

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY OF MENIFEE ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2023-2028

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 2023-2028 time period for City Council review and consideration; and

WHEREAS, staff has prepared a proposed five-year CIP for Fiscal Years 2023-2028 which includes proposed funding for each project presented in the CIP, 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 CIP is in conformance with the City's General Plan; and

WHEREAS, The FY 2023-2028 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 2023-2028 was presented to the City of Menifee Planning Commission at its regularly scheduled public meeting of May 10, 2023; and

WHEREAS, the Planning Commission, by Resolution No. PC 23-593, made a finding that CIP for Fiscal Years 2023-2028 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 2023-2028 conforms to the City's 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 2023-2028 was noticed for a public hearing on May 24, 2023; and

WHEREAS, the City Council considered testimony and evidence presented at the public hearing on June 7, 2023, and reviewed the proposed CIP for Fiscal Years 2023-2028 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 2023-2028 conforms to the City of Menifee General Plan.

Section 2. The City Council finds that the CIP for Fiscal Years 2023-2028 demonstrates the efficient use 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 CIP 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 2023-2028 is hereby approved and adopted. Recommended appropriations for Fiscal Year 2023/2024 and Fiscal Year 2024/2025 are formally approved and 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 7th day of June, 2023.

Bill Zimmerman, Mayor

Attest:

Stephanie Roseen, Acting City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney