

City Council Chambers
29844 Haun Road
Menifee, CA 92586



**Menifee City Council
Regular Meeting Minutes**

**Wednesday, October 4, 2023
5:00 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**

MINUTES

**Armando G. Villa, City Manager
Jeffrey T. Melching, City Attorney
Sarah Manwaring, City Clerk**

CLOSED SESSION (5:00 PM)

Mayor Zimmerman called the meeting to order at 5:00 p.m. Present were Councilmembers Estrada and Sobek, Mayor Pro Tem Karwin, and Mayor Zimmerman. Councilmember Deines was absent. The City Council recessed to Closed Session at 5:01 p.m. for the purposes below.

1. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code section 54957.6
Negotiators: Jonathan Nicks – Deputy City Manager, Rochelle Clayton – Assistant City Manager, Armando G. Villa – City Manager
Labor Associations: Menifee City Employees Associations (General Employee Unit, Mid-Management Employee Unit, and Professional Employee Unit), Menifee Police Officer's Association, Police Management Association, and Police Employee's Association
2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:
Significant Exposure to Litigation (Gov. Code Section 54956.9(d)(2) or (3)): One Case
3. 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
4. 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

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

Mayor Zimmerman called the meeting to order at 6:01 p.m.

City Attorney Jeffrey Melching stated there was no reportable action from Closed Session.

2. ROLL CALL

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

Absent: Dean Deines

3. WORDS OF INSPIRATION

3.1 Bob Warning – Crossway Menifee

4. PLEDGE OF ALLEGIANCE

Menifee resident Shelly Hobbs led the flag salute.

5. PRESENTATIONS

5.1 City's 15 Year Anniversary Recognition (15 - Minute Recess and Cake)

The City Council spoke on the Cities growth in the past 15 years and stated they were looking forward to the next 15 years.

Mayor Zimmerman called for a recess at 6:11 p.m.

Mayor Zimmerman called the meeting back to order at 6:25 p.m.

5.2 Community Services Update

Community Services Manager Mariana Mitchel provided a presentation.

5.3 National Alzheimer's Disease Awareness Month Proclamation

The City Council presented Jason White with a proclamation.

6. AGENDA APPROVAL OR MODIFICATIONS

City Clerk Sarah Manwaring stated that staff was requesting to remove Item Nos. 9.1 and 10.7 from the agenda.

The City Council voted unanimously (4-0-1, Deines absent) to approve the agenda as modified.

7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

The following people addressed the City Council about items not on the agenda:

- Aaron Gapasen

The City Council received correspondence from the following on items not on the agenda:

- Don Slater

8. COUNCILMEMBER UPDATES AND COMMENTS

Councilmember Estrada reported on the meetings and events he attended.

- Kabian Park Clean Up
- Canyon Heights Community Meeting
- District One Town Hall Meeting
- Mama's Kitchen One Year Anniversary

Councilmember Sobek reported on the meetings and events she attended.

- September 11th Commemoration Ceremony at MSJC
- September Student of the Month Event
- Annual League of California Cities Conference
- Tip-A-Cop Fundraiser for Special Olympics
- You Matter Collaboration Meeting
- Lake Meniffee Women's Club Annual Gala
- Meniffee's Education Summit
- Finance Committee Meeting
- Wildomar's State of the City
- Riverside Conservation Authority (RCA) Meeting
- Western Riverside Council of Governments (WRCOG) Meeting
- Interfaith Council Meeting

Mayor Pro Tem Karwin reported on the meetings and events he attended.

- Meniffee Chamber of Commerce 9th Shield One Year Anniversary
- WRCOG Transportation Uniform Mitigation Fee (TUMF) Central Zone Meeting
- Kabian Park Clean Up
- District One Town Hall Meeting

Mayor Zimmerman reported on the meetings and events he attended.

- Heritage High School vs. Paloma High School Football Game
- MSJC's First Football Game at the New Stadium
- September 11th Commemoration Ceremony at MSJC
- Riverside County Transportation Commission (RCTC) Meeting
- Rotary Club Meeting
- Meniffee's Education Summit
- Opening Ceremony for Meniffee Girls Softball
- Victory Church Car Show Fundraiser
- Meniffee Chamber of Commerce 9th Shield One Year Anniversary
- Sun City Cruisers Gathering
- MilVet Ribbon Cutting Event
- Tour of Animal Friends of the Valley New Animal Clinic
- District One Town Hall
- State of the District for Eastern Municipal Water District (EMWD)
- Wildomar's State of The City
- Rotary Club Meeting
- Interfaith Council Meeting

9. APPROVAL OF MINUTES

9.1 September 6, 2023 Regular City Council Minutes

This item was removed from the agenda.

