

**RESOLUTION NO. 21-\_\_\_**

**A RESOLUTION OF THE CITY OF MENIFEE ADOPTING THE CAPITAL IMPROVEMENT  
PLAN FOR FISCAL YEAR 2021-2022 THROUGH 2025-2026**

**WHEREAS**, the City of Menifee's Capital Improvement Program (CIP) is a five year program adjusted annually that outlines public improvements and estimated expenditures to construct improvements. The current CIP has been updated for the 2021-2026 time period for City Council review and consideration; and

**WHEREAS**, staff has prepared a proposed Capital Improvement Plan ("CIP") for Fiscal Years 2021-22 through 2025-26 which includes appropriations for each capital improvement project presented in the budget, with some projects spanning multiple fiscal years; and,

**WHEREAS**, California Government Code Section 65401 requires that City's Planning Commission to make a determination that the annual CIP is in conformance with the City's General Plan; and

**WHEREAS**, The FY 2021-26 CIP is not a 'project' within the meaning of Section 15378(b)(4) of the CEQA Guidelines, and is therefore exempt from the requirements of CEQA. The CIP is a fiscal budgeting and long-range planning tool. It does not commit the City to construction or implementation of any specific project; and

**WHEREAS**, the proposed CIP for Fiscal Years 2021-22 through 2025-26 was presented to the City of Menifee Planning Commission at its regularly scheduled public meeting of May 12, 2021; and,

**WHEREAS**, the Planning Commission, by PC Resolution No. PC21-532, made a finding that CIP for Fiscal Years 2021-22 through 2025-26 conforms to the Menifee General Plan; and,

**WHEREAS**, the Planning Commission has caused to be transmitted to the City Council a copy of its report and resolution finding that the CIP for Fiscal Years 2021-22 through 2025-26 conforms to the Menifee General Plan; and,

**WHEREAS**, notice of the City Council public hearing on the proposed CIP was provided in compliance with Government Code section 66002; and

**WHEREAS**, the proposed CIP for Fiscal Years 2021-22 through 2025-26 was submitted to the City Council at a noticed public hearing held on June 16, 2021; and,

**WHEREAS**, the City Council considered testimony and evidence presented at the public hearing on June 16, 2021, and reviewed the proposed CIP for Fiscal Years 2021-22 through 2025-26 in light of all information presented.

**NOW, THEREFORE**, the City Council of the City of Menifee does find, determine and declare:

**Section 1.** The City Council confirms and accepts the finding of the City of Menifee Planning Commission that the CIP for Fiscal Years 2021-22 through 2025-26 conforms to the City of Menifee General Plan.

**Section 2.** The City Council finds that the CIP for Fiscal Years 2021-22 through 2025-26 demonstrates the efficient appropriation of public funds relating to the implementation of capital improvement projects anticipated to be undertaken throughout the City over the course of the ensuing five years.

**Section 3.** The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption of this CIP may have a significant effect on the environment. The CIP is a prioritizing and funding allocation program and cannot and does not have the potential to cause a significant effect on the environment. No physical activity will occur until all required environmental review is conducted at the time the physical improvements prioritized in the Capital Improvement Plan are undertaken at a future unspecified date. Accordingly, the adoption of this CIP is therefore exempt from the environmental review requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations. In addition, adoption of the CIP is exempt from CEQA pursuant to Section 15262 of Title 14 of the California Code of Regulations which covers feasibility or planning studies related to possible future actions.

**Section 4.** The CIP for Fiscal Years 2021-22 through 2025-26 is hereby approved and adopted. A copy of the CIP hereby adopted and certified by the City Clerk, shall be filed with the City Manager or a designated representative, and a further copy so certified shall be placed and shall remain on file in the Office of the City Clerk where it shall be available for inspection.

**Section 5.** This Resolution shall take effect upon the date of its passage and adoption.

**PASSED, APPROVED AND ADOPTED** this 16<sup>th</sup> day of June, 2021

\_\_\_\_\_  
Bill Zimmerman, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Sarah A. Manwaring, City Clerk

\_\_\_\_\_  
Jeffrey T. Melching, City Attorney