property interests, including certain permanent maintenance and access easements, temporary construction easements with a term of twelve months, covenants for construction of certain permanent improvements, and a conservation easement on four properties described below 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”). Negotiators for the City are Patrick Thomas and Ron Moreno. The negotiators for the respective real property interests are set forth below.

(i) The acquisition of certain property interests from the real property located at 31270 Tommy Lane in the City of Temecula (APN 957-150-005). Specifically, the City seeks to acquire an approximate 31,520 square foot temporary construction easement with a term of 12 months and an approximate 26,957 square foot permanent maintenance and access easement. The negotiating parties are the City of Temecula and the property owners Jose Leonardo Garcia and Mayerling Alida Monteros-Garcia. Under negotiations are price and terms of the acquisition of these property interests.

(ii) The acquisition of certain property interests from the real property located at 39280 Deputy Road in the City of Temecula (APN 957-090-019). Specifically, the City seeks to acquire an approximate 29,630 square foot temporary construction easement with a term of 12 months, covenant authorizing the construction of certain permanent improvements in portions of that 29,630 square foot area, an approximate 16,956 square foot permanent maintenance and access easement, and a public utility easement. The negotiating parties are the City of Temecula and the property owners Sohan Singh and Kuldip Kaur Singh. Under negotiations are price and terms of the acquisition of these property interests.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. The City Council will meet in closed session pursuant to Government Code Section 54956.8 regarding negotiations for the acquisition of the property interests of Rancon Commerce Center Phases 2, 3, & 4, Inc., a California non-profit mutual benefit corporation in the following parcels in connection with the Overland Drive Extension Project, PW16-06:

(i) Real property owned by the City of Temecula. The subject real property is commonly known as 27499 Commerce Center Drive, City of Temecula, California, and is identified as Riverside County

Assessor's Parcel Number 921-480-031. The negotiating parties are the City of Temecula and the Board of Directors of the Rancon Commerce Center Phases 2, 3, & 4, Inc. Association.

(ii) Real property owned by the City of Temecula. The subject real property is commonly known as 27495 Enterprise Circle West, City of Temecula, California, and is identified as Riverside County Assessor's Parcel Number 921-480-013. The negotiating parties are the City of Temecula and the Board of Directors of the Rancon Commerce Center Phases 2, 3, & 4, Inc. Association.

(iii) Real property owned by the City of Temecula. The subject real property is commonly known as 27498 Enterprise Circle West, City of Temecula, California, and is identified as Riverside County Assessor's Parcel Number 921-480-020. The negotiating parties are the City of Temecula and the Board of Directors of the Rancon Commerce Center Phases 2, 3, & 4, Inc. Association. The City negotiators for each of these real property interests are Patrick Thomas and Amer Attar. Under negotiation are the price and terms.

**CALL TO ORDER: Mayor Zak Schwank**

**INVOCATION: Antonio Madrigal of The Eschatologist**

**FLAG SALUTE: Mayor Zak Schwank**

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

**PRESENTATIONS**

Presentation of Riverside County Sheriff's Department CORE Team  
Presentation to 2022 Retired Board and Commission Members

**BOARD / COMMISSION REPORTS**

Planning Commission, Public/Traffic Safety Commission, Race, Equity, Diversity and Inclusion 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 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.

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**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 24, 2023**

**Recommendation:** That the City Council approve the action minutes of January 24, 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 Ordinance No. 2023-02 Amending Section 10.28.010(D) of the Temecula Municipal Code Regarding Prima Facie Speed Limits on Certain Streets (Second Reading)**

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 2023-02

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](#)

5. Approve Fiscal Year 2022-23 Mid-Year Budget Adjustments

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

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, AMENDING THE FISCAL YEAR 2022-23 ANNUAL OPERATING BUDGET

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING THE CAPITAL IMPROVEMENT PROGRAM FISCAL YEARS 2023-27 AND AMENDING THE CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR 2022-23

Attachments: [Agenda Report](#)  
[Summary of FY 2022-23 Mid-Year Requests](#)  
[Resolution - Annual Operating Budget](#)  
[Exhibits A-C - Annual Operating Budget](#)  
[Resolution - Capital Improvement Program](#)  
[Exhibit 1 - Capital Improvement Program](#)

6. Approve U.S. House of Representatives District Office Lease Amendment at the Temecula Civic Center

Recommendation: That the City Council approve U.S. House of Representatives District Office Lease Amendment at the Temecula Civic Center in substantially the form as attached.

Attachments: [Agenda Report](#)  
[Amendment](#)  
[District Map](#)

7. Approve License Agreement with SAFE Alternatives for Everyone, Inc. for Use of City Real Property

Recommendation: That the City Council approve the license agreement between the City of Temecula and SAFE Alternatives for Everyone, Inc. (S.A.F.E.) for use of City Real Property.

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

8. Approve Second Amendment with San Diego State University Foundation for the Radio Communication Site Lease

Recommendation: That the City Council approve the second amendment with San Diego State University Foundation for the Radio Communication Site Lease extending the annual term for an additional three years, a 3% rent increase and a change in the insurance requirements, for a total contract amount of \$80,982.12.

