

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
SEPTEMBER 12, 2023 - 6:00 PM**

CLOSED SESSION - 5:00 PM

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION. The City Council will meet in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(4) with respect to four matters of potential litigation. A point has been reached where, in the opinion of the City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation involving the City and the City Council will decide whether to initiate litigation.

CALL TO ORDER: Mayor Zak Schwank

INVOCATION: Buck Longmore, Retired Firefighter

FLAG SALUTE: Mayor Zak Schwank

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

PRESENTATIONS

Award of Recognition to Former Council Member Matt Rahn

BOARD / COMMISSION REPORTS

Planning 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. 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 22, 2023

Recommendation: That the City Council approved the action minutes of August 22, 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 Financial Statements for the 3rd Quarter Ended March 31, 2023

Recommendation: That the City Council:

- 1. Receive and file the financial statements for the 3rd quarter ended March 31, 2023; and
- 2. Approve the following Fiscal Year 2022-23 appropriations:
 - a. City Attorney Legal Services (001.130.999.5246) \$90,000
 - b. Vehicle Replacement (310.199.999.5610) \$26,500
 - c. Technology Replacement (325.199.999.5610) \$21,200

Attachments: [Agenda Report](#)
[City Fund Summaries](#)

- 5. Adopt Ordinance No. 2023-07 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) (Second Reading)

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 2023-07

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 MASSAGE 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)

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

- 6. Approve Purchase of Software Support and Maintenance for the Tyler Technologies Suite of Products for Fiscal Year 2023-24

Recommendation: That the City Council:

1. Approve the purchase of software support and maintenance for the Tyler Technologies Suite of products including EnerGov Permitting System, Tyler Cashiering, Decision Engine and EnerGov Insights, in an amount not to exceed \$126,184.81; and
2. Authorize the City Manager to approve contract change orders of up to 10% of the total cost, or \$12,618.48.

Attachments: [Agenda Report](#)
[Insights Bundle Invoice](#)
[Permitting Suite Invoice](#)

7. Approve Purchase and Installation Agreement with CDW Government, LLC for Uninterruptible Power Supplies at City Hall

Recommendation: That the City Council:

1. Approve a purchase and installation agreement with CDW Government, LLC, for uninterruptible power supplies in the City Hall data center, in the amount of \$294,716.56; and
2. Authorize the City Manager to approve contract change orders up to 10% of the total contract, in an amount not to exceed \$29,471.

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

8. Approve Agreement with Riverside County Transportation Commission for Funding of Measure A Regional Arterial Improvements for the Ynez Road Improvement Project, Phase I (From Rancho California to Rancho Vista)

Recommendation: That the City Council:

1. Approve the agreement with Riverside County Transportation Commission for the funding of Measure A Regional Arterial Improvements for the Ynez Road Improvement Project, Phase I (from Rancho California to Rancho Vista) in the amount of \$1,475,000; and
2. Authorize the City Manager to execute the agreement.

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

9. Approve Agreement with Riverside County Transportation Commission for Funding Under Senate Bill 821 Bicycle and Pedestrian Facilities Program

Recommendation: That the City Council approve the agreement with Riverside County Transportation Commission for funding under Senate Bill 821 Bicycle and Pedestrian Facilities Program for the Pauba Road Sidewalk Improvement Project, in the amount of \$362,600.

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

10. Approve Plans and Specifications and Authorize Solicitation of Construction Bids for Sidewalks - Old Town Improvements - Additional Streetlights on Moreno Road and Mercedes Street, PW22-17

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Sidewalks - Old Town Improvements - additional streetlights on Moreno Road and Mercedes Street (East of Old Town Front Street), PW22-17; and
2. Make a finding that this project is exempt from the California Environmental Quality Act (CEQA) per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

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

11. Approve Plans and Specifications and Authorize Solicitation of Construction Bids for Park Restrooms Renovations, Expansion and Americans with Disabilities Act Improvements, PW17-06

