REGULAR MEETING OF THE
CANYON LAKE CITY COUNCIL
Wednesday, May 4, 2016
Open Session – 6:30 p.m.

City Council Chambers
31516 Railroad Canyon Road
Canyon Lake, CA 92587

Please turn off your cell phones during the meeting

OPEN SESSION – 6:30 P.M.

1. **Call Open Session to Order**

2. **Invocation –** Pastor Dave Dick with Canyon Lake Community Church

   Flag Salute

3. **Roll Call:** Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, Mayor Brown

4. **Approval of City Council Agenda**

5. **Special Presentations and Proclamations:**

   5.1 Chamber of Commerce Announcements

   5.2 Public Safety Committee/Fire Department Start-up Committee Report

   5.3 Presentation of Proclamation For Donate Life Month **Page 5**

   5.4 Presentation of Proclamation For May is Mental Health Month **Page 7**

6. **Public Comments –** Any person wishing to address the City Council on any matter within the jurisdiction of the City, whether or not it appears on this agenda, is asked to complete a "Speaker Request Form" available on the back counter. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council. The City Council has adopted a time limitation of three (3) minutes per person. If you are commenting on the agenda item, your comments will be heard at the time that particular item is scheduled on the agenda. *Please note that if you are addressing the City Council on items NOT on the agenda, the Brown Act does not allow discussion of such items. Therefore, the City Council may only do the following: refer the matter to staff, ask for additional information or request a report back, or give a very limited factual response.*

7. **Consent Calendar:**

All items listed on the Consent Calendar are considered to be routine matters, status reports or documents covering previous City Council action. The items listed on the Consent Calendar may be enacted in one motion. With the concurrence of the City Council, a Council Member may request that an item be removed for further discussion. Staff recommends approval of all items. (Roll Call Vote)

7.1 **Waiver of Reading in Full of all Ordinances by Title only**

7.2 **City Council Meeting Minutes**

7.2.1 March 2, 2016 – Regular Meeting Page 9
7.2.2 March 16, 2106 – Special Meeting Page 25
7.2.3 March 29, 2016 – Special Meeting Page 33
7.2.4 April 6, 2016 – Regular Meeting Page 57

7.3 **Adoption of Resolution No. 2016-11, Approving Claims and Demands of the City** Page 107

7.4 **November 2016 Election Resolutions** Page 117

7.4.1 Resolution No. 2016-12, calling and giving notice of the General Municipal Election for November 2016
7.4.2 Resolution No. 2016-13, requesting consolidation of the election with the County of Riverside
7.4.3 Resolution No. 2016-14, setting regulations for the filing of candidate statements

7.5 **Resolution No. 2016-15, updating authorized account signatories for Citizen's Business Bank** Page 129

7.6 **Resolution No. 2016-16, updating authorized account signatories for Alta Pacific Bank** Page 133

8. **Pulled Consent Calendar Items**

9. **Schedule of Future Events:**

9.1 Administration and Finance Committee Meeting
Tuesday, May 31, 2016 at 8:00 a.m., City Council Chambers
9.2 Public Safety Committee Meeting
Tuesday, May 31, 2016 at 9:30 a.m., City Council Chambers
9.3 Canyon Lake City Council Meeting
Wednesday, June 1, 2016 at 6:30 p.m., City Council Chambers
9.4 Water Committee Meeting
Thursday, June 6, 2016 at 9:00 a.m., EVMWD
9.5 Planning Committee Meeting
Meeting Date To Be Determined

2

9.6 Economic Development and Healthy Communities Meeting
Meeting Date To Be Determined

9.7 Veterans Committee Meeting
Tuesday, July 12, 2016 at 4:30 p.m., City Council Chambers

9.8 Fire Department Start-Up Committee
Meeting Date To Be Determined

10. Public Hearings

10.1 Public Hearing – Introduction and First Reading of Ordinance No. 167 – Revising certain provisions of the Canyon Lake Municipal Code Chapter 9.25: Sign Regulations relating to definition of noncommercial signage and reorganizing the text Page 137

a. Public Hearing Opened
b. Staff Presentation
c. Questions to Staff by City Council
d. Testimony by Proponents
e. Testimony by Opponents
f. Rebuttal by Proponents
g. Public Hearing Closed
h. Discussion by City Council
i. Action by City Council

11. Business Items

11.1 Discussion regarding fire option Page 171

11.2 Resolution No. 2016-17, providing for the censure of Council member John Zaitz Page 175

12. City Manager Comments

13. Committee and Council Reports/Comments

13.1 Council Member Ehrenkranz
13.2 Council Member Warren
13.3 Council Member Zaitz
13.4 Mayor Pro Tem Haggerty
13.5 Mayor Brown

14. Announcements

The next regular City Council meeting is scheduled for **June 1, 2016 at 5:30 p.m. for Closed Session and 6:30 p.m. for Open Session.**

15. Adjournment

3

VISION STATEMENT

The vision of the City of Canyon Lake is to be a City that provides a quality of life that makes Canyon Lake the premier place to live in Southern California.

ATTENTION RESIDENTS:

Supporting documents, including staff reports, are available for review at City Hall in the City Clerk's Office or on the City's website at www.cityofcanyonlake.org once the agenda has been publicly posted. Any written materials relating to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting. It is the intention of the City of Canyon Lake to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or participant at this meeting, you will need special assistance beyond what is normally provided, the City of Canyon Lake will attempt to accommodate you in every reasonable manner. Please contact Ariel M. Hall, City Clerk, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

May 4, 2016 City Council Meeting

**STATE OF CALIFORNIA }
COUNTY OF RIVERSIDE } SS. AFFIDAVIT OF POSTING
CITY OF CANYON LAKE }**

I, Ariel M. Hall, being duly sworn, depose and say that I am the duly appointed and qualified City Clerk of the City of Canyon Lake and that on April 28, 2016 before the hour of 5:00 p.m., I caused the above notice to be posted as required by Resolution 2015-36 of the City Council of the City of Canyon Lake.

**Ariel M. Hall
City Clerk**

4

DMV/Donate Life California Month Proclamation

WHEREAS, organ, tissue, marrow and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and

WHEREAS, more than 121,000 individuals nationwide and more than 21,000 in California are currently on the national organ transplant waiting list, and on average, 22 people die each day while waiting due to the shortage of donated organs; and

WHEREAS, the need for donated organs is especially urgent in Hispanic and African American communities; and

WHEREAS, more than 600,000 units of blood per year are needed to meet the need in California; and

WHEREAS, at any given time, 6,000 patients are in need of volunteer marrow donors; and

WHEREAS, a single individual's donation of the heart, lungs, liver, kidneys, pancreas and small intestine can save up to eight lives; donation of tissue can save and heal the lives of up to 50 others; and a single blood donation can help three people in need; and

WHEREAS, millions of lives each year are saved and healed by donors of organs, tissues, marrow, and blood; and

WHEREAS, the spirit of giving and decision to donate are not restricted by age or medical condition; and

WHEREAS, over twelve million Californians have signed up with the state-authorized Donate Life California Donor Registry to ensure their wishes to be organ, eye, and tissue donors are honored; and

WHEREAS, California residents can sign up with the Donate Life California Donor Registry when applying for or renewing their driver's licenses or ID cards at the California Department of Motor Vehicles;

THEREFORE BE IT RESOLVED, that in recognition of National Donate Life Month, the month of April 2016 is hereby proclaimed "DMV/Donate Life California Month" in the City of Canyon Lake, and in doing so we encourage Californians to check "YES!" when applying for or renewing their driver's license or I.D. card, or by signing up at www.donateLIFEcalifornia.org or www.donVIDAcalifornia.org.

Dated this 4th day of May, 2016

Attest:

Ariel M Hall, CMC, City Clerk

Timothy Brown, Mayor

May is Mental Health Month Proclamation

WHEREAS, mental illness can effect anyone, regardless of age, background, employment, education and income level, with those who are very young and seniors among the most vulnerable; and

WHEREAS, Mental Health America established the observance of "May is Mental Health Month" in 1949 to increase awareness and understanding of mental health; and

WHEREAS, the United States Department of Health and Human Services reports that one in five American adults experienced a mental health issue in 2014 and one in ten young people experienced a period of major depression; and

WHEREAS, half of all mental health disorders show first signs before a person turns 14 years old and three quarters of mental health disorders begin before age 24; and

WHEREAS, there are now more treatments, services, and community support systems than ever before, helping many with mental health conditions get better and recover completely to go forward and lead rich, fulfilling, productive lives; and

WHEREAS, friends, family and community members play an important role in extending understanding and compassion about mental health and in promoting the wellness and recovery of people living with mental illness; and

WHEREAS, encouraging awareness of mental health and promoting wellness and recovery for those with living with mental illness are important values for every community; and

WHEREAS, recent population data suggest that nearly 140,000 people of all ages in Riverside County may experience a serious mental health condition and seek treatment from a variety of community resources.

THEREFORE BE IT PROCLAIMED that the City of Canyon Lake issues this proclamation to signify its support of greater awareness of mental health and joins with the Riverside County Behavioral Health Commission in its observance of May is Mental Health Month for 2016.

Dated this 4th day of May, 2016

Attest:

Ariel M Hall, CMC, City Clerk

Timothy Brown, Mayor

MINUTES

REGULAR MEETING OF THE
CANYON LAKE CITY COUNCIL
Wednesday, March 2, 2016
Closed Session – 5:30 p.m.
Open Session – 6:30 p.m.

City Council Chambers
31516 Railroad Canyon Road
Canyon Lake, CA 92587

CLOSED SESSION – 5:30 P.M.

1. Call to Order

The meeting was called to order at 5:30 p.m.

2. Roll Call

Present: Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, Mayor Brown

City Attorney Martyn requested that Closed Session Items C, D, E, and F be removed from the agenda, and to change the order in which the Closed Session Items A and B were addressed.

Moved by Haggerty, seconded by Warren to change the Closed Session portion of the agenda.

Motion carried 5-0 with Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, and Mayor Brown voting aye.

3. Public Comments

There were no Public Comments.

4. Closed Session

Council entered into Closed Session at 5:37 p.m.

a. **Pursuant to Government Code Section 54956.9 d. (2)**
Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation (one potential case)

b. **Pursuant to Government Code Section 54956.9 d. (4)
Conference with Legal Counsel – City determination of Initiation of Litigation (one potential case)**

c. ****REMOVED** Pursuant to Government Code Section 54957
Public Employment – City Manager**

d. ****REMOVED** Pursuant to Government Code Section 54957
Public Employment – City Clerk**

e. ****REMOVED** Pursuant to Government Code Section 54957.6**

Conference with Labor Negotiators

Agency Designated Representatives: City Council

Unrepresented Employee: City Manager

f. ****REMOVED** Pursuant to Government Code Section 54957.6**

Conference with Labor Negotiators

Agency Designated Representatives: City Council

Unrepresented Employee: City Clerk

g. **Return/Report from Closed Session**

Council returned from Closed Session at 6:28 p.m. and there was no reportable action.

OPEN SESSION – 6:30 P.M.

1. **Call Open Session to Order**

Open Session was called to order at 6:32 p.m.

2. **Invocation – Brittany Youngquist of Canyon Lake Community Church**

Brittany Youngquist of Canyon Lake Community Church provided the invocation.

Flag Salute

Aaron Palmer, City Manager candidate, led the flag salute.

3. Roll Call

Present: Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, Mayor Brown.

4. Approval of City Council Agenda

City Attorney Martyn asked that the City Council consider items 8.6, 8.7 and 8.8 after Public Comments to determine who the members of staff would be to run the rest of the meeting.

Interim City Manager Hall asked that Item 8.4 be removed from the City Council agenda to be addressed at a later time.

Moved by Ehrenkranz, seconded by Warren, to approve the City Council Agenda with Item 8.4 removed to the next regular City Council Meeting, and Items 8.6, 8.7, and 8.8 being addressed directly after Public Comments.

Motion carried 5-0 with Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty and Mayor Brown voting aye.

5. Special Presentations and Proclamations

5.1 Chamber of Commerce Announcements

Jim Randall, Chamber of Commerce President, provided information on upcoming events that the Chamber of Commerce would be hosting.

6. Public Comments

Art Femister, resident, discussed his concerns about the City's fire services. He stated that the Fire Committee had started for the purpose of determining the way to have a City Fire Department, but many meetings were cancelled. He was confused on whether or not the City would be starting a department, and how the City would be able to start a department in the current timeframe.

Mayor Brown stated that Mayor Pro Tem Haggerty would probably address some of the concerns during her comments, and there would be an update under the City Manager comments.

Mayor Pro Tem Haggerty responded that Mr. Femister could have contacted her at any time. She went on to indicate that the newspaper article written about the consultant had misprinted the amount the City paid, and provided Mr. Femister with the correct cost for the study and the timeline.

Kathy Mulcahy, a resident, discussed the Bureau of Land Management land in the City limits and how the lands were used for recreation by residents. She stated that she and

300 other residents were opposed to the City acquiring and developing the land. She asked that each Council Member tell the public whether they were for or against the proposal.

Nancy Horton, Elsinore Valley Municipal Water District Board Member, announced the details of the Splash into Spring event that the water district would be hosting.

Barry Talbot, a resident, congratulated the new City Manager candidate on his pending appointment to the office. He went on state that he did not like the new format of the agenda which included the City Council committee and meeting reports because it would make the business section that included important subjects later in the evening when residents may have left the meeting.

Jack Wamsley, a resident, spoke regarding the Bureau of Land Management potential exchange. He stated that the exchange had been proposed prior to the City becoming incorporated, and that the current proposed exchange was to develop only the east side of the lake and the west side would remain open with trails. He added that turning the whole portion of land into a recreational area wouldn't be possible because the City couldn't afford to provide for maintenance and services in the entire area. He suggested that a few residents that were opposed to the potential development work with the City Manager.

Kathy Mulcahy, a resident, stated that the west side of the lake and behind the jump lagoon was not suitable for recreation due to the terrain.

Brenda Yanoschik, a resident, stated that if the City disincorporated, the County would be responsible for funding the maintenance and services to the recreation area of the Bureau of Land Management land. She stated that his argument supported her feeling that the City should disincorporate because it couldn't afford services, and she asked that the Council consider disincorporating.

7. Committee and Council Reports/Comments

Mayor Brown stated that this new format was a trial to see how well it worked, and the Council Member committee comments would be done directly after Items 8.6, 8.7, and 8.8 were done.

City Attorney Martyn stated that any comments the City Council would make regarding the Bureau of Land Management land would need to be very brief, if any were made at all, and that item would have to be scheduled for a future meeting if the Council wanted to discuss it.

City Attorney Martyn began the staff report for the City Manager contract approval, she stated that the item was removed from the consent calendar because there needed to be a specific discussion regarding the compensation provisions of the agreement. She added that State law required that the discussion of compensation provisions be in open session and that a City Manager contract be approved in open session.

Interim City Manager Hall excused herself to make copies of the proposed contract.

City Attorney Martyn suggested that the City Council proceed with the Committee and Council Comments until copies of the contract were made available for review and discussion.

Mayor Brown asked that the Council keep the comments to the committee meetings, and make further comments under the second Council comment section.

7.1 Council Member Ehrenkranz

Council Member Ehrenkranz offered that he could ask a representative from Vector Control to do a presentation on the Zika Virus. He went on to provide an update on the Southern California Association of Governments Energy Committee programs.

City Attorney Martyn discussed the City Council Decorum Resolution section that stated that Council Members would only speak for three minutes each time they had the floor unless there was a vote by a majority of the City Council. She suggested that the City Council have a vote to allow Council Members to speak for longer than three minutes during the Committee and Council Comments portion of the meeting.

Council Member Zaitz stated that the purpose of that section was to condense the comments to three minutes. He discussed the legal requirements for reporting what meetings were attended that the City paid for, and the difference of activity reports, which he felt should be limited in time.

Council Member Ehrenkranz stated that he felt the audience was entitled to know what the City Council Members did outside of Council meetings.

Moved by Warren, seconded by Haggerty to allow each City Council Member five (5) minutes to make their comments pursuant to Section 4.8 of the City's decorum resolution.

There was clarification that the motion would apply to this meeting only, and it was stated that staff would bring the decorum resolution back to the City Council for amendments at a later time.

Motion carried 4-1 with Council Members Ehrenkranz, Warren, Mayor Pro Tem Haggerty and Mayor Brown voting aye, and Council Member Zaitz voting no.

Council Member Ehrenkranz went on to provide an update on his meeting with the Metropolitan Water District of Southern California, he announced that he went to the Student of the Month event for February, and he had attended the City Water Committee. He went to the State of the Association presentation for the Property Owners' Association, and the Vector Control meeting.

7.2 Council Member Warren

Council Member Warren stated that the Alum Treatments may be put off due to the potential for rain. She asked that people out on the water send her updates on the water condition. She discussed the Splash into Spring event.

7.3 Council Member Zaitz

Council Member Zaitz provided the City Manager candidate informational brochures from the Riverside Transit Authority regarding presentations the agency does on how to use the bus system. He went on to show a brochure and discuss free transportation to the Veteran's Administration Hospital for all veterans.

7.4 Mayor Pro Tem Haggerty

Mayor Pro Tem Haggerty discussed why she had requested that the Committee updates be moved to the front of the agenda. She discussed other methods that she would consider for getting public safety reports out to the public. Mayor Pro Tem Haggerty explained the process that the City went through in determining to and hiring a consultant, and what the consultant had looked at and providing the City. She went on to provide an update on the Riverside County Transportation Committee.

7.5 Mayor Brown

Mayor Brown stated that he went to the County Faire and visited the new jail complex that is being build near the fairgrounds. He went on to announce that the City would have a representative from Charles Abbott at the Administration and Finance Committee meetings so the public could meet with representatives from the Building, Planning, Engineering and Public Works Departments at those meetings. He went on to request that an item be placed on a future agenda to discuss changing the decorum resolution.

8.6 Consideration of Approving City Manager Contract

City Attorney Martyn announced that there were copies of the updated agreement in the back of the Council Chamber for the public. She went on to describe the complete compensation provisions of the contract, including vacation time, sick time, employee health benefits, management leave time, retirement contributions, compensation for moving expenses, cell phone, professional membership and conferences, reimbursement of expenses, and salary, prior to the discussion and consideration of the provisions by the City Council.

City Manager candidate Palmer stated that he felt the terms of the agreement were agreeable and that he looked forward to getting to work with the City Council.

Council Member Ehrenkranz stated that he looked over the last three contracts for City Managers and felt that this proposed contract was fair.

Council Member Zaitz stated that he felt the contract was as fair contract. He stated that he would vote no on the contract because he felt that the City had handled the contract improperly. He felt that Aaron Palmer was qualified to be the City Manager and he would have liked to vote yes if the contract had been handled properly.

Mayor Pro Tem Haggerty discussed the process that the ad hoc committee and the City Council had done to get to the point of offering the contract to Aaron Palmer.

City Attorney Martyn reminded the City Council that this was their opportunity to discuss and change the compensation provisions if they chose to.

Mayor Brown open the discussion up for public comment. There were no public comments.

Mayor Brown opened up the discussion for the City Council Members to make any amendments to the contract. There were no suggested amendments.

Cathy Mitchner, a resident, inquired about what Council Member Zaitz thought was done improperly, and asked where Mr. Palmer had come from.

City Manager candidate Palmer provided a brief statement on his background in the City Manager field.

Mayor Brown asked that Mr. Palmer provide more on his background.

City Manager Candidate Palmer further discussed his background.

Mayor Brown asked for any additional Council or public comments, then entertained a motion.

Moved by Haggerty, seconded by Warren to approve the contract as presented at the meeting.

Motion carried 4-1 with Council Members Ehrenkranz, Warren, Mayor Pro Tem Haggerty, and Mayor Brown voting aye, and Council Member Zaitz voting no.

8.7 Consideration of Approving Part-Time City Clerk Contract

City Attorney Martyn discussed the purpose of the contract and the proposed compensation terms, including the hourly rate, expense reimbursement, cell phone, and sick leave. She went on to state that this would be the time for the City Council to discuss and change any of the terms of the contract.

Mayor Pro Tem Haggerty thanked the Interim City Manager for stepping into the job during the fire conflict.

Council Member Zaitz thanked the Interim City Manager for her service and that he was looking forward to working with her as City Clerk.

A gentleman from the audience asked why the City Council was taking the publics time in open session to discuss and vote on these contracts.

City Attorney Martyn stated that the contracts had to be discussed and voted on in public.

Mayor Pro Tem Haggerty stated that it was required to be public.

Council Member Warren explained that City Council Meetings are a meeting among the Council Members that the public gets to watch to see what the Council is doing, and that the meeting is not supposed to be a back and forth debate with the public.

City Attorney Martyn explained that the City Council was going through more of these contracts than was typical to make sure that there would be no questions raised about the closed sessions that were held and how the City Council got to the proposed contracts.

Mayor Brown asked if there were any other Council or public comments on the contract. There being none, Mayor Brown asked for a motion.

Moved by Zaitz, seconded by Haggerty to approve the contract as presented at the meeting.

City Attorney Martyn provided the roll call vote.

Motion carried 5-0 with Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, and Mayor Brown voting aye.

8.8 Consideration of Adopting Resolution No. 2016-08 Appointing Aaron Palmer as the City Manager and City Treasurer, and Ariel Hall as City Clerk

City Attorney Martyn explained that the resolution would appoint Aaron Palmer as the City Manager and City Treasurer effective March 1, 2016, and to appoint Ariel Hall as the City Clerk and change her title from April 1, 2016 to February 29, 2016 to permanent City Manager with no compensation change attached to the change in title. It was an honorary change in title only.

Council Member Zaitz stated that he felt that the meeting the City Council held to consider offering the appointment to Aaron Palmer were legal and that his concerns were regarding the discussion of the compensation. He felt that there was no reason for him to not vote on approving the resolution.

City Attorney Martyn asked Council Member Zaitz if he would like to reconsider his vote on the contract before the meeting moved on so there could be a five to zero vote on the contract.

Council Member Zaitz indicated he would not like to change his vote.

Mayor Brown asked if there were any public comments. There being none, he entertained a motion.

Moved by Haggerty, seconded by Ehrenkranz to approve the resolution as presented.

Motion carried 5-0 with Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, and Mayor Brown voting aye.

Mayor Brown called for a recess at 7:44 p.m.

Mayor Brown called the meeting back to order at 7:55 p.m.

8. Consent Calendar

8.1 Waiver of Reading in Full of all Ordinances by Title only

8.2 Approval of Minutes

8.2.1 Minutes – February 3, 2016

8.3 Adoption of Resolution No. 2016-06, Approving Claims and Demands of the City

8.4 **ITEM WAS REMOVED FROM THE AGENDA Second Reading and Adoption of Ordinance No. 166 Amending Various Sections of Title 10 of the City of Canyon Lake Municipal Code Regarding the Hearing and Appeal Processes for Citations Involving Keeping and Control of Dogs and Cats**

8.5 Adoption of Resolution No. 2016-07, Authorizing submittal for payment programs and related authorizations

8.6 **ITEM WAS PULLED FOR SEPARATE CONSIDERATION Consideration of Approving City Manager Contract**

8.7 **ITEM WAS PULLED FOR SEPARATE CONSIDERATION Consideration of Approving Part-Time City Clerk Contract**

8.8 **ITEM WAS PULLED FOR SEPARATE CONSIDERATION Consideration of Adopting Resolution No. 2016-08 Appointing Aaron Palmer as the City Manager and City Treasurer, and Ariel Hall as City Clerk**

8.9 Letter of Support for Assembly Bill 1869

Mayor Brown asked if there were any items that needed to be pulled for discussion.

Mayor Pro Tem Haggerty inquired about how she should ask questions about items in claims and demands.

City Clerk Hall stated that she could send her questions to the City Manager directly and he could answer them prior to the meeting.

City Manager Palmer stated that he would prefer if she sent questions to him directly.

Mayor Brown stated that the Administration and Finance Committee go through all the claims and demands thoroughly.

No items were pulled for discussion.

Moved by Haggerty, seconded by Ehrenkranz, to approve items 8.1, 8.2, 8.3, 8.5, and 8.9 of the consent calendar.

Motion carried 5-0 with Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty and Mayor Brown voting aye.

9. Pulled Consent Calendar Items

Pulled items were addressed prior to consideration of the Consent Calendar.

10. Schedule of Future Events

Mayor Brown announced that there was a list of future events on the agenda. He went on to request that the next meeting have an item to discuss the reporting on outside meetings such as the Regional Conservation Authority, and have a discussion on the existing events that the Council attends and how those social events would be shared among the Council Members.

There was discussion clarifying what Mayor Brown was requesting.

After discussion, Mayor Brown asked to drop his request for the time being. He went on to announce an upcoming Riverside Conservation Authority meeting that the public could attend.

11. Business Items

11.1 Consideration of donation to Temescal Canyon High School for their Grad Night expenses

City Clerk Hall provided the staff report for the item.

There was discussion regarding what had occurred in the past and what the promotion and advertising budget had been used for in the past.

Council Member Zaitz explained the benefits to students attending grad night and stated he supported providing a donation.

Council Member Ehrenkranz inquired on whether or not there was funding in the budget to provide a donation.

City Clerk Hall provided the amount of funding that was available in the City Council's promotion and advertising budget.

Council Member Ehrenkranz agreed with Council Member Zaitz that the City should make a donation to the grad night in the amount of $1,000.

Mayor Pro Tem Haggerty suggested that if the Council were to donate, that a total of $1,250 be donated for 5 students to attend.

Mayor Brown thought that donating would set a bad precedence.

Barry Talbot, a resident, stated that he thought it was inappropriate for the City to donate. He strongly urged the City not participate, and if they did donate, that the donation be restricted to Canyon Lake residents.

Nancy Horton, a resident, stated that in the past the City had donated to Little League for them to purchase uniforms and there had been no process for others to apply for donations. In the past the Council had decided that they wouldn't be providing donations to anyone, unless there had been an application process for different organizations with criteria on what the donation was going to be used for. She felt that the promotion and advertisement budget should be used for sympathy or congratulations flowers, etc. and not for this type of purpose.

There was clarification on the decorum process.

Moved by Ehrenkranz, seconded by Zaitz to donate $1,000 to Temescal Canyon High School for their Grad Night expenses.

Motion failed 2-3 with Council Members Ehrenkranz and Zaitz voting aye, and Council Member Warren, Mayor Pro Tem Haggerty, and Mayor Brown voting no.

11.2 Resolution No. 2016-09 – Amending the pass through convenience fee for credit card payments at City Hall and decreasing the maximum amount allowed to be charged from $1,500.00 to $300.00

City Clerk Hall provided the staff report for this item.

Mayor Brown asked for any public or Council comments on the item. There being none, Mayor Brown asked for a motion.

Moved by Haggerty, seconded by Zaitz to approve the resolution as presented.

Motion carried 5-0 with Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, and Mayor Brown voting aye.

11.3 City's Entryway Monument Project

City Clerk Hall provided the staff report for this item with slides displaying the various designs.

There was discussion regarding the warranties provided and how long the wood signs would last.

There was discussion regarding the cost of the posts, mounting brackets, and installation.

There was discussion regarding the designs and color options available.

Barry Talbot, a resident, stated that the City Council at the time of the Railroad Canyon Road project spend a tremendous amount of time and effort designing the originally proposed monument with the appropriate funding. He stated that the funding was then used by the next Council for something else, but that the Council now should consider the original design because the currently proposed signs look like apartment building signs, not for a bit of paradise.

Moved by Zaitz to allow staff to enter into discussions and possibly contract with Wooden Apple Signs for full color signs so long as the warranty and quality of the signs were appropriate considering Council comments on the item.

There was clarification regarding the motion.

Motion died for lack of a second.

Moved by Haggerty to bring the item back to the City Council on the April agenda with additional information from Wooden Apple Signs regarding the quality and warranty of their full color signs, and installation costs.

Council Member Ehrenkranz stated that he would like to second the motion if it were amended to include bringing back the original design.

Mayor Pro Tem Haggerty did not accept the amendment to her motion.

Mayor Pro Tem Haggerty repeated her original motion, the motion was seconded by Council Member Warren.

Mayor Brown explained that he was going to abstain because he felt he had no taste.

Motion carried 4-0-1 with Council Members Ehrenkranz, Warren, Zaitz, and Mayor Pro Tem Haggerty voting aye, and Mayor Brown abstaining.

11.4 Discussion regarding potential permitting of short-term rentals

City Clerk Hall provided the staff report for this item.

There was discussion regarding the decorum procedure.

Mayor Pro Tem Haggerty suggested that the City Council direct staff to come back with an ordinance that mirrored Riverside County's ordinance on short-term rentals.

Moved by Haggerty, seconded by Ehrenkranz to have staff bring back an ordinance that mirrored the County of Riverside's Short Term Rental Registration Ordinance.

Barry Talbot, a resident, stated that he believed the Property Owners' Association has rules regarding short-term rentals and suggested that the City coordinate with the Property Owners' Association.

Mayor Pro Tem Haggerty stated that she did coordinate with the Property Owners' Association and they suggested the ordinance.

Council Member Ehrenkranz stated that he believed the rule was that no rentals could be less than 30 days, and this would help register the homes.

Dave Eilers, Property Owners' Association Board Member, stated that the idea was to have a City ordinance that prohibited rentals less than 30 days. He went on to discuss the County's ordinance and associated registration costs.

Mayor Pro Tem Haggerty stated that the Property Owners' Association General Manager recommended that the City Council adopt this ordinance. She stated that adopting an ordinance would prevent residents from stating that short-term rentals were not a business and thereby avoid the Association's rules.

Council Member Zaitz called for the question.

City Attorney Martyn stated that she needed additional information in order to come back to the Council with an ordinance. She explained the provisions of the County ordinance and that it allowed short-term rentals, which would be inconsistent with the Property Owners' Association position.

Mayor Pro Tem Haggerty stated that this was satisfying to the Property Owners' Association's legal team, but that the City may need to modify the County's ordinance.

There was discussion regarding what the goal of the ordinance would be.

City Attorney Martyn suggested that this item be tabled until the City's staff can meet with the Property Owners' Association.

Motion was withdrawn.

Mayor Pro Tem Haggerty stated that she recommended that the City Manager and City Attorney work with the Property Owners' Association.

There was discussion regarding decorum proceedings.

Mayor Brown suspended the rules of decorum proceedings. There was no objection.

Mayor Brown stated that he spoke to the Property Owners' Association about short-term rentals and he thought that the Council should look at the County ordinance prior to consider voting on terms of an ordinance because he thought some of the terms were questionable.

There was discussion regarding the urgency of having an ordinance adopted.

It was the consensus of the City Council to have staff return to the next City Council meeting with additional information on the Property Owners Association stance on the issue, as well as the actual County Ordinance for review and additional discussion.

12. City Manager Comments

City Manager Palmer provided an update on the fire consultant report. He stated that it was anticipated that the City Council would have a special meeting during the week of March 14th to consider the report.

13. City Council Comments and Requests For Future Agenda Items

Mayor Pro Tem Haggerty discussed the reason she asked for committee reports to be at the beginning of the meeting. She stated she didn't mind moving them back to the end of the meeting, but would like public safety to be discussed at the beginning.

Council Member Zaitz stated that other cities restricted public comments so the business could be taken care of, but not two parts for Council Member comments. He stated that public comments were broken into two parts at the beginning and the end of the meeting.

Mayor Brown asked staff to put the public safety information at the beginning of the meeting.

Staff suggested placing the item under special presentations, directly after the Chamber of Commerce.

Council Member Zaitz stated that he didn't agree with the Chamber of Commerce having an item to speak under, and that they had the right to speak under public comments.

Mayor Brown asked that the public safety comments to the beginning.

City Manager Palmer stated that public safety could be moved to item 5, special presentations.

Mayor Brown asked that the decorum issues be addressed at the next meeting.

City Clerk Hall suggested that the City Council look at Rosenburg's Rules of Order.

Council Member Zaitz stated that earlier in the meeting the City Attorney said the decorum resolution would be redone.

City Attorney Martyn stated that they would look at Rosenburg's Rules of Order and bring back the decorum resolution when there were more changes.

There was discussion regarding decorum.

14. Announcements

The next regular City Council meeting was scheduled for April 6, 2016 at 5:30 p.m. for Closed Session and 6:30 p.m. for Open Session.

