

City Council Chambers
29844 Haun Road
Menifee, CA 92586



**Menifee City Council
Regular Meeting Minutes**

**Wednesday, September 21, 2022
5:00 PM Closed Session
6:00 PM Regular Meeting**

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

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

MINUTES

CLOSED SESSION (5:00 PM)

Mayor Zimmerman opened closed session at 5:00 PM. Present were Councilmembers Karwin, Liesemeyer, Sobek, and Mayor Zimmerman. Mayor Pro Tem Deines was absent. There were no public comments. The City Council recessed to closed session at 5:00 PM for the purposes listed below.

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Government Code Section 54956.9(d)(1): one case
City of Menifee vs. City of Perris, et al, Riverside County Superior Court Case No. CVR12200340
2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code section 54957.6
Negotiators: Rochelle Clayton – Assistant City Manager, Armando G. Villa City Manager
Labor Associations: Menifee Police Officers Association (POA) and Menifee Police Employee Association (PEA, Nonsworn)

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: Bob Karwin, Matthew Liesemeyer, Lesa Sobek, Bill Zimmerman
Absent: Dean Deines

3. WORDS OF INSPIRATION

3.1 Pastor Bob Warning, Crossway Church

4. PLEDGE OF ALLEGIANCE

Barbie Ray led the flag salute.

5. PRESENTATIONS

5.1 Community Services Update

Community Services Manager Mariana Mitchell introduced Community Services Coordinator Michael Rheinhart. Mr. Rheinhart introduced the Youth Leaders of Menifee and provided an explanation of what they do for the City. The Youth Leaders introduced themselves and their theme, "Service through Kindness."

Ms. Mitchell provided a presentation and reported on the upcoming events: football camp; Fall Festival; Day of the Dead; Gale Webb Sports Park Grand Opening; Trot for a Cause; Christmas Tree Lighting & Holiday Bazaar; Menifee Recycles; Senior Bill Assistance; Bulky Item Drop Off, Clean Air Expo; and Parks Master Plan and Park Ranger update.

5.2 2022 International Mixed Martial Arts Federation Worlds Tournament Team Recognition

Mayor Zimmerman introduced Stephanie Hernandez with Hernandez Kickboxing & Fitness. Ms. Hernandez introduced four world champions in Youth Pankration, Mixed Martial Arts, held in Abu Dhabi.

5.3 Constitution Week Proclamation to the Daughters of the American Revolution

Mayor Zimmerman introduced members of the Daughters of the American Revolution. Bonnie Yayosh provided the background of Constitution Week and the City Council presented them with a proclamation.

5.4 Business Spotlight – California Coast Credit Union

Economic Development Director Gina Gonzalez introduced the Business Spotlight Program, recognizing California Coast Credit Union for their service to Menifee and showing their 30-second commercial.

6. AGENDA APPROVAL OR MODIFICATIONS

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

7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Hyacinth McNevin stated her concerns regarding debris in the median, unsightly vacant lots, lack of sidewalks for students to get to school, and sprinkler issues with landscape.

Maneesha Jones, President and CEO with the Menifee Valley Chamber of Commerce, shared upcoming events including Menifee's State of the City event on October 20th and ribbon cutting for Tacos and Tequila.

Reina Jackson stated her concerns with illegal street racing and reckless driving in the City.

8. COUNCILMEMBER UPDATES AND COMMENTS

Councilmember Karwin reported on the meetings and events he attended.

- League of California Cities Annual Conference
- Chamber “Wake Up Menifee” event at Provechos
- VFW Post Meeting
- Red Guitar Organization

Councilmember Liesemeyer reported on meetings and events he attended.

- Paloma Valley Aquatics Ribbon Cutting
- Western Riverside Council of Governments (WRCOG) Meeting

Councilmember Sobek reported on the meetings and events she attended.

- Murrieta State of the City
- League of California Cities Annual Conference
- September Student of the Month
- Fairview Fire Base Camp and Hemet Ryan Air Attack Base Visit
- Menifee 3rd Annual Emergency Preparedness
- Lake Menifee’s Charity Purse Auction
- Riverside Conservation Authority
- Riverside County Habitat Conservation Agency
- Community Action Partnership
- You Matter Interfaith Council

Mayor Zimmerman reported on the meetings and events he attended.

