

City Council Chambers
29844 Haun Road
Menifee, CA 92586



**Menifee City Council
Regular Meeting Minutes**

**Wednesday, June 07, 2023
5:30 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
Stephanie Roseen, Acting Clerk**

MINUTES

CLOSED SESSION (5:30 PM)

Mayor Zimmerman called Closed Session to order at 5:31 PM. Present were Councilmembers Deines, Estrada, Sobek, Mayor Pro Tem Karwin, and Mayor Zimmerman.

The City Council received correspondence from the following:

- Don Slater

The City Council recessed to closed session for the purpose listed below.

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

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

Mayor Zimmerman called the meeting to order at 6:01 PM. City Clerk Stephanie Roseen stated the City Council had received correspondence on agenda item nos. 10.14, 10.15, 11.3, and 11.4.

2. ROLL CALL

Present: Dean Deines, Ricky Estrada, Bob Karwin, Lesa Sobek, Bill Zimmerman
Absent: None

3. WORDS OF INSPIRATION

3.1 David Foust - Secretary, Menifee Interfaith and Community Service Council

4. PLEDGE OF ALLEGIANCE

Tom Fuhrman led the flag salute.

5. PRESENTATIONS

5.1 Citizen of the Month (May) – Michael Cano

Citizen of the Month Michael Cano was unable to attend the meeting. Mayor Zimmerman noted Mr. Cano would be recognized at the next scheduled City Council meeting.

6. AGENDA APPROVAL OR MODIFICATIONS

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

7. PUBLIC COMMENTS (NON-AGENDA ITEMS)

The following people addressed the City Council on non-agenda items.

- Gloria Sanchez
- John Pironti
- Debby Gabel

8. COUNCILMEMBER UPDATES AND COMMENTS

Councilmember Deines reported on the meetings and events he attended.

- Underwood Homes Media Event
- Southwest Transportation Now Subcommittee Meeting
- Riverside Transit Agency (RTA) Board Meeting
- Memorial Day Remembrance Ceremony

Councilmember Estrada reported on the meetings and events he attended.

- Quail Valley Community Group Meeting
- Menifee Art Affair
- Memorial Day Remembrance Ceremony
- Southern California Association of Governments (SCAG) Meeting

Councilmember Sobek reported on the meetings and events she attended.

- Memorial Day Remembrance Ceremony
- Youth Leaders of Menifee Awards
- Southwest Riverside Women's Elected Group Meeting
- Senior Wellness Fair
- Riverside County Habitat Conservation Authority Meeting
- Interfaith and Community Service Council Meeting
- Parks Ad Hoc Committee Meeting

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

- Memorial Day Remembrance Ceremony
- Chamber of Commerce Mixer
- Youth Leaders of Menifee Awards
- Western Riverside Council of Governments (WRCOG) Meeting
- Freedom Crest Elementary School Rotary Citizenship Award

Mayor Zimmerman reported on the meetings and events he attended.

- Neighbors Monthly Mixer
- Bear River Springs School Kindness Award from Bitzers
- Menifee Union School District's Evening of Excellence
- History Association Hosted Event
- Senior Day at Central Park
- WROG Projects and Programs Committee Meeting
- Underwood Homes Media Event
- Cub Scout Pac 444 Bridging Ceremony
- Perris Union High School District Student of the Year Ceremony
- Chamber of Commerce Mixer
- Health and Safety Resource Forum
- Rotary Luncheon
- You Matter Workshop
- Freedom Crest Elementary School Assembly
- Sun City Cruisers Meeting
- Memorial Day Remembrance Ceremony
- Oak Meadows School Student Meeting
- Chamber of Commerce Mixer
- Youth Leaders of Menifee Awards
- School's Field Trip Hosted at the History Museum
- Foodie Friday
- Heritage Sports Park Open House
- Pawtriotic Fundraising Event
- Interfaith and Community Service Council Meeting
- Parks Ad Hoc Committee Meeting

9. APPROVAL OF MINUTES

9.1 May 17, 2023 Minutes

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

10. CONSENT CALENDAR

Correspondence had been received on agenda item nos. 10.14 and 10.15 from the following.

