

City Council Chambers
29844 Haun Road
Menifee, CA 92586

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



MINUTES

Menifee City Council Regular Meeting Minutes

Wednesday, January 17, 2024
4:30 PM Closed Session
6:00 PM Regular Meeting

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

CLOSED SESSION (4:30 PM)

Mayor Zimmerman called the meeting to order at 4:30 PM. Present were Councilmembers Deines, Estrada, Sobek, Mayor Pro Tem Karwin, and Mayor Zimmerman. The City Council recessed to closed session at 4:30 PM for the purposes listed below.

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code Paragraph (1) of subdivision (d) of Section 54956.9 Riverside County Superior Court Case No. CVRI2204556
BTS Sun City LLC v. City of Menifee
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code Paragraph (1) of subdivision (d) of Section 54956.9 Riverside Superior Court Case No. MCC1600382
Fuhrman v. City of Menifee
3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code Paragraph (1) of subdivision (d) of Section 54956.9 Riverside Superior Court Case No. CVSW2310000
Fuhrman 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. CVRI230303456
City of Perris v. City of Menifee
5. 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
6. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION INITIATION OF LITIGATION
Government Code section 54956.9(d)(4) One case
7. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION
Gov. Code Section 54956.9(d)(2) or (3) One Case

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

Mayor Zimmerman called the meeting to order at 6:00 PM.

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, Dean Deines

Absent: None

3. WORDS OF INSPIRATION

3.1 David Foust – Church of Jesus Christ of Latter-day Saints

4. PLEDGE OF ALLEGIANCE

Vicki Carpenter led the flag salute.

5. PRESENTATIONS

5.1 Outstanding Citizen of the Year – Stacy Hartfiel

The City Council recognized Stacy Hartfiel as Citizen of the Year and presented her with a certificate.

5.2 Business Spotlight – Savage Chef Bar & Grill

The City Council recognized Dylan Soro, Nikki Sorro, and Mario Amaral with Savage Chef Bar & Grill and presented them with a certificate and provided a video.

5.3 Community Services Update

Community Services Supervisor Gabbi Cao provided a presentation.

5.4 Police Department Update

Police Chief Chris Karrer provided a presentation.

6. AGENDA APPROVAL OR MODIFICATIONS

City Clerk Sarah Manwaring stated staff requested to pull Item No. 10.17 from the agenda. The agenda was approved unanimously (5-0) as modified.

7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

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

- Greg August
- Bob Fuhrman
- Mark Wade

- Ray Carpenter
- Cindy Tarr
- Lorna McGee
- George Reneau
- Fransisco Urbina

8. COUNCILMEMBER UPDATES AND COMMENTS

Councilmember Deines reported on the meetings and events he attended.

- Menifee Finance Committee Meeting
- Menifee's Menorah Lighting Event
- Riverside Transportation Authority (RTA) Board of Directors Meeting
- Sphere of Influence Committee Meeting
- Student of the Month Event

Councilmember Estrada reported on the meetings and events he attended.

- Menifee's Menorah Lighting Event
- Ribbon Cutting at Santa Rosa Mural
- Audie Murphy HOA Town Hall Meeting

Councilmember Sobek reported on the meetings and events she attended.

- Santa's Workshop
- Freedom Crest School 20th Anniversary

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

- Meeting with the new Owners of Cherry Hills Golf Course
- Chamber of Commerce's Wake up Menifee at Fairfield Inn
- Menifee's Menorah Lighting Event
- City Employee Recognition Luncheon
- Ribbon Cutting at Santa Rosa Mural
- Nova Battery Facility Tour
- Chamber of Commerce Mixer at Savage Chef Bar & Grill
- Western Riverside Council of Governments (WRCOG) Executive Committee Meeting
- Chamber of Commerce's Wake up Menifee at California Coast Credit Union
- Chamber of Commerce Jingle and Mingle Event
- Lazy Creek Holiday Event

Mayor Zimmerman reported on the meetings and events he attended.

- You Matter Collaboration Meeting
- Holiday Event with Supervisor Washington at the Kay Cenicerros Senior Center
- Chamber of Commerce Jingle and Mingle Event
- Freedom Crest School 20th Anniversary
- Wellquest Visit to Celebrate a 100 Year Birthday
- Holiday Dinner by the Sun City Cruisers
- Breakfast with Santa
- Shop with a Cop Event
- Rissa's Memorial Walk
- Chamber of Commerce's Wake up Menifee at Fairfield Inn
- Community Partners Meeting

- Menifee's Menorah Lighting Event
- Riverside County Transportation Commission (RCTC) Meeting
- City Employee Recognition Luncheon
- Ribbon Cutting at Santa Rosa Mural
- Herk Bouris Elementary School Recital
- Santa's Workshop
- Lazy Creek Holiday Event
- Boys and Girls Club Holiday Event
- Nova Battery Facility Tour
- Sphere of Influence Committee Meeting
- Neighbors Business Mixer
- Murrieta/Temecula Group Event
- Gale Webb Pump Track Dig Session
- Interfaith Council Meeting
- Southwest Higher Education Coalition Meeting
- RCTC Meeting
- Chamber of Commerce Mixer at Savage Chef Bar & Grill
- Wake Up Menifee at California Coast Credit Union

9. APPROVAL OF MINUTES

The following minutes were approved unanimously (5-0) with no modifications.

