

ACTION MINUTES

**TEMECULA CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
41000 MAIN STREET
TEMECULA, CALIFORNIA
AUGUST 23, 2022 - 6:00 PM**

CLOSED SESSION - 5:00 PM

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. The City Council convened in closed session pursuant to Government Code Section 54956.8 regarding the acquisition of certain property interests, including certain permanent maintenance and access easements, temporary construction easements with a term of twelve months, covenants for construction of certain permanent improvements, and a conservation easement on four properties described below 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"). Negotiators for the City are Patrick Thomas and Ron Moreno. The negotiators for the respective real property interests are set forth below.

(i) The acquisition of certain property interests from the real property located at 31249 Indian Summer Drive in the City of Temecula (APN 957-090-022). Specifically, the City seeks to acquire an approximate 83,324 square foot temporary construction easement with a term of 12 months, covenant authorizing the construction of certain permanent improvements in portions of that 83,324 square foot area, and an approximate 51,003 square foot conservation easement. The negotiating parties are the City of Temecula and the property owners Lam Ngo and Huyen Lam Tran. Under negotiations are price and terms of the acquisition of these property interests.

(ii) 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. 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. Under negotiations are price and terms of the acquisition of these property interests.

(iii) The acquisition of certain property interests from the real property located at 31270 Tommy Lane in the City of Temecula (APN 957-150-005). Specifically, the City seeks to acquire an approximate 31,520 square foot temporary construction easement with a term of 12 months and an approximate 26,957 square foot permanent maintenance and access easement. The negotiating parties are the City of Temecula and the property owners Jose Leonardo Garcia and Mayerling Alida Monteros-Garcia. Under negotiations are price and terms of the acquisition of these property interests.

(iv) The acquisition of certain property interests from the real property located at 39280 Deputy Road in the City of Temecula (APN 957-090-019). Specifically, the City seeks to acquire an approximate 29,630 square foot temporary construction easement with a term of 12 months, covenant authorizing the construction of certain permanent improvements in portions of that 29,630 square foot area, an approximate 16,956 square foot permanent maintenance and access easement, and a public utility

easement. The negotiating parties are the City of Temecula and the property owners Sohan Singh and Kuldeep Kaur Singh. Under negotiations are price and terms of the acquisition of these property interests.

CALL TO ORDER at 6:00 PM: Mayor Matt Rahn

INVOCATION: Pastor Rick Malec of Temecula Methodist Church

FLAG SALUTE: Council Member Maryann Edwards

ROLL CALL: Alexander (absent), Edwards, Rahn, Schwank, Stewart

PRESENTATIONS - NONE

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

The following individual(s) addressed the City Council:

- Eric Scheafer

CITY COUNCIL REPORTS

CONSENT CALENDAR

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

Approved the Staff Recommendation (4-0, Alexander absent): Motion by Edwards, Second by Stewart.
The vote reflected unanimous approval with Alexander absent.

1. Approve Action Minutes of August 9, 2022

Recommendation: That the City Council approve the action minutes of August 9, 2022.

2. 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.

3. Approve List of Demands

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-63

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 April 30, 2022 and May 31, 2022

Recommendation: That the City Council approve and file the City Treasurer's Report as of April 30, 2022 and May 31, 2022.

5. Amend the Capital Improvement Program (CIP) for Fiscal Years 2023-27 for Various Projects

Recommendation: That the City Council:

1. Adopt a resolution entitled:

RESOLUTION NO. 2022-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEMECULA TO AMEND THE CAPITAL IMPROVEMENT
PROGRAM (CIP) BUDGET FOR FISCAL YEARS 2023-27 FOR
VARIOUS PROJECTS

2. Approve an appropriation and corresponding fund transfer of
\$251,940 from Measure S for the projects noted below, including the
cancellation of the Utility Undergrounding project; and

3. Approve an appropriation and corresponding reimbursement revenue
of \$53,500 from Riverside County Flood Control and Water
Conservation District for Project 735 - Murrieta Creek Improvements;
and

4. Approve an appropriation and corresponding reimbursement revenue
of \$282,000 from Municipal Water District for Project 130 - Parks
Improvement Program; and

5. Approve an appropriation and corresponding fund transfer of
\$630,894 from CDBG-CV2 to establish a new project for the Mary
Phillips Senior Center Outdoor Recreational Area.