15. Closed Session

The Council entered into closed session at 9:08 p.m.

a. **Pursuant to Government Code Section 54956.9 d. (2)**
Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation (one potential case)

b. **Pursuant to Government Code Section 54956.9 d. (4)**
Conference with Legal Counsel – City determination of Initiation of Litigation (one potential case)

c. ****REMOVED** Pursuant to Government Code Section 54957**
Public Employment – City Manager

d. ****REMOVED** Pursuant to Government Code Section 54957**
Public Employment – City Clerk

e. ****REMOVED** Pursuant to Government Code Section 54957.6**

Conference with Labor Negotiators

Agency Designated Representatives: City Council

Unrepresented Employee: City Manager

f. ****REMOVED** Pursuant to Government Code Section 54957.6**

Conference with Labor Negotiators

Agency Designated Representatives: City Council

Unrepresented Employee: City Clerk

g. **Return/Report from Closed Session**

The City Council returned from Closed Session at 9:50 p.m. with no reportable action.

16. Adjournment

The meeting was adjourned at 9:50 p.m.

Respectfully Submitted,

____

Ariel M Hall
City Clerk

MINUTES
SPECIAL MEETING OF THE
CANYON LAKE CITY COUNCIL
Wednesday, March 16, 2016
Open Session – 6:00 p.m.

City Council Chambers
31516 Railroad Canyon Road
Canyon Lake, CA 92587

OPEN SESSION – 6:00 P.M.

1. Call Open Session to Order

Open Session was called to order at 6:05 p.m.

2. Flag Salute

Nancy Horton led the flag salute.

3. Roll Call

Present: Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, Mayor Brown.

Absent: None.

4. Approval of City Council Agenda

Moved by Warren, seconded by Ehrenkranz, to approve the City Council Agenda as presented.

Motion carried 5-0 with Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty and Mayor Brown voting aye.

5. Public Comments

This item was addressed.

6. Business Items

6.1 Review ESCI Cost of Services Fire Study and approve moving forward with Option 1, 2a, 2b, or another option not presented in the report

Cameron Phillips, ESCI representative, provided a PowerPoint presentation of his Cost of Services Fire Study.

Mayor Brown requested that the City Council suspend the rules of order to allow the item to be address as a discussion item less formally than normal. There were no objections to suspending the rules of order.

Mayor Pro Tem Haggerty discussed her concerns with the retirement plans that were used in projecting the budgets for the City run fire department. She went on to discuss the increase percentages used for the high and low projections for continuing with the County.

Cameron Phillips discussed the process in determining the percentages for increases and the retirement plans.

Mayor Pro Tem Haggerty asked for clarification on the ALS and BLS budgeting.

Cameron Phillips explained that the graphs that showed ALS and BLS budget lines had the amount projected for adding paramedics to the department added to the ALS line.

There was discussion regarding the start-up costs, training grants, and ongoing costs for paramedics.

Council Member Zaitz asked if the Council Members should be concerned if the response time of the fire department increased to 15 minutes.

Cameron Phillips stated that everyone wanted as short a response time as possible, and the Council should communicate with the public regarding the desired level of service for their community.

Council Member Zaitz asked if the Council should know what an appropriate response time should be, and what that time was.

Cameron Phillips stated that industry standard was within six minutes as a benchmark.

There was discussion regarding the depth of the investigation into providing ALS service at a City run fire station.

Council Member Warren asked for clarification on how the response times were determined for the report.

Cameron Phillips explained that ESCI used mapping technology for response times, along with GIS data received from CalFire for responses.

Mayor Brown asked for clarification on how the increase in the budget projection was created for adding ALS.

Cameron Phillips stated that it was a 15% increase over firefighter salary for paramedic certification pay.

There was additional discussion on the calculation of the ALS costs.

Council Member Zaitz asked for clarification on the first due responders in the various options.

There was discussion regarding the first due responders and where the information was received to determine that.

There was discussion regarding automatic and mutual aid between the County and the City in the various options.

Council Member Zaitz raised concerns regarding the City's Measure DD to pass the utility user's tax (UUT) campaign materials.

There was discussion regarding using UUT funding for a fire department.

There was discussion regarding the time it would take to start-up a department and how the transition would occur. Cameron Phillips indicated that it would take 12 to 18 months to start a department.

There was discussion regarding the projected annual increases in firefighter benefits for a City run department.

Kathy Mulcahey, a resident, asked why disincorporation was not explored as an option in the study to remain with CalFire without added cost.

Council Member Warren stated that the study was done with specific instructions from the City to explore options with Station 60 open, and she had been told that keeping Station 60 open was not in the plan if the County took over. She went on to discuss needing to get the opinion of various residents on desired service levels.

There was discussion regarding residents' desired service levels and options to explore.

Jack Wamsley, a resident, discussed the legal requirements of responses to various types of calls. He added that Station 5 would be moving to the East Port area, and how that would change the response times in the City. He went on to discuss the responses that he had received at his home from the various stations.

There was clarification that Mr. Wamsley was proposing keeping Station 60 closed and agreeing with CalFire and Riverside County to provide service to the City with Station 5 moved to the East Port area.

Art Femister, a resident, stated that ESCI did a great job on the report. He discussed the timeline for starting a department and the current contract. He discussed the quote the City had received for dispatch services. He added that in his experience there were no grants for starting departments, and he supported starting a department if possible.

Council Member Ehrenkranz agreed that the City was pressed for time and suggested that Jack Wamsley help the City with his contacts if he could, to negotiate for a year extension of the current contract.

Jeff Hewitt, Mayor of Calimesa, discussed the similar situation of the City of Calimesa and the difficultly of starting a new department. He stated that Calimesa still had two-person engines, and their service was adequate for their city. He discussed the history of CalFire personnel structuring, what Calimesa would be doing to approach the CalFire push to increase staffing, and the statistics on survival and response times.

Nancy Carroll, a resident, stated that in her experience that by the time AMR has arrived on scene the Fire Department has already packaged the person up to transport you, and AMR stays with the person until they are in the hospital. She felt that the paramedic on the fire engine really saves the person. She added that the City should work with the County for an extension and keep working on the start-up.

Council Member Zaitz stated that Station 94 and Station 5 are doing a great job with their paramedics.

Larry Greene, a resident, expressed how important response times were, and how the CalFire staffing levels and certifications worked. He went on to discuss the UUT and what he felt was expected when the tax was passed. Mr. Greene added what he felt needed additional exploration in the study that was presented and that the City needed additional time.

Jack Wamsley, a resident, discussed the information that he had previously gathered regarding communications.

There was discussion regarding various dispatch and communication information.

Council Member Warren read an email that had been received from Barry Talbot, a resident, sent to her for public comment due to his inability to attend the meeting. The email discussed his concerns with the projections in the study and supported the City Council moving forward with Option 2b.

There was discussion regarding the deadlines in the contract.

Council Member Zaitz stated that he had previously asked City Manager Palmer to discuss with the County whether or not the City had the option to extend the current contract for an extra year so the City Council could discuss that at this meeting.

City Manager Palmer stated that staff did not know whether or not the City had the option to extend the agreement. He went on to discuss options that staff would like to explore beyond what was presented in the study.

There was discussion regarding moving forward with looking to extend the current contract while options were explored.

Mayor Pro Tem Haggerty suggested moving forward with seeking an extension while exploring long term options.

There was discussion regarding the options that were looked at previously and that the new City Manager would be exploring.

Council Member Zaitz expressed that he disagreed with moving forward with Option 2 in the study but agreed with moving forward with an extension of the current contract. He expressed concern about what would happen if the County denied an extension of the current contract.

City Manager Palmer discussed the City's options if the County refused an extension.

There was discussion regarding what would happen if the County refused an extension.

City Manager Palmer stated that he would contact the County the morning after the City Council Meeting to begin negotiating a possible extension of the current agreement.

City Attorney Martyn confirmed that the City Council was, by consensus, instructing the City Manager to contact CalFire to exercise the second option under Section 4, the term, of the cooperative agreement.

There was discussion and clarification that the City Council was seeking an extension with the same terms as the current agreement.

City Attorney Martyn confirmed that the Council was instructing the City Manager to contact the County and CalFire that the City was seeking an extension of the cooperative agreement on the same terms according to Section 4, Term of the agreement.

There was discussion and clarification that the extension was to keep Station 60 closed, and that the provisions would be similar. The City Manager was to return to the City Council with the proposed cost of an extension if such an extension was possible.

There was discussion regarding the potential increase in cost.

Council Member Zaitz agreed that the City Manager should provide the County with the notice that the City was seeking an extension no later than the following day.

City Manager Palmer confirmed that as long as the City provided the notice by March 28th, that the City would be in compliance with the notice provisions in the contract.

There was discussion regarding what would happen if the County refused an extension.

City Attorney Martyn stated that the City Council would be having another Special Meeting on March 29th and the City Council could discuss how to move forward if the County refused an extension then.

Mayor Brown inquired if there was a consensus of the Council to have staff move forward with negotiating an extension if possible and to return to the City Council at the March 29th meeting.

There was discussion regarding the potential timeline for negotiations.

City Attorney Martyn clarified that the City needed to give a notice that the City was not terminating the agreement to start a department and that the City needed to extend the agreement, and that staff would like to give the notice by March 28th to ensure the deadline was met.

There was discussion regarding the specifics of the notice.

Nancy Horton, a resident, discussed why AMR would not move to Station 60 due to regional needs. She went on to discuss the service the City had received when it was unincorporated. She expressed that she felt Station 60 needed to be reopened, and that there were people in the City who would work to get another tax passed if needed to keep the City open.

Mayor Brown confirmed that there was a consensus of the City Council to move forward with requesting an extension of the agreement, and to have staff return to the Council with the terms of that extension, with the terms of the extension similar to the current agreement. There was no opposition from the City Council on the consensus.

Jack Wamsley, a resident, offered his services to help with negotiations.

It was the consensus of the City Council to authorize the City Manager to notify the County of Riverside of the City Council's decision to request an extension of the Cooperative Fire contract with the County of Riverside for fire services, and to return to the City Council with the proposed terms of an extension if granted, with the expectation that the proposed terms should be similar to the current contract.

City Manager Palmer stated that information would be brought to the March 29th meeting if necessary.

Mayor Brown stated that it was his opinion that a new tax would not pass if there were no paramedics in Station 60 in the future, and that the City may need to look at what it would be to not be a City.

7. City Manager Comments

There were no comments.

8. Council Comments

Mayor Pro Tem Haggerty thanked Cameron Phillips for a job well done.

9. Announcements

The next regular City Council meeting was scheduled for April 6, 2016 at 5:30 p.m. for Closed Session and 6:30 p.m. for Open Session.

10. Adjournment

The meeting was adjourned at 8:36 p.m.

Respectfully Submitted,

Ariel M Hall
City Clerk

ITEM 7.2.3

MINUTES
SPECIAL MEETING OF THE
CANYON LAKE CITY COUNCIL
Tuesday, March 29, 2016
Open Session – 1:30 p.m.

City Council Chambers
31516 Railroad Canyon Road
Canyon Lake, CA 92587

OPEN SESSION – 1:30 P.M.

1. Call Meeting to Order

Open Session was called to order at 1:30 p.m.

2. Flag Salute

Congressman Calvert led the flag salute.

3. Roll Call

Present: Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, Mayor Brown.

Absent: None.

4. Public Comments

Travis Montgomery, a resident, discussed the postal zip code for Canyon Lake, and requested that Canyon Lake get its own zip code.

Debbie Walsh, a resident, discussed the past negotiations and deals with the County for fire service to the City, and indicated that if she was elected County Supervisor for the Canyon Lake area she would make it her top priority to commit County funding to help get the Canyon Lake Fire Station opened.

Brenda Yanoschik, a resident, stated that she would like the Congressman to help dissolve the City of Canyon Lake because there was no tax base, and there was continued failure to provide fire services and a level of police services that the unincorporated areas enjoy. She went on to state that there were no City operated parks, and the City was now trying to develop on Bureau of Land Management (BLM) property instead of keeping it as a park as it had indicated in the past.

Nancy Horton, a resident, discussed the efforts of the Quail Valley Environmental Coalitions efforts to get a new sewer put in Quail Valley and have their building moratorium lifted, and to protect Canyon Lake from the bacteria run-off from Quail Valley. She outlined the efforts of the residents of Quail Valley and the Environmental Coalition to get funding for a new sewer system and the difficulties they had experienced. She discussed what needed funding in Quail Valley and asked that there be Federal help on the issue because the City of Menifee, County of Riverside, and the State of California have failed to do anything about the problem.

Kathy Mulcahey, a resident, discussed her efforts to find out about the potential development of the BLM property, and asked that the City Council place an item to discuss the issue on an agenda so there could be a discussion with the residents.

Jack Wamsley, a resident, discussed the BLM property and his past efforts and meetings regarding potential development of the land, and his opinion of what should be done with the land. He went on to discuss how things could be worked out and funded for developing the property.

Mayor Brown suspended the normal rules of order for the meeting.

5. Business Items

5.1 Meeting and Discussion with Congressman Ken Calvert

Mayor Brown introduced Congressman Calvert.

Congressman Calvert addressed the issue of the zip code, indicated that dissolution of cities was a local issue, discussed grant programs that may help with the sewer issue in Quail Valley, and discussed the Federal program marking the local BLM property for surplusing and the process for determining the use of the property.

Mayor Pro Tem Haggerty asked that Congressman Calvert support HR4731 which is the Refugee Program Integrity Resolution Act, to set a cap and make it a local and State decision on the number of refugees sent to their area.

Congressman Calvert indicated that he was on record asking for a pause on moving refugees from the Middle East. He indicated there was no way to do proper background checks on people at this time.

Council Member Zaitz discussed e-verify.

Congressman Calvert discussed the e-verify program.

Council Member Zaitz discussed his concerns about what is going on in Washington due to the political aspects between the parties.

Congressman Calvert discussed what he saw going on politically and how people were feeling about the government systems.

Mayor Brown discussed the upcoming appointment of a Supreme Court Justice.

Congressman Calvert discussed the recently deceased Supreme Court Justice and the upcoming appointments to the Supreme Court.

Mayor Brown discussed the Environmental Protection Agency's (EPA) regulations on endangered species and the hardship that caused people.

Congressman Calvert discussed the Endangered Species Act and his efforts to cut the EPA's budget for staffing, the original purpose of the Endangered Species Act, and various issues he has been following and working on.

Council Member Warren asked what the everyday citizen could do to help with revising the Endangered Species Act.

Congressman Calvert discussed what could be done to help the issue.

Brenda Yanoschik, a resident, asked what the Congressman's position was regarding the development of the BLM property around Canyon Lake.

Congressman Calvert stated that he did not get involved in local land use decisions. He stated that the Federal and State Government owned over 70% of the land in California, and that surplusing some of that land was a good thing, but how it's used is up to the local governments. He went on to explain how much land the Federal Government owned in various states.

Mayor Brown discussed the cost of college tuition and not keeping up with technology. He added that we should be moving to competency based certifications instead of time based.

Congressman Calvert discussed issues in public and private colleges and universities.

A resident discussed an issue with younger people thinking the government was a democracy and don't know this country was a republic. He went on to state that he learned a lot about issues he was concerned with at the meeting, and the timing of the meeting precluded younger people and small business people.

Barry Talbot, a resident, discussed the funding of military services, and how the Country was addressing the terrorism issue.

Congressman Calvert discussed the military's levels and various issues that the Country was facing.

Mayor Pro Tem Haggerty inquired about how safe the Country was from a cyberattack and what Congressman Calvert thought about the happenings in Iraq.

Congressman Calvert discussed his thoughts on what was happening in Iraq and how the Country was protected from cyberattacks.

Council Member Ehrenkranz thanked the Mayor for suspending the rules of order, and asked if there were any grants to help the City with the fire safety issue.

Congressman Calvert stated that he didn't know of any, but he would keep an eye out for anything that may help.

There was discussion regarding the past services and efforts to maintain the City.

Mayor Brown thanked Congressman Calvert for attending and meeting with the City.

Mayor Brown called for a recess at 2:42 p.m.

Mayor Brown called the meeting back to order at 2:50 p.m.

5.2 a. Confirmation of direction given to City Manager at the March 16, 2016 Special City Council Meeting to authorize the City Manager to notify the County of Riverside of the City Council's decision to request an extension of the Cooperative Fire contract with the County of Riverside for fire services, and to return to the City Council with the proposed terms of an extension if granted, with the expectation that the proposed terms should be similar to the current contract

City Manager Palmer indicated that he had been given the authority of the City Council to notify the County of the Council's decision to negotiate an extension of the contract and that he had a meeting scheduled for May 12, 2016. He added that after the ratification at this meeting, he would be sending a formal letter to the County.

There was discussion regarding the newspaper article recently published regarding Lake Elsinore's dissatisfaction with Canyon Lake's request to extend the contract.

There was additional discussion regarding the benefits that Lake Elsinore was receiving under the current agreement.

There was discussion regarding the scope of the authorization given to the City Manager and the purpose for the item on the current agenda.

Barry Talbot, a resident, stated that he wanted to continue to be a City, and that he looked forward to the City negotiating an extension of the current agreement for fire services.

Jeff Hewitt, Mayor of the City of Calimesa, spoke in favor of the City of Canyon Lake continuing to work on the fire safety issue because the same issue was facing his City.

Mayor Brown stated that he would rule the direction given to the City Manager at the last meeting was clear and authorized by consensus, with the assumption that the authorization included negotiating to get the other cities' blessings on the extension as well.

b. Update on fire extension negotiations

There was no additional update on the negotiations.

6. City Manager Comments

There were no City Manager comments.

7. Council Comments

Council Member Zaitz requested that the Local Agency Formation Commission (LAFCO) be brought in for a public meeting to do a presentation on disincorporation. He went on to discuss the fire department issue, and the Utility User's Tax.

Council Member Warren stated that she did not feel it was time to have LAFCO come discuss disincorporation.

Mayor Pro Tem Haggerty stated that she also felt the City was in an okay place financially and that she was working hard to get a fire department started. She did not think that disincorporating would not open Station 60.

Council Member Ehrenkranz stated that the Council should be allowed to do their job and continue to try to serve the City the best they could. He added that this was the first time in years that the City budget was in the black.

Council Member Zaitz disagreed that disincorporating wouldn't open Station 60. He asked that LAFCO be asked to come give a presentation so the Council could get real answers.

Council Member Warren stated that she challenged anyone to give her a guarantee that if the City disincorporated Station 60 would be opened.

Mayor Pro Tem Haggerty excused herself from the meeting.

Mayor Brown stated that he was doubtful that the City could continue to be a city, and he wanted to make sure that the facts were out there for everyone to understand what the disincorporation process would be. He felt that it was to the City's advantage to remain a city, but felt the facts needed to be out there. He reviewed and confirmed the rules of order for a Council Member to place an item on the agenda.

Council Member Zaitz indicated that he would like a presentation by LAFCO placed on the agenda.

Nancy Horton, a resident, discussed her experience when she was on the City Council and the City Council had discussions with LAFCO on the process.

There was discussion and confirmation that Council Member Zaitz was requesting the LAFCO be asked to attend a meeting and that an item for the presentation be placed on an agenda.

8. Announcements

The next regular City Council meeting was scheduled for April 6, 2016 at 5:30 p.m. for Closed Session and 6:30 p.m. for Open Session.

9. Adjournment

The meeting was adjourned at 3:37 p.m.

Respectfully Submitted,

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Ariel M Hall
City Clerk

VERBATIM MINUTES
SPECIAL MEETING OF THE CANYON LAKE CITY COUNCIL
Tuesday, March 29, 2016 1:30 p.m.

City Council Chambers
31516 Railroad Canyon Road
Canyon Lake, CA 92587

Video Mark 1:20:28

5.2 a. Confirmation of direction given to City Manager at the March 16, 2016 Special City Council Meeting to authorize the City Manager to notify the County of Riverside of the City Council's decision to request an extension of the Cooperative Fire contract with the County of Riverside for fire services, and to return to the City Council with the proposed terms of an extension if granted, with the expectation that the proposed terms should be similar to the current contract

Tim Brown: The next item on our agenda is confirmation of the direction given to the City Manager at the March 16th meeting, Special Council meeting, authorizing the City Manager to notify the County of Riverside City Council decision to request an extension of the cooperative fire contract with the County of Riverside for fire services, and to return to the Council with the proposed terms of an extension if granted, and with the expectation that the proposed terms should be similar to the current contract. Can I have a report from the City Manager on this issue?

Aaron Palmer: As you just summarized, Council gave me by consensus authority to go out and do that. I had initial conversations with County Fire, we have an initial meeting scheduled for May 12th.

Dawn Haggerty: May 12th?

Aaron Palmer: Yes, May 12th.

Dawn Haggerty: Why so far ahead?

Aaron Palmer: That's when calendars matched up. They were gone a lot towards the end of April, and so the best we could do was May 12th.

Dawn Haggerty: But you did give them the notification?

Aaron Palmer: Yes we did, and once this is ratified, I will also send a letter with today's date so everything will still meet the six month deadline.

Dawn Haggerty: So this meeting is just....

Aaron Palmer: Yeah, a get to know ya, find out where the County is coming from, what they're expecting for cost increases, what with regards to the cost sharing, regards to probably Menifee and Lake Elsinore with our cost agreements as structured now.

Dawn Haggerty: Okay.

Tim Brown: I think everybody's read the newspaper, the Press Enterprise, and the article about Lake Elsinore's dissatisfaction with our request for an extension. Is there anything you could say, or comment, about that situation?

Aaron Palmer: Not at this time, I reached out to their City Manager and am hoping to have a sit down with him in the next week or so to find out what's going on with them. I'm just looking at their fire budget for the last couple of years, their fire budget this year's about 12% lower than it was for 14/15, about 700,000 dollars.

Dawn Haggerty: I would just like to make a comment that I think Mayor Tisdale may have spoken before he really got all the facts. I would hope that was the case because they received over 600,000 dollars, I think it was about 640,000 dollars that they receive out of the contract that we signed with County, part of it went to Menifee and part of it went to Lake Elsinore and I talked to Rick Mann, they were very satisfied. It was my understanding from a while back with Bob McGee that Lake Elsinore was perfectly happy, I did not hear, I had a conversation with him, he did not express any disappointment or any unhappiness with it, so I'm thinking maybe the Mayor just hadn't discussed it thoroughly with everyone. I have no idea, but they did receive a very significant amount of money, they were very happy with it at the time that the contract was negotiated and signed. They were very pleased with the outcome, and the income that they got and the whole thing, so I was a little puzzled by that comment that was put in the paper.

John Zaitz: Mr. Mayor, I don't think that Mayor Tisdale would make a comment without having at a least a concurrence with a significant number of the Council Members. When you talk about looking at the budget for Lake Elsinore, was it their budget proposal for last year?

Aaron Palmer: No, it's their adopted budget for 15/16.

John Zaitz: Okay, what I meant was the adopted budget for 15/16 that they did last year.

Aaron Palmer: Right.

John Zaitz: Last year in June they did 15/16.

Aaron Palmer: Right, the one that expires this June…

John Zaitz: Right, right…..

Aaron Palmer: so this current budget that they're in is 12% lower than the previous one.

John Zaitz: Yeah, and there's reasons for that that didn't take place, and so that was their approved budget, but that's not what they're working on. That budget took into consideration they were going to close Station 10, which we are told that they could do through the County, and then once the budget passed with that reduction, CalFire came back and said, no you can't close Station 10 and they didn't, they did receive some money from us, and they had some additional savings from some efficiencies over a period of time. But that budget isn't with the budget that they were working on, it was the budget they proposed and that balanced their budget, and it didn't work, but they did balance it with our money and some other efficiencies.

Dawn Haggerty: I just thought of something. I just, many of you are aware that Station, is it 7? There's a ribbon cutting ceremony for the opening of the Fire station on Cherry Hills and Bradley in Sun City, couple of weeks I think, maybe it's next week, I don't know. I've got it on my calendar any ways, we will have a new fire station in that area.

Tim Brown: Make a comment, back when I was researching this topic in looking trying to understand Lake Elsinore's discontent, I noticed that if you look at a cost per person basis for fire service in the fire areas that they protect, including Wildomar by the way, you find that the cost per person basis in Wildomar is approximately 160 per person as opposed to 290 in Elsinore and 260 something in Canyon Lake, so there's a reason for their discontent that extends beyond Canyon Lake. Part of the service they're providing to Wildomar is, if you're looking just on cost per person basis, would appear to be subsidized. So, that being said, I think that we should at least be aware of all of the facts when you go into the discussion with Lake Elsinore on some of the reasons for their concerns that extended beyond the cost of providing service to Canyon Lake. Comments from the Council? Questions?

John Zaitz: I have some basic ones, I guess. We've not done very well in contingency planning, we've absolutely failed on goal setting. We still don't know and don't have a goal as to whether we're going to have a paramedic or not paramedics and what we're going to do and how we're going to do it. So, the thing that contingency planning is we've already seen the newspaper that Elsinore may not agree to that proposal. And if they don't, what……

Vicki Warren: Can I raise a point of order? Are we discussing still 5.2a the confirmation of the direction?

Tim Brown: Correct.

Vicki Warren: That's what this meeting is for… That's…. Can we reiterate that and get back to that? Because I have to go back to work eventually….

John Zaitz: What did I say that was not on point?

Tim Brown: I don't see that it's off point, we need to talk through this topic and make sure that we have clear direction on what we're supposed to be, who we're supposed to be talking to and what we're supposed to be talking about. And obviously there's part of that, part of that has to be a resolution with Lake Elsinore too. They have to agree to this current extension as a contract with them as well as the County.

Vicki Warren: Well then we put that on the, I'm sorry, can we put that on a future agenda so that we can discuss that, because this here is strictly because apparently some were confused as to the direction we had already given the City Manager at our last meeting and this is to just clarify that direction. If we clarified that direction, close this off and start another meeting another time to go further into how we want… what we think is happening with Lake Elsinore. Perhaps that would be best, but that's not covered under 5.2a. I would like to just leave this on track with the….

John Zaitz: **Inaudible**

Tim Brown: In my opinion it is.

John Zaitz: I realize what you're saying, but when we gave that direction, I remember Councilman Ehrenkranz saying go tomorrow, contact the fire station tomorrow, let's get it started, and I was concerned we didn't have a conversation last week on it. But then it was to be then brought forward back to us today, at that meeting last week.

Vicki Warren: The point that you just made was that we gave consensus last week…

John Zaitz: No….

Vicki Warren: we had a discussion, we as a…

John Zaitz: No…

Vicki Warren: the week before, we as the Council gave a consensus to allow this discussion to go forward. Hindsight's a wonderful thing, we didn't have it at that time.

John Zaitz: That's not it….

Vicki Warren: Nothing between now and then has changed. I just want to, I don't know, I honestly don't know why this was brought on because it was a consensus, we were all off the usual Brown Act method, per the Mayor's request…

Tim Brown: That's right….

Vicki Warren: So I just would like us to handle this, that we've been, that has been put back on here. Can we get a confirmation of direction to the City Manager to go forward with this, and then any other further discuss we need to do on the file, lets put that back on the agenda, let's notice it for a 6:30 pm meeting so the public can be involved in that too.

Tim Brown: I would like to reiterate what I see of the importance of getting in agreement from the City of Lake Elsinore. Based on just appearances, it appears that might be the stumbling block to this whole thing and I think that needs to be a part of this consideration…

Vicki Warren: Except that's not on this agenda. Lake Elsinore is not on the agenda.

Tim Brown: I think….

Vicki Warren: So if we're going to be sticking to the point, we need to stick to the points however.

Tim Brown: My opinion was that the authorization to look into extending the contract meant the contracts with the associated cities that allowed us to do what we're doing right now. I think it's important that those extensions, if you will, be agreed to, that we know just having the County say you know, okay we agree to it, doesn't mean that the City of Lake Elsinore will agree with it. And I think we need to give that as part of this confirmation too. That that's part of the direction that we need. We need confirmation that all involved parties are going to agree for an extension.

John Zaitz: Well, in line with what Vicki is saying, that we can only deal with what we talked about as far as the direction, that this is a part of the direction that we gave, and that was not all of what was done. What was done was that he will do this and get back to us today.

Dawn Haggerty: He did.

John Zaitz: When?

Dawn Haggerty: Just now, he got back to us and told us that he had taken action and has meetings scheduled. And by the way, our contract was with I believe the County, which had Lake Elsinore and Menifee sign the contract to approve that it was a negotiated contract with the County with those cities, so it isn't our ability to negotiate with them, it's the County that will negotiate with them because it's a County contract, is that correct?

Aaron Palmer: Yeah, what it, I believe we have copies of it, it's basically, it's a two part agreement, there's one with the City for the County with regard to service and the other one is the City, County and cities of Lake Elsinore and Menifee with regards to the cost sharing portion of that agreement.

Tim Brown: Now I think that my expectation anyways, is that all those issues be resolved. That that's what we expect to happen.

Aaron Palmer: Correct, that was my interpretation.

Tim Brown: Any other comments from the Council?

John Zaitz: Yeah, the fact that this was going to be done today, this wasn't in our original agenda, but it was in the addendum one, that did take place, my only question was that when we got the first agenda it had no discussion whatsoever on the fire and that was supposed to be what we were going to talk about in addition to Ken Calvert, and so it just miffed me that it wasn't there, and I don't know that being told that we had a contract that says we were going to tell them in six months, now you're saying that this is extended, I don't know how that's extended and who extended it. But we can go to May 12th, we told them in the contract that we were going to tell them by March 30th, one way or the other. And that's now put off to May 12^{th}, I don't know where that is, who's that agreement with, all that stuff, and I'm supposed to assume that that's all taken care of? I don't...

Tim Brown: I think....

John Zaitz: assume that.

Tim Brown: at least my interpretation of the situation is that we have made notification. The contract as I interpret it does not demand that we have negotiated the extension, simply that we made notification of the extension.

Aaron Palmer: Correct.

Tim Brown: So if that's the case, I would say that we authorized him to move forward with the terms of the existing contract, now if they were to be skewed what does notification mean? Does that mean completion of negotiations? Or does that mean simply a notification to extend? You could make a good argument there, but it's a hazy one at best and I think we have to assume since we're out of time anyway that our interpretation is probably correct, that the only thing that's required at this time is notification of extension and not complete negotiation of the extension.

Jordan Ehrenkranz: Well, apparently we've made the notification in the correct amount of time. It's the fact the County won't meet with us, or won't meet with our City Manager until May the 12^{th}, that's out of our hands right now. We have done what we were supposed to do, and told to do, and I thought that this was all done last week when we were...

Vicki Warren: We wanted it reiterated so.....

Jordan Ehrenkranz: But we can, I can make a motion to have this done all over again, and voted on, but I don't think that's necessary...

John Zaitz: No you can't....

Jordan Ehrenkranz: I can make a motion today.

John Zaitz: Well, it's not on the agenda....

Dawn Haggerty: It's done.

Vicki Warren: It was already done.

Dawn Haggerty: We did it last week. She's just regurgitating the same thing again, so…

Tim Brown: I will make the proclamation if I'm allowed to, but I don't know if I have… Okay, we have a speaker before I make a proclamation.

Kirsten Rowe: Barry Talbot.

Barry Talbot: Mayor, Council, thanks again for the time to speak. You seem a little bit confused about it and I'm confused about exactly what is our topic here today, but I think what we're talking about is the most important thing to our City, and that's the public safety. And I was very pleased to hear earlier in the conversation, that either Jordan's comment or the Congressman, that remaining a City is high on his list. The benefits of our continuing to be a city are tenfold over what they would be if we reverted back to the County. The County itself, probably at the present time, is in worse financial condition than we are. And we voted for the utility tax to help our City recover from the great recession so give us time to recover from the great recession, and we still have a lot of time left on that six year period of time for the UUT. I look forward to energetically negotiating continuation of the contracts with the County, and with the County Fire, and with our joining cities, and hopefully we'll get some assistance from increased property taxes, and we'll get some assistance from possibly other grants, and we'll get a better understanding with our neighboring cities. So, thank you for pursing that level of thought.

Tim Brown: Are there other? Another comment from the audience? And can you please introduce yourself?

Jeff Hewitt: Thank you Mayor Brown. And again, I didn't fill out a slip, but I just wanted to let out a little information on this very very important issue. If you read the Press Enterprise on March 24th…

Dawn Haggerty: Would you introduce yourself?

Jeff Hewitt: Oh, sorry. I'm Jeff Hewitt, City of Calimesa, ((**provides street address**)), also the Mayor. And regards, again, this is just coming down here and watching you it's just like watching the guy in the Green Mile walking up to get executed and I'm in the cell that is the next one, so we're attached that way.

