

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
AUGUST 22, 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 from the real property located at 39622 Leifer Road in the City of Temecula (APN 957-090-023). Specifically, the City seeks to acquire an approximate 31,168 square foot temporary construction easement with a term of 12 months, covenant authorizing the construction of certain permanent improvements in portions of that 31,168 square foot area. This acquisition is in connection with the proposed extension of Nicolas Road from its current termination at Calle Girasol easterly to Butterfield Stage Road, Project Number LD20-1114 ("Project"). The negotiating parties are the City of Temecula and the property owners Isaac G. Navejar and Isabel L. Navejar, as Co-Trustees of the Navejar Living Trust, U/A dated July 18, 2019. Negotiators for the City are Patrick Thomas and Ron Moreno. Under negotiations are price and terms of the acquisition of these property interests.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION. The City Council will meet in closed session with the City Attorney and Special Counsel pursuant to Government Code Section 54956.9(d)(1) with respect to two matters of pending litigation: 1) City of Temecula v Sohan Singh, et al. (Riverside Superior Court Case No. CVSW2303952); and 2) Solana Winchester, LLC, v. City of Temecula (Riverside Superior Court Case No. CVRI2304109).

CALL TO ORDER: Mayor Zak Schwank

PRELUDE MUSIC: Temecula Valley Youth Symphony

INVOCATION: Pastor Steve Redden of Crosspoint Church Temecula

FLAG SALUTE: Mayor Zak Schwank

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

PRESENTATIONS

Award of Recognition to Former Council Member Maryann Edwards

BOARD / COMMISSION REPORTS

Community Services Commission and 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. Speaker cards will be called in the order received. Still images may be displayed on the projector. All other audio and visual use is prohibited. Public comments may also be submitted by email for inclusion into the record. Email comments must be received prior to the time the item is called for public comments and submitted to CouncilComments@temeculaca.gov. All public participation is governed by Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

CITY COUNCIL REPORTS

Reports by the members of the City Council on matters not on the agenda will be made at this time. A total, not to exceed, ten minutes will be devoted to these reports.

CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no discussion of these items unless members of the City Council request specific items be removed from the Consent Calendar for separate action. A total of 30 minutes is provided for members of the public to address the City Council on matters on the Consent Calendar. Each speaker is limited to 3 minutes. Public comments may be made in person at the meeting by submitting a speaker card to the City Clerk. Speaker cards will be called in the order received. Still images may be displayed on the projector. All other audio and visual use is prohibited. Public comments may also be submitted by email for inclusion into the record. Email comments must be received prior to the time the item is called for public comments and submitted to CouncilComments@temeculaca.gov. All public participation is governed by Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

1. Waive Reading of Title and Text of All Ordinances and Resolutions Included in the Agenda

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 August 8, 2023

Recommendation: That the City Council approve the action minutes of August 8, 2023.

Attachments: [Action Minutes](#)

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO.

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

Attachments: [Agenda Report](#)
[Resolution](#)
[List of Demands](#)

4. Approve City Treasurer’s Report as of May 31, 2023

Recommendation: That the City Council approve and file the City Treasurer’s Report as of May 31, 2023.

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

5. Amend the Capital Improvement Program Budget for Fiscal Years 2024-28 for Various Projects

Recommendation:

That the City Council:

1. Adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA TO AMEND THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEARS 2024-28 FOR VARIOUS PROJECTS

2. Approve an appropriation of \$1,500,000 from Transportation Uniform Mitigation Fee, from Western Riverside Council of Governments in Fiscal Year 2023-24 for the I-15 / French Valley Parkway Improvements - Phase III project; and

3. Approve an appropriation and corresponding fund transfer of \$200,000 from Measure S for Fiscal Year 2023-24 to the I-15 / French Valley Parkway Improvements - Phase III project; and

4. Approve an appropriation of \$1,000,000 grant funding from California

State Assembly Bill 102 as amended in Senate on June 24, 2023 for Fiscal Year 2023-24 for the Ynez Road Improvements - Phase I project; and

5. Approve a fund Transfer of \$1,000,000 of Development Impact Fee - Street Improvements from Ynez Road Improvements, Phase I to Fiscal Year 2025-26 of the Rancho California Road Median Improvements project; and

