

City Council Chambers
29844 Haun Road
Menifee, CA 92586



**Menifee City Council
Regular Meeting Minutes**

**Wednesday, April 19, 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**

**Armando G. Villa, City Manager
Jeffrey T. Melching, City Attorney
Kay Vinson, Acting Clerk**

MINUTES

Mayor Zimmerman called the meeting to order at 5:03 PM and recessed the meeting to Closed Session. Present were: Councilmembers Deines, Estrada, Sobek, Mayor Pro Tem Karwin, and Mayor Zimmerman.

CLOSED SESSION (5:00 PM)

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation
(Pursuant to Government Code Section 54956.9(d)(2) or (3)): One Case
2. 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

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

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

City Attorney Jeff Melching indicated 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 Pastor leesha B. Sharp – Lead Your Ship Ministries Non-Profit

4. PLEDGE OF ALLEGIANCE

Colton Rickman led the flag salute.

5. PRESENTATIONS

5.1 Citizen of the Month – Heather Rickman

The City Council presented Heather Rickman with the Citizen of the Month Award.

5.2 Business Spotlight – Los Jilbertos

The City Council presented Joshua Cruz, Los Jilbertos, with a certificate and provided a video.

5.3 Community Services Update

Community Services Supervisor Gabbi Cao showed a video on the Vietnam Memorial - The Wall That Heals and provided the Community Services Update. Stephanie Ornelas, Miller Jones Mortuary, recognized the partners and sponsors for the Wall That Heals event. The City Council presented certificates of appreciation to The Briseno Law Firm, Get Loaded Guns and Ammo, and Clark Construction Group for their donations to The Wall That Heals events.

George Swift, President of the Vietnam Veterans of America, Chapter 47, thanked the City for holding the Welcome Home Vietnam Veterans event and presented the City a framed Letter of Commendation and a \$300 donation.

5.4 Fire Department Quarterly Update

Battalion Chief Bill Lawe provided the presentation, and Staff responded to questions.

6. AGENDA APPROVAL OR MODIFICATIONS

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

7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Gloria Sanchez provided public comment.

8. COUNCILMEMBER UPDATES AND COMMENTS

Councilmember Deines reported on the events he attended:

- Vietnam Memorial - The Wall That Heals

Councilmember Estrada reported on the meetings and events he attended:

- Vietnam Memorial - The Wall That Heals
- Quail Valley Community meeting
- Lyle Marsh Park clean up

Councilmember Sobek reported on the meetings and events she attended and announced upcoming events:

- Vietnam Memorial - The Wall That Heals
- Good Friday at Central Park
- Southwest Riverside Regional Quick Pitch – Entrepreneur Exchange

- You Matter Collaborative Meeting, noting May is Mental Health Awareness Month
- City Shred Fest
- MUSD Elementary School #15 Groundbreaking
- 2023 Menifee Better Together Community & Earth Day Celebration on April 22
- National Day of Prayer on May 4

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

- Vietnam Memorial – The Wall That Heals
- Menifee Masters Realtor Graduation Ceremony
- MUSD Elementary School #15 Groundbreaking

Mayor Zimmerman reported on the meetings and events he attended and announced upcoming events:

- Pacific Senior Living hosted a business mixer
- Vietnam Memorial – The Wall That Heals
- Special Education All Stars Day at Hans Christensen Middle School
- Foodie Friday at Mt. San Jacinto College
- Spoke at Sun Meadows Mobile Home Park
- Community Partners
- Menifee Masters Realtor Graduation Ceremony
- Quail Valley Community meeting
- Riverside County Transportation Commission
- Chamber Mixer at Ready. Set. Game!
- You Matter Collaborative
- Rotary Club
- MilVet event to assemble overseas care packages
- MUSD Elementary School #15 Groundbreaking
- Virtual Mayor's Cal Cities Collaborative
- Motte Museum car show on April 22
- Grand Opening of Black Bear Diner in May

9. APPROVAL OF MINUTES

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

9.1 March 15, 2023 Minutes

9.3 April 5, 2023 Minutes

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

9.2 April 5, 2023 Special Minutes

10. CONSENT CALENDAR

The consent calendar was approved by the following vote:

MOVER: Lesa Sobek

SECONDER: Dean Deines

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 3/15/2023 and 03/22/2023, and the Payroll Register/Other EFTs dated 03/10/2023 and 03/17/2023, which have a total budgetary impact of \$8,389,125.53.

