

City Council Chambers
29844 Haun Road
Menifee, CA 92586



**Menifee City Council
Regular Meeting Minutes**

**Wednesday, January 18, 2023
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
Suzy Nelson, Acting Asst. Clerk**

MINUTES

CLOSED SESSION (4:00 PM)

Mayor Zimmerman called the meeting to order at 4:00 PM. Present were Councilmembers Deines, Estrada, Sobek, Mayor Pro Tem Karwin, and Mayor Zimmerman. Public comment via email was received from Don Slater for Closed Session item #3 and was provided to the City Council. At 4:01 PM, the City Council recessed to closed session for the purposes below.

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9 (d)(1)):
Golden State Environmental Justice Alliance vs. City of Menifee, City of Menifee City Council,
(Superior Court, County of Riverside, Case No. CVR12205205)
2. CONFERENCE REGARDING REAL PROPERTY NEGOTIATIONS (Government Code Section 54956.8):
Property Description: APN: 337310009
City Negotiator(s): Armando Villa, City Manager; Rochelle Clayton, Assistant City Manager; Gina Gonzalez, Economic Development Director
Negotiating Parties: Bank of America National Trust & Savings Association
Under Negotiation: Price and terms of payment
3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957(b)(1)):
Evaluation of City Manager

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

Mayor Zimmerman called the regular meeting to order at 6:02 PM.

There were no reportable actions from Closed Session.

2. ROLL CALL

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

Absent: None

3. WORDS OF INSPIRATION

- 3.1 Eric Russell, 1st Counselor in the Paloma Valley Ward Bishopric of the Menifee Church of Jesus Christ of Latter-day Saints

4. PLEDGE OF ALLEGIANCE

Tony Reverditto, Menifee Chamber of Commerce Board Member, led the flag salute.

5. PRESENTATIONS

- 5.1 Business Spotlight – Bushfire Kitchen

The City Council presented Jude Eranimus, Bushfire Kitchen, with a certificate and provided a promotional video.

- 5.2 Community Services Update

Staff provided a presentation.

- 5.3 2022 Outstanding Citizen of the Year – Paige Stowe

The City Council presented Paige Stowe with the 2022 Outstanding Citizen of the Year award.

6. AGENDA APPROVAL OR MODIFICATIONS

The agenda was approved unanimously (5-0) with no modifications.

7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

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

- Bruce Ratliff
- Adam Eventov
- Mary Dempsey
- Kassen Klein

8. COUNCILMEMBER UPDATES AND COMMENTS

Councilmember Deines reported out on the meetings and events he attended:

- Riverside Transit Agency Board Meeting

Councilmember Estrada reported out on the meetings and events he attended:

- Santa's Workshop in Quail Valley
- Sheriff Chad Bianco's swearing-in ceremony
- Regional Conservation Authority Board Meeting
- Quail Valley Community Meeting

Councilmember Sobek reported out on the meetings and events she attended:

- Hanukkah Festival and Gelt Drop Ceremony at Central Park
- Santa's Workshop and Spark of Love Toy Drive
- January's Student of the Month event at Sizzler
- Menifee's Better Together meeting
- Martin Luther King Ecumenical Service at the View Church

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

- Hanukkah Festival and Gelt Drop Ceremony at Central Park
- Met with multiple residents at his office regarding Menifee

Mayor Zimmerman reported out on the meetings and events he attended:

- Southern California Edison Government Advisory Panel
- Breakfast with Santa
- Community Partners Meeting
- Riverside County Transportation Commission Board Meeting
- Chamber of Commerce Mixer at Pacifica
- Hanukkah Festival and Gelt Drop Ceremony at Central Park
- Murrieta-Temecula Group Meeting
- Chamber of Commerce Meeting at Archibald's
- Menifee Planning Commission Meeting to support outgoing Chair David White
- Inland Empire Coalition of Mayors
- Martin Luther King Ecumenical Service at the View Church
- League of California Cities Mayor's Coalition Meeting

9. APPROVAL OF MINUTES

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

9.1 December 7, 2022 Minutes

9.2 December 15, 2022 Special Minutes

10. CONSENT CALENDAR

The City Council requested to pull item nos. 10.4, 10.8, and 10.9. The balance of the Consent Calendar was approved by the following vote:

MOVER: Dean Deines

SECONDER: Bob Karwin

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

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 Warrant Register

ACTION

1. Ratified and approved the Voucher Lists dated 11/17/2022, 12/01/2022, and 12/15/2022, the Payroll Register/Other EFTs dated 11/15/2022, 11/16/2022, 11/23/2022, 11/25/2022, 12/2/2022, 12/5/2022, 12/9/2022, and 12/12/2022 and the Void Check Listing PE 11/30/2022 which have a total budgetary impact of \$8,314,813.46.