6. Adopt Resolution Acknowledging Receipt of the Annual Inspection Report Pursuant to SB 1205

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEMECULA ACKNOWLEDGING RECEIPT OF A REPORT MADE
BY THE FIRE MARSHAL OF THE CITY OF TEMECULA FIRE

DEPARTMENT REGARDING THE SB 1205 STATE MANDATED ANNUAL INSPECTION OF CERTAIN OCCUPANCIES PURSUANT TO SECTIONS 13145, 13146 AND 17921 OF THE CALIFORNIA HEALTH AND SAFETY CODE

7. Approve Resolution Related to the Annexation of Territory to the Temecula Public Financing Authority Community Facilities District No. 16-01 (Roripaugh Ranch Phase 2) and Prospective Issuance of Special Tax Bonds

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO.2022-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A DEPOSIT/REIMBURSEMENT AGREEMENT - TEMECULA PUBLIC FINANCING AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 16-01 (RORIPAUGH RANCH PHASE 2)

8. Approve Applications for Highway Safety Improvement Program (HSIP) Cycle 11 Funding Through the Caltrans Division of Local Assistance for Various Citywide Traffic Safety Improvement Projects

Recommendation: That the City Council adopt a resolution entitled:

RESOLUTION NO. 2022-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, APPROVING THE APPLICATIONS FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 11 FUNDS THROUGH THE CALTRANS, LOCAL ASSISTANCE FOR VARIOUS CITYWIDE TRAFFIC SAFETY IMPROVEMENT PROJECTS AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT

9. Approve Agreement for Consultant Services with T.Y. Lin International for the I-15/French Valley Parkway Improvements - Phase II, PW16-01

Recommendation: That the City Council approve an agreement for consultant services with T.Y. Lin International, in an amount not to exceed \$350,000, to provide engineering and construction support during construction of the I-15/French Valley Parkway Improvements - Phase II, PW16-01 Project.

10. Approve Amendment to the Agreement with MDG Associates, Inc., for Community Development Block Grant (CDBG) Administration Services

Recommendation: That the City Council approve the first amendment to the agreement with MDG Associates, Inc., in the amount of \$161,200, for a total

agreement amount of \$403,000, for Community Development Block Grant (CDBG) Administration Services.

11. Approve Second Amendment to the Agreement with STC Traffic, Inc. for On-Call Traffic Engineering Services

Recommendation: That the City Council approve the second amendment to the agreement with STC Traffic, Inc., in the amount of \$100,000, for additional on-call traffic engineering services.

12. Approve Plans and Specifications, and Authorize the Solicitation of Construction Bids for Recycled Water Accelerated Retrofit Program Project, PW21-04

Recommendation: That the City Council:

1. Approve the Plans and Specifications and authorize the Department of Public Works to solicit construction bids for Recycled Water Accelerated Retrofit Program Project, PW21-04; 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.

13. Accept Improvements and File the Notice of Completion for the Flood Control Reconstruction and Repair Project, PW11-10

Recommendation: That the City Council:

1. Accept the construction of the Flood Control Reconstruction and Repair Project, PW11-10, 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.

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

Recommendation: That the City Council:

1. Accept the Improvements for the Mary Phillips Senior Center Emergency Generator, 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.

15. Accept Improvements and File the Notice of Completion for the Infill Mini Pump Track at Wolf Creek Park, PW21-05

Recommendation: That the City Council:

1. Accept the Improvements for the Infill Mini Pump Track at Wolf Creek Park, PW21-05, 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.

16. Receive and File Temporary Street Closures for 2022 Autumnfest Events

Recommendation: That the City Council receive and file the temporary closure of certain streets for the following 2022 Autumnfest events:

EMERGENCY PREPAREDNESS FAIR
ART & STREET PAINTING FESTIVAL
HEALTH & COMMUNITY RESOURCE FAIR/OPEN STREETS
GREEK FESTIVAL
HALLOWEEN CARNIVAL
VETERAN'S DAY

RECESS:

At 6:29 PM, the City Council recessed and convened as the Temecula Community Services District Meeting and the Temecula Public Financing Authority Meeting. At 6:31 PM the City Council resumed with the remainder of the City Council Agenda.