- Neighbors Monthly Mixer
- Chamber Board Meeting
- Arts Council Menifee
- Oasis Summer Music Series
- Riverside County Transportation Commission Projects and Programs Meeting
- Economic Development Ad Hoc Committee Meeting
- Rotary Club Meeting
- Foodie Friday at Central Park
- Menifee night at Storm Stadium
- Interfaith Council
- Chamber “Wake Up” event at Provechos
- Menifee’s Citizens Academy
- Paloma Aquatics Opening
- MSJC and City 9/11 Remembrance Ceremony
- Menifee Lions Club Event
- Arts Council Arts Walk
- Sun City Coordinating Council Meeting
- Bridge the Divide at Menifee Library
- Menifee’s Citizens Academy
- Riverside County Transportation Commission Board Meeting
- Planning Commission Meeting
- Historical Association
- Emergency Preparedness Fair at Central Park
- League of California Cities Mayor’s Meeting

9. APPROVAL OF MINUTES

The minutes were approved unanimously (4-0-1, Deines absent) with no modifications.

- 9.1 July 20, 2022 Minutes
- 9.2 August 3, 2022 Minutes
- 9.3 August 17, 2022 Special Minutes

10. CONSENT CALENDAR

Councilmember Liesemeyer requested to pull item nos. 10.4, 10.15, and 10.20. Councilmember Sobek requested to pull item nos. 10.16 and 10.21.

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

MOVER: Bob Karwin

SECONDER: Matthew Liesemeyer

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: 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 7/29/2022, 8/12/2022, and 8/26/2022 and the Payroll Register/Other EFT's dated 8/2/2022, 8/3/2022, 8/5/2022, 8/9/2022, 8/10/2022, and 8/19/2022, and the Void Check Listing PE 7/31/2022 which have a total budgetary impact of \$12,084,868.70.

10.3 Treasurer's Report, June 2022

ACTION

1. Approved the Treasurer's Report for June 2022.

10.4 Monthly Public Safety Reports

Councilmember Liesemeyer inquired about the traffic citations statistics and future recommendations for traffic safety. Chief Varso provided an overview on the Departments efforts with traffic safety.

Councilmember Sobek inquired about Menifee fire units reporting out of the City.

ACTION

1. Received and filed.

MOVER: Matthew Liesemeyer

SECONDER: Lesa Sobek

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

- 10.5 Second Reading and Adoption of an Ordinance Amending Title 8 of the Menifee Municipal Code to add Electrical Vehicle Charging Station Permit Procedures

ACTION

1. Adopted Ordinance No. 2022-350 amending Title 8 of the Menifee Municipal Code, adding Chapter 8.24, and setting forth procedures for expediting permit process for electric vehicle charging systems.

- 10.6 Second Reading and Adoption of an Ordinance Amending Various Sections of Title 9 of the Menifee Municipal Code

ACTION

1. Adopted Ordinance No. 2022-351, amending various sections of Title 9 of the Menifee Municipal Code, LR22-0140.

- 10.7 Conflict of Interest Code Biennial Update

ACTION

1. Adopted Resolution No. 22-1200, amending the City of Menifee's Conflict of Interest Code, which lists the designated Fair Political Practices Commission (FPPC) Form 700 filers and receive the 2022 biennial notice.

- 10.8 Fiscal Year 2022/2023 Annual Investment Policy Adoption

ACTION

1. Adopted Resolution No. 22-1201, approving the annual update to the City of Menifee's Investment Policy for fiscal year 2022/2023.

- 10.9 Coalition for 2022 Clean Air Microgrant Acceptance

ACTION

1. Accepted the 2022 Clean Air Day Microgrant in the amount of \$1,000 for the Menifee Clean Air Event; and
2. Adopted Resolution No. 22-1202, authorizing an increase in revenue and appropriation of expenditures in the amount of \$1,000 to an account as assigned by the Finance Department; and
3. Authorized the City Manager or his designee to execute all necessary documents to accept the grant award.

