

**ACTION MINUTES**

**TEMECULA CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS  
41000 MAIN STREET  
TEMECULA, CALIFORNIA  
MAY 23, 2023 - 6:00 PM**

**CLOSED SESSION - 5:00 PM**

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION. The City Council convened in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(4) with respect to one matter 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 at 6:00 PM: Mayor Zak Schwank**

**INVOCATION: Rabbi Yonasan Abrams of Chabad of Temecula**

**FLAG SALUTE: Scout Master Tomas Villanueva**

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

**PRESENTATIONS**

Presentation of Proclamation for Public Works Week  
Presentation of the California Park & Recreation Society Awards of Excellence  
Presentation by Troop 309 G (Michelle’s Place) and Troop 309 B (Saint Mother Teresa) Regarding U.S. Flag Program for Temecula Residents

**BOARD / COMMISSION REPORTS**

Planning Commission and Race, Equity, Diversity and Inclusion Commission

**PUBLIC SAFETY REPORT**

County of Riverside, Fire Department (CAL FIRE)

**PUBLIC COMMENTS - NON-AGENDA ITEMS**

The following individual(s) addressed the City Council:

- Pastor Carina Reed
- Rebecca Farnbach
- Payam Daneshvar

**PUBLIC COMMENTS - AGENDA ITEMS**

The following individual(s) addressed the City Council:

- Skylar Tempel (Item #19)

**CITY COUNCIL REPORTS**

## CONSENT CALENDAR

Unless otherwise indicated below, the following pertains to all items on the Consent Calendar.

Approved the Staff Recommendation (5-0): Motion by Brown, Second by Stewart. The vote reflected unanimous approval.

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.

2. Approve Action Minutes of May 9, 2023

Recommendation: That the City Council approve the Action Minutes of May 9, 2023.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-41

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

4. Approve City Treasurer's Report as of January 31, 2023, February 28, 2023, and March 31, 2023

Recommendation: That the City Council approve and file the City Treasurer's Report as of January 31, 2023, February 28, 2023, and March 31, 2023.

5. Approve Second Amendment with Eide Bailly, LLP for Audit Services for the Fiscal Years Ending June 30, 2023, 2024 and 2025

Recommendation: That the City Council:

1. Approve the second amendment with Eide Bailly, LLP, Certified Public Accountants, to serve as the City's auditors for the fiscal years ending June 30, 2023, through June 30, 2025, for a total amount not to exceed \$251,473; and

2. Authorize the City Manager to approve additional work up to ten percent (10%) of the amount of the agreement as approved by City Council.

6. Adopt List of Projects to be Funded by Senate Bill One (SB 1) for Fiscal Year 2023-24

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2023-24 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

7. Approve Agreement with Keyser Marston Associates, Inc. for the Fiscal Land Use Opportunity Study

Recommendation: That the City Council approve the agreement with Keyser Marston Associates, Inc. for the Fiscal Land Use Opportunity Study in support of the General Plan update.

8. Approve License Agreement with Flatiron West, Inc. for Access on City-Owned Properties in Connection with Construction of the I-15 / French Valley Parkway Improvements - Phase II Project, PW16-01

Recommendation: That the City Council approve a license agreement with Flatiron West, Inc. for access onto City-owned properties, APN 916-400-013 and 916-400-018, in connection with construction of the I-15 / French Valley Parkway Improvements - Phase II project, PW16-01.

9. Approve the Right of Entry Agreement with the California Department of Fish and Wildlife on City-Owned Properties within Murrieta Creek and Temecula Creek

Recommendation: That the City Council approve the Right of Entry Agreement with the California Department of Fish and Wildlife on City-Owned Properties within Murrieta Creek and Temecula Creek identified by Assessor Parcel Numbers 922-210-060, 961-440-012, 961-450-015, 961-450-011, 961-450-064 and 961-450-001.

10. Approve Plans and Specifications and Authorize Solicitation of Construction Bids for the I-15 Congestion Relief Project, PW19-02

Recommendation: That the City Council approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the I-15 Congestion Relief Project, PW19-02.

11. Approve Plans and Specifications and Authorize Solicitation of Construction Bids for the Michael “Mike” Naggar Community Park Dog Park Project, PW21-14

Recommendation: That the City Council:

1. Approve the plans and specifications and authorize the Department of Public Works to solicit construction bids for the Michael “Mike” Naggar

Community Park Dog Park Project, PW21-14; and

2. Make a finding that this project is exempt from CEQA per Article 19, Categorical Exemption, Section 15303, Existing Facilities, and Section 15304, Minor Alterations to Land, of the CEQA Guidelines.

