

MINUTES

REGULAR MEETING OF THE CANYON LAKE CITY COUNCIL

Wednesday, May 1, 2019

Closed Session - 5:30 p.m.

Open Session - 6:30 p.m.

**City Council Chamber
31516 Railroad Canyon Road
Canyon Lake, CA 92587**

Closed Session – 5:30 p.m.

CALL TO ORDER

Mayor Greene called the meeting to order at 5:32 p.m.

CITY COUNCIL ROLL CALL

Present: Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz,
Councilmember Smith, and Mayor Greene

Absent:

PUBLIC COMMENTS

There were no public comments.

CLOSED SESSION

The City Council entered Closed Session at 5:32 p.m.

- A. CLOSED SESSION PURSUANT TO GOVT. CODE SECTION 54957 – Public Employee Appointment; City Attorney

Chris Mann, City Manager, reported that the Council voted unanimously during Closed Session to appoint Steven Graham as the new City Attorney.

Open Session – 6:30 p.m.

CALL OPEN SESSION TO ORDER

Mayor Greene called the meeting to order at 6:45 p.m.

INVOCATION

Invocation was led by Nancy Horton
Flag Salute was led by John Zaitz

CITY COUNCIL ROLL CALL

Present: Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz, Councilmember Smith, and Mayor Greene.

Absent:

APPROVAL OF THE CITY COUNCIL AGENDA

Motion and second by Councilmembers Castillo/Smith to approve the agenda.

Motion carried 5-0, with Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz, Councilmember Smith, and Mayor Greene voting aye.

CEREMONIAL MATTERS

Presentations, Awards, Proclamations, Announcements

- Chamber of Commerce Announcement

Jim Randle gave an update on events that occurred since the last Council meeting and upcoming Chamber events. There was discussion regarding the upcoming POA election.

- May is Mental Health Awareness Month

Mayor Greene presented a Proclamation to Dr. George Middle on behalf of the City Council to recognize Mental Health Awareness Month.

Dr. Middle accepted the award, thanked the Council, and invited them to the upcoming Wellness and Resource Fair.

Councilmember Smith requested a moment of silence for Councilmember Jim Hyatt from Calimesa who recently passed away.

Councilmember Bonner requested that the meeting be adjourned in his name.

Councilmember Smith requested that staff draft a Resolution in his honor.

PUBLIC COMMENT

Darcy Burke, EVMWD representative, gave updates from the Water District. There was discussion regarding algae blooms.

John Zaitz, resident, commented on May is mental health month. He discussed Item 10 and stated that there were no attachments passed out as stated in the agenda packet. He commented on the cost for the City Attorney located within the claims and demands. He requested an update on the City Council's mid-year review.

Dale Welty, resident, provided an update on the POA election.

Amanda McLaughlin, Canyon Lake Library Branch Manager, thanked City Hall for allowing the Library the use of the Council Chamber. She provided an update on the upcoming summer reading program. She thanked additional organizations within the community who have supported the Library.

Nancy Horton, resident, commented on the smoke shops located within the City. She also discussed vaping among teenagers and asked for monitoring of the two organizations.

CONSENT CALENDAR

Mayor Greene asked if any Councilmember would like an item pulled from the consent calendar.

Councilmember Smith requested to pull Item No. 10.

Councilmember Bonner commented requested to pull Item No. 8.

- (1) Waive Full Reading, Read all Ordinances by Title Only
- (2) Claims & Demands - Adoption of Resolution No. 2019-10 approving claims and demands of the City
- (3) Minutes
 - March 26, 2019
 - April 01, 2019
- (4) Second Reading of Ordinance No. 180 - An Ordinance of the City Council of the City of Canyon Lake repealing and readopting Canyon Lake City Code Chapter 11.08 regarding regulatory authority on Canyon Lake
- (5) Second Reading of Ordinance No. 181 - An Ordinance of The City Council of The City of Canyon Lake Repealing and Readopting the provisions of Title 10, keeping and control of dogs and cats, Chapters 10.01, 10.04, 10.08, 10.16, 10.32 And 10.44
- (6) Second Reading of Ordinance No. 182 - An Ordinance of the City Council of The City of Canyon Lake amending and superseding Ordinance No. 174 to include a process for WRCOG calculation and collection of fees under the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program
- (7) Local Hazard Mitigation Plan - Approve Resolution No. 2019-11 Adopting the updated Local Hazard Mitigation Plan Annex
- (8) Agreement - Authorization of Public Works Agreement with PV Maintenance Inc., for Street & Facility Maintenance Services
- (9) Receive & File - Authorization to Implement the Multiple Species Habitat Conservation Plan Local Development Mitigation Fee CPI Adjustment for Fiscal Year 2020
- (10) Contract Amendment – Amendment of the City Attorney's Contract

Motion and Second by Councilmembers Bonner/Smith to approve the Consent Calendar.