6. Approve a fund transfer of \$594,524 from Fiscal Year 2023-24 of the Sidewalks - Citywide project to Fiscal Year 2023-24 of a separately established project, Sidewalks - Pauba Road; and

7. Approve an appropriation of \$362,600 grant funding from California Senate Bill 821 for Fiscal Year 2023-24 for the Sidewalks - Pauba Road; and

8. Approve an appropriation of \$200,000 grant funding from American Rescue Plan Act, signed into law March 11, 2021, through the County of Riverside for Fiscal Year 2023-24 to the Dog Park Renovation project; and

9. Approve an appropriation and corresponding fund transfer of \$100,000 from Measure S for Fiscal Year 2023-24 to the Dog Park Renovation project.

Attachments:

- [Agenda Report](#)
- [Resolution](#)
- [Amended CIP Budget Sheets](#)
- [CIP Budget Amendment Summary](#)

6. Approve Form of Rancho California Water District Recycled Water Agreements and Authorize the City Manager to Execute Said Agreements 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 OF RECYCLED WATER AGREEMENTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENTS ON BEHALF OF THE CITY

Attachments:

- [Agenda Report](#)
- [Resolution](#)
- [Agreement - City Version](#)
- [Agreement - Private Version](#)

7. Approve First Amendment to the Agreement for On Call Services with Keyser Marston and Associates, Inc.

Recommendation: That the City Council approve the first amendment to the agreement with Keyser Marston Associates, Inc., in the amount of \$110,000, for a total agreement of \$275,000, for on call services.

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

8. Adopt Resolution to Approve the Administering Agency - State Agreement - Master Agreement No. 08-5459S21 with the State of California, Department of Transportation

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA TO APPROVE THE ADMINISTERING AGENCY - STATE AGREEMENT - MASTER AGREEMENT NO. 08-5459S21 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ALL PERTINENT PROGRAM SUPPLEMENT AGREEMENTS FOR STATE FUNDED PROJECTS

Attachments: [Agenda Report](#)
[Resolution](#)
[Master Agreement No. 08-5459S21](#)
[Program Supplement Agreement No. 00000A212](#)
[Program Supplement Agreement No. 00000A213](#)

9. 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 \$43,000; and
2. Increase the City Manager’s authorized contingency by \$43,000.

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

10. Approve the Funding Agreement with the County of Riverside for the Michael “Mike” Naggar Park Dog Park Renovation Project, PW21-14 and Authorize the City Manager to Execute the Agreement

Recommendation: That the City Council:

1. Approve the “Funding Agreement for City of Temecula Michael "Mike" Naggar Community Park Expansion Project” (Agreement) with the County of Riverside; and
2. Authorize the City Manager to execute the Agreement.

Attachments: [Agenda Report](#)
[Funding Agreement](#)
[Project Description](#)

11. Approve Specifications and Authorize Solicitation of Construction Bids for Citywide Slurry Seal Program - Fiscal Year 2022-23, PW23-16

Recommendation: That the City Council:

1. Approve the specifications and authorize the Department of Public Works to solicit construction bids for the Citywide Slurry Seal Program - Fiscal Year 2022-23, PW23-16; and
2. 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](#)
[Slurry Seal Street Name List](#)
[Project Location Maps](#)

12. Accept Improvements and File the Notice of Completion for the Traffic Signal - Park and Ride Access Improvements, PW18-11

Recommendation: That the City Council:

1. Accept the construction of the Traffic Signal - Park and Ride Access Improvements, PW18-11, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion.

Attachments: [Agenda Report](#)
[Notice of Completion](#)
[Project Description](#)
[Project Map](#)

13. Receive and File Temporary Street Closures for 2023 Autumnfest Events

Recommendation: That the City Council receive and file the temporary closure of certain streets for the following 2023 Autumnfest events:

GOLDEN ERA RUNWAY SHOW
NATIONAL EMERGENCY PREPAREDNESS FAIR
ARTFEST
HEALTH & COMMUNITY RESOURCE FAIR
CYCLE FOR HOPE
GREEK FESTIVAL
HALLOWEEN CARNIVAL
VETERAN'S DAY
PECHANGA PU'ÉSKA MOUNTAIN DAY

Attachments: [Agenda Report](#)
 [Exhibit A](#)
 [Exhibit B](#)

