

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  
OCTOBER 25, 2022 - 6:00 PM**

### **CLOSED SESSION - 5:00 PM**

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL 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 three 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. Based on existing facts and circumstances, the City Council will decide whether to initiate litigation.

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION. The City Council will meet in closed session with the City Attorney pursuant to Government Code Section 54956.9(d)(2) 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 from MCM Construction, Inc., with respect to bids for the project known as I-15/French Valley Parkway Improvements–Phase II (Project No. PW16-01). The October 14, 2022 letter from Attorney D. Michael Schoenfeld of Murphy Austin on behalf of MCM Construction, Inc., objecting to the bid process and threatening litigation is on file in the office of the City Clerk and is attached to the agenda packet with Item #9 on the Consent Calendar.

**CALL TO ORDER: Mayor Matt Rahn**

**INVOCATION: Dr. Brenda Harper of AACTS International Ministries**

**FLAG SALUTE: Mayor Matt Rahn**

**ROLL CALL: Alexander, Edwards, Rahn, Schwank, Stewart**

### **PRESENTATIONS**

Proclamation for Domestic Violence Awareness Month

Presentation Regarding Girl Scout Recognition for Scout's Closet

Presentation by National Association of Hispanic Real Estate Professionals for Dia De Los Muertos

**BOARD / COMMISSION REPORTS**

Planning Commission and Race, Equity, Diversity and Inclusion Commission

**PUBLIC SAFETY REPORT**

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](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 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 October 11, 2022

Recommendation: That the City Council approve the action minutes of October 11, 2022.

---

**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 Council Meeting Schedule for November and December 2022

**Recommendation:**    That the City Council

1. Approve the cancellation of the regular meetings in November 2022;  
and

2. Conduct adjourned regular meetings on November 15, 2022 and  
November 29, 2022; and

3. Approve the cancellation of the December 27, 2022 meeting.

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

5.    Approve Site Access for Research Agreement with Center for Natural Lands Management, Riverside Conservation Authority and Riverside County Transportation Commission on City-Owned Properties within Roripaugh Ranch

**Recommendation:**    That the City Council approve the site access for research agreement with the Center for Natural Lands Management, Riverside Conservation Authority, Riverside County Transportation Commission, Riverside County Habitat Conservation Agency and City of Temecula on city-owned properties within Roripaugh Ranch.

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

6.    Approve License Agreement with Eastern Municipal Water District for Facilities Removal on Pujol Street

**Recommendation:**    That the City Council approve the license agreement with Eastern Municipal Water District for removal of facilities on Pujol Street.

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

7.      Approve First Amendment to Non-Exclusive Commodity Agreement with SWARCO McCain, Inc.

**Recommendation:**      That the City Council approve the first amendment to the agreement with SWARCO McCain, Inc., in the amount of \$500,000, and extend the terms of the agreement to June 30, 2025, for the purchase of traffic signal equipment maintenance supplies for operations and maintenance, and to support the City's Capital Improvement Program Project, Traffic Signal Equipment Enhancement Program-Citywide.

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

8.      Accept Improvements and File Notice of Completion for Pedestrian Signal Equipment Upgrade-Citywide, PW19-10

**Recommendation:**      That the City Council:

1. Accept the improvements for the Pedestrian Signal Equipment Upgrade-Citywide, PW19-10, 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](#)  
                                 [Maintenance Bond](#)  
                                 [Contractor's Affidavit and Final Release](#)

9.      Reject All Construction Bids Received for the I-15 / French Valley Parkway Improvements - Phase II, PW16-01 and Authorize Construction Contract to be Rebid

**Recommendation:**      That the City Council:

1. Reject all construction bids received for the I-15 / French Valley Parkway Improvements - Phase II, PW16-01; and
2. Authorize the Department of Public Works to re-advertise construction contract for the I-15 / French Valley Parkway Improvements - Phase II, PW16-01.

**Attachments:**      [Agenda Report](#)  
                                 [Letter from Murphy Austin Attorneys](#)

**10.    Receive and File Temporary Street Closures for 2022 Winterfest Events**

**Recommendation:**    That the City Council receive and file the temporary closure of certain streets for the following 2022 Winterfest Events:

HOLIDAY DECORATION INSTALLATION  
PU'ÉSKA MOUNTAIN DAY  
EMERGENCY PREPAREDNESS FAIR  
SANTA'S ELECTRIC LIGHT PARADE  
TEMECULA ON ICE  
NEW YEAR'S EVE GRAPE DROP

**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, Edwards, Rahn, 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.