John Zaitz: More power to you…

Jeff Hewitt: So here we are….. well, more power to you, because if you guys fail so will we. Here let me quote this article from the Press

Enterprise March 24th, and it went over the County's losing 50 to 100 million dollars on it's sheriff and it's DA, according to County Finance Director Paul McDonald, now that's who, he basically said, we can do a better job of offering cities a different menu of options, lower cost options, he said, if we do that we have the ability to allow the County to recover more of its costs, yet not significantly increase cost to the city. Now I ask, if its good enough for the Sheriff department, it's good enough for other parts of public safety. And we've got, I don't know, have you been invited to the April 14th for... My city attorney, my city manager was invited, evidentally Chief Hawkins screwed up and invited some of the electeds, I'm going to be going.

Aaron Palmer: Yes, they have two sessions, one on the 13th and one on the 19th .

Jeff Hewitt: Yeah, the one on the 13th is up here and the one on the 19th out in Lopez. There's going to be some issues happening. Marian Ashley has sixteen point. Again the County itself is going through some huge, huge changes. What you have to do is make some decisions and all that right now, but don't give up hope because remember, they're saying certain things, it's right out there, it's quoted, and these things we all know are right. We're the bosses, they're not.

Vicki Warren: Right.

Jeff Hewitt: Thank you.

Tim Brown: Are there any other comments?

Kirsten Rowe: No.

Tim Brown: Okay, it's my understanding, please correct me if I'm wrong, that in absence of a designated parliamentarian, that I would be the parliamentarian.

John Zaitz: Yes.

Tim Brown: That being the case, I would rule that the direction given to the City Manager at the last meeting was clear and authorized by consensus. Now that being the case, if we have one of the people who consented, who wants to bring this back to the table, there would be the option of reconsideration since the determination was made was in the affirmative. So I would see that as the option if this were to be needed to be put to a vote. So I guess I'm asking John if he would like this to be reconsidered at this time.

Vicki Warren: Here at this meeting?

John Zaitz:	I don't know that, I don't know that we can, the way that the agenda is constructed.
Vicki Warren:	Right.
Tim Brown:	So you…..
John Zaitz:	I don't think, if I wanted to, I don't think I can. And I don't want to push the issue so…
Tim Brown:	Ok, we'll let it go with the consensus this time based on the assumptions that were made…
John Zaitz:	Do you agree? We can't?
Vicki Warren:	Yeah, **inaudible**
Tim Brown:	The assumptions were made that includes… it includes whatever needs to be done to get the other cities' blessings of this too. Is that clear?
Aaron Palmer:	Yes, it's understandable with respects to both parts of the agreement, the one with County Fire and the cost sharing between Menifee and Lake Elsinore.
Tim Brown:	So we'll rule that there was affirmative consensus to proceed in this direction. That sound reasonable? Is that enough? Okay. Okay, item b, update on the fire extension negotiations. Any other comments?

b. Update on fire extension negotiations

Aaron Palmer:	No, that's all I had with regards to that.
Tim Brown:	Okay, City Manager comments.

6. City Manager Comments

Aaron Palmer:	That's all I had.
Tim Brown:	Okay, City Council comments. Anyone that wants to say anything?

Video Mark 1:42:40

7. Council Members Comments

John Zaitz: Yeah, I want to say something. You know, I think one of the things I think we've got going on here is interesting, and one of the things that I would propose no matter which direction we go, whether we pass this through the County and the County gets through with that, I would recommend and request to the Mayor, that whether it's a special meeting or a meeting coming up, that we have LAFCO in to discuss what the disincorporation process is supposed to be. I went to the fire meeting, I heard some minorly correct information and a whole lot of stuff that is speculation and we should hear it from a source that is credible, the people should hear it from a source that is credible. We had told the people that if you want to have a fire station and paramedics in Station 60, vote the UUT. They voted the UUT; we immediately closed it. Now we're going to have it closed possibly for another year, and then expecting people to vote then for a new UUT and the proposal by the consultant, it shows that the next one, probably in a four year period time, because you need to make it shorter, that it takes a five hundred thousand dollar increase, which is a fifty percent increase in the UUT tax and that can only be for four or five years, because then in the next four or five years its got to go up again four or five percent, so what is this. And so then since everybody wants to talk about the Press Enterprise, you write some good articles in there, I liked your last one, it says but as experiences of a city like Canyon Lake show, taxes may not be the best solution and can delay difficult decisions rather than truly laying a sustainable foundation for City governments. Canyon Lake voters narrowly passed a temporary utility tax in 2014 yet City Hall is still struggling to make ends meet and provide services. It is now wholly reliant on the tax. Taxation obviously is a quick and easy fix in the short term but governments should never be quick to tax if they haven't done their due diligence and explored alternatives. No matter what we have seen through this consultant, the taxes are necessary. We're kicking the can down the road, and if we wait, if we get through this and we have a minimal amount, then we have to do something the year after, I don't think, personally, that this will go through. I don't think, maybe Menifee will, but I don't think Elsinore will. I don't think it's going to go through. If it does, we still have the same situation. We promised the people that this, and I heard this in the Fire safety meeting, that they wouldn't, the committee members wouldn't consider, wouldn't consider disincorporation unless they were guaranteed that Station 60 would be open. It's interesting that they would not consider disincorporation unless Station 60 is open, but we want to vote to keep it closed for another year. One year, and now two years, and who knows what the third year is. So, you know, where is the credibility in this kicking the can down the road in what we're doing. So I would request Mr. Mayor that we have LAFCO, George Spiliotis, in here and put on a discussion, whether it's a special meeting, it's a townhall, I don't care, but I want the information out, to be out and correct, that the people can hear the true information.

Tim Brown: Comments?

Vicki Warren: Absolutely, it's interesting that the word credibility was used, when Council Member Zaitz was appointed, not elected to this position, he made a promise to us that he would not pursue his election goal of disincorporating the City. In the last meetings, that's all we've heard. Do I think it's the way to go? I think it may be a possibility in the future. I've never said it wouldn't be, but that would be a last ditch effort. We're not there yet, we are one point five years into this period that we said we would need in order to find out where our footing is and where we could go. At this last Fire Safety Meeting, Fire Start-up meeting, we did discuss briefly whether we would, not whether we would, we as the members of the committee, what had actually happened was a member of the audience spoke up about disincorporating, and I said can you guarantee that this would save Station 60? And we have to honor our constituents, we have to honor our public and we have to get coverage in there. I can't guarantee that through the County, I can't guarantee that if we lose our City, so I'm fighting as hard as I can. I too believe that discussions need to be held, I believe this is too soon. I believe that there are certain personal agendas being put forth that are not good for the City. I'm extremely offended at the term credibility being used by somebody who has so blatantly broken the promise that was made upon appointment to this Council. We are a City Council. You are the Mayor, we are the Council Members, that means we fight for the City as long as we can. We've had one and a half years, where we've had our hands tied by all of this other stuff. We cannot pursue the other things that we need to pursue to help save this City. I'm asking for more time, will disincorporation be discussed, possibly yes, but we need time between now and then. Not now, it muddies the waters, we've got to pursue the direction we promised we would be pursuing. This is too soon, I do not believe it should be put on another run for the City.

Dawn Haggerty: And I would like to just make a comment. The article that John read was from the opinion editors page, and it was an opinion of one writer, it wasn't god's truth necessarily, it was an opinion of a writer, and I found it annoying that he said Canyon Lake, even though we have this tax we're still "struggling*", if you look at our balance sheets and where we're at, the money from the UUT tax has gone for our fire costs and our police costs, period, nothing else. And we are right now in, not in a great place, but we're okay. And the projection is that we will continue to be okay and depending on which way we go with the, what we choose for the options for our fire protection, I don't see a problem, we're struggling really as hard as we can to get Station 60 occupied, if we disincorporate that's not going to happen, so you people are saying, oh you know, we gotta disincorporate and all these wonderful things. No, we will not, we will have less protection from the police, our fire people could come from some distance away, which we had when we were, with the, on the emergency declaration and we won't have any say so about where it comes from. We have been told that 60 wouldn't be, in no case would 60 be occupied. We're trying to occupy 60 with a paramedic and we are trying to find the best solution we can to our fire protection, and those who right now are, I won't saying whining, I will say continuing bombarding the City Council with disincorporation are for self serving reasons. I'm about up to here with the self serving thing. I think what's best for the City is what we have to be concerned with, not what's best for us personally, and making sure that we have our little happy trails for our horses and our gazillion acre park which the City couldn't afford under any circumstances. So, I would appreciate it if people would let us do our job and quit pursuing the harassment that they're doing and quit pursuing trying to disincorporate the City for their own self-centered purposes. *with physical quotation marks

Tim Brown: Are there other Council comments?

Jordan Ehrenkranz: Just one quick comment. One that I made earlier. I'm sure there are some people here that have been around here longer than I have but not too many, and I can remember the inconvenience of being an unincorporated City. Things have changed, certainly we don't need some of the services perhaps that we were lacking then. I can remember personally waiting three hours for a sheriff to show up, and it was an emergency. I won't go into the details, it doesn't matter at this time, but I have to agree with Dawn and Vicki, I'd just let the Council do their job, we're trying to do the best we possibly can, give us a little breathing room. We haven't been in the black in years, all of a sudden we are, give us credit for that, and credit to the people for passing the utility tax. And perhaps it won't continue, and maybe we won't need it, but let us do our job. Thank you.

Tim Brown: Any other Council comments?

John Zaitz: Well, this shouldn't be a debate, but the reason for having the people come in is to get rid of misinformation like Dawn just gave you, that the station, that we have information that the County would not keep the station open, I've asked for that document, there is no such document; Kevin Jeffries has given us a letter that says if it goes to the County, which it probably won't, it will go to one of the cities Menifee or Lake Elsinore, that if it went to the County he would do everything in his power to keep it open. There's a letter to that effect. John Hawkins stood here and said that he doesn't make the decision but that'd be his recommendation. So to say that the Station wouldn't be open is either a lie or just misinformed. So let's stop all the misinformation, and get somebody in here that can tell the truth, and that we can listen to, and ask questions, and get the real answers.

Vicki Warren: That's not happening here. It is on record. They have said it, and I'll lay the same challenge, you were there, if somebody can come to me, and I don't know that I can necessarily trust that they will fulfill it, I want a five year contract minimum that says they will reopen 60 if we are a disincorporated entity and we are strictly County, then I will start looking at that as another possible way. Until I'm given that, we have one chance to have 60 open and serve our entire public and that is to fight for it, and that's what we're going to continue to do.

John Zaitz: And you're not doing it.

Vicki Warren: And we have to go, I have to get back to work.

Tim Brown: Okay, alright…

John Zaitz: You said that bullshit so now you can go.

Tim Brown: We still have quorum. Yes, yes sir…

Dawn Haggerty: What?

Tim Brown: Okay, …

John Zaitz: I said you said all that bullshit so now you can go.

Tim Brown: before I go to the public.

Dawn Haggerty: That was rude.

John Zaitz: I know.

Dawn Haggerty: That was just nasty.

John Zaitz: It was intended to be.

Dawn Haggerty: What a surprise.

John Zaitz: Yes, ((inaudible))

Vicki Warren: Can we adjourn? I've got to go back to work, but I don't mind if you're...

Tim Brown: Okay, well we've got a bit of a.... I wanted to make a comment too, that I'm not, I'm doubtful, frankly doubtful, that we can continue the City, but that being said, that I believe that cityhood is to our advantage and that we should do everything we can to continue to be a city, so I'm kind of in the middle of this argument, I want to make sure all the facts are out there and everybody understands everything, that if we closely examine the issues of disincorporating the cityhood that we would realize that clearly, absolutely, unequivocally it was to our advantage to remain a City. I just don't know because we haven't had that discussion. So, the rules as I understand them, is that at this point, that anybody on the Council can make a recommendation for something to be put on the agenda. What I would like to suggest though, since there's so much controversy over this, that this discussion be, before we go through the process of scheduling George and all that, if John you agree to continue this discussion at a later session, again during comments, then we could have the time and have the full Council here to make the decision on whether to bring George in, do you want to? Unless you want to again, its you're purview if you want to put it on the agenda it's up to you.

John Zaitz: I want it on the agenda so…

Tim Brown: We've got a request to put it on the agenda, so can you get in touch with George and see if he can make a presentation about what the disincorporation process is.

John Zaitz: I didn't say it had to be a regular meeting, it can be a special meeting or townhall meeting.

Tim Brown: What's that?

Barry Talbot: The discussion is whether you're going to decide to have….

Vicki Warren: The Council needs to decide…

Barry Talbot: to ask him to come in.

Vicki Warren:	right......
Tim Brown:	No, the rule is, as I understand it, please check me if I'm wrong, that any Council Member can make a request for something to be on the agenda.
Kirsten Rowe:	Yes.
Tim Brown:	So with that in place, we've got a request.
Barry Talbot:	But if you're requesting, that's the discussion, whether or not to bring in LAFCO, is to be discussed at the next meeting. Not to discuss...
Tim Brown:	As I understand the request...
Barry Talbot:	**Inaudible** That's not the same thing.
Tim Brown:	As I understand the request is to bring George in to make a presentation on what the disincorporation process entails, is that correct?
John Zaitz:	Yes sir.
Barry Talbot:	That's not the same thing.
Nancy Horton:	Mr. Mayor, may I just make a point of information.
Tim Brown:	Sure.
Nancy Horton:	It is not an opinion at all. My name is Nancy Horton and I was on the City Council with Mr. Ehrenkranz and with Mr. Brown when the UUT tax was being proposed. We had George Spiliotis here for a full discussion of disincorporation that made it possible for many people to vote for the UUT. He was here, he gave his time for over an hour, people were able to ask him every question that they wanted to ask about disincorporation, he talked about the fact that it has been done so rarely in California, and not successfully. He talked about the fact that this City has many assets...
John Zaitz:	That's not true. Where'd she get that information?
Nancy Horton:	many more assets than we have debts. That's what he said, and I don't know how Mr. Zaitz could have missed that meeting because he comes to almost all the meetings. But Mr. Spiliotis stood right here, and asked every question of the Council and I think it would

be embarrassing to ask him to come back because the people on the Council don't remember what was said. He did give a full discussion on disincorporation and after the people heard it they decided to…..

John Zaitz: That's not….

Nancy Horton: vote for the UUT.

John Zaitz: That's not a point of information is it?

Nancy Horton: That was a point of information.

John Zaitz: No it's not.

Nancy Horton: I can find for you the date that he was here. Mr. Spiliotis will have it in his calendar also.

Tim Brown: Okay, let's table this point of information.

Brenda Yanoschik: Are you going to have public comments because…

Tim Brown: No….

Brenda Yanoschik: I can make mine a point of information instead of a public comment.

Tim Brown: that's not. A point of information is where you're attempting to give information.

Brenda Yanoschik: I can do that kind of point of information that's what you're **inaudible**

Tim Brown: No, we're not going to turn this into a debate.

Brenda Yanoschik: Alright.

Tim Brown: What we, but our rules, as I interpret them is, if there's a request from a Councilman, that that request be added to an agenda, I think that is to be scheduled with the City Manager, is that correct?

Kirsten Rowe: That is correct.

Tim Brown: Okay, with that being said, I don't… My ruling would be that we don't have any discretion in the matter, and that should be put on the agenda. Okay.

Jordan Ehrenkranz: Providing he accepts.

Tim Brown: Providing he accepts, yes. Any additional comments from the Council? Okay, I would just like to say before we end here that it was an honor to have our Congressman here, I think he is a very… He provided a lot of insight to me, and I hope he provided insight to the community, and even though he's not here, I would like to publicly thank him for spending his time, coming all the way to town, and making it a better place to live. With the being said, no additional comments, close the meeting at 3:37.

Tape Mark 1:59:40

Respectfully submitted,

____

Ariel M. Hall, CMC
City Clerk

ITEM 7.2.4

MINUTES

REGULAR MEETING OF THE
CANYON LAKE CITY COUNCIL
Wednesday, April 6, 2016
Open Session – 6:30 p.m.

City Council Chambers
31516 Railroad Canyon Road
Canyon Lake, CA 92587

OPEN SESSION – 6:30 P.M.

1. Call Open Session to Order

Open Session was called to order at 6:30 p.m.

2. Invocation

Nancy Horton, a resident, provided the invocation.

Flag Salute

Randall Bonner, a resident, led the flag salute.

3. Roll Call

Present: Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, Mayor Brown.

4. Approval of City Council Agenda

Council Member Zaitz began a statement regarding the City's upcoming decision regarding the sustainability of the City and its mandatory service requirements.

Council Member Warren raised a point of order regarding whether his statement was appropriate under approval of agenda.

There was discussion regarding whether or not there could be an agenda amendment.

Council Member Zaitz stated that he wanted to make an amendment to the agenda item 10.3 (regarding possible censure of Council Member Zaitz); he asked to add Dawn Haggerty, Vicki Warren, Jordan Ehrenkranz and Tim Brown to agenda item 10.3 as well.

There was discussion regarding the process of adding an item to the agenda. City Attorney Martyn stated that in order to be added, and issue must have arisen after the publication of the agenda, and it must be urgent enough to need to be addressed prior to the next meeting.

There then was discussion regarding whether or not the proposed amendment met the legal criteria, and the super-majority vote that was required to add something to the agenda.

Mayor Brown considered Council Member Zaitz's request as a motion and asked for a second to the motion. The motion failed for lack of a second.

Motion: Moved by Council Member Warren, seconded by Council Member Ehrenkranz to approve the agenda as presented.

Motion carried 4-1 with Mayor Brown, Mayor Pro Tem Haggerty, and Council members Warren and Ehrenkranz voting yes and Council Member Zaitz voting no.

5. Special Presentations and Proclamations

5.1 Chamber of Commerce Announcements

Jay Randall, President of the Chamber of Commerce announced upcoming events for the Chamber of Commerce.

5.2 Public Safety Committee/Fire Department Start-up Committee Report

City Manager Palmer provided an update on the Public Safety Committee meeting, and stated that the City officially had notified the County that the City was seeking a one-year extension of the current agreement, and there was a tentative first meeting with the County scheduled for May 12th.

Gary Bradford, a resident, spoke regarding the past ad hoc committee that had looked into police and fire services, and the results that the ad hoc had found. He went on to discuss what had happened in the City since the ad hoc committee provided the report. He stated that he was appalled by some of the statements that the new Fire Department Start-up Committee Chair had made to members of the public and the newspaper because he did not feel that she was knowledgeable based on her statements. He stated that public safety services was the main purpose of local government, and was doubtful that the City was going to be able to afford to continue to provide emergency services. He asked that the City Council do what was necessary to provide the necessary services to the City.

Sean McDonald, a resident, felt the fire consultant's report given to the Council showed that it was possible to start the City's own fire department, and that the costs for CalFire would keep going up. He stated that it was common for cities to have subscription ambulance services, because right now people get a large bill when AMR comes to pick someone up. He stated that the City Council should vote and move on with starting a department. He stated that it was a massive process to disincorporate, and that it likely wouldn't happen. He discussed the impact on real estate values.

Ted Horton, a resident, stated that he and his family lived in the Longhorn area that is most at risk. He also believed that public safety is the biggest responsibility of the Council, and that the residents approved the Utility User's Tax (UUT) to restore public safety. He indicated that the consultant's report indicated there was enough funding now to restore Station 60. He asked that the Council approach the County to staff Station 60, and then consider another direction.

There was discussion regarding the rules of order.

Council Member Zaitz agreed that the City is not protecting its residents by closing Station 60 and attempting to contract for another year by extending the current contract. He stated that the consultant stated that the City would not have enough money for any fire protection option when the UUT expired. He stated that the City Council needs to decide where the City was going to get the funding and what the City's sustainability was. He stated that where the City was going was keeping the people in danger, and having a fire department that did not have a paramedic was essentially for nothing because 85% of calls are medical related. He went on to state that if the City wanted to have paramedics, the consultant report showed that the only choice was to go with the County to open Station 60.

Mayor Pro Tem Haggerty discussed the increasing costs of staying with the County for fire services. She went on to state that the County would not put anyone in Station 60, and the City Council was looking at alternatives. She went on to discuss the various options the City was looking into.

Council Member Warren stated that the goal since the beginning of the fire issue was to give full protection to the whole City. She went on to discuss the history of the fire issue.

Council Member Ehrenkranz stated that the City Council was doing a lot to work the issue out and was facing a lot of interference.

Mayor Pro Tem Haggerty stated that she did run on the premise of starting a police department and hired a consultant, but since that report the fire issue took precedence. She went on to explain the reasoning behind hiring a consultant for the fire issue.

Council Member Zaitz repeated that no matter which plan in the consultant's fire study, it would not be sustainable without the UUT. He went on to discuss the cost savings of Option 2 in the consultant report, but that there would be no paramedic. He went on to state that the County has not sent a letter indicating that Station 60 would not be opened by the County with a paramedic. He went on to discuss the choices that the City had for fire services.

Mayor Brown discussed the efforts of the City to resolve the fire issue. He extended his best wishes to Chief Hawkins with County Fire who had recently had bypass surgery. He asked that an agenda item be put on the next agenda with milestones for goals moving forward, and discussed that the City Council needed to meet to set goals.

6. Public Comments

Cathy Michener, a resident, asked that the City Council do something to get the dog park processed through the City so it could be completed. Mayor Brown and City Manager Palmer indicated that a response would be made to the resident under City Manager Comments.

Brenda Yanoschik, a property owner, stated that she was frustrated because some Council Members had expressed that they would not even consider disincorporating the City. She went on to provide an example from The Twilight Zone that explained why she was skeptical of the City Council's request that the residents trust the City Council to work out the public safety issue, and stated that she was afraid that the City Council was going to burn the residents with higher taxes in the future. She asked that the Council consider disincorporation at the same time as trying to fix the fire issue.

Mayor Brown asked if staff had followed up on the request at the last meeting to have a representative from the Local Agency Formation Commission (LAFCO) come to a meeting.

Administrative Services Manager Rowe stated that she had contacted his office and he was currently out of the office.

Nancy Horton, a resident, announced that Bob Bohan, a past employee of the City had passed away. She stated that her family was going to be putting in a brick in the Veteran's Memorial to honor him. She also went on to ask that Lieutenant Quinata come up, and then she went on to explain that Lt. Quinata and another officer had been honored at a recent local event for donating softball equipment to a group that was working with special needs children.

Mayor Brown indicated that the end of the agenda showed that the meeting would be adjourned in memory of Bob Bohan,who had passed away.

Jack Wamsley, a resident, congratulated the City Council on their choice of City Manager. He went on to state that some of the bricks in the Veteran's Park were blocked by dirt that had washed over the bricks. He asked that some effort be put into keeping the park in good shape.

Mayor Brown recessed the City Council Meeting at 7:18 p.m.

Mayor Brown brought the City Council Meeting back to order at 7:26 p.m.

7. Consent Calendar

7.1 Waiver of Reading in Full of all Ordinances by Title only

7.2 Adoption of Resolution No. 2016-10, Approving Claims and Demands of the City

7.3 Second Reading and Adoption of Ordinance No. 166, Amending Various Sections of Title 10 of the City of Canyon Lake Municipal Code Regarding the Hearing and Appeal Processes for Citation Involving Keeping and Control of Dogs and Cats

Mayor Brown inquired about the process of adopting Ordinance number 166 because there had been changes to it.

City Attorney Martyn clarified that it was appropriate to adopt the ordinance because there already had been first reading of the revised ordinance.

Moved by Haggerty, seconded by Warren, to approve the consent calendar as presented.

Motion carried 5-0 with Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty and Mayor Brown voting aye.

8. Pulled Consent Calendar Items

There were no Pulled Consent Calendar Items.

9. Schedule of Future Events

Mayor Brown announced that a list of future events was on the agenda.

10. Business Items

10.1 Provide Direction To Staff Regarding City's Entryway Monument Project

Administrative Services Manager Rowe provided a staff report for the item.

There was discussion regarding the cost of the signs, sign posts, and the installation costs.

Travis Montgomery, a resident, asked if there was a company that was closer than Wooden Apple Signs in Massachusetts that the City could order from.

Jack Wamsley, a resident, inquired about why the City would want to spend money on signs when they hadn't solved the problem of whether or not the City would remain a city.

Cathy Michener, a resident, thought it would be great to have the signs up, and that the City should consider doing four signs instead of two signs.

Nancy Carroll, a resident, stated that she hoped the City never disincorporated, and that either of the two sign options would be nice. She felt that the City staff did the homework to make sure it was the right option.

Steve Hipsack, a resident, stated that he spent a lot of years in the sign industry and there were hundreds of good sign manufacturers in California. He went on to state that there should have been a contest of design to get residents to participate in designing the sign and have interaction between the Council and community. He asked if there would be electricity on the signs.

Council Member Zaitz stated there would be ground lights shining on the signs.

There was discussion regarding where the signs would be placed.

Administrative Services Manager Rowe stated that there had been a contest for the design of the signs, and there had been only one participant.

Dorothy Griswald, a resident, stated that the signs presented look appropriate for New England, but the City should look for something that looked more appropriate for Canyon Lake.

Council Member Warren asked if staff could get the name of the sign company Mr. Hipsack had stated. She added that bids were requested and a search was done for companies, and that the design would look appropriate for our community.

There was discussion regarding what staff should be directed to do.

Council Member Zatiz inquired about the follow-up of having Wooden Apple Signs give color to the design that was currently chosen.

Administrative Services Manager Rowe stated that she could not get a color rendering without giving a deposit.

Council Member Zaitz suggested going to a local college's art department to see if students there could come up with a design and rendering.

Mayor Pro Tem Haggerty stated that the point of waiting to do the signs until the issue of remaining a City was solved was a good point. She added that she would rather have the design of the sign from the community than a college. She stated that the City Council needed to decide whether or not to move forward with ordering the sign or not.

Mike Brofado, a resident, stated that he was in the sign business and he would question the materials the sign was going to be made out of. He discussed the potential materials, and added that sign companies should give conceptual designs and materials for free.

There was discussion regarding the materials proposed.

Joe Walshley, a resident, asked how large the sign was.

Administrative Services Manager Rowe provided the estimated dimensions.

Rob Smith, a resident, stated that he was amazed that the Council had spent more time talking about the sign that had been worked on for years than spent talking about fire and safety. He asked what confidence can the residents have that a Council who works on a sign for four or five years is going to come up with a good plan for the residents' safety.

Mayor Pro Tem Haggerty stated that the residents had no idea how many hours had been put in by the Council on the fire issue. She added that the sign issue has been worked on by more than one Council.

Mayor Brown stated there was no clear direction to staff. He asked for specific direction for staff.

Council Member Ehrenkranz stated that there had been a resident who volunteered to assist with the sign issue. He stated he would appreciate anything that the resident could do to assist the City.

There was discussion regarding direction to staff. The item would be tabled until later in the year once other issues were resolved.

Moved by Council Member Zaitz to table the item to a later date. Mayor Pro Tem Haggerty asked to amend the motion to put in a three-month timeframe.

There was discussion regarding the amendment to the motion.

Council Member Zaitz accepted the amendment to the motion to table the item to the July meeting, motion was seconded by Council Member Ehrenkranz.

Mayor Brown asked if there was any objection to the motion. Motion carried without objection.

10.2 Discussion and possible direction to staff regarding potential ordinance regulating smoking in public places

City Attorney Martyn provided the staff report for the item.

There was discussion regarding who had proposed that the City Council look into the issue.

Mayor Brown asked why the City would try to put in an ordinance for something that the Property Owner's Association (POA) already regulated in their general regulations.

There were no comments in response.

Mayor Brown stated that he did not think it was a good idea to have dual fining agencies.

City Attorney Martyn stated that a City regulation would supersede a rule by the POA.

Council Member Ehrenkranz asked what the City had in place currently.

City Attorney Martyn stated that there were only State laws, the City had a ban on smoking in the Council Chamber, and there were State laws to prohibit smoking in the workplace.

There was discussion regarding the State laws rules, and the jurisdiction of the POA's and the City's regulations.

There was discussion regarding the enforcement of an ordinance if the City adopted one.

Moved by Mayor Brown to take the item off the agenda permanently.

City Attorney Martyn stated that staff understood the direction to remove the item and not work on the issue further.

Mayor Brown asked if there were any objections to the direction given to staff. It was the consensus of the City Council to take the item off the agenda permanently.

10.3 Discussion and possible direction to staff to prepare a Resolution of Censure, or consider other action, to address ongoing violations of the Code of

Conduct by Council Member Zaitz – Presentation by Council Member Warren and Mayor Pro Tem Haggerty

Mayor Brown called a recess at 8:06 p.m. while people picked up the partial verbatim transcript of the March 29, 2016 meeting and the presentation materials provided by Council Member Warren that were passed out at the meeting.

Mayor Brown called the meeting back to order at 8:17 p.m.

Mayor Brown asked that everyone relate their comments specifically to violations of the Code of Conduct and not whether or not they agreed with what a person said.

Mayor Brown called a recess at 8:20 p.m. so City staff could make copies of the Code of Conduct for the public.

Mayor Brown called the meeting back to order at 8:27 p.m.

Mayor Brown reiterated that the issue on hand was the Code of Conduct.

Council Member Warren presented a statement regarding the Code of Conduct violations by Council Member Zaitz.

City Attorney Martyn defined censure at the request of Council Member Warren.

Council Member Warren went on to request that the City Council consider preparing a resolution of censure of Council Member Zaitz, as well as excluding Council Member Zaitz from all matters related to land use in the City, remove Council Member Zaitz from the Planning Committee, and exclude Council Member Zaitz from disincorporation discussions, land use ordinances, and anything to do with Goetz Hill.

There was clarification of what portions of the Code of Conduct Council Member Warren was referring to in her statement.

Mayor Pro Tem Haggerty stated that she would not allow herself to be bullied, and that you cannot allow a bully to continue bullying. She stated that Council member Zaitz's behavior was a pattern.

There was discussion regarding the rules of order.

Council Member Zaitz stated that he thought he had stated the word "lies" and not the word "bullshit" as it was reflected in the verbatim minutes. He went on to state that the verbatim minutes showed that both Council Member Warren and Mayor Pro Tem Haggerty misinformed the people.

Council Member Warren raised a point of order.

There was discussion regarding the rules of order.

Council Member Zaitz went on to explain his reasons for making the prior statement to Mayor Pro Tem Haggerty. He then went on to explain his involvement in proposing that Goetz Hill be purchased by the Regional Conservation Authority (RCA) and approaching Mayor Brown on the issue. Council Member Zaitz explained his reasoning for requesting that LAFCO come to a meeting to make a presentation about disincorporation.

Council Member Warren raised a point of order.

There was discussion regarding the rules of order.

Council Member Zaitz continued to explain his position regarding having LAFCO come to a meeting to refute statements made by other Council Members.

Council Member Warren raised a point of order.

There was discussion regarding the rules of order.

Council Member Zaitz refuted that he had used his Council Comments time to pursue his personal agenda. He went on to state that he had not participated in any land use decisions that affect Goetz Hill.

Mayor Brown discussed his involvement in attempting to get the RCA to purchase Goetz Hill.

There was discussion regarding the order of the discussion on the item.

Brenda Yanoschik, a property owner, commented that she did not feel one of her statements in the verbatim minutes was correct. She went on to state that she felt Council Member Zaitz was listening to the residents at the meeting when he requested a LAFCO presentation.

Sean McDonald, a resident, stated that he felt a lot of time was wasted, and Council Member Zaitz should apologize to Mayor Pro Tem Haggerty. He agreed that the Council Members should have different opinions that should be discussed. He added that he did not feel the word "bullshit" was not such a bad word.

Kathy Mulcahey, a resident, thought that several Council Members' behavior was disappointing and stated that she had been called names by Mayor Pro Tem Haggerty on Facebook. She stated that everyone should be adults and apologize, and accept apologies. She agreed that people could have differing opinions and they should be discussed like adults.

Travis Montgomery, a resident, made a statement regarding Council Member Zaitz's past political views and how there had been residents who had come to the meeting when Council Member Zaitz was appointed to oppose the City Council appointing him based on those past political views.

Council Member Zaitz stated that he would like to see documentation proving that he had voted on land use issues relating to Goetz Hill. He didn't believe there was one. He explained that he had pushed Goetz Hill in the past and explained why he then pursued getting it put in the RCA. He asked for documentation that he violated the Code of Conduct. He added that his concern with the Utility User's Tax (UUT) was whether it was a special or general tax, and that he would apologize to Mayor Pro Tem Haggerty so the Council could move on to more important matters.