- 10.10 Community Development Block Grant Fiscal Year 2022/2023 Revised Program Allocation

ACTION

1. Adopted Resolution No. 22-1203, authorizing budget appropriation in the amount of \$20,051 in revenue and appropriation of expenditures in the amount of \$16,445 to the approved Community Development Block Grant (CDBG) Program fiscal year 2022/23 budget.

- 10.11 California Sustainable Transportation Planning Grant Program for Fiscal Year 2022/2023

ACTION

1. Adopted Resolution No. 22-1204, for the California Sustainable Transportation Planning Grant Program authorizing the City Manager to execute agreements with the California Department of Transportation (CalTrans) for the City of Menifee Complete Streets Plan.

- 10.12 Community Development Department, Building and Safety Division, Professional Services On-call Short List

ACTION

1. Approved the Community Development Department's Building and Safety Division on-call short list for plan review, permit technician, and building inspection services for fiscal years 2022/23 through 2026/27.

- 10.13 Engineering/Public Works Department, Capital Improvement Program Division, Professional Services On-call Short List

ACTION

1. Approved the on-call short list of professional service firms for Engineering/Public Works Department, Capital Improvement Program Division.

- 10.14 Agreements for Fiscal Year 2022/23 Bonded Community Facilities District Formation and Consultation Services

ACTION

1. Approved and authorized the City Manager to execute professional services agreement with Urban Futures in the not-to-exceed amount of \$90,000 for fiscal year 2022/23 community facilities district formation financial advisory services (formation and bond sale); and
2. Approved and authorized the City Manager to execute professional services agreement with Spicer Consulting Group in the not-to-exceed amount of \$250,000 for fiscal year 2022/23 community facilities district special tax consultant formation and bond sale services; and
3. Approved and authorized the City Manager to execute professional services agreement with Stradling, Yocca, and Carlson & Rauth in the not-to-exceed amount of \$210,000 for fiscal year 2022/23 community facilities district formation counsel services.

- 10.15 Agreements for Fiscal Year 2022/23 On call Engineering Services for the Engineering/Public Work's Land Development Division

Councilmember Liesemeyer inquired about the City processes for verifying consultants work and invoices. Public Works Director Nick Fidler confirmed staff reviews are being done.

ACTION

1. Approved and authorized the City Manager to execute a professional services agreement with CG Resource Management and Engineering, Inc. for stormwater management program services in the not-to-exceed amount of \$60,000; and
2. Approved and authorized the City Manager to execute a professional services agreement with Dennis Janda, Inc., for surveying and mapping services in the not-to-exceed of amount \$65,000; and
3. Approved and authorized the City Manager to execute a professional services agreement with D.R. Bechter Consulting for on-call construction inspection services in the not-to-exceed amount of \$150,100; and
4. Approved and authorized the City Manager to execute a professional services agreement with Gary F. Hoyt Landscape Architecture, Inc., in the not-to-exceed amount of \$75,100 for landscape plan review and inspection services; and
5. Approved and authorized the City Manager to execute a professional services agreement with STC Traffic, Inc., in the not-to-exceed amount of \$75,100 for plan check services.

MOVER: Matthew Liesemeyer

SECONDER: Bob Karwin

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

- 10.16 Agreements with Care-A-Van Services, Inc., Riverside County Transportation Commission, and GoGo Technologies, Inc. for the Menifee Specialized Transit Program

Community Services Director Jonathan Nicks provided a presentation and reported on the project background; needs assessment findings; multi-pronged approach; on-call transportation services; emergency ride vouchers; GoGo Technology amendments provided to Council; mobility support; next steps and sustainability.

The City Council inquired about different RTA services, option for a fixed route, start-up timing, and advertisement, eligibility and process, flexibility of the agreement, call for service and fixed routes.

Councilmember Liesemeyer expressed concerned with unintended consequences and RTA services.

Gloria Sanchez, Senior Advisory Committee Chair, supported the recommended action to encourage seniors to participate in programs, transport seniors and disabled to multiple locations, with plans to get fixed location routes in the future.