**11. Approve Action Minutes of October 11, 2022**

**Recommendation:** That the Board of Directors approve the action minutes of October 11, 2022.

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

**CSD DIRECTOR OF COMMUNITY SERVICES REPORT****CSD GENERAL MANAGER REPORT****CSD BOARD OF DIRECTOR REPORTS**

**CSD ADJOURNMENT**

The next adjourned regular meeting of the Temecula Community Services District will be held on Tuesday, November 15, 2022, 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 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. Conduct Public Hearing, Adopt Resolution Making Certain Findings, and Adopt Ordinance No. 2022-12 Adopting the 2022 California Fire Code (Second Reading)**

**Recommendation:** That the City Council conduct a public hearing and adopt a resolution and ordinance entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE CALIFORNIA FIRE CODE, 2022 EDITION, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL AND/OR TOPOGRAPHICAL CONDITIONS



## ORDINANCE NO. 2022-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA FIRE CODE BASED ON THE 2021 INTERNATIONAL FIRE CODE, IN ITS ENTIRETY, REGULATING AND GOVERNING THE SAFEGUARD OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF TEMECULA, INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS, AND PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES

**Attachments:**      [Agenda Report](#)  
                              [Resolution](#)  
                              [Ordinance](#)  
                              [Notice of Public Hearing](#)

**13.    Conduct Public Hearing, Adopt Resolution Making Certain Findings, and Adopt Ordinance No. 2022-13 Adopting the 2022 California Building Codes (Second Reading)**

**Recommendation:**    That the City Council conduct a public hearing and adopt a resolution and ordinance entitled:

## RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE 2022 CALIFORNIA BUILDING CODE; CALIFORNIA MECHANICAL CODE; CALIFORNIA PLUMBING CODE; CALIFORNIA ELECTRICAL CODE; AND CALIFORNIA RESIDENTIAL CODE, AS ADOPTED BY THE CITY OF TEMECULA, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL AND/OR TOPOGRAPHICAL CONDITIONS

## ORDINANCE 2022-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING BY REFERENCE THE 2022 EDITIONS OF THE CALIFORNIA BUILDING CODE; CALIFORNIA MECHANICAL CODE; CALIFORNIA PLUMBING CODE; CALIFORNIA

ELECTRICAL CODE; CALIFORNIA ADMINISTRATIVE CODE; CALIFORNIA ENERGY CODE; CALIFORNIA GREEN BUILDING STANDARDS CODE; CALIFORNIA HISTORICAL BUILDING CODE; CALIFORNIA EXISTING BUILDING CODE; CALIFORNIA RESIDENTIAL CODE; AND CALIFORNIA REFERENCED STANDARDS CODE; TOGETHER WITH CERTAIN AMENDMENTS AND DELETIONS, AND AMENDING TITLE 15 OF THE TEMECULA MUNICIPAL CODE

**Attachments:**      [Agenda Report](#)  
                                 [Resolution](#)  
                                 [Ordinance](#)  
                                 [Notice of Public Hearing](#)

## **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.

14.    Receive and File Update Regarding County of Riverside Winchester Community Plan and Recent Development Applications in the Interstate (I-215) Policy Area Related to the 2003 Settlement Agreement and 2005 Cooperative Agreement Between the City of Temecula and County of Riverside

**Recommendation:**    That the City Council receive and file the update on the County of Riverside's proposed Winchester Community Plan and recent development applications in the I-215 Policy Area related to an increase of residential density by 33,000 units, traffic impacts, road and freeway mitigation measures, public service infrastructure, compliance with California Environmental Quality Act, and the 2003 Settlement Agreement and the 2005 Cooperative Agreement between the City of Temecula and the County of Riverside, and provide direction to staff.

**Attachments:**      [Agenda Report](#)  
                                 [Exhibits A and B](#)  
                                 [Exhibit C](#)  
                                 [Exhibit D](#)

**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.

A. Resolution Opposing Proposition 1 (At the Request of Council Member Jessica Alexander)

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

**ADJOURNMENT**

The next adjourned regular meeting of the City Council will be held on Tuesday, November 15, 2022, 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.