Council Member Warren stated that whether disincorporation was viable or not was not the point, it was an example of a violation of the Code of Conduct. She added that she had not heard any reassurances from Council Member Zaitz that the behavior would not continue.

Council Member Ehrenkranz explained why he did not vote during Council Member Zaitz's appointment due to a conflict of interest. He went on to state that he did not agree with Council Member Zaitz's behavior and that he thought the type of language used was not appropriate. He stated "can't we just get along." He discussed the past issues with Goetz Hill and that the Council can't operate unless everyone got along and worked to the same purpose.

Mayor Brown explained his involvement in attempting to have the RCA purchase Goetz Hill, and that he thought it wasn't a bad thing to have LAFCO come make a presentation on disincorporation so that everyone knew the facts. He stated that he did overhear the comments made to Mayor Pro Tem Haggerty and that the comments were over the top and the Council should try to do better even though worse things were said all the time.

Dorothy Walshly, asked if the Council thought that Council Member Zaitz violated the Code of Conduct and that the Council address that directly.

Mayor Brown stated that he did not know of any direct financial interest in Goetz Hill.

Jack Wamsley, a resident, requested that the City Council have LAFCO come do a presentation.

There was discussion regarding scheduling LAFCO to come to a meeting.

Dorothy Walshly, a resident, asked the Council to answer her previous question.

Dorothy Griswald, a resident, thought it was awful that a woman was intimidated by a Council Member and that conduct was not acceptable.

Council Member Warren discussed the disruption caused by Council Member Zaitz's violations of the Code of Conduct and the ongoing behavior. She believed that the Council needed to move forward with a censure because just working it out and apologizing had not been working, and she was not reassured that his behavior would stop.

Moved by Council Member Warren to move forward with a resolution of censure at the next Council Meeting, seconded by Mayor Pro Tem Haggerty.

Mayor Brown stated that he felt the Council was making a mountain out of a mole hill, but he agreed that what was said to Mayor Pro Tem Haggerty should not have happened. He would only support a censure addressing personal attacks and embarrassing each other.

Mayor Pro Tem Haggerty explained the occasions that she felt the Code of Conduct was violated, including undermining majority decisions of the Council.

Council Member Ehrenkranz called for the question.

There was discussion regarding the rules of order.

Mayor Brown announced that there had been a motion to call for the question by Council Member Ehrenkranz, seconded by Council Member Warren.

Motion carried 3-2 with Council Member Zaitz and Mayor Brown voting no.

City Attorney Martyn clarified the rule to call for the question and limiting or terminating discussion.

Administrative Services Manager repeated the motion made by Council Member Warren and seconded by Mayor Pro Tem Haggerty to move forward with a resolution of censure for Council Member Zaitz.

There was discussion regarding the points that would be included in the resolution of censure.

Council Member Warren amended her motion to have the resolution of censure to include the points of personal attacks, embarrassing other members or the organization, and undermining majority decisions of the City Council.

There was discussion regarding the points to be included in the resolution of censure.

Council Member Ehrenkranz again called for the question.

Moved by Council Member Ehrenkranz and seconded by Council Member Warren to call for the question.

Motion carried 3-2 with Council Member Zaitz and Mayor Brown voting no.

Administrative Services Manager Rowe repeated the current amended motion to move forward with a resolution of censure of Council Member Zaitz to include the points of personally attacking other Council Members or the public, embarrassing the City Council or the organization, and undermining majority decisions of the City Council.

Motion carried 4-1 with Council Member Zaitz voting no.

Mayor Brown recessed the meeting at 9:39 p.m.

Mayor Brown called the meeting back to order at 9:45 p.m.

11. City Manager Comments

City Manager Palmer discussed the processing of the dog park plans for the POA.

11.1 Update Regarding Fire Discussions

There was no further update regarding fire.

12. Committee and Council Reports/Comments

12.1 Council Member Ehrenkranz

Council Member Ehrenkranz discussed the meetings he had attended.

12.2 Council Member Warren

Council Member Warren discussed the meetings she had attended and announced that she was appointed co-chair of the Animal Friends of the Valleys board.

12.3 Council Member Zaitz

Council Member Zaitz discussed the meetings he attended and that the RTA had reached a milestone of 1,000 days without a Worker's Comp claim or injury.

12.4 Mayor Pro Tem Haggerty

Mayor Pro Tem Haggerty discussed the meetings she had attended. She requested that the Public Safety Meetings occur quarterly in the evening.

12.5 Mayor Brown

Mayor Brown discussed the meetings and training he had attended.

Mayor Brown asked that there be an agenda item by next month with milestones for where the City was going with the fire issue.

13. Announcements

The next regular City Council meeting was scheduled for May 4, 2016 at 5:30 p.m. for Closed Session and 6:30 p.m. for Open Session.

14. Adjournment

The meeting was adjourned in memory of Bob Bohan, who worked for the City as a Special Enforcement Officer between July 1999 and July 2010, at 10:07 p.m.

Respectfully Submitted,

____
Ariel M Hall
City Clerk

VERBATIM MINUTES

SPECIAL MEETING OF THE
CANYON LAKE CITY COUNCIL
Wednesday, April 6, 2016 1:30 p.m.

City Council Chambers
31516 Railroad Canyon Road
Canyon Lake, CA 92587

Video Mark 1:36:20

10.3 Discussion and possible direction to staff to prepare a Resolution of Censure, or consider other action to address ongoing violations of the Code of Conduct by Council Member Zaitz - Presentation by Council Member Warren and Mayor Pro Tem Haggerty

Tim Brown:	Ok, moving on, 10.3. These are being passed out. I believe these need to be available to the public, if I'm not mistaken, if they're passed out at a Council meeting.
Vicki Warren:	I have 20 copies up here.
Tim Brown:	Ok, there's 20 copies up here, if anybody wants a copy of the...
Vicki Warren:	But not yet, because I'd rather not have people distracted by reading them while ....
Tim Brown:	Ok.
Vicki Warren:	But they'll be available when we're done.
Tim Brown:	Okay, is that acceptable?
Vicki Warren:	Not right now.
John Zaitz:	I don't.... What?
Tim Brown:	Is that acceptable? Is that acceptable that she wants to make the presentation before people pick those up?
Elizabeth Martyn:	Technically, its available to the public as **inaudible**
Tim Brown:	Ok.
John Zaitz:	Anything we have they have....
Tim Brown:	I think they should be...

Vicki Warren: Ok, well there's 20 copies so if you all want to grab one and share it. We usually only have about six people out here.

Background chatter as people get up to take copies

Jordan Ehrenkranz: Mr. Mayor, may I meander over to the restroom?

Tim Brown: Yes, I've got a request to take a break, so we're going to take a five-minute break. Be back here at 8:10.

John Zaitz: This is a misprint, I said lies, not bullshit.

Tim Brown: Well, I don't know what to tell you John.

John Zaitz: Address it when we're first back, I went this way right behind you. It's ok, we'll get to it.

Background Chatter

John Zaitz: You should be able to quote better than that, since you said you heard it though. You should be able to **inaudible**

Background Chatter

Recording shut off.

Background Chatter

John Zaitz: I'm going to have to mention you.

Tim Brown: I'm sorry?

John Zaitz: About the….

Tim Brown: Whatever. I don't care.

John Zaitz: I just asked you if you wanted to do this or you want to take credit for it.

Tim Brown: Well, whatever. I've been working it for four years so I'll talk about it. They're upstairs?

Kirsten Rowe: Yeah, they're printing something.

Tim Brown: Okay. We're getting some material printed, so we're going to hold off on reconvening until the material is printed.

General background chatter.

John Zaitz: ((Laughing)) aw shit…

Elizabeth Martyn: These are just the end portion, they're not the whole thing…

Vicki Warren: Right.

Elizabeth Martyn: because the whole thing was over **inaudible** pages….

John Zaitz: ((Laughing))

Tim Brown: Okay…

General background chatter. Tape Mark 1:46:25

Tim Brown: I've been talking to the RCA since the day I was, ever since the first week I was on there about Goetz Hill, so…

John Zaitz: Mm hm…

Tim Brown: **Inaudible**

John Zaitz: There is… I have no idea what the hell this is. There's no facts in here. Wait until I start reading all of these facts.

Background Chatter

Tim Brown: I'm sorry for the delays. Printing shall be done in a few minutes I believe.

Background Chatter

Elizabeth Martyn: Do you have the minutes? Can you pass that to John? Here are the rest, and it's up to you guys if you want to start without Aaron or not.

Background Chatter

John Zaitz: Betsy spent a lot of time getting this done huh?

Tim Brown: We will begin in a minute. City Manager will be back in a minute. He has stated I believe that we can proceed without him while he'll be back.

Elizabeth Martyn: I think he'd be really happy if you proceed.

Tim Brown: Okay, I'll reconvene at 8:18 I believe it is. Item number 10.3, discussion and possible direction to staff to prepare a resolution of censure or to consider other action to address ongoing violations of the code of conduct by Council Member Zaitz, presentation by Council Member Warren and Mayor Pro Tem Haggerty. I'd like to say before we begin that in my perspective issues of censure or violation of code of conduct need to relate specifically to the code of conduct and when comments are made, you know there's things that are said politically which don't necessarily involve the… you might not like what was said, you might not agree with what was said, but what we're addressing here is a potential violation of our code of conduct and what would be addressed there. So, if anybody is…. anything that is stated in the agenda item, I believe in the back there is a code of conduct, and I think you need to relate your comments to that code of conduct because it's not, this is not meant to be a political issue, disagreement, everybody has ideas but we need to address the code of conduct when we're addressing what's being discussed tonight.

Unknown audience: **Inaudible** sheet, do you have something more? **Inaudible** code of conduct.

Tim Brown: At the very back of the agenda you should have a copy of the code of conduct.

Unknown audience: **Inaudible**

Vicki Warren: It's there.

General background chatter.

Tim Brown: Does? We need? Okay, I think that this is significant enough that we need to have the… code…

John Zaitz: They have to have everything that we have.

Tim Brown: Right. Well, we'll need to get… postpone this again until we get copies of the code.

Elizabeth Martyn: Unless you want to begin and I will copy.

Tim Brown: Well I think it's significant enough that this relate to the code of conduct, that this is a critical piece of information for everyone to have.

General background chatter.

Jordan Ehrenkranz: Well Tim, you ought to have a smoke **inaudible**

Tim Brown: Yeah, I guess it's time, now that I can.

Vicki Warren: While you still can.

John Zaitz: I'm going to go do what Jordan did.

Tim Brown: Okay, we'll do another recess for… until 8:25 to try to make sure that everyone has time to get all the paper…

Unknown Audience: Go ahead with the agenda **inaudible**

Tim Brown: At this point that's the last significant item on the agenda I believe. After that we have City Manager comments and since he's involved in printing it wouldn't make sense, so again, let's give ourselves five more minutes and at 8:25. I apologize again about the delay, but it's important enough topic and issue that I think that all the pertinent information be available to everyone.

Jordan Ehrenkranz: I have candy if anyone wants it. Candy?

Tim Brown: We have candy up here if you need a sugar rush to get through this.

Jordan Ehrenkranz: That's all I have to offer. Take the whole thing and pass it around.

Unknown audience: Really?

Jordan Ehrenkranz: Take it yourself.

General background chatter.

Jordan Ehrenkranz: That a girl.

Unknown audience: I **inaudible** chocolate.

General background chatter.

Vicki Warren: Are you looking for candy? There's candy right over there.

John Zaitz: Take it. Take it all. Take the whole thing. Take the whole thing.

Background Chatter

Tim Brown: I'd like to call the meeting back to order. Do we have all the paperwork that needs to be available out?

Elizabeth Martyn: Mr. Mayor, on the back table there are copies of the verbatim minutes of a portion of the meeting on March 29th, the last portion that I believe is at issue here, and copies of the code of conduct.

Tim Brown: Okay, again I'd like to… I'll give people a minute to get a copy of the papers. Okay, I reiterate again that the issue before us tonight is not political views, its not whether you disagree with somebody's opinion, whether you like the person or think that they should shave off their beard. The issue tonight, whether it relates to the code of conduct. So that being said, I guess that Council Member Warren and Council… and Mayor Pro Tem Haggerty would like to make a presentation on this, is that correct? Without objection? Okay, go ahead.

Vicki Warren: This is before the Council tonight due in part to the behavior exhibited by Council Member Zaitz at the end of our last meeting. I believe it is time to address these issues in the open despite any fear of personal repercussions. Canyon Lake is suffering from what is taking place and as a Council we must put a stop to it. The most recent unacceptable behavior occurred on March 29th as Mayor Pro Tem Haggerty was leaving the meeting for a root canal appointment. You all have a copy of the verbatim transcript now of the last part of that meeting. She quietly indicated she needed to leave the meeting and as she attempted to do so, Mr. Zaitz aggressively shoved his chair out, blocking her path, while saying to her, and I'm sorry I was accused of misquoting so I'm going to read it, while saying to her, you said that bullshit so now you can go. Ms. Haggerty was visibly startled, her path was impeded, she asked what, he said, I said you said all that bullshit so now you can go. She said that was rude, he said I know, she said that was nasty, he said it was intended to be. She said what a surprise, and then she left. Accidental breaches of our code of conduct happen on occasion, but this attack was, by his own admittance, an intentional breach. No Council Member should be required to accept such behavior, especially when it is such a clear violation of the code of conduct, section 4.2e of resolution 2015-36. That said, if this was the first violation of our rules by Mr. Zaitz it would likely be handled by pointing out the improper conduct and seeking an apology. Unfortunately, this is not the first. Since his appointment on January 21st, 2015, Mr. Zaitz has been reprimanded at least three times for various violations. In addition, there are actions for which he has not been specifically reprimanded. Regarding Goetz Hill, Mr. Zaitz's ongoing and substantial relationship with Vince Martin and Dave Carlton, two of the owners of the Canyon Lake portion of Goetz Hill creates a clear conflict of interest when it comes to any and all matters related to that property, including actions that may relate to ordinance directly related to land use within the City. In spite of direct warnings to Mr. Zaitz regarding his conflict, he has participated in Council discussions relating to Goetz Hill, and has voted on land use that directly relate to Goetz Hill. It appears in pursuing his own interests he has also attempted negotiations with Menifee and Lake Elsinore on behalf of those interests and has enlisted the aid of a fellow Council Member to approach the Regional Conservation Authority on their behalf regarding a sale of that property. His ongoing relationship with Sky Blue and its leaders creates either bias or a direct financial conflict, which should bar him from participating in any land use issues for the City of Canyon Lake. Quote, engaging in any private business or self-interest gained by access to the City's resources, business partners, or inside information end quote is a direct violation of the code of conduct section 4.2e, resolution 2015-36. Regarding disincorporation, during Mr. Zaitz's run for a seat on this Council, he campaigned heavily for disincorporation. When he lost that race but was later appointed to the Council, he was asked directly about his focus to disincorporate. The citizen's had just approved the UUT, that was designed to provide the City an opportunity to stabilize financially and maintain City status, as such concerns were expressed by all Council Members in attendance at the January 2015 meeting when Mr. Zaitz was appointed, including those that voted to appoint him, seeking assurance that he would not continue his goal to dissolve the City. He assured everyone in attendance he would not pursue that goal, his assurances were false. Mr. Zaitz has in fact ramped up his pursuit of disincorporation, most recently insisting on adding an agenda item that would require a presentation by LAFCO, that's the agency that is in charge of such things as disincorporation and incorporating a city, in spite of the fact that this presentation has already been given to the City Council, and that one year ago, in April 2015, he and the former Interim City Manager personally met with the LAFCO director and discussed Mr. Zaitz's series of questions. It does not seem that new information could possibility be gained from any additional presentation but the request is instead meant to cause more doubt upon… about the City at a time that the City Council should be focusing on more pressing matters. Disincorporation is a direct path to his goals related to Goetz Hill. This again, pursuant of his personal agenda is a direct violation of the code of conduct, section 4.2e of resolution 2015-36. I know this is long, I'm sorry, I'm almost done, take a breath. Turmoil and dissention. Mr. Zaitz takes every opportunity to criticize, demoralize, and demean the members of the City Council, often presenting false and skewed information that may sound authentic to some. Further by constantly challenging Council actions and proceedings repeatedly long after actions have been verified and put to rest, he creates an atmosphere of confusion and distrust. He even challenges actions he himself participated in and voted on. He also constantly uses his Council Member comment time to present his personal agenda issues in a way that misleads the public, a pattern he has presented at virtually every City Council Meeting since his appointment. The most recent example occurred at the last meeting, where an issue that was brought before the Council at the request of Mr. Zaitz had already been discussed and decided upon via unanimous, including Mr. Zaitz's consensus, when the agenda item was opened for discussion rather than remaining focused on the agenda item that he requested, Mr. Zaitz used the opportunity to criticize and malign the City Council on items not on the agenda. When the discussion was brought back into focus, Mr. Zaitz resorted to utilizing again his City Council comments section to once again promote his personal agenda, including disincorporation. This is another ongoing violation of the previously mentioned section. Unfortunately in spite of the gentle approach and various warnings, Mr. Zaitz's behavior has been getting worse over the past year. Even the response that he attempted to read earlier, has nothing to do with agenda item 10.3, it was again regurgitating the UUT, and the fire, and his own agenda. He is now using this agenda item to once again pursue his personal issues. Clearly more amiable approaches have not been successful in curbing the unwanted behavior and more drastic measures are warranted. We therefore suggest the Council consider a resolution of censure against Mr. Zaitz. At this time can I get… I don't know that everybody here knows what that means, and then I'll come back to what I have.

Elizabeth Martyn: Are you asking me to tell, define what censure?

Vicki Warren: Yes.

Elizabeth Martyn: Censure is the name of an action taken by a public body against one of its members for documented violations of rules or in some case ordinances or in some cases even state regulations which govern the Council as a whole and that Council Member, it is a political act and it is done by a resolution which states that the person is censured or warned as a result of the specific provisions that are in the a resolution of censure. This action is to consider whether there should be a resolution on the next agenda, this is not an action on the resolution.

Vicki Warren: Thank you. And I'm wrapping it up here. Censure is not a complete remedy and we cannot risk exposing the City to more breaches by Mr. Zaitz. At the time the resolution of censure is presented we request Council to consider other additional remedies, including excluding Mr. Zaitz throughout the remainder of his term from all matters related to land use in the City of Canyon Lake, up to and including removal from the Planning Committee as he is clearly biased towards dissolving rather than planning for the City. The exclusion should include but is not limited to exclusion from disincorporation discussions, land use ordinance, and anything to do with Goetz Hill. As evidenced by his attempt to deflect this item's focus away from him and onto others, more drastic measures must be taken. This is unpleasant but as a Council we simply must step in for the protection of Canyon Lake. I want to say again, the impetus, the beginning of this was last month's unnecessary attack. I was actually fearful for Mayor Pro Tem Haggerty at the moment that it happened. That was basically the straw that kind of broke the camel's back and that's why this is here. There have been other issues, it wasn't just last week.

Tim Brown: I'd like to… A point of clarification. Question. In your statements, you refer to code of conduct section 4.2e resolution 2015-36, is this the document? Are we looking at the same document?

Vicki Warren: Yes, they're all the same.

Tim Brown: Ok so, I have a little problem in following what you said because of the references to sections and I would, if you could, and I think it's important to know specifically what we're dealing with. Where within the, what part of the resolution, code of conduct, are you addressing when you hit, mentioned it. I think there are four or five incidences where you…

Vicki Warren: Well one of them I quoted directly, and that was quote, engage in any, it was under Council Members shall not, engage in any private business or self interest gained by access to the City's resources, business partners, or inside information. They shall not undermine majority decisions by the Council, they shall not maintain hidden…

Tim Brown: Okay, okay, hold on, I'm just trying to mark….

Vicki Warren: Oh.

Dawn Haggerty: It's all these.

Vicki Warren: I can mark them for you if you'd like.

Tim Brown: Well….

Elizabeth Martyn: Mr. Mayor.

Tim Brown: Yes.

Elizabeth Martyn: I think there is a link missing. 4.2e is a decorum standard in resolution, I always call it… 2015-36, but 4.7 of the rules incorporates Exhibit A which is the code of conduct.

Tim Brown: Ok.

John Zaitz: So she just means the whole thing here when she says that.

Tim Brown: Ok, I would just like to say I hope that we can, to be concise, we can specify which issues that we're talking about and tie them into specifics rather than just a general code of conduct. Because the way I'm looking at this thing is, we're to engage in what may be approaching a quasi-judicial issue, we need, it needs to be fairly specific in what it is that's being cited.

Vicki Warren: Do you want to… Will is suffice to follow along as I read Council Member shall not.

Tim Brown: Well, I was just… Is it? Are there specific issues here that you're relating? Specific topics or is it….

Vicki Warren: Sure, here…

Tim Brown: …all of them? You know….

Vicki Warren: Well, it's the majority, you know seven out of ten or...

Tim Brown: If you could tell me, I'd appreciate it.

Vicki Warren: Okay. The Council Member shall not personally attack other Council Members, staff, or the public. Council Members shall not embarrass each other or the organization. Council Member shall not embarrass each other or the organization. Council Members shall not intentionally mislead or misinform each other. Council Members shall not, and this is probably the most important one, maintain hidden agendas. Council Members shall not undermine majority decisions of the Council. Council Members shall not engage in any private business or self-interest gained by access to the City's resources, business partners or inside information.

Tim Brown: Thank you very much. We usually have a…. Excuse me, we usually have a… well it mentions you Dawn too, or do you have anything additional you'd like to say in presentation?

Dawn Haggerty:	Actually, until I saw the agenda, I did not realize that I was going to be speaking, or that I was scheduled to speak. I had simply asked for it to be put on the agenda because I felt that, if you allow a bully to bully you, you encourage more bullying. And I'm just too old a lady to put up with it anymore, and I will not allow myself to be bullied. And when I went home and thought about it, the more I thought about it, the more annoyed I became that this was allowed to happen. So... and there has been a pattern of this. So I felt that it should be discussed and put to rest, and hopefully that will be the end of it.
Tim Brown:	Okay, questions from the rest… other members of the Council?
John Zaitz:	Do you want my comments?
Tim Brown:	Hold on for a second here… Normally we would ask questions, and then we would take comments from the audience, but this is an unusual situation, so without objection I would like to allow John to speak directly to it.
Vicki Warren:	As long as it doesn't come back… As long as it doesn't come back later as a challenge to whatever the result is.
Tim Brown:	Do you object to allow? There should be no challenge… Okay, without objection. Go ahead John.
John Zaitz:	Okay, I must say if this is a verbatim thing that, I thought I said, you said you're lies now you can go. She didn't say anything about a dental appointment, she just said I'm going to go home as I knew, and pushed her chair back. I did push my chair back this far and said that comment, and she said that was rude, and I said it was intended to be. Part of the thing that you have to look at, when you look at the document that was just given to you, is some of the things that Vicki had said… shoot… oops, I put it away… is to intentionally mislead and misinform each other. And you can look at the documents, this verbatim document, where both Vicki and Dawn, misinformed the people, and misinformed the people…
Vicki Warren:	Excuse me, point of order, this is not about me or any other Council Member. Mayor Brown would you please intercede?
John Zaitz:	And one of the things in this, if you look at the top, Council Members shall not interrupt other Council Members when they have the floor.

Tim Brown: John, I believe Vicki's right. It's about you, if there's another request for it on the agenda, so if you will…. I understand, but can you please refrain from attacks, we're discussing the same issue.

John Zaitz: I'm saying that's why I had said that.

Tim Brown: Okay. Please use your common sense. Okay.

John Zaitz: Well I can't use common sense if I address this whole document. That there's a continual misleading and so that's when I said you finished your lies, you may as well go home. I have asked for these documents for a period of time, and there are none. I said that earlier today. There are no such documents, but there's statements keep going out there, so I say that, yes. Did I do it rudely? Probably. Goetz Hill, if you want to get to page 2. I have to admit that I did do something. I went to Mayor Pro Tem Tim Brown 6, 8, 10 months ago…

Tim Brown: Roughly a year ago, yeah.

John Zaitz: Some time ago… some time ago, and I said Tim, you know, would you check with the RCA, which he's a member of that committee and see if they're interested in Goetz Hill. And the reason for that is… and he said why don't you do it, and I said no you do it, I don't want to get, I don't want to have any part of this stuff. And if you could work this out, you could have Goetz Hill turned over to the County, so that there would be no building disputes, no disputes within that, and he says…. I said you could be a hero, he said why don't you do that, and I said because people wouldn't believe that I would be doing that. And I said to him that you could be a hero if you had the RCA buy that land, if they would sell it. You would have the same as the BLM, unbuildable land that's given to the RCA. How did I have an interest in that? They had contacted me and that's what I had said, and that's what I had done, how that would benefit me, I don't know. I was trying to help Mayor Pro Tem and you can respond in any way you want sir.

Tim Brown: Okay, go ahead and finish your… I'll make my response later.

John Zaitz: Okay, so I wasn't engaging in private things to the benefit of the people, would they benefit? Possibly if they got some money for it, but the benefit is to the community at that point. The community doesn't have to worry about the fact that they're going to develop Goetz Hill. So that's that. And I have… I was against the utility tax ever since the utility tax has been passed, I've said in most of the meetings, we said what we were going to do as a City, and we haven't done it. And so, my interest in that was only to the extent in the last meeting when other misstatements were made about LAFCO and what would happen with the City and what would happen with the Fire Station. Comments were made that the County would not open the Fire Station, we would not have a station in Station 60, it's in the documents, the verbatim documents and everything else, and it's... it's just not true. In a June letter from Kevin Jeffries, June 2014, June 26th, he said to the then City Manager Keith Breskin regarding revenues I have stated that if the City of Canyon Lake disincorporated I would seek to keep Station 60 open and staffed, just as we do in many un-incorporated communities, this would be accomplished by the utilization of local structural fire protection tax revenue and the additional contribution of...

Vicki Warren: I'm sorry, I've got to raise, I've got to raise another point of order, we're....

John Zaitz: County general fund monies.

Vicki Warren: off the topic again. Please Mayor Brown bring us back into focus...

John Zaitz: And I'm just...

Tim Brown: I'm just... in my opinion, excuse me John, in my opinion the... it relates to assertions made, so he should be allowed to respond.

John Zaitz: And he said, I appreciate your consideration of these items, I remain committed to the proposition that Fire Station 60 should, and must remain open in order to carry out the first and foremost responsibility of government, public safety.

Vicki Warren: I'm sorry, please point out where I....

John Zaitz: I look forward to working with you...

Vicki Warren: discuss the UUT.

John Zaitz: You're talking about LAFCO.

Vicki Warren: Please point out where I discuss the UUT. I'm discussing disincorporation, I'm discussing repeating having visitors coming to us to tell us the same thing...

John Zaitz: Under disincorporation...

Vicki Warren: I am not accusing you of anything to do with the UUT. Please keep it on focus.

Tim Brown: Okay, you will have a chance to respond to what he says…

John Zaitz: **Inaudible** the interruption.

Tim Brown: but at this point I think he deserves some leeway in making rebuttals to some assertions made.

John Zaitz: And then the turmoil, I mean, when I read this I just had to laugh, it just, he constantly uses his Council Member comment time to present his personal agenda issues in a way that misleads the public. And I just had to laugh at that because in the last meeting where Council Member Ehrenkranz was kept in line with the code of conduct that you're not supposed to go three minutes in Council Member comments, he made the comment to me, he said I don't think you do right John, by just saying I went to all the meetings that I should. And I'd like for you to go back and look at every one of the meetings and listen to that, I said I've attended all the meetings that I should, and that's it. So where are these things? These are assertions here without any documentation. Constantly challenging Council actions, duh duh duh duh, creates and atmosphere of confusion. Well I'm sorry if she's so confused, but you know, that's their problem. And that the only, the only time that I did in Council Member comments say anything other than I went to the meetings I'm supposed to is in the last meeting, and so what I said, I think we should have LAFCO come to our meeting and give a presentation. Doesn't mean you go into disincorporation, it just means you listen to what they have to say so we don't have one person sitting up here saying one thing and another person saying another without any real knowledge of what's going on. And it says in here somehow, I can't remember exactly where, I didn't underline that part, that I took part in a planning meeting, a decision in a planning meeting, gosh I can't remember…

Vicki Warren: I wrote it, I can clarify it.

John Zaitz: As I recall, we've only had one planning meeting, and there was no land use issues involved, the only planning meeting that I recall that we had had to do with marijuana.

Tim Brown: And we also had one related to the Market.

John Zaitz: The Market, the Market to serve alcohol, serve wine. That's it, so where I have been involved in a planning meeting and used something, I don't know. Because part of this thing, you know, it should be, I can give you pages, pages of stuff that other people have done and it's a document. There's no documents here, there's nothing, it's just hearsay, and very nice writing, it's just saying you know, well geez, he's a mean guy, he looks terrible or whatever, and so this is all true, trust me. To me, there's nothing here.

Tim Brown: Other? This is supposed to be the question section, I allowed some latitude there. Are there comments from the Council? Hearing no other.... Well since one, I was raised in one point, let me be clear in my role in this issue. For four years I've been a member of the Regional Conservation Authority and for four years, I've been in discussions with them over how to have them acquire Goetz Hill, so that it would come... it would be out of play. So it was nothing new when he had approached me, it had been discussed. He did approach me and said there was some interest from developers, which turned out not to pan out, got me all excited for a while. But that's been in discussions for four years now. Let's see, any other comments, Council? Okay.

Jordan Ehrenkranz: I do have...

Tim Brown: Yes.

Jordan Ehrenkranz: Just one comment. As I've said on many occasion, I assume there's going to be more discussion on this this evening, we're not concluding at this time?

Tim Brown: At this point the next procedural order after we have questions, we open up for comments from the audience, we...

Jordan Ehrenkranz: Okay. At this time I chose to listen, and then I'll be happy to comment at the end.

Tim Brown: Alright.

Jordan Ehrenkranz: Thank you.

Tim Brown: Do we have anybody that's requested to speak on this topic?

Kirsten Rowe: Not that I have.

Unknown audience: **Inaudible**

Tim Brown: Sure. Go ahead, somebody in the room wants to speak?

Unknown Audience: **Inaudible** to the podium?

Tim Brown:	Yeah. Time for the public to speak if you want to speak on this topic.
Brenda Yanoschik:	Good evening again, my name is Brenda Yanoschik and in reading through your, what you're calling your verbatim Council Comments, I found one error, so I doubt the validity of all of it. I'm the unknown audience and on page seven, I did not say I can give that kind of point of information that you're lacking. So that's incorrect. So… there's some pointing by counsel.
Tim Brown:	I'm sorry I don't know what you're referring to.
Brenda Yanoschik:	There is a verbatim Council….
Tim Brown:	Oh, okay, thank you very much, I'm sorry.
Brenda Yanoschik:	Verbatim minutes.
Tim Brown:	Got it, thank you.
Brenda Yanoschik:	And so I think that you've got that wrong. The other stuff looked, for the unknown audience, as far as it's to me, looked accurate, but that one sentence I don't believe is accurate.
John Zaitz:	She **inaudible** You did say that…
Brenda Yanoschik:	That you're lacking? I did say that? I think the end of that's incorrect. That's to the best of my recollection, that's incorrect. So, that said, regarding the complaints about Mr. Zaitz, commenting on disincorporation, I think that he was listening to members that want to disincorporate. I've spoken on it a number of times, and…. Or to property owners, I'm a property owner not a member here. And I have asked the Council to at least just consider disincorporation, dissolving, what it would take, as a double tracking way to kind of have an option b. And Mr. Zaitz is the only one on this Council who followed your code of conduct number four, speak to the issues and allow the free exchange of ideas. He did exactly that, he listened to us and he tried to put disincorporation or dissolution on the agenda. He was civil, he didn't criticize us publicly for our comments as Councilman, or Councilwoman Warren and Councilwoman Haggerty, and the gentleman on the end, I'm sorry I can't pronounce your name. He…
Jordan Ehrenkranz:	I'm used to it though.