10.3 Treasurer's Report – September 2022

ACTION

1. Approved the Treasurer's Report as of September 30, 2022.

10.4 Monthly Public Safety Reports

This item was pulled for further discussion.

ACTION

1. Received and filed.

MOVER: Lesa Sobek

SECONDER: Bob Karwin

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

10.5 Assembly Bill 1600 Annual Report

ACTION

1. Received and filed the Fiscal Year (FY) 2021/2022 annual report on receipt and use of AB 1600 Development Fees.

10.6 Resolution of Intention for Community Facilities District 2017-1, Annexation No. 19, Popeyes

ACTION

1. Accepted the Petition of DMSD Cajun Properties, LLC, PLN 22-0199 located south of Newport Road just east of Winter Hawk Road into Community Facilities District No. 2017-1 (Maintenance Services) ("CFD No. 2017-1" or "CFD") as Annexation Area No. 19; and
2. Adopted Resolution No. 23-1273 of Intention to add Annexation Area No. 19 into CFD No. 2017-1, to authorize the levy of special tax therein to finance certain maintenance services, and to set a public hearing for March 1, 2023.

- 10.7 Resolution of Intention for Community Facilities District 2017-1, Annexation No. 17, On Deck

ACTION

1. Accepted the Petition of VSK Investments, LLC, PM 37145 located east of I-215 on the northwest corner of Highway 74 and Trumble Road to annex into Community Facilities District No. 2017-1 (Maintenance Services) (CFD No. 2017-1) as Annexation Area No. 17; and
2. Adopted Resolution No. 23-1274 of Intention to add Annexation Area No. 17 into CFD No. 2017-1, to authorize the levy of special tax therein to finance certain maintenance services, and to set a public hearing for March 1, 2023.

- 10.8 Eastern Municipal Water District Utility Relocation Agreement for the Meniffee Road Resurfacing Project

This item was pulled for further discussion.

ACTION

1. Authorized the City Manager to execute a Utility Relocation Agreement between the City of Meniffee and Eastern Municipal Water District (EMWD), and any future amendments thereof, for reimbursement of costs related to adjustment of water facilities for Meniffee Road Resurfacing Project, Capital Improvement Project No. 22-06.

MOVER: Lesa Sobek

SECONDER: Dean Deines

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

- 10.9 Agreement with Ninyo & Moore for Materials Testing Services for Meniffee Road Resurfacing Project

This item was pulled for further discussion.

ACTION

1. Approved and authorized the City Manager to execute a Professional Services Agreement with Ninyo & Moore in an amount not-to-exceed \$42,535.80 to provide materials testing services for the Meniffee Road Resurfacing Project, Capital Improvement Project (CIP) No. 22-06.

MOVER: Lesa Sobek

SECONDER: Dean Deines

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

- 10.10 Agreement with West Coast Arborist, Inc. for City-wide Tree Trimming and Maintenance Services

ACTION

1. Approved and authorized the City Manager (or his designee) to execute a Professional Services Agreement with West Coast Arborist, Inc. for citywide tree trimming and maintenance services in the amount not-to-exceed \$176,402 for the remainder of Fiscal Year (FY) 2022/2023; and
2. Authorized the City Manager to execute agreement amendment(s) for the remainder of FY 2022/2023, and an additional four one-year amendments for annual services, at the City's discretion, and contingent on availability of the corresponding budget.

- 10.11 Landscape Maintenance Agreement with Caltrans for On Deck Project, Parcel Map 37145

ACTION

1. Approved and authorized the City Manager to execute a Landscape Maintenance Agreement with Caltrans for maintenance of public improvements for Parcel Map 37145, located on the north side of Highway 74, west of Trumble Road.

- 10.12 Landscape Improvement Agreement and Bond for Tract Map 37668, Sumac Ridge, by Meritage Homes of California, Inc.