ACTION

1. Approved and authorized the City Manager to execute a Memorandum of Understanding (MOU) with Care-A-Van Services, Inc., to provide a Menifee

- Specialized Transit Program funded under the Federal Transit Authority Section 5310 Grant Program; and
2. Approved and authorized the City Manager to execute a professional services agreement with GoGo Technologies, Inc. for an emergency ride voucher program in an amount not-to-exceed \$112,500, funded by Measure A Grant Funds as amended a presented by staff; and
 3. Approved and authorized the City Manager to execute a funding agreement with the Riverside County Transportation Commission (RCTC) to fund components of the Menifee Specialized Transit Program under the Measure A Grant Program; and
 4. Accepted Measure A Grant Funds in an amount not-to-exceed \$150,000 over a three year period and authorized staff to administer the Specialized Transit Program; and
 5. Approved Resolution No. 22-1205, increasing revenue and appropriation of expenditures in the amount of \$150,000 to a program account as assigned by the Finance Department.

MOVER: Lesa Sobek

SECONDER: Bob Karwin

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

- 10.17 Agreement Amendment No. 2 with Esgil, LLC for as Needed Plan Review Services

ACTION

1. Approved Amendment No. 2 to the existing agreement for Esgil, LLC to increase by a not-to exceed amount of \$111,325, for a revised total contract amount not-to-exceed \$411,325 for as needed plan review services.

- 10.18 Agreement with Sutter Mitland 01, LLC for the Cash In-lieu of Construction of a Headwall on Normandy Road

ACTION

1. Approved and authorized the City Manager or his designee to execute a cash in-lieu agreement with Sutter Mitland 01, LLC for the City to receive \$49,810 as a cash in-lieu payment for construction of a headwall on Normandy Road.

- 10.19 Agreement with County of Riverside Transportation Department for Micro-surfacing Improvements on Leon Road

ACTION

1. Approved and authorized the City Manager to execute a service agreement with the County of Riverside Transportation Department to perform roadway improvements on behalf of the City on a portion Leon Road from Scott Road to approximately 1,500 feet north of Keller Road; and
2. Adopted Resolution No. 22-1206, appropriating \$60,000 in the general fund into a project account designated by the Finance Department.

- 10.20 Bid Award and Agreement with Roadway Engineering & Construction Corporation for the Pump Track Street Expansion Project

The City Council inquired about LED light activated by pedestrians, visual of the improvements, timeline of the pump track, option for a mid-block crosswalk, traffic impacts and prioritization of a traffic signal,

Councilmember Karwin stated his concerns regarding flashing stop signs.

Mayor Zimmerman expressed his concerns for traffic and pedestrian safety.

Councilmember Sobek asked for additional monitoring in the area after opening of the pump track with a report back.

Councilmember Liesemeyer suggested signage be up to date.

Public Works Director Nick Fidler stated the current traffic signal was currently set at a priority level 4, and a review is conducted annually in conjunction with the Capital Improvement Program.

ACTION

1. Awarded bid and authorized the City Manager to execute a construction contract with Roadway Construction & Engineering Corporation for the Pump Track Street Expansion Project, CIP 17-01 in the amount of \$466,042; and
2. Adopted Resolution No. 22-1207, for expenditure appropriation in the amount of \$304,344 from available fund balance from Fund 522 DIF – Citywide Park Improvements to account no. 522-4555-58052.

MOVER: Matthew Liesemeyer

SECONDER: Lesa Sobek

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

10.21 Agreement with Kellar Equipment for the Lease of Street Sweeping Equipment

Public Works Director Nick Fidler provided a presentation and reported on the purpose of the street sweeping program; history; current status; options; next steps; fiscal impact; and recommended action.

Councilmember Sobek inquired about use of City employees and staffing.

ACTION

1. Approved and authorized the City Manager to execute an equipment lease agreement with Kellar Equipment for the short-term rental of street sweeping equipment at a rate of \$12,500 per month (plus any applicable state or local taxes) through December 31, 2022.