10.3 Monthly Public Safety Reports

ACTION

1. Received and filed.

10.4 Second Reading and Adoption of Development Code Amendment to Implement Housing Element Program Action 5

ACTION

1. Adopted Ordinance No. 2023-370 approving Code Amendment No. LR23-0017, to amend Chapter 9.130.030 of the Development Code (Title 9 of the Menifee Municipal Code) to add provisions to for by-right review of residential projects with a minimum of 20 percent of the units affordable to lower income households and located on candidate sites identified in the current Housing Element and used in a prior housing element as required to implement Housing Element Program Action 5 and comply with State law.

10.5 Second Reading and Adoption of an Ordinance to Levy Special Taxes, CFD 2017-1 (Maintenance Services) Annexation No. 18, Rockport Ranch

ACTION

1. Adopted Ordinance No. 2023-371 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. 18).

10.6 2022 Emergency Management Performance Grant

ACTION

1. Adopted Resolution No. 23-1304 approving the City of Menifee's participation in the Fiscal Year 2022 Emergency Management Performance Grant; and
2. Authorized acceptance and administration of the grant in the amount of \$24,362; and
3. Adopted Resolution No. 23-1305 authorizing an increase in revenue and

- appropriation of expenditures in the amount of \$24,362 to a project account as assigned by the Finance Department; and
4. Authorized the City Manager, or his designee, to execute all necessary documents to implement the funded project/program.

10.7 City Treasurer Appointment

ACTION

1. Adopted Resolution No. 23-1306 acknowledging the appointment of City Treasurer, Rochelle Clayton.

10.8 Persons Authorized to Transact Business with Union Bank on Behalf of the City

ACTION

1. Adopted Resolution No. 23-1307 designating the persons authorized to transact business with Union Bank on behalf of the City.

10.9 Local Agency Investment Fund Authorized Officers

RECOMMENDED ACTION

1. Adopted Resolution No. 23-1308 designating the officers authorized to transact business with Local Agency Investment Fund (LAIF) on behalf of the City.

10.10 Agreement with Leighton Consulting, Inc. for Materials Testing Services for Murrieta Road Resurfacing and Improvements Project

RECOMMENDED ACTION

1. Approved and authorized the City Manager to execute a Professional Services Agreement with Leighton Consulting, Inc. in an amount not-to-exceed \$29,598.50 to provide materials testing services for the Murrieta Road Resurfacing and Improvement Project, Capital Improvement Project (CIP) No. 23-07.

10.11 Agreement with NV5, Inc. for Design Services for the Menifee Road/Fire Station No. 76 Traffic Signal Project

ACTION

1. Approved and authorized the City Manager to execute a Professional Services Agreement with NV5, Inc. for Civil Design Services in an amount not-to-exceed \$41,470 for the Menifee Road/Fire Station No. 76 Traffic Signal Project, Capital Improvement Project (CIP) No. 23-09.

10.12 Agreement Amendment with CivilPros, Inc. for the Scott Road / Bundy Canyon Road Widening Project

ACTION

1. Approved and authorized the City Manager to execute Amendment No. 5 to the Professional Services Agreement with CivilPros, Inc. for the Scott Road / Bundy Canyon Road Widening Project, Capital Improvement Project No. 20-01, in an amount not-to-exceed \$103,595, and extending the terms through December 31, 2026, for a total amount not-to-exceed \$3,100,354; and
 2. Adopted Budget Amendment Resolution (BAR) No. 23-1309 appropriating \$103,595 from the Scott Road & Bridge Benefit District (RBBD), Fund 410.
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- 10.13 Agreement with Hillcrest Contracting, Inc. for Construction Services for the Romoland Grid Resurfacing - South Project

ACTION

1. Approved and authorized the City Manager to execute an Owner-Contractor Agreement with Hillcrest Contracting, Inc. to perform construction services for the Romoland Grid Resurfacing – South Project, Capital Improvement Project No. 22-23, in an amount not-to-exceed \$793,691.20.

- 10.14 Agreement with Blackheart Building Solutions for the Police Department Parking Lot Upgrade Project

ACTION

1. Approved and authorized the City Manager to execute an Owner-Contractor Agreement with Blackheart Building Solutions to perform construction services for the Police Department Parking Lot Upgrade, Capital Improvement Project No. 19-18, in the amount not-to-exceed of \$79,645.75.