Motion carried 5-0, with Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz, Councilmember Smith, and Mayor Greene voting aye to approve the Consent Calendar with the exception of Item 8 & 10.

PULLED CONSENT CALENDAR ITEMS

- (8) Agreement - Authorization of Public Works Agreement with PV Maintenance Inc., for Street & Facility Maintenance Services

Mike Borja, Administrative Services Manager, addressed corrections on page 188 of the agreement with PV Maintenance. He stated that the dollar amount was left blank to allow the Council to decide the amount. He also commented on page 189 & 190 and stated that the dates should've be May 1, 2019.

City Manager Mann stated that staff has proposed approval of this contract as the City does not have a Public Works Department and requested the Council leave the amount to the discretion of the City Manager's signing authority. Discussion regarding the agreement ensued.

Motion and Second by Mayor Pro Tem Ehrenkranz and Councilmember Smith to approve Item 8.

Motion carried 5-0, with Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz, Councilmember Smith, and Mayor Greene voting aye to approve Pulled Consent Calendar Item 8.

- (10) Contract Amendment – Amendment of the City Attorney's Contract

Councilmember Smith requested that the Council authorize for the contract to be reviewed again after six months.

Mayor Greene requested clarification as to whether a motion was needed to establish Steven as the City Attorney.

City Manager Mann stated that the appointment was made during Closed Session and that Item 10 relates specifically to the contract.

Councilmember Smith clarified that the amendment should include a review after six months.

John Zaitz, resident, requested a response to his previous question regarding the City Attorney's charge listed within the claims and demands.

City Manager Mann stated that the Council the Attorney's contract had not been reviewed in quite some time and referred the specific question from Mr. Zaitz, to City Attorney Graham.

Attorney Graham stated that the contract's structure was premised on low usage, however, the usage had gone up with the growth of the City. He stated that his firm committed to a retainer of \$5,000.00 per month and a significantly lower hourly rate. He stated that the Council negotiated a contract that would be retroactive to February which would result in significant savings.

Motion and Second by Councilmember Bonner and Mayor Pro Tem Ehrenkranz to approve Item 10.

Motion carried 5-0, with Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz, Councilmember Smith, and Mayor Greene voting aye to approve Pulled Consent Calendar Item 10.

SCHEDULE OF FUTURE EVENTS

Mayor Greene announced that the schedule of future events were located on the City's website and in the Friday Flyer.

BUSINESS ITEMS

- (11) Balanced Energy Solutions and Local Choice - Adoption of Resolution 2019-12 in Support of Balanced Energy Solutions and Local Choice

City Manager Mann introduced the item. It was stated that the Item was brought to the City for consideration from the Gas Company who was being proactive by asking Cities to adopt Resolutions sending a statement to Sacramento stating that the residents want local choice. He stated that staff worked closely with Southern California Edison to ensure all parties were comfortable with the proposed Resolution.

Councilmember Smith spoke in favor of this item.

Mayor Pro Tem Ehrenkranz agreed with Councilmember Smith and also spoke in favor of this item.

Motion and Second by Councilmembers Bonner/Smith to approve staff's recommendation of Item 11.

Motion carried 5-0, with Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz, Councilmember Smith, and Mayor Greene voting aye to approve Item 11.

(12) SB 669 - Adoption of Resolution 2019-13 in Support of SB 669, the Safe Drinking Water Trust

City Manager Mann introduced the item. It was stated that SB 669 serves as an alternative to Sacramento's proposed tax. The item was brought to the City by EVMWD who provided the Resolution for Council approval.

Jack Wamsley, resident, questioned the cost of the proposed tax. Discussion with Darcy Burke of EVMWD ensued.

Motion and Second by Councilmembers Castillo/Bonner to approve staff's recommendation of Item 12.

Motion carried 5-0, with Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz, Councilmember Smith, and Mayor Greene voting aye to approve Item 12.