**RECESS CITY COUNCIL MEETING TO SCHEDULED MEETINGS OF THE TEMECULA
COMMUNITY SERVICES DISTRICT, THE SUCCESSOR AGENCY TO THE TEMECULA
REDEVELOPMENT AGENCY, THE TEMECULA HOUSING AUTHORITY, AND/OR THE
TEMECULA PUBLIC FINANCING AUTHORITY**

TEMECULA COMMUNITY SERVICES DISTRICT MEETING**CALL TO ORDER: President James Stewart****ROLL CALL: Alexander, Brown, Kalfus, Schwank, Stewart****CSD PUBLIC COMMENTS - NON-AGENDA ITEMS**

A total of 30 minutes is provided for members of the public to address the Board of Directors on matters not listed on the agenda. Each speaker is limited to 3 minutes. Public comments may be made in person at the meeting by submitting a speaker card to the City Clerk. Speaker cards will be called in the order received. Still images may be displayed on the projector. All other audio and visual use is prohibited. Public comments may also be submitted by email for inclusion into the record. Email comments must be received prior to the time the item is called for public comments and submitted to CouncilComments@temeculaca.gov. All public participation is governed by Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

CSD CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no discussion of these items unless members of the Community Services District request specific items be removed from the Consent Calendar for separate action. A total of 30 minutes is provided for members of the public to address the Board of Directors on items that appear on the Consent Calendar. Each speaker is limited to 3 minutes. Public comments may be made in person at the meeting by submitting a speaker card to the City Clerk. Speaker cards will be called in the order received. Still images may be displayed on the projector. All other audio and visual use is prohibited. Public comments may also be submitted by email for inclusion into the record. Email comments must be received prior to the time the item is called for public comments and submitted to CouncilComments@temeculaca.gov. All public participation is governed by Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

14. Approve Action Minutes of August 8, 2023

Recommendation: That the Board of Directors approve the action minutes of August 8, 2023.

Attachments: [Action Minutes](#)

15. Approve Agreement with Titan Rental Group, Inc. for Event and Program Rental Items

Recommendation: That the Board of Directors approve the agreement with Titan Rental Group, Inc. for event and program rental items.

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

16. Approve Annexation of Tract Map Numbers 37341 and 37341-17, 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 the following resolutions entitled:

RESOLUTION NO. CSD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA COMMUNITY SERVICES DISTRICT OF THE CITY OF TEMECULA, DECLARING INTENTION TO ANNEX PROPERTY (TRACT MAP 37341 AND 37341-17) TO SERVICE LEVEL B - RESIDENTIAL STREET LIGHTS AND TO LEVY ASSESSMENTS ON SUCH PROPERTY FOR FISCAL YEAR 2024-25, APPROVING THE ENGINEER’S REPORT, AND SETTING THE DATE, TIME AND PLACE OF A PUBLIC HEARING ON THE PROPOSED ANNEXATION AND ASSESSMENTS

RESOLUTION NO. CSD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA COMMUNITY SERVICES DISTRICT OF THE CITY OF TEMECULA, INITIATING PROCEEDINGS TO ANNEX PROPERTY (TRACT MAP 37341 AND 37341-17) TO SERVICE LEVEL B FOR FISCAL YEAR 2024-25

Attachments:

- [Agenda Report](#)
- [Vicinity Maps - Tract Maps 37341 and 37341-17](#)
- [Resolution of Intention](#)
- [Resolution of Initiating Proceedings](#)
- [Preliminary Annexation Engineer's Report](#)

CSD DIRECTOR OF COMMUNITY SERVICES REPORT

CSD GENERAL MANAGER REPORT

CSD BOARD OF DIRECTOR REPORTS

CSD ADJOURNMENT

The next regular meeting of the Temecula Community Services District will be held on Tuesday, September 12, 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 included into the record. Email comments must be submitted to CouncilComments@temeculaca.gov. Email comments on all matters, including those not on the agenda, must be received prior to the time the item is called for public comments. At public hearings involving land use matters, the property owner and/or applicant has the burden of proof and, therefore, shall be allowed 15 minutes for an initial presentation, and an additional 10 minutes for rebuttal by its development team following other comments on the matter. An appellant, other than the property owner and/or applicant, and the spokesperson for an organized group of residents residing within the noticed area of the property, which is the subject of the public hearing, shall be allowed 15 minutes to present the appellant’s position to the Council. The Mayor may allow more time if required to provide due process for the property owner, applicant or appellant. All other members of the public may speak during the public hearing for a maximum period of 5 minutes each. Deferral of one speaker’s time to another is not permitted. In the event of a large number of speakers, the Mayor may reduce the maximum time limit for members of the public to speak. All public participation is governed by the Council Policy regarding Public Participation at Meetings adopted by Resolution No. 2021-54.