Brenda Yanoschik:	He tried to get LAFCO to come. Again, that's bullet number, number six, which was communicate openly and honestly by telling us what LAFCO would suggest, what LAFCO's process are, processes are, the pro's and con's of disincorporation, perhaps things have changed since the three years, or one year, or whenever you had them, I wasn't here so I didn't hear it, so I would certainly like to hear that. So I think Mr. Zaitz was working hard for the people and listening to what we say at these meetings and responding. He wasn't doing something for his own interest, he was doing something for our interests. I think this is completely unfair what you're doing here. And with that I'll… I've made my comments.
Tim Brown:	Are there any other public comments?
John Zaitz:	I have one.
Dawn Haggerty:	**Inaudible** trying to slay the dragon **inaudible**
John Zaitz:	I have one.
Dawn Haggerty:	**Inaudible**
Tim Brown:	Let's wait until the public comments.
Sean McDonald:	I think we've wasted a lot of time again tonight and I think that John, obviously Councilwoman Haggerty was upset with what you said. I think you're both adults. I think you should apologize to her. I think they've done a great job of documenting what concerns them. I also agree with Brenda, I think that, you know, I don't want a Council that's in lock step all the time. I… we all have to hear different points of view, and if John's point of view doesn't coincide with the other four members, we still want to hear it. We still want him to advocate on people like Brenda who want to disincorporate and then we have... we also want people to advocate for people like me who don't want to disincorporate, and then of course if we've got enough votes, then we're gonna go… we're gonna have to live with whatever happens. But I think we're spending an awful a lot of time on this, I think John's man enough to apologize to Dawn for upsetting her. I think that some of the things that have been stated, maybe the whole Council doesn't understand that everybody doesn't have to have the same point of view. If John, or anybody else wants to say something that they disagree with the direction that the Council is going, I want to hear that. I don't want them to be shut up by it, I don't want them to be censured for it. So I think you've done a great job of explaining to John what the problem is, but I don't think John's 100% at fault.

	And to be honest with you, the word bullshit seems to be something at the POA's meetings that's acceptable if you're the right person, so I personally think, you know, that it's not that bad of a word. And to be honest with you, you'd probably make a great Board Member if you decide to go back because believe me you're pale in comparison to them.
Tim Brown:	Are there any other public comments? I don't want to have a race to the….. Travis. The lady in the back row is before you did. So…
John Zaitz:	I want to address his.
Tim Brown:	I'll… after.
John Zaitz:	Oh, I know.
Kathy Mulcahey:	Hi, Kathy Mulcahey, I also have been to recently the last few meetings and I'm disheartened as to several people's conduct. I think we're all adults, I see eye rolls, I know that because I some of the things I've spoken about, the BLM things, I've been called by Ms. Haggerty on Facebook as self-serving equestrian. I've seen her call other names, nobody's perfect. We should all be adults here and just apologize and accept an apology. We need to hear differing points of view. We don't want you all to be saying the same thing all the time. It's okay to discuss things, and it's okay to be cordial about it. If you were my kids, I'd say just apologize and make up, it… don't act like children. It's embarrassing sometimes and you know, I hate to chastise you, but it is. It's not how we should be acting to each other. We can discuss things, many different points of view, and we can always be civil, so that would be my… my request to you. Thank you.
Tim Brown:	Thank you. Travis?
Travis Montgomery:	Well, I came here tonight with the intention of saying…
Tim Brown:	Travis, I'm sorry.
Travis Montgomery:	Travis Montgomery.
Tim Brown:	Thank you.
Travis Montgomery:	Of saying nothing, and this is the second time I've been up here, but … wow is the first word that comes to mind, but John Zaitz is the guy I was directly opposed to when I was the chair of the UUT committee and you led the opposition and wrote the opposition documents. He's not somebody who I have found to be a

compatriot when it comes to what's best for Canyon Lake. I was heavily involved in the Goetz Hill issue. The John was the chair and the voice of, and in fact, if you like that little poster that we put out that said stop the mining, we never talked about development, we talked about mining because that was politically effective and it worked, and we kicked it good. And he was the son of a gun on the other side of the deal. So, you know, we've had that going back and forth. On September, or January 21, 2015, a lot of people came before this Council and said why are you considering appointing John Zaitz. He has been turned down in the last three elections he's run for. He has opposed us on Measure DD. He's opposed the UUT tax. He was promoting Goetz Hill. All of those things. We had a fire issue at the time, we knew our fire station was closing within six months. We had a fire chief, assistant fire chief of a major city as one of the six candidates being considered for appointment to the vacant seat. We ended up having only three Council Members that vote, and the three that voted were Tim Brown, who had recently been passed over for Mayor and Mr. Ehrenkranz took a second turn, Dawn Haggerty voted for him over all the other candidates, and Vicki Warren voted no, and Mr. Ehrenkranz did not vote on the issue. A lot of people wondered why did they vote for John? I don't know, maybe he gave them some guarantee, Tim next time I'll support you for Mayor. There's nothing new in here we didn't know. The two of you in particular appointed him to the position and knew how he felt about Goetz Hill, knew how he felt about the UUT tax, and all…

Tim Brown: Okay, can…

Travis Montgomery: those other things, and this Council chose, a majority of two, to appoint him to the position. Now the monster you've created is coming back to bite you in the fanny. And…

Tim Brown: Can I ask you to please relate your comments to the code of conduct please.

Travis Montgomery: Well, you're accusing him on Goetz Hill, you should have known that's what he's gonna do, that was his track record. He'd led the committees, he'd done everything. You have… the City Attorney mentioned a few minutes ago that what censure means, and the keyword that I took out of it was documented. And I don't know about the documenting that he had, because he knows Vince Carl... or Vince Martin and Dave Carlton, that he's had financial gain out of it. Nobody has shown any documentation to that. Yeah, they're friends of his, you know, we've all said that for a long time, we know John's in bed with those guys. I don't know if anybody in this room that didn't know that at the time and probably mentioned it. But he got appointed anyway. Who fought us on the UUT, and why? Because he wanted to disincorporate the City. He talked about that, that's one reason he didn't get elected.

Tim Brown: Travis, you're comments are politically related rather than code of conduct related.

Travis Montgomery: Ok, I'll just stop where I am. I think that…

Tim Brown: Excuse me.

Travis Montgomery: maybe as John's accused of saying, I got it out there.

Tim Brown: Ok, are there any other comments? Ok at this point, I…

John Zaitz: Mr. Mayor…

Tim Brown: I'll open it up to the Council if there's…

John Zaitz: Yes…

Tim Brown: other comments or questions.

John Zaitz: Just one comment sir, on page 2…

Unknown Audience: On what?

John Zaitz: of the document that Vicki wrote. Under Goetz Hill, if you go down on the left side you see the word has, has voted on land use issues that directly relate to Goetz Hill. It appears in pursuing his interests he has also attempted negotiations with Menifee and Lake Elsinore on behalf of those interests and has aided of another Council Member approaching. I would like to see, if this is a factual thing, I would like to see that vote on a land use issue that relates to Goetz Hill.

Tim Brown: Okay.

John Zaitz: I don't know if we have one. But this is where I'm saying there's a lot of ifs and it's nice, and it's superlatives, and this kind of stuff. And Travis is right, I was pushing for Goetz Hill because we thought at the time at that point that a $300,000 a year mining operation as you call would be healthy for the City. 75% of the people said no, so we did away with it. I came to them and said let's put it in the RCA. Which, no mining, no nothing, and that, I understand what you're saying. I'm not pushing that and I'm not pushing disincorporation. And in pushing the UUT, it's still been said that if we have a, my concern with that is over special or general tax. And we've convinced the people, or convinced politically, that it's for other reasons, and now I know I'm getting political, but the thing is that we need to do that in the future and we keep saying that we have to have that, we're back to a general. And where are we? And let's just take a look at where we're at. And I'd like to see some documentation if the censure is for something that is documented, there's no documentation, there is no land use issue, there is no issues that I voted on, and there's no things here. Did I say to Dawn, yes I've worked for Dawn and the POA Board, I can apologize to Dawn, I have no problems with that. You know, I'm man enough, she's lady enough and all of this other kind of stuff, and we could go through all of this kind of stuff, and unfortunately show, as I said earlier, how dysfunctional we are. We have, as somebody said, let's not talk about the signs, we've got things to do, and one way or the other we've got these things to do. And you know, there's republicans, there's democrats, you've got one side or the other, and so if I, one side, if I just want to hear one side, then that shouldn't be bad. I'm done with my comments.

Tim Brown: Okay, any other comments?

Vicki Warren: Yes, I'm concerned. I do want to point out that whether disincorporation is viable or not was not the point of what was written in here. The fact is that the violations of our code of conduct have been escalating. That was just an example. There are many examples in here of the same behavior and unfortunately in responses tonight, I have not heard one moment of, gee I've learned from my mistakes and I won't keep doing this. I have no reassurance, we have no reassurance that the point was made and that this will not just continue. Instead, there's been a whole lot of justifying of his actions by him and there is no justification to be furthering your own personal interests and agendas while utilizing the City and the City's resources. It would… it's a clear violation, if I would, if I call up and say I'm the City Council, I want you to move that parked car, that's using my City resources for something that I have no right to do, and these approaches have been the same thing. I'm very concerned over the lack of taking responsibility for these actions, and they are not minor, they are not being brought up minor, these are violations of our code that have been escalating. I see no reassurance that that's going to stop.

Tim Brown: Jordan?

Jordan Ehrenkranz: Yes, now I can speak I guess.

Tim Brown: You could…

Jordan Ehrenkranz: First, Travis brought up a point I would like to perhaps explain, I don't know that explanation is necessary. No, I did not vote to appoint Mr. Zaitz, I was not allowed to vote. I had a conflict of interest which some of you probably know I'm very sensitive to. I want to make sure I don't do anything that's in the code of contact, or within the Brown Act, so I was not permitted to vote. So it doesn't make any difference at this time whether I voted or not, just to get that out of the way. The other thing is, somebody suggested just recently this evening that perhaps I should go back to my old closing statement that I used to use when I was on the POA Board and when I was first elected to City Council, and that was, can't we all just get along. Well, that doesn't seem to be working here. As most of you know, Mr. Zaitz, or John as I used to call him, used to be a good friend of mine. We don't speak anymore. Now, this is his choice, not mine, I don't know what he's turned into, or what's changed his opinion of me, but as far as I'm concerned, I'm pompous enough to think it's his loss, not mine. I don't agree with the things that he's been doing here on the Council. I don't think it's appropriate, the types of things he's been doing, there's no place for this type of action here. Yes, can't we all just get along? It would be a lot easier. We do have differences of opinion. You've read what Mr. Zaitz said, I don't even use that word. Jenny will testify that that word's never come out of my mouth. I don't use that type of language and I think it's inappropriate here or at the POA Board meetings, I'm sorry Sean, but it's just not appropriate anywhere. And I think that everybody needs to be treated with respect. As far as censuring John, I don't know what we can do to harm him. Maybe that's not something that… you know, I'm not looking for a pound of flesh, but I am looking for some cohesiveness here on this City Council, and we don't have it right now and it's a shame because we're here to represent you, and we're working for you, and we can't work for you when we're at odds with each other. Can't we all get along? I'm going to say that two or three times until somebody says, hey, maybe that's not a bad idea. Because I think we should. As I say, I'm sorry for the way things have turned out. I made a campaign promise, and so did Mr. Zaitz, three and a half years or so ago, that I would never say the word Goetz Hill again. It cost me a little, I had a problem for me my first year on the Council, but that's all behind me now. I've done everything that I'm supposed to do, I thought I did everything that I was supposed to do at that time. But we can't operate, and we can't get you a fire department or a sign, or a smoking ordinance, or a leash on the dog, unless we all get along and work to the same purpose. We're not doing that right now and I think that that needs to be changed. So I'm sorry that this had to come up, but that's really all I have to say at this time. So thank you for the opportunity Mr. Mayor.

Unknown Audience: I agree.

Tim Brown: Let me just say a few words. Related to me personally, I have always been opposed to the development or mining of Goetz Hill. Continue to be, and I'm not ashamed in the least for trying to find a resolution to that issue, find a source to buy that hill so we didn't have to worry about it anymore. If I did something wrong, so be it, but I'd do it again. Not that it worked out for me, but I did my best to try to make sure that hill was not developed. In relationship to the disincorporation issue, I just wanted to say that if John had not asked for a, in fact I've asked for it before, a speaker from LAFCO to come to tell us, talk about disincorporation, I would have done the same thing because I want to know how the process works, we don't know whether it's a viable option or not, so simply asking for that information, I don't see to be a bad thing, I think it's a good thing. Now I will say that I overheard the comments that were made the other night, and to Dawn, and it was a little over the top, but I think we need to try to do better, but you know worse things are said all the time. That being said, I guess…

Unknown Audience: Is it too late to say something?

Tim Brown: No, go ahead, we're still on comments.

Dorothy Walshly: Dorothy Walshly, Tim and Jordan, I would like to know on the code of conduct, we've been addressing Goetz Hill, and those other things, but I don't think that's addressing this main point of this act to censure…

Tim Brown: True.

Dorothy Walshly: and that is, do you think that John embarrasses other people in the organization? Do you think he intentionally misleads or misinforms each other? I have to admit I don't listen, or I don't come to the meetings all the time, and I don't follow closely so I can't point out specific things, but I get a feel, I get a feel for these things. And does he maintain hidden agendas? You people work with him all the time, you should be able to know if he is, if these hidden agendas are something that's true, because I don't want to hear about Goetz Hill, we've talked that to death tonight, I don't want to hear about some of the other things, about disincorporating and so on, do you feel the code of conduct has been violated? And you people should know, you've been working with him, you should get a feel, I have a feel a sense of distrust myself, but you know as I say, I can't prove any particular instance, I think you possibly could. Thank you.

Tim Brown: I'd just like to say in response to that…

John Zaitz: You've got a speaker.

Tim Brown: I'm sorry, I'd just like to say in response to that, you know, we've all heard allegations for years about John's association, or hypothetical association with the Goetz Hill developers and his claim has always been that there is none. I can say personally I know of nothing, no financial interest.

Jack Wamsley: With reference to the disincorporation, I look out over the field out here and I see a lot of new people. Several years ago we had LAFCO down with a full explanation as to what it takes to disincorporate, and it is not easy.

Dawn Haggerty: ….it was

Jack Wamsley: And the thing that I would request that you contact LAFCO and ask George if he'll come down and do that again… excuse me, George Spiliotis, ask George Spiliotis to come down and make a presentation so that everybody knows what you go through to disincorporate. It's a major major deal, I mean, you have to have the other cities voting at the same time…

Tim Brown: That's my understanding what John requested at the last meeting.

Jack Wamsley: I'm sorry?

Tim Brown: That's what he requested at the last meeting. Being talked about here.

Jack Wamsley: Yeah, have we done anything about it?

Tim Brown: Well not yet, but I believe that's on… coming up soon.

Jack Wamsley: If… I mean if you want to, I'll call him tomorrow.

Tim Brown: He's been called, he's been out of the office. Dorothy?

Dorothy Walshly: Nobody's answered my concerns.

Tim Brown: About what… I thought I tried to, but which was that?

Dorothy Walshly: That **inaudible**

John Zaitz: Your feelings.

Dorothy Walshly: …I don't even want to talk about Goetz Hill, that's getting off the subject, I don't want to talk about disincorporating, I want to know if you feel if there has been a lack of good conduct and if he's not living up to his pledge to serve the City properly and cooperating with the rest of the Council and all that.

Tim Brown: Well, I think the Council's probably going to move on to deal with that at this point. And determining whether or not if there is going to be any censure moving forward. Go ahead, and if you would please state your name.

Dorothy Griswald: Dorothy Griswald, think it kind of runs… there's one word, that we should really be discussing, and that's cordiality, and incivility, and or I should say, two words. Civility is not exactly working here and I think that's… that's an awful thing, when a woman is intimidated by a Council Member, it just seems like that just, that's a code of conduct that's just not acceptable.

Tim Brown: Are there any other questions or comments from the audience? Okay, back to the Council. Is there any request for more discussion or anyone wants to make a motion or what would the, what's the desire of the Council at this point?

Vicki Warren: Well, I would just like to say again it's not the, I mean, we could be discussing the horse shoe pits, if we're going to be discussing horse shoe pits six times over and over again then that's an issue, when an item has come, let's say disincorporation, it has been discussed, I personally just so you know, I welcome the discussion because I know that it's going to be told to us that it's not a good idea for our circumstance, it's been told to us each time its come up. So I don't object to that, I object to the red herring of it, I object to timing of it, I object to it being brought up now when we one and a half years into stabilizing the City. So I think the timing is incorrect and that's what I object to, aside from that, and that's all personal opinion, aside from that my concern is that each and every time something is decided, the City Council has voted, almost every time it comes back, Mr. Zaitz keeps coming back to challenge issues that he's already voted on. These are things that break us down and put our feet in concrete, we can't move forward. Those are the codes of conduct that you should be focused on. What he said to Mayor Pro Tem Haggerty was despicable, very intimidating, and I was concerned myself as a bystander that she might be in further danger. That's not acceptable. That's one small thing, you have to understand that what I'm talking about are repeated violations that have only been escalating and I'm still hearing no consideration of that, no acceptance that this behavior has gotten out of control and should be stopped. The whole point of censuring is a reprimand and it's time for that reprimand. Nothing else has worked, and that's what I keep talking about. These little minor things, sure, an apology, kids go out in the backyard, work it out, talk to each other, that might work in a family, in this case it went too far, and I have not had any assurances tonight that it won't continue to go that far again.

Tim Brown: Any other comments from the Council? Questions? Okay, has everybody said their piece? Are we moving on?

Elizabeth Martyn: You need a motion.

Tim Brown: Well, there has been no motion, so, is there a motion?

Vicki Warren: I move that we move forward with a resolution of censorship at our next City Council meeting.

Unknown: Censure.

Vicki Warren: Censure. Sorry.

Tim Brown: Is there a second on the motion?

Dawn Haggerty: I'll second that.

Tim Brown: We have a motion and a second to move forward on requesting a resolution of censorship. Does anyone want to speak to the issue? I'll speak, I personally wouldn't, I think that we're making a mountain out of a mole hill frankly, but that being said, I agree that what was said to Council Member Haggerty was inappropriate and could be perceived as being intimidating and I think that was something that should not happen. Should not have happened, should not have happened in the future. As for the alleged other issues, I don't see anything that I would think are censurable, so the only way I would personally support a issue of censure is to restrict it to the issue at hand which was the personal attack on other Council Members unless I'm mistaken. I don't, you know, engage in private business, there's allegations been made forever; however, I've never heard, seen any substantiation to that, undermine the majority, there might be some case to be made there, but its difficult at best. Hidden agendas, again, I don't know of any. Intentionally mislead or misinform, maybe I sometimes feel that that is happening but I don't have hard evidence.

Embarrass each other, maybe, but those would be the only two that I would see are sustainable, that I would support.

Dawn Haggerty: I have a couple of other things. One is… where is it? Undermining majority decisions of the Council. On numerous occasions, John has been involved in conversations we've had, and the Board has agreed to something, and then we go home and its all settled, and he drops a little bomb with our City Manager contesting the manner in which we did whatever it was we voted on, the process of it. This has happened numerous times, and it appears to me, he had, I think he said something about our general manager, the hiring wasn't done right, I don't know, there was some issue with that, which is totally superfluous, there were other things that he has, it just, its more like he's just creating conflict and disruption. And I don't know if there's a purpose, I've been trying to figure it out, I really can't. I thought perhaps he was going to run again and he wanted everybody to know how smart he was, constantly arguing with our processes. Which we were assured by our City Attorney, was done properly. When it was brought to my attention that we had to put this one issue on the agenda and vote on it again because he had contested how it was done, and I said, if it was done right, and we were assured it was, why do we have to do it again? That's bullying, again to me, if we, if you bow to a bully, you encourage it. And I think in the past, to just keep the peace, just to get things moving smoothly without as much disruption as possible, we have gone along with this. I think that's partly what Councilwoman Warren is referring to and I think that it's that disruption that bothers me. I've heard the words he said before, I used to work with men and I, in those days when women couldn't be as sensitive as they can today and maybe I was just old and tired, I had a toothache, and I had to go to the dentist, but he did intimidate… he snarled at me. He yelled at me. He didn't just say, well **mumbling**. He was very very nasty, and he repeat. I said what, and he repeated it. And I just don't think that's acceptable behavior, nor do I think the constant disruption, which seems purposeless, is acceptable. And that's why I seconded her motion.

Jordan Ehrenkranz: Mr. Mayor.

Tim Brown: Yes sir.

Jordan Ehrenkranz: I think you should call for the question.

John Zaitz: I had need to answer that.

Tim Brown: I…

Elizabeth Martyn:	**inaudible**… the rules.
Tim Brown:	What's the procedure on call for the question?
Elizabeth Martyn:	You need to… Once the motion, once the suggestion has been made to call for the question, you need to deal with whether or not you are going to call for the question before you move on.
Tim Brown:	So, we have to take a vote on calling for the question?
Elizabeth Martyn:	I would.
Tim Brown:	We've had a call for the question. Is there a second?
Vicki Warren:	Second.
Tim Brown:	It's been moved and seconded to call for question. All those in favor say aye.
Dawn Haggerty:	Aye.
Jordan Ehrenkranz:	Aye.
Tim Brown:	All those opposed?
John Zaitz:	No.
Tim Brown:	Nay. It's three to two.
Elizabeth Martyn:	It's rule, for the record, it's rule 6.8, motion to limit or terminate discussion, such a motion shall be used to limit or close debate on further amendment to the main motion and shall be be undebatable. If the motion fails, debate shall be reopened, if the motion passes a vote shall be taken on the main motion.
Tim Brown:	Okay, there's been a motion and a second. And I will say… I guess I can't say anything at this point. All those in favor say aye.
Vicki Warren:	Aye.
Dawn Haggerty:	Aye.
Tim Brown:	Roll call? Okay.
Jordan Ehrenkranz:	Could you…
John Zaitz:	Could you restate the motion please?

Jordan Ehrenkranz:	Yeah. Could you restate the motion?
Kirsten Rowe:	The motion is to move forward with the resolution of censure against Council Member Zaitz.
John Zaitz:	And there's nothing that says what it's going to be in that resolution?
Tim Brown:	At this point no.
Kirsten Rowe:	At this point no.
John Zaitz:	You had some stipulations.
Tim Brown:	That's… what I tried… That's why I didn't want, I voted against the closing debate.
Elizabeth Martyn:	The points that I have heard specifically enumerated, you may need to help me with this, as part of the motion would be the points that were raised by you, Mr. Mayor, and by Council Member Haggerty, and they would be personally attack other Council Members, and undermine majority decisions of the Council, and I believe you might have had another one Mr. Mayor, and I missed it.
Tim Brown:	I'll… I said the only ones that I could support were personal attack, embarrass other members of the organization, and possibly, intentional… undermine the majority decision.
Elizabeth Martyn:	Okay.
Tim Brown:	But I even have problems with that you.
Vicki Warren:	So at this time do I amend my… do I amend my motion?
Tim Brown:	If you want it to be specific, yes.
Elizabeth Martyn:	Yes.
Vicki Warren:	Okay, I amend my motion to have a resolution drawn up of censor…
Elizabeth Martyn:	Censure.

Vicki Warren: Censure, sorry I have a problem with that word, that would include the points that were just discussed, as far as undermining City Council decisions and personal attacks on City Council Members.

Elizabeth Martyn: Ok, since the…

Kirsten Rowe: And then there is embarrass.

Elizabeth Martyn: Since the, if there is a majority vote for this, the City Manager has told me I have the privilege of writing the resolution, it would… Let me go over these grounds again. Council Members shall not personally attack other Council Members, embarrass each other or the organization, or undermine majority decisions of the City Council. Am I mishearing, leaving out, adding in?

Tim Brown: Yes, I just… If I may…. Without objection, I just like to say, I think you need to make, in your resolution the specifics, and I don't know if you can get to the specifics from here. Embarrassing other members of the organization, I don't know if we have substantial substantiation for that allegation. You think you've got substantiation?

Inaudible chatter

Elizabeth Martyn: Based on… Based on the discussion, and I will tell you honestly that I'm gonna do the same thing as we requested for tonight and get it verbatim, I will try. This resolution comes back in front of you at your next meeting.

Tim Brown: And so we could make a modifications at that time if we…

Elizabeth Martyn: Yeah, it's important…

Tim Brown: … inadequate at that time.

Elizabeth Martyn: My job is to be the scribe, your job is to read it and add back to it and then vote on it one way or the other.

Tim Brown: Alright.

John Zaitz: Mr. Mayor…

Tim Brown: Yes.

John Zaitz: I'd have to say, you know, when I was sworn in I swore to obey the Constitution of the United States and the State of California, and freedom of speech is one of those things, and there's been an allegation just now that I subverted the… a decision made by the Council, and I wrote a letter to the City Manager stating that I thought we violated the Brown Act during that meeting. And I think we also have a duty as a Council Member, when we think that there is a violation of a law to say that. So is what you're saying that I have no right to question whether something was done legally or not?

Tim Brown: In my opinion, and it's only my opinion, your questioning the legality of procedures is perfectly within your rights.

John Zaitz: That's what she was alleging that I did wrong.

Tim Brown: And I don't know if there's a legal case to be made, and it comes down to being a legal issue to me, when does a demand for falsing procedure fall into the realm of being disruptive? And I don't know if there's a legal case to be made there and that was one of my reasons that I was skeptical on that issue can be brought forward as a, you know there's a distinction between demanding your rights of following the order and being disruptive I would think.

Elizabeth Martyn: I think you probably need to ask Mayor Pro Tem Haggerty for the basis of her comments.

Tim Brown: Well, I would suggest that at this point, the complainants get together with you and go through that, and you can determine whether or not we've got… You're not going to do that?

Elizabeth Martyn: No…

Inaudible chatter

Dawn Haggerty: I'd like to clarify what I said… The reason that I felt his motive was disruption is, if he had a question about our violating the Brown Act, all he had to do was go to the Manager and say I think you may have violated the Brown Act, could we talk about it and have a little discussion, at that point the Manager, or our City Attorney, could have said no and here's why, and explain to him exactly what we did, which is what she explained to me, but instead in order to try and keep things calm, and orderly and not be more disruptive, we had to go through the whole vote again at the next meeting. To me, that's disruptive. When… it seems to be what his motive was. I'm assuming that, I can't prove it, but as far as I'm concerned, there's certainly easier ways to resolve things by sitting down and talking about it…

Tim Brown:	Well, for…
Dawn Haggerty:	than creating all this disturbance and having to change agendas.
Tim Brown:	for…
John Zaitz:	Mr. Mayor this was done, done that way, during the meeting I passed a note past Council Member Ehrenkranz, to the City Attorney that says I think we're on a different subject on the agenda, a different code section under the Brown Act, and she didn't see it. At the end of the meeting it was passed to the City Manager, and the City Manager she said I don't know, and I said I got the Brown Act, you want to take a look at it.
Tim Brown:	The..
John Zaitz:	And the next day…
Jordan Ehrenkranz:	Mr. Mayor…
John Zaitz:	the City Attorney sent an email out saying that she got this information, and she got that memo, she discussed it with the Manager, and John was correct.
Tim Brown:	And no…
John Zaitz:	And that we need to do this in the future.
Tim Brown:	Nobody is following what you're saying John.
John Zaitz:	I know!
Jordan Ehrenkranz:	Mr. Mayor…
John Zaitz:	I know, but I mean, I'm saying…
Jordan Ehrenkranz:	Mr. Mayor, point of order.
Tim Brown:	Point of order.
Jordan Ehrenkranz:	I may be breaking one of these code of conducts by interrupting but I'd like to once again call for the question please.
John Zaitz:	Well that better not be in the censure.
Tim Brown:	Well, I don't believe you can…

Elizabeth Martyn:	You've got to vote on it again.
Tim Brown:	You've got to vote call for question?
Elizabeth Martyn:	Yes.
Tim Brown:	Is there a second?

Inaudible chatter

Tim Brown:	That's cutting off discussion by calling for the question.
Vicki Warren:	I second.
Tim Brown:	Okay, so there's been…
Unknown:	You need a second.
Tim Brown:	It's been a…

Chatter

Tim Brown:	You've got a motion and a second. It was Vicki that seconded the motion.
Jordan Ehrenkranz:	You need to restate the motion please.
Kirsten Rowe:	To amend the resolution of censure including the points of personally attacking other Council Members, staff or the public, embarrassing each other or the organization and undermine majority decisions of the Council.
Tim Brown:	It's been moved and seconded to call for the question all are in favor say aye.
Jordan Ehrenkranz:	No, I…
Kirsten Rowe:	Sir, we need to do a roll call vote.
Tim Brown:	Ok.
Kirsten Rowe:	Council Member Ehrenkranz?
Jordan Ehrenkranz:	Before you take the roll call vote, I just want to say one thing. We're sitting up on this side of the table, we're supposedly held to a little higher standard, with all due respect to everybody out there, and I don't think that we've been performing as we should, and I

don't like the way things have been going, and I'm sorry Mr. Zaitz, but my vote is yes.

Kirsten Rowe: Council Member Warren?

Vicki Warren: Yes.

Kirsten Rowe: Council Member…what the heck… that was random. Okay, Council Member Zaitz?

Unknown Audience: Council please use your microphones please.

John Zaitz: No.

Kirsten Rowe: Mayor Pro Tem Haggerty?

Dawn Haggerty: Yes.

Kirsten Rowe: Mayor Brown?

Tim Brown: No, because I'd like further clarification, but okay.

Kirsten Rowe: Okay, motion passes three to two with Council Members Zaitz and Mayor Brown voting no.

Tim Brown: Okay, question, now we're back to the original, what is the current motion as amended?

Background Chatter

Vicki Warren: Welcome to the City Council Meetings.

Kirsten Rowe: So the current motion as amended is to move forward with the resolution of censure against Council Member Zaitz to include the points of personally attacking other Council Members, staff, or the public, embarrassing each other or the organization, and undermining majority decisions of the Council.

Tim Brown: Does it need a roll call?

Kirsten Rowe: Yes.

Vicki Warren: Ok, motion… so moved. We have to make a motion correct?

Kirsten Rowe: Yes.

Tim Brown: No. Motion's already been made.

Kirsten Rowe: Motion's already been made?

Vicki Warren: No, I just… **Inaudible**

Tim Brown: We need a roll call vote.

John Zaitz: It's a roll call vote.

Kirsten Rowe: Okay, Council Member Ehrenkranz.

Jordan Ehrenkranz: Yes.

Kirsten Rowe: Council Member Warren.

Vicki Warren: Yes.

Kirsten Rowe: Council Member Zaitz.

John Zaitz: No.

Kirsten Rowe: Mayor Pro Tem Haggerty.

Dawn Haggerty: Yes.

Kirsten Rowe: Mayor Brown.

Tim Brown: On the basis that can be further discussed when it's brought forward I'll say yes.

Kirsten Rowe: Motion passes four one with Council Member Zaitz voting no.

Tim Brown: Okay, are we done with that item?

John Zaitz: Mm hm.

Background Chatter
Tape Mark 3:10:32

I, Ariel M. Hall, CMC, City Clerk of the City of Canyon Lake, certify that this is a true and accurate transcript of the City Council Comments of the April 6, 2016 Regular City Council Meeting.

____

Ariel M. Hall, CMC
City Clerk

City of Canyon Lake
City Council
Staff Report

TO: Mayor and City Council

FROM: Michelle Gomez, Accountant

DATE: May 4, 2016

SUBJECT: List of Demands

Recommendation:

That the City Council adopts a resolution entitled: RESOLUTION NO. 2016-11

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CANYON LAKE ALLOWING CERTAIN
CLAIMS AND DEMANDS AS SET FORTH IN EXHIBIT A

Background:

All claims and demands are reported and summarized for review and approval by the City Council on a routine basis at each City Council meeting. The attached claims represent the paid claims and demands since the City Council meeting of April 6, 2016.

Budget (or Fiscal) Impact:

All claims and demands are paid from appropriated funds or authorized resources of the City and have been recorded in accordance with the City's policies.

Attachments:

Resolution
List of Demands

RESOLUTION NO. 2016-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AS SET FORTH IN EXHIBIT A

The City Council of the City of Canyon Lake does hereby resolve as follows:

Demands are approved as shown on the Demand\Warrant Register of May 4th, in the amount of $141,588.62 as follows:

Payroll Earnings (Gross)	$	37,770.02	(2nd Half of March & 1st Half of April)
Payroll Taxes - Employer	$	966.56	(2nd Half of March & 1st Half of April)
On-line Retirement		1,975.77	(1st Half of April)
On-line Health		126.03	(For the Month of April)
General		100,750.24	
TOTAL	$	141,588.62	

PASSED, APPROVED AND ADOPTED this 4th day of May 2016.