(13) Policy Amendment - Amendment of City Equipment Policy and Travel Policy

City Manager Mann introduced the item. He discussed the City's current policy regarding reimbursement to Council for personal cell phone and home internet services. It was stated that the current policy is inefficient and had required excessive staff hours in order to process a small reimbursement. The attorney identified that allowing a flat rate reimbursement for cell phone and internet usage is not legal, however, a monthly automobile allowance would be allowed.

Staff recommends amending the current policy to eliminate the current cell phone and internet reimbursement and amend the travel policy to include an auto allowance of \$100 per month.

Councilmember Bonner requested clarification to ensure the amendment does not interfere with the current mileage reimbursement policy.

John Zaitz, resident, spoke against Item 13.

Motion and Second by Mayor Pro Tem Ehrenkranz and Councilmember Bonner to approve staff's recommendation of Item 13.

Motion carried 5-0, with Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz, Councilmember Smith, and Mayor Greene voting aye to approve Item 13.

- (14) Agreement - Ratification of Professional Services Agreement with Interwest Consulting Group, Inc., for Building Department Services

City Manager Mann introduced the item. It was stated that the current contract allows for an hourly rate which produced invoices which were higher than the revenue received. The new contract allows for Interwest to receive a high percentage instead.

Councilmember Castillo spoke in favor of this item and thanked the City Manager for all his work on Item 14.

Mayor Greene also spoke in favor of this item.

Motion and Second by Councilmembers Castillo/Bonner to approve staff's recommendation of Item 14.

Motion carried 5-0, with Councilmembers Bonner, Castillo, Mayor Pro Tem Ehrenkranz, Councilmember Smith, and Mayor Greene voting aye to approve Item 14.

- (15) CDBG – Authorization to Reallocate Community Development Block Grant Funds to City Hall ADA Accessibility Projects

Administrative Services Manager Borja presented the item. It was stated that County recommended the elimination of the home repair program. Staff recommended applying the current funds towards ADA accessible projects at City Hall.

Councilmember Bonner questioned Helping Hands and whether they were eligible to receive those funds.

Borja stated that Helping Hands was not a qualified agency as their services were not provided regionally.

Councilmember Bonner questioned if the proposed will also address ADA projects at the new Administration Offices.

Borja clarified that the proposal is specifically for ADA projects at City Hall.

Councilmember Smith clarified that Helping Hands has been providing assistance outside of Canyon Lake although the County sees that differently. Discussion regarding Helping Hands ensued.

Councilmember Smith also questioned the amount of outreach to anyone and everyone who could possibly benefit from the funds. While staff did promote the CDBG funds, a targeted mailer was not done. Discussion regarding the possibility of a mailer ensued. He recommended reaching out to the community via a direct mailer as a final option.

Mayor Pro Tem Ehrenkranz questioned the report provided which identified City Hall being out of compliance.

Councilmember Smith made a motion for Item 15 to be pulled until a flyer is mailed out to the residents of the mobile home park.

Mayor Greene requested clarification regarding the process to pull the item.

City Attorney Graham stated that roll call vote was not required and that the item could be pulled with a consensus of the Council.

Nancy Horton, resident, clarified the difference between HOPE and Helping Hands.

Item 15 was pulled.

PUBLIC HEARINGS

(16) Public Hearing and Adoption of Resolution No. 2019-14

TIME AND PLACE FIXED FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF RESOLUTION NO. 2019-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ESTABLISHING AND ADOPTING UPDATED CITY RATES, CHARGES AND USER FEES FOR SPECIAL EVENTS AND COMMERCIAL FILMING PERMITS ALONG WITH A CPI ESCALATOR

- Public Hearing Opened

The Public Hearing was opened at 7:58 p.m.

- Staff Presentation

Administrative Services Manager Mike Borja presented the item.

- Questions to Staff by City Council

There were no questions

- Testimony by Proponents

Jack Wamsley, resident, recommended that the City work with the POA in setting the Commercial Filming Fee and offered his assistance.

- Testimony by Opponents

There were no comments

- Response by Proponents

There were no comments

Mayor Greene stated that the fees in question were identified with the fee study, however, the fees were not added to the final fee study by mistake.

Councilmember Smith questioned if the City had spoken to the POA regarding the fees.

- Public Hearing Closed
Public Hearing was closed at 8:04 p.m.

- Discussion by City Council
Councilmember Castillo agreed with Councilmember Smith and requested the information regarding the POA be brought back to the Council prior to moving on this item.

City Attorney Graham stated that the Council can go forward with the fee with additional direction to the City Manager to address their issues.