9.1 November 1, 2023 Regular Minutes

10. CONSENT CALENDAR

Councilmember Sobek requested to pull Item No. 10.12. Councilmember Deines requested to pull Item No. 10.15. The balance of the consent calendar was approved by the following vote.

MOVER: Ricky Estrada

SECONDER: Lesa Sobek

AYES: Zimmerman, Karwin, Estrada, Sobek, Deines

NAYS: None

RECUSE: None

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 Treasurer's Report – October 2023

ACTION

1. Received and filed the Treasurer's Report as of October 31, 2023.

10.3 Warrant Register

ACTION

1. Ratified and approved the Voucher Lists dated 11/17/2023, 11/22/2023, 12/01/2023, 12/08/2023, and 12/15/2023, the Payroll Register/Other EFTs dated 11/10/2023, 11/13/2023, 11/14/2023, 11/22/2023, 11/29/2023, 12/01/2023, 12/04/2023, 12/08/2023, and 12/11/2023, and the Void Check Listing PE 11/30/2023 which have a total budgetary impact of \$13,140,383.17.

10.4 Cervical Cancer Awareness Month Proclamation

ACTION

1. Proclaimed January 2024 as Cervical Cancer Awareness Month.

10.5 Monthly Public Safety Reports

ACTION

1. Received and filed the Public Safety Reports for November 2023.

10.6 Second Reading and Adoption of an Ordinance Approving the Zoning Code Amendment for "Golden Meadows"

ACTION

1. Adopted Ordinance No. 2024-383, approving Zoning Code Amendment No. PLN21-0201 for Tentative Tract Map No. 31194 ("TTM 31194") "Golden Meadows".

10.7 National Recreation and Park Association Supporting Healthy Aging Through Parks and Recreation 3.0 Grant

ACTION

1. Accepted the National Recreation and Park Association Supporting Healthy Aging Through Parks and Recreation 3.0 Grant in the amount of \$3,000 for the Walk with Ease Program; and
2. Approved and authorized the City Manager to execute a memorandum of understanding with National Recreation and Park Association, Inc. for the acceptance of terms and use for the Grant; and
3. Adopted Resolution No. 24-1389, appropriating \$3,000 in revenue and expenditures for the Community Services Department; and
4. Authorized the City Manager or his designee to execute all other necessary grant-related documents thereof to receive the NRPA SHAPR 3.0 Grant.

10.8 2023 Justice Assistance Grant (JAG) Award for the Meniffee Police Department

ACTION

1. Accepted the Fiscal Year 2023/2024 Justice Assistance Grant in the amount of \$10,877; and
2. Adopted Resolution No. 24-1390, appropriating \$10,877 in revenue and expenditures, for the Meniffee Police Department; and
3. Authorized the City Manager or designee to execute all necessary agreements and other grant-related documents thereof to receive the 2023 Justice Assistance Grant.

- 10.9 California Department of Transportation's Highway Safety Improvement Program Cycle 11 Grant

ACTION

1. Accepted the Fiscal Year 2023/2024 California Department of Transportation's ("Caltrans") Highway Safety Improvement Program Cycle 11 grant funds for the Citywide Traffic Signal Safety Improvements Project, Capital Improvement Program No. 24-01; and
2. Approved and authorized the City Manager to execute a program supplemental agreement with CalTrans for the project specifications and estimates phase of the Project in the amount of \$162,000; and
3. Adopted Resolution No. 24-1391, establishing the City's eligibility to receive the identified grant funding from Caltrans and authorize the City Manager to execute any future agreements and grant-related documents necessary to receive the Cycle 11 Highway Safety Improvement Grant funds; and
4. Adopted Resolution No. 24-1392, appropriating \$162,000 for the Project in revenues and expenditures in the Grant Fund (Fund 301).

- 10.10 Agreement for Furniture Procurement and Installation Services for the New Quail Valley Fire Station No. 5 Project

ACTION

1. Approved and authorized the City Manager to execute a Contract Services Agreement with Goforth & Marti doing business as ("DBA") G/M Business Interiors in an amount not-to-exceed \$93,797.28 for furniture procurement and installation in the new Quail Valley Fire Station No. 5, Capital Improvement Program ("CIP") Project No. 21-04, located on Goetz Road near Vista Way.