- 17. Introduce Ordinance Amending Titles 5, 8, and 17 of the Temecula Municipal Code, and Adopt a Resolution Setting the Fee for a Tobacco Shop Permit 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:

- 1. Introduce and read by title only an ordinance entitled:

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING TITLES 5, 8, AND 17 OF THE TEMECULA MUNICIPAL CODE TO (1) AMEND MESSAGE ESTABLISHMENT REGULATIONS, (2) ADD DEFINITIONS FOR TOBACCO SHOP,

TOBACCO SHOP PERMIT AND UPDATE DEFINITIONS OF TOBACCO PRODUCT AND TOBACCO PARAPHERNALIA, (3) IMPLEMENT A TOBACCO SHOP PERMIT PROGRAM TO INCLUDE STRUCTURAL AND OPERATIONAL REQUIREMENTS, (4) UPDATE TOBACCO RETAILERS LICENSE PROCESSES, (5) AMEND REGULATIONS ON SMOKING IN HOTEL ROOMS, (6) REMOVE TOBACCO SHOP AS A CONDITIONALLY PERMITTED USE IN TABLE 17.08.030, (7) IMPLEMENT TOBACCO SHOP PERMIT REQUIREMENTS IN PLANNED DEVELOPMENT OVERLAY ZONING DESIGNATIONS 1 AND 4, AND (8) MAKE A FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061 (B)(3)

2. Adopt Resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ESTABLISHING A TOBACCO SHOP PERMIT FEE

Attachments:

- [Agenda Report](#)
- [Ordinance](#)
- [Resolution](#)
- [Planning Commission Resolution No. 2023-14](#)
- [Notice of Public Hearing](#)
- [Notice of Exemption](#)

DEPARTMENTAL REPORTS (RECEIVE AND FILE)

18. Community Development Department Monthly Report

Attachments:

- [Agenda Report](#)
- [Planning Activity Report](#)

19. Fire Department Monthly Report

Attachments:

- [Agenda Report](#)
- [Monthly Report - July](#)

20. Police Department Monthly Report

Attachments:

- [Agenda Report](#)

21. Public Works Department Monthly Report

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

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

Any Council Member, including the Mayor, may request an item be placed on a future agenda. Any such request will be discussed under this section. In making the request, a Council Member may briefly describe the topic of the proposed agenda item and any timing associated with the placement of the item on the agenda. This description shall not exceed 3 minutes. No substantive discussion on the subject of the motion may occur. Items may only be placed on the agenda by Council Members pursuant to policy or by the City Manager based on administrative or operational needs of the City. Public comments on the placement of these agenda items shall be limited to a maximum of 30 minutes. Individual comments shall not exceed 3 minutes. All public participation is governed by the Council Policy regarding Public Participation at Meetings and Agenda Placements by Council Members adopted by Resolution No. 2021-54.

CITY MANAGER REPORT

CITY ATTORNEY REPORT

ADJOURNMENT

The next regular meeting of the City Council will be held on Tuesday, September 12, 2023, at 4:30 p.m., for a Closed Session, with regular session commencing at 6:00 p.m., at the Council Chambers located at 41000 Main Street, Temecula, California.

NOTICE TO THE PUBLIC

The full agenda packet (including staff reports, public closed session information, and any supplemental material available after the original posting of the agenda), distributed to a majority of the City Council regarding any item on the agenda, will be available for public viewing in the main reception area of the Temecula Civic Center during normal business hours at least 72 hours prior to the meeting. The material will also be available on the City's website at TemeculaCa.gov. and available for review at the respective meeting. If you have questions regarding any item on the agenda, please contact the City Clerk's Department at (951) 694-6444.