Mayor, Timothy Brown

ATTEST:

Ariel M. Hall, City Clerk

State of California
County of Riverside) ss
City of Canyon Lake)

I, Ariel M. Hall, City Clerk of the City of Canyon Lake, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of the Resolution No. 2016-11 adopted by the City Council of the City of Canyon Lake, California, at a regular meeting thereof, held on May 4, 2016, by the following vote:

AYES:	Council Members Ehrenkranz, Warren, Zaitz, Mayor Pro Tem Haggerty, Mayor Brown
NOES:	None
ABSTAIN:	None
ABSENT:	None

Kirsten Rowe, Deputy City Clerk for
Ariel M. Hall, City Clerk

City of Canyon Lake

Check/Voucher Register - Council Report - Expenditures

From 4/1/2016 Through 4/30/2016

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
22328	4/13/2016	California Bulding Standards Commission	Building Fees Jan - March 2016	196.65	10	GENERAL
Total 22328	4/13/2016			196.65		
22329	4/13/2016	CHARLES ABBOTT ASSOCIATES, INC.	Permit and plan review	1,978.38	10	GENERAL
Total 22329	4/13/2016			1,978.38		
22330	4/13/2016	C.L.CHAMBER OF COMMERCE	Annual membership April 2016-April 2017	110.00	10	GENERAL
Total 22330	4/13/2016			110.00		
22331	4/13/2016	Canyon Lake Property Owners Assoc.	Postage for March 2016	44.14	10	GENERAL
Total 22331	4/13/2016			44.14		
22332	4/13/2016	Corelogic Information Solutions, INC.	Property detail and foreclosure features	29.50	10	GENERAL
Total 22332	4/13/2016			29.50		
22333	4/13/2016	CTAI PACIFIC GREENSCAPE	Landscape maintenance service for March 2016	5,200.00	20	GAS TAX
Total 22333	4/13/2016			5,200.00		
22334	4/13/2016	DEPARTMENT OF CONSERVATION	Seismic hazard fee Jan - March 2016	709.54	10	GENERAL
Total 22334	4/13/2016			709.54		
22335	4/13/2016	Division of the State Architech	Disability fee January 2016-March 2016	127.80	10	GENERAL

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
Total 22335	4/13/2016			127.80		
22336	4/13/2016	ELSINORE VALLEY MUNI WATER DIS	Water charges Feb 22- March 24	115.81	10	GENERAL
22336	4/13/2016	ELSINORE VALLEY MUNI WATER DIS	Water charges Feb 23-March 25	255.34	10	GENERAL
22336	4/13/2016	ELSINORE VALLEY MUNI WATER DIS	Water charges Feb 23-March 25	1,668.71	20	GAS TAX
Total 22336	4/13/2016			2,039.86		
22337	4/13/2016	Executive Cleaning Services, LLC	Cleaning services April 2016	925.00	10	GENERAL
Total 22337	4/13/2016			925.00		
22338	4/13/2016	Dawn Haggerty	Expense Report for D. Haggerty	340.75	10	GENERAL
Total 22338	4/13/2016			340.75		
22339	4/13/2016	California State Fire Protection Co.	Annual certification and teardown	39.66	10	GENERAL
Total 22339	4/13/2016			39.66		
22340	4/13/2016	CITY OF LAKE ELSINORE	Fire Service Incident at BLM	1,925.11	10	GENERAL
Total 22340	4/13/2016			1,925.11		
22341	4/13/2016	LE/CL ASSOC OF REALTORS	Lease for May	0.00	10	GENERAL
22341	4/13/2016	LE/CL ASSOC OF REALTORS	Rent May 2016	0.00	10	GENERAL
Total 22341	4/13/2016			0.00		

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
22342	4/13/2016	NEXTEL COMMUNICATIONS	Telephone usage Feb 25-March 24	206.62	10	GENERAL
Total 22342	4/13/2016			206.62		
22343	4/13/2016	Regional Conservation Authority	Permit# 16043 for 23861 Cruise Circle Dr.	1,952.00	50	AGENCY
Total 22343	4/13/2016			1,952.00		
22344	4/13/2016	SOUTHERN CALIFORNIA EDISON	Electricity March 2016	408.64	20	GAS TAX
Total 22344	4/13/2016			408.64		
22345	4/13/2016	Sparkletts	Water delivery March 2016	24.97	10	GENERAL
Total 22345	4/13/2016			24.97		
22346	4/13/2016	STAPLES	Office supplies	83.11	10	GENERAL
Total 22346	4/13/2016			83.11		
22347	4/13/2016	STATE COMP. INS. FUND	State fund/ Workers comp May 2016	1,152.75	10	GENERAL
Total 22347	4/13/2016			1,152.75		
22348	4/13/2016	Synoptek	Firewall and subscription license	654.92	10	GENERAL
22348	4/13/2016	Synoptek	Services for April 2016	1,725.00	10	GENERAL
Total 22348	4/13/2016			2,379.92		
22349	4/13/2016	The Gas Company	Gas charger March 3- April 1	51.40	10	GENERAL
Total 22349	4/13/2016			51.40		

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
22350	4/13/2016	VERIZON CALIFORNIA	Ipad data for March 2016	478.20	10	GENERAL
Total 22350	4/13/2016			478.20		
22351	4/13/2016	WRCOG	Additional payment for 23861 Cruise Circle Dr.	4,437.00	50	AGENCY
Total 22351	4/13/2016			4,437.00		
22352	4/13/2016	XEROX	Printing Feb 21- March 21	867.05	10	GENERAL
Total 22352	4/13/2016			867.05		
22353	4/14/2016	Ariel Hall	Payout Sick Full Time Per Agreement	5,912.50	10	GENERAL
Total 22353	4/14/2016			5,912.50		
22354	4/27/2016	Abila	MIP Fund Accounting Renewal	768.00	10	GENERAL
Total 22354	4/27/2016			768.00		
22355	4/27/2016	Air Force 1	Heating and Air Repair for April 2016	1,369.23	10	GENERAL
Total 22355	4/27/2016			1,369.23		
22356	4/27/2016	AMERICAN FORENSIC NURSES LLC	Blood Draw for DB & BA	100.00	10	GENERAL
22356	4/27/2016	AMERICAN FORENSIC NURSES LLC	Blood Draws for KN and BA	120.00	10	GENERAL
Total 22356	4/27/2016			220.00		

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
22357	4/27/2016	ANIMAL FRIENDS OF THE VALLEYS	Animal Control Services Feb 2016	3,500.00	10	GENERAL
Total 22357	4/27/2016			3,500.00		
22358	4/27/2016	BIO-TOX LABORATORIES	Lab Fees for April 2016	307.00	10	GENERAL
Total 22358	4/27/2016			307.00		
22359	4/27/2016	Dana Buckley	Grafitti Removal	160.00	20	GAS TAX
Total 22359	4/27/2016			160.00		
22360	4/27/2016	CHARLES ABBOTT ASSOCIATES, INC.	Engineering Services for April 2016 - Building & Safety	17,822.59	10	GENERAL
22360	4/27/2016	CHARLES ABBOTT ASSOCIATES, INC.	Engineering Services for March 2016	6,674.73	10	GENERAL
Total 22360	4/27/2016			24,497.32		
22361	4/27/2016	Canyon Lake Property Owners Assoc.	City Employee ID Cards	85.00	10	GENERAL
Total 22361	4/27/2016			85.00		
22362	4/27/2016	Cota Cole LLP	Professional Services March 2016	9,377.00	10	GENERAL
Total 22362	4/27/2016			9,377.00		
22363	4/27/2016	Emergency Services Consulting International	Consulting with Fire Cheif	9,600.00	10	GENERAL
Total 22363	4/27/2016			9,600.00		
22364	4/27/2016	Frontier	Telephone Usage for April 2016	495.06	10	GENERAL

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
Total 22364	4/27/2016			495.06		
22365	4/27/2016	ICMA	ICMA Membership Renewal 2016	200.00	10	GENERAL
Total 22365	4/27/2016			200.00		
22366	4/27/2016	MR. WINDOW & CO.	Window Cleaning	45.00	10	GENERAL
Total 22366	4/27/2016			45.00		
22367	4/27/2016	MUNICIPAL MANAGEMENT ASST SO CAL	MMASC Membership Renewal 2016	85.00	10	GENERAL
Total 22367	4/27/2016			85.00		
22368	4/27/2016	JOHN REGUS	Lease Payment for May 2016	250.00	10	GENERAL
Total 22368	4/27/2016			250.00		
22369	4/27/2016	JOHN REGUS	Lease Payment for June 2016	983.45	10	GENERAL
Total 22369	4/27/2016			983.45		
22370	4/27/2016	County Executive Office	Sheltering Services April - June 2016	11,938.23	10	GENERAL
Total 22370	4/27/2016			11,938.23		
22371	4/27/2016	COUNTY OF RIVERSIDE-TLMA	FY16 Mar SLF Costs	951.29	20	GAS TAX
Total 22371	4/27/2016			951.29		
22372	4/27/2016	Special District Risk Management Authority	Ancillary Benefits	290.90	10	GENERAL

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
Total 22372	4/27/2016			290.90		
22373	4/27/2016	Southern California Edison Co.	Claims and Demands for April 2016	236.71	10	GENERAL
22373	4/27/2016	Southern California Edison Co.	Electricity April 2016	26.27	10	GENERAL
22373	4/27/2016	Southern California Edison Co.	Electricity for April 2016	859.87	10	GENERAL
22373	4/27/2016	Southern California Edison Co.	Electricity for April 2016	485.32	20	GAS TAX
Total 22373	4/27/2016			1,608.17		
22374	4/27/2016	TelePacific Communications	Telephone Charges April 2016	498.44	10	GENERAL
Total 22374	4/27/2016			498.44		
22375	4/27/2016	U. S. Bank	US Bank Credit Card Charges	823.00	10	GENERAL
Total 22375	4/27/2016			823.00		
22376	4/27/2016	XSAT USA	Service for Iridium Phone for 2016	1,077.60	10	GENERAL
Total 22376	4/27/2016			1,077.60		
Report Total				100,750.24		

City of Canyon Lake
City Council
Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Palmer, City Manager

BY: Ariel M Hall, City Clerk

DATE: May 4, 2016

SUBJECT: November 2016 Election Resolutions

Recommendation

It is recommended that the City Council approve Resolution No. 2016-12 calling and giving notice of the General Municipal Election for November 2016, Resolution No. 2016-13 requesting consolidation of the election with the County of Riverside, and Resolution No. 2016-14 setting regulations for the filing of candidate statements.

Background

The City's General Municipal Election will be held on November 8, 2016. The resolutions are presented for the consideration of the City Council to accommodate conducting the election. There are three (3) City Council Member seats up for election, each for a full term of four (4) years.

These resolutions will call the election, consolidate the election with the County of Riverside, and set the regulations for filing candidate statements. Anyone wishing to run for office will be able to pull nomination papers from the City starting July 18, 2016. Nomination papers will have to be filed by August 12, 2016, unless an incumbent fails to file, in which case the deadline will be extended to August 17, 2016.

The City will publish the notice of election along with the filing deadlines as required by law, when the time to pull nomination papers is closer.

Budget (or Fiscal) Impact

The Riverside County Registrar of Voters will provide the City a quote on the cost to run the election as the time draws nearer. The appropriate amount will be appropriated in the Fiscal Year 2016/17 budget for the City. In the past the estimate for a consolidated election has come in between $10,000 and $25,000, however, with this being a Presidential Election year it is anticipated that costs could be less due to the increased number of election races sharing the costs.

Attachments

1. Resolution No. 2016-12, Calling and giving notice of the General Municipal Election
2. Resolution No. 2016-13, Consolidating with the County of Riverside
3. Resolution No. 2016-14, Setting regulations for Candidate Statements

RESOLUTION NO. 2016-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND REQUESTING THAT THIS ELECTION BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 8, 2016 for the election of Municipal Officers pursuant to Government Code Section 36503.5.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Canyon Lake, California, on Tuesday, November 8, 2016, a General Municipal Election for the purpose of electing three (3) members of the City Council for the full term of four years. The two (2) incumbent members of the City Council of the City of Canyon Lake are Tim Brown and Jordan Ehrenkranz. The one (1) appointed incumbent member is John Zaitz.

Section 2. That the Ballots to be used at the election shall be in the form and content as required by law.

Section 3. That the City Council requests that the Board of Supervisors of Riverside County consolidate this election with the statewide election to be held November 8, 2016, and further requests that the County Registrar of Voters furnish all official ballots, notices, printed material and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 4. That the polls for the election shall be open at seven o'clock (7:00) a.m. of the day of the election and shall remain open continuously from that time until eight o'clock (8:00) p.m. of the same day when the polls shall be closed.

Section 5. That in all the particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 6. That notice of the time and place of holding the election is given by the City Clerk and is authorized, instructed and directed to give further additional notice as required by law.

Section 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 4th day of May, 2016.

____

Tim Brown, Mayor

ATTEST:

____

City Clerk

State of California)
County of Riverside) ss
City of Canyon Lake)

I, Ariel M Hall, City Clerk of the City of Canyon Lake, California, Do hereby certify, that the foregoing is a true and correct copy of the Resolution No. 2016-12 adopted by the City Council of the City of Canyon Lake, California, at a regular meeting held on the 4th day of May, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

____
City Clerk

RESOLUTION NO. 2016-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVMBER 8, 2016, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Canyon Lake, California, called a General Municipal Election to be held on November 8, 2016, for the purpose of the election of three (3) Members of the City Council; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the Registrar of Voters of the County of Riverside canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Riverside us hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2016, for the purpose of the election of three (3) Members of the City Council.

Section 2. That the Riverside County Registrar of Voters is authorized to canvass the returns of the General Municipal Election. The Election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

Section 3. That the Board of Supervisors is requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

Section 4. That the City of Canyon Lake recognizes that additional costs will be incurred by the County of Riverside by reason of this consolidation and agrees to reimburse the County for any costs.

Section 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters of the County of Riverside.

Section 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 4th day of May, 2016.

Tim Brown, Mayor

ATTEST:

City Clerk

State of California)
County of Riverside) ss
City of Canyon Lake)

I, Ariel M Hall, City Clerk of the City of Canyon Lake, California, do hereby certify, that the foregoing is a true and correct copy of the Resolution No. 2016-13 adopted by the City Council of the City of Canyon Lake, California, at a regular meeting held on the 4th day of May, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

____
City Clerk

RESOLUTION NO. 2016-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION

WHEREAS, §13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. GENERAL PROVISIONS. That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Canyon Lake may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than two-hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

Section 2. FOREIGN LANGUAGE POLICY.

A. Pursuant to the Federal Voting Rights Act, candidate statements will be translated into all languages required by the County of Riverside. The County is required to translate candidate statements into the following language: Spanish.
B. The County will mail separate sample ballots and candidates statement in Spanish to only those voters who are on the county voter file as having requested a sample ballot in that particular language. The County will make the sample ballots and candidate statements in the required language available at all polling places, on the County's website, and in the Election Official's Office.

Section 3. PAYMENT

A. The Candidate shall be required to pay for all costs related to the printing of the Candidate Statement.
B. The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidate statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her

estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. The estimate is an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidate's filing statements. Accordingly, the clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of receiving the final billing.

Section 4. MISCELLANEOUS.

A. All translations shall be provided by professionally-certified translators.
B. The City Clerk shall not allow any bold type, underling, all-capitalized words, bullets, or leading hyphens.
C. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to election.

Section 5. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

Section 6. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nomination petitions are issued.

Section 7. That all previous resolutions establishing council policy on payment for candidate statements are repealed.

Section 8. That this resolution shall apply at the next ensuing municipal election and at each municipal election after that time.

Section 9. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 4th day of May, 2016.

____
Tim Brown, Mayor

ATTEST:

____
City Clerk

State of California)
County of Riverside) ss
City of Canyon Lake)

I, Ariel M Hall, City Clerk of the City of Canyon Lake, California, do hereby certify, that the foregoing is a true and correct copy of the Resolution No. 2016-14 adopted by the City Council of the City of Canyon Lake, California, at a regular meeting held on the 4th day of May, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

____
City Clerk

City of Canyon Lake
City Council
Staff Report

TO:	**Mayor and City Council**
FROM:	**Aaron Palmer, City Manager**
BY:	**Ariel M. Hall, City Clerk**
DATE:	**May 4, 2016**
SUBJECT:	**Adoption of Resolution No. 2016-15, Updating Authorized Account Signatories For Citizens Business Bank**

Recommendation:

It is recommended that the City Council approve Resolution No. 2016-15 and authorize Council Members and the appropriate staff to sign the necessary signature cards as specified in Resolution No. 2016-15 for Citizens Business Bank.

Background:

As a result of the change in City staff, it is necessary to amend City signature cards at Citizen's Business Bank. The City Manager and Council are signatories on the local bank cards; for checking account, money market savings and certificate of deposits. Please note that it takes two signatories to execute a City check.

Budget (or Fiscal) Impact:

None

Attachments:

Resolution No. 2016-15

RESOLUTION NO. 2016-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, UPDATING AUTHORIZED ACCOUNT SIGNATORIES FOR CITIZEN'S BUSINESS BANK

The City Council of the City of Canyon Lake does resolve as follows:

SECTION 1. APPROVAL OF BANKING AGREEMENT. The City of Canyon Lake authorizes the following signatories to transact business on behalf of the City and authorizes the City Manager to take any and all actions necessary to carry out this action.

____
Tim Brown, Mayor

____
Dawn Haggerty, Mayor Pro Tem

____
Jordan Ehrenkranz, Council Member

____
Vicki Warren, Council Member

____
John Zaitz, Council Member

____
Aaron Palmer, City Manager

PASSED, APPROVED AND ADOPTED this 4th day of May, 2016.

____

Tim Brown, Mayor

Attest:

____

City Clerk

State of California)
County of Riverside) ss
City of Canyon Lake)

I, Ariel M. Hall, CMC, City Clerk of the City of Canyon Lake, California, do hereby certify that the foregoing is a true and correct copy of the Resolution No. 2016-15 adopted by the City Council of the City of Canyon Lake, California, at a regular meeting held on the 4th day of May, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

____
City Clerk

City of Canyon Lake
City Council
Staff Report

TO:	**Mayor and City Council**
FROM:	**Aaron Palmer, City Manager**
BY:	**Ariel M Hall, City Clerk**
DATE:	**May 4, 2016**
SUBJECT:	**Adoption of Resolution No. 2016-16 – Updating Authorized Account Signatories For Alta Pacific Bank**

Recommendation:

It is recommended that the City Council approve Resolution No. 2016-16, and authorize Council Members and the appropriate staff to sign the necessary signature cards as specified in Resolution No. 2016-16 for Alta Pacific Bank.

Background:

As a result of the change in staff, it is necessary to amend City signature cards at Alta Pacific Bank. The City Manager and Council are signatories on the certificate of deposits at this bank. Please note that it takes two signatories to execute a City check.

Budget (or Fiscal) Impact:

None

Attachments:

Resolution No. 2016-16

RESOLUTION NO. 2016-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, UPDATING AUTHORIZED ACCOUNT SIGNATORIES FOR ALTA PACIFIC BANK

The City Council of the City of Canyon Lake does resolve as follows:

SECTION 1. APPROVAL OF BANKING AGREEMENT. The City of Canyon Lake authorizes the following signatories to transact business on behalf of the City and authorizes the City Manager to take any and all actions necessary to carry out this action.

____
Tim Brown, Mayor

____
Dawn Haggerty, Mayor Pro Tem

____
Jordan Ehrenkranz, Council Member

____
Vicki Warren, Council Member

____
John Zaitz, Councilmember M

____
Aaron Palmer, City Manager

PASSED, APPROVED AND ADOPTED this 4th day of May, 2016.

Tim Brown, Mayor

Attest:

City Clerk

State of California)
County of Riverside) ss
City of Canyon Lake)

I, Ariel M. Hall, CMC, City Clerk of the City of Canyon Lake, California, do hereby certify that the foregoing is a true and correct copy of the Resolution No. 2016-16 adopted by the City Council of the City of Canyon Lake, California, at a regular meeting held on the 4th day of May, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

____
City Clerk

ITEM 10.1

City of Canyon Lake
City Council
Staff Report

TO:	**Honorable Mayor and Members of the City Council**
FROM:	**Elizabeth Martyn, City Attorney and Jim Morrissey, City Planner**
DATE:	**May 4, 2016**
SUBJECT:	**Public Hearing – Introduction and First Reading of Ordinance No. 167 – Revising certain provisions of the Canyon Lake Municipal Code Chapter 9.25: sign Regulations relating to definitions of noncommercial signage and reorganizing the text**

Recommendation

It is recommended that the City Council hold a public hearing to introduce and hold first reading of Ordinance No. 167 Revising certain provisions of the Canyon Lake Municipal Code Chapter 9.25: sign Regulations relating to definitions of noncommercial signage and reorganizing the text.

Background

On June 18, 2015, the United States Supreme Court decided Reed v. Town of Gilbert, 135 S. Ct. 2218 (2015). The case requires changes to the City's sign code specifically as it pertains to non-commercial signs.

The fundamental provision of the Reed case is that in order to comply with federal and state constitutional requirements under the First Amendment, sign regulations (which are government regulation of speech) must be stated in a manner that is content-neutral.

Government regulation of speech is content-based if a law applies to particular speech because of the topic discussed or the idea or message expressed. At present, the Canyon Lake code uses content-based definitions for certain types of commercial signs.

The Reed case involved a church which did not have a permanent location, and which held services at various locations and rented facilities in the Town of Gilbert, Arizona (near Phoenix). Pastor Reed's church signs typically were installed early Saturday to let worshipers know where services would be held that week and then removed after Sunday services. The Town argued that those signs exceeded the display time limit and did not provide date of event, as required by the local sign code. When the case eventually reached the United States Supreme Court, the Court ruled unanimously that Gilbert's sign code violated the First Amendment. The Court noted the sign code set forth differing standards and rules for various categories, all defined by content or topic. The Court concluded that the rules based upon content distinctions failed strict scrutiny review. Generally "strict scrutiny" means few regulations survive.

Sign law after Reed:

If the distinctions are content based, a court will apply strict scrutiny. Any rules must serve a compelling government interest and be narrowly tailored to serve that interest. An example of a rule surviving strict scrutiny is that prohibiting campaigning within 100 feet of a polling place on Election Day (see Burson v. Freeman, 504 U.S. 191 (1992)). In other words, regulations cannot be described by their content.

The Supreme Court opinion sets forth a list of permissible factors for non-commercial sign regulation: size, materials, lighting, moving parts, and portability. It is okay to forbid private signs on public property (specifically including non-commercial signs) if the rules are even-handed and content-neutral. In traditional public forum areas (streets, sidewalks, parks, external area around city hall), restrictions must be narrowly tailored to serve government's legitimate and content neutral interests, and leave open adequate alternatives.

In Reed, Justice Thomas also set forth a list of permissible distinctions for signage: such as for warnings, hazards, traffic directions, and street numbers on homes.

Signs on private property are subject to a less strict analysis, and need to be both content-neutral and reasonable. In addition, there can be distinctions between commercial property and related signage, onsite/offsite signs, non-commercial signs and residential property. Commercial signage cannot be favored over noncommercial signage.

In Lamar Central Outdoor LLC v. City of Los Angeles, an appellate court decision dated March 10, 2016, the Second Appellate District confirmed the distinction between noncommercial and commercial signage. That court further confirmed that commercial signage rules have not changed:

1. The advertised product or service must be legal at the place it is offered, even if it is not legal at the place where it is advertised
2. The Message must not be false or misleading.
3. Rules must serve a substantial government interest, must advance that interest and cannot go further than is necessary to serve the objective.
4. Cities may ban billboards.

Revisions to Canyon Lake Sign Ordinance:

1. Commercial signage: We generally have not revised the commercial provisions of the code except to add a provision that allows any legally protected noncommercial message to be substituted in place of any other message on a sign, without approval or a new sign permit, so long as there is no change in the sign structure.

2. Noncommercial signage: We have revised the noncommercial sign provisions to remove definitions based upon content, specifically political signs. The code instead addresses noncommercial signs as temporary sign structures. Rules regarding display duration, size, height, and materials (i.e. structure) are upheld if no exemptions are made based on content or category.

3. In addition, we created a classification of governmental signs that are in the public right of way and on public property. Justice Alito's concurring opinion in Reed also notes that an exemption for government signs may be a permissible content-neutral exception. This includes government posted traffic and safety signs as well as signs placed by the government for such things as designating historical sites.

Residential Noncommercial Signage:

Although legally it could do so, the CL sign code does not address residential signage, leaving that to POA regulation. The relevant POA sign regulations provided by its attorneys follow:

PC.4.7 Signs - *A sign of customary and reasonable dimension, but not exceeding five (5) square feet, shall be permitted to be displayed on any lot advertising the same for sale. Commercial signs are prohibited except upon application to and written permission from the Committee. One (1) "For Sale", "For Lease" or "For Rent" sign is permitted per property except on the golf course and lake where two (2) "For Sale", "For Lease" or "For Rent" signs are permitted - one (1) in the front yard and one (1) in the rear yard. Non-commercial signs are only allowed as per Civil Code Section 4710. Non-conforming signs may be removed from the Community Setback by the Association.*

PC.4.7a Sign Restrictions. *A sign must have its own stake and shall not be affixed to any improvement. Balloons, streamers and similar material may not be added to a sign. No sign shall obscure the view of a fire hydrant and all signs shall have a professional appearance.*

PC.4.7b Community Setback Restriction. *Signs are not allowed in the Community Setback except for "For Sale", "For Lease" or "For Rent" signs which shall be placed no closer than six (6) feet from the curb. Political / election and garage sale signs have special restrictions and may be placed in the Community Setback. (Refer to the General Rules and Regulations, Section IV for additional information.)*

GR.4.5 Signs in the Community Setback - This is the criteria for these types of signs in the community setback.

GR.4.5a Political Sign Requirements. *A resident may temporarily place a maximum of two (2) political signs in that portion of the Community Setback that lies between their front lot line and the adjacent street, subject to compliance with the following provisions: Political signs can only be placed in the Community Setback in the ninety (90) day period prior to an election in accordance with the following requirements:*

GR.4.5a.1 *No political sign may be more than nine (9) square feet, and the top of the sign may not extend more than three (3) feet above grade.*
GR.4.5a.2 *The political sign may not extend beyond the back of curb toward the street.*
GR.4.5a.3 No political sign shall obscure the view of a fire hydrant and all signs shall have a professional appearance.
GR.4.5a.4 *The political sign must have its own stake and shall not be affixed to any improvement.*
GR.4.5a.5 *Balloons, streamers and similar material may not be added to the political sign.*
GR.4.5a.6 *Non-conforming political signs may be removed from the Community Setback by the Association.*
GR.4.5a.7 *Political signs shall be removed within ten (10) days following the election.*

Budget (or Fiscal) Impact

There is no fiscal impact.

Attachments

1. Redlined Ordinance No. 167

ORDINANCE NO. 167

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE REVISING CERTAIN PROVISIONS OF CANYON LAKE MUNICIPAL CODE CHAPTER 9.25: SIGN REGULATIONS RELATING TO DEFINITIONS OF NONCOMMERCIAL SIGNAGE AND REORGANIZING THE TEXT

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 9.25 of the Canyon Lake Municipal Code is amended as follows:

9.25.010 Purpose and intent.

The purposes of this Chapter are to:

(a) Create the legal framework for comprehensive and balanced system of signage, facilitating communication between people and their environment.

(b) Provide necessary and reasonable regulations and standards for signs in the City as necessary to promote the general welfare and public interests of the community. Said regulations and standards may address the location, number, size, height, illumination, character, design, materials, construction, color, maintenance, and other related aspects of signs including outdoor advertising structures.

~~(c) Encourage the effective use of signs as a means of communication in the City; to enhance the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effects of signs on public and private property; and to enable the fair and consistent enforcement of these sign regulations.~~

(~~d~~c) Enhance and preserve the City's scenic arterials including Railroad Canyon Road and Goetz Road. All commercial centers within the City are located along one of these two roads.

~~(e) Authorize the use of signage and street graphics which are compatible with their surroundings while preserving the aesthetic environment and unique visual character of the City.~~

(~~f~~d) ~~Authorize signage which is legible in the circumstances in which it is seen and which is consistent with the General Plan and policies of the City.~~ Confirm distinctions between public and private signage, as well as commercial and non-commercial signage.

(~~g~~e) ~~Ensure that all signage in the City shall be compatible with the design of a site and its structures.~~ To improve pedestrian and traffic safety.

~~(h) It is not the intent of this Chapter to regulate residential signage at this time, nor does it supersede or nullify any existing law(s) which regulate residential signage in residential areas. Notwithstanding signage for home occupations is permitted pursuant to Section 21.3 of this Code.~~

(~~I~~f) No provision of this Chapter shall prohibit a~~n ideological, political or other~~ noncommercial, non-content based, message on a sign otherwise permitted by this Chapter.

~~(j) Sign applications shall conform to the City's adopted sign design policies and guidelines to ensure that signs are considered early in the design process for new structures and that new signs for existing buildings are consistent with and enhance the integrity of the building design. The regulations regarding the size, location, and content of signs as well as types of signs~~

~~permitted and prohibited by this Chapter, shall implement the sign design standards and guidelines of the General Plan and City policies.~~

(g~~k~~) The provisions of this Chapter are not intended to abrogate any easements, covenants, conditions, restrictions, or agreements which are more restrictive than the provisions hereof. The provisions of this Chapter are in addition to the Canyon Lake Property Owners Association (POA) requirements which are enforced separately.

9.25.020 Definitions.

For the purpose of this Chapter, certain terms, phrases, words, and their derivatives shall be construed as specified hereinafter.

"Abandoned sign." Any sign which advertises a business, use or service which has been discontinued for a period of more than 90 calendar days. (See Section 9.25.080.)

"Accessory sign." A permanently mounted sign which has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," the announcement of credit cards or other incidental matters, and which does not announce or advertise products, goods or services directly related to the business being conducted on the premises. (See Section 9.25.030.)

"A-frame sign." A free standing sign usually hinged at the top, or attached in a similar manner, and widening at the bottom to form a shape similar to the letter "A." (See Section 9.25.030.)

"Animated sign." A sign which uses movement, lighting, or special materials to depict action or create a special effect; but not including wind-actuated elements such as flags and/or banners, and non-animated LED/digital advertising signs, or hand held signs. (See Section 9.25.070.)

"Awning." A temporary shelter supported from the exterior wall of a building.

"Awning, canopy or marquee sign." A nonelectric sign that is printed on, painted on, or attached to an awning or valance thereof, canopy, or marquee which is only permitted on the vertical surface or flap. Such a sign does not protrude nor project from the awning, canopy, or marquee.

"Banner, flag, pennant or balloon." Any cloth, bunting, plastic, paper or other flexible material used for advertising purposes attached to, pinned on, or hanging from any structure, staff, pole, line, framing, or vehicle. (See Section 9.25.060, Temporary Signs.)

"Billboard sign." Any off-site sign or sign structure the height of which exceeds 15 feet from the ground and is 100 square feet or greater and which is erected or used for advertising an establishment, message, merchandise, product, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which the sign is located. (See Section 9.25.070.)

"Building complex or center." A building or group of buildings on one or more lots or building sites containing more than one commercial or industrial occupant which use common vehicular and pedestrian access and parking facilities.

~~"Building marker." Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material and which is permanently affixed to a building. (See Section 9.25.030, Exempt Signs.)~~

~~"Civic event sign." A temporary sign posted to advertise a civic event sponsored by a public agency, school, church, service clubs, civic-fraternal organization, association, or similar noncommercial organization. (See Section 9.25.060, Special Event Signs.)~~

~~"Civic organization." An organization consisting of members of the community as defined by the Federal Internal Revenue Service under Section 501(c).~~

"Commercial sign." Any privately owned sign with wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to ~~a~~ business, product, service, profession, commodity, event, person, institution, or other commercial, activity related to the economic interests of the sign owner or business or service advertised. ~~or otherwise contains commercial speech.~~

~~"Commercial speech." Any message proposing a commercial transaction or related to the economic interests of the speaker or its audience.~~

"Combination sign." Any sign incorporating any combination of the features of more than one sign classification. (Each portion of a sign which is subject to more than one classification shall meet the requirements for the classification to which such portion is subject.)