ACTION

1. Approved and authorized the City Manager to execute a Landscape Improvement Agreement to guarantee the completion of required landscape improvements associated with Tract 37668, located north of Scott Road at the intersection of Lindenberg Road.

- 10.13 Amendment to Agreement for On-Call Traffic Engineering Services with STC Traffic, Inc.

ACTION

1. Approved and authorized the City Manager to execute Amendment No. 1 to Professional Services Agreement with STC Traffic, Inc. for on-call traffic engineering services, increasing the agreement by \$66,000 for a total agreement not-to-exceed amount of \$90,000.

- 10.14 Community Services Department, General Contractor Services On-Call Short List

ACTION

1. Approved the Community Services Department On-call Short List for general contractor services for Fiscal Year's 2022/2023 through 2024/2025.

- 10.15 Laserfiche Rio System Additional Licenses Purchase

ACTION

1. Approved the purchase and authorized the Finance Department to issue a corresponding Purchase Order (PO) for the purchase of 100 additional Laserfiche Rio System licenses based on the attached quote for a not-to-exceed amount of \$104,790 and using available funds within account #110- 4113-51353 (Computer Software); and

2. Allowed the purchase to be made as a cooperative purchasing (piggyback) agreement under National Cooperative Purchasing Alliance Contract No. 11-25, pursuant to Menifee Municipal Code Chapter 3.12.070(6); and
3. Authorized the City Manager to issue up to three additional one-year purchase orders at \$49,999 per year, for auto renewals.

10.16 Notice of Completion and Acceptance for Tradewinds Community Resurfacing, Capital Improvement Project No. 22-07

ACTION

1. Accepted the improvements for Capital Improvement Project (CIP) No. 22-07, Tradewinds Community Resurfacing Project, and
2. Authorized the City Clerk to file a Notice of Completion with the Riverside County Recorder's Office.

10.17 Public Improvement Agreements and Bonds for Scott Road Commerce Center II, by SRP II, LLC

ACTION

1. Approved and authorized the City Manager to execute the public improvement agreements 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.

10.18 Acceptance of Public Improvements and Release of Security for Plot Plan 2017-042, Wellquest Senior Living, by Wellquest Menifee, LLC

ACTION

1. Accepted the public improvements for streets/drainage, water, recycled water, and sewer systems for Plot Plan 2017-042, Wellquest Senior Living, located on the east side of Antelope and north of Aldergate Drive; and
2. Authorized the City Engineer to release the posted securities per the City's Standard Policies.

11. PUBLIC HEARING ITEMS

11.1 Continuance of Introduction and First Reading of an Ordinance Amending Title 14, to include Chapter 14.02 – Public Street Excavation Moratorium

ACTION

1. Continued the public hearing to introduce an ordinance amending Title 14 of the City of Menifee Municipal Code to include Chapter 14.02 - Public Street Excavation Moratorium implementing a public street excavation moratorium for all new, reconstructed, and resurfaced streets, to the regular meeting of the City Council on February 15, 2023.

MOVER: Dean Deines

SECONDER: Lesa Sobek

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

11.2 General Plan Amendment and Change of Zone to Expand the Economic Development Corridor – Community Core (EDC-CC) to Scott Road and Update the Business Park Land Use Designation

Planning Manager Orlando Hernandez provided a presentation, emphasizing if revisions as recommended by the Planning Commission and staff are approved as presented, to incorporate them into the action.

Mayor Zimmerman opened the public hearing at 7:30 PM. The Acting Assistant City Clerk stated the public hearing was legally noticed and one item of correspondence was received and provided to the City Council.

Speaking in support of the item were:

- Kassen Klein
- Greg Hamann

Mayor Zimmerman closed the public hearing at 7:34 PM. The Acting Assistant City Clerk introduced the ordinance by title.

ACTION

1. Adopted Resolution No. 23-1275 adopting an Addendum to the City's General Plan Final Environmental Impact Report (EIR) (SCH No. 2012071033) and Housing Element Update EIR and directed staff to file a Notice of Determination; and
2. Adopted Resolution No. 23-1276 approving General Plan Amendment No. PLN21-0404.

