

City Council Chambers
29844 Haun Road
Menifee, CA 92586



**Menifee City Council
Regular Meeting Minutes**

**Wednesday, June 05, 2024
4:00 PM Closed Session
6:00 PM Regular Meeting**

**Bill Zimmerman, Mayor
Bob Karwin, District 1
Ricky Estrada, District 2
Lesa Sobek, District 3
Dean Deines, District 4**

**Armando G. Villa, City Manager
Jeffrey T. Melching, City Attorney
Stephanie Roseen, Acting Clerk**

MINUTES

CLOSED SESSION (4:00 PM)

Mayor Zimmerman called closed session to order at 4:00 PM.

Correspondence was received from the following.

- Don Slater

The City Council recessed to closed session for the purposes listed below at 4:01 PM.

1. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code section 54957.6
Negotiators: Deputy City Manager Jonathan Nicks, Chief Financial Officer Travis Hickey, City Manager Armando G. Villa
Labor Agreement Negotiations: Menifee General Employee Unit Association, Menifee Professional Employee Unit Association, Menifee Mid-Management Employee Unit Association, Menifee Police Officers Association (POA); Menifee Police Management Association (PMA); and Menifee Police Employee Association (PEA)
2. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION
Government Code Paragraph (1) of subdivision (d) of Section 54956.9 Riverside County Superior Court Case No. CVRI230303456
City of Perris v. City of Menifee
3. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION
Government Code Paragraph (1) of subdivision (d) of Section 54956.9 Riverside County Superior Court Case No. CVRI2203040
City of Menifee v. City of Perris
4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:
Significant Exposure to Litigation(Gov. Code Section 54956.9(d)(2) or (3)): Two cases

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

Mayor Zimmerman called the meeting to order at 6:00 PM. There was no reportable action from the closed session.

2. ROLL CALL

Present: Bill Zimmerman, Bob Karwin, Ricky Estrada, Lesa Sobek

Absent: Dean Deines

3. WORDS OF INSPIRATION

Bishop Daniel Temple provided the words of inspiration.

4. PLEDGE OF ALLEGIANCE

Tom Fuhrman led the flag salute.

5. PRESENTATIONS - NONE

6. AGENDA APPROVAL OR MODIFICATIONS

The agenda was approved 4-0-1, Deines absent, with no modifications.

7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

The following speakers addressed the City Council on non-agenda items.

- Lorraine Fritch
- Angela Little
- Chris Shoults

8. COUNCILMEMBER UPDATES AND COMMENTS

Councilmember Karwin reported on the meetings and events he attended.

- Rotary Club Presentation by District Attorney Mike Hestrin
- Art Affair at Kay Cenicerros Center (KCC)
- Sun City Farmers Market
- ICSC Conference
- Stakeholder Interview for Regional Economic Development Brand Initiative
- Menifee Memorial Day Remembrance Ceremony
- Tiny Tots Graduation at Lazy Creek Recreational Center
- Youth Leaders of Menifee Recognition Awards at KCC
- Arts Council Menifee "Menifee's Got Talent" Show
- Western Riverside Council of Governments (WRCOG) Executive Committee Meeting
- Rotary Club Citizenship Awards
- Filming WRCOG General Assembly Vignette

Councilmember Estrada reported on the meetings and events he attended.

- Senior Health and Wellness Fair
- Murrieta State of the City
- Santa Rosa Academy Graduation
- Arts Council Menifee "Menifee's Got Talent" Show
- Southern California Association of Governments (SCAG) Meeting

Councilmember Sobek reported on the meetings and events she attended.

- ICSC Conference
- 7-Eleven Grand Opening and Ribbon Cutting
- Banner Park Grand Opening
- Menifee Memorial Day Remembrance Ceremony
- Menifee Lakes Homeowners Association Meeting
- Tiny Tots Graduation at Lazy Creek Recreational Center
- Youth Leaders of Menifee Recognition Awards at KCC
- Temecula State of the City
- Santa Rosa Academy Graduation
- Oak Meadows Elementary School Presentation
- Regional Conservation Authority (RCA) Board Meeting
- Menifee Interfaith Meeting
- Liberty High School Graduation

Mayor Zimmerman reported on the meetings and events he attended.