RECONVENE TEMECULA CITY COUNCIL

PUBLIC HEARING

19. Conduct Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing, Adopt a Resolution Approving the Issuance of Not to Exceed \$27,000,000 of California Enterprise Development Authority Revenue Obligations for the Benefit of Linfield Christian School

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 \$27,000,000 of the Authority's Revenue Obligations (the "Obligations") for the benefit of Linfield Christian School, a California

nonprofit religious corporation (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. 2022-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE ISSUANCE BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OF NOT TO EXCEED \$27,000,000 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 AND FURNISHING EDUCATIONAL FACILITIES FOR THE BENEFIT OF LINFIELD CHRISTIAN SCHOOL AND OTHER MATTERS RELATING THERETO HEREIN SPECIFIED

Approved the Staff Recommendation (3-0, Alexander absent and Edwards abstained): Motion by Stewart, Second by Schwank. The vote reflected unanimous approval with Alexander absent and Edwards abstaining.

20. Consider a Negative Declaration, General Plan Amendment, Planned Development Overlay Amendment, Development Plan, and Tentative Tract Map (Planning Application Nos. PA20-1323, PA20-1324, PA20-1325, and PA20-1326)

Recommendation: That the City Council conduct a public hearing and approve the project including a General Plan Amendment, Planned Development Overlay Amendment, Development Plan, and Tentative Tract Map (Planning Application Nos. PA20-1323, PA20-1324, PA20-1325, and PA20-1326) and adopt related resolutions and introduce ordinance:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING THE FINAL NEGATIVE DECLARATION FOR THE RENDEZVOUS PHASE II PROJECT CONSISTING OF A 134 UNIT APARTMENT COMMUNITY GENERALLY LOCATED ON THE SOUTH SIDE OF RANCHO CALIFORNIA ROAD, APPROXIMATELY 150 FEET WEST OF COSMIC DRIVE (APN: 944-370-001, 005, 006, 007, 010, 012, 013)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A GENERAL PLAN AMENDMENT

APPLICATION TO REVISE THE GENERAL PLAN LAND USE DESIGNATION FOR THE PARCELS OF THE RENDEZVOUS PHASE II PROJECT FROM PROFESSIONAL OFFICE TO A MEDIUM DENSITY RESIDENTIAL LAND USE (APN: 944-370-001, 005, 006, 007, 010, 012, 013) (PA20-1323)

ORDINANCE NO.

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)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A DEVELOPMENT PLAN FOR A 134 UNIT APARTMENT COMMUNITY GENERALLY LOCATED ON THE SOUTH SIDE OF RANCHO CALIFORNIA ROAD, APPROXIMATELY 150 FEET WEST OF COSMIC DRIVE (APN: 944-370-001, 005, 006, 007, 010, 012, 013) (PA20-1325)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING TENTATIVE TRACT MAP 38043 TO COMBINE EIGHT (8) EXISTING CONTIGUOUS PARCELS INTO A SINGLE PARCEL 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) (PA20-1326)

Approved to continue public hearing to next City Council meeting of September 13, 2022 (4-0, Alexander absent): Motion by Edwards, Second by Stewart. The vote reflected unanimous approval with Alexander absent.

DEPARTMENTAL REPORTS (Receive and File)

21. Community Development Department Monthly Report
22. Fire Department Monthly Report
23. Public Works Department Monthly Report

ITEMS FOR FUTURE CITY COUNCIL AGENDAS

CITY MANAGER REPORT

CITY ATTORNEY REPORT

City Attorney reported that in closed session for items listed on the agenda Council set the fair market value of the property and also provided direction to staff for negotiating an acquisition of those property interests.

ADJOURNMENT

At 6:38 PM, the City Council meeting was formally adjourned to Tuesday, September 13, 2022, at 4:30 PM for Closed Session, with regular session commencing at 6:00 PM, City Council Chambers, 41000 Main Street, Temecula, California.

Adjourned in Memory of
Rick Shaffer

Matt Rahn, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]