- 10.11 Agreement Amendment No. 2 with Dokken Engineering for the Valley Boulevard Widening and Missing Links Project

ACTION

1. Approved and authorized the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Dokken Engineering increasing the compensation by \$155,160 for a total agreement amount not-to-exceed \$1,399,191.81 for the Valley Boulevard Widening and Missing Links, Capital Improvement Program (CIP) Project No. 22-02.

- 10.12 Professional Design, Engineering and Architectural Services Agreement with TSK Architects for CIP 23-10 Community Center/Recreation Center Project

This item was pulled for discussion. Park/Landscape & Facility Maintenance Manager Bryce Howell answered questions from the City Council.

ACTION

1. Approved and authorized the City Manager to execute a professional services agreement with TSK Architects for design, engineering, and architectural services, Capital Improvement Project (CIP) Project No. 23-10 Community Center/Recreation Center in the amount not-to-exceed \$1,100,000; and
2. Adopted Resolution No. 24-1393, appropriating \$1,000,000 in expenditures from available general fund balance.

MOVER: Lesa Sobek
SECONDER: Bill Zimmerman

AYES: Zimmerman, Karwin, Estrada, Sobek, Deines NAYS: None RECUSE: None
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- 10.13 Cooperative Agreement with the California Department of Transportation for the Garbani Road / I-215 Interchange, CIP 20-05.

ACTION

1. Approved and Authorized the City Manager to execute a Cooperative Agreement between the City of Menifee and California Department of Transportation ("Caltrans") for the Project Approval and Environmental Document ("PA&ED"), Plans, Specifications, and Estimate ("PS&E"), and Right of Way ("ROW") phases of work for the Garbani Road / I-215 Interchange, Capital Improvement Program Project No. 20-05.
- 10.14 Agreement with Riverside County Flood Control and Water Conservation District for the Romoland Master Drainage Plan Line A-3, Stage 4 and Stage 5 Storm Drain

ACTION

1. Approved and authorized the City Manager to execute a Cooperative Agreement with Riverside County Flood Control and Water Conservation District for the construction, ownership, operation, and maintenance of the Romoland Master Drainage Plan (MDP) Line A-3, Stage 4 and Stage 5 Storm Drain, located along Varela Lane between Palomar Road and Malone Avenue.
- 10.15 Acceptance of Landscape Improvements and License Agreement for Tract Maps 30142 and 30142-2, Hidden Hills by KB Homes Coastal

This item was pulled for separate discussion. Assistant City Engineer Steve Strapac and Park/Landscape & Facility Maintenance Manager Bryce Howell answered questions from the City Council.

The following speakers addressed City Council:

- Michael Knighten

ACTION

1. Accepted the landscape improvements for Tracts 30142 and 30142-2, Hidden Hills by KB Homes Coastal, located east of Murrieta Road and south of Craig Avenue, subject to verification that park lights are operational; and
2. Approved and authorized the City Manager to execute a license agreement with the Hidden Hills Homeowners Association ("HOA") authorizing the HOA to perform maintenance on designated facilities within public right-of-way.

MOVER: Lesa Sobek
SECONDER: Bill Zimmerman

AYES: Zimmerman, Karwin, Estrada, Sobek, Deines NAYS: None RECUSE: None
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- 10.16 Agreement and Bond Replacement for Palomar Road & Matthews Road Improvements fronting Rinker Materials by Contech Engineered Solutions, LLC

ACTION

1. Approved and authorized the City Manager to execute a Public Improvement Agreement to guarantee the completion of required public improvements associated with the Palomar Road and Matthews Road Street Improvements for Rinker Materials by Contech Engineered Solutions, LLC, located east of Palomar Road and north of Matthews Road.

- 10.17 Acceptance of Public Park Improvements and 90% Release of Security for Tract Map 32102, Banner Village Park, by Pulte Home Company, LLC.

ACTION

1. This item was pulled from the agenda. No action was taken.

- 10.18 Acceptance of Public Improvements and 90% Release of Security for Meniffee Plaza, by Golden Star Investment Properties, LLC

ACTION

1. Accepted the public improvements for streets, drainage, water, and sewer systems for Meniffee Plaza, located south of Newport Road and east of Town Center Drive in Meniffee Town Center; and
2. Authorized the City Engineer to release 90% of the posted securities per the City's Standard Policies.

- 10.19 Notice of Completion and Acceptance for the Holland Road / I-215 Overcrossing Water, Sewer, and Recycled Water Utility Project

ACTION

1. Accepted the improvements for the Holland Road / I-215 Overcrossing Water, Sewer, and Recycled Water Utility Project, Capital Improvement Program ("CIP") Project No. 13-03; and
2. Authorized the City Clerk to file a Notice of Completion with the Riverside County Recorder's Office.