- Neighbors Monthly Mixer in Wildomar
- Business Battle Judge Panel at Liberty High School
- Boys and Girls Club Family Day
- History Program at Wickard Farms
- Valley Wide's Veteran's Park Grand Opening
- Freedom Crest Elementary School Field Trip to History Museum
- Mayor's All Stars at Boys and Girls Club
- Chamber Wake Up and Eastern Municipal Water District (EMWD)
- Senator Seyarto Legislative Advisory Meeting at MilVet
- 7-Eleven Grand Opening and Ribbon Cutting
- Rotary Club Meeting
- Banner Park Grand Opening
- Miller Jones Special Memorial Day Ceremony
- Menifee Memorial Day Remembrance Ceremony
- Oasis Veterans Club Memorial Ceremony
- Chamber Ribbon Cutting at Pawtriotic Pet Hotel
- Perris Union High School Student of the Year
- Menifee Chamber of Commerce Mixer at Urbane Café
- Superintendent Grant Bennett Recognition
- Youth Leaders of Menifee Recognition Awards at KCC
- Temecula State of the City
- Santa Rosa Academy Graduation
- Oak Meadows Elementary School Presentation
- Arts Council Menifee "Menifee's Got Talent" Show
- Menifee Interfaith Meeting
- Chamber of Commerce Ribbon Cutting for Bulldogs
- Liberty High School Graduation

9. APPROVAL OF MINUTES

The City Council approved the minutes 3-1-1, Estrada abstained and Deines absent, with no modifications.

- 9.1 May 15, 2024 Special Minutes
- 9.2 May 15, 2024 Minutes

10. CONSENT CALENDAR

Councilmember Sobek requested to pull Item No. 10.9 for further discussion.

The balance of the consent calendar was approved by the following vote.

MOVER: Bob Karwin

SECONDER: Bill Zimmerman

AYES: Zimmerman, Karwin, Estrada, Sobek

NAYS: None

ABSENT: Deines

10.1 Waiver of Reading

ACTION

- 1. Waived the reading in full of any and all Ordinances listed on this agenda and provided that they be read by title only.

10.2 Warrant Register

ACTION

- 1. Ratified and approved the Voucher Lists dated 04/26/2024, 05/03/2024, and 05/10/2024, the Payroll Register/Other EFTs dated 04/24/2024, 05/02/2024, 05/03/2024, 05/07/2024, 05/08/2024 and 05/10/2024, and the Void Check Listing PE 04/30/2024 which have a total budgetary impact of \$10,260,763.96.

10.3 Strategic Plan Update

ACTION

- 1. Received and filed an update on the implementation of the City of Menifee's 2023-2028 Strategic Plan for the period extending from January 1, 2024 to June 30, 2024.

10.4 November 5, 2024 General Municipal Election Resolutions

ACTION

- 1. Adopted Resolution No. 24-1424, calling the November 5, 2024, general municipal election for candidates and requesting assistance from the Registrar of Voters in conducting the election; and
- 2. Adopted Resolution No. 24-1425, setting regulations for candidate statements.

- 10.5 Authorization of Representatives for Access to Sales and Use Tax and Transaction and Use Tax Records

ACTION

1. Adopted Resolution No. 24-1426, authorizing the examination of the City's sales and use tax and transaction and use tax records.

- 10.6 Annual Investment Policy Update for Fiscal Year 2024/2025

ACTION

1. Adopted Resolution No. 24-1427, approving the annual update to the City of Menifee's Investment Policy for Fiscal Year 2024/2025.

- 10.7 2023 Emergency Management Performance Grant

ACTION

1. Adopted Resolution No. 24-1428, accepting the Fiscal Year (FY) 2023 Emergency Management Performance Grant (EMPG) in the amount of \$24,685 and authorizing the City Manager, or his designee, to execute all necessary documents to implement the funded project/program; and
2. Adopted Resolution No. 24-1429, amending the FY 2023/2024 budget, appropriating \$24,685 of grant funds in revenue and expenditures.

- 10.8 2023 State Homeland Security Program Grant

ACTION

1. Adopted Resolution No. 24-1430, accepting the Fiscal Year (FY) 2023 State Homeland Security Program Grant in the amount of \$15,323 and authorize the City Manager, or his designee, to execute all necessary documents to implement the funded project/program; and
2. Adopted Resolution No. 24-1431, amending the FY 2023/2024 budget, appropriating \$15,323 of grant funds in revenue and expenditures.

- 10.9 Bid Award and Agreement with Leonida Builders Inc. for Construction Services for the La Piedra Road at Bell Mountain Middle School – ATP Project

Councilmember Sobek pulled the item for further discussion.

Public Works Director Nick Fidler provided a presentation and an update on the item.