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

9. Approve Agreement with Rancon Commerce Center Phases 2, 3 & 4, Inc. in Connection with Overland Drive Extension Project - PW16-06

Recommendation: That the City Council:

1. Adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING AGREEMENT BETWEEN CITY OF TEMECULA AND RANCON COMMERCE CENTER PHASES 2, 3 & 4, INC. IN CONNECTION WITH OVERLAND DRIVE EXTENSION PROJECT, PW16-06

2. Authorize the City Manager to approve and execute the agreement between City of Temecula and Rancon Commerce Center Phases 2, 3 & 4, Inc. in Connection with Overland Drive Extension Project, PW 16-06 in substantially the form attached to the agenda report, and take all necessary actions to effectuate the transactions described in the agreement.

- Attachments:**      [Agenda Report](#)  
[Resolution](#)  
[Agreement with Exhibits](#)  
[Project Description](#)  
[Project Location Map](#)

10.    Approve Mitigation Credit Purchase Agreement and Acknowledgement with RBV Mitigation Credits, LLC for the Santa Gertrudis Creek Trail Phase II - Margarita Road Undercrossing, PW19-04

**Recommendation:**    That the City Council approve the mitigation credit purchase agreement and acknowledgement between RBV Mitigation Credits, LLC and the City of Temecula for the purchase of mitigation credits with Barry Jones Wetland Mitigation Bank, in the amount of \$31,350 for the Santa Gertrudis Creek Trail Phase II - Margarita Road Undercrossing, PW19-04.

- Attachments:**      [Agenda Report](#)  
[Purchase Agreement](#)  
[CIP Budget Sheet](#)

11.    Award Construction Contract to LDCo, Inc. for the Mary Phillips Senior Center Enhancement and Renovation, PW20-13

**Recommendation:**    That the City Council:

1. Award a construction contract to LDCo, Inc., in the amount of \$1,286,000, for the Mary Phillips Senior Center Enhancement and Renovation, PW20-13; and
2. Authorize the City Manager to approve contract change orders up to 25% of the contract amount, \$321,500; and
3. Make a finding that the Mary Phillips Senior Center Enhancement and Renovation, PW20-13 project is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

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

12.    Accept Improvements and File the Notice of Completion for Ronald Reagan Sports Park Restroom Expansion and Renovation Project, PW18-03

**Recommendation:**    That the City Council:

1. Accept the Design, Fabrication, Purchase and Installation of the

Ronald Reagan Sports Park Restroom Expansion and Renovation Project, PW18-03 by Public Restroom Company as complete; and

2. Direct the City Clerk to file and record the Notice of Completion for Public Restroom Company; and

3. Release Public Restroom Company's Labor and Materials Bond seven months after filing the Notice of Completion if no liens have been filed; and

4. Accept the construction of the Ronald Reagan Sports Park Restroom Expansion and Renovation Project, PW18-03; as complete; and

5. Direct the City Clerk to file and record the Notice of Completion for IE General Engineering Inc. and release the performance bond; and

6. Release IE General Engineering Inc.'s Labor and Materials Bond seven months after filing the Notice of Completion if no liens have been filed.

**Attachments:**

[Agenda Report](#)

[Notice of Completion - The Public Restroom Company](#)

[Contractor's Affidavit & Final Release - The Public Restroom Company](#)

[Notice of Completion - IE General Engineering, Inc.](#)

[Contractor's Affidavit & Final Release - IE General Engineering, Inc.](#)

[Project Description](#)

[Project Location Map](#)

**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 24, 2023**

**Recommendation:** That the Board of Directors approve the action minutes of January 24, 2023.

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

**14. Approve Fiscal Year 2022-23 TCSD Mid-Year Budget Adjustments**

**Recommendation:** That the TCSD Board of Directors adopt the following resolution entitled:

RESOLUTION NO. CSD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA COMMUNITY SERVICES DISTRICT OF THE CITY OF TEMECULA AMENDING THE FISCAL YEAR 2022-23 ANNUAL



OPERATING BUDGETS

**Attachments:**

[Agenda Report](#)

[Summary of FY 2022-23 Mid-Year Requests](#)

[Resolution](#)

[Exhibit A](#)

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

**CALL TO ORDER: Chair/Mayor 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/CITY COUNCIL 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 Chair 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 Chair 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. Approve Issuance of Special Tax Bonds for Temecula Public Financing Authority Community Facilities District No. 16-01 (Roripaugh Ranch Phase 2)**

Recommendation: That the City Council/Board of Directors hold a public hearing relating to the proposed issuance of special tax bonds for the Temecula Public Financing Authority Community Facilities District No. 16-01 (Roripaugh Ranch Phase 2), and adopt the resolutions entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA MAKING FINDINGS WITH RESPECT TO AND APPROVING THE ISSUANCE OF BONDS BY THE TEMECULA PUBLIC FINANCING AUTHORITY

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS FOR THE TEMECULA PUBLIC FINANCING AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 16-01 (RORIPAUGH RANCH PHASE 2), AND APPROVING RELATED DOCUMENTS AND ACTIONS

Attachments: [Agenda Report](#)  
[Resolution - City](#)  
[Resolution - TPFA](#)  
[Amended and Restated Fiscal Agent Agreement](#)  
[Bond Purchase Agreement](#)  
[Preliminary Official Statement](#)

**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, February 28, 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.