- Don Slater

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 Treasurer's Report – April 2023

ACTION

1. Received and filed the Treasurer's Report as of April 30, 2023.

10.3 Warrant Register

ACTION

1. Ratified and approved the Voucher Lists dated 04/28/2023, 05/05/2023, and 05/12/2023 and the Payroll Register/Other EFTs dated 04/24/2023, 04/27/2023, 04/28/2023, 05/02/2023, 05/03/2023, 05/10/2023 and 05/12/2023, and the Void Check Listing PE 4/30/2023 which have a total budgetary impact of \$12,763,210.35.

10.4 Annual Levy for Community Facilities Districts (Facilities/Bonded) for Fiscal Year 2023/2024

ACTION

1. Adopted Resolution No. 23-1325, ordering the levy and collection of special taxes within each of the following Community Facilities Districts: 2019-1 (Meadow Run), 2020-1 (McCall Mesa), 2020-2 (Del Oro), 2021-1 (Banner Park), 2021-2 (Sumac Ridge), 2022-1 (Quartz Ranch), 2022-2 (McLaughlin Village), 2022-3 (Legado) Improvement Area (IA) 1 and IA 2, and 2023-2 (Cimarron Ridge) IA 1 and IA 2 for Fiscal Year 2023/2024.

10.5 Set Public Hearing Date for the 2022 Delinquent Solid Waste Accounts

ACTION

1. Set a Public Hearing for the June 21, 2023 City Council meeting to accept public testimony regarding the delinquent solid waste accounts from calendar year 2022 to be applied to the Fiscal Year 2023/2024 County of Riverside Property Tax Roll for collection.

10.6 Agreement Amendment with Document & Microfilm Conversion for City Wide Document Scanning Services

ACTION

1. Approved and authorized the City Manager to execute Amendment No. 4 to Professional Services Agreement with DMC for City wide document scanning, indexing, and quality control services in the not-to-exceed amount of \$215,000 and extending the term of service through June 30, 2024, contingent on approval of Fiscal year 2023/2024 Budget adoption by City Council.

- 10.7 Agreement Amendment with ETech-360, Inc. for As-Needed Professional Information Technology Support Services

ACTION

1. Approved and authorized the City Manager to execute Amendment No. 1 to the Professional Services Agreement with ETECH-360, Inc. for as-needed professional Information Technology support services, in an amount not-to- exceed \$150,000, for a revised total of \$183,333.

- 10.8 Agreement Amendment with Promo Shop, Inc. for City Uniform and Program Participant Custom Apparel Purchases

ACTION

1. Approved and authorized the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Promo Shop, Inc. for City uniform and program participant custom apparel purchases, in an amount not-to-exceed \$6,000, for a revised total of \$51,000.

- 10.9 Agreement with Romtec, Inc. for AMR Skate Park Improvements Project CIP 22-27

ACTION

1. Approved and authorized the City Manager to execute a Cooperative Agreement with Romtec, Inc. for the purchase of two prefabricated buildings for the Audie Murphy Ranch Skate Park in the amount not-to-exceed of \$336,948; and
2. Exempt the purchase from the competitive bidding process as purchase will be made under Cooperative Purchasing Agreement Sourcewell Contract No. 081721-RMT.

- 10.10 Agreement with NPG, Inc. for Road Maintenance Services Along Menifee Road and Parking Lot Resurfacing Services for CIP 23-18: E.L. Pete Peterson Park Parking Lot Project

ACTION

1. Approved and authorized the City Manager to execute an Owner-Contractor Agreement with NPG, Inc. in an amount not-to-exceed \$134,000 to provide road maintenance services along Menifee Road and parking lot resurfacing for the E.L. Pete Peterson Park Parking Lot Project, CIP Project No. 23-18.

- 10.11 Budget Appropriation for La Ladera Park Recycled Water Retrofit Project, CIP No. 23-11

ACTION

1. Adopted Resolution No. 23-1326, amending the Fiscal Year 2022/2023 Budget, appropriating revenues and expenditures in the amount of \$47,325 for the La Ladera Park Recycled Water Retrofit Project, CIP No. 23-11, to the CIP Fund 320; and
2. Authorized the City Manager, or his designee, to execute all necessary documents.