ACTION

1. Awarded bid and authorized the City Manager to execute a Contract Services Agreement with Leonida Builders Inc. to perform construction services for the La Piedra Road at Bell Mountain Middle School – Active Transportation Plan (ATP) Project, Capital Improvement Program (CIP) Project No. 22-25, located at the intersection of Antelope Road and La Piedra Road, in a total not-to- exceed amount of \$574,993; and
2. Adopted Resolution No. 24-1432, reprogramming \$138,404.47 in expenditures from the General Fund (Fund 100) to the La Piedra Road at Bell Mountain Middle School – ATP Project and reducing appropriations in the same amount to the Bradley Road Bridge Over Salt Creek Project; and

3. Adopted Resolution No. 24-1433, reprogramming \$138,404.47 in expenditures in DIF Citywide - Circulation (Fund 526) to the Bradley Road Bridge Over Salt Creek Project and reducing appropriations in the same amount to the La Piedra Road at Bell Mountain Middle School – ATP Project.

MOVER: Lesa Sobek

SECONDER: Bill Zimmerman

AYES: Zimmerman, Karwin, Estrada, Sobek

NAYS: None

RECUSE: None

- 10.10 Agreement with Adame Landscape, Inc. for Routine Park, Right of Way, and Facility Landscape Maintenance and Park Restroom Janitorial Services

ACTION

1. Approved and authorized the City Manager to execute a Professional Services Agreement with Adame Landscape, Inc. for routine park, right-of-way, and facility landscape maintenance and park restroom janitorial services for an initial three-year term in a total not-to-exceed amount of \$3,750,287 through June 30, 2027; and
2. Authorized the City Manager or designee to execute two optional, one-year extensions in an amount not-to-exceed \$1,315,587 for year four and \$1,381,366 for year five; and
3. Authorized the City Manager to execute additional amendments as needed to include services for future maintenance areas currently under construction, at the City's discretion and contingent on availability of the corresponding budget.

- 10.11 Agreement Amendment with Environmental Science Associates for On-Call Environmental Review Services

ACTION

1. Approved and authorized the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Environmental Science Associates for Fiscal Years (FY) 2023/2024 and 2024/2025 on-call environmental review services, increasing the amount by \$10,000 for a total not-to-exceed amount of \$35,000 for FY 2023/2024.

- 10.12 Agreement Amendment with Axon Enterprise, Inc. for Police Department Body Worn Camera Licenses

ACTION

1. Approved and authorized the City Manager to execute Amendment No. 6 to the Master Services and Purchasing Agreement with Axon Enterprise, Inc. in an amount not-to-exceed \$5,479 for Axon devices and services for Fiscal Years 2023/2024 and 2024/2025; and
2. Approved and authorized this purchase utilizing NPPGov, Contract No. PS20270, pursuant to Menifee Municipal Code Section 3.12.070 (6); and
3. Authorized the City Manager to execute the required documents and the Finance Department to issue a corresponding purchase order(s) for the purchase(s), and contract(s) and/or amendments.

- 10.13 Quitclaim Deeds to Riverside County Flood Control and Water Conservation District for Storm Drainage Easements Associated with Romoland Master Drainage Plan Line A-3, Stages 4 and 5

ACTION

1. Approved and authorized the City Manager, or designee, to execute Quitclaim Deeds for storm drain easements to Riverside County Flood Control and Water Conservation District for Romoland Master Drainage Plan, Line A-3, Stages 4 and 5, for the segment of Line A-3, located parallel to Varela Lane, between Malone Avenue and Palomar Road.

- 10.14 Public Improvement Agreement and Bonds for Tract Map No. 37358, Pacific Parkview, by Cal-Equity, LP

ACTION

1. Approved and authorized the City Manager to execute a Public Improvement Agreement to guarantee the completion of required public improvements within the City of Menifee associated with Tract Map No. 37358, located north of Mapes Road and west of Antelope Road in unincorporated Riverside County.

- 10.15 Acceptance of Public Improvements and 90% Release of Security for Tract Map 36485-7, Audie Murphy Ranch, by Sutter Mitland 01, LLC

ACTION

1. Accepted the public improvements for streets, drainage, water, recycled water, sewer system, and survey monuments for Tract Map 36485-7, Audie Murphy Ranch, located west of Urtica Court and north of Winter Circle; and
2. Authorized the City Engineer to release 90% of the posted securities per the City's standard policies.

11. PUBLIC HEARING ITEMS

- 11.1 Public Nuisance Declaration for the Krikorian Entertainment Complex Property

City Attorney Jeffrey Melching provided clarification regarding the City Council's recommended action and stated the action by the City Council would be related to the theater portion of the property only.