MOVER: Lesa Sobek
SECONDER: Matthew Liesemeyer

<p>AYES: Karwin, Liesemeyer, Sobek, Zimmerman NAYS: None RECUSE: None ABSENT: Deines</p>
--

10.22 Vehicle Leases for the Community Services Department

ACTION

1. Approved and authorized the City Manager to amend the existing lease with Enterprise Fleet Management, Inc., to include two sixty-month leases for two vehicles in the not-to-exceed amount of \$1,155 per month for the Community Services Department; and
2. Allowed the lease agreements to be made under the cooperative purchasing (piggyback) agreement under Sourcwell Contract No. 060618-EFM, pursuant to Menifee Municipal Code Chapter 3.12.070(6).

10.23 Security Improvement Agreement and Bonds for Tract 32628, Adler Ranch, by FPG Tricon Menifee Property, LLC

ACTION

1. Approved and authorized the City Manager to execute the improvement agreement to guarantee completion of improvements associated with Tract Map 32628, located at the southeast corner of the intersection of Antelope Road and Craig Avenue.

10.24 Final Map, Security Improvement Agreements, and Bonds for Tract Map 29835-F, Underwood, by KB Home Coastal, Inc.

ACTION

1. Approved and authorized the City Manager to execute the improvement agreements to guarantee the completion of required improvements associated with Tract 29835-F, located east of Antelope Road and north of Rouse Road; and
2. Approved and authorized the filing of the final map for Tract 29835-F.

11. PUBLIC HEARING ITEMS

11.1 2021/2022 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant Program

Community Development Director Cheryl Kitzerow provided a presentation and reported on the Consolidated Annual Performance and Evaluation Report (CAPER); Community Development Block Grant (CDBG) allocations; public services and fund utilized; Minor Home rehabilitation grant program; 2020/2021 CDBG-CV statistics; and staff recommendation.

Mayor Zimmerman opened the public hearing at 8:10 PM. Acting City Clerk Stephanie Roseen stated the public hearing was legally noticed, and there was no correspondence received. With no public comments, Mayor Zimmerman closed the public hearing at 8:11 PM.

Councilmember Liesemeyer inquired about breakdown of rental mortgage assistance program.

ACTION

1. Adopted Resolution No. 22-1208 approving the 2021/2022 Consolidated Annual Performance and Evaluation Report (CAPER) for the City of Menifee's Community Development Block Grant (CDBG) Program, authorizing staff to submit the CAPER to the Department of Housing and Urban Development (HUD).

MOVER: Lesa Sobek

SECONDER: Matthew Liesemeyer

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

11.2 Economic Development Operating Agreement with SB Diner, LLC

Economic Development Director Gina Gonzalez provided a presentation and reported on Ordinance No. 213-130; in-fill issue; SB Diner, LLC investments; terms of agreement; and staff recommendation.

Councilmember Karwin inquired about success rates with similar models in the City.

Mayor Zimmerman opened the public hearing at 8:20 PM. Acting City Clerk Stephanie Roseen stated the public hearing was legally noticed, and correspondence has been distributed to the City Council. Since there were no speakers, Mayor Zimmerman closed the public hearing at 8:21 PM.

Councilmember Liesemeyer stated support for the proposal.

ACTION

1. Approved and authorized the City Manager to execute an economic development operating agreement with SB Diner, LLC.

MOVER: Matthew Liesemeyer

SECONDER: Lesa Sobek

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

11.3 Ordinance Introduction and Annexation No. 10 to Community Facilities District 2017-1 (Maintenance Services), Harvest Glen Marketplace, by Briggs & 74, LLC

The City Council had no objections to considering public hearing Item Nos. 11.3 through 11.7 simultaneously and agreed to forgo the presentation.

Mayor Zimmerman opened the public hearings at 8:24 PM. Acting City Clerk Stephanie Roseen stated the five public hearings were legally noticed; there was no

correspondence received and no public comments, There were no protests received and no registered voters in Annexations Nos. 10, 13, 14, 15, and 16. The owners had consented to the special elections and it was proper to hold the election. Mayor Zimmerman closed the public hearing at 8:25 PM.