10.12 Mid-Year 2022/2023 Police Department Fleet Vehicle Purchases

ACTION

1. Approved the purchase of four vehicles from the State of California Contract Vendor Wondries/National Auto Fleet Group, and BMW of Riverside in a not-to-exceed amount of \$282,214, including tax and delivery, from Account Number 105-4911-53155; and
2. Allowed the purchase to be made under a Cooperative Purchasing (piggyback) Agreement as permitted under the Menifee Municipal Code Section 3.12.070 (6) with Sourcewell Contract No. 120716-NAF; and
3. Authorized the City Manager to execute the required documents and approve any future substitute orders due to limited availability, or unavailability of vehicles.

10.13 Police Department Replacement Vehicle Purchase

ACTION

1. Directed staff to close out Purchase Order No. 04355 and release funds; and
2. Approved the purchase of five vehicles from Gosch Ford Temecula in a not-to-exceed amount of \$271,227.94, including tax and delivery, from Account No. 115-4911-53155; and
3. Approved the issuance of purchase order from West Coast Lights and Sirens, Inc. in a not-to-exceed amount of \$44,597.55 from Account No. 115-4911- 53155; and
4. Authorized the City Manager to execute the required documents and approve any substitute orders due to limited availability, or unavailability of vehicles.

10.14 Agreement Increase with Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians for Tribal Monitoring for the Holland Road Overpass Project

ACTION

1. Approved an increase to the Tribal Monitoring Agreement with the Pechanga Band of Luiseño Indians in a total not-to-exceed amount of \$49,000 and authorize the City Manager to extend the agreement term through June 30, 2024, for the Holland Road Overpass Project, contingent on approval of Fiscal year 2023/2024 Budget adoption by City Council; and
2. Approved an increase to the Tribal Monitoring Agreement with the Soboba Band of Luiseño Indians in a total not-to-exceed amount of \$54,000, for the Holland Road Overpass Project, contingent on approval of Fiscal year 2023/2024 Budget adoption by City Council.

10.15 Clean Water Act Permit Application Fees - Bradley Road Bridge over Salt Creek Project

ACTION

1. Authorized the City Manager, or their designee, to execute necessary documents and issue payment in a total amount not-to-exceed \$37,036 to the State Water Resources Control Board for the application fee required to obtain the 401 Clean Water Act Permit for the Bradley Road Bridge over Salt Creek Project.

- 10.16 Acceptance of Public Improvements and 90% Release of Security for Tract Map 36485-6, Audie Murphy Ranch, by Sutter Mitland 01, LLC

ACTION

1. Accepted the public improvements for streets, drainage, water, sewer, and survey monuments for Tract Map 36485-6, Audie Murphy Ranch, located at the southwest corner of Bridle Gate Way and Audie Murphy Road North; and
2. Authorized the City Engineer to release 90% of the posted securities per the City's Standard Policies.

11. PUBLIC HEARING ITEMS

- 11.1 Annual Ordinance Introductions for Community Facilities District (Maintenance) to Levy Special Taxes for Fiscal Year 2023/2024

Acting Chief Financial Officer Margarita Cornejo introduced Financial Analyst Lauri Lockwood and City Consultant Shane Spicer with Spicer Consulting Group. Ms. Cornejo noted that the City Council received amended ordinances and provided a presentation and reported on the Community Facilities Districts.

Mayor Zimmerman opened the public hearing at 6:43 PM. City Clerk Stephanie Roseen stated the public hearing was legally noticed and there were no public comments or correspondence received. Mayor Zimmerman closed the public hearing at 6:43 PM.

Ms. Roseen introduced the Ordinances by title.

ACTION

1. Introduced an ordinance amending Ordinance No. 2012-103 and levying special taxes to be collected during Fiscal Year 2023/2024 to pay the annual costs of the maintenance and servicing of streetlights, parks, parkways, streets, roads, and open space, the operation and maintenance of storm drainage systems, a reserve fund for capital replacement, and administrative expenses with respect to City of Menifee Community Facilities District No. 2012-1 (Audie Murphy Ranch); and
2. Introduced an ordinance amending Ordinance No. 2012-108 and levying special taxes to be collected during Fiscal Year 2023/2024 to pay the annual costs of the maintenance and servicing of streetlights, parks, parkways, streets, roads, and open space, the operation and maintenance of storm drainage systems, a reserve fund for capital replacement, and administrative expenses with respect to City of Menifee Community Facilities District No. 2012-2 (Hidden Hills); and
3. Introduced an ordinance amending Ordinance No. 2014-153 and levying special taxes to be collected during Fiscal Year 2023/2024 to pay the annual costs of the maintenance and servicing of streetlights, parks, parkways, streets, roads, and open space, the operation and maintenance of storm drainage systems, a reserve fund for capital replacement, and administrative expenses with respect to City of Menifee Community Facilities District No. 2014-1 (Town Center); and
4. Introduced an ordinance amending Ordinance No. 2014-154 and levying special taxes to be collected during Fiscal Year 2023/2024 to pay the annual costs of the maintenance and servicing of streetlights, parks, parkways, streets, roads, and open space, the operation and maintenance of storm drainage systems, a reserve fund for capital replacement, and administrative expenses with respect to City of