Councilmember Smith expressed his concern regarding approval of this item.

Councilmember Smith also expressed his concern for the approval of the Special Event Permit fee.

City Manager Mann stated that the item is only to set the fees and does not address the details surrounding events and/or access. The City's fee study accounted for the City's cost to provide the services.

Mayor Greene stated that the fees were proposed by the Consultant along with the fee study.

Administrative Services Manager stated that the proposed fees are not brand new. They are current fees required by the City and staff is recommending an increase for full cost recovery.

Jack Wamsley, resident, recommended that the Council move forward with the Special Event permit but pull the Commercial Filming Fee until further discussion with the POA has taken place.

Borja stated that the City is currently working with the POA on Special Event permits.

Dale Welty, resident, questioned the definition of a Special Event and when a permit would in fact be required.

Councilmember Smith made a motion to adopt the Special Events Permit Fee and pull the Commercial Filming Permit fee

Mayor Pro Tem Ehrenkranz spoke in favor of adopting the Resolution as is.

Councilmember Smith restated his motion to adopt the Special Events Permit Fee and pull the Commercial Filming Permit fee for further discussion with the POA.

- Action by City Council – Adopt Resolution No. 2019-14

Motion and Second by Councilmembers Smith/Castillo to approve Resolution No. 2019-14 with the exception of the Commercial Filming Fee.

Motion carried 4-1, with Councilmembers Bonner, Castillo, Smith, and Mayor Greene voting aye and Mayor Pro Tem Ehrenkranz voting no.

CITY MANAGER COMMENTS

City Manager Mann gave an update on the move to the Administration Office and thanked staff for all their efforts in facilitating the move. He stated that notice was given to Mr. Jack Regus that the City will be terminating the lease currently occupied by Code Enforcement. He stated that Mr. Regus also informed him that the current lease space will be up for sale and he would like to give the City first option to purchase at \$540,000. He stated that the Fire Code Enforcement is still in progress and will be brought back at the June meeting. He discussed a policy which staff is currently working on to allow for Code Enforcement to carry protective gear. He reminded the Council of the Goals & Budget Workshop scheduled for May 8, 2019 at 5:30 p.m. and the Housing Element Workshop scheduled for May 15, 2019 at 5:30 p.m. and the Public Safety Town Hall scheduled for May 22, 2019. He stated that the next Joint meeting with the POA is scheduled for June, however, a date was not finalized.

Mayor Pro Tem Ehrenkranz questioned if the Council will go dark for the July 3, 2019 meeting. Discussion ensued.

COMMITTEE AND COUNCIL REPORTS/COMMENTS

- **COUNCILMEMBER BONNER**

Councilmember Bonner discussed attending RCTC. He discussed the upcoming Public Safety Town Hall meeting. He reminded the audience about the upcoming Roundtable meetings.

- **COUNCILMEMBER CASTILLO**

Councilmember Castillo discussed the Public Safety Committee meeting from the day prior and thanked the Lieutenant for the newer detailed reports. She attended the TMDL and LESJWA meetings and gave an update on alum treatments necessary for Canyon Lake.

- **MAYOR PRO TEM EHRENKRANZ**

Mayor Pro Tem Ehrenkranz commented on National Prayer Day and asked that everyone keep Councilmember Jim Hyatt's family in prayer.

- **COUNCILMEMBER SMITH**

Councilmember Smith attended the round table meeting. He met with the Mayor of the City of Eastvale to discuss the current Police models which their City is looking into. He attended the Riverside County Sheriff's Annual Award Ceremony on behalf of the City. He attended the League of California Cities event in Sacramento with City Manager Mann and discussed some of the proposed Senate Bills. He discussed attending the RTA meeting. Lastly, he also reminded everyone of National Day of Prayer.

- **MAYOR GREENE**

Mayor Greene discussed SB 2. He attended the RCA Executive Board and discussed the concerning upcoming fire season. He stated that Supervisor Jeffries so kindly donated \$1,000 to the Emergency Preparedness Committee. He discussed the upcoming City Sponsored Golf Tournament. He attended a quarterly breakfast with Mayors from throughout the County.

ANNOUNCEMENTS

The meeting was adjourned to May 15, 2019 at 5:30 p.m. in the Council Chamber

ADJOURNMENT

Mayor Greene adjourned the meeting at 8:41 p.m.

Respectfully submitted,



Ana V. Sauseda,
Deputy City Clerk