10. CONSENT CALENDAR

Councilmember Sobek requested to pull Item No. 10.4 for separate discussion. The balance of the Consent Calendar was approved by the following vote.

MOVER: Lesa Sobek

SECONDER: Bob Karwin

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 8/18/2023, 8/25/2023, 9/1/2023, and 09/8/2023, the Payroll Register/Other EFTs dated 8/18/2023, 8/28/2023, 8/30/2023, 8/31/2023, 9/1/2023, 9/5/2023, and 09/12/2023 and the Void Check Listing PE 8/31/2023 which have a total budgetary impact of \$11,337,363.72.

10.3 Second Reading and Adoption of an Ordinance to Levy Special Taxes, CFD 2017-1 (Maintenance Services) Annexation No. 22, Cimarron Ridge

ACTION

1. Adopted Ordinance No. 2023-382, amending Ordinance No. 17-231 and levying special taxes to be collected during Fiscal Year 2023/2024 to pay the annual costs and expenses of the City of Menifee Community Facilities District No. 2017-1 (Maintenance Services) (Annexation No. 22).

10.4 2023 City Council Proclamations

This item was pulled for further discussion. Councilmember Sobek highlighted October as Domestic Violence Awareness Month.

ACTION

Proclaimed the following:

1. October 2023 as Cyber Security Awareness Month; and
2. October 2023 as National Community Development Month; and

3. October as National Alzheimer's Disease Awareness Month; and
4. October as Domestic Violence Awareness Month; and
5. Second Week of October 2023 as Code Enforcement Appreciation Week; and
6. October 6, 2023 as Manufacturing Day.

MOVER: Lesa Sobek

SECONDER: Bill Zimmerman

AYES: Zimmerman, Karwin, Estrada, Sobek

NAYS: None

ABSENT: Deines

- 10.5 Agreement with Pulte Home Company and Western Riverside Council of Governments for Transportation Uniform Mitigation Fee Program for Tract Map No. 36658, Cimarron Ridge

ACTION

1. Approved and authorized the City Manager to execute an Improvement and Credit Agreement with Pulte Home Company and Western Riverside Council of Governments for Transportation Uniform Mitigation Fee (TUMF) Program for Cimarron Ridge Tract Map No. 36658, located south of McLaughlin Road and west of Byers Road.

- 10.6 Agreement Amendment with T.Y. LIN International for the Holland Road / I-215 Overcrossing Project

ACTION

1. Approved and authorized the City Manager to execute Amendment No. 6 to the Professional Services Agreement with T.Y. Lin International increasing the compensation by \$75,159 for a total agreement amount not-to-exceed \$2,571,667, and extending the term through December 31, 2024 for the Holland Road / I-215 Overcrossing, Capital Improvement Program Project No. CIP 13- 03.

- 10.7 Agreement with Tri-Pointe Homes IE-SD, Inc. for Assignment of Quimby Credit

This item was pulled from the agenda.

- 10.8 Final Map for Tract Map 37131-2, Rockport Ranch, by Lennar Homes of California, LLC

ACTION

1. Approved and authorized the filing of Final Map No. 37131-2, Rockport Ranch, by Lennar Homes of California, LLC, located at the southwest corner of Old Newport Road and Briggs Road.

- 10.9 Agreement and Bond Replacements for Scott Road Commerce Center II, Scott Road Property LLC

ACTION

1. Approved and authorized the City Manager to execute the replacement Public Improvement Agreements with Scott Road Property, LLC to guarantee the completion of required public improvements associated with the Scott Road Commerce Center II project, located east of Zeiders Road and south of Ciccotti Street; and
2. Authorized the City Engineer to release 100% of the original posted securities with Scott Road Partners, LLC.