ACTION

1. Adopted Resolution Nos. 22-1209 (Annexation No. 10), 22-1211 (Annexation No. 13), 22-1213 (Annexation No. 14), 22-1215 (Annexation No. 15), and 22-1216 (Annexation No. 16), calling the elections to annex territories into City of Menifee Community Facilities District No. 2017-1 (Maintenance Services) ("CFD No. 2017-1" or "CFD").

MOVER: Bob Karwin

SECONDER: Matthew Liesemeyer

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

Ms. Roseen stated she had received the official ballots and election materials from the landowners who can cast votes on behalf of the voters of all the property included in the territories proposed and they were all a yes vote.

2. Adopted Resolution Nos. 22-1210 (Annexation No. 10), 22-1212 (Annexation No. 13), 22-1214 (Annexation No. 14), 22-1216 (Annexation No. 15), and 22-1218 (Annexation No. 16). declaring results of special landowner elections.

MOVER: Matthew Liesemeyer

SECONDER: Lesa Sobek

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

Ms. Roseen introduced the ordinances by title.

3. Introduced the five ordinances for Annexation Nos. 10, 13, 14, 15, and 16, amending Ordinance No. 2017-231 and levying and apportioning the special tax in CFD 2017-1.

MOVER: Matthew Liesemeyer

SECONDER: Lesa Sobek

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

- 11.4 Ordinance Introduction and Annexation No. 13 to Community Facilities District 2017-1 (Maintenance Services), Estrella, by FPG Sun Meniffee 80, LLC

Item was approved as part of Item No. 11.3.

- 11.5 Ordinance Introduction and Annexation No. 14 to Community Facilities District 2017-1 (Maintenance Services), Adler Ranch, by FPG Tricon Meniffee Property, LLC

Item was approved as part of Item No. 11.3.

- 11.6 Ordinance Introduction and Annexation No. 15 to Community Facilities District 2017-1 (Maintenance Services), The Boulders, by Boulders Meniffee, LLC

Item was approved as part of Item No. 11.3.

- 11.7 Ordinance Introduction and Annexation No. 16 to Community Facilities District 2017-1 (Maintenance Services), Del Oro North Apartments, by Jefferson Meniffee, LLC

Item was approved as part of Item No. 11.3.

- 11.8 Ordinance Introduction and Formation of Community Facilities District No. 2022-2, McLaughlin Village

Mayor Zimmerman opened the public hearing at 8:29 PM. Acting City Clerk Stephanie Roseen stated the public hearing was legally noticed, there was no correspondence, no public comments, and no protests received. Ms. Roseen also indicated there are no registered voters in the territory of the district, the owners of all the taxable property in the district have consented to holding a special election following the hearing; and Ms. Roseen concurred the special election may be held following the hearing. Mayor Zimmerman closed the public hearing at 8:29 PM.

ACTION

1. Adopted Resolution No. 22-1219, establishing Community Facilities District (CFD) No. 2022-2, McLaughlin Village, located at the intersection of Barnett Road and McLaughlin Road; and
2. Adopted Resolution No. 22-1220, determining the necessity to incur bonded indebtedness in an amount not-to-exceed \$6,000,000 for CFD No. 2022-2, McLaughlin Village.

MOVER: Bob Karwin

SECONDER: Matthew Liesemeyer

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

Acting City Clerk Stephanie Roseen confirmed receipt of all the official ballots and waivers from the landowners who cast their votes on behalf of the owners of all the property proposed to be included within Community Facilities District No. 2022-2 (McLaughlin Village) and confirmed they are all "Yes" votes.

3. Adopted Resolution No. 22-1221, certifying election results for CFD No. 2022-2, McLaughlin Village.

MOVER: Lesa Sobek

SECONDER: Bob Karwin

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

Acting City Clerk Stephanie introduced the Ordinance by title.

4. Introduced an ordinance authorizing the levy of special taxes within CFD No. 2022-2, McLaughlin Village; and
5. Approved a funding agreement with Century Communities of California, LLC.