"Comprehensive sign program." A coordinated comprehensive program of two or more signs for an individual building, building complex(es), or development and the site upon which the development occurs. The combination of lots covered by a "comprehensive sign program" shall be treated as a single site with the Acomprehensive sign program~~a~~ governing the entire site.

"Construction sign." A temporary sign erected or placed on the parcel on which construction is taking place, limited to the duration of the construction, indicating the names of architects, engineers, landscape architects, contractors, the owner(s), financial supporters, future occupants, sponsors, and/or similar individuals or firms having a major role or interest with respect to the structure or project.

"Directional sign." Accessory on-site private signs designed to guide or direct pedestrian or vehicular traffic and which contain no matter specifying products or services. (For off-site directional signs, see "off-site sign.") ALSO GOVERNMENTAL

"Digital advertising signs." Non animated, non-flashing static electronic sign that digitally transitions between images. (See Section 9.25.050.)

"Fascia." An architectural feature generally comprising a trim panel attached to the eaves and immediately below the roofing material.

"Fascia sign." A sign upon the fascia. (A "fascia sign" is regulated as a wall sign.)

"Freestanding signs." A monument type sign which is wholly supported from grade to the bottom of the sign with the appearance of having a solid base and which does not exceed a height of eight (8) feet, or a pole type sign which is wholly supported by one or more columns, uprights, or braces in the ground and that are independent from any building or other structure.

"Governmental/public signs" Signs placed by local, state, federal, or other public agencies for health, safety, and welfare purposes, including but not limited to traffic signs, identification on public vehicles, including: (1) Signs required by Federal, State, or City statute, not to exceed the maximum size permitted thereby; (2) Memorial signs and plaques, not to exceed two square feet, installed by a civic or non-profit organization; (3) Official and legal notices issued by a court or governmental agency and posted in compliance with law; (4) Official flags of the United States, the State of California, County and City, not to exceed 100 square feet per flag; (5) Signage providing directions.

"Monument sign." A sign supported from ground level to the bottom of the sign with the appearance of having a solid base and which does not exceed a height of eight feet.

"Pole sign." A sign which is wholly supported by one or more columns, uprights or braces in the ground and that are independent from any building or other structure.

"Frontage." The horizontal lineal measurement of any side of a building at ground level.

~~"Grand opening." A promotional activity of a newly established business to inform the public of its location and service available to the community. "Grand opening" does not mean an annual or occasional promotion by a business.~~

"Hand held sign." A sign that is held by an individual; "hand held signs" may be commonly known as "human sign twirlers."

"Illuminated sign." A sign with an artificial light source for the purpose of lighting the sign or making the message readable. This includes but is not limited to signs utilizing neon, light emitting diode (LED), fluorescent, electric, as well as unlit signs that have lighting directed on them.

"Legal nonconforming sign." A sign legally established under old Chapters which does not conform to the regulations of the current Chapter.

"Marquee." Any hood, canopy, awning or permanent construction which projects from a wall of a building, usually above an entrance.

"Murals." An original work of visual art produced by hand that is tiled or is glass, metal, or painted directly upon, or affixed directly to an exterior wall of a structure or a paved surface, which does not advertise an institution, organization, business, product, service, and/or event. "Murals" do not include mechanically-produced or computer generated prints or images including but not limited to digitally printed vinyl, or electrical or mechanical components or changing images. (See Section 9.25.050(d).)

"Non-commercial sign." A~~ny~~private sign ~~which~~ thatis not a commercial sign as defined herein ~~or does not include commercial speech~~. Governmental or public signs are a type of noncommercial sign.

"Non-profit organization." An organization as defined by the Federal Internal Revenue Service under Section 501(c). [includes non 501(c)(3)]

"Off-site sign." Any sign or sign structure the height of which does not exceed 15 feet from the ground, is less than 100 square feet, and which is erected or used for advertising an establishment, message, merchandise, product, service, event, or entertainment, which is not sold, produced, manufactured, or furnished at the property or complex on which the sign is located. An "off-site sign" may provide direction to a primary location. (See Section 9.25.070.)

"On-site sign." A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities provided on the premises.

~~"Open house sign." A temporary sign posted to indicate a salesperson is available to represent the property subject to sale, lease, or rent.~~

~~"Political sign." A temporary sign, not otherwise permitted by this Chapter, regarding a particular vote for or against a candidate or measure on the ballot in any scheduled election. (See Section 9.25.060.)~~

"Portable sign." Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, A-frame signs, and menu and sandwich board signs. (See Section 9.25.070.)

"Projecting sign." Any sign, other than a wall sign, which projects perpendicular from and is supported by a wall of a building or structure. (See Section 9.25.050.)

"Pylon sign." A freestanding sign designed and constructed so the advertising structure is supported by structure comprised of masonry and metal reinforcement projects.

~~"Real estate sign." Any sign, other than a subdivision sign, advertising the sale, rental, or lease of the premises upon which the sign is displayed.~~

"Roadway banner." A banner which is displayed over public or private streets for a limited time. (See Section 9.25.070.)

"Roof sign." A sign erected, constructed, or placed upon or over a roof or parapet of a building or structure, including a mansard roof and which is wholly or partly supported by such buildings. (See Sections 9.25.070 and 9.25.090.)

~~"Seasonal banner." Temporary signs affixed to light poles on public or private property that are associated with seasonal events or holidays. (See Section 9.25.030.)~~

"Sign." Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

"Sign area." The entire face of a sign including the surface and any framing, projections, or molding, but not including the support structure. Individual letters mounted or painted on a building shall be measured by the area enclosed by four straight lines outlining the message. The area of a freestanding sign shall be determined from the sign face.

"Sign program." See "comprehensive sign program."

"Single use." A single use shall be a site or building occupied by one commercial, industrial, or organizational use.

"Site" shall mean one or more contiguous parcels of land identified by the assessor's records and for which a building or building complex exists or has been proposed.

"Street frontage." The length of a lot or parcel of land along or fronting on a street or streets.

~~"Subdivision sign." A sign that is suspended from the underside of a horizontal plane surface (e.g., awning, marquee, soffit, walkway cover) and is supported by such surface. (See Section 9.25.050.)~~

"Temporary." Lasting for only a limited period of time, not permanent.

"Temporary sign." Any sign that is used or intended to be used only temporarily and is not permanently mounted, including seasonal banners.

"Time and temperature sign." A mechanical or electrical sign ~~which~~ that indicates time and temperature placed on a commercial building or property. (See Section 9.25.050(a).)

"Vehicle sign." A sign which is attached to or painted on a vehicle, including magnetic decals that can be attached to the side of a car, truck, or vehicle. (See Section 9.25.030, Exempt Signs.)

"Wall sign." Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface. (See Section 9.25.050.)

"Wearable display." A sign, costume, or other wearable object utilized as a sign to promote a commercial business, service or event.

"Window sign." Any sign painted or affixed to the inside or outside of a window surface, or otherwise so located within a building so as to be visible from the exterior of the building. (Window signs are addressed in Sections 9.25.030 and 9.25.050 of this Chapter.)
~~(Ord. 147, passed 6-6-2013)~~

9.25.030 ~~Exempt~~ Commercial signs for which a permit is not required.

The following comercial signs shall be exempt from the sign permit requirements and procedures of this Chapter; such signs shall comply with the definitions, size, construction and other requirements (such as placement and lighting):

(a) Window signs which are in keeping with the purpose and intent of this Chapter that are painted or similarly applied directly to the window with non-washable or washable material are permitted so long as the total sign area does not exceed 25% of the total frontage glass area. Window signs posted for a specific event must be removed within 20 days after the event occurs.

~~(b) Temporary holiday window signs/decorations so long as they do not exceed 25% of the total window area, and are removed within 20 days after the holiday.~~

~~(c) Memorial signs and plaques, not to exceed two square feet, installed by a civic or non-profit organization.~~

~~(d) Official and legal notices issued by a court or governmental agency and posted in compliance with law~~.

~~(e) Official flags of the United States, the State of California, County and City, not to exceed 100 square feet per flag.~~

(~~b~~f) Temporary ~~construction~~ identification signs on commercial construction sites. ~~Construction signs for infrastructure projects and other public improvement projects undertaken by a public agency are also exempt.~~ Such signs shall be limited to one directory or pictorial display sign per street frontage or entrance, up to a maximum of two signs, identifying the development under construction and/or any contractors, architects, engineers, landscape architects, owners(s), financial supporters, future occupants, sponsors, and/or similar individuals or firms having a major role or interest with respect to the structure or project. Each sign shall be removed prior to issuance of a certificate of occupancy. Construction signs shall not exceed 50 square feet.

(c~~g~~) Accessory signs (may be double-faced) for gasoline service stations, showing notices of services (i.e., price of gasoline) provided or required by law, trade affiliations, credit cards accepted, and the like, not attached to the structure or building; provided that all of the following conditions exist:

(1) The number of signs shall be no more than three.

(2) No such sign projects beyond any property line.

(3) No such sign may be placed or allowed to remain within the sight distance triangle as determined by the City Engineer.

(4) No such sign shall exceed an area per face of nine square feet or height of four feet.

(d~~h~~) Copy applied to fuel pumps or dispensers such as fuel identification, station logo, and other signs required by law.

(e~~i~~) Non-illuminated, directional signs and/or information signs to aid the vehicle or pedestrian traffic on the site, provided that such signs are located on-site, have a maximum area which does not exceed three square feet, have a maximum overall height of four feet above ground level, and are mounted on a monument or decorative pole. Such signs may be located in a required setback provide that a minimum distance of five feet from any property line is maintained, including.

~~(j) Directional~~ directional commercial signs painted on paved areas of private property.

(f~~k~~) Vehicle signs. Commercial signs~~Signs~~ professionally painted for application directly to private vehicles (includes temporary signs and magnetic signs that are attached to the outside of a car). Directional signs may not be placed on vehicles. Vehicles registered as Planned Non Operational with the California Department of Motor Vehicles may not be used for signage. No vehicle signs can remain in place for a period greater than seven consecutive days.

~~(l) Signs required by Federal, State, or City statute, not to exceed the maximum size permitted thereby.~~

(g~~m~~)Repainting copy without ~~a~~ design change, replacement of damaged panels with identical panels, or cleaning of a sign structure. (If structural or electrical changes are being made a building permit must be obtained.)

~~(n) Building marker, not to exceed two square feet. Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material and which is permanently affixed to a building.~~

~~(o) Benches that do not obstruct the accessibility of the sidewalks, as determined by ADA, are allowed on the buildings/suites private property and not within the public right-of-way. These items are intended to beautify the center and must be kept in good repair. Dedication plaques are allowed on benches, all other signage on benches is not allowed.~~

(h~~p~~) One mannequin or one rack of clothing (not to exceed six feet in length), that does not obstruct the accessibility of the sidewalk, as determined by ADA, is allowed at the front of a business's entrance if it is located on the building's/suite's private property and not within the public right-of-way. These items are intended to help attract business and must be kept in good repair. Items must be stable so as to not tip over under typical conditions. Items must be brought inside when the business is closed.

(i~~q~~) Hand held signs.

(j~~r~~) Wearable displays. Allowed for a maximum of one day per week per business, service, or event.

~~(s) Non-commercial signs, excluding those as prohibited in Section 9.25.070.~~

(k~~t~~) Seasonal banners pursuant to the following standards:

(1) Seasonal banners may be allowed year round and may be changed on a seasonal basis.

(2) Seasonal banners shall be installed on permanent light standards only.

(3) A maximum of two seasonal banners per light standard are permitted.

(4) The dimensions of each banner shall be 30 inches wide by 96 inches in height maximum.

(5) If a banner or the structure supporting the banner is damaged it shall be the applicant's responsibility to remove the banner and/or structure within 14 days of written notice.

(6) Those banners that exceed these standards shall be permitted as either special event or banner signs pursuant to Section 9.25.06.

(l~~u~~) A-frame signs pursuant to the following standards:

(1) No more than one A-frame sign may be allowed per business and no more than one A-frame sign may be allowed for each entrance into a building. If there is more than one business located in a single building with one entrance, only one A-frame sign is allowed at the entrance at a time.

(2) The vertical dimension of the sign (including both frame and sign face) shall not exceed four feet and the horizontal dimension of the sign (including both frame and sign face) shall not exceed two feet.

(3) One additional sign may be permitted per major street frontage, provided it is a community event sponsored by the City or by a nonprofit or civic organization.

(4) At no time shall the distance between A-frame signs be less than 30 feet.

(5) The Planning Director shall have the authority to increase or reduce the requirements in this Subsection (u) in case of unusual physical characteristics of the site, such as presence of driveways, landscaping, utility poles, lot configuration, and the like.

(6) A-frame signs shall be made out of wood or metal with a chalk board or white board sign face. Signs shall be mounted to a frame between one and four inches thick that contours the top, bottom and sides of the sign. A-frame signs shall be constructed of quality durable materials and shall be constructed so that the sign shall be securely fastened to the frame. A-frame signs shall not be made out of plastic.

(7) A-frame signs shall be restricted to business operating hours only.

(8) A-frame signs shall not be allowed during windy days where the sign may be blown over.

(9) A-frame signs shall not be permitted within the public right-of-way, Merchant Owners Association (MOA) common areas including landscape areas, and shall not obstruct flow of traffic, public's view of another business or activity, public's view of the signage for another business or activity, the view or visibility of the operator of any motor vehicle, or the movement of any pedestrian or motor vehicle.

(10) The maximum duration for an A-frame sign is seven cumulative days within a 30-day period. (Ord. 147, passed 6-6-2013)

<u>(m) No non-commercial sign shall require a sign permit, although the provision of Section ________ shall apply to the size, materials, lighting, moving parts and portability of non-commercial signs. Non-commercial signs include, but are not limited to:</u>

<u>(1) Historical markers, including a building marker not to exceed two square feet. Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material and which is permanently affixed to a building.</u>

<u>(2) Memorial signs and plaques, not to exceed</u>

two square feet, installed by a civic or non-profit organization.

(3) Governmental signs/public signs.

9.25.040 Commercial Sign Permit requirements.

(a) No sign, including any change in text on the sign, mural or temporary sign, unless expressly exempted by this Chapter, shall be constructed, placed or altered without a sign permit or comprehensive sign program approved by the City. The City Planner shall initially review all signs.

(b~~a~~) Application for Permit or Program Approval. Application for a sign permit or comprehensive sign program shall be made in writing upon forms provided by the City Planner and shall include the following items:

(1) Name, address, telephone number and signature of the applicant.

(2) Name, address, telephone number and signature of consent by the property owner.

(3) Location by street number and legal description (tract, block, lot) of the building, structure, or lot to which or upon which the sign is to be installed or affixed.

(4) A drawing to scale showing the design of the sign, including dimensions, square footage, and showing the relationship to any building or structure to which it is, or is proposed to be, installed or affixed, or to which it relates. Drawings shall be a reproducible size, maximum 11x17.

(5) For all signs except wall signs, a site plan drawn to scale, showing existing buildings, dimensions, property lines, setbacks, streets, sidewalks, driveways, landscaping areas, and number, size and location of existing and proposed signs. Drawings shall be a reproducible size, maximum 11x17.

(6) For wall mounted and suspended signs, scaled elevation drawings of full face(s) of the building showing size and locations of proposed and existing signs. Drawings shall be a reproducible size, maximum 11x17.

(7) Location/disposition of existing signs to remain. If any existing signs that are associated with the specific businesses' tenant space are to remain legal nonconforming signs, the sign program shall address the phasing of bringing those signs into conformity pursuant to Section 9.25.090.

(8) The application fee in the amount established by resolution of the City Council.

(9) Other requirements as determined necessary by the City Planner and in compliance with any adopted design guidelines, including but not limited to:

(A) Photograph(s) of the building or site.

(B) Lettering style, method of attachment, source of illumination, and/or construction details.

(C) Color samples and material samples.

(b) Method of Review and Approval - Sign Permit. The purpose of a sign permit is to ensure compliance with the provisions of this Chapter. Any sign permit may be referred to the City Council for review and decision as deemed appropriate by the City Planner and/or City Manager.

(1) General. After receipt of a complete application for a sign permit, the City Planner shall review the application for conformance and render a decision to approve, conditionally approve, or deny such sign request.

(2) Signs Requiring City Council Review and Other Signs Referred to City Council.

(A) City Planner Review. After receipt of a complete application for a sign permit, the City Planner shall review the application for conformance and shall schedule for review by the Planning Committee.

(B) The Planning Committee shall consider and recommend approval or denial to the City Council.

(C) City Council Determination. The City Council, at an appropriately noticed public hearing, shall render a decision to approve, conditionally approve, or deny such sign permit proposal. Ten days prior to the hearing notice shall be published and mailed to all real property owners within 300 feet of the project site (property to contain the sign).

(D) Such review shall ensure that any sign proposal is in conformance with this Chapter, any adopted sign design guidelines, and the General Plan, as well as other applicable Chapters and policies of the City. Any determination made by the City Planner may be appealed to the Planning Committee and ultimate decision by the City Council. A decision by the City Council is final.

(c) Method of Review B Comprehensive Sign Program. The purpose of a comprehensive sign program is to ensure compliance with the provisions of this Chapter. The intent of the comprehensive sign program is to provide an opportunity for a center or complex to obtain approval of an overall sign program which will enable administrative review and approval prior to installation for those individual signage elements which were approved in the sign program.

(1) City Planner Review. After receipt of a complete application for a comprehensive sign program, the City Planner shall review the application for conformance and shall schedule for review by the Planning Committee.

(2) The Planning Committee shall consider and recommend approval or denial to the City Council.

(3) City Council Determination. The City Council, at an appropriately noticed public hearing, shall render a decision to approve, conditionally, approve, or deny such sign program request. Ten days prior to the hearing notice shall be published and mailed to all real property owners within 300 feet of the project site (property to contain the sign).

(4) Findings. Prior to approval of a comprehensive sign program, the City Council shall make the following findings:

(A) The specific standards for sign area, height and location are appropriate for the site;

(B) The proposed signs are visually compatible with the buildings they identify;

(C) To the extent practicable, the proposed sign program shall be internally consistent and compatible with the site and its components;

(D) The proposed signs are compatible with surrounding land uses and do not obscure adjacent conforming signs or viewscapes;

(E) The proposed signs do not obstruct visibility for ingress and egress from adjacent conforming signs or viewscapes; and

(F) The proposed signs are compatible with the purpose and intent of this Chapter.

(5) Other Permits Required. Issuance of a sign permit or approval of a comprehensive sign program does not preclude the necessity for obtaining building, electrical, or other permits for signs where such other permits are required by the City.
(Ord. 147, passed 6-6-2013)

9.25.050 Commercial Sign regulations.

This Section addresses and establishes minimum and maximum quantitative measures for regulating the sizes of signage. Signage shall be consistent with the following requirements as well as with any adopted sign design guidelines or Specific Plan.

(a) General.

(1) Signs may be erected, altered and maintained only for those permitted uses of the zone in which they are located except as provided otherwise in this Chapter.

(2) Signs shall be located on the same site or complex as the permitted use, except in the case of specifically approved off-site signs.

(3) Time and Temperature Devices. Such devices may be considered for approval as part of a sign application when they are located on private property, are not located on a roof, unless as part of a

tower structure, do not exceed 16 square feet for each face, and do not rotate. Any monument sign which incorporates a time and temperature element may be permitted up to 50% additional height. A sign with a time and temperature element may not be located within 4,000 lineal feet of another such sign along the same roadway. Any clock shall keep accurate time; if this condition is not complied with, the clock shall be repaired or removed within ten days of official notice from the City.

(4) Real Estate Signs, Commercial. One commercial real estate sign, not to exceed 20 square feet in area, is allowed per lot or unit. Commercial real estate signs are those which advertise the sale, lease or rent of premises upon which the sign is located. No permit or approval is required provided said sign follows these criteria.

(5) Signs may not contain discriminatory, hateful, adult, or obscene text or graphics as defined by California Law.

(6) Benches that do not obstruct the accessibility of the sidewalks, as determined by ADA, are allowed on the buildings/suites of private property and not within the public right-of-way. These items are intended to beautify the center and must be kept in good repair. Dedication plaques are allowed on benches, all other signage on benches is not allowed.

(b) Single Use. A single use shall be a site or building occupied by one commercial, industrial, or organizational use. The following standards are applicable to such single uses. Standards regulating signs specific to building complex/center (multi-tenant uses) type developments and the tenant suites/units therein, are included in following Subsection (c).

(1) Sign Type. Only sign types specifically authorized herein shall be permitted as noted below. Projecting signs may be permitted only where a wall or suspended sign cannot be placed to provide reasonable identification.

(2) Sign Area.

(A) The maximum surface area of signs affixed to a building shall be as follows:

1. The total aggregate area for all signs per single use shall not exceed 1-1/2 square feet of sign area of each one linear foot of building frontage except that frontages along the golf course shall be

permitted signage at 1/2 square feet of sign area for each one linear foot of building frontage.

2. No single sign face shall exceed 100 square feet.

3. Sign area accruing from one frontage, pursuant to Subsection (b)(2)(A)1. above may only be applied to signage along that same frontage. Transferring or sharing of allowed sign area between two frontages is not allowed.

(B) The maximum surface area of freestanding signs shall be as follows:

1. The total aggregate area for a freestanding sign per single use shall not exceed 80 square feet.

(C) Projecting signs shall not exceed 3-1/2 square feet.

(3) Number of Signs. A single use may be permitted up to one freestanding sign per frontage and one sign attached to the building. Those single uses without direct street frontage are not permitted a freestanding sign.

(4) Sign Height.

(A) Monument Signs. The maximum permitted height above ground level for monument signs adjacent to street frontages (within one to 25 feet of a public right-of-way) shall be eight feet. The maximum permitted height above ground level for monument signs which are interior to the site shall be six feet.

(B) Wall and fascia signs shall not extend above the height of the wall or the lowest point of the roof.

(C) Projecting and under canopy signs shall provide a minimum of eight feet ground clearance. Signs shall not extend above the height of the wall or the lowest point of the roof.

(5) Setbacks. All signs must be set back so as not to obstruct the visibility for ingress and egress from a public right-of-way, or endanger pedestrians, motorists, or the public.

(6) No sign shall encroach into, or over the public right-of-way, except as permitted by Section 9.25.060, or as specifically exempted by the language of Section 9.25.030.

(7) Landscaping. Monument signs shall be located in landscaped areas equal to a minimum of two times the area of the sign face.

(8) Each freestanding monument sign along a public right-of-way shall include the address of the site located at the uppermost portion of the sign and clearly visible from the public right-of-way. The portion for the address may be permitted over and above the allowable square footage for the sign.

(9) Projecting and under canopy signs shall not extend farther than two feet from the building it is placed on. Projecting signs and under canopy signs are not allowed on building frontages that are located directly adjacent to Railroad Canyon Road's or Goetz Road's public right-of-way.

(c) Building Complex/Center (Multi-Tenant Uses). Commercial, industrial, or institutional complexes or centers are subject to the following provisions. Any new commercial, industrial, or institutional complexes or centers are required to obtain approval of a comprehensive sign program and shall be subject to the following provisions:

(1) Sign Types Permitted. Only sign types specifically authorized herein shall be permitted in multi-tenant developments.

(A) Free Standing Signs.

1. One freestanding monument sign per street frontage entrance for identification of the center or complex and its tenants, shall be permitted at a maximum height of eight feet and maximum area of 80 square feet. No portion of the sign shall be closer than one foot from the public right-of-way unless an encroachment permit is acquired. Said sign shall be located in either a landscaped parkway or in a landscaped area adjacent to an access drive. Area of landscaping within said parkway or area shall be equal to two times the area of the sign face.

2. Each freestanding monument sign along a public right-of-way shall include the address of the site clearly visible from the public right-of-way. The portion for the address may be permitted in addition to the allowable square footage of the sign.

3. Pylon Signs. An additional freestanding pylon sign may be permitted in commercial centers over ten acres in size for additional identification of the commercial center and tenants therein. One pylon sign, not to exceed 24 feet in height and 80 square feet in area, may be permitted for each street frontage, and may be centrally located along the commercial center's street frontage.

(B) Directory Signs. Additional directory signs including freestanding complex/center directory signs that include a map, freestanding multi-tenant directory signs, and multi-tenant building wall signs may be allowed in a complex/center as deemed appropriate for additional identification. Directory signs must be approved as part of the overall complex sign program for consistency.

1. Complex/center directory sign are intended to provide a directory as well as a map for an entire complex/center. These signs shall be a maximum height of eight feet and have a maximum area of 25 square feet per display face. Complex directory signs may have multiple sides. These signs shall be located in landscaped areas. Unless existing conditions preclude, the landscaped area shall be equal to a minimum of two times the area of the sign face. Properties that are less than one acre in size shall not have more than one complex directory sign. Properties over one acre in size but less than 15 acres in size shall not have more than two complex directory signs.

Properties that are more than 15 acres in size shall not have more than three of these signs. These signs shall be located to maximize visibility and usefulness to those entering the complex/center.

2. Multi-tenant freestanding directory signs are intended to provide a directory for a single building or group of buildings containing multiple suites/tenants within a complex/center. These signs shall be a maximum height of eight feet and have a maximum area of 25 square feet per face. These signs may have multiple sides. Directory signs shall be located in landscaped areas. Unless existing conditions preclude, the landscape area shall be equal to a minimum of two times the area of the sign face. Multi-tenant freestanding directory signs shall not exceed a ratio of one directory sign per six businesses or suites and shall not be located less than 100 feet from each other.

3. Building tenant directory wall signs are intended to provide a directory for a single building containing multiple suites/tenants. These signs shall have a maximum area of 25 square feet. Sign area accruing from one frontage may be allocated only to signage along the same frontage. No sign shall extend above the height of the wall or the lowest point of the roof.

(C) Wall, Fascia, Under Canopy, and Projecting Signs. Individual business uses within a complex/center may be permitted signage on the building in which the business use is located pursuant to the following standards:

1. Sign Area. The maximum surface area of signs affixed to a building shall be as follows:

a. The total aggregate area of all signs per single use shall not exceed 1-1/2 square feet of sign area for each one linear foot of building frontage. Except that frontages along the golf course shall be permitted signage at 1/2 square feet of sign area for each one linear foot of building frontage.

b. No single sign face shall exceed 100 square feet.

c. Sign area accruing from one frontage may be allocated only to signage along the same frontage.

2. Sign Height. No sign shall extend above the height of the wall or the lowest point of the roof.

3. Projecting Signs. A projecting sign may be permitted only where a wall or under canopy sign cannot be placed to provide reasonable identification. Projecting signs shall be placed so that the lowest point of the sign is no lower than eight feet from the walking surface to avoid conflict with pedestrian access, and shall not extend farther than two feet from the building it is placed on. Projecting signs shall not exceed 3-1/2 square feet. Projecting signs are not allowed on building frontages that are located directly adjacent to Railroad Canyon Road's or Goetz Road's public right-of-way.

4. Under Canopy Signs. Under canopy signs shall be placed so that the lowest point of the sign is no lower than eight feet from the walking surface immediately below to avoid conflict with pedestrian access. Under canopy signs shall not exceed 3-1/2 square feet, and shall not project past the edge of the roof. Under canopy signs shall be double-sided and installed horizontal to the building frontage. Under canopy signs are not allowed on building frontages that are located directly adjacent to Railroad Canyon Road's or Goetz Road's public right-of-way.

(D) Window Signs. Window signs are permitted pursuant to Sections 9.25.030 and 9.25.060.

(E) Digital Advertising Signs. Digital advertising signs may be permitted in commercial, industrial, or institutional complexes/centers over ten acres in size upon approval by the City Council as set out in this section through a sign permit pursuant to the following standards and conditions:

1. Sign Height. Digital advertising signs shall not exceed 24 feet in height above ground level.

2. Sign Area. The sign display face shall not exceed 50 square feet. The total square footage of the sign shall not exceed 80 square feet.

3. Signage letters and exhibits must be an appropriate size based on the maximum speed on the road that the sign will be located as to be legible, as determined by the City Planner.

4. Proposed signs may be subject to limitations on the type of advertising and safety conditions as determined by the City Council.

5. Utility lines providing electrical and data power to the sign shall be underground.

6. The sign structure shall be architecturally treated to be compatible with its surroundings so as to screen the frame support structures and lighting from public view.

7. Operational hours may be limited based on surrounding land uses to minimize lighting conflicts.

8. An illumination study shall be required that addresses light impacts on surrounding areas.

9. Lighting shall comply with Chapter 655 Regulating Light Pollution in order to minimize impacts to the Palomar Observatory and surrounding properties.

10. Illumination from the digital advertising sign will be monitored and controlled as to not impact surrounding properties or the safety of vehicle drivers.

11. No audio sound associated with advertising is permitted.

12. Proposed sign and footing shall be located entirely outside the public right-of-way.

13. The material of the sign shall be designed or coated to control or eliminate reflection or glare from sunlight or passing vehicle lights.

14. The minimum display time between messages shall be no less than eight seconds.

15. Prior to implementing any of the following, the operator shall submit a request and obtain permission from the City: installing, implementing or using any technology that would allow interaction with drivers, vehicles or any device located in vehicles, including, but not limited to a radio frequency identification device, geographic positions system or other device.

16. Operator may be required to submit a written report annually of the operation of the sign during the preceding year that may include but is not limited to operator's licensee, compliance with permits, Outdoor Advertising Act, CA Vehicle Code, U.S. Dept. of Transportation, conditions of approval, and any complaints received by the operator.

(d) Murals. Murals may be permitted upon approval by the City Planner through the sign permit process stated in Section 9.25.040 and pursuant to the following standards and conditions. Any mural may be referred to the City Council for review and decision as deemed appropriate by the City Planner and/or City Manager.

(1) Murals may be permitted within commercial, industrial, and institutional areas.

(2) No part of a mural shall exceed the height of the structure to which it is tiled, painted, or affixed.

(3) No part of a mural shall extend more than six inches from the plane of the wall upon which it is tiled, painted, or affixed.

(4) Murals shall not be intended to be used as a method for commercial speech, but primarily as public pieces of art for aesthetic and/or architectural enhancement.

(5) Murals that would result in a property becoming out of compliance with the provisions of the City's Municipal Code or Zoning Chapter, or any land use condition of approval for the property on which the mural is to be located are prohibited.

(6) Dedication plaques are allowed, located on or adjacent to murals.
(Ord. 147, passed 6-6-2013)

9.25.060 Temporary commercial signs.

(a) Temporary commercial signs, including special event signs and banners, may be approved by the City Planner for a limited period of time as a means of publicizing and/or advertising business, community, and/or civic events, products, services, and/or specials. Such temporary signs shall be subject to the following provisions:

(1) General Provisions for All Temporary Signs.

(A) No temporary sign shall be erected or placed without a sign permit pursuant to the requirements of Section 9.25.040.

(B) No temporary sign shall extend into or be located within the public right-of-way or obstruct visibility for ingress and egress from roadways or endanger and/or obstruct pedestrians, motorists, or the public.

(2) Special Event Signs.

(A) Special events signs shall only be used to promote special events as defined by Chapter 11.25 of the Municipal Code within commercial, industrial, and institutional zoned areas.

(B) Special event signs may in no case remain more than two days following the end of each event, and in no case can be erected or placed more than one month prior to the special event.

(C) Special event sign which may be approved by the City Planner include pennants, streamers, banners, balloons and balloon arches.

(3) Banner Signs[AH2].

(A) Banner signs may be permitted only in commercial, industrial, and institutional areas, and shall be limited to no more than 30 consecutive days, four times a year per business, as stated in the general provisions for temporary signs above.

(B) Banner signs shall not exceed 50 square feet and shall be professionally made.

(C) Banner signs shall be attached only to a building or other appropriate location determined by the City Planner and shall not be hung from trees, monuments signs, or other structures.

(4) Inflated Signs. Inflated signs are only allowed for grand openings of businesses for a time period not to exceed two weeks within the first three months of operation. Inflated signs shall be limited to a maximum height of 25 feet.

9.25.070 Non-commercial signs.

~~(b) Political Signs.~~ Notwithstanding any other provision of this Chapter, ~~temporary political~~ non-commercial signs are permitted in all zones without a permit subject to the following limitations:

(1) No ~~temporary political~~non-commercial sign shall exceed 16 square feet in sign area or extend more than six feet above ~~ground level~~the ground in which the sign is planted to the top of the higher of (a) the top or the sign; or (b) the top of the pole or stand to which the sign is affixed. As used here, "ground" means the dirt or other material into which the bottom of the pole or stand is placed. If the "ground" is higher than street level, as with ground behind a retaining wall or planter, then sign height will be measured from the actual level of the ground into which the sign is placed..