16. Adopt Resolutions of Necessity for Acquisition by Eminent Domain of Certain Real Property Interests for Public Purposes on Assessor's Parcel Numbers 957-150-005 and 957-090-019 in Connection with the Construction of Public Street, Drainage, Access 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:

1. Consider the following Resolutions, which are Resolutions 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, access, public utility 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.

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, ACCESS AND RELATED IMPROVEMENTS FOR THE NICOLAS ROAD FROM BUTTERFIELD STAGE ROAD TO THE CALLE GIRASOL/NICOLAS ROAD CONNECTION (CERTAIN PROPERTY INTERESTS ON APN 957-150-005) 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

RESOLUTION NO.

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, ACCESS AND RELATED IMPROVEMENTS FOR THE NICOLAS ROAD FROM BUTTERFIELD STAGE ROAD TO THE CALLE GIRASOL/NICOLAS ROAD CONNECTION (CERTAIN PROPERTY INTERESTS ON APN 957-090-019) 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 Resolutions 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 Resolutions of Necessity, each of which requires the City Council’s separate consideration and determination.

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 Resolutions of Necessity, then City Staff recommends that the City Council, in the exercise of its discretion, adopt proposed Resolutions of Necessity, each of 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 each Resolution of Necessity:

(i) Jose Leonardo Garcia & Mayerling Alida Monteros-Garcia – 31270 Tommy Lane, Temecula (APN 957-150-005 – Garcia Parcel)

·An approximate 26,957 square foot permanent maintenance and access easement described more particularly on ATTACHMENT A and depicted on ATTACHMENT B.

·An approximate 31,520 square foot temporary construction easement with a term of twelve months is described more particularly on ATTACHMENT A-1 and depicted on ATTACHMENT B-1.

The approximate 26,957 square foot permanent maintenance and access easement and the approximate 31,520 square foot temporary construction easement the City seeks to acquire on the Garcia Parcel are referred to below collectively as the “Garcia Property Interests”. The Garcia Property Interests are located on the portions of the Garcia Property within the Long Valley Wash, a natural flood control channel.

(ii) Sohan Singh and Kuldip Kaur Singh – 39280 Deputy Road, Temecula (APN 957-090-019 – Singh Parcel)

·An approximate 16,956 square foot permanent maintenance and access easement described more particularly on ATTACHMENT C and depicted on ATTACHMENT D.

·An approximate 648.59 square foot public utility easement in favor of Southern California Edison described more particularly on ATTACHMENT C-1 and depicted on ATTACHMENT D-1.

·An approximate 29,630 square foot temporary construction easement with a term of twelve months to facilitate the construction of the Project with a covenant that would authorize the construction of certain rip-rap and related improvements to protect the related street and drainage improvements from erosion and flooding and to construct an access driveway to the Nicolas Road improvements described more particularly on ATTACHMENT C-2 and depicted on ATTACHMENT D-2.

The approximate 16,956 square foot permanent maintenance and access easement and the approximate 29,630 square foot temporary construction easement with a term of twelve months with a covenant that would authorize the construction of certain drainage, rip-rap and related improvements to protect the related street and drainage improvements from erosion and flooding and to construct an access driveway to the Nicolas Road improvements, and the approximate 648.59 square foot public utility easement in favor of Southern California Edison on the Singh Parcel are referred to below collectively as “Singh Property Interests”. The permanent maintenance and access easement and the

temporary construction easement are located on the portions of the Singh Parcel within the Long Valley Wash, a natural flood control channel. A rough depiction of the improvements that will be constructed within the Permanent Maintenance and Access Easement and the Temporary Construction Easement is attached as ATTACHMENT E and incorporated herein by this reference.

4. If the City Council adopts the proposed Resolutions of Necessity, authorize the City Attorney's Office to file and prosecute eminent domain proceedings 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 Resolutions of Necessity.

**Attachments:**

[Agenda Report](#)

[Resolution - Garcia Property Interests](#)

[Resolution Attachments A, B, A-1, and B-1](#)

[Resolution - Singh Property Interests](#)

[Resolution Attachments C, D, C-1, D-1, C-2, D-2, and E](#)

**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.

**17. Consider Term Limits for City Council Members (At the Request of Council Member Kalfus)**

**Recommendation:** That the City Council consider term limits for City Council Members and provide general direction regarding the same.

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

**DEPARTMENTAL REPORTS**

**18. City Council Travel/Conference Report**

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

**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.

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

The next regular meeting of the City Council will be held on Tuesday, February 28, 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.