- 10.10 Establishment of a Comparator Agencies List for the City's Comprehensive Classification and Compensation Study

ACTION

1. Approved the list of Comparator Agencies, as recommended by Koff & Associates, a division of Arthur J. Gallagher & Co., for the City of Menifee Comprehensive Classification and Compensation Study.

11. PUBLIC HEARING ITEMS

- 11.1 Reversion to Acreage and Discharge of Lien Agreement for Banner Park South by Diamond Brothers Five Partnership, LP, Parcel Map No. 38627 of Tract Map No. 32101

Principal Engineer Steve Strapac provided a presentation.

Mayor Zimmerman opened the Public Hearing at 7:05 p.m. City Clerk Sarah Manwaring stated the item was legally noticed and there were no public comments and no correspondence had been received. Mayor Zimmerman closed the Public Hearing at 7:06 p.m.

ACTION

1. Adopted Resolution No. 23-1361, approving reversion to acreage as per Parcel Map No. 38627 and authorizing the discharge of a Subdivision Lien Agreement associated with former Tract Map No. 32101; and
2. Authorized the City Clerk to file the adopted resolution with the Riverside County Recorder's Office, discharging the existing Subdivision Lien Agreement; and
3. Authorized the City Manager to execute all other documents necessary to facilitate the discharge of the existing Subdivision Lien Agreement associated with Tract Map No. 32101.

MOVER: Lesa Sobek

SECONDER: Ricky Estrada

AYES: Zimmerman, Karwin, Estrada, Sobek

NAYS: None

ABSENT: Deines

12. DISCUSSION ITEMS

12.1 Menifee Police Department's Annual Military Equipment Use Report

Captain Heriberto Gutierrez provided a presentation.

ACTION

1. Affirmed continued use of Ordinance No. 2022-339 and Menifee Police Department Policy No. 706, providing approval, acquisition, and reporting requirements of military equipment; and
2. Received and filed the Menifee Police Department's Annual Military Equipment Use Report for 2022 and determine the report complies with the standards of approval, as required by Ordinance No. 2022-339 and Menifee Police Department Policy No. 706.

MOVER: Bob Karwin

SECONDER: Ricky Estrada

AYES: Zimmerman, Karwin, Estrada, Sobek

NAYS: None

ABSENT: Deines

12.2 Agreement with Probolsky Research LLC for Biennial Community Surveys Measuring Strategic Plan Implementation and Community Needs

Assistant to the City Manager Rebekah Kramer and City Consultant Adam Probolsky with Probolsky Research LLC provided a presentation.

Mayor Pro Tem Karwin stated the reasons he was not in favor of the item.

Mayor Zimmerman stated the reasons he would be in favor of the item.

Councilmember Sobek stated her support of the item and her concerns and requested the item return following the mid-cycle budget review.

Councilmember Estrada stated the reasons he was not in favor of the item and not in favor of the item returning at a future meeting.

The following people addressed the City Council on the item.

- Janelle Allbritton

Mayor Zimmerman made a motion to approve the item as presented. The motion failed by the following vote.

MOVER: Bill Zimmerman

SECONDER: Lesa Sobek

AYES: Zimmerman, Sobek

NAYS: Karwin, Estrada

ABSENT: Deines

Mayor Zimmerman made second motion to table the item until after the mid-year budget review.

ACTION

1. Tabled the item for future consideration.

MOVER: Bill Zimmerman

SECONDER: Lesa Sobek

AYES: Zimmerman, Karwin, Estrada, Sobek

NAYS: None

ABSENT: Deines

13. CITY ATTORNEY REPORTS

None.

14. CITY MANAGER REPORTS

City Manager Armando Villa provided a brief update to the City Council regarding the annexation of Valleywide Parks into the City.

15. FUTURE AGENDA REQUESTS FROM COUNCIL MEMBERS

Councilmember Sobek requested a future agenda item to meet and receive an update from the District 8 CalTrans representative. Mayor Zimmerman seconded the request.

Councilmember Estrada requested a future agenda item to review the City's options for the acquisition of Valleywide Parks into the City's purview. Mayor Pro Tem Karwin seconded the request.

Councilmember Estrada requested a future agenda item to discuss lowering the City's business license fees to be the lowest in the County. Mayor Zimmerman seconded the request.

16. ADJOURN

Mayor Zimmerman adjourned the meeting at 7:56 p.m.

Sarah A. Manwaring, MMC
City Clerk