(2) ~~The name, address, and telephone number of the person or organization owning or otherwise responsible for the temporary political sign shall be placed on the front or rear of the sign surface~~

~~in readable type or print. If t~~The name, Address, email, and telephone number of the person or organization owning or otherwise responsible for the non-commercial sign shall be placed on the front or rear of the sign surface in readable type or print. ~~of~~ If the name of one or more persons is shown on the face of the sign, that person or persons shall be responsible for the sign and no additional printed information is required. If no person is listed on the sign, then the person or organization responsible for sign removal and contact information for enforcement or removal shall be listed on the front or rear of the sign in readable type or print. Failure to provide this information shall not be ~~a~~ basis for sign removal for non-compliance with this Code but shall abrogate the City's responsibility for notice and return hereunder if the sign does not otherwise meet the applicable requirements of this Code.

(3) ~~Temporary political~~Each non-commercial sign or non-commercial sign ~~signs~~ shall ~~include signs that have their~~have its own stake and shall not be affixed to any improvement or building. There shall only be one sign per stake. Balloons, streamers and similar material may not be added to the sign. ~~Temporary political~~Non-commercial signs may not be placed on or attached to any tree, shrub, or plant.

(4) ~~All~~ Any freestanding ~~temporary political~~non-commercial sign~~s~~ shall be affixed to a stake, pole or stand so as not to separate from such pole or stand during normal weather conditions. The pole or stand shall be sufficiently sturdy and shall be planted firmly in the ground. No such freestanding sign shall exceed six feet in height, measured from the ground in which the sign is planted to the top of the higher of (a) the top of the sign; or (b) the top of the pole or stand to which the sign is affixed. As used here, Aground@ means the dirt or other material into which the bottom of the pole or stand is placed. If the Aground@ is higher than the street level, as with ground behind a retaining wall or planter, then sign height will be measured from the actual level of the ground in which the sign is placed. No non-commercial sign shall be erected, placed, or maintained so that it endangers the safety of persons or property, obstructs, or impairs motorists' or pedestrians' line of sight to areas of vehicular or pedestrian traffic, or obscures the view of any fire hydrant, traffic sign, traffic signal, street sign, or public information sign.

~~(5) No individual lot shall contain temporary political signs having an aggregate surface area in excess of 18 square feet, not to exceed three signs. Individual lots facing the golf course or waterfront are permitted to have an additional aggregate surface area not to exceed 18 square feet of temporary political signs, not to exceed three signs that are only visible from the waterfront side or golf course side.~~

(5~~6~~) ~~All~~ Any ~~temporary political~~non-commercial sign~~s~~ shall be removed by or at the expense of the owner within ~~ten~~ twenty (20) days after the end of any scheduled ~~election to which such sign pertains~~event reference in/on the sign.

(6~~7~~) No ~~such~~ non-commercial sign shall be erected, placed, or maintained upon any private property without the consent of the owner of such private property.

(7~~8~~) No ~~temporary political~~commercial or non-commercial sign shall be erected, placed or maintained in or on public property, the public right-of-way, or any publicly owned sign, building, tree, or shrub, or other object or structure, including but not limited to, sidewalks, crosswalks, streetlamps, hydrants, transformers, or power poles.

(8~~9~~) No ~~temporary political~~comemrcial or non-commercial sign shall be erected, placed or maintained so that it endangers the safety of persons or property, obstructs, or impairs motorists' or pedestrians' line of sight to areas of vehicular or pedestrian traffic, or obscures the view of any fire hydrant, traffic sign, traffic signal, street sign, or public information sign.

(9~~10~~) No ~~temporary political~~non-commercial sign shall be artificially illuminated.

(10~~1~~) Notwithstanding any other provisions of this Code or City Chapter to the contrary, any ~~temporary political~~non-commercial sign erected, placed, or maintained in violation of any provisions of this section may be removed by the City upon 48 hours prior ~~oral~~ written notice to the sign owner or person or organization responsible for the sign. "Written notice" includes email. If such person does not remedy the violation within that time period, or if such person cannot be located upon reasonable effort by the City, the City may remove the sign. In the event any ~~temporary political~~non-commercial sign is an immediate threat to the public health, safety, or welfare, the City may immediately remove the sign and then notify the sign owner or person or organization responsible for the sign. Notwithstanding the notice provisions stated above, all ~~temporary political~~non-commercial signs not the sign nroe/mino v referencedetdof any scheduled even within twenty (2) days after the end ~~with ten days after the date of the election~~ may be removed by the City without prior notice.

(1~~1~~2~~2~~) All ~~temporary political~~non-commercial signs removed by the City shall be stored by the City for a period of ~~seven days after removal~~seven (7) business days after removal. The owner or person or organization responsible for such sign(s), if such can be located, ~~or all temporary political signs~~ removed by the City shall be notified to retrieve the removed sign(s) within ~~fiv~~five (5) businesse– days; if not retrieved within that time the

City may destroy the sign(s). The City may charge and collect a fee for the removal and storage of temporary political signs, said fee to be established by resolution of the City Council in an amount not to exceed the actual cost of removal, storage, and notice. Alternatively, whether or not such fee is established, the City may bring an action to recover the reasonable costs of removal, storage, and notice.

(12) Governmental Signs.

(A) The City Council finds that certain signage is necessary to preserve the public health, safety, and welfare, and inform the public of hazards, communicate traffic rules, provide notice of access/egress/possible hazards and provide other public information.

(B) Governmental signage may be erected, placed, or maintained in or on public property, the public right-of-way, or any publicly owned sign, building, tree, shrub, or other object or structure.

9.25.075~~0~~ Prohibited signs.

The following signs are inconsistent with the sign standards set forth in this Chapter, and are therefore prohibited and their abatement shall be required when such sign shall be found to exist:

(a) Abandoned signs as set out herein.

(b) Animated, moving, flashing, blinking, reflecting, revolving, chasing, or any other similar sign, except properly permitted on-site digital advertising signs and time and temperature signs as permitted by this Chapter. This does not prohibit ~~end of the year holiday lights~~ decorations which are not intended to be signage.

(c) Open and/ or unshielded light bulb signs.

(d) Banners, flags, and pennants, except as specifically allowed in this Chapter.

(e) Changeable copy signs, with the exception of signs identifying commercial, industrial, or institutional centers of ten acres or more, and electronic message boards, except as allowed with a conditional use permit for commercial, industrial, or institutional complexes, movie theaters, arenas, stadiums, or auto malls.

(f) Billboard signs (off-site outdoor advertising signs).

(g) Portable signs, excluding those permitted by Sections 9.25.030 and 9.25.060.

(h) No private commercial or non-commercial sign shall be erected, placed, extended into or be maintained in or on public property, the public right-of-way, or any publicly owned sign, building, tree or shrub, or other object or structure, incluing but not limited to sidewalks, crosswalks, street lamps, hydrants, transformers, or power poles.

(i) No commercial or non-commercial sign shall be erected, placed, or maintains so that it endangers the safety of persons or property, obstructs, or impairs motorists' or pedestrians' line of sight to areas of vehicular or pedestrian traffic, or obscures the view of any fire hydrant, traffic sign, traffic signal, street sign, or public information sign.~~Signs on or projecting into public right-of-way, except for traffic regulatory signs, signs required by a governmental agency, and except as permitted by Section 9.25.060.~~

(j~~i~~) Roof signs, except where it is determined by the City Planner that the construction of a building is such that available wall, parapet, or other surface area does not exist to allow signage to be placed in any location other than the roof. In no event shall any roof sign project above the roof-peak.

(k~~j~~) Signs painted on fences or roofs.

(l~~k~~) Balloons and other inflated devices or signs designed to attract attention, except as ~~permitted by Section 9.25.060~~.

(m~~l~~) Private commercial or non-commercial s~~S~~igns which simulate in color or design a traffic sign or signal, or which make use of words, symbols or characters in such a manner to interfere with, mislead, or confuse pedestrian or vehicular traffic.

(n~~m~~)Unsafe signs. Any sign which constitutes an immediate hazard to the safety of any persons or property may be summarily removed by the City forthwith upon ascertainment of such facts by the City.

(o~~n~~) Permanent or temporary off-site signs.

(p~~o~~) Roadway banners over public or private roadways.

(q~~p~~) Any sign which is not expressly permitted by this Chapter, or by a process herein, shall be deemed prohibited.
(Ord. 147, passed 6-6-2013)

9.25.080 Abandoned, illegal and nonconforming signs.

The Business and Professional Code, Subsection 5499.1, identifies the appropriate procedure for removal of on premises illegal or abandoned signs. Therefore, the following shall regulate such signs.

(a) Abandoned Commercial Freestanding Signs. A sign shall be determined to be abandoned when the business, use, or service it advertises has been discontinued for a period of more than 90 calendar days. If a sign has been abandoned, it shall be removed from the lot or building site on which it is located pursuant to the following procedure:

(1) The City shall prepare a notice of intent to adopt a resolution declaring specific signs to be a public nuisance. Such notice shall be sent ten days prior to the hearing to all sign owners and/or responsible parties stating the time, place and date of the hearing and the nature of illegality of the sign(s).

(2) Following adoption of the resolution, the City shall post subject properties requiring abatement of signs noticing the time, date, and place of hearing on objections. The notice shall be in the following form:

NOTICE TO REMOVE ILLEGAL ADVERTISING DISPLAY

Notice is hereby given that on the ____ day of _______, 20__, the City Council of the City of Canyon Lake adopted a resolution declaring that an illegal advertising display is located upon or in front of this property which constitutes a public nuisance and must be abated by the removal of the illegal display. Otherwise, it will be removed, and the nuisance abated by the City.

The cost of removal will be assessed upon the property from or in front of which the display is removed and will constitute a lien upon the property until paid. Reference is hereby made to the resolution for further particulars. A copy of this resolution is on file in the office of the clerk of the legislative body.

All property owners having any objection to the proposed removal of the display are hereby notified to attend a meeting of the City Council of the City of Canyon Lake to be held (give date, time, and place), when their objections will be heard and given due consideration.

Dated this ________ day of _____, 20______

____

(Title)
City of Canyon Lake, CA

(3) The City Council shall hold the hearing and adopt the abatement process directing the owners and/or responsible parties to remove the sign(s) by a certain date.

(4) An owner and/or responsible parties may submit an appeal of the City Council's actions within ten calendar days after the date of the decision by the City Council, an appeal in writing may be made on the form provided by the Planning Department and which shall be accompanied by a filing fee as set forth in Chapter No. 671. Upon receipt of a completed appeal the Planning Director shall set the matter for hearing and mail notice thereof to the applicant and the appellant. City Council's action on the appeal shall be considered final.

(5) The owner and/or responsible party shall be responsible for all costs of abatement, including the costs of the application. If an owner and/or responsible party fails to remove the sign within the specified time frame, the City shall cause the sign to be removed and the cost shall be assessed to the owner and/or responsible party as provided by Business and Professions Code Section 5499 et seq.

(b) Illegal Signs. Any sign erected without a permit and/or erected in contravention to regulations in existence at the time of its erection or placement is considered to be an illegal sign. Illegal signs shall be abated pursuant to the same procedure identified for removal of abandoned signs, in this Section (Subsections (a)(1) through (a)(4) above).

(c) Legal Nonconforming Signs.

(1) A legal nonconforming sign shall not be:

(A) Structurally altered to extend its useful life that may include but is not limited to repainting and other maintenance tasks.

(B) Expanded, moved or relocated.

(C) Re-established after a business has been discontinued for a continuous period of 90 days.

(D) Re-established after damage or destruction of more than 50% of the sign.

(E) Re-established after a change in use of the property or business to which the sign relates.

(2) Any permanent sign which was properly erected pursuant to laws and regulations in existence at the time of its erection of placement, but which does not meet the requirements of this Chapter, shall be allowed to be brought into conformance, in accordance with Section 9.25.040 of this Code.

(3) Any legal nonconforming sign shall be required to be brought into conformance or abated in advance of the requirements of Section 9.25.040 in conjunction with any conditional use permit or development permit which is hereafter granted on the same site.
(Ord. 147, passed 6-6-2013)

9.25.090 Conformance and amortization.

(a) Intent of Provisions. It is the intent of this Section to recognize that the eventual elimination of existing signs that are not in conformity with the provisions of this Chapter is as important as is the prohibitions of new signs that would violate these regulations.

(b) Every sign which does not comply with the provision of this Section shall be removed, brought into conformance or amortized in accordance with this Section. Time periods for amortization of nonconforming signs shall begin from the completion and publication (or posting) of the inventory specified below. Any sign which becomes nonconforming either by reason of amendment of this Chapter, shall also be subject to the provisions of this Chapter. The period of time within which such sign must be abated shall commence upon the effective date of such amendment. Any sign not complying with the provisions of this Chapter at the end of the amortization period shall be deemed a public nuisance and abated in accordance with this Section.

(c) Signs to be Brought into Conformance Within Six Months. The following signs shall be removed or otherwise brought into conformance by the person(s) deemed responsible for such signs within six months of official notification following the completion of the inventory of illegal, nonconforming and abandoned signs required by Subsection (g) of this Section. If there are substantial changes a grace period of 30 days shall be allowed beyond the amortization period.

(1) Illegal signs.

(2) Temporary commercial signs or temporary on-site devices attached to signs or used in conjunction with the promotion of any product, service or use, such as flags, banners, bunting, inflatable devices, pennants, streamers, and spinners, except as permitted by Section 9.25.060.

(3) Any sign type which is listed as prohibited in Section 9.25.070 which is not determined to be legally nonconforming.

(4) Signs in state of disrepair or showing poor maintenance or questionable structural integrity.

(d) Legal Nonconforming Wall Signs. Any permanent wall sign which was properly erected pursuant to regulations in existence at the time of its erection or placement, and with a valid sign and/or building permit, but which does not meet the requirements of this Chapter, shall be allowed to remain in existence, notwithstanding its nonconforming character, for a period not to exceed six months from the day of completion and publication (or posting) of the inventory as specified by Subsection (h) below, providing that such signs and sign structures remain in full compliance with Sections 9.25.080 and 9.25.110 of this Code; and further providing that if a comprehensive sign program is adopted pursuant to Section 9.25.040 hereof, within one year from the date of completion and publication or posting of the inventory as specified in Subsection (h), which program addresses the amortization of all legal non-conforming signs with the program, the amortization period shall be extended to a total of one year. Notwithstanding the aforementioned, such signs must be brought in conformance if major exterior building modification occurs as determined by the City.

(e) Legal Nonconforming Roof Signs.

(1) Any permanent roof sign, which was properly erected pursuant to the regulations in existence at the time of its erection or placement, and with a valid sign permit, and/or building permit, shall be allowed to remain in existence, notwithstanding its nonconforming character, for a period not to exceed six months from the date of completion and publication (or posting) of the inventory as specified by Subsection (h) below, providing that such signs and sign structures remain in full compliance with Section 9.25.110 of this Code; and further providing that if a comprehensive sign program is adopted pursuant to Section 9.25.040 hereof, within one year from the date of completion and publication or posting of the inventory, as specified in Subsection (h) below, which program addresses the amortization of all legal non-conforming signs within the program, the amortization period shall be extend to a total of one year. Notwithstanding the aforementioned, such signs must be brought into conformance if major exterior building modification occurs as determined by the City.

(2) If it is determined by the City Planner during inventory and identification of signs (Subsection (h) below) that the construction of a building is such that reasonable signage cannot be placed in any location other that he existing roof sign(s), said sign(s) shall be deemed in compliance with this Chapter until such time as the building is remodeled sufficiently to allow signage other roof signs.

(f) Legal Nonconforming Freestanding Signs. Any permanent freestanding sign, measuring 65 square feet or less and 35 feet or less in height, which was properly erected pursuant to the regulations in existence at the time of its erection or placement, and with a valid sign permit, and/or building permit, shall be allowed to remain in existence, notwithstanding its nonconforming character, for a period not to exceed six months from the date of completion and publication (or posting) of the inventory as specified in Subsection (h) below, providing that such signs and sign structures remain in full compliance with Section 9.25.110 of this Code; and further providing that if a comprehensive sign program is adopted pursuant to Section 9.25.040 hereof, within one year from the date of completion and publication or posting of the inventory as specified in Subsection (h), which program addresses the amortization of all legal non-conforming signs within the program, the amortization period shall be extended to a total of one year. Notwithstanding the aforementioned, such signs must be brought into conformance if major exterior building modification occurs as determined by the City.

(g) All Other Legal Nonconforming Signs. Any sign which was properly erected pursuant to the regulations in existence at the time of its erection or placemen, and with a valid signs and/or building permit, but which does not meet the requirements of this Chapter, shall be removed or otherwise brought into compliance with this code within six months of the date of completion and publication (or posting) of the inventory as specified by Subsection (h). Such signs must be brought into conformance if a building permit or permits are subsequently issued on the site of major exterior modifications.

(h) Inventory of Nonconforming and Abandoned Signs. The City may initiate an inventory and identification of all illegal, legal nonconforming, and abandoned signs within the City, as determined necessary by the City Manager. If any illegal, legal nonconforming and abandoned sign is not identified as part of the City's initial inventory, any such sign may be added to the inventory upon its identification as such.
(Ord. 147, passed 6-6-2013)

9.25.100 Violations and enforcement.

(a) Any violation of this Chapter shall be considered to be an infraction, except in the case of an offsite outdoor advertising display which shall be considered to be a misdemeanor. Any violation of this Chapter or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceeding pursuant to State law and the City's Municipal Code including but not limited to administrative citations. A violation of this Chapter shall also be considered a violation of the Zoning Chapter of the City. The remedies shall include the following:

(1) Issuing a stop-work order for any and all work on any signs on the same lot.

(2) Seeking an injunction or other order of restrain or abatement that requires the removal of the sign(s) or the correction of violation.

(3) Seeking in court the imposition of any penalties that can be imposed by such court under the Municipal Code.

(4) Seeking in court the imposition of any penalties that can be imposed by such court the Municipal Code or laws of the State of California.

(5) In the case of a sign that poses an immediate danger to the public health or safety (see unsafe signs), immediate removal by the City may be authorized by the Director of Building and Safety. Cost of such removal shall be assessed to the owner of the property.

(6) The City shall have such other remedies as are and as may from time to time provided for or allowed by State law for the violation of its Chapters.

(b) Right of Entry. When necessary to make an inspection to enforce any of the provisions of this Chapter, or when the City has reasonable cause to believe that there exists any sign or any condition which makes such sign unsafe, the City, upon adherence with applicable law, may enter the premises or building upon which such sign is located.

(c) Violations. Any of the following shall be violation of this Chapter and shall be subject to the enforcement remedies and penalties of this Chapter, of the Municipal Code, and of State law:

(1) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone in which the sign is located.

(2) To install, create, erect, or maintain any sign requiring a permit without such a permit.

(3) To fail to remove any sign that is installed created, erected, or maintained in violation of this Chapter or with respect to a legal nonconforming sign if the sign amortization period has lapsed.

(4) To continue an identified violation. Each day an identified violation exists shall be considered a separate violation regarding enforcement of this Chapter.

(d) Separate Violations. Each sign installed, created, erected, or maintained in violation shall be considered a separate violation when applying the penalty portions of this Section.

(e) Responsibility. As used in this Section, Aperson (s) deemed responsible@ shall mean any or all of the following:

(1) The person or entity who owns the real property upon which the sign exists.

(2) The occupant of any premises upon which the sign exists.

(3) The owner of the sign.

(4) The person who, or entity which, erects, places, or alters the sign.

(f) It shall be the duty of the City Planner to enforce the provisions of this Chapter pertaining to all signs and sign structures. No permit of any type shall be issued by any department or office of the City in conflict with the provisions of this Chapter. Such permit where issued in conflict with this Chapter is declared null and void.
(Ord. 147, passed 6-6-2013)

9.25.110 Construction and maintenance.

(a) Every sign, and all parts, portions, and materials shall be manufactured, assembled, and erected in compliance with all applicable State, Federal, and City regulations and the Uniform Building Code.

(b) Every sign, including those specifically exempt from the Chapter with respect to permits and permit fees, and all parts, portions, and materials shall be maintained and kept in good repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any cracks, broken surfaces, malfunctioning lights, and missing sign copy, or other unmaintained or damaged portion of a sign or area from which a sign has been removed shall be repaired or replaced within 30 calendar days following notification by the City. Noncompliance with such a request shall constitute a nuisance and penalties may be assessed in accordance with the provisions of the City's Municipal Code.
(Ord. 147, passed 6-6-2013)

9.25.120 Appeal ~~or variance~~ procedure.

(a) Appeals. Any interested party has the right to appeal the decision pursuant to ~~Chapter 348, Section 18.30.e.~~Section 2.01.100 of this Code, unless another provision is made applicable.

9.25.130 Variance

(~~b~~a) Variance. An applicant may apply for a variance to the provision of this Chapter as permitted by Ordinance 348, Section 18.27.

Section 2. To the extent the provisions of the Canyon Lake Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 3. This ordinance shall take effective 30 days from the date of its adoption.

PASSED, APPROVED AND ADOPTED this 1st day of June, 2016.

Tim Brown, Mayor

Attest: Approved as to form:

Ariel M. Hall, CMC, City Clerk

Elizabeth Martyn, City Attorney

State of California)
County of Riverside)ss
City of Canyon Lake)

I, Ariel M. Hall, City Clerk of the City of Canyon Lake, California do hereby certify that the foregoing Ordinance No. 167 was introduced at a regular meeting of the City Council held on the 4th day of May, 2016 and was duly adopted by the City Council of the City of Canyon Lake, California, at a regular meeting held on the 1st day of June, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel M. Hall, CMC, City Clerk

City of Canyon Lake
City Council
Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Palmer, City Manager

DATE: May 4, 2016

SUBJECT: Fire Service Options

Recommendation

Discussion as to the options for Fire Services and milestones associated with each option.

Background

At the April 6, 2016 City Council meeting, Mayor Brown requested staff to state the option before the City regarding Fire Services. Mayor Brown asked that milestones for each option be incorporated to each option.

Since that time the option of AMR staffing a full-time ambulance at Station 60 is no longer a viable option for the City.

The two options before the City are to 1)Create and operate their own municipal fire department; 2)Contract with the County of Riverside (or a similar agency that provides such a service) to provide municipal fire protection and emergency medical services.

Option 1 will take an estimated twelve to eighteen months to fully initiate. Attachment A details a fourteen month estimated start-up plan for a new City-Owned Fire Department at Station 60.

Option 2 would be to negotiate a contract with an appropriate agency to provide fire protection and emergency medical services. This process is estimate to take sixty days (if County Fire is chosen or one-hundred twenty days if it goes out to bid). Once a contract has been approved (according to the Riverside County Fire Department), it will take an estimated ninety days to staff and open Station 60. During the ninety days, County Fire would begin the selection process to staff Station 60. County Fire would also establish their information technology and radio communication infrastructure. There would also be necessary minor facility maintenance that will be required prior to re-opening Station 60.

Fiscal Impact

None

Attachments

1. Timeline to Create Stand Alone Fire Department

ATTACHMENT A

TIMELINE FOR CREATING A STAND ALONE FIRE DEPARTMENT

Milestone – By Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Infrastructure														
Communications														
Contract Agency														
Backbone Structure														
Alarm Dispatching														
Recordkeeping														
Software Provider														
CAD Interface														
IT Support														
Tools and Equipment														
PPE														
SCBA														
SCBA Support														
Apparatus														
Fire Engine-New/Reserve														
Command Vehicle														
Staffing														
Fire Chief Recruitment														
Captain Recruitment														
Engineer Recruitment														
Paramedic Recruitment														

INFRASTRUCTURE

I. Communications

Step 1 – Identify an existing agency to provide dispatch and communications services. Potential agencies:

1. Riverside County Fire
2. Murrieta Fire District
3. Corona Fire Department
4. Hemet Fire Department
5. Riverside City Fire

Step 2 – Determine backbone needs relative to each prospective agency, i.e. repeater towers, etc.

Step 3 – Alarm dispatching includes dispatch frequencies and station notification systems.

II. Recordkeeping

Step 1 – Identify a software provider. Strong consideration should be given to using the same software used by the agency chosen to provide dispatch services.

Step 2 – Additionally, the software chosen should be compatible with the Computer Aided Dispatch (CAD) system used by the agency providing dispatch services to the City.

Step 3 – Ensure that the City's Information Technology (IT) network is expanded to include Station 60.

III. Tools and Equipment

Step 1 – Purchase Personnel Protective Equipment (PPE) for all safety personnel. Deferred to provide time to recruit and hire personnel for sizing of equipment.

Step 2 – Identify and purchase Self Contained Breathing Apparatus (SCBA) for first-line and reserve apparatus.

Step 3 – Identify support necessary to ensure recharging of spent breathing apparatus bottles. If an outside agency is used to provide this support, ensure that the SCBA chosen by the Department is compatible with the outside agency's breathing air compressor and pressure.

IV. Apparatus

Step 1 – Purchase new Fire Apparatus and ensure current reserve fire apparatus is viable.

Step 2 – Purchase command vehicle for fire chief.

STAFFING

Step 1 – Recruit and hire Fire Chief prior to recruiting for Captain, Engineer and Paramedic. Fire Chief should be on board and be integrally involved in the recruitment and hiring of the Captains, Engineers and Paramedics.

Step 2 – Recruit and hire Captains, Engineers and Paramedics.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE FINDING AND PROVIDING FOR THE CENSURE OF COUNCIL MEMBER JOHN ZAITZ

WHEREAS, the City Council has adopted Rules of Decorum for its meetings pursuant to Resolution No. 2015-36, as last updated on November 4, 2015; and

WHEREAS, Section 4.7 of the Resolution provides for a Code of Conduct which is attached to this Resolution and incorporated into Resolution No. 2015-36 as Exhibit A; and

WHEREAS, that Code of Conduct states in pertinent part that:

The Canyon Lake City Council commits itself to ethical, fair, businesslike, transparent and lawful conduct, including proper use of authority and decorum, as to the community and each other. In order to build and maintain effective relationships, council members shall maintain a system of communication and interaction that, at the very least, is based on common courtesy....

WHEREAS, the Code of Conduct then sets out a list of behaviors that council members shall follow as well as a second list that states in pertinent part that

Council members shall not:

- *Interrupt other council members when they have the floor;*
- *have side bar conversations; use personal electronic devices (e.g., cell phones, computers) for personal business during meetings;*
- *personally attack other council members, staff or the public;*
- *embarrass each other or the organization;*
- *intentionally mislead or misinform each other;*
- *maintain hidden agendas;*
- *undermine majority decisions of the Council;*
- *engage in any private business or self-interest gained by access to the City's resources, business partners or "inside information."*

WHEREAS, there has been extensive discussion of the Rules of Decorum and Code of Conduct by the City Council and specifically by Council member Zaitz at Council meetings within the past year; and

WHEREAS, within the past year, upon several occasions commencing in about April or May of 2015 and continuing, the City Council in both open and closed session has chastised

Council member for violations of the Code of Conduct, although Council member Zaitz continues to assert the propriety of his actions; and

WHEREAS, at its April 6, 2016 meeting, at the request of three separate Council members for such an agenda item, the Council then duly considered item 10.3 entitled "Discussion and possible direction to staff to prepare a Resolution of Censure, or consider other action to address ongoing violations of the Code of Conduct by Council member Zaitz" regarding possible violation of that Code of Conduct by Council member John Zaitz; and

WHEREAS, both prior to and during the meeting, Council member Zaitz presented a packet of information containing newspaper articles and Facebook information which he stated showed violations of the Code of Conduct by the other four Council members; and

WHEREAS, at the meeting, based upon such information, Council member Zaitz requested that based upon such allegations, the censure of the other four Council members be added to item 10.3, a request which died for lack of a second; and

WHEREAS, Mayor Brown clearly stated that discussion on item 10.3 would be limited to issues related specifically to the Code of Conduct and not to political viewpoints;

WHEREAS, there was a presentation by Council member Warren, responses by Council member Zaitz, statements by the other Council members, and extensive discussion and public comment both for and against a resolution of censure, all as set out in the certified verbatim minutes of Item 10.3; and

WHEREAS, after such extensive discussion and amended motions, the Council voted 4-1 to instruct the city attorney to place a proposed Resolution of Censure on the May 4 meeting agenda so it could be the subject of additional discussion, if desired; and

WHEREAS, such Resolution was to including the points of personally attacking other Council Members, staff, or the public, embarrassing each other or the organization, and undermining majority decisions of the Council along with the reasons presented therefor; and

WHEREAS, because the reasons for the vote generally are summarized here and in the certified verbatim minutes;

WHEREAS, regarding the **first specific allegation** of a violation of the Code of Conduct for "personally attacking other Council members, staff, or the public, as that evolved through discussion based upon intentional comments by Council member Zaitz at the March 29, 2016 special meeting, summarized as follows:

A. Council member Warren stated the following: "The most recent unacceptable behavior occurred on March 29th as Mayor Pro Tem Haggerty was leaving the meeting for a root canal appointment...She [Mayor Pro Tem Haggerty] quietly indicated that she needed to leave the meeting and as she attempted to do so, Mr. Zaitz aggressively shoved his chair out, blocking her path, while saying to her... "You said that bullshit so now you can go." She said "That was rude." He said "I know." She said "That was nasty." He said "It was intended to be."

B. The certified verbatim minutes of that portion of the March 29 meeting confirm this statement.

C. Mayor Pro Tem Haggerty, who was the subject of the comments, stated that she regarded his conduct as "bullying:"

> "I had simply asked for it to be put on the agenda because I felt that, if you allow a bully to bully you, you encourage more bullying, And I'm just too old a lady to put up with it anymore, and I will not allow myself to be bullied. And when I went home and thought about it, the more I thought about it, the more annoyed I became that this was allowed to happen… and there has been a pattern of this."

D. Council member Zaitz stated he believed he had said "lies" but did not otherwise refute the statements.

E. Council member Zaitz again stated that his conduct was justified because other Council members also have violated the Code of Conduct in other ways, and thus his conduct not need to comply with the requirements of the Code of Conduct, and presented the copies of Facebook pages as evidence thereof:

> "Part of the thing that you have to look at, when you look at the document that was just given to you, is some of the things that Vicki had said… is to intentionally mislead and misinform each other. And you can look at the documents, this verbatim document, where both Vicki and Dawn misinformed the people…"

WHEREAS, regarding the **second and third specific allegations** of "embarrassing each other or the organization, and undermining majority decisions of the City Council" in summary (as more fully set out in the verbatim transcript):

A. Council member Warren stated that based upon her personal observations and examples from past meetings, most recently including but not limited to the March 16 and March 29, 2016 meetings, Council member Zaitz consistently criticizes and demeans the Council and the City, repeatedly challenges Council actions and refuses to let points go that are passed, and repeatedly challenges points he has voted for in prior meetings. She further stated that as an example, he challenged the March 16, 2016 consensus vote to instruct the City Manager to extend the current fire service arrangement although he voted for it, that he uses agenda items to bring up his personal position (citing the March 29, 2016 statements regarding fire services and disincorporation), and that this conduct has been getting worse; and

B. Council member Haggerty agreed with Council member Warren's statements giving an example, and stating again that she considers Council member Zaitz's conduct to be bullying toward the other Council members; and

C. Council member Ehrenkranz agreed, stating in his opinion based upon personal observation and knowledge that Council member Zaitz does not allow the Council to get along to get its business done because he intentionally disrupts the meetings for his personal agenda and to make the Council look bad;

D. Council member Zaitz strongly disagreed, stating that he has the right and/or duty to challenge Council actions which he believes are violations of law or the Rules of Decorum/Code of Conduct, and that he has a right for his side to be heard regarding issues such as Goetz Hill and his continued opposition to the UUT as well as advocacy for disincorporation.

WHEREAS, neither the Rules of Decorum nor the Code of Conduct specifies a remedy for violation of such provisions by a Council member; censure is a remedy that has been used by this Council in the past, although the Council may or may not consider other remedies.

Now, therefore, the City Council resolves and orders as follows:

1. The findings set out above are true and correct.

2. Council member John Zaitz therefore is censured for violating the Resolution No. 2015-36, and the included Code of Conduct, for personally attacking other Council members, staff, or the public; embarrassing each other or the organization; and undermining majority decisions of the Council."

PASSED, APPROVED AND ADOPTED THIS 4th day of May, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

____

Tim Brown, Mayor

ATTEST:

____

Ariel Hall, City Clerk