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Park Restrooms Renovations, Expansion and Americans with Disabilities Act Improvements, PW17-06; and
2. Make a finding that this project is exempt from California Environmental Quality Act (CEQA) pursuant to Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

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

12. Approve Plans and Specifications and Authorize Solicitation of Construction Bids for Americans with Disabilities Act Transition Plan Implementation Improvements at Ronald

Reagan Sports Park, PW18-16

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Americans with Disabilities Act Transition Plan Implementation Improvements at Ronald Reagan Sports Park, PW18-16; and
2. Make a finding that this project is exempt from California Environmental Quality Act (CEQA) pursuant to Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

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

13. Approve Specifications and Authorize Solicitation of Construction Bids for Citywide Concrete Repairs Fiscal Year 2022-23 Project, PW23-17

Recommendation: That the City Council:

1. Approve the specifications and authorize the Department of Public Works to solicit construction bids for the Citywide Concrete Repairs Fiscal Year 2022-23 project, PW23-17; and
2. Make a finding that this project is exempt from the California Environmental Quality Act (CEQA) per Article 19, Categorical Exemption, Section 15301, Existing Facilities, of the CEQA Guidelines.

Attachments: [Agenda Report](#)
[List of Concrete Repair Areas](#)
[Added Alternate Area](#)

14. Accept Improvements and File the Notice of Completion for the Mary Phillips Senior Center Emergency Generator Enclosure, PW21-08

Recommendation: That the City Council:

1. Accept the Improvements for the Mary Phillips Senior Center Emergency Generator Enclosure, PW21-08, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion, 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](#)
[Contractor's Affidavit and Final Release](#)

15. Accept Improvements and File the Notice of Completion for the Traffic Signal Installation, Citywide - Rancho California Road and Tee Drive, PW19-19

Recommendation: That the City Council:

1. Accept the construction of the Traffic Signal Installation, Citywide - Rancho California Road and Tee Drive, PW19-19, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond, and accept a one-year Maintenance Bond in the amount of 10% of the final contract amount; 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](#)
[Maintenance Bond](#)
[Contractor's Affidavit and 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. 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.

16. Approve Action Minutes of August 22, 2023

Recommendation: That the Board of Directors approve the action minutes of August 22, 2023.

Attachments: [Action Minutes](#)

17. Approve Financial Statements for the 3rd Quarter Ended March 31, 2023

Recommendation: That the Board of Directors:

1. Receive and file the financial statements for the 3rd quarter ended March 31, 2023; and

2. Approve the following Fiscal Year 2022-23 appropriations:

a. CRC Project Salaries (190.182.999.5119) \$74,000

b. Aquatics Project Salaries (190.186.999.5119) \$66,000

Attachments: [Agenda Report](#)
 [TCSD Fund Summaries](#)

18. Approve First Amendment with Shawna Sarnowski for Photography Services

Recommendation: That the Board of Directors approve the first amendment with Shawna Sarnowski to increase payment in the amount of \$75,000 for a total agreement amount of \$275,000 through July 31, 2026.

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

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 26, 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**CALL TO ORDER: Chair Zak Schwank****ROLL CALL: Alexander, Brown, Kalfus, Schwank, Stewart****SARDA 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.

SARDA 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 Successor Agency to the Redevelopment Agency 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.

19. Approve Financial Statements for the 3rd Quarter Ended March 31, 2023

Recommendation: That the Board of Directors receive and file the financial statements for the 3rd quarter ended March 31, 2023.

Attachments: [Agenda Report](#)
[SARDA Fund Summaries](#)

SARDA EXECUTIVE DIRECTOR REPORT**SARDA BOARD OF DIRECTOR REPORTS****SARDA ADJOURNMENT**

The next regular meeting of the Successor Agency to the Redevelopment Agency will be held on Tuesday, September 26, 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.

TEMECULA HOUSING AUTHORITY - NO MEETING**TEMECULA PUBLIC FINANCING AUTHORITY - NO MEETING****RECONVENE TEMECULA CITY COUNCIL****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 26, 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.