- Menifee Community Facilities District No. 2014-2 (Commerce Pointe);and
5. Introduced an ordinance amending Ordinance No. 2015-173 and levying special taxes to be collected during Fiscal Year 2023/2024 to pay the annual costs of the maintenance and servicing of streetlights, parks, parkways, streets, roads, and open space, the operation and maintenance of storm drainage systems, a reserve fund for capital replacement, and administrative expenses with respect to City of Menifee Community Facilities District No. 2015-2 (Maintenance Services); and
 6. Introduced an ordinance amending Ordinance No. 2017-231 and levying special taxes to be collected during Fiscal Year 2023/2024 to pay the annual costs of the maintenance and servicing of landscaping, lighting, water quality improvements, graffiti, streets, street sweeping, parks and trail maintenance, a reserve fund for capital replacement, and administrative expenses with respect to City of Menifee Community Facilities District No. 2017-1 (Maintenance Services).

MOVER: Bob Karwin

SECONDER: Dean Deines

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

11.2 Proposed Formation of Community Facilities District No. 2023-1, Rockport Ranch

The City Council provided consensus to forgo the staff presentation.

Mayor Zimmerman opened the public hearing at 6:47PM. City Clerk Stephanie Roseen stated the public hearing was legally noticed and here were no public comments, correspondence, or protests received. Ms. Roseen also stated there were no persons registered to vote in the territory of the district, per the Riverside Registrar of Voters. Ms. Roseen confirmed the owners of the taxable property had consented to hold the special election, the ballot was received, and it was a yes vote. Mayor Zimmerman closed the public hearing at 6:48 PM.

City Clerk Stephanie Roseen introduced the Ordinance by title.

ACTION

1. Adopted Resolution No. 23-1327, establishing Community Facilities District (CFD) No. 2023-1 (Rockport Ranch) of the City of Menifee to authorize the levy of special tax, calling an election and approving and authorizing certain actions related thereto; and
2. Adopted Resolution No. 23-1328, determining the necessity to incur bonded indebtedness in an amount not-to- exceed \$23,000,000 within CFD No. 2023-1 of the City of Menifee and calling an election; and

MOVER: Dean Deines

SECONDER: Bob Karwin

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

3. Adopted Resolution No. 23-1329, acting in its capacity as the legislative body of CFD No. 2023-1 (Rockport Ranch) certifying election results; and

MOVER: Dean Deines

SECONDER: Lesa Sobek

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

4. Introduced an ordinance of the City Council of the City of Menifee acting in its capacity as the legislative body of CFD No. 2023-1 (Rockport Ranch) authorizing the levy of special taxes.

MOVER: Dean Deines

SECONDER: Ricky Estrada

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

11.3 Appeal of the Planning Commission Decision for the Ethanac and Barnett Warehouse(s) Project

Senior Planner Russel Brown provided a presentation and reported on the appeal of the Planning Commission Decision for the Ethanac and Barnett Warehouse project.

Mayor Zimmerman noted the public hearing was left open during the May 3, 2023 City Council meeting and the public hearing had reconvened at 7:03 PM.

Appellant representative John Fox addressed the City Council.

Mayor Zimmerman closed the public hearing at 7:16 PM.

Mayor Zimmerman reopened the public hearing at 7:18 PM.

Correspondence had been received from the following.

- Don Slater

The following person addressed the City Council on the item.

- Brian Holly

Mayor Zimmerman closed the public hearing at 7:21 PM.