- 10.15 Amendment No. 1 to the County of Riverside, on behalf of Riverside University Health System-Medical Center Professional Services Agreement

RECOMMENDED ACTION

1. Approved and authorized the City Manager to execute Amendment No. 1 to Professional Services Agreement with County of Riverside, on behalf of Riverside University Health System-Medical Center (RUHS-MC) for Adult / Adolescent Forensic Services for Police Department increasing the Fiscal Year 2022/2023 purchase order (PO) the not-to-exceed amount of \$10,000, for a revised total of \$16,100, and extending the terms of the contract by 1 year per the Period of Performance section; and
2. Authorized the City Manager to execute a second amendment extending the term through June 30, 2025, at the City's discretion.

- 10.16 Public Works Fiscal Year 2022/23 Vehicle Purchases

ACTION

1. Approved the purchase of two RAV4 Hybrid vehicles from Temecula Valley Toyota in the not-to-exceed amount of \$85,430 including taxes and delivery; and
2. Approved the purchase of one refrigerated box truck vehicle and appurtenant outfitting from Freeway Isuzu Truck in the not-to-exceed amount of \$140,300.09, including taxes and delivery; and
3. Authorized the purchases of the three vehicles as an informal bid as allowed under the Menifee Municipal Code Section 3.12.070(A)(2) and 3.12.070(A)(5); and
4. Authorized the City Manager to execute the required documents and the Finance Department to issue corresponding purchase orders for the vehicle purchases.

- 10.17 Fiscal Year 2022/2023 Developer Funded CEQA Consultant Update

ACTION

1. Received and filed the quarterly update on executed CEQA consultant contracts for FY 2022/23.

11. PUBLIC HEARING ITEMS

- 11.1 Ordinance Introduction and Formation of Community Facilities District Community Facilities District No. 2023-2, Cimarron Ridge (Facilities)

Mayor Zimmerman opened the public hearing at 7:02 PM. The public hearing was legally noticed. Acting City Clerk Kay Vinson responded there were no requests to speak, no written protests were received, there are no registered voters in the territory of the District, all the taxable property owners in the District have consented to holding the special election on April 19, 2023, and she concurred that the special election may be held on April 19, 2023, immediately following the public hearing. The Mayor closed the public hearing at 7:03 PM.

ACTION

1. Adopted Resolution No. 23-1310 establishing Community Facilities District No. 2023-2 (Cimarron Ridge) of the City of Menifee (CFD No. 2023-2 or CFD); and
2. Adopted Resolution No. 23-1311 determining the necessity to incur bonded indebtedness for CFD No. 2023-2 (Cimarron Ridge) of the City of Menifee.

MOVER: Bob Karwin

SECONDER: Dean Deines

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman,

NAYS: None

RECUSE: None

Acting City Clerk Kay Vinson confirmed receipt of the official ballots and waivers from the landowners who can cast their votes on behalf of the owners of all the property proposed to be included within Community Facilities District No. 2023-2 (Cimarron Ridge). She canvassed the election of the returned ballots and declared the results passed, consisting of one ballot for Improvement Area 1 with all "Yes" votes on Propositions A, B & C. and one ballot for Improvement Area 2 with all "Yes" votes on Propositions D, E & F.

ACTION:

1. Adopted Resolution No. 23-1312 certifying election result for CFD No. 2023-2 (Cimarron Ridge) of the City of Menifee.

MOVER: Bob Karwin

SECONDER: Lesa Sobek

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

Acting City Clerk Kay Vinson introduced the ordinance by reading the title.

ACTION:

1. Introduced an ordinance authorizing the levy of special taxes within CFD No. 2023-2 (Cimarron Ridge) of the City of Menifee.

MOVER: Bob Karwin

SECONDER: Dean Deines

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

ACTION:

1. Approved an Acquisition, Construction and Funding Agreement with Pulte Home Company.

MOVER: Bob Karwin

SECONDER: Dean Deines

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

12. DISCUSSION ITEMS

12.1 Termination of Local Emergency Pertaining to COVID-19

Deputy Human Resources Director Robert Cardenas provided the presentation.

ACTION

1. Adopted Resolution No. 23-1313 terminating the local emergency and all related executive orders and resolutions still in effect related to the COVID-19 pandemic.

MOVER: Lesa Sobek

SECONDER: Dean Deines

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

13. CITY ATTORNEY REPORTS

None.

14. CITY MANAGER REPORTS

None.

15. FUTURE AGENDA REQUESTS FROM COUNCIL MEMBERS

None.

16. ADJOURN

At 7:10 PM, the City Council adjourned the meeting in memory of Karlee Meyer, Hemet City Councilmember.

Kay Vinson, MMC
Acting City Clerk