MOVER: Matthew Liesemeyer

SECONDER: Bob Karwin

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

- 11.9 Ordinance Introduction and Formation of Community Facilities District No. 2022-3, Legado

Mayor Zimmerman opened the public hearing at 8:32 PM. Acting City Clerk Stephanie Roseen stated the public hearing was legally noticed, there was no correspondence, no public comments, and no protests received. Mr. Roseen also indicated there are no registered voters in the territory of the district, the owners of all the taxable property in the district have consented to holding a special election following the hearing; and she concurred the special election be held following the hearing. Mayor Zimmerman closed the public hearing at 8:32 PM.

ACTION

1. Adopted Resolution No. 22-1222, establishing Community Facilities District (CFD) No. 2022-3, Legado, located to the northwest of Antelope Boulevard and Chambers Avenue and south of Rouse Road; and
2. Adopt Resolution No. 22-1223, determining the necessity to incur bonded indebtedness in an amount not to exceed \$40,000,000 for Improvement Area No. 1 and \$45,000,000 for Improvement Area No. 2 (for a total of \$85,000,000) for CFD No. 2022-3, Legado.

MOVER: Matthew Liesemeyer

SECONDER: Bob Karwin

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

Acting City Clerk Stephanie Roseen confirmed receipt of all the official ballots and waivers from the landowners who cast their votes on behalf of the owners of all the property proposed to be included within Community Facilities District No. 2022-3 (Legado) and confirmed they are all “Yes” votes.

3. Adopted Resolution No. 22-1224, certifying the election results for CFD No. 2022-3, Legado.

MOVER: Lesa Sobek

SECONDER: Matthew Liesemeyer

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

Acting City Clerk Stephanie Roseen introduced the Ordinance by title.

4. Introduced an ordinance authorizing the levy of special taxes within CFD No.2022-3, Legado; and
5. Approved and authorized the City Manager to execute an acquisition, construction, and funding agreement with BLC Fleming, LLC (BLC); and
6. Approved and authorized the City Manager to execute a joint community facilities agreement with Eastern Municipal Water District and BLC, LLC.

MOVER: Matthew Liesemeyer

SECONDER: Bob Karwin

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

- 11.10 Ordinance Introductions for the First and Second Amendments to the Commerce Pointe Development Agreement

Planning Manager Orlando Hernandez provided a presentation and reported on the project location; background; Development Agreement amendment provisions; public benefits; and staff recommendations.

Mayor Zimmerman opened the public hearing at 8:39 PM. Acting City Clerk Stephanie Roseen confirmed the public hearing was legally noticed, there was no correspondence, and no public comments. Mayor Zimmerman closed the public hearing

at 8:40 PM.

Mayor Zimmerman commented on the future public benefit and asked City Council to be mindful in the future for improvements in the area, and Councilmember Liesemeyer agreed. City Attorney Jeff Melching emphasized the development agreement does not specify specific improvements, which would be determined at a later date.

Acting Stephanie Roseen introduced the ordinances by title.

ACTION

1. Introduced an ordinance approving the first amendment to the Commerce Pointe development agreement for the project site located on the northeast and southeast corners of Ciccotti Street and Zeiders Road; and
2. Introduced an ordinance approving the second amendment to the Commerce Pointe development agreement.

MOVER: Matthew Liesemeyer

SECONDER: Lesa Sobek

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

11.11 Ordinance Introduction for Battery Energy Storage Systems Development Code Amendment

Principal Planner Ryan Fowler provided a presentation and reported on the background; Assembly Bill 205; current municipal code; zoning code update; draft applicability; draft definitions; draft allowable use table; location of land uses; draft special use standards; permitted use in the Menifee North Specific Plan; exempt environmental determination; and staff recommendation.

Councilmembers inquired about the public benefit in the ordinance, process, and evaluation; as well as job creation from sites, types of batteries allowed and impact on land use authority. City Attorney Jeff Melching discussed some of the options for identifying public benefits.

Mayor Zimmerman opened the public hearing at 8:58 PM. Acting City Clerk Stephanie Roseen confirmed the hearing was legally noticed and there was no correspondence received.

Marion Ashley thanked the City for moving ahead with the battery energy storage.

Mayor Zimmerman closed the public hearing at 9:02 PM.

Acting City Clerk Stephanie Roseen introduced the ordinance by title.

ACTION

1. Introduced an ordinance approving Development Code Amendment No. LR 22-0130, amending City of Menifee Municipal Code and Menifee North Specific Plan zoning pertaining to utility-scale battery energy storage systems.

MOVER: Bill Zimmerman
SECONDER: Matthew Liesemeyer

<p>AYES: Karwin, Liesemeyer, Sobek, Zimmerman NAYS: None RECUSE: None ABSENT: Deines</p>
--

12. DISCUSSION ITEMS

12.1 Community Facilities District 2020-2, Del Oro, Issuance of Special Tax Bonds

Assistant City Manager Rochelle Clayton introduced consultants and Finance Department staff Jizelle Sandoval and Margarita Cornejo. Financial Analyst Jizelle Sandoval introduced Shane Spicer, Spicer Consulting Group; Brian Forbath, Stradling; and Michael Busch, Urban Futures. The consultants provided a presentation and reported on the financing overview; project and development summary; items subject to City Council approval; sources and uses; proposed debt service; estimated issuance costs; and tentative schedule.

The City Council inquired about the bond process and liability.

ACTION

1. Adopted Resolution No. 22-1225, authorizing the issuance of special tax bonds and bond documents in connection with Community Facilities District 2020-2, Del Oro, located in the central portion of the City, on the southwest corner of Palomar Road and Holland Road; and
2. Authorized the City Manager to appropriate funds for debt service and related expenditures and revenues within the Del Oro custodial fund.

MOVER: Bob Karwin
SECONDER: Lesa Sobek

<p>AYES: Karwin, Liesemeyer, Sobek, Zimmerman NAYS: None RECUSE: None ABSENT: Deines</p>
--

12.2 Community Facilities District 2021-1, Banner Park, Issuance of Special Tax Bonds

Consultants Shane Spicer, Spicer Consulting Group; Michael Busch, Urban Futures; and Brian Forbath, Stradling jointly presented the project and development summary; financing overview; items subject to City Council approval; sources and uses; proposed debt service; estimated issuance costs; and tentative schedule.

Councilmember Sobek shared concerns with early construction.

ACTION

1. Adopted Resolution No. 22-1226 authorizing the issuance of special tax bonds and bond documents in connection with Community Facilities District 2021-1, Banner Park, located in the eastern portion of the City, to the northwest of Domenigoni

- Parkway; and
2. Authorized the City Manager to appropriate funds for debt service and related expenditures and revenues within the Banner Park custodial fund.

MOVER: Matthew Liesemeyer

SECONDER: Bob Karwin

AYES: Karwin, Liesemeyer, Sobek, Zimmerman

NAYS: None

RECUSE: None

ABSENT: Deines

13. CITY ATTORNEY REPORTS

None.

14. CITY MANAGER REPORTS

Assistant City Manager Rochelle Clayton provided an update on the future agenda item regarding Krikorian Theater project.

15. FUTURE AGENDA REQUESTS FROM COUNCIL MEMBERS

Councilmember Karwin requested discussion item for the feasibility of restructuring the form of government to five districts with a rotating mayor. Councilmember Sobek seconded.

Councilmember Sobek requested a future agenda item to consider finding a Sister City. Councilmember Liesemeyer seconded.

Councilmember Sobek requested a future agenda item regarding an update on the City holiday display and event. Councilmember Liesemeyer seconded.

Councilmember Sobek requested a future agenda item regarding noise concerns on Newport Road corridor. Mayor Zimmerman seconded.

Councilmember Sobek requested a future agenda item celebrating 250 years of American Spirit. Councilmember Liesemeyer seconded.

Councilmember Sobek requested a future agenda item on the update on bike trail along Salt Creek. Councilmember Karwin seconded.

16. ADJOURN

Mayor Zimmerman adjourned the meeting at 9:29 PM.

Stephanie Roseen, CMC
Acting City Clerk