Councilmember Estrada stated his objections to the project.

ACTION

1. Adopted Resolution No. 23-1330, upholding the Planning Commission's approval of an Initial Study / Mitigated Negative Declaration and Plot Plan (PLN21-0290) for Ethanac Barnett Warehouse(s) Project and denied Appeal No. PLN23-0058.

MOVER: Bill Zimmerman
SECONDER: Dean Deines

AYES: Deines, Karwin, Sobek, Zimmerman NAYS: Estrada RECUSE: None
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11.4 Golden Meadows Tentative Tract Map No. 31194 Major Modification and Zoning Code Amendment

Senior Planner Russel Brown provided a presentation and reported on the project.

Applicant Terry Galloway, John Erskin, and Brian Hardy with Richland Communities provided a presentation and addressed the City Council on the project.

Mayor Zimmerman opened the public hearing at 8:17 PM. City Clerk Stephanie Roseen stated the public hearing was legally noticed.

Correspondence had been received from the following.

- Don Slater
- Bethany LeMasters
- Ken Stiles
- Mark and Cosette Tessier

The following people spoke in opposition of the project.

- Lisa Spetz
- Tom Fuhrman
- Christa Pynn
- Dave Brown
- Kathleen Hefley
- John Erskine
- Craig Gruber
- Leslie Fairbairn
- Janel Fitzgerald
- Jimmy LaMasters

Mayor Zimmerman closed the public hearing at 8:47 PM.

Mayor Zimmerman disclosed that he had met with residents and the applicant. Councilmember Estrada stated he had previously met with residents.

Mayor Pro Tem Karwin spoke in favor of the Planning Commission's recommendation.

Councilmember Estrada spoke in favor of the Planning Commission's recommendation.

Councilmember Sobek spoke in favor of continuing the item to address concerns.

Councilmember Deines spoke in favor of continuing the item.

Mayor Pro Tem Karwin spoke in favor of the City Council remanding the item to the Planning Commission and for them to hold a future meeting to further discuss potential solutions with the applicant.

ACTION

Remanded the item to the Planning Commission.

MOVER: Bob Karwin

SECONDER: Bill Zimmerman

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

11.5 General Plan Amendment - Circulation and Safety Element Updates

Principal Planner Doug Darnell provided a presentation and reported on the general plan amendment.

Mayor Zimmerman opened the public hearing at 9:21 PM. City Clerk Stephanie Roseen stated the public hearing was legally noticed and there were no public comments or correspondence received. Mayor Zimmerman closed the public hearing at 9:21 PM.

ACTION

1. Found General Plan Amendment No. LR23-0013 exempt from further environmental review; and
2. Adopted Resolution No. 23-1331, approving General Plan Amendment No. LR23-0013, based upon the findings and conclusions incorporated in the Staff Report and Resolution.

MOVER: Lesa Sobek

SECONDER: Bob Karwin

AYES: Deines, Estrada, Karwin, Sobek, Zimmerman

NAYS: None

RECUSE: None

11.6 2023-2028 Capital Improvement Program

Public Works Director Nick Fidler introduced the item and provided a presentation on the Capital Improvement Program.

Mayor Zimmerman opened the public hearing at 9:33 PM. City Clerk Stephanie Roen stated the public hearing was legally noticed and there were no public comments or correspondence received. Mayor Zimmerman closed the public hearing at 9:33 PM.

ACTION

1. Adopted Resolution No. 23-1332, approving the Fiscal Year (FY) 2023/24 and FY 2024/25 Capital Improvement Program Budget and subsequent three-year Capital Improvement Program and funding plan for FY's 2025-2028.

MOVER: Lesa Sobek
SECONDER: Dean Deines

<p>AYES: Deines, Estrada, Karwin, Sobek, Zimmerman NAYS: None RECUSE: None</p>

12. DISCUSSION ITEMS - NONE

13. CITY ATTORNEY REPORTS

City Attorney Jeffrey Melching stated there was no reportable action from closed session.

14. CITY MANAGER REPORTS

City Manager Armando Villa provided a report.

15. FUTURE AGENDA REQUESTS FROM COUNCIL MEMBERS

None.

16. ADJOURN

Mayor Zimmerman adjourned the meeting at 9:36 PM.

Stephanie Roseen, CMC
City Clerk