- 10.20 Notice of Completion and Acceptance for the Normandy Road Pedestrian Improvements Project

ACTION

1. Accepted the improvements for the Normandy Road Pedestrian Improvements Project, Capital Improvement Program Project No. 22-08; and
2. Authorized the City Clerk to file a Notice of Completion with the Riverside County Recorder's Office.

- 10.21 Notice of Completion and Acceptance for the Romoland Grid Neighborhood Resurfacing - South Project

ACTION

1. Accepted the improvements for the Romoland Grid Neighborhood Resurfacing - South Project, Capital Improvement Program Project No. 22-23; and
2. Authorized the City Clerk to file a Notice of Completion with the Riverside County Recorder's Office.

11. PUBLIC HEARING ITEMS

11.1 Development Code Amendment and Ordinance Introduction

Community Development Director Cheryl Kitzerow provided a presentation. The City Council asked questions of staff.

Mayor Zimmerman opened the public hearing at 8:03 PM. City Clerk Sarah Manwaring stated the item was legally noticed.

The following speakers addressed the City Council:

- Francisco Urbina

Mayor Zimmerman closed the public hearing at 8:07 PM.

City Attorney Jeffrey Melching provided an overview of the potential penalties if cities did not comply. The members of the City Council expressed their disappointment regarding the state's mandates and they were reluctantly approving the ordinance introduction to avoid potential consequences of not approving.

City Attorney Jeffery Melching introduced the ordinance by title.

ACTION

1. Found Code Amendment No. LR23-0012 exempt from further environmental review under the California Environmental Quality Act ("CEQA") and direct staff to file a Notice of Exemption; and
2. Introduced an ordinance approving Code Amendment No. LR23-0012, amending housing related provisions of the Development Code (Title 9 of the Menifee Municipal Code) as required to comply with State law and to implement the City's 6th Cycle, 2021-2029 Housing Element.

MOVER: Bob Karwin

SECONDER: Dean Deines

AYES: Zimmerman, Karwin, Estrada, Deines

NAYS: Sobek

RECUSE: None

12. DISCUSSION ITEMS

12.1 Annual Comprehensive Financial Report for Fiscal Year End June 30, 2023

Chief Financial Officer Travis Hickey, Finance Manager Ann-Marie Etienne, and City Consultant Jeffrey McKinney with Rogers, Anderson, Malody & Scott, LLC (RAMS) provided a presentation.

ACTION

1. Received and filed the Annual Comprehensive Financial Report (ACFR) and other audit reports for the fiscal year ending June 30, 2023.

- 12.2 Ordinance Introduction Adding Section 11.20.200 to Chapter 11.20 of Title 11 of the Menifee Municipal Code Relating to the Abatement of Hazardous Vegetation on Vacant Parcels

Code Enforcement Supervisor Terrence Wiggins provided a presentation. City Attorney Jeffrey Melching introduced the ordinance by title.

ACTION

1. Introduced an Ordinance adding Section 11.20.200 to Chapter 11.20 of Title 11 of the Menifee Municipal Code, establishing specific regulations for abatement of hazardous vegetation on vacant parcels.

MOVER: Lesa Sobek

SECONDER: Bill Zimmerman

AYES: Zimmerman, Karwin, Estrada, Sobek, Deines

NAYS: None

RECUSE: None

- 12.3 Comey View Court / Comet View Court – Sun Ranch Community Street Name Discrepancy

Management Analyst Laura Sportelli and Assistant City Engineer Steve Strapac provided a presentation and reported on the item.

The following people addressed the City Council.

- Rebekah Stewert
- Kyle Stewert
- Francisco Urbina

ACTION

1. The City Council provided staff direction to come back with steps to adjust the street to Comet View Court.

- 12.4 2024 Mayor Pro Tem Appointment

ACTION

1. The City Council provided consensus to appoint Councilmember Deines as Mayor Pro Tem.

- 12.5 2024 Appointments to Council Subcommittees and Regional Boards and Commissions

The City Council provided consensus to remove the Menifee Global Medical Center Advisory Group and Loma Linda Hospital Advisory Board from the list and nominated Councilmember Sobek as Representative and Mayor Zimmerman as alternate for the Southwest Elected Collaborative Group.

Councilmember Estrada requested to be considered for the City and School District Committee. Councilmember Karwin agreed to step down from the committee.

ACTION

1. Approved the revised appointment list as discussed.

MOVER: Bob Karwin

SECONDER: Lesa Sobek

AYES: Zimmerman, Karwin, Estrada, Sobek, Deines

NAYS: None

RECUSE: None

13. CITY ATTORNEY REPORTS

None.

14. CITY MANAGER REPORTS

None.

15. FUTURE AGENDA REQUESTS FROM COUNCIL MEMBERS

None.

16. ADJOURN

Mayor Zimmerman adjourned the meeting at 9:29 PM.

Stephanie Roseen, Acting City Clerk