**12. Receive and File Temporary Street Closures for 2023 Summerfest Events**

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

JUNETEENTH  
4TH OF JULY PARADE  
4TH OF JULY FIREWORKS SHOW  
ESCAPE JOURNEY TRIBUTE BAND CONCERT  
TEMECULA SUNSET MARKET  
NATIONAL NIGHT OUT

**RECESS:**

At 7:09 PM, the City Council recessed and convened as the Temecula Community Services District Meeting. At 7:12 PM the City Council resumed with the remainder of the City Council Agenda.

**RECONVENE TEMECULA CITY COUNCIL**

**PUBLIC HEARING**

**15. Approve Disposition and Development Agreement Between the City of Temecula, as Housing Successor to the Former Temecula Redevelopment Agency, and Habitat for Humanity Inland Valley, Inc., Located Adjacent to the Current Habitat for Humanity Project on Pujol Street (APNs 922-062-016 and 922-062-010)**

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY AND HABITAT FOR HUMANITY INLAND VALLEY, INC., AND FINDING THAT THE APPROVAL OF THIS AGREEMENT AND THE PROJECT ARE EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT REVIEW PURSUANT TO SECTIONS 15326 AND 15332 OF THE STATE CEQA GUIDELINES

Approved the Staff Recommendation (5-0): Motion by Brown, Second by Kalfus. The vote reflected unanimous approval.

**BUSINESS**

**16. Introduce Ordinance Amending Chapter 10.44 of the Temecula Municipal Code Regarding Golf Carts on City Roadways**

Recommendation: That the City Council introduce an ordinance entitled:

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING CHAPTER 10.44 OF TITLE 10 OF THE TEMECULA MUNICIPAL CODE TO DESIGNATE CERTAIN STREETS AND CROSSINGS FOR THE JOINT USE OF GOLF CARTS AND VEHICLES AND ESTABLISH RULES AND REGULATIONS FOR THE OPERATION OF GOLF CARTS ON SUCH STREETS, AND FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Approved the Staff Recommendation (5-0): Motion by Alexander, Second by Stewart. The vote reflected unanimous approval.

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

Recommendation: That the City Council introduce an ordinance entitled:

ORDINANCE NO. 2023-05

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

Approved the Staff Recommendation (5-0): Motion by Stewart, Second by Brown. The vote reflected unanimous approval.

**18. Adopt Resolutions Reconstituting City of Temecula Commissions and Introduce Ordinance Repealing Temecula Municipal Code Chapters 2.44 and 2.48**

Recommendation: That the City Council adopt resolutions and introduce an ordinance entitled:

RESOLUTION NO. 2023-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA RECONSTITUTING THE COMMUNITY SERVICES COMMISSION

RESOLUTION NO. 2023-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA RECONSTITUTING THE PLANNING COMMISSION

RESOLUTION NO. 2023-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA RECONSTITUTING THE RACE, EQUITY, DIVERSITY AND INCLUSION COMMISSION

RESOLUTION NO. 2023-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA RECONSTITUTING THE TRAFFIC SAFETY COMMISSION

ORDINANCE NO. 2023-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA REPEALING CHAPTER 2.44 AND CHAPTER 2.48 OF THE TEMECULA MUNICIPAL CODE

Approved the Staff Recommendation (5-0): Motion by Brown, Second by Kalfus. The vote reflected unanimous approval.

**19. Consider and Approve City Council Protocol Manual Policies (At the Request of Subcommittee Members Alexander and Kalfus)**

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2023-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING THE CITY COUNCIL PROTOCOL MANUAL AND ADOPTING FOUR CITY COUNCIL POLICIES GOVERNING THE OPERATIONS OF THE CITY COUNCIL

Motion to approve City Council Policies Exhibits A, B, C (5-0): Motion by Schwank, Second by Stewart. The vote reflected unanimous approval.

Motion to reject City Council Policies Exhibit D (3-2): Motion by Schwank, Second by Brown. The vote reflected unanimous approval with Alexander and Kalfus opposing.

**DEPARTMENTAL REPORTS (RECEIVE AND FILE)**

**20. Community Development Department Monthly Report**

**21. Fire Department Monthly Report**

22. Police Department Monthly Report

23. Public Works Department Monthly Report

**ITEMS FOR FUTURE CITY COUNCIL AGENDAS**

**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

The City Attorney stated there was no reportable actions from closed session.

**ADJOURNMENT**

At 8:43 PM, the City Council meeting was formally adjourned to Tuesday, June 13, 2023, at 4:30 PM for Closed Session, with regular session commencing at 6:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

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Adjourned in Memory of  
Deputy Brett Harris

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Zak Schwank, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]