Community Development Director Cheryl Kitzerow and City Attorney Noam Duzman provided a presentation and reported on the item.

The City Council asked questions of staff.

Mayor Zimmerman opened the public hearing at 6:53PM. Acting City Clerk Stephanie Roseen stated the public hearing was legally noticed.

The City Council received correspondence from the following.

- Andra Contrás

Property representative, Andra Contrás, addressed the City Council.

The following speaker addressed the City Council.

- Anthony Villa Senor

The City Council asked questions of Ms. Contreras and staff.

Mayor Zimmerman closed the public hearing at 7:09 PM.

ACTION

1. Adopted Resolution No. 24-1434, finding and declaring conditions present at Krikorian Entertainment Complex Property, located at 27387 Newport Road, to be a public nuisance and ordering the abatement thereof.

MOVER: Bob Karwin

SECONDER: Ricky Estrada

AYES: Zimmerman, Karwin, Estrada, Sobek

NAYS: None

ABSENT: Deines

- 11.2 2023 Delinquent Solid Waste Accounts for Collection on Riverside County's Property Tax Roll

Management Analyst Kori Jones provided a presentation.

Mayor Zimmerman opened the public hearing at 7:14 PM. Acting City Clerk Stephanie Roseen stated the public hearing was legally noticed and there was no correspondence and no public comments. Mayor Zimmerman closed the public hearing at 7:15 PM.

ACTION

1. Approved the Solid Waste Delinquent Report from Waste Management, Inc. listing the 2023 delinquent solid waste accounts for placement on the Fiscal Year (FY) 2024/2025 County of Riverside property tax roll for collections; and
2. Adopted Resolution No. 24-1435, authorizing the collection of delinquent solid waste charges on the annual property tax roll; and
3. Authorized the City Clerk to issue a certified copy of the resolution and the Solid Waste Delinquency Report to be filed with the County of Riverside Auditor-Controller by Waste Management.

MOVER: Lesa Sobek

SECONDER: Bob Karwin

AYES: Zimmerman, Karwin, Estrada, Sobek

NAYS: None

RECUSE: None

12. DISCUSSION ITEMS

12.1 Preliminary Results for Comprehensive Classification and Compensation Study

Deputy City Manager Jonathan Nicks provided a presentation. The City Council asked questions of staff.

ACTION

1. Received and reviewed the preliminary results for the City of Menifee Comprehensive Classification and Compensation Study.

12.2 Fiscal Year 2024/2025 Mid-Cycle Budget Amendments and Fund Balance Policy Revision

Chief Financial Officer Travis Hickey provided a presentation.

The City Council asked questions of staff.

Councilmember Estrada stated concerns with the reserve increase to 40% outlined in the Fund Balance Policy.

Councilmember Sobek and Mayor Zimmerman spoke in favor of the reserve increase to 40% outlined in the Fund Balance Policy.

ACTION

1. Adopted Resolution No. 24-1436, amending the Fiscal Year (FY) 2024/2025 adopted budget; and
2. Adopted Resolution No. 24-1437, approving the Gann appropriations limit; and
3. Adopted Resolution No. 24-1438, approving the Classification and Compensation Plan known as the Authorized Position Listing; and
4. Adopted Resolution No. 24-1439, approving the revised 2023-2028 Five-Year Capital Improvement Program (CIP); and
5. Adopted Resolution No. 24-1440, designating a committed reserve fund balance account to be used towards periodic contributions for public facilities capital projects with an initial contribution of \$2,000,000.

MOVER: Ricky Estrada

SECONDER: Bill Zimmerman

AYES: Zimmerman, Karwin, Estrada, Sobek

NAYS: None

ABSENT: Deines

6. Approved the revised Fund Balance Policy for the General Fund (Policy No. CC-07); and

MOVER: Bill Zimmerman

SECONDER: Lesa Sobek

AYES: Zimmerman, Karwin, Sobek

NAYS: Estrada

ABSENT: Deines

13. CITY ATTORNEY REPORTS

None.

14. CITY MANAGER REPORTS

None.

15. FUTURE AGENDA REQUESTS FROM COUNCIL MEMBERS

Councilmember Sobek requested a future discussion item to replace the word "Road" in the street name Haun Road. Mayor Zimmerman seconded the request.

Councilmember Estrada requested a future discussion item regarding paving the dirt roads throughout the City of Menifee. Councilmember Karwin seconded the request.

16. ADJOURN

Mayor Zimmerman adjourned the meeting at 8:16 PM.

Stephanie Roseen, CMC
Acting City Clerk