



CITY OF MENIFEE

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

MEETING DATE: February 15, 2023

TO: Mayor and City Council

PREPARED BY: Kristen Jensen, Financial Analyst

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Continue the public hearing to introduce an ordinance amending Title 14 of the City of Menifee Municipal code to include Chapter 14.02 entitled Public Street Excavation Moratorium implementing a public street excavation moratorium for all new, reconstructed, and resurfaced streets, to a date uncertain.

DISCUSSION

On December 7, 2022, the City Council opened a 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. Following initial discussions, the public hearing was continued to January 18, 2023, to provide staff additional time to revisit the proposed amendment language with local utility agency stakeholders. At the January meeting, the public hearing was further continued to February 15, 2023.

Staff initially engaged in conversation with all utility agencies in mid-December and requested comments from the utilities on the proposed street excavation moratorium. As a result of this meeting, Southern California Gas and Southern California Edison provided written responses in mid-to-late January challenging the applicability of the proposed moratorium to utilities, given existing franchise agreement language.

On January 26, 2023, staff held a follow up meeting with the utility agencies above. At that meeting, the City and utility agencies concluded that additional time was needed for the written utility responses to be reviewed by the City and time was required to conduct individual field visits of utility trenching and roadway repairs throughout the City with each agency.

Staff continues to work with the utility agencies with the goal of partnering to develop repair standards that preserve and protect all public assets and meet various agency requirements. In the event a moratorium is determined to be necessary, a new public hearing will be noticed and scheduled for a future City Council meeting.

STRATEGIC PLAN OBJECTIVE

Responsive and Transparent Community Government

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

ATTACHMENTS

1. Ordinance Draft
2. Original Public Hearing Notice – December 7, 2022
3. Notice of Continued of Public Hearing to January 18, 2023
4. Notice of Continued of Public Hearing to February 15, 2023