MOVER: Bill Zimmerman

SECONDER: Dean Deines

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

ACTION

3. Introduced an ordinance approving Change of Zone No. PLN21-0405, including revisions as recommended by the Planning Commission and staff as presented.

MOVER: Bill Zimmerman

SECONDER: Lesa Sobek

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

12. DISCUSSION ITEMS

12.1 Community Facilities District 2020-1, McCall Mesa, Issuance of Special Tax Bonds

Deputy Finance Director Margarita Cornejo provided a presentation.

ACTION

1. Adopted Resolution No. 23-1277 authorizing the issuance of special tax bonds and bond documents in connection with Community Facilities District (CFD) No. 2020-1 (McCall Mesa) located in the northeastern portion of the City, on the southwest corner of Meniffee Road and Rouse Road; and
2. Authorized the City Manager to appropriate funds for debt service and related expenditures and revenues within the McCall Mesa custodial fund.

MOVER: Dean Deines

SECONDER: Lesa Sobek

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

12.2 Proposed Committee and Commission Appointments

Assistant City Manager Rochelle Clayton presented on this item.

ACTION

1. Mayor Pro Tem Karwin reappointed: a) June Conant to Quality of Life Measure DD Oversight Committee; and b) Linda Blanche to the Senior Advisory Committee; and
2. Councilmember Estrada appointed: a) Joe Long to Planning Commission, b) William Payne to Parks, Recreation, and Trails Commission, c) Laz Peterson to Quality of Life Measure DD Oversight Committee, and d) Debbi Manion to Senior Advisory Committee; and
3. Councilmember Sobek reappointed: a) Michael Cano to Quality of Life Measure DD Oversight Committee; and b) Bruce Atwood to the Senior Advisory Committee; and
4. Councilmember Deines appointed: a) Ben Diederich to Planning Commission, and reappointed: b) Tierra Bowen to Parks, Recreation, and Trails Commission; c) John Standish to the Quality of Life Measure DD Oversight Committee, and d) Anne-Marie Novack to Senior Advisory Committee; and
5. Mayor Zimmerman reappointed: a) Michael Knighten to Quality of Life Measure DD Oversight Committee, and b) Gloria Sanchez to Senior Advisory Committee.

12.3 City of Meniffee Legislative Platform

Public Information and Legislative Officer Phil Southard provided a presentation.

ACTION

1. Reviewed and approved the updated Legislative Platform; and
2. Reaffirmed the Legislative Policy approved on August 5, 2020.

MOVER: Bob Karwin

SECONDER: Lesa Sobek

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

12.4 Veterans Recognition Events and Advisory Committee

Community Services Director Jonathan Nicks provided a presentation.

ACTION

1. Following discussion and additional input on options for recognizing Vietnam and Korean War Veterans, and the potential formation of a Veterans Advisory Committee, by consensus the City Council agreed to have staff bring back more information, particularly on potential formation of a Veterans Advisory Committee, including the fiscal impact.

12.5 Procedures and Policies Applicable to City Council Meetings

City Attorney Jeff Melching provided a presentation.

ACTION

By consensus, Council:

1. Directed staff to return with a Visual Media Policy; and
2. Approved administrative corrections to the existing Code of Ethics and to match Rules of Decorum, including Council Members communicating to the City Manager to add future agenda items, outside the regular agenda process of adding at a meeting, that items will not be added in advance of the meeting unless the issue cannot be addressed otherwise due to timeliness; and
3. Determined not to proceed with increasing compensation at this time.

ACTION

4. Adopted and approved City of Menifee's Policy No. CC-04, Social Media for Public Officials.

MOVER: Dean Deines

SECONDER: Lesa Sobek

AYES: Deines, Karwin, Sobek, Zimmerman

NAYS: Estrada, preferred as good practices, citing redundancies

RECUSE: None

13. CITY ATTORNEY REPORTS

None.

14. CITY MANAGER REPORTS

None.

15. FUTURE AGENDA REQUESTS FROM COUNCIL MEMBERS

Councilmember Sobek requested staff to research if there is a need for an adult daycare facility, seconded by Deines.

16. ADJOURN

Mayor Zimmerman adjourned the meeting at 9:33 PM in memory of Deputy Isaiah Cordero and Deputy Darnell Calhoun of the Riverside County Sheriff's Department.

Suzy Nelson
Acting Assistant City Clerk