

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 27, 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 two 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.

**CALL TO ORDER: Mayor Matt Rahn**

**INVOCATION: Chaplain Themba M. Mzizi of Riverside County Sheriff's Department**

**FLAG SALUTE: Mayor Matt Rahn**

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

**PRESENTATIONS - NONE**

**BOARD / COMMISSION REPORTS**

Planning Commission and Public/Traffic Safety 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. 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 September 13, 2022**

**Recommendation:** That the City Council approve the action minutes of September 13, 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. Adopt Ordinance 2022-11 Approving the Planned Development Overlay Amendment (PA20-1324) (Second Reading)

Recommendation: That the City Council adopt an ordinance entitled:

ORDINANCE NO. 2022-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A PLANNED DEVELOPMENT OVERLAY AMENDMENT TO THE TEMECULA VILLAGE PLANNED DEVELOPMENT OVERLAY (PDO-5) GENERALLY LOCATED ON THE SOUTH SIDE OF RANCHO CALIFORNIA ROAD, APPROXIMATELY 150 FEET WEST OF COSMIC DRIVE (APN: 944-370-001, 005, 006, 007, 008, 010, 012, 013) (PA20-1324)

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

5. Approve a Three-year Microsoft Enterprise Renewal Agreement with CDW-G for Microsoft Software Licenses

Recommendation: That the City Council:

1. Approve a three-year Microsoft Enterprise Renewal Agreement with CDW-G, in the annual amount of \$231,100.44, for a total contract amount of \$693,301.32 subject to the annual True-up costs as described in recommendation 2; and
2. Approve 20% of the total contract, in the amount of \$138,660.26, for the annual True-up cost for the term of the three-year agreement.

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

6. Approve the Seventh Amendment to the Franchise Agreement with CR & R Incorporated

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 SEVENTH AMENDMENT TO THE FRANCHISE AGREEMENT WITH CR & R, INC., FOR THE COLLECTION, TRANSPORTATION, RECYCLING, COMPOSTING, AND DISPOSAL OF SOLID WASTE AND CONSTRUCTION DEBRIS

## AND FOR TEMPORARY BIN/ROLLOFF SERVICES

**Attachments:**      [Agenda Report](#)  
[Resolution](#)  
[Seventh Amendment](#)

7.      Award a Construction Contract to Act 1 Construction, Inc. for Community Recreation Center Renovations - Phase 1, PW19-07

**Recommendation:**      That the City Council:

1. Award a Construction Contract to Act 1 Construction, Inc. in the amount of \$3,568,395, for Community Recreation Center Renovations - Phase 1, PW19-07; and
2. Authorize the City Manager to approve construction contract change orders up to 10% of the contract amount, \$356,839.50; and
3. Make a finding that Community Recreation Center Renovations - Phase 1, PW19-07 is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

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

8.      Accept Improvements and File the Notice of Completion for the Sidewalks - Old Town Improvements (Fifth Street from Old Town Front Street to Murrieta Creek), PW20-02

**Recommendation:**      That the City Council:

1. Accept the construction of the Sidewalks - Old Town Improvements (Fifth Street from Old Town Front Street to Murrieta Creek), PW20-02, 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](#)  
[Contractors 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, 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.

**9. Approve Action Minutes of September 13, 2022**

**Recommendation:** That the Board of Directors approve the action minutes of September 13, 2022.

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

**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, October 11, 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**

**CALL TO ORDER: Chair Matt Rahn**

**ROLL CALL: Alexander, Edwards, Rahn, 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 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.

- 10. Approve Resolutions Related to the Annexation of Territory to the Temecula Public Financing Authority Community Facilities District No. 16-01 (Roripaugh Ranch Phase 2)**



Recommendation: 1. That the Board of Directors of the Temecula Public Financing Authority (the “Board”) hold a public hearing relating to the proposed annexation of territory to Zone 1 of the Community Facilities District No. 16-01 (Roripaugh Ranch Phase 2), and adopt the resolution entitled:

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY OF ANNEXATION OF TERRITORY TO ZONE 1 OF THE TEMECULA PUBLIC FINANCING AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 16-01 (RORIPAUGH RANCH PHASE 2), AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN AND SUBMITTING LEVY OF SPECIAL TAX TO THE QUALIFIED ELECTOR

2. That the Board hold an election regarding the annexation, and adopt the resolution entitled:

RESOLUTION NO. TPFA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY DECLARING RESULTS OF SPECIAL ANNEXATION ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, DIRECTING RECORDING OF AMENDMENT TO NOTICE OF SPECIAL TAX LIEN AND APPROVING SECOND AMENDMENT TO ACQUISITION AGREEMENT

Attachments: [Agenda Report](#)  
[Resolution - Annexation](#)  
[Resolution - Election](#)  
[Amendment to Notice of Special Tax Lien](#)  
[Second Amendment to Acquisition Agreement](#)

**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, October 11, 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.

**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.

**11. Conduct Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing, Adopt a Resolution Approving the Issuance of Not to Exceed \$25,000,000 of California Enterprise Development Authority Revenue Obligations for the Benefit of Vine Creek Apartments Affordable Housing Project**

**Recommendation:** That the City Council:

1. Conduct a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 to receive comments relating to the issuance by the California Enterprise Development Authority (the "Authority") of not to exceed \$25,000,000 of the Authority's Revenue Obligations (the "Obligations") for the benefit of Temecula Pacific Associates, a California Limited Partnership (the "Borrower"); and
2. Adopt a resolution approving the issuance of the Obligations by the Authority to finance, refinance and/or reimburse the cost of educational facilities for the benefit of the Borrower.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE ISSUANCE BY THE CALIFORNIA

ENTERPRISE DEVELOPMENT AUTHORITY OF NOT TO EXCEED \$25,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY REVENUE OBLIGATIONS FOR THE PURPOSE OF FINANCING, REFINANCING AND/OR REIMBURSING THE COST OF ACQUISITION, CONSTRUCTION, INSTALLATION, EQUIPPING OF MULTIFAMILY RENTAL HOUSING FOR THE BENEFIT OF VINE CREEK APARTMENTS AFFORDABLE DEVELOPMENT AND OTHER MATTERS RELATING THERETO HEREIN SPECIFIED

**Attachments:**

[Agenda Report](#)

[Resolution](#)

[Resolution No. 19-45](#)

[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. 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.

**12. Introduce Ordinance Adopting 2022 California Fire Code**

Recommendation: That the City Council introduce and read by title only an ordinance entitled:

ORDINANCE NO.

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 2019 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](#)  
[Ordinance](#)

13.    Introduce Ordinance Adopting 2022 California Building Code

**Recommendation:**    That the City Council introduce and read by title only an ordinance entitled:

ORDINANCE NO.

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](#)  
[Ordinance](#)

**DEPARTMENTAL REPORTS (RECEIVE AND FILE)**

14.    Community Development Department Monthly Report

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

15.    Fire Department Monthly Report

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

16.    Public Works Department Monthly Report

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

**ITEMS FOR PLACEMENT CONSIDERATION ON 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 Declaring Temecula a Sanctuary City for Temecula's Unborn (At the Request of Council Member Alexander)

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

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**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.